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General Information System (GIS) Message

Section 1

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To:	Subscribers
Suggested Distribution:	SNAP Directors; TA Directors; CAP Coordinators; Staff Development Coordinators; TOP Coordinators
From:	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
Subject:	Preliminary Guidance Regarding the Elderly Simplified Application Project (ESAP)
Effective Date:	Immediately
Contact Information:	SNAP Policy Bureau at (518) 473 -1469
Attachments:	Attachment 1- LDSS – 5166, Application/Recertification for Supplemental Nutrition Assistance (SNAP) Benefits; Attachment 2- LDSS-5181, ESAP Interview Notice Letter; Attachment 3 - PUB-5176, It's Easy for Older and Disabled Adults to Get SNAP – Deducting Medical Expenses for SNAP Attachment 4 – PUB-5176 SP

Section 2

The purpose of this GIS is to announce the implementation, effective December 1, 2021, of the Elderly Simplified Application Project (ESAP) and provide interim guidance to the local social services districts. An Administrative Directive on ESAP will be issued soon.

Federal demonstration projects for the Supplemental Nutrition Assistance Program (SNAP) are permitted to test program changes intended to increase the efficiency of the administration of the program and to improve access to and delivery of SNAP benefits to eligible households. Although New York State has the highest participation rate among adults who are age 60 or older or disabled in SNAP of any state, historically, the participation rate among this population has been lower than among the general population. To ease access to and improve the participation of older and disabled adults in SNAP, New York State applied to the United States Department of Agriculture and has been approved to implement and operate an ESAP beginning in December 2021.

The ESAP is intended to simplify the SNAP application, recertification and verification processes for eligible households, where all adult members are aged and/or disabled, thereby facilitating access to and preventing interruptions in receipt of benefits for these households.

Eligibility, Certification Periods and General Reporting Requirements

Participation in ESAP is limited to households where:

- **all adult** members are seniors (age 60 or older) and/or disabled and are not otherwise eligible to participate in the New York State Combined Application Project or NYSCAP (formerly known as the New York State Nutrition Improvement Project or NYSNIP); and,
- no household members have any earned income.

For the purposes of ESAP, the following definitions apply:

- “Adult” is an individual age 18 or older.
- “Senior/aged/elderly” is an individual age 60 or older.
- “Disabled” is defined using the same criteria used to assign the aged/disabled (A/D) indicator of “X” for the household. To be considered disabled, an individual must be in receipt of Supplemental Security Income (SSI) or Social Security Disability (SSD) benefits or receiving other federal or state-administered disability or blindness benefits considered permanent under the Social Security Act or other standard, provided that the eligibility to receive these benefits is based upon disability criteria which are at least as stringent as those used under Title XVI of the Social Security Act.

Additionally, single individuals in receipt of SSI who are eligible for both ESAP and NYSCAP (formerly NYSNIP) are required to be enrolled in NYSCAP.

ESAP-eligible households may have certification periods of up to 36 months. Current systems edits limiting certification periods for the ESAP target population to a maximum of 24 months have been modified to permit maximum certification periods of 36 months. ESAP households that are determined to no longer meet the criteria for the program (for example, an adult in the household begins receiving earned income) will be transitioned to regular SNAP, if eligible, but would retain the balance of their original ESAP certification period. In other words, certification periods for households leaving ESAP during the certification period may not be shortened. At the household’s next recertification, it would receive a new certification period appropriate to its circumstances at that time.

ESAP-eligible households have no mandatory change reporting requirements during the certification period other than those specifically defined in the “Other Reporting Requirements” section below. At the mid-point of the certification period, SNAP households participating in ESAP will be sent the LDSS-3151, SNAP Change Report Form, to facilitate and encourage the reporting of changes beneficial to the household.

Application and Recertification for ESAP

The [LDSS – 5166](#) “Application/Recertification for Supplemental Nutrition Assistance (SNAP) Benefits” form was developed specifically for the ESAP, but, as noted in [20-ADM-14](#), its use cannot be restricted only to applicants and recipients who appear to be eligible for or who are participating in ESAP. Households potentially eligible to participate in ESAP, like any SNAP applicant household, may use any approved online or paper application form to apply or recertify for SNAP benefits, however, it is highly recommended that households that appear to meet the criteria for ESAP and who request a paper application be offered the use of the simplified application, [LDSS – 5166](#) “Application/Recertification for Supplemental Nutrition Assistance (SNAP) Benefits.” Use of the [LDSS - 5166](#) by a household does not necessarily indicate or confer eligibility for ESAP. If a household using the [LDSS-5166](#) form does not qualify to be included in ESAP, it may be eligible for regular SNAP benefits and should be evaluated and processed accordingly. Regardless of which online or paper application or recertification form a household uses to apply or recertify for SNAP, all applications and recertifications must be evaluated to determine whether a household should be included in or remain in ESAP.

Households that meet the criteria to participate in ESAP must be coded so that their case can have a certification period of up to 36 months. In the New York City Welfare Management System (WMS), this process will be largely automated when a case action is taken on a household that meets the ESAP

criteria. If an external budget is entered for the household, it will be evaluated for ESAP and the appropriate coding will be applied. In Upstate WMS, the process will require workers to manually enter the applicable coding to ensure that the household is properly identified as an ESAP case. (For further guidance on how to properly code ESAP cases in Upstate WMS, see [Attachment 1](#) to ABEL 21-5 Transmittal.)

Households that no longer meet the criteria to be included in ESAP and leave the project (“Leavers”), but remain eligible for SNAP, will also be identified with special coding that will allow them to retain the balance of the ESAP certification period until the next recertification, although no other flexibilities of the ESAP waiver would apply to them. ESAP households that are no longer eligible for SNAP at all would have their case closed and are not considered ‘Leavers’. If such households subsequently reapply, eligibility for SNAP, and ESAP, would need to be evaluated at that time based on current household circumstances. Specifics regarding the codes to be used can be found in the Systems Implications section and will also be addressed in additional guidance that will be issued separately.

Application and Recertification Interviews

Applications: Initial application interview requirements for households that appear to be ESAP-eligible are the same as for any SNAP applicant household. Districts must conduct an application interview for **all** SNAP applicant households at initial application.

Recertifications: ESAP households will get an ESAP-specific Notice of Expiration (NOE) informing them that a recertification interview is not required but may be requested, with instructions on how to request an interview. ESAP households are not required to complete a recertification interview and districts must determine eligibility for ongoing SNAP eligibility if the household submits a completed recertification application and any required verification. However, **districts are required to offer ESAP households a recertification interview in the following situations:**

- 1) Before an ESAP recertification application may be denied for any reason other than failure to submit a recertification application, districts must offer the household an interview before denying the application for recertification and closing the case. If no application has been submitted for recertification, an ESAP case may be closed for failure to recertify, like any other SNAP case.
- 2) If information on the ESAP recertification application is questionable and further clarification is needed, the household must receive notification of a scheduled appointment for, or instructions on how to complete, a telephone interview.
- 3) Upon request by the ESAP household.

Districts may not deny an ESAP recertification application without first offering a recertification interview.

In Upstate districts, the LDSS-5181 “ESAP Interview Notice Letter” has been developed as an Intelligent Auto-fill Form (IAF) that will be available in myWorkspace in English and Spanish, and on the LDSS E-Forms page in additional languages. The LDSS-5181 informs the ESAP household of their scheduled interview date and time and that they are being given an opportunity to be interviewed before their case closes. The notice further explains that, while an interview is not usually required for ESAP households at recertification, the information provided on their recertification application indicates that they are no longer eligible for SNAP and they are being offered an opportunity to be interviewed and correct any incorrect information before their case is closed. The myWorkspace versions of the form will automatically be saved in the Imaging and Enterprise Document Repository (I/EDR) in Category 09, Correspondence/Manual Notices, which will document that the district made an attempt to interview the household.

In NYC, CNS language has been developed to notify ESAP households that their SNAP case will close at recertification and that they must complete an interview to determine if they are still eligible. This

information is similar to the existing Z79 notice but contains ESAP-specific language that explains the necessity of an interview at this time, with instructions on where to call to complete an interview over the phone. This language will be inserted into recertification closing notices sent to any ESAP household with the exception of cases being closed for failure to recertify. The closing transaction would be placed in clock-down status for 10 days to allow the household sufficient time to respond

Verification

As part of reducing barriers to participation in SNAP for ESAP eligible households, to the extent possible, districts must use available electronic verification sources described below to obtain required verification for ESAP households. Additionally, unless questionable, participating ESAP households may self-declare expenses for the Standard Utility Allowance (SUA) and other shelter-related expenses (e.g., rent, or mortgage, taxes, and insurance on the dwelling). Participating ESAP households are required to provide proof of residency, out-of-pocket medical expenses, non-federal/state sources of unearned income and any questionable information.

To the extent possible and consistent with the verification requirements and needs of the particular application or recertification, districts must use the following computer matches and systems to verify the circumstances of ESAP-eligible households, including unearned income, date of birth, and Social Security number and, if appropriate, to ensure that the household has no earned income:

- The State Data Exchange (SDX) and Beneficiary Earning and Data Exchange (BENDEX) matches, and the State On-Line Query (SOLQ) system with the Social Security Administration to verify unearned income, Social Security Number and date of birth.
- Direct access to Unemployment Insurance Benefit (UIB) information to identify and verify UIB income and amount.
- TALX to prevent the participation of households with earned income.
- The Systematic Alien Verification for Entitlements (SAVE) program to verify the immigration status of non-citizens.
- The “ASSETS” system to identify and verify Child Support payment income and amounts.

Additionally, in New York City, the Human Resources Administration will use its Information Verification System (IVS) to conduct the following additional matches for participating ESAP households.

- FISA, a database of City employees and their income, will be used to prevent the participation of households with earned income.
- Automated Child Care Information System (ACCIS), a database of child-care providers who receive child-care income from the City, will be used to prevent the participation of households with earned income.
- Department of Health and Mental Hygiene Vital Statistics Match will be used to track and verify the death of ESAP participants.
- New York City Housing Authority (NYCHA) match will be used to verify residency and shelter expenses of people living in NYCHA housing.

Department of Housing Preservation and Development (HPD) match will be used to verify the residency and shelter expenses of people living in temporary housing and shelters in New York City.

Non-Mandatory Interim Report vs. Periodic Report

Accurate coding will also ensure that at the midpoint in the certification period the household will receive an Interim Report, the LDSS-3151 – “Supplemental Nutrition Assistance Program (SNAP) Change Report Form”, which the household may voluntarily return if they have changes to report at that time. Negative action cannot be taken against an ESAP household that does not return this non-mandatory Interim Report. Changes that are reported by the household that would increase its SNAP benefit should

be acted upon, but must be verified, either using system resources and data matches or, if necessary, by documents which the household would provide. Negative action cannot be taken against a household for failure to verify such changes, but they should be further explored at the next recertification.

Households that no longer meet the criteria to be included in ESAP and leave the project (“Leavers”) but remain eligible for SNAP must also be identified with appropriate coding that will allow them to retain the balance of the original 36-month certification period until the next recertification. However, no other flexibilities of the demonstration project would be extended for households that leave ESAP, meaning that they would then be subject to the regular reporting requirements that would apply to the household based on its circumstances when it leaves ESAP. For example, leaver households subject to the simplified (“six-month”) reporting requirements would then receive Periodic Reports at the scheduled intervals for the remainder of their certification period and would be obligated to return them and have them processed according to established procedures.

Other Reporting Requirements

ESAP households have specific reporting requirements defined by the federal waiver. With the following exceptions, households participating in ESAP only have to report most changes at the next recertification. The following changes, however, must be reported within ten days of the beginning of the month following the month in which such a change occurs:

Changes in Household Composition. Whenever someone leaves, or is added to, an ESAP household, this should be reported, as it may affect the household’s eligibility for ESAP. All adults in an ESAP household **must** be elderly (age 60 or over) and/or disabled. If all adults in the household are not either age 60 or over and/or disabled, the household is no longer eligible for ESAP and should be transitioned to regular SNAP if eligible using the appropriate CNS code.

Receipt of Earned Income. If any member of an ESAP household begins receiving earned income this should be reported, as households with earned income are not eligible for ESAP. An ESAP household that begins receiving earned income would retain the balance of the existing 36-month certification period but would be transitioned to regular SNAP if they remain eligible.

Substantial Lottery or Gambling Winnings. Federal regulations require that all SNAP households must report the receipt of substantial lottery or gambling winnings. Substantial lottery or gambling winnings are defined as a cash prize equal to or greater than the maximum allowable financial resource limit for elderly or disabled households – currently, \$3750 -- as defined in 7 CFR 273.8(b) **won in a single game** before taxes or other withholdings. For the purposes of this provision, the resource limit defined in 7 CFR 273.8(b) applies to **all** households, including non-elderly/disabled households, with substantial lottery and gambling winnings.

When a household reports substantial lottery or gambling winnings as defined above, the following should be verified before acting on a case:

- the household received lottery or gambling winnings, before taxes or other amounts are withheld, equal to or greater than the SNAP resource limit for elderly or disabled households. This amount is currently \$3,750.
- the amount received was a **cash** prize won in a **single** game. If multiple individuals shared in the purchase of a ticket, hand, or similar bet, only the portion of the winnings allocated to the member(s) of the SNAP household are considered.

- the substantial lottery or gambling winnings were won by an active member of the SNAP household.

No negative action may be taken against a household that reports the receipt of substantial lottery or gambling winnings until such information has been verified by the district as described above. If the district verifies that the household has received substantial lottery or gambling winnings, the entire SNAP case is closed using Client Notices System (CNS) code U45 (Excess Resources- Increased Resources.)

Households disqualified for substantial winnings remain ineligible until they meet SNAP income and resource eligibility requirements. This provision applies to **all** households, including categorically eligible Safety Net (SN), Social Security Income (SSI), and Temporary Assistance for Needy Families (TANF) households, and those certified under Broad Based Categorical Eligibility (BBCE). The next time such a household reapplies after losing eligibility under this rule it would not be considered to be categorically eligible and would remain ineligible until they meet the applicable SNAP income and resource limits.

Overpayments and Claims for ESAP Households

The calculation of any potential overpayment for an ESAP household and any corresponding claim should be processed according to standard claims procedures as defined in [04-ADM-01](#), keeping in mind the special reporting requirements that apply to ESAP households as defined above. For households that leave the program, the applicable reporting requirements would be based on household circumstances at that time.

Transitional Benefits Alternative (TBA)

Households leaving Temporary Assistance programs that are eligible to receive TBA but are also eligible to participate in ESAP must be allowed to receive TBA and should **not** be converted to ESAP **until** they have completed the balance of their TBA period. This is because it is generally to the household's advantage to receive TBA, as TBA generally maximizes the benefits received by the household and there are no reporting requirements for the household during the TBA period.

At the end of the five-month TBA period, households receiving TBA **must recertify** and be found eligible in order to continue receiving SNAP benefits. (A household receiving TBA may also request early recertification, prior to the end of the TBA period, if circumstances have further changed to an extent that would result in a SNAP benefit amount higher than the TBA amount, and any changes are verified.) At that time, the household must be evaluated to determine if it meets the criteria for ESAP.

For upstate WMS, at the end of the TBA period, the appropriate ESAP coding would be entered for the household, while the "T" code in the "SD" (Separate Determination) input field of the new ABEL SNAP budget **must be removed**. This will allow the household to be authorized for a 36-month certification period.

In NYC WMS, households will automatically be evaluated for ESAP criteria the next time an external budget is entered and appropriate ESAP coding applied. The household would then receive the 36-month certification period.

Other Separate Determinations

Households leaving TA programs that are not eligible to receive TBA may still be eligible to receive SNAP benefits. Local districts must determine their continued eligibility based on normal SNAP separate determination procedures. Districts are reminded that this must be accomplished without shortening the certification period or requiring households to report for an in-office interview.

For upstate WMS, the separate determination must be done manually. At the time that the separate

determination is processed, the original authorization period would be maintained. At the next recertification, opening, or reopening the worker must also determine if the household meets the ESAP criteria. If so, the appropriate coding must be entered when the budget is processed, which will allow the household to receive a 36-month certification period.

In NYC WMS, the separate determination process is largely automated. All SNAP Only cases (Separate Determination cases at center F-15 from closed PA/SNAP) generated by Harris processes will be evaluated for ESAP criteria. Households will be evaluated for ESAP the next time an external budget is entered and appropriate ESAP coding will then be applied. The household would then receive the 36-month certification period. Workers will issue notices using CNS codes developed for ESAP.

Systems Updates

New codes have been made available to identify ESAP households, as well as those households that are no longer ESAP-eligible, but remain eligible for SNAP, and to process ESAP cases and provide appropriate notices to these households.

New York City

In New York City (NYC), ESAP cases will be identified using A/D (aged/disabled) indicator codes, and new FR (food stamp reporting) indicator codes.

A new FR value of “X”, labeled “ESAP” has been created to identify ESAP cases. It will be generated on an NPA/FS case (Case type – 31) when all adult household members aged 18 or older have an A/D indicator of ‘X’ and are not eligible for NYSNIP or NYSCAP, have an active status, and no household member receives earned income. Children under the age of 18 may be present in the household. Eligible shelter types are: 01, 02, 03, 06, 11, 13, 14, 23, 24, 25, 26, 30, 33, 34, 35, 38, 39, 40. Note: Congregate Care and Group Living Facilities are **not** eligible for ESAP.

A new A/D indicator code value of “L”, labeled “ESAP INELIGIBLE” will be available on the individual screen if the case no longer meets the criteria for ESAP, but remains eligible for SNAP. **This value will need to be Worker-entered.** An entry of “L” in the A/D field should only be allowed if the case no longer meets the criteria for ESAP. ESAP ineligible scenarios include when all adult members of the household aged 60 or older and/or disabled move out of the household or die, when earned income is added to the budget, when a child in the household turns 18 and is considered an able-bodied adult, or an able-bodied adult is added to the household.

A new FR value of “L”, labeled “ESAP INELIGIBLE” has been created to identify cases that will leave ESAP, but remain eligible for SNAP. It will be generated on an NPA/FS case when an A/D indicator of “L” is present on any line of the budget when transmitted to the NSBL80 screen.

In New York City, NYC-HRA will also release their own guidance documents for ESAP that will specifically address the Systems implications related to ESAP.

Rest of State

In districts outside of New York City, ESAP cases will be identified using new A/D indicator codes, as well as new Special Program Codes.

A new A/D indicator value of “E – ESAP” has been created to identify ESAP cases. It should be applied to an NPA/FS case (Case type – 31) when all adult household members are aged 60 or over or disabled, are not eligible for NYSNIP or NYSCAP, have an active status, and no household member receives earned income. Children under the age of 18 may be present in the household. Eligible shelter types are: 01, 02, 03, 05, 06, 07, 11, 19, 20, 21, 22, 23, 33, 36, 37, 37, 38, 39, 40. Note: Congregate Care and Group Living Facilities are **not** eligible for ESAP.

A new A/D indicator value of “L – ESAPLVR” has been created to identify cases that no longer meet the criteria for inclusion in ESAP, but remain eligible for SNAP. Per the approved demonstration project waiver, these households would retain the balance of the 36-month authorization period until the next recertification, at which time it would be assigned a certification period appropriate to its current circumstances.

Corresponding Special Program Codes of “E – ESAP” and “L – ESAPLVR” have also been created to identify these households for required FNS reporting on this demonstration project. Households that are included in ESAP will receive the “E – ESAP” Special Program Code. Households that no longer meet the criteria for ESAP, but remain eligible for SNAP, will receive the “L – ESAPLVR” Special Program Code when they leave ESAP, but should be removed at the next recertification.

Workers will need to enter the appropriate “L – ESAPLVR” coding. This will ensure that households that are no longer eligible to be included in the ESAP demonstration project will retain the balance of their current certification period, but will be subject to appropriate reporting requirements during the remainder of the certification period.

As noted above, for Upstate WMS, see [Attachment 1](#) to ABEL 21-5 Transmittal for further details.

Client Notification System (CNS) Codes for ESAP

The following CNS codes have been developed for use with ESAP households, and for ESAP households that leave the program:

- A75 Approval ESAP
- A76 1st Month Prorate – Applied BEFORE the 16th - ESAP
- A77 1st Month Prorate – Applied AFTER the 15th - ESAP
- A78 Eligible in Succeeding Months - ESAP
- BH3 New Budget Authorized – Return to Reg SNAP from ESAP
- BH4 New Budget Authorized: SNAP to ESAP
- BH5 New Budget Authorized: SNAP to ESAP (Reduction)
- BH6 New Budget Authorized ESAP Re-budgeted
- BH7 Recert Approval: Return to Regular SNAP from ESAP
- BH8 Recertification Approval: SNAP to ESAP
- BH9 Recertification Approval: ESAP
- ZA4 Notice of Expiration/Recertification Packet - ESAP
- ZA5 ESAP SNAP On Demand Phone Recert Interview Reminder (NYC only)
- ZA6 ESAP SNAP Recertification (NYC only)
- ZA7 ESAP SNAP Recert Reminder (NYC only)

Section 3

ESAP Training

An ESAP self-paced module which includes information about ESAP policy and procedures, effective worker communication with elderly and/or disabled individuals and understanding the barriers to participation encountered by the target population is being made available on TrainingSpace. Additionally, the training will instruct workers on methods for identifying out-of-pocket medical expenses and working with the ESAP households to encourage them to report and verify such expenses. A training description and registration instructions will be issued separately.

Outreach

As part of this project, OTDA will collaborate with community partners and the New York State Office of the Aging (SOFA) to inform and engage the ESAP-eligible population. The purpose of this outreach is to inform the target population about the project, provide ESAP applications, assist with the navigation of the initial certification and recertification processes, and help clients identify and verify allowable medical costs.

To support this outreach, a new brochure has been developed to assist ESAP households with understanding the role certain allowable medical expenses may have on their SNAP benefit amount. [PUB-5176](#), "It's Easy for Older and Disabled Adults to Get SNAP – Deducting Medical Expenses for SNAP" explains that certain verified out-of-pocket medical costs that total more than \$35 can be deducted from countable income which could result in some recipients receiving additional SNAP benefits each month. The brochure contains examples of medical costs that can be deducted and also contains information about the simplified application process for ESAP and what information may be needed to complete the application.

[Pub-5176](#), "It's Easy for Older and Disabled Adults to Get SNAP – Deducting Medical Expenses for SNAP" and [Pub-5176-SP](#), "It's Easy for Older and Disabled Adults to Get SNAP – Deducting Medical Expenses for SNAP" (Spanish) may be printed locally or distributed electronically and is available for download through the LDSS E-Forms page and OTDA Publications.

For information regarding how to obtain printed copies, please use the following address:

http://otda.state.ny.net/ldss_eforms/

If you have any questions, please contact your SNAP Bureau liaison.