NEW YORK STATE OF OPPORTUNITY. | Office of Temporary and Disability Assistance

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Administrative Directive

Section 1

Transmittal:	15-ADM-02
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	April 9, 2015
Subject:	Temporary Assistance Budgeting: 2015 Earned Income Disregard and Poverty Level Test
Suggested Distribution:	Temporary Assistance Directors SNAP Directors Staff Development Coordinators Employment Coordinators WMS Coordinators Fair Hearing Staff Medicaid Staff TOP Coordinators
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Attachments:	None
Attachment Available Online:	☐

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
97 ADM-23 98 ADM-10 99 ADM-3 00 ADM-3 01 ADM-5 02 ADM 5 03 ADM 4 03 ADM 9 04-ADM-03 05-ADM-09 06-ADM-04 07-ADM-02		352.18 352.19 352.20 352.3(a)-(d) 352.8(b)(1)	SSL 131-a(8)(a)(iii)	TASB Chapter 18, Section J	ABEL Transmittal 15-1 GIS 01 TA/DC049 GIS 10 TA/DC014 Federal Register: January 22,

08-ADM-01 09-ADM-05 11-ADM-02 12-ADM-02 13-ADM-03 14-ADM-01					2015

Section 2

I. Summary

This Administrative Directive (ADM) advises social services districts (SSDs) of a change in the Earned Income Disregard (EID) and Poverty Level Income Test for the Temporary Assistance (TA)[1] budgeting process. Effective June 1, 2015, the EID increases from 49% to 50% and districts must begin using the new EID for cases with an Automated Budgeting and Eligibility Logic (ABEL) budget "From Date" of June 1, 2015, or later.

II. Purpose

This directive advises SSDs of a change in the percentage of the EID used in the TA budgeting process. Annually, on June 1, as required by Social Services Law (SSL) 131- a(8)(a)(iii), this percentage must be adjusted up or down to reflect the changes in the most recently published federal poverty guidelines from the United States Department of Health and Human Services. Additionally, this directive also updates the eligibility thresholds of the Poverty Level Income Test.

III. Background

The Welfare Reform Act of 1997 (WRA) required the use of a new budgeting methodology employing a flat percentage EID. The EID is applied to the difference between the eligible applicant's or recipient's gross income and the $90 work expense disregard. SSL 131-a(8)(a)(iii) requires the Office of Temporary and Disability Assistance (OTDA) to adjust the EID annually, effective June 1 each year, to reflect the most recently released federal poverty guidelines.

The WRA also imposed a Poverty Level Income Test that requires a household's total gross earned and unearned income to be at or below the federally established poverty level by family size. This test applies only to persons living in situations subject to the maximum shelter allowances set forth in 18 NYCRR § 352.3(a)-(d) and 352.8(b)(1). The Center for Employment and Economic Supports (CEES) issues an update to the threshold on an annual basis.

IV. Program Implications

[1] Whenever 'Temporary Assistance' or 'TA' is used in this document, it means 'Family Assistance' and 'Safety Net Assistance.' Statutorily, these programs are referred to as 'Public Assistance.'

The EID increases from 49% to 50% effective June 1, 2015. SSDs must begin using the new EID for cases with ABEL budgets effective June 1, 2015 or later. ABEL will support this change effective April 11, 2015 for Rest of State (ROS) and May 18, 2015 for New York City (NYC).

The eligibility criteria for a TA household to receive the EID are unchanged.

Effective June 1, 2015, the Poverty Level Income Test limits will change. Beginning on that date, the gross earned and unearned income of applicants for and recipients of TA cannot exceed the 2015 Federal Poverty Guidelines as published in the Federal Register, and available at:

http://aspe.hhs.gov/poverty/15poverty.cfm

2015 Federal Poverty Guidelines

Size of Family Unit	Annual Poverty Guidelines
1	$11,770
2	$15,930
3	$20,090
4	$24,250
5	$28,410
6	$32,570
7	$36,730
8	$40,890
Additional Person	$4,160

V. Required Action

Applicants

Effective June 1, 2015, an applicant's eligibility for TA must be determined **without** application of the 50% EID unless the applicant has received TA for any one of the four months preceding the date of the current application.

Recipients

Effective June 1, 2015, a recipient's continuing eligibility for TA must be determined **with** the application of the 50% EID.

A mass re-budgeting of all cases with earned income currently receiving the EID and with an authorization "To Date" of 06/01/15 or later (budget effective "TO DATE" of 06/01/15 or later) will take place on April 18, 2015. Recipients will receive notice of the change through the automated Client Notice System (CNS).

VI. Systems Implications

Rest of State (ROS)

ABEL

To determine an applicant's eligibility for TA, workers must use ABEL Disregard Indicator code "1-If Eligible, Give Disregard," unless the applicant has received TA for any one of the four months preceding the date of the current application. If the applicant has received TA for any one of the four months preceding the date of the current application, workers must use ABEL Disregard Indicator code "2-Calculate With Disregard."

If an applicant is determined eligible for TA using ABEL Disregard Indicator code "1-If Eligible, Give Disregard," the code must be manually changed to "2-Calculate With Disregard."

MRB/A

The 50% EID and the new poverty levels for the Poverty Level Income Test migrate on April 12, 2015, for budgets with the "Budget From" dates of June 1, 2015 or later. A mass re-budgeting/reauthorization (MRB/A) will be run the weekend of April 11, 2015 (Initial Phase), and the weekend of April 18, 2015 (Final Phase); automatically re-budgeted cases with earned income will change from 49% to 50% EID.

The MRB/A will also generate and send CNS notices to the affected cases. Cases listed as exceptions during the Initial Phase of the mass re-budgeting will be included in the Final Phase of the mass re-budgeting if their exceptions are resolved prior to Final Phase. Otherwise, these cases will need to be manually re-budgeted by the SSD (See ABEL Transmittal 15-1 for additional information regarding MRB/A).

New York City (NYC)

NYC mass re-budgeting (MRB) is scheduled as follows: Pass 1-Notices, on the weekend of April 25, 2015, with budgets and reports available on April 27, 2015; and Pass 2 - Update, on the weekend of May 16, 2015, with budgets and reports available on May 18, 2015.

VII. Additional Information (Optional)

Supplemental Nutrition Assistance Program (SNAP), Implications

SNAP benefits must be re-budgeted with the increase in available TA income due to the increase in the TA EID. TA/SNAP cases that are mass re-budgeted will have their SNAP benefits adjusted automatically.

SNAP households continue to receive a 20% earned income disregard from their gross earned income. Please note that the Federal Poverty Limit Guidelines do **not** change for the SNAP Program on June 1st. SNAP Poverty Limit changes will be adjusted October 1st, as usual.

Medicaid (MA) Implications

The MA program will publish the EID for MA-Only cases separately.

The SSDs will be advised of the Medicaid Budgeting Logic (MBL) changes for ROS in a forthcoming MBL transmittal. Information regarding NYC systems changes also will be forthcoming.

VIII. Effective Date

June 1, 2015

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