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Executive Office of Health and Human Services
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Field Operations Memo 2008-65
December 9, 2008

To: Transitional Assistance Office Staff
From:  John Augeri, Assistant Commissioner for Field Operations
Re: Changes to Sponsor Deeming Requirements for TAFDC, EAEDC and SNAP (PA or NPA) Households

Background

Under sponsor deeming rules, the income and assets of a relative sponsor are considered available to the sponsored noncitizen when determining program eligibility and benefit level. Due to TAFDC funding changes and the expansion of categorical eligibility, DTA has been able to relax and simplify sponsor deeming regulations.

Effective 12/15/2008:

- There will no longer be sponsor deeming in the TAFDC Program; and
- SNAP sponsor deeming regulations will be amended. Fewer noncitizens will be subject to sponsor deeming provisions and those subject to deeming will have less sponsor income and assets counted in determining SNAP eligibility and benefit amount.

These changes will make it easier for noncitizen households to access benefits and will reduce administrative burdens on DTA staff.

Overview

This memo will:

- review changes to sponsor deeming requirements;
 - provide instructions for processing households not subject to sponsor deeming at application;
 - provide instructions for processing households not subject to sponsor deeming at recertification/eligibility review; and
 - discuss the handling of SNAP households still subject to sponsor deeming provisions.
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**Households
Not Subject
to Sponsor
Deeming**

EAEDC Households

There continues to be no sponsor deeming requirement for EAEDC households.

Sponsor deeming provisions no longer apply to EAEDC/SNAP households since federal regulations require that only information and income used for EAEDC purposes be considered in determining SNAP benefits. No sponsor information or income is requested on the EAEDC case so there is nothing to deem for SNAP purposes. *See* 106 CMR 365.180(E) (5) for this policy change.

TAFDC Households

There is no longer a sponsor deeming requirement for TAFDC households.

Any categorically eligible SNAP household in which **all** members are receiving or are authorized to receive cash assistance under the TAFDC program will not be subject to sponsor deeming provisions.

SSI SNAP Households

Any categorically eligible SNAP household in which **all** members are receiving or are authorized to receive SSI cash assistance will not be subject to sponsor deeming requirements.

SNAP-Only TANF Services Family Households

Any categorically eligible NPA SNAP household which consists of:

- a pregnant woman living alone; or
- a child(ren) under age 19 living with a parent or caretaker relative or an adult caretaker exercising SNAP parental control

will not be subject to sponsor deeming provisions.

Note: The categorical eligibility determination for the EAEDC, TAFDC, SSI and SNAP-Only TANF Services Family households described above is fully automated in BEACON. When attempting to wrap up an application or recertification/eligibility review, BEACON currently alerts case managers if a member of an existing categorical eligibility group is disqualified. **This edit will alert the case manager of a potential sponsor deeming situation.**

**Households
Not Subject
to Sponsor
Deeming
(Continued)**

SNAP-Only TANF Services Adult Households

Any categorically eligible NPA SNAP household which consists of *all* adults between the ages of 19 and 59 will not be subject to sponsor deeming provisions.

SNAP-Only TANF Services Elder/Disabled Households

Any categorically eligible NPA SNAP household which consists of *all* non-SSI elder (age 60 or over) or disabled members under the 200% gross income limit at 106 CMR 364.976 will not be subject to sponsor deeming provisions.

Note: Receipt of the TANF-funded *Resources Brochure* confers categorical eligibility on a SNAP-Only TANF Services household.

PROCESSING NEW APPLICATIONS

**Processing
EAEDC
Households
at Application**

- For EAEDC households, there is no sponsor deeming requirement for EAEDC-only or EAEDC/SNAP households. At application, case managers do not have to explore sponsorship. If otherwise eligible, LPRs should be approved for both EAEDC and SNAP benefits. On the Noncitizen window, the case manager must enter as much information as possible about the LPR and answer “No” to the Sponsored Noncitizen question.

**Processing
TAFDC
Households
at Application**

- For TAFDC households, there is no sponsor deeming requirement for TAFDC-only or categorically eligible TAFDC/SNAP households. Case managers do not have to explore sponsorship for households containing noncitizens. If otherwise eligible, LPRs should be approved for both TAFDC and SNAP benefits. On the Noncitizen window, the case manager must enter as much information as possible about the LPR and answer “No” to the Sponsored Noncitizen question.

**Processing
Categorically
Eligible SNAP
Households
at Application**

- For SNAP households which are categorically eligible, there is no sponsor deeming requirement. Case managers do not have to explore sponsorship for households containing noncitizens. If otherwise eligible, LPRs should be approved for SNAP benefits. On the Noncitizen window, the case manager must enter as much information as possible about the LPR and answer “No” to the Sponsored Noncitizen question.
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RECERTIFICATION/ELIGIBILITY REVIEW PROCESSING

**Processing
TAFDC and
Categorically
Eligible SNAP
Households at
Recertification/
Eligibility Review**

At the recertification/eligibility review, case managers must explain to households containing noncitizens the changes in the sponsor deeming policy.

- If the case manager is aware that an LPR is not included as part of the TAFDC or SNAP household due to failure to comply with sponsor deeming requirements, the household member(s) must be added as part of the recertification/eligibility review.
- If the case manager is aware that an ongoing household is being negatively impacted by the counting of sponsor income and assets, the deemed income and assets must be removed as part of the recertification/eligibility review.

Some noncitizens may have opted not to apply for TAFDC and/or SNAP benefits due to the sponsor deeming requirements. At recertification/eligibility review, case managers must inform households with a noncitizen entered as *Undetermined* on the Noncitizen window that the rules regarding sponsor deeming have been relaxed. This will give the noncitizen who opted out the opportunity to apply for benefits and be added to the household as part of the recertification/eligibility review process.

**Non-
Categorically
Eligible SNAP
Households**

The following SNAP households are not categorically eligible and remain subject to sponsor deeming requirements.

- A household with a member currently disqualified due to:
 - an Intentional Program Violation at 106 CMR 367.800; or
 - Failure to Comply with FS Work Program requirements at 106 CMR 362.320; or
 - Failure to Comply with TAFDC Monthly Reporting requirements at 106 CMR 366.110(D) is not categorically eligible
- A non-SSI elder or disabled household which has income(*not counting sponsor income*) in excess of the 200% poverty level is not categorically eligible.

Processing Non-Categorically Eligible SNAP Households: If otherwise eligible, an LPR(s) in a non-categorically eligible household should be approved for SNAP benefits. On the Noncitizen window the case manager must enter as much information as possible about the LPR(s) and answer “No” to the Sponsored Noncitizen question.

**Non-
Categorically
Eligible SNAP
Households
(Continued)**

Important: Until BEACON is programmed to perform the sponsor deeming calculation, case managers must not explore sponsorship for non-categorically eligible households described above.

Note: The Department has determined that only a small population of LPRs will remain subject to sponsor deeming provisions. If the updated sponsor deeming policy were applied, only a minimal amount of sponsor income and assets would be countable to the household with little impact on the household benefits.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline.
