

GENERAL INFORMATION SYSTEM
DIVISION: Center for Employment and Economic Supports

January 8, 2010

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TO: Upstate Commissioners, TA Directors, FS Directors, WMS Coordinators, Staff Development Coordinators

FROM: Russell Sykes, Center for Employment and Economic Supports

SUBJECT: Exclusion of \$25 per week UIB Supplement from Food Stamp Income

EFFECTIVE DATE: Immediately

CONTACT PERSON: CEES Food Stamp Bureau @1-800-343-8859, ext. 3-1469

Background

On November 6, 2009 Congress passed and the President signed into law H.R. 3548, the Worker, Home Ownership and Business Assistance Act of 2009. Among other things, this law extended the period of eligibility for individuals who receive Unemployment Insurance Benefits (UIB), and extended the \$25 per week supplement to UIB payments through June, 2010. Prior to this extension, as noted in GIS 09 TA/DC 011, dated April 10, 2009, the \$25 weekly supplement to UIBs was set to expire on December 31, 2009. Pending legislation **may** further extend the UIB supplement to December 31, 2010. We will notify local districts if this pending legislation becomes law.

Also, one of the provisions of H.R. 3548, **effective upon enactment, mandated that the \$25 weekly supplement be excluded from consideration as income to households applying for or receiving food stamp (federally referred to as SNAP) benefits.** The law did not make any provision for a period of implementation for this change.

Purpose

The purpose of this GIS is to inform **Upstate** local districts about the extension of the \$25 weekly UIB supplement **and of the exclusion of the supplement from income calculations when assessing eligibility and calculating benefits for the Food Stamp Program.** This exclusion is effective retroactive to November 6, 2009, the date of the bill's enactment.

For **active** TA-FS and NTA-FS cases that already have UIB budgeted, OTDA will conduct a mass re-budgeting/authorization (MRB/A) of these cases on January 16, 2010. The MRB/A will affect all stored FS budgets that have UIB income (Upstate WMS Unearned Income Code 49) budgeted and have a **'TO' date greater than 01/31/10.** The MRB/A will automate the exclusion of the \$25 weekly supplement from **each occurrence** of UIB income in the stored ABEL budget. **Please note that each**

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individual's total UIB income should be entered on one line. If the basic UIB and the supplemental UIB amount have been entered on separate lines, the exclusion of the \$25 weekly supplement will be applied to each line, resulting in an overpayment to the household.

Additionally, the state will issue a one-time, restored FS benefit in January 2010 to food stamp households with UIB income whose February 2010 FS benefits are increased due to the exclusion of the UIB supplement. Eligible cases may receive restored benefits for November and December 2009, and January 2010. Therefore, local districts will not have to manually re-budget food stamp cases that were active during these months and that have UIB income in an FS budget with a 'TO' date greater than 01/31/10. CNS notices automatically will be provided to affected households. The amount of restored FS benefits issued to households based on the retroactive exclusion of the UIB supplement will **not** be offset against any outstanding food stamp overissuance claim balances. In addition, for cases that are "excepted" from the MRB/A and for whom a restored benefit is authorized manually, the WMS edit that enforces a recoupment offset will be suspended temporarily, beginning 1/16/10 and continuing through 02/28/10.

Further information regarding the MRB/A and the restored FS payment was provided in ABEL Transmittal 10-1, dated January 5, 2010.

Required Action

This action must be taken in order to ensure that households are not improperly denied benefits or incorrectly found ineligible to participate in the Food Stamp Program for the months of November 2009, December 2009 or January 2010 due to a failure to exclude the \$25 per week UIB supplement from food stamp eligibility and benefit calculations.

Beginning immediately, for any food stamp budgets for the months of November 2009, December, 2009 and January 2010, a secondary food stamp budget calculation must be done in order to determine food stamp eligibility **ONLY** under the following circumstances:

- The application or recertification for food stamps (both TA-FS and NTA-FS) of a household with members in receipt of UIB is determined to be ineligible due to Excess Income;
- The food stamp case (both TA-FS and NTA-FS) of a household with members in receipt of UIB is found to be ineligible due to Excess Income.

The secondary budget calculation should be done as follows:

- The amount of the UIB supplement, \$25 per week (\$108.33 monthly), should be subtracted from the gross monthly UIB income amount of **each member of the household who is in receipt of UIB income.**

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- After the above calculation has been done, the remaining amount of UIB income should be entered in the ABEL FS Budget **using Unearned Income Code '99-Other'** (**not** '49-Unemployment Insurance Benefit Compensation').
- **If the case is determined to be eligible** following this budget calculation, the case should be processed leaving the remaining UIB income entered as **Unearned Income Code '99-Other'** on the ABEL budget. **The 'TO' dates of such budgets should be no later than 01/31/10.**
- If the case is **determined to be ineligible** following this secondary budget calculation, the case should be denied or closed as appropriate.
- Eligible cases budgeted using this secondary method will be identified as "Exceptions" as part of the scheduled MRB/A. After January 15, 2010, these cases can then be re-budgeted for budgets with a 'FROM' date of 02/01/10 or greater using Unearned Income Code '49-Unemployment Insurance Benefit Compensation' and the full, gross amount (including the \$25 weekly supplement) of UIB income. ABEL will automatically apply the exclusion of the weekly supplement to the full, gross amount of UIB income.

Again, please note that no extraordinary secondary budget calculations need to be taken on the applications/recertifications or case actions of households with UIB income who were and are eligible for FS benefits for the months of November 2009 through January 2010, or whose ineligibility during these months was not due to Excess Income.

Guidance regarding the handling of food stamp cases in receipt of UIB that have been closed or denied since November 6, due to Excess Income will be provided at a later date.

(***Note:** Please note the reason for using '**99**' instead of Upstate WMS Unearned Income Code 49 when manually excluding the \$25 weekly UIB supplement on new FS budgets covering the months of November and December 2009 and January 2010. When the MRB/A is run, income coded as '99' will not be adjusted during the MRB/A. If code 49 were used to budget UIB income – minus the supplement amount -- in budgets covering these months, the MRB/A automatically would deduct the amount of the supplement from the income amount entered using these codes, essentially, applying the exclusion twice when calculating the restored benefit amount.)