



Office of Temporary and Disability Assistance

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Administrative Directive Memorandum

Section 1

Transmittal:	19-ADM-04
To:	Social Services District Commissioners
Issuing Division/Office:	Employment and Income Support Programs
Date:	May 2, 2019
Subject:	Temporary Assistance Budgeting: 2019 Earned Income Disregard and Poverty Level Test
Suggested Distribution:	Temporary Assistance Directors and Staff SNAP Directors Employment Coordinators WMS Coordinators Fair Hearing Staff Medicaid Staff
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Attachments:	None
Attachment Available Online:	<input type="checkbox"/>

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-03 00 ADM-03 01 ADM-05 02 ADM-05 03 ADM-04 03 ADM-09 04 ADM-03 05-ADM-09 06-ADM-04 07-ADM-02 08-ADM-01 09-ADM-05 11-ADM-02 12-ADM-02 13-ADM-03 14-ADM-01 15-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 I	ABEL Transmittal 19-1 GIS 01 TA/DC049 Federal Register: February 1, 2019

16-ADM-04					
17-ADM-03					
18-ADM-02					

Section 2

I. Summary

This Administrative Directive (ADM) advises social services districts (districts) of a change in the Earned Income Disregard (EID) and Poverty Level Income Test for the Temporary Assistance (TA) budgeting process. Effective June 1, 2019, the EID will increase from 52% to 53% and districts must begin using the new EID for eligible cases with an Automated Budgeting and Eligibility Logic (ABEL) budget “From Date” of June 1, 2019, or later.

II. Purpose

This directive advises districts of a change in the percentage of the EID used in the TA budgeting process. Annually, 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 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 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 1st 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 Division of Employment and Income Support Programs (EISP) issues an update to the threshold on an annual basis.

IV. Program Implications

The EID will increase from 52% to 53% effective June 1, 2019. Districts must begin using the new EID for eligible cases with ABEL budgets effective June 1, 2019 or later. ABEL supported this change effective April 14, 2019 for Rest of State (ROS) and will support this change May 18, 2019 for New York City (NYC).

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

Effective June 1, 2019, 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 residing in situations subject to the maximum shelter allowances set forth in 18 NYCRR § 352.3(a)-(d) and 352.8(b)(1) cannot exceed the 2019 Federal Poverty Guidelines found in the chart below and as published in the Federal Register, and available at: <https://aspe.hhs.gov/poverty-guidelines>.

2019 Federal Poverty Guidelines

Size of Family Unit	Annual Poverty Guidelines
1	\$12,490
2	\$16,910
3	\$21,330
4	\$25,750
5	\$30,170
6	\$34,590
7	\$39,010
8	\$43,430
Each Additional Person	+\$4,420

V. Required Action

Applicants

Effective June 1, 2019, an applicant's eligibility for TA must be determined **without** application of the 53% 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, 2019, a recipient's continuing eligibility for TA must be determined **with** the application of the 53% EID.

A mass re-budgeting of all cases with earned income currently receiving the EID and with an authorization "To Date" of 06/01/19 or later (budget effective "To Date" of 06/01/19 or later) will take place prior to June 1, 2019. 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 53% EID and the new poverty levels for the Poverty Level Income Test migrate on April 14, 2019, for budgets with the "Budget From" dates of June 1, 2019 or later. A mass re-budgeting/reauthorization (MRB/A) ran the weekend of April 13, 2019 (Initial Phase), and the weekend of April 20, 2019 (Final Phase); automatically re-budgeted cases with earned income will change from 52% to 53% 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 the Final Phase. Otherwise, these cases will need to be manually re-budgeted by the district (See ABEL Transmittal 19-1 for additional information regarding MRB/A).

New York City (NYC)

NYC mass re-budgeting (MRB) is scheduled as follows: Pass 1 – Notices non-update ran, on the weekend of April 20, 2019, with budgets and reports available on April 22, 2019; and Pass 2 – Update will run, on the weekend of May 18, 2019, with budgets and reports available on May 20, 2019.

VII. Additional Information (Optional)

Supplemental Nutrition Assistance Program (SNAP) Implications

SNAP benefits in SNAP only cases with TA income (mixed cases), must be re-budgeted with the increase in available TA income due to the increase in the TA EID. This does not apply to NTA/SNAP cases. 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 1, 2019. SNAP Poverty Living changes will be adjusted October 1, 2019, as usual.

Medicaid Implications

There are no Medicaid implications.

VIII. Effective Date

June 1, 2019

Issued By

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