



William F. Weld
Governor
Argeo Paul Cellucci
Lieutenant Governor

Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
600 Washington Street • Boston MA 02111

Joseph Gallant
Secretary
Claire McIntire
Commissioner

Field Operations Memo 97-39
June 10, 1997

To: Local Office Staff
From: Joyce Sampson, Assistant Commissioner for Field Operations
Re: Answers to Questions Regarding the Food Stamp Work Program

Background The following questions and answers regarding the Food Stamp Work Program were developed in response to questions and issues raised by both local offices and the Food Stamp Work Program workgroup meetings.

Question 1: How do I determine which work requirement (FS/WP or FS/ET) a food stamp applicant/recipient is subject to?

Answer: First, you must consider the age of the applicant/recipient. When the applicant/recipient is between the ages of 18-50, determine if the applicant/recipient is responsible for the care of either a dependent child under age 18 or an incapacitated household member.

- ◆ If yes, the applicant/recipient is exempt from the FS/WP.

Note: The applicant/recipient is also exempt from FS/ET if the dependent child is under age six. However, the applicant/recipient is subject to FS/ET if the dependent child is age six or over.

- ◆ If no, the applicant/recipient is subject to the FS/WP unless one of the other exemptions at 106 CMR 362.320 applies.

Effective 7/1/97, the policy regarding the FS/WP exemption at 106 CMR 362.320(B)(2) will be clarified. The FS/ET exemptions which are also applicable to the FS/WP will be listed in 106 CMR 362.320(B). This should make the work requirement determination easier. Until 7/1/97 refer to the Food Stamp Program Brochure for a breakdown of the FS/ET & FS/WP exemptions.

Question 2: If two parents have a dependent child under age 18 living with them, are both parents exempt from FS/WP requirements?

Answer: Yes. Both parents are exempt from FS/WP requirements.

Note: Only one parent may claim an exemption from FS/ET if responsible for the care of a dependent child under age six.

Question 3: If a friend with no dependents moves in with a single mom and her children (one food stamp household) does the friend have to meet the FS/WP requirements?

Answer: Yes, if the friend is between the ages of 18 and 50 and does not claim to be responsible for the care of a dependent child and is not exempt for any other reason, he or she must meet FS/WP requirements.

Question 4: When do I change the AR 05 on a FS/WP case?

Answer: All food stamp applicants/recipients subject to the FS/WP requirements must be coded AR 05 for at least two months after being notified of the FS/WP requirements. After the 60-day job search period expires, the FS/WP participant's AR must be changed. At the recertification interview:

- ◆ if the FS/WP participant has verified an exemption, change the AR 05 to AR 04 as soon as verification is received.
- ◆ if the FS/WP participant has not located a job or community service site, mandate community service if slots are available and change the AR 05 to AR 06.
- ◆ if the FS/WP participant has not located a job or community service site and no community service slots are available, change the AR 05 to AR 08.

Note: An applicant/recipient who claims to be unfit for work must be coded AR 05 during the 60-day disability determination period. If after the disability determination period expires, the applicant/recipient is determined fit to work by a competent medical authority or did not complete the disability process, the AR 05 must remain on file for an additional 60 days during the job search period.

Question 5: Can a month in which a recipient was coded AR 05, good cause, *during the 60-day job search period* ever be counted against the recipient as a month of noncompliance?

Answer: No. The Department is giving each FS/WP participant two months to look for a job or community service site after being notified of FS/WP requirements. These months must not be counted against the recipient as months of noncompliance even if the recipient fails to locate a job or community service site during the 60-day period.

Question 6: Can a month in which a recipient was coded AR 05, good cause, *during the 60-day disability determination period*, ever be counted against the recipient as a month of noncompliance?

Answer: No. The Department is giving each FS/WP participant two months to allow a competent medical authority to make a disability determination. These months must not be counted against the recipient as months of noncompliance even if the recipient is determined fit to work.

Question 7: After the 60-day job search period, a recipient has not located a job or community service site. Must community service be mandated even though a FS/WP participant is not a qualified (i.e., lack of specific skills, language required by the site) or appropriate candidate?

Answer: No. If the recipient would not be qualified or appropriate for an available community service position, the case must be recertified for two months and coded AR 08 -- no slot available. The worker must document in the case record the reason(s) for not mandating community service.

Question 8: After the 60-day job search period, a recipient has not located a job or community service site. Must the recipient be mandated to more than one community service site during a certification period?

Answer: No. If the recipient is a qualified candidate for a community service position, refer the recipient to the site using the ESP - 16. If the recipient is not chosen by the site, code the recipient AR 08 -- no slot available.

Note: Refer the recipient to another community service site at the next recertification interview.

Question 9: Is any follow-up required once a recipient is mandated to a community service site?

Answer: Local office management must make its own decisions regarding how the FS-CS process works best including defining the role of the Food Stamp-Community Service (FS-CS) Coordinator or Back-Up. However, the following rules cannot be changed:

- ◆ The recipient mandated to FS-CS after the 60-day job search period ends must be certified for two months.
- ◆ The recipient must not be sanctioned or closed during the mandated community service certification period for failing to meet with the FS-CS Coordinator or failing to attend an interview with the mandated community service site. It is not until the recertification interview that the recipient must verify compliance with the FS/WP requirements.
- ◆ At the recertification interview the worker must make a determination of whether or not the recipient met FS/WP requirements in the *previous* two months. See Field Operations Memo 97-31 for instructions.

Question 10: When do I code a recipient referred to a community service site on ESP-MIS?

Answer: FS/WP recipients must not be coded on ESP-MIS until the local office receives information that the FS/WP recipient is participating in community service. Local office management must determine how this process works most efficiently. Some options for local office management to consider include:

- ◆ requiring that the ESP-16 be returned within 10 days so that the number of available slots can be decreased on ESP-MIS; or
- ◆ following up with the community service site as to the outcome of the recipient's interview; or
- ◆ waiting until the recipient comes in for the recertification interview to determine whether the recipient is working at the site; or
- ◆ a combination of the options listed above.

See Field Operations Memo 97-38 for coding instructions.

Question 11: A FS/WP participant has failed to comply with the FS/WP requirements without good cause for two months; must the case be certified for another two months or can I certify the case for only one month?

Answer: The Department established two-month recertification procedures for FS/WP cases to reduce local office traffic and work load. However, an office may certify cases containing FS/WP participants who have failed to comply in two prior months on a month-to-month basis.

Question 12: If a recipient is injured while at a community service site, how do medical bills get paid?

Answer: If the recipient does not have any medical insurance, the bills should be paid on an out-of-pocket basis. If the recipient is hurt due to negligence by the community service site, he or she may have a legal claim against the site and/or its insurer.

Note: The site should treat FS/WP participants in exactly the same manner as it would treat any other volunteer injured at the workplace.

Question 13: A FS/WP participant whose case closed for AR 73 reappplies, must the FS/WP participant's 80 hours of work at a job or community service site be completed before the case can be reopened?

Answer: Yes. The penalty for noncompliance with the FS/WP requirements is a 30-day period of ineligibility. To regain food stamp eligibility, the FS/WP participant must work 80 hours at a job or community service site in the 30-day period immediately before reopening. The FS/WP participant must verify 80 hours of work at a job or community service site **before** the case can be approved. *Do not reopen the case in anticipation of the FS/WP participant's completion of the 80 hours.* The start date for the case is the day after the 80 hours were completed or 31 days after the closing date, whichever is later. Use AR 09 when reopening the FS/WP participant.

Note: Once eligibility is regained, the FS/WP requirements must be met *each month* to remain eligible.

Question 14: If a FS/WP participant whose case closed for AR 73 reappplies and the FS/WP participant has worked 40 hours in the past two weeks; can the case be opened back to the date of reapplication once the participant verifies 40 more hours of work?

Answer: No. The penalty for noncompliance with the FS/WP requirements is a 30-day period of ineligibility. To regain eligibility, the FS/WP participant must work 80 hours at a job or community service site within a 30-day period immediately before reopening. *The FS / WP participant is not eligible for food stamp benefits for any part of the 30-day ineligibility period even if he or she works during this period.* Open the case once verification is received that the participant completed 80 hours of work or community service. The start date for the case is the day after the participant completed the 80 hours or 31 days after the closing date, whichever is later. Use AR 09 to reopen the FS/WP participant.

Questions If you have any questions, please have your Hotline designee call the Policy Hotline at (617) 348-8478.
