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Governor

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OFFICE OF TEMPORARY AND DISABILITY  
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**Administrative Directive**

**Section 1**

<b>Transmittal:</b>	07-ADM-09
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office :</b>	Center for Employment and Economic Supports
<b>Date:</b>	December 14, 2007
<b>Subject:</b>	Categorical Eligibility for Food Stamps
<b>Suggested Distribution:</b>	Temporary Assistance Directors Food Stamp Directors FEDS Coordinators Fraud Directors Staff Development Coordinators
<b>Contact Person(s):</b>	Sandy Borrelli (518) 473-0401 <a href="mailto:Sandy.Borrelli@otda.state.ny.us">Sandy.Borrelli@otda.state.ny.us</a>
<b>Attachments:</b>	Attachment A: Sample "Helping Hands" Brochure
<b>Attachment Available On – Line:</b>	Sample only

**Filing References**

<b>Previous ADMs/INFs</b>	<b>Releases Cancelled</b>	<b>Dept. Regs.</b>	<b>Soc. Serv. Law &amp; Other Legal Ref.</b>	<b>Manual Ref.</b>	<b>Misc. Ref.</b>
01 ADM 2 ABEL Transmittal 07-3		387.9		FSSB Section 5	

## **I. Summary:**

- Currently, only households whose members **all** receive either Temporary Assistance (TA) - both Family Assistance and Safety Net - and/or SSI cash benefits are categorically eligible to participate in the Food Stamp Program (FSP) in New York State.
- Effective January 1, 2008, New York State is expanding categorical eligibility for the Food Stamp Program. Except for those households having a member who is either disqualified from the Food Stamp Program due to an Intentional Program Violation (IPV) or a sanction, households that have a gross income at or below 130% of the federal poverty limit that receive the *Helping Hands* brochure will have received a Temporary Assistance for Needy Families (TANF)/Maintenance of Effort (MOE)-funded service that confers categorical eligibility for the FSP.
- Except for those households having a member who is either disqualified from the Food Stamp Program due to an IPV or a sanction, households that have either an elderly or disabled member (or members) and a gross income at or below 200% of the federal poverty limit that receive the *Helping Hands* brochure will have received a TANF/MOE-funded service that confers categorical eligibility for the FSP.
- By expanding categorical eligibility, resources will no longer need to be considered when assessing the eligibility of all income-eligible households except when otherwise noted in this document. Workers will no longer need to verify resource information for almost all income-eligible households. This will save case processing time, and will also reduce quality assurance errors.

## **II. Purpose:**

The purpose of this Administrative Directive (ADM) is to inform the local departments of social services (local districts) about the expansion of categorical eligibility for the Food Stamp Program and the effects of this expansion on policy and procedures. This change is expected to:

- Increase the participation in the Food Stamp Program in New York State, particularly among the elderly and the working poor;
- Reduce the workload and case processing time for local districts because workers will no longer need to gather resource information;
- Reduce quality assurance errors; and
- Reduce documentation requirements for applicants and recipients.

## **III. Background:**

Under current federal statute and Food Stamp Program regulations, applicant households that have gross incomes in excess of 130% of the poverty limit, except those with elderly or disabled members, or that have countable financial resources in excess of \$2,000 (\$3,000 for a household with an elderly or disabled member) generally may not participate in the program. However, in the wake of the welfare reform of the late 1990s, federal interpretation of regulations has allowed states significantly greater flexibility in determining which households receiving TANF or TANF-MOE benefits or services may be considered categorically eligible for the FSP.

Currently in New York State, Food Stamp Program Categorical Eligibility applies to FS households whose members all receive either TA and/or SSI. As a FS categorically eligible household they are not subject to the Gross Income Test (130% of federal poverty level), the Net Income Test (100% of federal poverty level), or the FS resource test. As the income levels and resource limits for these cash assistance programs are equal to or stricter than the requirements for the FSP, this definition of categorical eligibility has had little effect on FSP participation. And, in the case of households whose categorical eligibility is derived from receipt of a TA grant, since the TA worker almost always does the determination of FS eligibility as well, there will be little effect on case processing and the verification of resources.

Effective January 1, 2008, FS categorical eligibility will be expanded to include many other FS households, except those disqualified due to an IPV or sanctioned, through provision of a TANF/MOE-funded service. This service will be provided in the form of the “*Helping Hands*” brochure (see Attachment A for a sample). The brochure contains information on a range of programs available to assist households in need. In December, 2007, there will be a mass mailing of this brochure to all Food Stamp recipients. Receipt of this brochure by a household that meets the 130% of poverty (200% of poverty for households with an aged or disabled member) income threshold will confer categorical eligibility for the FSP for a period of one year. Local districts will receive a supply of the “*Helping Hands*” brochure to include as part of the application package given to clients. Additionally, the brochure is available on the OTDA Internet and Intranet sites.

#### **IV. Program Implications:**

The significance of extending categorical eligibility is that it eliminates resource limits, and gross and net income tests for affected households. This change in policy is expected to dramatically increase participation in the food stamp program as well as alleviate the administrative burden on local districts associated with evaluating the resources of applicants for the Food Stamp program. Additionally, this will save case processing time and reduce quality assurance asset errors.

#### **V. Required Action:**

- All FS households that pass the 130% Gross Income Test (GIT) are categorically eligible and workers no longer have to perform the 100% Net Income Test (NIT) or the FS Resource Test.
- Households containing a FS sanctioned individual will still be subject to the 130% GIT, 100% NIT and FS Resource Test to be FS eligible, unless they contain an Aged or Disabled individual, in which case they will only need to pass the 100% NIT and FS Resource test to be FS eligible (non-categorically).
- Households with an aged or disabled member who are currently not subject to the 130% GIT test will instead need to pass a 200% GIT to be FS categorically eligible and thereby not subject to the 100% NIT and FS Resource test. If the aged/disabled household fails the 200% GIT, they will need to pass the 100% NIT and FS Resource test to be FS eligible (non-categorically).
- Local district eligibility workers will be required to include the “*Helping Hands*” brochure in each FS application packet.

**VI. Systems Implications:**

The Categorical Eligibility Indicator (CE) field in the WMS ABEL system has been updated to reflect these changes. Please see ABEL Transmittal No. 07-3 page 10.

**VII. Effective Date:** January 1, 2008

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**Issued By**

**Name:** Russell Sykes

**Title:** Deputy Commissioner

**Division/Office:** Center for Employment and Economic Supports

State of New York  
Eliot Spitzer, Governor



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[www.otda.state.ny.us](http://www.otda.state.ny.us)

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For more information about resources for "working families" visit the Office of Temporary and Disability Assistance website at: [www.otda.state.ny.us](http://www.otda.state.ny.us)

*"Helping Hands for People In Need"*  
is a TANF funded publication

## HELPING HANDS FOR PEOPLE IN NEED



*New York State understands that  
sometimes it is difficult for working  
families to make ends meet.*

*This brochure contains information  
on the various resources available  
to strengthen your household.*

### FOOD STAMP BENEFITS

Food Stamp Benefits assist eligible individuals and working families to purchase food. Eligibility and benefit levels are based on household size, income, assets and other factors. The Food Stamp Program is federally funded through the U.S. Department of Agriculture and administered in New York by the Office of Temporary and Disability Assistance (OTDA) and local social services offices. Available benefits are provided through an electronic benefit card that works just like a regular debit card. All Food Stamp recipients are eligible for **free** nutrition education to help them make sound nutritional choices on a limited income. For more information and to find out where to apply call toll-free: **1-800-342-3009**.

### SCHOOL BREAKFAST AND SCHOOL LUNCH PROGRAMS

These programs provide nutritionally balanced meals to school children for free or at a minimal cost. Families may apply for the programs by submitting a Household Income Application which is provided by the school. The school is then responsible for certifying the student for free, reduced-price, or paid meals. If you are currently in receipt of Cash Assistance or Food Stamp Benefits, your children are automatically eligible for free meals.

### FOOD BANKS

New York State Food Banks provide safe and nutritious food to food pantries, soup kitchens and shelters. Food banks in your area can provide you with a list of programs to access free emergency food.

Food Bank of Northeastern New York:  
**1-518-786-3691**

Food Bank of Western New York:  
**1-716-852-1305**

Catholic Charities Food Bank of the Southern Tier:  
**1-607-796-6061**

Long Island Cares:  
**1-631-582-3663**

Food Bank for New York City:  
**1-212-566-7855**

Food Link: **1-585-328-3380**

Food Bank of Central New York: **1-315-437-1899**, and  
Food Bank for Westchester: **1-914-923-1100**.

### EMPLOYMENT PLACEMENT SERVICES

In New York State, the Food Stamp Employment and Training Program provides employment and training services for recipients of Food Stamp Benefits to help them toward self-sufficiency. At a minimum all districts offer Job Search and Job Readiness Training. Other districts offer work experience, on-the-job training, vocational training, education and job skills training. Individuals who are interested in receiving these services should contact or visit their local social services office. In addition, New York State's Workforce New York One-Stop System provides services through a network of local One Stop Centers and affiliate sites. Services include labor market information; current job listings; job search, résumé preparation and interviewing techniques; a computer resource room for job search activities; assessment of skills and aptitudes; employment counseling and training and education programs. To find the nearest service location and local contacts visit the Website: [www.workforcenewyork.org/onestops.htm](http://www.workforcenewyork.org/onestops.htm)

Additional information about finding a job and career development may also be found on the NYS Department of Labor's home page: [www.labor.state.ny.us](http://www.labor.state.ny.us) - link to "Career Services"

### HOME ENERGY ASSISTANCE PROGRAM

The Home Energy Assistance Program (HEAP) assists low-income New Yorkers in paying heating bills. HEAP also provides assistance with furnace repair and/or replacement and home weatherization. HEAP payments vary depending on household income and the type of heat used. You may be eligible for regular HEAP benefits even if you have money in the bank or other financial resources. To apply, contact your county social services office or your county office for the aging.

For more information call **1-800-342-3009** or visit the Website at: [www.otda.state.ny.us/main/heap](http://www.otda.state.ny.us/main/heap)

## HOUSING ASSISTANCE

Local Public and Indian Housing Authorities administer housing assistance programs such as:

**Public Housing** which provides low-cost apartments and townhouses for eligible low-income families, the working poor and the elderly.

**Section 8 Housing** which provides vouchers to eligible low-income and working families, so they can rent code compliant housing. A rental subsidy is paid directly by the housing agency to the landlord on behalf of the participating family. The tenant pays the difference between actual rent charged and the amount subsidized by the program. There is a limited amount of Section 8 housing assistance available. Therefore, it is important for anyone interested in these programs to get his/her name on a waiting list as soon as possible. Contact the Public Housing Authority in your town or county for more information.

## FATHERHOOD INITIATIVE

The New York State Strengthening Families Through Stronger Fathers Program is aimed at promoting responsible fatherhood through healthy marriage activities, responsible parenting and enhancing economic stability. The initiative provides incentives for noncustodial parents to remain in or consider marriage, to increase their earnings, pay child support, and become actively involved in their children's lives. For more information, visit the Website: [www.dads.ny.gov](http://www.dads.ny.gov)

## EARNED INCOME TAX CREDIT

If you have earned income and have taken care of a qualifying child for more than half the year, you may be eligible to receive the Earned Income Tax Credit (EITC) from New York State as well as from the federal government. To claim the credit, you must file both federal and state income tax forms. Everyone's circumstances are different, but you may qualify to receive a combined Federal and State EITC up to \$6,000 if your income is under \$39,783. For more details, check [www.irs.gov](http://www.irs.gov), call the IRS toll-free at **1-800-829-1040**, or visit your nearby Volunteer Income Tax Assistance (VITA) site.

## MEDICAID

Medical assistance or Medicaid is available to help people who cannot afford to pay for all of their medical care. For information on how you can apply for Medicaid call your local social services office, whose phone number can be found in the "Blue Pages" of your phone book. In New York City, you can contact the Human Resources Administration by calling **1-718-557-1399**. Residents of the five boroughs of New York City may also call toll-free at **1-877-472-8411**. Pregnant women and children can apply at many clinics, hospitals, and Prenatal Care Assistance Program offices. If you are in a facility operated by the New York State Office of Mental Health, contact the patient resource office. If you are in a facility certified by the New York State Office of Mental Retardation and Developmental Disabilities, contact the revenue and reimbursement office.

## CHILD HEALTH PLUS

Child Health Plus is a health insurance program for children under 19 years old. There are two plans: CHPlus A, which is a Medicaid program, and CHPlus B. CHPlus A provides full Medicaid coverage with no resource test at varying income levels up to 200% of the Federal Poverty Level. CHPlus B is a program intended to cover children up to age 19, whose family income is too high to qualify for Medicaid. CHPlus B coverage is provided through managed care organizations. To get more information, call the Child Health Plus helpline toll-free at **1-800-698-4543**.

## FAMILY HEALTH PLUS

Family Health Plus (FHP) is a New York State health insurance program for adults with limited income who do not have health insurance. It offers comprehensive health care coverage through managed care plans to single adults and couples without children, and parents who are financially ineligible for Medicaid. To be eligible for FHP, individuals must be age 19 through 64, ineligible for Medicaid and meet certain other eligibility criteria. To get more information, call the Family Health Plus helpline toll-free at **1-877-934-7587**.

## WOMEN INFANTS AND CHILDREN

Women, Infants and Children (WIC) is a special supplemental food program that provides nutritious foods, milk, juice, formula and other items to low-income pregnant or breastfeeding women, as well as infants and children up to age 5. To get more information, call the Growing Up Healthy hotline toll-free at **1-800-522-5006**.

## CHILD CARE

New York State offers many resources including subsidies to low-income families to make safe quality child care accessible and affordable. You should contact your county social services office for information. To find out more, visit the Website: <http://www.ocfs.state.ny.us>

## CHILD SUPPORT ENFORCEMENT

Child support enforcement services are available free of charge to anyone who applies. The program can help custodial parents obtain financial and medical support for their children from the noncustodial parent. Information regarding the noncustodial parent's ability to pay child support is presented to the court to calculate the proper support payment according to the Child Support Standards Act guidelines. A child support order is based on the noncustodial parent's adjusted gross income and the number of children for which they are responsible. In some instances, administrative procedures can be put into action without returning to court. For more information or, to apply for assistance with child support, call toll-free **1-800-846-0773** or visit the Website: [www.newyorkchildsupport.com](http://www.newyorkchildsupport.com)

## DOMESTIC VIOLENCE

Domestic violence affects the entire community. If you or someone you know is being abused and you would like more information on what you can do to keep yourself, your family or neighbors safe, call toll-free **1-800-942-6906** or visit the Website: [www.opdb.state.ny.us/victims](http://www.opdb.state.ny.us/victims)

## HOMELESS HOUSING AND SERVICES

OTDA administers an array of programs to address problems related to homelessness in New York. Several of the programs provide essential services to homeless persons to stabilize their housing situation and increase levels of self-sufficiency. If you are homeless and need assistance, please contact your local social services office.

## SOCIAL SECURITY DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME

The Supplemental Security Income (SSI) Program provides monthly cash benefits to elderly, blind, and disabled individuals with limited income and resources. OTDA is responsible for determining certain aspects of eligibility for Social Security Disability Insurance and SSI programs. To apply for Social Security Disability Insurance or SSI benefits, call toll-free **1-800-772-1213**.

## VETERAN'S BENEFITS

If you ever served in the United States Armed Forces and were discharged under honorable conditions, you are a veteran. In addition to healthcare, substance abuse and mental health services, burial benefits, educational benefits, and employment assistance, you may be eligible for monetary benefits in the form of service-connected compensation and/or non-service connected disability pension payments through the U.S. Department of Veterans' Affairs. Contact the NYS Division of Veterans' Affairs toll-free **1-888-838-7697** or visit their Website at: [www.veterans.state.ny.us](http://www.veterans.state.ny.us) to locate a State Veteran Benefits Counselor nearest you.

## BUREAU OF REFUGEE AND IMMIGRANT ASSISTANCE

OTDA provides services and assistance to certain immigrant populations, including refugees, asylees, victims of human trafficking, and other immigrants. To obtain assistance with citizenship matters, call toll-free **1-800-566-7636**. To obtain any of the other services or assistance described above, call **1-518-402-3096**. To find a list of service providers visit the Website: [www.otda.state.ny.us/main/bria](http://www.otda.state.ny.us/main/bria)