



Office of Temporary and Disability Assistance

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Administrative Directive Memorandum

Section 1

Transmittal: 21-ADM-02

To: Social Services District Commissioners

Issuing Division/Office: Employment and Income Support Programs

Date: June 1, 2021

Subject: Temporary Assistance Budgeting: 2021 Earned Income Disregard and Poverty Level Income Test

Suggested Distribution: Temporary Assistance Directors and Staff
SNAP Directors
Employment Coordinators
HEAP Coordinators
Staff Development Coordinators
WMS Coordinators
Fair Hearing Staff
Medicaid Staff

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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.
20-ADM-06		352.18 352.19 352.20 352.3(a),(b) and(d) 352.8(b)(1)	SSL 131-a(8)(a)(iii)	TASB Chapter 18, Section I	ABEL Transmittal 21-2 GIS 01 TA/DC049 Federal Register: February 1, 2021

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, 2021, the EID will increase from 54% to 55% 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, 2021, 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 54% to 55% effective June 1, 2021. Districts must begin using the new EID for eligible cases with ABEL budgets effective June 1, 2021, or later. ABEL supported this change effective April 11, 2021 for Rest of State (ROS) and May 16, 2021 for New York City (NYC).

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

Effective June 1, 2021, 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), (b) and (d) and 352.8(b)(1) cannot exceed the 2021 Federal Poverty Guidelines found in the chart below and as published in the Federal Register, and available at: [Poverty Guidelines | ASPE \(hhs.gov\)](https://www.hhs.gov/poverty-guidelines).

2021 Federal Poverty Guidelines

Size of Family Unit	Annual Poverty Guidelines
1	\$12,880
2	\$17,420
3	\$21,960
4	\$26,500
5	\$31,040
6	\$35,580
7	\$40,120
8	\$44,660
Each Additional Person	+\$4,540

V. Required Action

Applicants

Effective June 1, 2021, an applicant's eligibility for TA must be determined **without** application of the 55% EID unless the applicant has received TA for any one of the four months preceding the current application.

Recipients

Effective June 1, 2021, a recipient's eligibility for TA must be determined **with** the application of the 55% EID.

A mass re-budgeting of all cases with earned income currently receiving the EID and with an authorization "To Date" of 06/01/2021 or later (budget effective "To Date" of 06/01/2021 or later) will take place prior to June 1, 2021. 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 55% EID and the new poverty levels for the Poverty Level Income Test migrated on April 11, 2021 for budgets with the "Budget From" dates of June 1, 2021 or later. The 2021 EID MRB/A was run Final Phase Only, with TA and TA/SNAP Budget Store and WMS Transaction Dates of April 18, 2021. Authorized Cases were sent a CNS Notice. Districts should examine and resolve Exceptions by calculating and storing a new TA or TA/SNAP Budget with a "From Date" of June 1, 2021 and processing the appropriate Undercare Change Transaction. For further information please refer to the [ABEL 21-2 Transmittal](#).

New York City (NYC)

NYC mass re-budgeting (MRB) took place as follows: Pass 1 – Notices non-update ran on the weekend of April 17, 2021, with budgets and reports available on April 19, 2021; Pass 2 – Update ran on the weekend of May 14, 2021, with budgets and reports available on May 17, 2021.

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, 2021. SNAP Poverty Level changes will be adjusted on October 1, 2021, as usual.

Medicaid Implications

There are no Medicaid implications.

VIII. Effective Date

June 1, 2021

Issued By:

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Title: Executive Deputy Commissioner

Division/Office: Office of Temporary and Disability Assistance