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**TO:** Commissioners; TA Directors; FS Directors; WMS Coordinators; CAP/TOP Coordinators; HEAP Coordinators

**FROM:** Russell Sykes, Deputy Commissioner, Division of Employment and Transitional Supports

**SUBJECT:** 2006 Emergency Program Income Guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

**EFFECTIVE DATE:** April 1, 2006

**CONTACT PERSON:** Temporary Assistance Bureau at 1-800-343-8859; extension 4-9344

Emergency Safety Net Assistance (ESNA)

Effective July 19, 1991, the income eligibility standard for emergency Home Relief was established. The Welfare Reform Act of 1997 eliminated the Home Relief Program and replaced it with the Safety Net Assistance Program (SNA). Districts continue to authorize emergency assistance formerly issued under Emergency Home Relief through ESNA. The income standard for ESNA remains at 125% of the Federal Income Official Poverty Guidelines. The United States Department of Health and Human Services (HHS) updates these Guidelines annually. As in the past, this standard does not apply if the emergency is the result of a fire, flood or other like catastrophe or if the emergency energy assistance is granted in accordance with Department regulations 352.5 (c), (d) and (e) to prevent or restore utility (natural gas and electricity) service, or to arrange for an emergency delivery of non-utility (other than natural gas and electricity) heating fuel.

Some former recipients of Family Assistance (FA), the Child Assistance Program (CAP) and Safety Net Assistance (SNA-FP) are no longer eligible to receive federally funded recurring assistance due to having reached their State 60-month time limit. However, these former recipients may still be eligible to receive emergency assistance under the federally funded Emergency Assistance to Families with Needy Children (EAF). Districts must explore the use of EAF for these applicants for emergency assistance before authorizing benefits under ESNA.

**Note: Districts must remember that ESNA considers the total gross income of the applying household, but EAF considers only the available gross income on the day of application when determining if the household passes the EAF 200% of poverty test.**

Districts must also explore the use of diversion payments to meet the needs of these former recipients of FA, CAP and SNA-FP who are now applying for recurring temporary assistance (TA), if authorizing such a payment will divert the applying household from the need for on-going assistance. When issuing diversion payments, districts must apply EAF resource/income criteria, not the ESNA income standards, or those for recurring FA or SNA. For further information on diversion payments, see 03 INF-35, "Clarification of Temporary Assistance Diversion Payment Types for Families".

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These guidelines are effective April 1 of each year and are effective until March 31 of the following year. The following new guidelines will be effective April 1, 2006 until March 31, 2007:

**2006 ESNA 125% of Federal Income Official Poverty Level Guidelines (Adjusted Annually)**  
**By Family Size**

Household Size	Annual	Monthly (Rounded)
1	\$12,250	\$1,021
2	16,500	1,375
3	20,750	1,729
4	25,000	2,083
5	29,250	2,438
6	33,500	2,792
7	37,750	3,146
8	42,000	3,500
Additional Person	\$4,250	\$354

**Emergency Assistance to Needy Families with Children (EAF)**

Unlike ESNA, when determining financial eligibility for EAF, districts must evaluate the gross available income of the applicant on the date of application to determine if it is at, or below, 200% of the federal poverty level for that household size or if the household is financially eligible to receive TA. The 200% of the federal poverty level gross available income standards do not apply to households receiving child protective, child preventative or other child welfare services paid for under EAF. Unlike ESNA, the gross available income test for EAF does apply when determining an applicant's eligibility for EAF pursuant to regulations 352.5 (c), (d) and (e) to prevent or restore utility (natural gas and electricity) service, or to arrange for an emergency delivery of non-utility (other than natural gas and electricity) heating fuel. An applicant with this type of energy related emergency, who was previously determined ineligible for the Home Energy Assistance Program (HEAP), or if HEAP is not available, and who is determined ineligible for EAF because his/her available income on the date of application exceeds 200% of the federal poverty level for his/her household size must be evaluated for eligibility under ESNA.

When considering EAF as the category of payment, districts must continue to first look at all income or resources immediately available to meet the need of the household. For further information see 03 ADM-11, "Emergency Assistance to Families (EAF) Changes to Part 372 of 18 NYCRR 372 and to the TANF State Plan".

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200% of Federal Poverty Level Guidelines  
**2006 EAF Gross Income Test (Adjusted Annually)**  
**By Family Size**

Size of Family Unit	Federal Poverty		200% Federal Poverty Guideline	
	Annual	Monthly (Actual Rounded)	Annual	Monthly (Actual Rounded)
1	\$9,800	\$817	\$19,600	\$1,633
2	13,200	1,100	26,400	2,200
3	16,600	1,383	33,200	2,767
4	20,000	1,667	40,000	3,333
5	23,400	1,950	46,800	3,900
6	26,800	2,233	53,600	4,467
7	30,200	2,517	60,400	5,033
8	33,600	2,800	67,200	5,600
Additional Person	\$3,400	\$283	\$6,800	\$567

If the applicant's available gross income on the date of application is above 200% of the appropriate federal poverty guideline based on family size, the district must not make the payment under EAF and alternative solutions must be sought. For a discussion on using available income and resources to meet emergency/immediate need situations, see Administrative Directive 02 ADM-2, "Meeting the Emergency/Immediate Needs of Temporary Assistance (TA) Applicants/Recipients".

**Note: Districts must remember that ESNA considers the total gross income of the applying household, but EAF considers only the available gross income of the applying household.**

HEAP Implications

Districts must explore the availability and eligibility of HEAP before utilizing TA programs for energy and energy related emergencies. Districts must follow HEAP eligibility guidelines and program dates as outlined in the most recent version of the HEAP Manual.

Food Stamps Implications

Diversionary requirements of TA do not apply to food stamps. Districts must process applications for food stamps even if diverting applicants from TA and encourage applications from those expressing concerns about not having enough food or money to buy food (food insecurity).

As always, on the day of application filing, all households that are applying for food stamp benefits, including those also applying for cash benefits, must be screened to determine if they are eligible for expedited processing of their food stamp benefits. For those households that are found eligible for expedited processing, the district must issue the benefits within the required timeframe.

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The federal poverty levels for food stamp program eligibility determinations are adjusted each October. The income guidelines provided in 05TA/DC025 (August 15, 2005) remain in effect for the food stamp program.