

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

40 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.: 80 ADM-46  
[Income Maintenance]

TO: Commissioners of Social Services

SUBJECT: Pass-Through of the Federal Cost-of-Living Increase to SSI Recipients

DATE: June 25, 1980

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 Maureen Standish, Income Support Unit, at (800)342-3715, extension 4-9346.

I. PURPOSE

The purpose of this directive is to advise local social services districts of Chapter 113 of the Laws of 1980 as amended by Chapter 204 which authorizes a pass-through of the July 1980 Federal cost-of-living increase in Supplemental Security Income (SSI). Chapter 204 corrects the dollar amounts in the SSI benefit levels. This ADM supersedes 79 ADM-57.

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 1980 increase will be 14.3%.

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	<del>Returns-Cancelled-</del> ADM's Continued	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous References
76 ADM-68					
76 ADM-71					
77 ADM-46	78 ADM-66		SSL 209		SSI State Manual
77 ADM-71	78 INF-21		SSL 131-o		
7 INF-15	79 ADM-42				
77 ADM-138	79 ADM-57				
78 ADM-53					

DSS-296 (Rev. 5/78)

Chapter 113 of the Laws of 1980, effective July 1, 1980, authorizes:

- The pass-through of the 14.3% cost-of-living increase in the Federal SSI benefit resulting in increased monthly benefits of \$29.80 for individuals and \$44.70 for couples.
- An increase in the personal needs allowance for Level II Congregate Care (Residential Care).
- Increase in the eligibility standards for certain MA-only households.

### III. PROGRAM IMPLICATIONS

- A. The pass-through of the Federal benefit increase establishes new SSI benefit levels (standards 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 "grandfathered" benefit level is still higher than the new SSI amount for their living arrangement category.

The increase in the SSI benefit levels will be fully reflected in SSI checks on July 1, 1980.

The increase in the SSI benefit will greatly 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 \$29.16 to \$33.33 in addition to any income disregarded by the Social Security Administration. The personal needs allowance 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 by-in list will be covered in a separate administrative directive.

### IV. REQUIRED ACTION

#### A. Supplemental Home Relief Cases

1. Effective July 1, 1980, 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, districts must use the new standard of need summarized below. This updates the standard of need set forth on page 3 of 79 ADM-57. Effective July 1, 1980, this same updated standard of need shall be used in determining eligibility for new applicants of supplemental home relief.

SSI STANDARD OF NEED  
(Total SSI Benefit)

<u>LIVING ARRANGEMENT</u>	<u>INDIVIDUAL</u>	<u>COUPLE</u>	<u>SUPPLEMENT CODE (SDX)</u>
Living Alone	\$301.21	\$436.48	A
Living with Others	248.54	387.48	B
Living in Household of Another*	248.54	387.48	F

\*Living with Others with in-kind income. The maximum cash benefit is \$169.21. The value of in-kind income (\$79.33) brings this total to a standard of need of \$248.54.

2. Recipients must be notified in writing of any reduction or termination of assistance and their rights to a Fair Hearing.

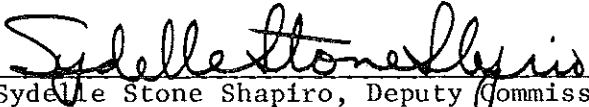
B. Notification of New Benefit Levels to Level I Operators

Local social services districts shall identify all Family Type Home and One-Guest 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's letterhead without modification.

V. ADDITIONAL INFORMATION

This year, the couples' benefit is not double the individual's benefit amount as occurred in previous years.

  
Sydelle Stone Shapiro, Deputy Commissioner  
for the Division of Income Maintenance

Attachments

APPENDIX A

(LOCAL DISTRICT LETTERHEAD)

Dear Family Type and Adult Foster Care Provider:

Effective July 1, 1980, the Supplemental Security Income (SSI) standard of monthly need for eligible residents in Congregate Care Level I homes will increase. The standards for individuals will increase from \$334.46 to \$364.26 in New York City and from \$296.46 to \$326.26 in the rest of the State. The standard for couples will increase from \$668.92 to \$713.62 in New York City and from \$592.92 to \$637.62 in the rest of the State.

The increase will be included in each resident's regular July 1, 1980 check.

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

Sincerely,

SSI BENEFIT LEVELS EFFECTIVE JULY 1, 1980

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	238.00	357.00	63.21	79.48	301.21	436.48
A,C	B	Living with Others	238.00	357.00			248.54	387.48
B	F	Living in Household of Another*	158.67	238.00	10.54	30.48	169.21	268.48
		<u>Level I - Family Care</u>						
		a) DSS Certified Family Type Homes and Foster Care for Adults						
		b) OMH-OMRDD Certified Family Care Homes						
A	C	New York City	238.00	357.00	126.26	356.62	364.26	713.62
		Rest of State	238.00	357.00	88.26	280.62	326.26	637.62
		<u>Level II - Residential Care</u>						
		a) DSS Certified Residential Care Facilities for Adults						
		b) OMH-OMRDD Certified Community Residences						
A	D		238.00	357.00	257.16	618.42	495.16	975.42
		<u>Level III - School for the Mentally Retarded</u>						
		New York City	238.00	357.00	485.26	1,074.62	723.26	1,431.62
A	E	Rest of State	238.00	357.00	461.26	1,026.62	699.26	1,383.62
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 \$238.00 for individuals or \$357.00 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, \$33.33  
 2) Essential person receives \$119.20