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 | ADMINISTRATIVE DIRECTIVE |
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TRANSMITTAL: 93 ADM-37

TO: Commissioners of
 Social Services

DIVISION: Economic
 Security

DATE: November 23, 1993

SUBJECT: Federal Cost-of-Living Adjustment in Social Security and
 Supplemental Security Income (SSI) Benefits and Impact on
 Department Programs

 SUGGESTED

DISTRIBUTION: | Income Maintenance (IM) Staff
 | Medical Assistance (MA) Staff
 | Food Stamp (FS) Staff
 | SSI/SDX Coordinators
 | Services Staff
 | Staff Development Coordinators
 | CAP Coordinator
 | SSI Control Unit Staff

CONTACT

PERSON: | Call 1-800-342-3715 and ask

| for SSI, HR, ADC - Charles Giambalvo, extension 4-9327
 | for WMS MRB/A - Jim Lougen, extension 4-8749
 | for WMS ABEL - Carl Poole, extension 4-8538
 | for WMS NYC - Steven Cohen, (212) 417-4866
 | for FS - FS County Representative,
 | extension 4-9225
 | for MA, Upstate - Sharon Burgess, extension 3-5531
 | for MA, NYC - MA Representative, (212) 417-4853

ATTACHMENTS:

| Attachment A - Listing of all attachments (Available
 | on-line).

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
See Attachment B	See Attachment B	See Attachment B	See Attachment B	See Attachment B	See Attachment B

I. PURPOSE

The purpose of this ADM is to advise social services districts of:

- A. the January 1994 federal cost-of-living adjustment (COLA) in Social Security (RSDI) benefits, and its impact on public assistance (PA), MA, SSI and FS;
- B. the pass-through of the January 1, 1994 federal COLA in federal Supplemental Security Income (SSI) benefits; and
- C. the impact of the increased SSI Congregate Care benefit levels and increased minimum personal needs allowances (PNAs).

II. BACKGROUND

- A. The January 1994 federal COLA increase has been set at 2.6%.
- B. Effective January 1, 1994, the federal SSI monthly benefit levels will increase by \$12 for individuals and \$17 for couples.
- C. Chapter 401 of the Laws of 1993 authorizes a pass-through of the federal SSI COLA to most SSI recipients in New York State and higher PNAs for residents of congregate care facilities.

III. PROGRAM IMPLICATIONS

- A. The full amount of the RSDI COLA is considered income available to reduce or eliminate need for PA, FS or SSI, and for MA except in those MA cases in which the applicant/recipient meets the criteria for eligibility in light of Lynch v. Rank as described in 85 ADM-35.
- B. The pass-through of the federal SSI COLA will result in an increase in income for most SSI recipients in New York State.
- C. Increased SSI benefit levels and PNA amounts will result in higher PA standards of assistance and higher PNAs for PA recipients residing in Congregate Care Level I and II facilities.

IV. REQUIRED ACTION

A. RSDI COLA and SSI Benefit Levels Increases

1. RSDI COLA - General

A flat 2.6% increase in RSDI must be used to recompute the budgets for recipients of PA, FS and MA-Only. The exact amount of new Social Security benefits must be verified at the next client contact or the next regularly scheduled recertification interview, whichever occurs first. The difference between the flat 2.6% computation and the actual increase will not be considered a Quality Control error until after the first client contact.

2. Budgeting Procedures - PA

In December, when completing prospective budgets for January 1994, social services districts must increase the RSDI benefits of these cases by 2.6% to reflect the January 1994 COLA.

3. Budgeting Procedures - PA Supplementation of SSI Recipients

Social services districts are required to provide HR or PG-ADC to the small number of SSI recipients whose available income is less than the applicable PA standard of need and who are otherwise eligible for HR or PG-ADC. Districts must identify all such individuals and rebudget such cases in accordance with the instructions contained in Section IX-H of the PA Source Book.

In rebudgeting supplementation cases, local districts must use the SSI standards of need listed in Attachment C. These updated standards of need must also be used in determining eligibility of any new applicants for supplementation.

4. Budgeting Procedures - Medical Assistance Only

All MA-Only cases in receipt of RSDI must be rebudgeted to determine continuing eligibility for MA.

Individuals who had been receiving RSDI and SSI at any time since April 1977 and who lost SSI eligibility for any reason must be evaluated in light of Lynch v. Rank. Budgeting procedures outlined in 85 ADM-35 should be followed. Persons who are part of this class of recipients ("Pickle" individuals) under Section 503 of Public Law 94-566 should be reviewed annually to ensure that SSI income and resource levels are not exceeded.

Individuals who qualify under the provisions of section 249E of Public Law 92-603 as amended by Public Law 94-48 must have their income recomputed using the new conversion figures of .263 to determine what the RSDI income would have been in August 1972 and using .947 to determine the amount of the 20 percent disregard of October 1972. The method as described in 85 ADM-3 must be followed to compute the income which is considered available in determining eligibility for Medical Assistance.

In accordance with the requirements set forth in 82 ADM-5, any individual related to a federal assistance category for Medicaid purposes (including parents and children in intact households) and whose cash public assistance case is closed as a result of an increase in RSDI benefits is entitled to a separate determination of eligibility for Medical Assistance.

NOTE: Districts are also reminded to apply the new MA Income and Resource exemption levels. Further details on these January 1, 1994 changes will be provided in a separate administrative directive.

5. Budgeting Procedures - Food Stamps

a. Applicant Households

All new food stamp applicant households with RSDI or SSI income as of January 1, 1994 must be budgeted prospectively using the January 1, 1994 RSDI or SSI amounts.

b. Recipient Households

1. Upstate

RSDI or SSI households currently in receipt of food stamps must have their allotments recomputed to reflect the RSDI or SSI benefit increase for their January 1994 allotments. Most of these households will be mass-rebudgeted as part of the WMS (JAN) MRB/A. Households that are part of the WMS (JAN-2) MRB/A must have their allotments recomputed to reflect the RSDI or SSI increase for their February 1994 allotments.

2. New York City

RSDI or SSI households currently in receipt of food stamps must have their allotments recomputed to reflect the RSDI or SSI benefit increases for their January 1994 allotments.

c. Food Stamp Categorically Eligible Households

Because of food stamp categorical eligibility of all SSI/ADC recipients, no food stamp households composed entirely of SSI, or a combination of only SSI and ADC recipients, will become food stamp ineligible due to this income increase. In addition, each eligible household of one or two persons is entitled to a \$10 minimum benefit; however, categorically eligible cases of three or more persons may be entitled to \$0 benefits.

d. SSI "Living In the Household of Another" Recipients

There are a small number of SSI recipients whose SSI cash grants have been reduced due to the federal determination that they are in receipt of in-kind income due to the receipt of free or subsidized food and shelter. Starting in January 1994, the total monthly income of such recipients will rise to \$324.34 if SSI-only or \$344.34 if in receipt of SSI plus other unearned income. However, the total monthly income of such recipients will decrease in March 1994 to \$320.34 if SSI-only or \$340.34 if in receipt of SSI plus other unearned income. Households with such recipients that are part of the WMS upstate JAN MRB/A will be rebudgeted for January 1, 1994 at the new higher SSI benefit amount. These cases will be identified on eligible lists provided from the JAN MRB/A process. Local districts should retain these eligible lists in order to manually rebudget these cases based on the reduced SSI benefit amount effective for March 1, 1994.

B. Increased PA Standards of Assistance for Residents of Congregate Care Facilities

1. Effective January 1, 1994, all PA recipients residing in certified Congregate Care Level I and II facilities must be identified and rebudgeted in accordance with the new standards of assistance set forth in Attachment C.

Standards of assistance for residents of congregate care facilities are the comparable SSI benefit levels rounded down to the next whole dollar.

2. Notification of New Benefit Levels

a. Operators

Social services districts must inform all operators of DSS certified family-type homes supervised by the local district of the increases in the Congregate Care Level I benefit levels and PNA amounts. The Office of Housing and Adult Services will provide additional information and instruction to districts regarding this notification requirement for operators of family - type homes for adults. The increased SSI benefits for individuals and couples residing in Level I facilities are set forth in Attachment C.

The Office of Housing and Adult Services will notify operators of DSS certified Level II facilities of the new SSI/PA benefit levels and PNA amounts.

b. Residents

Residents of Congregate Care Level I and Level II facilities who are in receipt of public assistance will not receive a system-generated Notice of Intent to Change Benefits. Therefore, local districts must send the appropriate notice to public assistance recipients in these facilities. The appropriate notice must contain an explanation of any change in the resident's public assistance, food stamps, medical assistance or PNA. The notice must also state the date that any change is due to become effective.

C. FS Budgeting in Group Living Facilities

1. Public Assistance Recipients Not Receiving SSI/RSDI

For public assistance recipients residing in supervised/supporting apartments, drug/alcohol treatment/rehabilitation programs, and enriched housing (all Level II facilities), there will be an increase in public assistance based on the new Level II SSI rate (see Attachment C). For new cases and cases already in receipt of food stamps, the increase in public assistance is effective January 1, 1994. The PA grants are to be budgeted prospectively, which requires that these cases reflect this increase in the January 1, 1994 food stamp allotment amount. In budgeting these cases, the revised Personal Care Costs (income exclusions) and shelter costs must be used.

For PA recipients in family care (Level I), there will be an increase in public assistance based on the new Level I SSI rate (see Attachment C).

2. SSI and PA Recipients

SSI and PA recipients may reside in supervised/supportive apartments, drug/alcohol treatment/rehabilitation programs, other Level II facilities or Congregate Care Level I facilities. They will receive an increased PA grant or SSI benefit effective January 1, 1994. The increased PA grant or SSI benefit is to be budgeted prospectively as part of the JAN MRB/A to determine the household's January FS benefit. JAN-2 MRB/A cases will, however, be budgeted with the increased PA grant or SSI benefit effective February 1, 1994. The Personal Care Costs (income exclusions) and the amount of shelter cost used to budget such cases have also been revised. These revised costs must be used when rebudgeting such cases (see NOTE in 3. below)

3. NPA SSI/RSDI Recipients

Food stamp recipients in Group Living facilities will have their cases budgeted prospectively with the January 1994 benefit level reflecting the increased amounts of SSI/RSDI and State supplements, except for JAN-2 MRB/A cases which must be rebudgeted effective February 1, 1994. Cases which are not categorically eligible for FS and are made financially ineligible for FS due to the increased income must be closed for January 1994.

Cases that remain eligible for food stamps after the January 1994 increase must be rebudgeted. This rebudgeting must be done for the January 1994 food stamp issuances and must include the changes in the Personal Care Costs (income exclusions), shelter amounts and incomes.

NOTE: Attachment D provides the revised data for food stamp budgeting for residents of Group Living facilities who are recipients of SSI or RSDI. The same figures are applicable for RSDI or SSI recipients who receive HR supplementation grants.

4. NPA Disabled Residents Not Receiving SSI/RSDI

Cases with disabled Group Living residents not receiving PA, SSI or RSDI must be rebudgeted for the January 1994 food stamps issuances and must include changes in the

Personal Care Cost (income exclusion) and shelter amounts. The JAN MRB/A will rebudget such cases for these COLA - affected items of need.

5. Participants in the Enriched Housing Program

All eligible participants in the Enriched Housing Program receive SSI benefits at the Level II rate (see Attachment C). For January 1, 1994, the Personal Care Cost (income exclusion) for such persons remains \$412 in New York City, Nassau, Suffolk and Westchester Counties, and \$382 in the rest of the State. Rebudgeting to reflect the COLA must be done to determine benefit amounts effective January 1994.

D. Use of SSI/RSDI by PA Recipients and Implications for FS

Under Department regulations 351.1(b)(iii) and 352.12(c)(2), as a condition of eligibility for public assistance, all applicants/recipients of public assistance who may qualify for Social Security or Supplemental Security Income (RSDI/SSI) benefits must make application for such benefits. ADC recipients, however, are not required to accept SSI benefits.

This is of particular concern to the HR population between the ages of 62 and 65 who may be eligible for Social Security retirement benefits and, as a result, would have their public assistance grants reduced/discontinued upon receipt of these benefits. Even if the Social Security benefits would be a reduced amount because the applicant/recipient applies for them at age 62, an applicant/recipient is required to pursue them. That person does not have the choice of waiting until age 65.

To assist upstate social services districts in identifying those recipients who may be eligible for RSDI/SSI benefits based upon their age, WMS automatically produces a report twice each month for upstate districts that identifies recipients who will soon reach an age that may qualify them for receipt of RSDI/SSI benefits. The WINR 4137 "Undercare Notice of Anticipated Future Action" report is run on the first and third weekends of each month. This report contains the following Anticipated Future Action (AFA) codes that "flag" recipients who have attained possible RSDI/SSI eligibility ages:

108 - Widow turning 60 - Social Security Survivor's benefits can be made to a deceased worker's widow or widower 60 years of age or older.

109 - Individual turning 62 - a worker and his/her spouse can start receiving Social Security Retirement Benefits as early as age 62.

110 - Individual turning 65 - an individual can start receiving Supplemental Security Income benefits as early as age 65.

It should be noted that this report is currently unavailable in New York City. However, NYCHRA produces its own report that alerts a worker when an individual is about to reach age 60, 62 or 65. For a complete discussion of RSDI/SSI eligibility, refer to Public Assistance Source Book Sections XXI-M-1 through M-3 and XXIV-A-2.1 through A-2.2.

Upstate districts are urged to examine their procedures to ensure the routine review of this report and that recipients who attain RSDI/SSI eligible ages make application for these benefits so that maximum savings of State and local funds can be realized.

While application for RSDI/SSI benefits is encouraged, it is not an eligibility requirement in the Food Stamp Program. Households whose public assistance benefits are denied or terminated due to their failure to apply for RSDI/SSI must have their eligibility for food stamp benefits determined separately.

E. Notices

1. Public Assistance

a. System Generated Notices

(1) Upstate

WMS will system-generate general notices of grant reduction to cases receiving a cost-of-living adjustment (COLA) increase to their federal benefits for cases successfully mass-rebudgeted. For those cases, the notice will eliminate the need for social services districts to send client-specific notices. Attachment H of this Directive is a copy of this notice.

As noted above in Section IV.B.2.b, no system-generated notice will be sent to residents of Congregate Care Level I and II facilities who are in receipt of PA benefits. Therefore, manual notices must be sent to PA recipients residing in these facilities.

(2) New York City

Previous NYC local procedures for COLA mass-rebudgeting notices continue to apply.

b. Individual Notice Requirement

Individual notices must be sent to any case effected by the COLA increase, that appears as an exception to mass-rebudgeting or is discontinued as a result of the COLA increase, since these cases will not receive the system-generated notice.

Unless other specific language is approved by the Department, the following wording must be used in these notices as the reason for an adverse action:

For a Reduction

"According to our records, you are receiving both a federal benefit (Social Security, SSI and/or veterans non-service - connected disability benefits) and a public assistance grant from this Department. As a result of a 2.6% increase in the federal benefits which will take effect in December 1993 and be received in January 1994, your public assistance grant must be reduced."

For a Discontinuance

"According to our records, you are receiving both a federal benefit (Social Security, SSI and/or veterans non-service - connected disability benefits) and a public assistance grant from this Department. As a result of a 2.6% increase in the federal benefits which will take effect in December 1993 and be received in January 1994, your public assistance grant must be discontinued."

2. Food Stamps

Upstate

As part of the WMS (JAN) MRB/A process in upstate districts, this Department is planning to send a "Notice of Intent to Change Your Food Stamps (COLA)". This notice will be sent to food stamp households whose food stamps will change due to the January 1, 1994 cost of living increase to RSDI, SSI and/or veterans non-service connected disability benefits.

The Department also plans to send to NPA/FS households that are part of the WMS (JAN-2) MRB/A whose benefits will be reduced but will remain eligible as a result of the January 1, 1994 SSI increase, a "Notice of Intent to Reduce Food Stamp Benefits - COLA (SDX)" (see Attachment J). This notice will be sent by December, 1993.

Households whose food stamp benefits are unchanged, despite their January 1, 1994 COLA increase will not receive a notice.

Districts continue to be responsible for sending individual notices (DSS-3620) accompanied by budgets and budget narratives within the timely and adequate notice (10-day) time frame to households in the following circumstances:

- a. households who become ineligible for food stamps due to the COLA increase; and,
- b. households who are not mass rebudgeted and who appear on the MRB/A exception list.

Categorically eligible households whose benefits are reduced to zero due to the COLA increase will receive the general notice of change. However, districts should send an additional specific notice to such households explaining the change. This will decrease the number of inquiries from households which do not receive benefits after the COLA rebudgeting. The adequate-only (not timely) food stamp notice of change must be used in these circumstances because of the fair hearing language.

New York City

Previous NYC local procedures for COLA mass-rebudgeting notices continue to apply.

3. MA - Only Cases

In accordance with federal and State policies and regulations, recipients must be notified in writing of any change or discontinuance of MA. The notices of change or discontinuance, as contained in this directive as Attachments F and G, must be provided to all affected MA-Only recipients.

These notices must be reproduced locally without modification. The appropriate notice must be mailed no

later than 10 days prior to the date of the proposed action. In accordance with Department policy, two copies of the appropriate notice must be sent to the client. In addition, another copy must be maintained in the case record. A copy of the budget or MBL printout must be sent with each notice.

Districts are also reminded that in any instance in which there is a decrease in the monthly surplus amount (resulting from the net effect of the concurrent COLA increases and the MA Income Exemption level increase), recipients must be notified in writing of such increase in coverage.

V. SYSTEMS IMPLICATIONS

A. WMS and ABEL Support - Upstate Only

WMS will support action on the January 1, 1994 COLA-related mass changes with a mass rebudgeting/reauthorization (MRB/A) on Production on November 22, 1993. A supplementary MRB/A (JAN-2) will be available on December 27, 1993.

Beginning November 15, 1993 for budgets with effective dates of January 1, 1994 or later, ABEL will use increased federal benefit levels to generate PA Personal Needs Allowance amounts, PA Shelter amounts and FS Personal Care Cost (Income Exclusion) amounts for residents of Congregate Care facilities whose rates are related to federal benefit levels. (Because these cases are not part of the mass rebudgeting process, the FS shelter cost must be manually recalculated and adjusted on ABEL if it is changed).

Complete details of ABEL-related changes and the JAN and JAN-2 MRB/A's are contained in ABEL Transmittal 93-5.

B. WMS and ABEL Support-NYC

WMS supported action on the January 1, 1994 COLA-related mass rebudgeting for all NPA-FS and WMS PA cases is scheduled for December 18, 1993 for digits 0-5 and December 25, 1993 for digits 6-9. Notices will be generated to client households as a result of the mass rebudgeting process. Complete details of ABEL-related changes will be shared with HRA once the mass rebudgeting schedule is finalized.

C. MBL Support-Upstate

On the weekend of November 27-28, 1993, MBL will support action on the following changes: January 1, 1994 RSDI COLA increase, new SSI benefit levels, and new MA Income/Resource Exemption levels, with an automated Mass Rebudgeting and Principal Provider Update Process. MBL Transmittal 93-6 may be referenced for details of all related system support.

D. MBL Support-NYC

On January 1, 1994, the Social Security Cost-of-Living Increases, new Medical Assistance Income/Resources Exemption Levels and new SSI Benefit levels will go into effect.

Mass rebudgeting for these increases is scheduled for the weekend of December 4-5, 1993. In order to be rebudgeted, cases must be active, have a "TO DATE" greater than December 31, 1993 and meet the MBL edit checks.

The MA level changes will be available on MBL on December 6, 1993. At that time, a budget with a budget "FROM DATE" of January 1, 1994 or greater will access the new 1994 levels. Budgets with a "FROM DATE" in December will still be calculated with the 1993 levels.

VI. EFFECTIVE DATE

This administrative directive is effective January 1, 1994.

Oscar R. Best, Jr.
Deputy Commissioner
Division of Economic Security

Listing of all Attachments

- Attachment A - Listing of all Attachments to this Directive (Available on-line).
- Attachment B - Filing References for this Directive (Available on-line).
- Attachment C - The "SSI Benefit Levels Effective January 1, 1994" chart, describes the new SSI benefit levels, the new PNA amounts and 1994 resource limits (Available on-line).
- Attachment D - The "Food Stamps, Group Living Budget Data: Effective January 1, 1994" chart, summarizes the appropriate budget figures for calculating food stamp budgets for residents of Group Homes (Available on-line).
- Attachment E - PNA charts entitled "Personal Needs Allowances (PNA's) In Non-Medical Facilities Effective January 1, 1994" and "Personal Needs Allowances (PNA's) In Medical Facilities Effective January 1, 1994, provides a comprehensive summary of 1994 PNA amounts (Available on-line).
- Attachment F - A copy of the "Notice of Intent to Change Medical Assistance" (New Excess COLA Case) (Not available on-line).
- Attachment G - A copy of the "Notice of Intent to Change Medical Assistance" (Undercare Excess COLA Case) (Not available on-line).
- Attachment H - A copy of the Notice of the "Intent to Change Benefits: Public Assistance, Food Stamps, and Medical Assistance" that will be sent to recipients by WMS (Not available on-line).
- Attachment I - A copy of the "Notice of Intent to Reduce Food Stamps - COLA" that will be sent to Food Stamp recipients upstate by WMS (Not available on-line).
- Attachment J - A copy of the "Notice of Intent to Reduce Food Stamps - COLA (SDX)" that will be sent to Food Stamp recipients upstate by WMS as a result of a computer match against the January 1994 SDX (Not available on-line).

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
92 ADM-51	92 ADM-51	351.1(b)(iii)	SSL 131-o	<u>PASB</u>	<u>MBL</u>
91 ADM-38	89 ADM-46	352.12(c)(2)	SSL 209	IX-H-All	<u>Transmittals</u>
89 ADM-46		352.2,352.3	SSL 366.2	XIII-D-10-	
89 ADM-21		352.8,352.30	(a)(10)	13 all	93-6
87 ADM-27		358-3.3	PL 92-603	XXI-M-1	
86 ADM-28		360-4.3	PL 94-48	thru M-3	<u>WMS ABEL</u>
85 ADM-35		360-4.4	PL 94-566	XXIV-A-2.1	<u>Transmittal</u>
85 ADM-6		360-4.9	Ch. 204 of	thru A-2.2	
85 ADM-3		360-2.6	L. 1990	XXIV-A-7.1	93-5
83 ADM-27		360-2.7	Ch. 685 of		
82 ADM-5		387.10,	L. 1990	<u>FSSB</u>	GIS
		387.14	Ch. 855 of	V-B-1.1,D-	
		387.16(e),(f)	L 1990	all	93 ES/DC025
		387.20(a),(b)	Ch. 201	VII	
		485.12	of L. 1991	A,B,C,D	
			Ch. 292	X-B	
			of L. 1992	XII-C	
			Ch. 407		
			of L. 1992	<u>MARG</u>	
			Ch. 401	pp 83-86	
			of L. 1993	450-454	
			Soc. Sec.		
			Act 215(i)		

FED L/A CODE	STATE SUPP CODE	LIVING ARRANGEMENT
A	A	<u>Living Alone</u>
A,C	B	<u>Living with Others</u>
(B)	(F)	(Living in Household of Another ^{1/})
		<u>Level I - Family Care</u>
A	C	a) DSS certified Family Type Homes b) OMH or OMRDD certified Family Care Homes NYC, Nassau, Suffolk & Westchester Counties ----- Rest of State
		<u>Level II - Residential Care</u>
A	D	a) DSS certified Adult Care Facilities b) OMH, OMRDD, or DAAA certified Community Residences, DSAS certified Residential Substance Abuse Treatment Programs, and OMH certified Residential Care Centers for Adults NYC, Nassau, Suffolk & Westchester Counties ----- Rest of State
		<u>Level III - Schools for the Mentally Retarded</u>
A	E	New York City ----- Rest of State
D	G	Title XIX (Medicaid certified) Institutions ^{2/}
A	Z	(See ^{4/} below)

^{1/} The "living with others" category includes the recipients whose federal determination that they are: a) living in someone else's household, and b) receiving maintenance). The VTR is \$148.66 for an individual and \$223 for a couple.

^{2/} Applies when the recipient spends a full calendar month in the Institution and Title XIX

^{3/} Recipients in Title XIX Institutions licensed by the NYS Department of Health receive the Supplemental Security Payment (SSP) Needs Allowance (SSPNA). SSPNA checks are issued directly to the recipient by the institution.

^{4/} Applies when the recipient spends a full calendar month in a private Title XIX Institution. The recipient resides in certain publicly operated community based residential facilities for a minimum of 30 days during a nine month period.

- Additional Notes:
- 1) The minimum personal needs allowances (PNA): Level I - \$148.66; Level II - \$223; Level III - \$148.66
 - 2) The limits on countable resources: \$2000 for an individual; \$3000 for a couple
 - 3) An essential person receives \$223

FOOD STAMPS
GROUP LIVING BUDGET DATA: EFFECTIVE JANUARY 1, 1994
(Applicable for SSI/RSDI Recipients Only)

Living Arrangement	New York City		Upstate WMS ABEL		SSI Benefit
	WMS External Budget Shelter	Type Code	PA Shelter Type Code	FS Group Living Type Code	
SSI Living with Others Benefit				N/A	N/A
Level I - Family Care					
OMH/OMRDD Certified Family Care Homes					
NYC, Nassau, Suffolk and Westchester				15	15
Rest of State				28	15
Level II - Residential Care					
OMH/OMRDD Certified Facility or DSS Certified Enriched Housing					
NYC, Nassau, Suffolk and Westchester				16,31	10,16,17
Rest of State				29,32	10,16,17
State (OMH/OMRDD) Operated Community Residences					
				17	N/A
The following monthly allowances and costs pertain to eligible residents of group 1:					
		Minimum Personal Needs Allowance*		Personal Care Costs (Income Exclusion)	Shelter
Level I- NYC, Nassau, Suffolk and Westchester					
		\$87.00		\$243.48	
Level I - Rest of State					
		\$87.00		\$205.48	
Level II - NYC, Nassau, Suffolk and Westchester					
		\$100.00		\$412.00	
OMH/OMRDD Certified Facility or DSS Certified Enriched Housing					
Level II - Rest of State					
		\$100.00		\$382.00	
OMH/OMRDD Certified Facility or DSS Certified Enriched Housing					
State (OMH/OMRDD) Operated					

Personal Needs Allowances (PNAs) In Non-Medical Facilities
Effective January 1, 1994

<u>Authority</u>	<u>Facility Type</u>	<u>Certifying Agency</u>	<u>Funding Source</u>	<u>Monthly PNA</u>	<u>(per person)</u>
SSL 131-o,	Congregate Care Level I	DSS, OMH, or OMRDD	SSI HR or ADC		87 ¹
	Congregate Care Level II	DSS, OMH, OMRDD, or OASAS	SSI HR or ADC		100 ¹
18NYCRR 352.8(c)(1) (ii)	Congregate Care Level III	OMRDD	SSI		681
MHL 31.29,	State operated RCCA or Commu- nity Residence	OMH	OMH direct payment		\$100
MHL 33.08	State operated Community Residence	OMRDD	SSI or other income		\$100
	room and board situations	not State certified	HR, ADC or EAF		\$45
18NYCRR 352.8(c)(1)(i)	non-medical facilities other than Congregate Care Level I, II or III (including maternity home, Shelter for Victims of Domestic Violence, and certain private shelters for the homeless)	DSS, OASAS, not State certified, or other	HR, ADC, EAF ² or SSI		\$45
18NYCRR 900.17(a)	Shelter for Families - Tier II	DSS	EAF, ADC HR, or SSI		\$63 ³
SSL 194.8	Public Home	operated by a city or county	Public Institutional Care		Up to \$10 ⁴

Personal Needs Allowances (PNAs) In Medical Facilities
Effective January 1, 1994

<u>Authority</u>	<u>Facility Type</u>	<u>Certifying Agency</u>	<u>Funding Source</u>	<u>Monthly PNA</u> (per person)
SSL 209.2-a	Hospital	Department of Health	SSI + State payment	\$55 (\$30 + \$25 SSPNA ⁵)
SSL 366.2(a)(10),			(MA-Only personal needs allowance ⁶)	\$50
18NYCRR 352.8(c)(1)(i) 360-4.9(a)	Nursing Home (SNF, HRF)	Department of Health	SSI + State payment	\$55 (\$30 + \$25 SSPNA ⁵)
			HR	\$40 ²
			(MA-Only personal needs allowance ⁶)	\$50
SSL 366.2(a)(10) 360-4.9(a)	Psychiatric Center (Hospital), Inpatient Alcoholism Facility	OMH or DAAA	SSI + SSI State supplement; direct State Payment; or MA-Only personal needs allowance ⁶	\$35
SSL 209.2-a				
18NYCRR 352.8(c)(1)(i), 360-4.9(a)	ICF-DD's (Developmental Center, free-standing ICF)	OMRDD	SSI + SSI State supplement; or MA-Only personal needs allowance ⁶	\$35
			HR	\$40 ²
SSL 209.3	Free-Standing Alcoholism Facility (FNP Medicaid)	DAAA	SSI	(footnote ⁷)
			HR	\$40 ²
18NYCRR 352.8(c)(1)(i), 360.5(e)(2)			(MA-Only community needs level ⁷)	(footnote ⁷)

⁵ SSPNA is the "State Supplemental Personal Needs Allowance" provided to :