

SSI State Supplement Program (SSP)

State Living Arrangement Definitions

Effective October 1, 2014

Category	Definition
Living Alone in the community	<p>Living alone means living in a private household composed of one eligible individual or one eligible couple.</p> <p>An individual or couple is considered to be living alone, if the individual or couple:</p>
State Living Arrangement Code A	<ol style="list-style-type: none">1) Rents a room in an apartment or a private home, but pays a flat fee and takes the majority of their meals during the month outside the dwelling unit or prepares the majority of their meals during the month separately;2) Pays a fixed, pre-established flat fee for both room and board in a commercial establishment which meets no other SSP living arrangement criteria (e.g., not licensed as a congregate care facility and not a public emergency shelter);3) Lives with others, but takes the majority of their meals during the month outside the dwelling;4) Lives with others, but separately prepares, or has someone separately prepare, the majority of his or her meals during the month;5) Receives a fixed, pre-established flat fee for room and board from all others in the dwelling;6) Lives with only a foster child;7) Lives with only a homemaker authorized by a social services district (SSD);8) Lives with only a family care resident placed by: the New York State Office of Mental Health (OMH), the New York State Office for Persons with Developmental Disabilities (OPWDD), or an SSD;

9) Lives with only an aide paid for under the Medical Assistance program; or

10) Has no permanent living arrangement (e.g., a transient person or homeless person) and is not living with an ineligible spouse or a child for whom they have primary responsibility.

An individual or couple is not considered to be living alone if:

1) the individual lives with an ineligible spouse;

2) the individual or couple lives with a child for whom they have primary responsibility (unless the child is a foster child);

3) the individual is a child; or

4) the individual or couple resides in a dwelling with others and prepares food in common with at least one other person in the dwelling.

Living with Others in the Community

Living with others means living in a private household composed of an eligible individual or couple and at least one other person.

It includes a person who:

State Living Arrangement Code B

(1) Resides in a dwelling with others and prepares food in common with at least one other person in the dwelling. An individual or couple which meets one of the following requirements is considered to be living with others:

- an individual living with an ineligible spouse, despite the separate preparation of food; or
- an individual or couple living with a child for whom he or she has primary responsibility (unless the child is a foster child).

(2) Is a child who is not living in a congregate care facility.

(3) Is a child living in a congregate care level III facility.

(4) Is living in a religious community and room and/or board is provided in full or in part by the religious community.

- (5) Has no permanent living arrangement (i.e., transient person or homeless person), but is with an ineligible spouse or child for whom they have primary responsibility.
- (6) Is categorized by the SSA as Living in the Household of Another for purposes of SSI benefits.

Congregate Care Level 1- Family Care

Congregate care level I benefits are provided to persons receiving family care in a family type home for adults which is certified by the New York State Office of Children and Family Services (OCFS) and supervised by a SSD in accordance with applicable provisions of law and regulations, or a family care home certified by OMH or OPWDD in accordance with applicable provisions of law and regulations. An individual or couple is receiving family care if he, she or they have been placed in a family type home certified by OCFS and supervised by a SSD. A child is receiving family care if placed in a family type home by OMH or OPWDD, or by his or her parents.

State Living Arrangement Code C

Congregate Care Level 2- Residential Care

Congregate care level II benefits are provided to persons receiving residential care in a residence for adults or a privately operated community residence, residential substance abuse treatment program or a community residential facility for alcoholism, certified by the appropriate Office of the Department of Mental Hygiene or a residential care center for adults certified by OMH in accordance with applicable law and regulations. For the purpose of this subdivision, a person receiving care in an intermediate care facility certified by the appropriate office of the New York State Department of Mental Health or receiving respite services shall not be deemed to be receiving residential care. A child can receive congregate care level II SSP benefits only if the child is residing in and receiving residential care in a facility certified by OMH, OPWDD, or the New York State Office of Alcoholism and Substance Abuse Services (OASAS). After the month of entry into a congregate care level II facility that is classified as an institution for purposes of federal SSI benefits, couples are treated as consisting of two individuals, since couple status can exist only in households, not institutions.

State Living Arrangement Code D

Congregate Care Level 3 – Enhanced Residential Care

Congregate care level III benefits are provided to persons receiving enhanced residential care in a privately operated school for the mentally retarded and developmentally disabled which is certified by OPWDD in accordance with the applicable provisions of law and regulations or an adult home or enriched housing program certified by the New York State Department of Health (DOH) in accordance with applicable law, rules and regulations to the extent permitted by federal law and regulations. Enhanced residential care facilities include: Adult Homes and Enriched Housing programs certified by the DOH or schools for the mentally retarded certified by OPWDD. A child residing in a congregate care level III facility is considered to be living with others. After the month of entry into a congregate care level III facility that is classified as an institution for purposes of federal SSI benefits, couples are treated as consisting of two individuals, since couple status can exist only in households, not institutions.

State Living Arrangement Code E

Title XIX Facilities

Title XIX facilities are medical facilities, publicly operated residential facilities and public emergency shelters. This State arrangement applies:

**State Living
Arrangement
Code Z**

- When an SSI recipient is residing in a medical facility and is not expected to return home within 90 days and Medicaid is paying for at least 50 percent of the cost of care;
- When an SSI recipient is residing in a private medical facility and Medicaid is paying for less than 50 percent of the cost of care;
- When a recipient resides in a publicly operated residential facility serving 76 or fewer residents; or
- While a recipient resides in a public emergency shelter for 6 calendar months during a 9-month period.

Individuals residing in a facility cited above are not eligible for the SSP benefit, however, they are eligible to receive a New York State administered State Supplemental Personal Needs Allowance (SSPNA) of either \$5 or \$25 if their Federal Living Arrangement Code is D. Recipients residing in a nursing home licensed by the NYS Department of Health (DOH), receive a SSPNA benefit of \$25. Eligible recipients residing in all other eligible medical facilities receive \$5 a month from NYS.
