



Office of Temporary and Disability Assistance

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Local Commissioners Memorandum

Section 1

Transmittal:	22-LCM-03-T
To:	Social Services District Commissioners
Issuing Division/Office:	Employment and Income Support Programs
Date:	March 28, 2022
Subject:	FFY 2022 Supplemental Nutrition Assistance Program Employment and Training Allocations
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Attachments:	Attachment A – SNAP E&T FFY 2022 District Allocations

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide the federal fiscal year (FFY) 2022 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) 100% and 50% administrative funding allocations for each social services district (district). Additionally, this LCM outlines important information regarding the use of SNAP E&T funds including 50% SNAP E&T participant reimbursement funds.

II. Background

New York State receives annual allocations from the United States Department of Agriculture (USDA) to support the SNAP E&T program administration. For FFY 2022, there are two funding streams available to support SNAP E&T program administration, 100% federal funds and 50% federal funds.

The 100% federal funds are available to fully reimburse SNAP E&T eligible administrative costs without any required non-federal share. New York City's FFY 2022 base 100% allocation is limited to 50% of the total 100% funding available for distribution to districts to ensure a meaningful level of 100% funding is available for other districts. The remaining available 100% funds are distributed to each Rest-of-State (ROS) district based on their proportionate share of the total ROS monthly average number of SNAP recipients who were subject to SNAP work requirements from September 2020 through August 2021.

The federal 50% SNAP E&T funds are available to reimburse 50% of SNAP E&T eligible expenditures with the remainder supported with local non-federal funds. Each district's 50% SNAP E&T allocation is based on the district's SNAP E&T claiming history. The total amount of 50% SNAP E&T funds available is limited based on New York's FFY 2022 50% SNAP E&T allocation.

District FFY 2022 SNAP E&T administrative allocations are available to reimburse SNAP E&T eligible expenditures incurred from October 1, 2021 through September 30, 2022, subject to the availability of federal SNAP E&T funds. Once a district spends its 100% SNAP E&T allocation, any additional SNAP E&T eligible claims must be submitted against the 50% SNAP E&T allocation. Districts are encouraged to fully claim 100% funds before claiming 50% funds. All claims for FFY 2022 100% SNAP E&T reimbursement must be final accepted in the Automated Claiming System no later than February 1, 2023.

Funds to support participant reimbursements or dependent care costs for SNAP E&T are not included in the 100% or 50% SNAP E&T administrative allocations made available through this LCM. Participant reimbursements, including transportation necessary for a SNAP applicant or recipient who is subject to SNAP work requirements to participate in assigned SNAP E&T activities, must continue to be claimed separately as a 50% SNAP E&T participant reimbursement. Districts that are eligible to claim dependent care expenses must also continue to claim those separately.

Note: OTDA will issue further guidance on the use of Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) dependent care funds for Federal Fiscal Year (FFY) 2022, including instructions for claiming reimbursements, provided that any of New York State's 58 districts are eligible to claim such expenditures during FFY 2022.

III. Program Implications

SNAP E&T funds are available to support costs associated with operating the SNAP E&T program. Such costs may include those related to serving SNAP applicants and recipients, including Safety Net Assistance applicants and recipients who are also receiving SNAP benefits and are assigned to a SNAP E&T activity.

Districts may continue to use SNAP E&T funds for employment-related costs associated with Safety Net Assistance families (case types 16 and 17) who are also subject to SNAP E&T requirements or are otherwise engaged in SNAP E&T activities approved by the district, including those with a child under six years of age who would otherwise be exempt, but are required to fulfill Temporary Assistance (TA) work requirements. Since individuals with a child under six years of age would be considered volunteers for SNAP E&T purposes, they generally would not be subject to a SNAP sanction for failure to comply.

Please refer to federal SNAP regulations at 7 CFR 273.7(d)(1)(ii) and 273.7(e)(1), Section 385.3 of the OTDA TA and SNAP Employment Policy Manual and to the New York State Fiscal Reference Manual, Volume 3, Chapter 10 for further information on allowable SNAP E&T activities and claiming instructions.

SNAP E&T Funding Rules

The following rules apply to the use of SNAP E&T funds and the non-federal funds used to meet the non-federal share of the SNAP E&T funds:

Eligible Services/Costs:

- Districts must operate a SNAP E&T program consisting of case management services and one or more of the work activities authorized under 18 NYCRR § 385.9 that are included in a district's local employment plan as part of the district's SNAP E&T program. In all cases, individuals assigned to participate in SNAP E&T activities must be provided with case management services. Case management includes activities such as comprehensive intake assessments, individual service plans, progress monitoring and coordination with service providers. Case management may also include referrals to activities and supports outside of the district's SNAP E&T program, but districts can only use SNAP E&T funds for allowable activities. SNAP E&T work activity components may include, but are not limited to, work experience, job skills training, vocational training, education training, apprenticeships, job readiness activities, and supervised job search.
- Districts were previously informed in [21-ADM-05](#) that the 2018 Farm Bill permitted the use of SNAP E&T funds to reimburse 50 percent of non-federal funds expended on allowable costs associated with wages through a subsidized employment program, in accordance with applicable SNAP laws and regulations, as well as the federal cost principles in title 2 of the CFR. USDA Food and Nutrition Service (FNS) has issued recent clarification that in addition to 50% SNAP E&T administrative funds districts can also use 100% SNAP E&T funding for subsidized wages. Furthermore, USDA has clarified that subsidized employment programs with the exception of registered apprenticeships should last six months or less to allow an individual to move promptly into regular employment and should be limited to once every twelve months per SNAP participant unless the participant had dropped out of the activity due to no fault of their own (e.g., because of illness or a provider determination). Districts that are interested in operating a program where wages are subsidized with SNAP E&T funds must submit a proposal to OTDA for review and approval prior to implementing such a program. The proposal must provide the number of participants, the anticipated costs, partner organizations and their role (if applicable), a description of the training that will occur while the participant is engaged in the program and projected outcomes. Districts that choose not to operate a subsidized employment program in which the wages are directly subsidized with SNAP E&T funds can continue utilizing SNAP E&T funds to support the administration of a subsidized employment program. (case management staff, job developers, etc.). Further guidance related to the implementation of programs where participants' wages are subsidized with SNAP E&T administrative funds will be forthcoming.
- SNAP E&T funds may be used to provide allowable job retention services, including case management services to SNAP recipients for a minimum of 30 days and up to a maximum of 90 days following the date the SNAP recipient begins a job. To qualify for job retention services, the SNAP recipient must have participated in a SNAP E&T activity within 90 days prior to starting employment. SNAP E&T funds cannot be used to provide job retention services to applicants and recipients of Temporary Assistance to Needy Families (TANF)-funded assistance (case types 11 or 12), or two-parent families where neither parent is disabled and whose assistance costs are reported as Safety Net Assistance Federally Non-Participating Non-Maintenance of Effort (non-MOE) consistent with [06-LCM-09](#).
- Mandatory SNAP E&T assignments may not exceed 30 hours per week/120 hours per month. However, individuals may volunteer to participate in SNAP E&T activities for an unlimited number of hours.

Note: SNAP recipients who participate in assigned work activities for at least 30 hours per week cannot be sanctioned for SNAP purposes but may be subject to a TA sanction in those instances where the district determines that the individual willfully and without

good cause refused or failed to comply with the assigned work requirement (see Section 385.11 and 385.12 of the TA and SNAP Employment Policy Manual for more information).

SNAP E&T funds (100% or 50% SNAP E&T administrative funds) may be used to purchase laptops or other computer equipment that may be loaned to E&T participants who need such equipment to participate in SNAP E&T activities. In accordance with federal cost principles, the cost must be reasonably necessary and directly related to the operation of or participation in the SNAP E&T program. District's expenditures to maintain a laptop loaner program for participants' use while engaged in E&T activity components, are considered operational costs of the SNAP E&T program. Laptops or other computer equipment purchased *with 100% or 50% SNAP E&T administrative funds* may only be loaned to SNAP E&T participants and upon completion of the SNAP E&T program, all loaned equipment must be returned to the district or the E&T provider who loaned the laptop and/or equipment. Note: Districts can also purchase laptops, and/or other computer equipment including Wi-Fi access as a participant reimbursement using 50% SNAP E&T participant reimbursement funds. For more information, please see the Supportive Services (Participant Reimbursements) section below.

Ineligible Services/Costs:

- Services associated with substance abuse, including drug and alcohol addiction counseling and the costs associated with monitoring a client's compliance with a treatment program are not allowable uses of SNAP E&T funds. Any non-federal funds used in this regard cannot be used to meet the non-federal share of SNAP E&T costs.
- SNAP E&T funds and the non-federal funds used to meet the non-federal share of SNAP E&T costs cannot be used to reimburse the cost of supervision of work experience participants, or the cost of materials and/or equipment necessary to support a work experience placement (see [00-LCM-10](#)).
- SNAP E&T funds cannot be used to supplant State, county, or local funds for educational programs generally available to residents. Moreover, the educational provider must not charge more, and the district cannot claim more, than what the general public or the individual would pay if not participating in E&T.
- SNAP E&T funds cannot be used to provide employment services for applicants and recipients of TANF-funded assistance (case types 11 or 12), or two-parent families where neither parent is disabled and whose assistance costs are reported as Safety Net Assistance Federally Non-Participating Non-MOE consistent with [06-LCM-09](#).
- Consistent with federal regulations at 7 CFR 273.7(d)(1)(ii)(A), SNAP E&T funds and the non-federal funds used to meet the non-federal share of SNAP E&T costs cannot be used to determine if an individual is required to participate in SNAP E&T work activities. This restriction includes any costs related to the evaluation of an individual's medical condition. SNAP E&T funds must not be used for medical screenings, examinations, or medical services of any kind. SNAP administrative funds may be used to support costs associated with the completion of medical screenings (see [18-LCM-01](#)) which are done to evaluate if the individual is exempt or nonexempt from SNAP work requirements.

Supportive Services (Participant Reimbursements)

In accordance with federal regulations at 7 CFR 273.7(d)(4), districts must pay for or reimburse SNAP E&T participants, including applicants and volunteers, for expenses that are reasonably necessary and directly related to participation in the SNAP E&T program. SNAP E&T participant reimbursement funds may be used to provide eligible SNAP applicants and recipients with supportive services. As a reminder, funds to support participant reimbursements or dependent care

costs for SNAP E&T are not included in the 100% or 50% SNAP E&T administrative allocations made available through this LCM. Participant reimbursements, including transportation necessary for a SNAP applicant or recipient who is subject to SNAP work requirements to participate in assigned SNAP E&T activities, must continue to be claimed separately as a 50% SNAP E&T participant reimbursement. Districts that are eligible to claim dependent care expenses must also continue to claim those separately. Additionally, districts may use SNAP E&T participant reimbursement funds to provide supportive services to Safety Net Assistance families (case types 16 and 17) who are also subject to SNAP E&T work requirements or are otherwise engaged in SNAP E&T activities approved by the district. However, federal SNAP E&T participant reimbursement funds and the associated non-federal funds used for participant reimbursement costs cannot be used to provide supportive services to applicants and recipients of TANF-funded assistance (WMS case types 11 or 12), or two-parent families where neither parent is disabled and whose assistance costs are reported as Safety Net Assistance Federally Non-Participating Non-MOE consistent with [06-LCM-09](#). The same restriction applies to the use of SNAP E&T Dependent Care funds.

Allowable participant reimbursement costs include transportation costs (other than payments for automobile insurance, registrations, and automobile purchases), as well as costs for clothing, equipment or tools required for the job. As noted above, SNAP E&T participant reimbursement funds and dependent care costs must both be claimed separately from SNAP E&T administrative funds. The payment type for authorizing a SNAP E&T participant reimbursement is F2 (SNAP Employment/Training-related expense) and may be authorized only on the following case types:

- 16 (Safety Net Cash Assistance)
- 17 (Safety Net Non-Cash Assistance)
- 31 (Non-Public Assistance SNAP)
- 32 (Public Assistance and Non-Public Assistance Mixed Household) provided the household is not applying for or receiving TANF-funded assistance (case type 11 or 12).

The payment type for authorizing dependent care costs is F3 (dependent care costs). Payment type F3 is only used when the district has determined that the situation is not eligible for Child Care Block Grant (CCBG) funds but is eligible for SNAP E&T Dependent Care reimbursement (see [20-LCM-04](#) for additional information).

Participant reimbursements also include any materials or tools reasonably necessary for participation in a SNAP E&T component including Wi-Fi access, laptops, and tablets. Accordingly, districts may use SNAP E&T participant reimbursement funds that are *not* included in the 100% or 50% SNAP E&T administrative allocations to reimburse participants for technology-related expenses. As indicated in the Ineligible Services/Costs section above, the use of SNAP E&T funds for the cost of materials and/or equipment necessary to support a work experience placement is prohibited. Districts that have established a cap for participant reimbursements are reminded that if the amount the participant needs to participate in an E&T program exceeds the cap, the individual must be exempt from mandatory SNAP E&T.

SNAP E&T participant reimbursement funds may be used to provide eligible SNAP participants with supportive services to assist them in retaining employment for a minimum of 30 days and *up to a maximum of 90 days* following the date the employment started. To qualify for the receipt of participant reimbursement funds as a retention service, a SNAP recipient who is employed must have participated in another SNAP E&T activity within 90 days prior to starting employment.

Evaluating SNAP Employability and Able-Bodied Adult without Dependents (ABAWD) Status

Districts are required to properly code the SNAP employability and ABAWD status of each individual applying for or receiving SNAP benefits, including those individuals who are concurrently applying for or receiving TA. Districts enter the SNAP employability and ABAWD codes on WMS or myWorkspace (myWorkspace is only available to districts outside of New York City) to record whether or not the individual is subject to SNAP work requirements and/or ABAWD work requirements. The SNAP employability and ABAWD status of each individual should also be reviewed at recertification and any time the household reports a change in circumstances during the certification period. The criteria that would render an individual exempt from SNAP work requirements and the criteria for identifying who is subject to ABAWD work requirements are listed in 18 NYCRR § 385.3.

IV. Claiming Instructions

OTDA provides a Cognos report entitled the “Local District PA-SNAP Claiming Tool” for the purpose of allocating employment program costs in districts outside of NYC that are not directly charged to the benefiting program and are allowable under all funding sources. This Claiming Tool provides needed information on the number of TA adult individuals who are subject to TA and/or SNAP employment requirements or are exempt but are voluntarily engaged in unpaid work activities approved by the district.

The Claiming Tool also includes TA and SNAP recipients who are working less than 30 hours per week. The count for individuals who are engaged in unsubsidized employment for more than 30 hours per week is limited to those individuals who are concurrently participating in another SNAP E&T work activity, are concurrently or had participated in another SNAP E&T work activity within the past 90 days prior to becoming employed. The numbers displayed in the SNAP section of the Claiming Tool also include the number of SNAP only (case type 31) recipients who are engaged in unpaid work activities or subsidized employment during the report month, as reported by the district through the Welfare-To-Work Caseload Management System. These numbers of individuals can be used to determine the allocation claiming percentages for use on the Schedule D-3, Allocation and Claiming of Administrative Costs for Employment Programs, [LDSS-2347-B1](#). Instructions for completing the Schedule D-3 can be found in the Fiscal Reference Manual (FRM) Volume 3, Chapter 10.

New York City will continue to use their in-house produced Engagement Report for this purpose. Guidelines for using the Engagement Report are contained in FRM Volume 3, Chapter 10.

The FRM is available at:

FRM Vol. 3 – <https://otda.ny.gov/resources/fiscal-reference/FRM-3.pdf>

The Local District PA-SNAP Claiming Tool is available on a monthly basis in Cognos using the following link: [Local District PA-SNAP Claiming Tool \(Revised May 2017\)](#)

Districts experiencing problems accessing Cognos can call the Customer Response Center at: (800) 342-3010.

Districts may file supplemental claims transferring SNAP E&T eligible expenditures from the 100% category to the 50% category once they exceed their 100% SNAP E&T allocation. This will result in the district receiving these funds sooner without waiting for the State to shift the claims.

All claims for FFY 2022 100% SNAP E&T reimbursement must be final accepted in the Automated Claiming System no later than February 1, 2023.

V. Additional Information

Requests for additional federal 50% SNAP E&T funds

Districts are not required to submit a request for additional 50% SNAP E&T funds for FFY 2022. OTDA will review SNAP E&T claims at periodic intervals. Districts who have fully claimed their FFY 2022 100% SNAP E&T allocation and have submitted claims in excess of the 50% SNAP E&T allocation may have their 50% SNAP E&T allocation increased. Any increase in 50% SNAP E&T allocations is subject to the availability of federal funds. Districts are encouraged to submit claims for reimbursement on a timely basis.

Special Projects Supported by 50% SNAP E&T funds

OTDA has set aside \$4,167,731 in FFY 2022 50% SNAP E&T funds to support special projects. Districts that require additional 50% SNAP E&T funds to expand SNAP E&T services (special projects) during FFY 2022 should submit a written request, including a brief narrative and budget to explain the additional funds needed and the SNAP E&T services to be provided. OTDA will accept, review, and approve these requests on a rolling basis, subject to the availability of funding. Approval for requests that exceed the total amount available will be contingent upon OTDA's ability to secure additional SNAP E&T 50% funding. Some examples include, but are not limited to; partnerships with employer, workforce, education, or other community partners to develop specific job training and/or contextualized work-based learning programs, and the establishment of virtual job skills and/or educational training programs.

Requests for additional 50% federal SNAP E&T funds for FFY 2022 must be submitted to:

Marybeth Domenico
New York State Office of Temporary and Disability Assistance
Employment and Income Support Programs
Employment and Advancement Services Bureau
40 North Pearl Street, 11th Floor
Albany, New York 12243
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