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97-47
Obsolated

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Fax 97- 116
Field Operations Memo 97-47A
August 11, 1997

To: Local Office Staff
From: Joyce Sampson, Assistant Commissioner for Field Operations
Re: State Supplemental Food Stamp Program for Certain Noncitizens

Background

Under the 1997 Emergency Supplemental Appropriations Act which President Clinton signed on June 12, 1997, states were given the option to issue state-funded food stamp benefits to certain individuals made ineligible by federal welfare reform. On July 11, 1997, Governor Weld signed into law a State Supplemental Food Stamp Program (SSFSP) for certain noncitizens.

The Department is in the process of drafting SSFSP regulations and procedures as well as analyzing the systems changes necessary to implement the new program.

In preparation for these systems changes, this memo provides interim instructions for coding certain individuals and cases being closed due to ineligible noncitizen status for food stamp (FS) benefits in accordance with 106 CMR 362.220. **Appropriate coding of these individuals/cases will enable the system to automatically convert these individuals/cases for SSFSP benefits.**

This Field Operations Memo replaces Field Operations Memo 97-47 which was faxed to local offices on Friday, August 1, 1997. Field Operations Memo 97-47 is now obsolete.

**Noncitizens
Ineligible Due
to Federal
Welfare Reform
Provisions**

Workers must explain to noncitizens ineligible for FS benefits solely as a result of the food stamp noncitizen regulations at 106 CMR 362.220 that they may be eligible for SSFSP benefits.

Note: The only noncitizen statuses which will be *ineligible for both FS and SSFSP benefits* are nonimmigrants (current INA status of visitor, student or diplomat) and noncitizens illegally residing in the U.S.

With the exception of noncitizen status, SSFSP applicants and recipients must meet all other financial and nonfinancial eligibility requirements of the Food Stamp Program.

In addition, SSFSP applicants and recipients are subject to a 60-day residency requirement. Individuals (re)applying for FS benefits after August 1, 1997 but not yet approved who are determined ineligible for FS benefits due to noncitizen status but eligible for SSFSP must provide verification of having lived in Massachusetts 60 days prior to the (re)application. Acceptable verifications are found at 106 CMR 361.610(H).

Note: *There is no durational residency requirement for the Food Stamp Program.*

Report

Field Operations Memo 97-26 notified workers (PA and NPA) that in late July an updated listing of cases with food stamp end certification dates between August 31, 1997 and September 13, 1997 would be sent to local offices. This report titled: *Food Stamp Cases with End Certification Dates 8/31/97 Thru 9/13/97* should have been received during the week of July 28, 1997. Field Operations Memo 97-26 instructed workers (PA and NPA) to review cases with food stamp end certification dates between August 31, 1997 and September 13, 1997 using the new food stamp noncitizen provisions and take appropriate action. PA workers should be using this report to schedule eligibility reviews. NPA workers should be using this report to manage recertifications.

**PA Food Stamp
Households
Containing
Noncitizens
Certification
End Dates
8/31 - 9/13**

PA/FS workers must schedule an eligibility review to apply the food stamp noncitizen rules at 106 CMR 362.220 when the food stamp end certification date is between August 31 and September 13, 1997.

If eligible, recertify the category 2 or 4 case according to current procedures.

**PA Food Stamp
Households
Containing
Noncitizens
Certification
End Dates
8/31 - 9/13
(Continued)**

If *some* household members in the category 2 or 4 case are ineligible for FS benefits, the worker must:

- ◆ **On Day 1:**
 - close the PA/FS case using AR 33; *and*
 - **enter code 5 in Block 42 to suppress the AR 33 notice; *and***
 - ◆ **On Day 2:**
 - establish the category 9 case in accordance with current procedures as FS Status 0 in Block 51, AR 03 in Block 53. Establish all dependents as Status 1 or 2 with AR 03 in Block 92. *This is necessary so that all household members will be on PACES for automatic SSFSP conversion and benefit issuance; and*
 - enter the number of noncitizen(s) eligible for the SSFSP in the Filing Unit Block in the FIW1 section of the category 9 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
 - ◆ **On Day 3:**
 - deny the household member(s) ineligible for FS benefits due to ineligible noncitizen status (106 CMR 362.220) using the FSNL-2; *and*
 - open the case for food stamp benefits with the appropriate eligibility AR; *and*
 - close the ineligible household member(s) with AR 44 in Block 92 using the start date for food stamp benefits; *and*
 - open the household member(s) eligible for FS benefits with the appropriate eligibility AR; *and*
 - prorate the income and shelter expenses of the household in accordance with Field Operations Memo 92-51. **See Attachment A: Proration Examples 1A, 1B and 1C.**
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**PA Food Stamp
Households
Containing
Noncitizens
Certification
End Dates
8/31 - 9/13
(Continued)**

If *all* household members in the category 2 or 4 case are ineligible for FS benefits *and* the cash case is remaining *open*, the worker must:

- ◆ **On Day 1** enter the number of noncitizen(s) eligible for the SSFSP in the Filing Unit Block in the FIW1 section of the category 2 or 4 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
- ◆ **On Day 2** close the PA/FS case using AR 44.

**PA Food Stamp
Households
Containing
Noncitizens
Certification
End Dates
Expired or
Future**

PA/FS workers may discover noncitizens no longer eligible for FS benefits, for example, while coding noncitizens cases for PRISM purposes. **The worker must schedule and complete an eligibility review for these cases before the end of August.** Follow the appropriate instructions above for coding the case depending on whether *some* or *all* household members are ineligible for FS benefits.

**NPA Food
Stamp
Households
Containing
Noncitizens
Certification
End Dates
8/31 - 9/13**

NPA/FS households containing noncitizens with end certification dates between 8/31/97 and 9/13/97 must be reviewed at their recertification interview to determine whether household members are eligible for FS benefits in accordance with 106 CMR 362.220.

If eligible, recertify the category 9 case according to current procedures.

If *some* household members in a category 9 case are ineligible for FS benefits, the worker must:

- ◆ **On Day 1** enter the number of noncitizen(s) eligible for the SSFSP in the Filing Unit Block in the FIW1 section of the category 9 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
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**NPA Food
Stamp
Households
Containing
Noncitizens
Certification
End Dates
8/31 - 9/13
(Continued)**

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- ◆ **On Day 2:**
 - close the ineligible household member(s) using AR 44 in Block 92; *and*
 - prorate the income and shelter expenses of the household in accordance with Field Operations Memo 92-51. **See Attachment A: Proration Examples.**

If *all* household members in an category 9 case are ineligible for FS benefits, the worker must:

- ◆ **On Day 1** enter the number of noncitizens eligible for the SSFSP in the Block in the FIW1 section of the category 9 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
- ◆ **On Day 2** close the case using AR 44.

**New/Reopen
PA Food Stamp
Households
Containing
Noncitizens**

If a PA/FS case containing noncitizen household members (re)applies for cash assistance and food stamp benefits, the worker must:

- ◆ establish the category 2 or 4 case in accordance with current procedures as Status 1 or 2, AR 03.
- ◆ when all verifications necessary to determine eligibility are received,

if *some* household members are ineligible for FS benefits, the worker must:

- **On Day 1** open the category 2 or 4 case with the appropriate eligibility AR and/or Program Code. *Do not open PA/FS; and*
 - **On Day 2:**
 - ▶ establish the category 9 case in accordance with current procedures as Status 0 in Block 51, AR 03 in Block 53. Establish all dependents as Status 1 or 2 with AR 03 in Block 92. *This is necessary so that all household members will be on PACES for automatic SSFSP conversion and benefit issuance; and*
 - ▶ enter the number of noncitizen(s) eligible for the SSFSP in the Filing Unit Block in the FIW1 section of the category 9 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
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**New/Reopen
PA Food Stamp
Households
Containing
Noncitizens
(Continued)**

- **On Day 3:**
 - ▶ deny the household member(s) ineligible for FS benefits due to ineligible noncitizen status (106 CMR 362.220) using the FSNL-2; *and*
 - ▶ open the case for food stamp benefits with the appropriate eligibility AR; *and*
 - ▶ close the ineligible household member(s) with AR 44 in Block 92 using the start date for food stamp benefits; *and*
 - ▶ open the household member(s) eligible for FS benefits with the appropriate eligibility AR; *and*
 - ▶ prorate the income and shelter expenses of the household in accordance with Field Operations Memo 92-51. **See Attachment A: Proration Examples 1A, 1B and 1C.**

Note: If the household is eligible for expedited food stamp benefits, see Attachment B.

If *all* household members in the category 2 or 4 case are ineligible for FS benefits, the worker must:

- ▶ **On Day 1** enter the number of noncitizens eligible for the SSFSP in the Filing Unit Block in the FIW1 section of the category 2 or 4 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
- ▶ **On Day 2:**
 - open the category 2 or 4 case with the appropriate eligibility AR and/or Program Code; *and*
 - deny all household members for FS benefits due to ineligible noncitizen status (106 CMR 362.220) using the FSNL-2; *and*
 - **do not activate household members eligible for the SSFSP for food stamp benefits; and**
 - **do not activate the case for food stamp benefits.**

Note: If the household was issued expedited food stamp benefits, see Attachment B.

**New/Reopen
NPA Food
Stamp
Households
Containing
Noncitizens**

If an NPA case containing noncitizens in which *some* household members are ineligible for FS benefits (re)applies, the worker must:

- ◆ establish the category 9 case in accordance with current procedures as Status 0 in Block 51, AR 03 in Block 53. Establish all dependents as Status 1 or 2 with AR 03 in Block 92. *This is necessary so that all household members will be on PACES for automatic conversion and SSFSP benefit issuance; and*
- ◆ when all verifications necessary to determine eligibility are received:
 - **On Day 1** enter the number of noncitizen(s) eligible for the SSFSP in the Filing Unit Block in the FIW1 section of the category 9 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
 - **On Day 2:**
 - ▶ deny the household member(s) ineligible for FS benefits due to ineligible noncitizen status (106 CMR 362.220) using the FSNL-2; *and*
 - ▶ open the case for food stamp benefits with the appropriate eligibility AR; *and*
 - ▶ close the ineligible household member(s) with AR 44 using the start date for food stamp benefits; *and*
 - ▶ open the household member(s) eligible for FS benefits with the appropriate eligibility AR; *and*
 - ▶ prorate the income and shelter expenses of the household in accordance with Field Operations Memo 92-51. **See Attachment A: Proration Examples.**

Note: If the household is eligible for expedited food stamp benefits, see Attachment B.

If an NPA case containing noncitizens in which *all* household members are ineligible for FS benefits (re)applies, the worker must:

- ◆ establish the category 9 case in accordance with current procedures as Status 0, AR 03. Establish all dependents as Status 1 or 2 with AR 03 in Block 92. *This is necessary so that all household members will be on PACES for automatic conversion and SSFSP benefit issuance; and*
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**New/Reopen
NPA Food
Stamp
Households
Containing
Noncitizens
(Continued)**

- ◆ when all verifications necessary to determine eligibility are received,
 - do an on-line calculation to determine if the household would be eligible for FS benefits except for the noncitizen status of household members.

If no,

- ▶ enter the income and assets of the household on a PACES Worksheet so that a system-generated denial notice will be sent.

If yes,

- ▶ **On Day 1** enter the number of noncitizens eligible for the SSFSP in the Filing Unit Block in the FIW1 section of the category 9 Worksheet. *This two-digit entry in the Filing Unit Block will identify cases which contain SSFSP-eligible members; and*
- ▶ **On Day 2:**
 - deny the household members ineligible for FS benefits due to ineligible noncitizen status (106 CMR 362.220) using the FSNL-2; *and*
 - leave the dependents on file with AR 03 in Block 92; *and*
 - extend the case certification period through the November 1997 ATP cycle with a "T" transaction. *This will ensure that the case does not get closed by the timely case closing process before SSFSP benefits are issued; and*
 - **do not activate the case for food stamp benefits.**

Note: If the household was issued expedited food stamp benefits, see Attachment B.

**Cases
Already
Closed
for AR 44**

No action is required for cases containing ineligible noncitizens who have already been closed for AR 44. You will receive more information regarding these cases soon.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline at (617) 348-8478. Systems questions should be directed to Customer Support Services at (617) 348-5290.

Attachment A: Proration Examples

Example 1A: Prorating the Cash Grant

All household members eligible for cash assistance (AU = 5). Three FS-eligible household members. Two SSFSP-eligible household members. The cash grant is \$500.00.

- (A) The worker must determine how much of the grant belongs to *each* household member by dividing the cash grant by the number of people in the AU. ($\$500/5 = \100)

Each household member's share of the grant is \$100.

\$300 is the FS-eligible members' share of the grant. This amount is countable to the FS household.

\$200 is the SSFSP-eligible members' share of the grant

- (B) The worker must prorate the SSFSP-eligible members' share of the grant to determine how much will be countable to the FS household:

(1) divide the SSFSP-eligible members' share by the **total** number of people in the household include *all* FS-eligible members and *all* SSFSP-eligible members. ($\$200/5 = \40)

(2) multiply the result by the number of FS-eligible members. ($\$40 \times 3 = \120)
\$120 is SSFSP-eligible members' countable share of the grant. This amount is countable to the food stamp household.

- (C) The worker must determine the *total* countable grant amount for FS purposes by adding the FS-eligible members' share of the grant and the SSFSP-eligible members prorated share of the grant.

300	FS-eligible members' countable share of grant
+120	<u>SSFSP-eligible members' countable share of grant</u>
420	Total countable grant amount for FS purposes

- (D) Enter \$420 as Type OU on the PACES worksheet FIW2, Section 20.

Example 1B: Prorating Other Unearned Income

All household members eligible for cash assistance (AU = 5). Three FS-eligible household members. Two SSFSP-eligible household members. One of the SSFSP-eligible household members is receiving RSDI in the amount of \$250. Remember to prorate the cash assistance grant as described in Example 1A.

- (A) The worker must prorate the SSFSP-eligible member's RSDI income to determine how much will be countable to the FS household:
 - (1) divide the SSFSP-eligible member's RSDI income by the **total** number of people in the household include *all* FS-eligible members and *all* SSFSP-eligible members. ($\$250/5 = \50)
 - (2) multiply the result by the number of FS-eligible members. ($\$50 \times 3 = \150)
\$150 is the FS household's pro rata share of the SSFSP-eligible member's RSDI income.
- (B) Enter \$150 as Type OU on the PACES worksheet FIW2, Section 20.

Example 1C: Prorating Other Earned Income

All household members eligible for cash assistance (AU = 5). Three FS-eligible household members. Two household SSFSP-eligible household members. One of the SSFSP-eligible household members has earnings in the amount of \$100 per week (determine the monthly income by multiplying the weekly gross earnings by 4.333). Remember to prorate the cash assistance grant as described in Example 1A.

- (A) The worker must prorate the SSFSP-eligible member's monthly earnings to determine how much will be countable to the FS household:
 - (1) divide the SSFSP-eligible member's monthly earnings by the **total** number of people in the household include *all* FS-eligible members and *all* SSFSP-eligible members. ($\$433.30/5 = \86.66)
 - (2) multiply the result by the number of FS-eligible members. ($\$86.66 \times 3 = \259.98)
\$259.98 is FS household's pro rata share of the SSFSP-eligible member's earned income.
- (B) Enter \$259.98 as Type E1 on the PACES worksheet FIW2, Section 20.

Example 2A: Prorating Unearned Income

No household members receiving cash assistance. Two FS-eligible household members. Two SSFSP-eligible household members. One of the SSFSP-eligible household members is receiving SSI in the amount of \$400.

- (A) The worker must prorate the SSFSP-eligible member's SSI income to determine how much will be countable to the FS household:
- (1) divide the SSFSP-eligible member's SSI income by the **total** number of people in the household include *all* FS-eligible members and *all* SSFSP-eligible members. ($\$400/4 = \100)
 - (2) multiply the result by the number of FS-eligible members. ($\$100 \times 2 = \200)
- \$200 is the FS household's pro rata share of the SSFSP-eligible member's RSDI income.
- (B) Enter \$200 as Type OU on the PACES worksheet FIW2, Section 20.

Example 2B: Prorating Earned Income

No household members receiving cash assistance. Two FS-eligible household members. Two household SSFSP-eligible household members. One of the SSFSP-eligible household members has earnings in the amount of \$50 per week (determine the monthly income by multiplying the weekly gross earnings by 4.333.)

- (A) The worker must prorate the SSFSP-eligible monthly member's earnings to determine how much will be countable to the FS household:
- (1) divide the SSFSP-eligible member's monthly earnings by the **total** number of people in the household include *all* FS-eligible members and *all* SSFSP-eligible members. ($\$216.65/4 = \54.16)
 - (2) multiply the result by the number of FS-eligible members. ($\$54.16 \times 2 = \108.32)
- \$108.32 is the FS household's pro rata share of the SSFSP-eligible member's earned income.
- (B) Enter \$ 108.32 as Type E1 on the PACES worksheet FIW2, Section 20.

Refer to Field Operations Memo 92-51 for instructions and an example on prorating shelter expenses.

Issuing Expedited Food Stamp Benefits to Households Containing Noncitizens

Food Stamp Households Containing SSFSP-Only Members

SSFSP-eligible noncitizens are not eligible for expedited food stamp benefits during the months of September and October. Instructions for issuing expedited food stamp benefits to SSFSP-only households beginning in November will be issued at a later date.

Food Stamp Households Containing Both FS and SSFSP Members

For all NPA and PA households containing noncitizens who (re)apply for food stamp benefits, workers must determine whether the household is entitled to expedited service in accordance with 106 CMR 365.800 et seq.

If verification of noncitizen status is not provided within the expedited time frame, the worker must determine eligibility for expedited benefits based on the (re)applicant's statement regarding noncitizen status.

Note: If expedited food stamp benefits were issued to an entire household using action reason 19 and the worker **subsequently** receives verification that some members are not eligible for FS benefits, there is no QC error impact.

If the worker determines that the household is eligible for expedited service, the worker must:

- determine if the household is entitled to Regular or Special expedited FS benefits (see chart in Field Operations Memo 97-17, Attachment H); and
- **manually** calculate and issue expedited food stamp benefits.
- ◆ **Do a PACES on-line calculation for all FS-eligible household members to determine the correct amount of expedited food stamp benefits. Do not include SSFSP-eligible members in this calculation.**

Example: A household containing five members is eligible for expedited service. Three of the household members are eligible for FS benefits and two are eligible for SSFSP benefits. When calculating the expedited FS benefits, the worker must enter a household size of three on the PACES CALC screen to determine the expedited food stamp benefit amount.

**Issuing Expedited Food Stamp Benefits
to Households Containing Noncitizens
(Continued)**

- ◆ If the case is in an EBT region, a Day 7 expedited EBT FS benefit must be issued:
 - ▶ Open the category 9 case with FS Status 0 in Block 51, action reason 18 in Block 53 and the case action reason must be 03 in Block 33. Enter 00 in Block 60 and the expedited EBT FS benefit amount in Block 61.

Note: Use action reason 18 during the entire 7-day expedited time frame. **Do not use action reason 19** if you know that the household contains both FS-eligible and SSFSP-eligible members.

- ◆ If the case is in a nonEBT region, an OTC ATP must be issued. *Do not issue system-generated benefits for these cases.*
 - ▶ Open the category 9 case with FS Status 0 in Block 51, action reason 03 in block 53 and case action reason 03 in Block 33. Enter 00 in Block 60 and the expedited ATP amount in Block 61.

Note: Use action reason 03 during the entire 7-day expedited time frame. **Do not use action reason 19** if you know that the household contains both FS-eligible and SSFSP-eligible members.

If the worker determines that the household does not qualify for expedited services, the worker must process the application according to normal 30-day processing standards.

Food Stamp Households Containing FS-Only Members

Follow the usual expedited service processing procedures.