



# Office of Temporary and Disability Assistance

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## Administrative Directive Memorandum

### Section 1

<b>Transmittal:</b>	20-ADM-06
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Employment and Income Support Programs
<b>Date:</b>	June 23, 2020
<b>Subject:</b>	Temporary Assistance Budgeting: 2020 Earned Income Disregard and Poverty Level Income Test
<b>Suggested Distribution:</b>	Temporary Assistance Directors and Staff SNAP Directors Employment Coordinators WMS Coordinators Fair Hearing Staff Medicaid Staff
<b>Contact Person(s):</b>	Temporary Assistance Bureau: (518) 474-9344 or <a href="mailto:otda.sm.cees.tabureau@otda.ny.gov">otda.sm.cees.tabureau@otda.ny.gov</a> SNAP Bureau: (518) 473-1469 or <a href="mailto:otda.sm.cees.snap@otda.ny.gov">otda.sm.cees.snap@otda.ny.gov</a> Metropolitan Field Support Bureau: (212) 961-8184 or (212) 961-8185 Medicaid Local District Liaison: Upstate (518) 474-8887; NYC (212) 417-4500

### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
19-ADM-04		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 20-1 GIS 01 TA/DC049 GIS 20 TA/WMS013 Federal Register: January 17, 2020

### 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, 2020, the EID will increase from 53% to 54% 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, 2020 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 earned 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 53% to 54% effective June 1, 2020. Districts must begin using the new EID for eligible cases with ABEL budgets effective June 1, 2020 or later. ABEL supported this change effective April 12, 2020 for Rest of State (ROS) and May 18, 2020 for New York City (NYC).

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

Effective June 1, 2020, 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 2020 Federal Poverty Guidelines found in the chart below and as published in the Federal Register, and available at: <https://aspe.hhs.gov/poverty-guidelines>.

### **2020 Federal Poverty Guidelines**

<b>Size of Family Unit</b>	<b>Annual Poverty Guidelines</b>
<b>1</b>	<b>\$12,760</b>
<b>2</b>	<b>\$17,240</b>
<b>3</b>	<b>\$21,720</b>
<b>4</b>	<b>\$26,200</b>
<b>5</b>	<b>\$30,680</b>
<b>6</b>	<b>\$35,160</b>
<b>7</b>	<b>\$39,640</b>
<b>8</b>	<b>\$44,120</b>
<b>Each Additional Person</b>	<b>+\$4,480</b>

## V. Required Action

### Applicants

Effective June 1, 2020, an applicant's eligibility for TA must be determined **without** application of the 54% 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, 2020, a recipient's continuing eligibility for TA must be determined **with** the application of the 54% EID.

A mass re-budgeting of all cases with earned income currently receiving the EID and with an authorization "To Date" of 06/01/2020 or later (budget effective "To Date" of 06/01/2020 or later) will take place prior to June 1, 2020. 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 54% EID and the new poverty levels for the Poverty Level Income Test migrated on April 12, 2020 for budgets with the "Budget From" dates of June 1, 2020 or later. The Initial Phase of the mass re-budgeting/ reauthorization (MRB/A) ran the weekend of April 18, 2020. The Final Phase of the MRB/A ran the weekend of May 9, 2020, automatically re-budgeting cases with earned income from 53% to 54% 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 20-1](#) and [GIS 20 TA/WMS013](#) 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 18, 2020 with budgets and reports available on April 20, 2020 and Pass 2 – Update ran on the weekend of May 16, 2020 with budgets and reports available on May 18, 2020.

## VII. Additional Information

### Supplemental Nutrition Assistance Program (SNAP) Implications

TA/SNAP cases were mass re-budgeted and had their SNAP benefits adjusted automatically. 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.

SNAP households continue to receive a 20% earned income disregard from their gross earned income. Please note that the Federal Poverty Level Guidelines do **not** change for the SNAP Program on June 1, 2020. SNAP Poverty Level changes will be adjusted October 1, 2020, as usual.

### Medicaid Implications

There are no Medicaid implications.

## VIII. Effective Date

June 1, 2020

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### Issued By:

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**Title: Deputy Commissioner**

**Division/Office: Employment and Income Support Programs / Office of Temporary and Disability Assistance**