

federal requirements or potentially face fiscal penalties.

The Governor has filed legislation to expand participation requirements, and the Legislature is also considering changes. The outcome of that process will change the way that we approach participation for many families. In the meantime, we need to maximize work and training activities among families that are subject to participation requirements.

While this will present a significant challenge for all of us, helping families to move out of poverty represents the right policy direction for the nation. As we all know, remaining on welfare indefinitely only ensures continued poverty. But a family on TAFDC that goes to work, even part-time at minimum wage, can combine wages and benefits such as the state and federal Earned Income Tax Credits to increase the family's income well over the poverty level.

The federal Department of Health and Human Services will also be issuing regulations this summer to define the activities that can count towards federal participation targets, and specifying the ways that those activities must be verified. In the past, these decisions were left up to states, which led to broad differences in interpretations of what constituted work participation. All states will now be held to a consistent standard.

Over the past year, we have been anticipating the end to our waiver, and now we have begun to prepare for the impact of the reauthorization of the TANF Program. Many of you will recall the changes that occurred in 1995, when we undertook our first major welfare reform initiative. As was the case a decade ago, we anticipate changes to several aspects of the TAFDC Program, and a greater emphasis on engagement in work activities for families receiving assistance. Although this will be a significant challenge, I am confident that working together, we will be successful in rising to the occasion, and helping thousands of families in Massachusetts move out of poverty.

Sincerely,



John Wagner, Commissioner

From the Hotline

- Q.** Last week, a mother came into our office with her daughter and applied for food stamp benefits. She and her child have Legal Permanent Resident (LPR) status but both have been in the United States for only 18 months. Are they eligible for food stamp benefits?
- A.** Since the mother has been in this country less than five years, she may not be eligible for the Food Stamp Program unless she meets one of the other eligibility criteria in 106 CMR 362.220(B)(7). However, the daughter is eligible for food stamp benefits as a noncitizen child under 18 years of age.

Note: In the TAFDC Program, this LPR child under 18 years of age who has been in the country less than five years is still considered an ineligible noncitizen. Refer to 106 CMR 203.675(A)(2) for more details.

- Q.** Besides children, can other types of LPRs become food stamp eligible, even

if they have been in this country less than five years?

- A. Yes. The regulations at 106 CMR 362.220(B) state that *certain* LPRs may be food stamp eligible noncitizens. For example, LPRs whose status prior to the LPR adjustment was refugee, asylee, noncitizen whose deportation was withheld, Cuban/Haitian entrant or Amerasian may have eligible noncitizen status. The following may also be considered eligible noncitizens in the Food Stamp Program: those LPRs who are elderly noncitizens born on or before 8/22/31 and who were lawfully residing in the U.S. on 8/22/96; ***children who are under 18 years of age***; disabled individuals; LPRs who have worked or can be credited with working a minimum of 40 qualifying quarters, or veterans or active duty personnel.
- Q. Are the requirements concerning verification of citizenship status in the Food Stamp Program the same as those regarding verification of noncitizen status?

- A. No. There is no requirement to always verify citizenship. As stated in 106 CMR 362.210, citizenship shall be verified ***when the information on the application is questionable***. Verification of noncitizen status in the Food Stamp Program must be submitted at application, recertification or when the status of the noncitizen changes or is questionable. Refer to 106 CMR 362.220(C) for more information on verifying noncitizen status in the Food Stamp Program.
- Q. My food stamp applicant says that he arrived in this country 10 months ago. He has already verified his LPR status, and it has been determined that he is an ineligible LPR. He has also told me that his daughter is a U.S. citizen who was born in this country. Must I ask for a birth certificate to verify his daughter's citizenship status?
- A. No. As long as the father provides you with information that appears consistent with all of the other information he has already presented to you, there is no need to verify his daughter's citizenship status. Remember, for food stamp purposes, citizenship needs to be verified only when the information on the application is questionable. Also, make note of the daughter's citizenship status on the Narratives Tab. Refer to 106 CMR 362.210 for more details.

Quality Corner

This month we will review three errors — the first related to income, the second to shelter and the third to duplicate food stamp issuance.

Self-Employment Income

In this eight-person household, both parents were employed as part-time music teachers for a local school. One of their children received SSI income. In addition, self-employment income was also checked off on the application. The AU's tax return was found in the AU record and showed that one parent had received \$11,000 in self-employment income from a partnership. The AU was recertified as a semiannual reporting AU, using only the music school earnings.

QC verified that there was self-employment income from the partnership and that the husband received \$200 a month from it