

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

during the school year and \$250 a week in the summer. Neither the husband nor the wife worked at the school during the summer months. Since there was self-employment income reported, the household should not have been on semiannual reporting. This income caused a large overissuance.

### **What's an AU Manager to Do?**

The AU Manager must review each AU to determine the correct reporting requirement the household is subject to, based on income and circumstances. Since this household had self-employment income, the income should have been considered at the time of the recertification. If there were outstanding issues about the self-employment income, the AU Manager should have questioned the AP and requested additional verification as needed. Based on food stamp regulations at 106 CMR 366.110(C), an AU that receives self-employment income is not subject to semiannual reporting.

### **Shelter**

A disabled AP was on both EAEDC and food stamps as a change reporter. At the time of the last recertification (dated 2/25/2005), the BEACON application showed that he paid \$50 per month for rent. The AU was recertified using the \$50 monthly amount. A completed Shared Housing Verification Form was received in the office on March 16, 2005. It showed that the AP paid \$50 a week for rent. A previous certification with the same living arrangement listed the rent as \$50 monthly but there was no other recent rental verification in the AU record. When QC contacted the primary tenant to verify the AP's rental amount, she verified that he had been paying \$50 a week since the last recertification. This caused an underissuance error.

### **What's an AU Manager to Do?**

The AP may have misinformed the AU Manager at the time of the recertification about the amount of rent he paid. The AU Manager should have requested additional verification. In this case, that is exactly what the AU Manager did. Unfortunately, the AU was certified on BEACON before the verification was received. Furthermore, when the verification was received in March, the AU Manager should have responded by changing the shelter amount.

## **Duplicate Food Stamp Issuance**

Recently, FS benefits were issued to an FS AU with the father as the head of household.

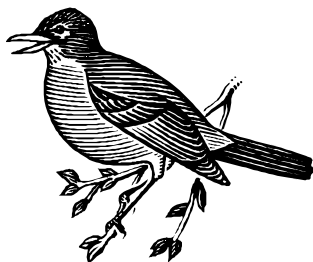
Four days after the monthly FS benefit was issued, the father suddenly left the home, taking the EBT card with him. The mother applied for FS benefits the next day, and a new AU was established for her and the children. The mother and children were closed out of the father's AU, and an overpayment claim was entered on BEACON. Although the AU Manager conscientiously followed through and established an overpayment claim on the father's AU, the mother's AU was later selected in a QC sample and determined to be in error due to duplicate issuance.

### **What's an AU Manager to Do?**

Establishing an overpayment claim was the correct thing to do; unfortunately, this did not eliminate or reduce the error. Food Stamp policy at 106 CMR 362.100 outlines the general rule against duplicate issuances, and 106 CMR 365.550(C) explains that battered women and their children can be an exception to this rule. In this situation, the applicant never claimed to be battered.

The task of assessing the household circumstances and weighing what is in the best interest of the family versus the risk of error is indeed difficult. When faced with similar situations, AU Managers are advised to seek guidance from TAO Management on how to proceed.

**Error reminder:** An AU was recently reviewed and determined to be an error of \$242. After the QC reviewer realized that the AU was under BSI fraud investigation, the AU was withdrawn from the sample and therefore did not have to be counted as an error. If you have information showing that an AU may be fraudulent, make sure a BSI referral is completed on that AU.



“Friendship with oneself is all important because without it one cannot be friends with anybody else in the world.”

Eleanor Roosevelt

## From the Forms File

### New Forms

*13-300-0206-05*

*DTA-SORB (02/2006)*

*Sex Offender Registry Information Request*

This form is used to request information from the Sex Offender Registry Board (SORB). The TAO SORB Liaison faxes the completed form to the SORB for the EA AU applicant or at the time of the next reevaluation or whenever questionable information is received on the EA AU recipient. Refer to Field Operations Memo 2006-9 for more information.

*13-301-0206-05*

*DTA-SORB-Log (2/2006)*

*EA AU Sex Offenders Registry Board Log*

The DTA-SORB-Log is used by the TAO SORB Liaison to maintain and monitor all faxes sent to and received from SORB. Refer to Field Operations Memo 2006-9 for more information.

### Revised Forms

*13-250-0206-05*

*APP St (Rev. 2/2006)*

*Applicant's Statement for Emergency Assistance Shelter*

The *Applicant's Statement for Emergency Assistance Shelter* (APP-ST) has been revised to ask the applicant if any member of the AU is a Level 2 or Level 3 Sex Offender. It also informs the applicant that every member of the EA AU age 10 and older will be screened for Level 2 or Level 3 sex offender registration status using the Sex Offender Registry. The Spanish version will soon be available.

*02-050-0206-05*

*PV-1 (Rev. 2/2006)*

*Postal Verification Form*

The Agency Control Number has been added to this form. AU Managers must discard old versions of the Postal Verification Form and use the newly revised form.