



FAMILY INDEPENDENCE ADMINISTRATION




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POLICY BULLETIN #10-57-ELI

(This Policy Bulletin Replaces PB #08-10-ELI and PB #09-27-ELI)

FOOD STAMP CATEGORICAL ELIGIBILITY

Date: May 28, 2010	Subtopic(s): Eligibility
<p> This procedure can now be accessed on the FIAweb.</p>	<p>The purpose of this policy bulletin is to inform Job Center and Non Cash Assistance Food Stamp (NCA FS) Center staff that the Office of Temporary and Disability Assistance (OTDA) has developed the Food Stamp Benefits Categorical Eligibility Desk-Aid (LDSS-4943) to assist workers in correctly determining the categorical eligibility of Food Stamp (FS) households.</p> <p>Categorical eligibility means that a household is considered eligible for FS based on its eligibility for Cash Assistance (CA) or Supplemental Security Income (SSI). Effective January 1, 2008, New York State expanded categorical eligibility to include many other FS households that passed the Gross Income Test (GIT).</p> <p>FS households whose members all receive either CA and/or SSI are categorically eligible for FS and <u>are not</u> subject to the GIT, the 100% Net Income Test (NIT), or the FS resource test.</p> <p>The following households that pass the GIT are also categorically eligible for FS under the expansion of categorical eligibility and are not subject to the 100% NIT or the FS resource test:</p> <ul style="list-style-type: none"> • FS households that pass the 130% GIT and do not contain any individuals who are aged or disabled or sanctioned from the FS Program or disqualified from participating due to an intentional program violation (IPV); • FS households that: <ul style="list-style-type: none"> ▪ contain an aged or disabled member; and ▪ pass the 200% GIT; and ▪ do not contain any individuals sanctioned from the FS Program or disqualified from participation due to an IPV;

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

- FS households with unreimbursed out-of-pocket dependent care expenses that pass the 200% GIT and do not contain any individuals who are aged or disabled or sanctioned from the FS Program or disqualified from participation due to an IPV.

Dependent care expenses include any out-of-pocket payments made by a FS household member for the actual care of children or other dependents (including an incapacitated adult) that are not reimbursed by a third party and are necessary for a FS household member to accept or continue employment, and/or to comply with employment and training requirements.

Categorically eligible FS households of one or two persons are entitled to at least \$16 in FS benefits.

Categorically eligible FS households of three or more persons are not automatically entitled to a FS benefit regardless of whether they passed the 200% GIT, the 130% GIT, or if all of its members receive CA and/or SSI. If the FS benefit calculation results in a zero benefit, the household is considered categorically eligible for zero benefits and the FS case must be denied or closed.

Workers should use the **LDSS-4943** desk-aid to assist in determining categorical eligibility for FS.

Workers are reminded that resources for categorically eligible FS households will not have to be verified to determine eligibility. All other required eligibility factors (alien status, residency, etc.) must be documented as per current procedure.

Non-categorically eligible households

See [PD #08-01-ELI](#) for the FS Resource Policy.

Households that contain a sanctioned individual or an individual disqualified as a result of an IPV are not categorically eligible for FS. These households must pass the 130% GIT, 100% NIT, and the \$2,000 resource test. If the non-categorically eligible household contains an elderly or disabled member, the household is exempt from the 130% GIT and the resource limit is increased to \$3,000.

Households that are not categorically eligible for FS, but incur an out-of-pocket dependent care expense (and do not contain an aged or disabled individual) are not eligible for FS if they fail the 200% GIT.

Effective Immediately

References:

18 NYCRR 387.9(b); 387.14(a)(5)

[10-INF-07](#)

[09-ADM-06](#)

[08-INF-03](#)

[07-ADM-09](#)


Related Item:

[PD #08-01-ELI](#)

Attachment:

LDSS-4943

Food Stamp Benefits Categorical Eligibility
Desk-Aid (11/09)

 Please use Print on Demand to obtain copies of forms.

Food Stamp Benefits

Categorical Eligibility Desk-Aid

FS Household: All TA/SSI Members

FS Household is <u>not</u> subject to: <ul style="list-style-type: none"> • 130% GIT • 100% NIT • Resource Test 	ABEL Categorical Eligibility Indicator (CE): Y: Categorically Eligible – All TA/SSI
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FS Households: Expanded Categorical Eligibility

(This does not include FS households with Dependent Case costs)

FS Household must pass only: <ul style="list-style-type: none"> • 130% Gross Income Test (GIT) (<i>effective 10/1/09</i>) <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Household Size</th> <th>Maximum Gross Monthly Income 130% of Poverty</th> </tr> </thead> <tbody> <tr><td>1</td><td>\$1,174</td></tr> <tr><td>2</td><td>\$1,579</td></tr> <tr><td>3</td><td>\$1,984</td></tr> <tr><td>4</td><td>\$2,389</td></tr> <tr><td>5</td><td>\$2,794</td></tr> <tr><td>6</td><td>\$3,200</td></tr> <tr><td>7</td><td>\$3,605</td></tr> <tr><td>8</td><td>\$4,010</td></tr> <tr><td>Each Add'l Member</td><td>+ \$406</td></tr> </tbody> </table> <p>Exception:</p> <ul style="list-style-type: none"> • Household with a sanctioned or disqualified individual is not Categorically Eligible 	Household Size	Maximum Gross Monthly Income 130% of Poverty	1	\$1,174	2	\$1,579	3	\$1,984	4	\$2,389	5	\$2,794	6	\$3,200	7	\$3,605	8	\$4,010	Each Add'l Member	+ \$406	ABEL Categorical Eligibility Indicator (CE): N: Categorically Eligible – Not all TA/SSI
Household Size	Maximum Gross Monthly Income 130% of Poverty																				
1	\$1,174																				
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Each Add'l Member	+ \$406																				

FS Household with Sanctioned Member

FS Household must pass: <ul style="list-style-type: none"> • 130% Gross Income Test (GIT) • 100% Net Income Test (NIT); and • Resource Test (\$2,000) <p>Exception: FS household contains an aged or disabled individual <u>must</u> pass:</p> <ul style="list-style-type: none"> • 100% NIT; and • Resource Test (\$3,000) 	ABEL Categorical Eligibility Indicator (CE): S: Sanctioned for FS
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FS Household with Aged (60 or Older)/Disabled Member

FS Household must pass:

- 200% GIT (*effective 10/1/09*)

200% of Poverty Guidelines Chart

Family Size	Monthly Income
1	\$1,805
2	\$2,428
3	\$3,052
4	\$3,675
5	\$4,298
6	\$4,922
7	\$5,545
8	\$6,168
Each Add'l Member	\$623

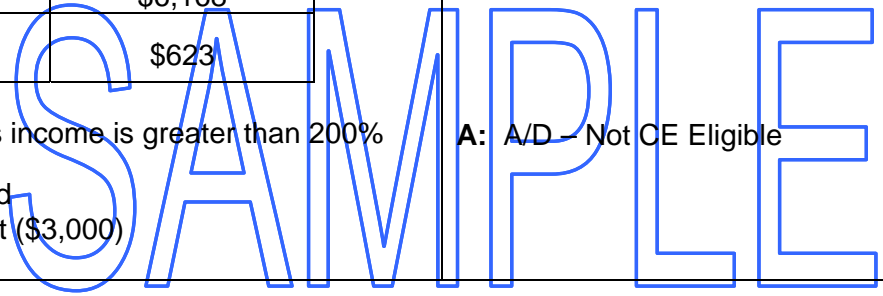
OR if the household's income is greater than 200%

- 100% NIT; and
- Resource Test (\$3,000)

ABEL Categorical Eligibility Indicator (CE):

N: Categorically Eligible – Not all TA/SSI

A: A/D – Not CE Eligible



FS Household with Out of Pocket Dependent Care Costs

(These are households that do not have any aged or disabled members and do not have any individuals who are sanctioned or disqualified.)

FS household must pass:

- 200% GIT

200% of Poverty Guidelines Chart

(Effective 10/1/09)

Family Size	Monthly Income
1	\$1,805
2	\$2,428
3	\$3,052
4	\$3,675
5	\$4,298
6	\$4,922
7	\$5,545
8	\$6,168
Each Add'l Member	\$623

ABEL Categorical Indicator (CE)

N: Categorical Indicator not all TA/SSI