

GENERAL INFORMATION SYSTEM
Center for Employment & Economic Supports

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TO: Commissioners, TA Directors, FS Directors, WMS Coordinators, HEAP Coordinators, Staff Development Coordinators

FROM: Russell Sykes, Deputy Commissioner, Center for Employment and Economic Supports

SUBJECT: REISSUED - 2011 Emergency Program Income guidelines for Emergency Safety Net Assistance (ESNA) and Emergency Assistance to Needy Families with Children (EAF)

EFFECTIVE DATE: April 1, 2011

CONTACT PERSON: Temporary Assistance Bureau at 1-800-343-8859, ext. 4-9344

Emergency Safety Net Assistance (ESNA)

The income standard for ESNA is 125% of the official Federal Poverty Guidelines. The United States Department of Health and Human Services (HHS) updates the poverty guidelines annually, but the 125% income standard is in effect April 1 through March 31 of the following year.

This income 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 18 NYCRR § 352.5 (c), (d) and (e) to prevent disconnection of or to 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.

Note: Districts do not have the authority to authorize TA benefits for emergency non-utility (other than natural gas or electricity) fuel deliveries when the non-utility fuel is used solely for domestic purposes, such as cooking or heating hot water.

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 the 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 monthly gross income, regardless of availability, of the applying household, whereas, EAF considers only the available gross income on the day of application when determining if the household passes the EAF 200% of poverty level gross available income standard.

Districts must also explore the use of diversion payments to meet the needs of individuals applying for recurring temporary assistance (TA), if authorizing such a payment will divert the applying household from the need for on-going assistance. Districts may only issue diversion payments to applicant households meeting all federally participating categorical criteria. 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 Type for Families."

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The following new guidelines will be effective April 1, 2011 through March 31, 2012.

2011 ESNA 125% of Federal Income Official Poverty Level Guidelines
(Adjusted Annually)
By Family Size

Household Size	Annual	Monthly (Rounded)
1	\$13,613	\$1,134
2	18,388	1,532
3	23,163	1,930
4	27,938	2,328
5	32,713	2,726
6	37,488	3,124
7	42,263	3,522
8	47,038	3,920
Additional	\$4,775	\$398

Emergency Assistance to Needy Families with Children (EAF)

Unlike ESNA that determines financial eligibility based on income regardless of its availability, financial eligibility for EAF is determined by the gross income that is immediately available to the applicant on the date of application. Financial eligibility for EAF is determined if that available gross income 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 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. Districts must evaluate an applicant's eligibility for ESNA when such applicant with this type of energy related emergency and who was previously determined ineligible for the Home Energy Assistance program (HEAP) or when HEAP is not available, and who is determined income eligible for EAF on the date of application.

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

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The following new guidelines will be effective April 1, 2011 through March 31, 2012.

200% of Federal Poverty Level Guidelines
2011 EAF Gross Available Income Test (Adjusted Annually)
By Family Size

Household Size	Federal Poverty		200% Federal Poverty Guidelines	
	Annual	Monthly	Annual	Monthly (Rounded)
1	\$10,890	\$907.50	\$21,780	\$1,815
2	14,710	1,225.83	29,420	2,452
3	18,530	1,544.17	37,060	3,088
4	22,350	1,862.50	44,700	3,725
5	26,170	2,180.83	52,340	4,362
6	29,990	2,499.17	59,980	4,998
7	33,810	2,817.50	67,620	5,635
8	37,630	3,135.83	75,260	6,272
Additional	\$3,820	\$318.33	\$7,640	\$637

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

Note: ROS districts must use the appropriate payment type code and NYC must use the appropriate opening code, when authorizing emergency payments under either ESNA or EAF.

HEAP Implications

Districts must explore the availability for 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 Stamp Implications

Diversionary requirements for TA do not apply to food stamps. Districts must process TA applications for food stamp benefits 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). If a household applying for TA already is receiving food stamps benefits, this rule does not apply.

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 benefit within the required timeframe.

The federal poverty levels for food stamp eligibility determinations are adjusted each October. The income guidelines provided in GIS 10 TA/DC022 (August 18, 2010) remain in effect for the food stamp program.