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### Local Commissioners Memorandum

#### Section 1

<b>Transmittal:</b>	14-LCM-09
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office :</b>	Center for Employment and Economic Supports
<b>Date:</b>	September 8, 2014
<b>Subject:</b>	Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Dependent Care Requests for FFY 2014
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<b>Attachments:</b>	<a href="#">Attachment 1: SNAP E&amp;T/CCBG Comparison Chart</a> <a href="#">Attachment 2: SNAP E&amp;T Dependent Care Request Worksheet</a>
<b>Attachment Available On – Line:</b>	Yes

#### Section 2

##### I. Purpose

The purpose of this Memorandum is to provide social services districts (districts) with information regarding the use of Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) dependent care funds for Federal Fiscal Year (FFY) 2014, including how districts may request such reimbursement.

##### II. Background

SNAP E&T dependent care funds provide 50% federal reimbursement for eligible dependent care expenses incurred by SNAP applicants and recipients participating in SNAP E&T activities and for up to 90 days after an individual becomes employed following SNAP E&T participation. The ability to access these federal funds will help

districts maintain or increase the availability of subsidies for dependent care services for low-income families. USDA has approved New York's request to access SNAP E&T dependent care funds for eligible expenditures for FFY 2014 (October 1, 2013 through September 30, 2014.) As always, 50% federal reimbursement of SNAP E&T eligible dependent care expenditures is subject to the availability of federal funds.

Districts that want to access SNAP E&T dependent care funds will be required to submit a request worksheet subject to approval by the Office of Temporary and Disability Assistance (OTDA), the Office of Children and Family Services (OCFS) and the Division of Budget (DOB). SNAP E&T dependent care funds will be available only to the extent that OCFS and the DOB determine that the use of the funds will not jeopardize the State's ability to receive the State's entire allotment of federal Child Care and Development Fund (CCDF) and child care funds available under Title IV-A of the Social Security Act. Districts may claim up to the amount of their approved allocation, if the New York State Child Care Block Grant (CCBG) maintenance of effort (MOE) requirement is met.

OTDA has developed a Cognos report for Upstate districts entitled the "SNAP E&T Dependent Care Report." This report provides needed information on potentially eligible dependent care expenditures by case type. Report instructions are included on the Cognos site.

### **III. Program Implications**

Subject to an approved allocation, districts may claim 50% reimbursement for dependent care costs related to the participation of eligible SNAP applicants and recipients in eligible SNAP E&T activities. The local share of such expenditures must be supported by eligible non-federal funds. Any funds used to meet the match or MOE requirement of any federal program, including CCBG MOE funds, cannot be used to meet the local (non-federal) share of SNAP E&T expenditures.

Districts should refer to 14-OCFS-LCM-02 for district CCBG MOE requirements and to federal SNAP regulations at 7 CFR 273.7(d)(1)(ii), 273.7(d)(4) and 273.7(e)(1). In addition, districts should refer to Section 3 of the OTDA Employment Policy Manual, the New York State Fiscal Reference Manual (FRM), Volume 3 and 13-LCM-10 for further information on allowable SNAP E&T activities and claiming instructions.

#### **A. Eligible Costs**

Not all individuals eligible for CCBG funded child care are eligible to receive SNAP E&T funded dependent care. As discussed in more detail below under section B "Eligible/Ineligible Individuals," SNAP E&T dependent care funds may only be used to reimburse dependent care costs that are necessary for a SNAP applicant or recipient to participate in SNAP E&T activities and for up to 90 days following employment by individuals who participated in a SNAP E&T activity.

SNAP E&T dependent care funds may be used to support eligible child care costs incurred for dependents under the age of 13. SNAP E&T dependent care funds may also be used to support eligible dependent care costs for a child with special needs or under court supervision who is under 18 years of age or under 19 years of age and a

full-time student in a secondary school or in an equivalent level vocational or technical training. Documentation is required for children who have been identified as having special needs or are under court supervision, as described above. Eligible families are defined in 18 NYCRR §415.2 (a).

SNAP E&T dependent care funds cannot be used to reimburse dependent care costs for services provided by another member of the SNAP household.

Reimbursement for dependent care may not exceed the lesser of the actual cost of care or the market rate for such care as established in 18 NYCRR §415.9 (j).

Dependent care funded through the SNAP E&T program must be provided consistent with federal laws and regulations relating to OCFS and the CCBG and the SNAP E&T program.

## **B. Eligible/Ineligible Individuals**

SNAP applicants and recipients eligible to receive SNAP E&T funded dependent care include:

- SNAP applicants and recipients participating in a SNAP E&T activity approved by the district (see allowable activities below). This group of SNAP E&T participants may include:
  - a. SNAP applicants or recipients also applying for or in receipt of Safety Net Assistance (MOE and non-MOE), and,
  - b. SNAP applicants or recipients not receiving Temporary Assistance.
- Certain individuals may be limited in the SNAP E&T dependent care that they may receive based on limitations that a district has included in its Child and Family Services Plan.
- Employed SNAP recipients for up to 90 days in those instances where the individual participated in another SNAP E&T activity within 90 days of beginning employment. SNAP E&T dependent care funds may not be used for individuals who are employed when applying for Temporary Assistance or SNAP benefits or who get a job without participating in an approved SNAP E&T activity within the prior 90 days.

The limitations on SNAP E&T funded dependent care for employed individuals do not limit other instances that may render the individuals eligible for, or guaranteed dependent care assistance through other funding streams. For example, certain temporary assistance recipients are guaranteed transitional child care for up to one year after leaving temporary assistance as a result of employment.

When a district mandates (subject to sanction) that an individual participate in a SNAP E&T activity, the district must provide support services such as transportation and dependent care services that are determined to be reasonable and necessary to allow for participation. While many SNAP recipients may be eligible for SNAP E&T

dependent care services, the district may determine which groups of individuals will be enrolled in SNAP E&T activities and provided dependent care.

Eligible individuals may only receive SNAP E&T funded dependent care for hours during which they participate in a district approved SNAP E&T activity as defined in the New York State SNAP E&T State Plan and each district's Temporary Assistance and SNAP Employment Plan. SNAP E&T funded dependent care may not be used for individuals participating in activities that are not determined by the district to be a SNAP E&T approved activity.

According to federal requirements, the following individuals are not eligible for SNAP E&T funded dependent care:

- Individuals who are applying for or are in receipt of Temporary Assistance for Needy Families funded assistance (temporary assistance case types 11 and 12).
- Individuals sanctioned from receiving SNAP benefits.
- An individual whose dependent care is provided by another member of the SNAP household.

In most instances, an individual who is eligible for SNAP E&T funded dependent care is also eligible for CCBG funded child care. If a district is authorizing SNAP E&T dependent care payments for any individual who is not also eligible for CCBG-funded child care, the district must identify eligibility upon issuance and use the payment type F3 – SNAP E&T Dependent Care Payment.

### **C. Allowable SNAP E&T Activities**

SNAP applicants and recipients participating in a SNAP E&T activity as defined in the New York State SNAP E&T State Plan and approved by the district must be provided support services determined to be reasonable and necessary for participation. SNAP E&T dependent care funds may be used to provide dependent care services to eligible applicants and recipients participating in approved SNAP E&T activities and to support employment for up to 90 days following an individual taking employment after participating in an approved SNAP E&T activity.

SNAP E&T allowable activities are:

- Job search
- Job readiness training
- Job skills training (including vocational education and permissible post-secondary education)
- Education
- Work Experience
- Subsidized Employment Program
- Community service
- Unsubsidized employment – As noted above, SNAP E&T reimbursements may be provided to support employment for up to 90 days in those instances where the individual participated in another SNAP E&T program activity prior

to beginning employment. Individuals must begin employment within 90 days of participation in the SNAP E&T activity.

Participants may not be provided with dependent care services under SNAP E&T beyond that which is necessary to allow for SNAP E&T program participation.

#### **IV. Required Action**

Districts that want to access SNAP E&T dependent care funds must submit a request form to OTDA. The request is subject to approval by OTDA, OCFS and DOB. SNAP E&T dependent care funds will be available only to the extent that OCFS and DOB determine that the use of the funds will not jeopardize the State's ability to receive the State's entire allotment of federal CCDF and child care funds available under Title IV-A of the Social Security Act. SNAP E&T dependent care funds are also subject to the availability of funds at the federal level. Districts may claim up to the approved allocation, if the CCBG maintenance of effort (MOE) requirement is met.

Districts wishing to access SNAP E&T dependent care funds must submit a Request Worksheet (Attachment 2) to provide the following information:

1. Estimated CCBG excess MOE local non-federal expenditures for the federal fiscal year. This amount represents the gross locally funded total expenditures not required to meet the CCBG MOE and therefore available to provide the 50% nonfederal share of any expenditure eligible for SNAP E&T dependent care reimbursement. Therefore, if the amount is zero, the district has no funds to support the SNAP E&T nonfederal share and is not eligible for SNAP E&T dependent care funds for CCBG eligible dependent care. If the district is over the total ceiling by more than they are under the MOE ceiling in the 25% column, these funds will be used first to meet the CCBG MOE. The remainder would be applied toward local support of the nonfederal share of SNAP. The amount available to support the nonfederal share of SNAP will vary depending on the eligibility of the claims that were originally submitted (75% or 100%).
2. Projected gross SNAP E&T eligible dependent care expenditures. This amount is the projected gross SNAP E&T eligible dependent care expenditures as determined based on information provided by the SNAP E&T Dependent Care Report.
3. Identify any projected adjustments to the projected gross SNAP E&T eligible dependent care expenditures based on the SNAP E&T Dependent Care Report (from step 2 above). Districts may choose to supplement the projection supported by the SNAP E&T Dependent Care Report information based on factors such as a review of potentially eligible individuals or other factors that may affect overall child care expenditures. Districts must itemize and explain any adjustments under section two of the worksheet.
4. Total projected gross SNAP E&T eligible dependent care expenditures for the federal fiscal year (the District's request). This amount should reflect

the projected expenditures to be submitted by the District for FFY 2014 (October 1, 2013 through September 30, 2014). This amount must not exceed the “excess” MOE local non-federal expenditures for the FFY as identified in line 1 on Attachment 2 as those expenditures reflect the maximum non-federal CCBG expenditures potentially eligible for SNAP E&T reimbursement (as these expenditures were not already required to be applied toward the CCBG MOE).

Districts that can identify non-federal share (excess MOE) to support SNAP dependent care expenditures are encouraged to submit requests for FFY 2014 (October 1, 2013 through September 30, 2014).

All requests for FFY 2014 SNAP E&T dependent care funds must be received no later than **October 8, 2014**. OTDA, OCFS and DOB will review requests received by October 8, 2014 and subsequently notify districts of approved SNAP E&T dependent care allocations for which the district may submit claiming adjustments to access the SNAP E&T reimbursement of local child care expenditures above the CCBG MOE requirement. **Districts must not shift any claims from CCBG (Schedule H) to SNAP E&T (Schedule D-3) prior to approval by OTDA and OCFS.** If the amount of requested SNAP E&T dependent care funds exceeds the authorized funding level from USDA, district allocations will be adjusted proportionately. Districts may submit requests for FFY 2014 SNAP E&T dependent care funds after October 8, 2014, however all requests are subject to the availability of funds. OTDA will seek additional spending authority from USDA in an effort to fully reimburse eligible expenditures.

Completed SNAP E&T dependent care request worksheets should be submitted to:

**Emmanuel Clayton**  
**NYS Office of Temporary and Disability Assistance**  
**40 North Pearl Street, 11th floor**  
**Albany, New York 12243**  
**E-mail: [Emmanuel.Clayton@otda.ny.gov](mailto:Emmanuel.Clayton@otda.ny.gov)**

## **V. Reporting**

OTDA has developed a Cognos report for districts (other than New York City) entitled the “SNAP E&T Dependent Care Report.” The report is in a subfolder in the SNAP E&T folder located under the Employment Programs Reports folder in Cognos and can be accessed using the following link: [SNAP E&T Dependent Care Report Folder](#). This report provides needed information on potentially eligible dependent care expenditures by case type. These expenditures should be used to project SNAP E&T eligible dependent care expenditures recorded on the request worksheet (Attachment 2, Line #2) by each district outside of New York City. New York City has developed a comparable report.

The Cognos report is based on Welfare Reporting and Tracking System (WRTS) information derived from the Welfare To Work Caseload Management System (WTWCMS) work activities and BICS (Benefit Issuance and Control System) payment information. It is important for districts to enter all work activities and hours on

WTWCMS correctly and in a timely manner so that information will carry to the report. Report instructions are included on the Cognos site.

District staff must, at a minimum, have access to Cognos with OTDA WRTS security level services and non-services; however we recommend that district staff have full Local District OTDA WRTS access (#.WRTS). Without complete security access, the report may provide incorrect results.

## VI. Claiming Instructions

Districts that have an approved allocation to provide dependent care under SNAP E&T for families eligible for CCBG services, have the option to claim dependent care expenditures as CCBG program costs or SNAP E&T dependent care costs.

Districts should use the “SNAP E&T Dependent Care Report” that identifies the universe of SNAP E&T families who are dually eligible for services under the CCBG and SNAP E&T dependent care, and the BICS Composites to identify corresponding amounts eligible to be claimed under SNAP E&T dependent care on the Schedule D-3 Allocation and Claiming of Administrative Costs for Employment Programs (LDSS-2347-B1).

Final claims for dependent care expenditures, including any for SNAP E&T eligible families who are CCBG eligible, for FFY 2014 must be claimed under the CCBG program on the Schedule H by **March 31, 2015**. Districts that choose to transfer CCBG claimed dependent care expenditures for SNAP E&T families from the Schedule H to the Schedule D-3 for eligible SNAP E&T dependent care expenditures must do so before **March 31, 2015**, but not prior to approval by OTDA and OCFS.

Districts must take into consideration their CCBG MOE level when determining a claiming transfer from CCBG program costs to SNAP E&T dependent care costs. If a district has not met their CCBG MOE based on claims submitted by March 31, 2015, adjustments will be made on the CCBG ceiling reports to shift the amount of expenditures necessary to meet MOE from CCBG funded to local share/MOE. See 14-OCFS-LCM-02 for information related to CCBG MOE.

SNAP E&T families who are eligible for dependent care services under the CCBG and claimed as CCBG program costs will be claimed for reimbursement in the first instance on the Schedule H. Instructions for completing the Schedule H are contained in Fiscal Reference Manual (FRM) Volume 2, Chapter 3.

CCBG expenditures identified from the Cognos SNAP E&T Dependent Care Report statistics and compared with the BICS Composites that are transferred to SNAP E&T dependent care must be claimed for reimbursement on the Schedule D-3 through supplemental claims adjustments. The expenditures must be reversed off the Schedule H (column 13 or column 14) and reported as F3 functional costs, under object of expense 19.2 on the Schedule 923. These expenditures will carry through to the Schedule D-3. Instructions for completing the Schedule D-3 are contained in FRM Volume 3, Chapter 10. Districts must retain this documentation to support supplemental claims that shift the expenditures from CCBG to SNAP E&T dependent care.

Any dependent care costs incurred for SNAP E&T families **ineligible** for services under CCBG should be identified by the payment type F3 on the Schedule D-3 BICS Composite and be reported as F3 functional costs, under object of expense 19.2 on the Schedule 923. These expenditures will carry through to the Schedule D-3. District reimbursement for these costs is funded at a 50% federal share and a 50% local share.

Fiscal Reference Manuals (FRM) are available at <http://otda.state.nyenet/bfdm/>.

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