



Office of Temporary and Disability Assistance

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General Information System (GIS) Message

Section 1

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From:	Jeffrey Gaskell, Deputy Commissioner Employment and Income Support Programs
Subject:	Impacts of American Rescue Plan Act of 2021
Effective Date:	Immediately
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Section 2

On March 11, 2021, the American Rescue Plan (ARP) Act of 2021 was signed into law. This act includes provisions which affect multiple public assistance programs, including the extension of previously authorized Federal Pandemic Unemployment Insurance Benefit payments, the issuance of 2021 Recovery Rebate Payments and monthly Child Tax Credits. The purpose of this GIS is to communicate these changes and provide guidance to local social services districts (districts) on how these changes may affect eligibility for the following programs: Temporary Assistance (TA), Supplemental Nutrition Assistance Program (SNAP) and Home Energy Assistance Program (HEAP).

Unemployment Insurance Benefits & Federal Pandemic Unemployment Compensation Payments

The ARP authorized extensions for Pandemic Unemployment Assistance (PUA) and Pandemic Emergency Unemployment Compensation (PEUC) through September 6, 2021. These benefits are akin to regular Unemployment Insurance Benefits (UIB) and are available to individuals who would normally be ineligible for UIB or who have exhausted regular UIB. Consistent with previous legislation, these forms of UIB are considered unearned income and counted for TA/SNAP purposes.

The ARP also extends the Federal Pandemic Unemployment Compensation payments (FPUC) through September 6, 2021. As previously described in [21 TA/DC004](#), these payments will be issued by the New York State Department of Labor and will provide an additional \$300 in federally funded dollars each week to the UIB of each eligible worker. FPUC payments also include an additional \$100 Mixed Earner Benefit which is available to individuals who have earned \$5,000 or more in self-employment income during the past year.

For Temporary Assistance (TA), the \$300/\$100 FPUC payments are excluded as income and disregarded as a resource when determining eligibility for both emergency and ongoing TA. This includes Family Assistance (FA), Safety Net Assistance (SNA), Emergency Assistance to Needy Families with Children (EAF), Emergency Safety Net Assistance (ESNA) and Emergency Assistance for Adults (EAA). For TA applicants or recipients who are receiving UIB, the FPUC payments must be excluded from the budget. A note should be made in the case record regarding the individual's receipt of these payments.

These payments, if received retroactively, are excluded as income and therefore are not subject to the lump sum provisions.

For SNAP, the \$300/\$100 FPUC payments are excluded from consideration as income and resources in the month of receipt and the following 9 months for the purposes of determining eligibility or calculating benefit allotments. If received retroactively, these payments are already excluded as income for SNAP and therefore are not subject to the lump sum provisions.

It should be noted that when the initial \$600 FPUC payments were first distributed in 2020, they were designated as countable income for TA/SNAP purposes. However, the passage of the Consolidated Appropriations Act of 2021 exempted these payments effective 12/27/20. Districts should be cognizant of this change which may affect any of these payments that were issued after that date.

For HEAP, the \$300/\$100 FPUC payments provided to individuals will be excluded as countable income for HEAP eligibility and benefit determinations and must not be counted in the HEAP budget. FPUC payments will be excluded from the HEAP household's income when determining eligibility for Regular HEAP, Emergency, Heating Equipment Repair and Replacement (HERR), Heating Equipment Clean and Tune (C&T), and Cooling Assistance benefits. Any remaining balance from these FPUC payments are not considered a liquid resource for the Emergency and HERR benefit components.

These payments, if received retroactively, are excluded as income and therefore are not subject to lump sum provisions.

2021 Recovery Rebates for Individuals

The ARP authorizes additional \$1,400 rebate payments to eligible individuals, including children – Similar to those authorized under the CARES Act and the Consolidated Appropriations Act.

For TA, any federally funded stimulus rebates paid directly to individuals related to the 2020 coronavirus pandemic must be excluded as income for initial and recurring TA eligibility determinations and benefit calculations for FA, SNA, EAF, ESNA and EAA cases.

For FA and SNA, the rebates must be excluded as income in the month received and as a resource for twelve months from the date of receipt. The payments cannot be counted toward the \$2,000/\$3,000 resource limit for 12 months.

For EAF, ESNA and EAA, the rebate is not counted as income, or as a resource for a 12-month period from the date of receipt, in determining an individual's eligibility for emergency assistance.

These income and resource exclusions apply to both federally and State/locally funded categories of assistance (SNA-FP, SNA-FNP, FA, EAF, ESNA, and EAA).

For SNAP, these rebates are excluded from consideration as income in the month of receipt and as a resource for 12 months following receipt. Any remaining balance from these payments could affect a household's eligibility after 12 months if a household subject to a resource test were to have a remaining balance from the payments and the remaining balance caused the household to exceed the resource limit.

For HEAP, the \$1,400 rebate payments will be excluded as countable income for HEAP eligibility and benefit determinations and must not be counted in the HEAP budget. Rebate payments will be excluded from the HEAP household's income when determining eligibility for Regular HEAP, Emergency, Heating Equipment Repair and Replacement (HERR), Heating Equipment Clean and Tune (C&T), and Cooling Assistance benefits. Any remaining balance from these rebate payments are not considered a liquid resource for the Emergency and HERR benefit components.

These payments, if received retroactively, are excluded as income and therefore are not subject to lump sum provisions.

2021 Child Tax Credits

The ARP expands the Child Tax Credit (CTC) by allowing households with children to claim up to \$3,600 and allows for the CTC to be provided in advance monthly payments.

For FA and SNA, whether the CTC is received as an annual credit or in the form of advance monthly payments, the monies must be excluded as income in the month received and as a resource for 12 months from the date of receipt. The payments cannot be counted toward the \$2,000/\$3,000 resource limit for 12 months.

For EAF, ESNA and EAA, available income tax refunds and credits which are determined exempt resources must be used to mitigate any emergency before the use of emergency assistance.

For SNAP, whether the CTC is received as an annual credit or in the form of advance payments, it is excluded from consideration as income in the month of receipt and as a resource for 12 months following receipt. A household would not be considered to have exceeded the income limit due to these payments because they are excluded, but for households subject to a resource test, receipt of these payments could affect eligibility after 12 months if a remaining balance from the payments were to cause the household to exceed the resource limit.

For HEAP, the CTC payments will be excluded as countable income for HEAP eligibility and benefit determinations and must not be counted in the HEAP budget. CTC payments will be excluded from the HEAP household's income when determining eligibility for Regular HEAP, Emergency, Heating Equipment Repair and Replacement (HERR), Heating Equipment Clean and Tune (C&T), and Cooling Assistance benefits. Any remaining balance from CTC payments are not considered a liquid resource for the Emergency and HERR benefit components.

These payments, if received retroactively, are excluded as income and therefore are not subject to lump sum provisions.