



**NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NY 12243-0001**

David A. Paterson
Governor

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Commissioner

Informational Letter

Section 1

Transmittal:	08-INF-19
To:	Local District Commissioners
Issuing Division/Office:	Office of Temporary and Disability Assistance/Center for Employment and Economic Supports
Date:	November 20, 2008
Subject:	Social Security Administration (SSA) Cost-of-Living Adjustment (COLA) for January 2009 - SSI Benefit Levels Chart
Suggested Distribution:	Local District Commissioners TA, FS, & MA Directors WMS, SSI Max, CAP & Staff Development Coordinators
Contact Person(s):	1-800-343-8859; FS Questions -- Food Stamp Bureau (518) 473-1469; SSI Questions -- SSI Bureau (518) 473-0332 ; TA Questions -- Temporary Assistance Bureau (518) 474-9344; WMS Questions -- WMS Bureau (518) 473-3468; Metro Region (212) 961-8207
Attachments:	SSI Benefit Levels Chart effective January 1, 2009
Attachment Available On – Line:	yes

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
07 INF-16 06 INF-33 05 INF-22 04 INF-22 03 INF-40 02 INF-35 01 INF-27 01 INF-15 97 ADM-1			Chapter 57 of the Laws of 2008 Chapter 132 of the Laws of 2007; Chapter 57 of the Laws of 2006; Chapter 515 of the Laws of 2006; Chapter 58 of the Laws of 2005		ABEL Transmittal 08-3 ABEL Transmittal 07-3 ABEL Transmittal 06-4 ABEL Transmittal 05-6 GIS 05 TA/DC042 ABEL Transmittal 04-4 GIS 00 TA/DC021 GIS 99 TA/DC021

Section 2

I. Purpose

- To inform local districts that the January 1, 2009, cost-of-living adjustment (COLA) for RSDI (Title II - regular and disability Social Security benefits) and SSI (Title XVI – Supplemental Security Income) has been set at 5.8%; and
- To provide local districts with the *SSI Benefit Levels Chart effective January 1, 2009*.

II. Background

Every year, the Social Security Administration (SSA) adjusts RSDI and federal SSI benefits to reflect the increase in the cost of living. This increase is based on the change in the Consumer Price Index (CPI) between the third quarter of the current year and the third quarter of the previous year.

The January 1, 2009, the COLA for RSDI and federal SSI benefits has been set at 5.8%. As authorized by Chapter 57 of the Laws of 2008, the full amount of the 2009 federal COLA will be passed along to all recipients of optional or mandatory SSI State supplementation.

In addition to receiving a pass-through of the federal COLA provided by Chapter 57, Part C of Chapter 57 of the Laws of 2006 established a COLA on the State share of the SSI benefit for recipients in Enhanced Residential Care – Congregate Care Level 3 facilities. Therefore, Level 3 residents will also receive an increase in the State supplement component of their monthly SSI grant.

Residents of Congregate Care facilities will also see an increase in their Personal Needs Allowances (PNAs).

The attached *SSI Benefit Levels for 2009* chart reflects the 5.8% federal COLA increase and the statutory changes noted above. It is provided as a resource for informational purposes. The chart can also be viewed on CentraPort under Desk Guides and on the OTDA Intranet site within the Center for Employment and Economic Supports under Desk Guides/Aids.

The increases in client income of Temporary Assistance and Food Stamp recipients will be addressed by the annual Mass Rebudgeting. (See ABEL Transmittal 08-3 for more information about the annual Mass Rebudgeting.)

Issued By

Name: Russell Sykes
Title: Deputy Commissioner
Division/Office: Center for Employment and Economic Supports

SSI Benefit Levels Chart effective January 1, 2009 (reflects the 5.8% federal COLA for January 2009)

Fed L/A Code	State Supp Code	New York State Living Arrangement	Individual			Couple		
			Federal	State	TOTAL ¹	Federal	State	TOTAL ¹
A	A	Living Alone	\$674	\$87	\$761	\$1,011	\$104	\$1,115
A, C (B)	B (F)	Living With Others (Living in the Household of Another) ²	674 (449.34)	23	697 (472.34)	1,011 (674.00)	46	1,057 (720.00)
A	C	Congregate Care Level 1 - Family Care <input type="checkbox"/> OCFS certified Family Type Homes <input type="checkbox"/> OMH or OMRDD certified Family Care Homes <i>NYC, Nassau, Rockland, Suffolk and Westchester Counties</i>	674	266.48	940.48	1,011	869.96	1,880.96
		<i>Rest of State</i>	674	228.48	902.48	1,011	793.96	1,804.96
A	D	Congregate Care Level 2 - Residential Care <input type="checkbox"/> DOH certified Residences for Adults <input type="checkbox"/> OMH or OMRDD certified Community Residences, Individualized Residential Alternatives and OASAS certified Chemical Dependence Residential Services <i>NYC, Nassau, Rockland, Suffolk and Westchester Counties</i>	674	435	1,109	1,011	1,207	2,218
		<i>Rest of State</i>	674	405	1,079	1,011	1,147	2,158
A	E	Congregate Care Level 3 – Enhanced Residential Care <input type="checkbox"/> DOH certified Adult Homes and Enriched Housing programs <input type="checkbox"/> OMRDD certified Schools for the Mentally Retarded	674	694	1,368	1,011	1,725	2,736
D	Z	Title XIX (Medicaid certified) Institutions ³	30	0 ⁴	30 ⁴	60	0 ⁴	60 ⁴
A	Z	(see below) ⁵	674	0	674	1,011	0	1,011

Minimum Personal Needs Allowances <input type="checkbox"/> Congregate Care Level 1 - \$130 <input type="checkbox"/> Congregate Care Level 2 - \$150 <input type="checkbox"/> Congregate Care Level 3 - \$178	Limits on Countable Resources <input type="checkbox"/> Individuals \$2,000 <input type="checkbox"/> Couples \$3,000	Revised 16 Oct 2008 <u>Statutory References:</u> Chap. 57 of L. 2006 and Chap. 57 of L. 2008
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¹ The combined federal and State SSI benefit provided to eligible individuals and eligible couples with no countable income.

² The *Living With Others* category includes recipients whose federal benefit has been reduced by the "value of the 1/3 reduction" (VTR) due to the federal determination that they are both: *a*) living in someone else's household, *and b*) receiving some amount of free or subsidized food and shelter (room and board).

³ Applies when an SSI recipient is residing in a medical facility, is not expected to return home within 90 days, and Medicaid is paying for at least 50% of the cost of care.

⁴ Recipients in nursing homes licensed by DOH receive an additional monthly grant of \$25 issued by OTDA called a State Supplemental Personal Needs Allowance (SSPNA). Residents of other medical facilities receive an SSPNA of \$5.

⁵ This zero federally-administered State supplement applies: *a*) when an SSI recipient is residing in a private medical facility and Medicaid is paying for less than 50% of the cost of care, *or b*) when a recipient resides in certain publicly operated residential facilities serving 16 or fewer residents, *or c*) while a recipient resides in a public emergency shelter for 6 calendar months during a 9 month period.