

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

10 NORTH PEARL STREET, ALBANY, NEW YORK 12243

BARBARA B. BLUM
Commissioner



[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL NO.: 79 ADM-57
[Income Maintenance]

TO: Commissioners of Social Services

SUBJECT: Pass-Through of the Federal Cost-of-Living Increase to SSI Recipients and Increases in State Supplementary Payments

DATE: September 7, 1979

SUGGESTED DISTRIBUTION: Income Maintenance Staff
Medical Assistance Staff
Social Services Staff
SSI/SDX Coordinators

CONTACT PERSON: Any questions concerning this release should be directed to Bob Sharkey, Income Support Unit, at (800) 342-3715, extension 49348.

I. PURPOSE

The purpose of this directive is to advise local social services districts of Chapter 314 of the Laws of 1979 which authorizes a pass-through of the July 1979 federal cost-of-living increase and, in addition, an increase in the State Supplement portion to most SSI recipients.

II. BACKGROUND

Section 1617 of the Social Security Act provides that whenever benefits under Title II are increased by any percentage, the federal amount of SSI benefits will be increased by the same percentage. Social Security benefits are generally increased yearly, in July, based on the Consumer Price Index (CPI). The 1979 increase was set at 9.9%.

State legislation is required to authorize an actual increase in the total check when State supplementary payments (SSP) are involved. This legislation is commonly referred to as the "pass-through".

FILING REFERENCES

Previous ADMs / INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous References
76 ADM-68					
76 ADM-71					
77 ADM-46					
77 ADM-71					
77 INF-15					
77 ADM-138					
78 ADM-53					
78 ADM-66					
78 INF-21					
79 ADM-42					
			SSL 209		SSI State Manual
			SSL 131-o		

Chapter 314 of the Laws of 1979, effective July 1, 1979, authorizes:

- The pass-through of the 9.9 percent cost-of-living increase in the federal SSI benefit of \$18.80 for individuals and \$28.20 for couples.
- An increase in the State supplement of \$2.36 for individuals and \$3.54 for couples.
- An increase in the personal needs allowance for Level II Congregate Care (Residential Care).
- Increases in the eligibility standards for certain MA-only households.

III. PROGRAM IMPLICATIONS

- A. The pass-through of the federal benefit increase plus the increase in the State supplements combine to establish new SSI Benefit Levels (Standard of Need). The new amounts are shown on the attached chart. All recipients will receive an increase except those in Title XIX Institutions and those converted from the AABD program whose "grand-fathered" benefit level is still higher than the new SSI amount.

The increases in the SSI benefit levels will be fully reflected in SSI checks on September 1, 1979. An additional check in August will provide the retroactive increases for July and August. The Department has sent notices to all SSI recipients living in the community or in Department-approved facilities informing them of this delay.

The increase in the SSI benefit will reduce the number of SSI recipients currently receiving supplemental home relief funds. (77 ADM-138)

- B. The personal needs allowance for Level II Congregate Care (Residential Care) has been increased from \$18.00 to \$29.16 in addition to any income disregarded by the Social Security Administration. The personal needs allowances for Level I and Level III remain at \$10.00 in addition to any disregarded income.
- C. The impact of the increase in MA-only eligibility standards and the impact of the pass-through on the medicare buy-in list are covered by 79 ADM 42, dated July 18, 1979.

IV. REQUIRED ACTION

A. Supplemental Home Relief Cases

1. Effective September 1, 1979, those few local social services districts that provide supplemental home relief to SSI recipients shall identify all individuals receiving such assistance and rebudget the cases in

accordance with instructions set out in 77 ADM-138. In rebudgeting these cases, you must use the new standard of need summarized below. This updates the standard of need set forth on page 3 of 77 ADM-138:

SSI STANDARD OF NEED
(Total SSI Benefit)

<u>Living Arrangement</u>	<u>Individual</u>	<u>Couple</u>	<u>Supplement Code (SDX)</u>
Living Alone	\$271.41	\$391.78	A
Living With Others	218.74	342.78	B
Living in Household of Another*	218.74	342.78	F

2. Local social services districts shall consider the retroactive check received in August for the July and August increase as a resource to be treated in accordance with applicable Department regulations.
3. Recipients must be notified in writing of any reduction or termination of assistance and their rights to a fair hearing.

B. Notification of New Benefit Levels to Level I Operators


Local social services districts shall identify all Family Type Home and One-Guest Foster Home operators which have been certified and are under their jurisdiction and inform them of the new benefit levels for residents of these Homes.

The attached notification letter (Appendix A) shall be reprinted under the local social services district letterhead without modification.

V. ADDITIONAL INFORMATION

Chapter 315 of the Laws of 1979 extends the state assumption of the local share of State SSI Supplementation costs to October 1, 1981 for New York City and to July 1, 1981 for all other districts.

*Living with others with in-kind income. - The maximum cash benefit is \$149.34. The value of in-kind income (\$69.40) brings this total to a standard of need of \$218.74.



Sydelle Stone Shapiro
Deputy Commissioner for Income Maintenance

APPENDIX A

(LOCAL DISTRICT LETTERHEAD)

Dear Family Type and Adult Foster Care Provider:

Effective July 1, 1979, the Supplemental Security Income (SSI) standard of monthly need for eligible residents in Congregate Care Level I homes will increase. The standard for individuals will increase from \$313.30 to \$334.46 in New York City and from \$275.30 to \$296.46 in the rest of the State. The standard for couples will increase from \$626.60 to \$668.92 in New York City and from \$550.60 to \$592.92 in the rest of the State.

The increase will not be included in each resident's regular check until September 1, 1979. The increases due recipients for July and August will be sent in a separate check shortly after August 1, 1979.

The personal allowance established in 1977 is not affected by this increase. Therefore, your residents will continue to receive personal allowances as follows:

- 1) Residents who receive total SSI benefits less than \$10.00 will have personal allowances consisting of their total SSI benefit in addition to any income disregarded by the Social Security Administration in determining SSI eligibility.
- 2) Residents who receive SSI benefits and who have no other income will have a personal allowance of at least \$10.00.
- 3) Residents who receive SSI benefits greater than \$10.00 and have other sources of income, will have a personal allowance of at least \$10.00 in addition to any income disregarded by the Social Security Administration.

If you have any questions, you should contact this Department.

SSI BENEFIT LEVEL EFFECTIVE JULY 1, 1979

Fed L/A Code	State Supp. Code	Living Arrangement	Federal Benefit		State Supplement		Total Benefit	
			Ind.	Couple	Ind.	Couple	Ind.	Couple
A	A	Living Alone	208.20	312.30	63.21	79.48	271.41	391.78
A,C	B	Living With Others	208.20	312.30	10.54	30.48	218.74	342.78
B	F	Living in Household of Another*	138.80	208.20	10.54	30.48	149.34	238.68
A	C	<u>Level I - Family Care</u>						
		a) DSS Certified Family Type Homes and Foster Care for Adults						
		b) OMH-OMRDD Certified Family Care Homes						
		<u>New York City</u>	208.20	312.30	126.26	356.62	334.46	668.92
		Rest of State	208.20	312.30	88.26	280.62	296.46	592.92
A	D	<u>Level II - Residential Care</u>						
		a) DSS Certified Residential Care Facilities for Adults b) OMH-OMRDD Certified Community Residences	208.20	312.30	257.16	618.42	465.36	930.72
A	E	<u>Level III - School for the Mentally Retarded</u>						
		<u>New York City</u>	208.20	312.30	485.26	1,074.62	693.46	1,386.92
		Rest of State	208.20	312.30	461.26	1,026.62	669.46	1,338.92
D	Z	Title XIX Institution**	25.00	50.00	0	0	25.00	50.00

*Not a separate State Payment Level (SPL). Refers to people receiving both support and maintenance (food and shelter) whose federal benefits have been reduced by one-third.

**A federal benefit of \$208.20 for individuals or \$312.30 for couples applies to priv. fac. where Title XIX pays less than 50 percent of the cost of care or when the people reside in a public community residence with a capacity of 16 or less.

These situations are rare and involve no State Supplement.

ADDITIONAL NOTES: 1) Minimum personal needs allowance for Levels I and III is \$10.00, for Level II, \$29.10.

2) Essential persons receive \$104.20.