

Transitions

A Publication of the Massachusetts Department of Transitional Assistance

this month in...

Transitions

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From the Commissioner

Dear Fellow Employees,

On February 3 we will implement a number of changes to the Emergency Assistance Program. The original proposed changes to the regulations were driven by dual concerns: a \$6 million deficiency in the Emergency Assistance account and a number of programmatic areas that needed review and revision. The initial proposed regulations generated many comments and the final package is reflective of those comments and a number of key compromises.

Keeping in mind the administration's commitment to continuing service to the homeless, a proposal to allow only one noncompliance was eliminated and the current two noncompliance policy remains. A number of other changes highlight the importance of responsibility on the part of the family being sheltered and the Department's responsibility to administer the program in a fiscally and socially responsible manner.

Some of the key changes are:

- Families who lose eligibility because of increased income will have a 30-day "grace" period before having to leave shelter. During this time they will be expected to save money to use towards obtaining permanent housing.
- An EA household will be limited to the child and the child's parents or caretaker. In recognition that there is sometimes an important reason to include another relative in the household, a local office director may waive this provision in extraordinary circumstances.

From the Hotline

Q. A food stamp recipient owns her own single-family home and her mortgage payment includes principal, interest and escrow. The escrow includes her homeowners insurance and taxes. When determining the food stamp benefit amount, do we need to obtain the actual tax bill and homeowners insurance policy or can we just use the escrow amount ?

A. In this situation, the escrow amount is acceptable, as it is what the AU is actually paying each month. If the home was not a single family dwelling, however, itemized bills would be required. Refer to 106 CMR 365.930 for additional information on income from rental property and 106 CMR 365.950 for information on self-employment income.

Q. A food stamp applicant is Work Program required. He is employed twenty five hours per week and earns \$5.15 per hour. Is he meeting the Food Stamp Work Program requirements?

A. Yes. If the applicant verifies twenty hours of work per week averaged monthly, then he is meeting the Food Stamp Work Program requirements. Refer to 106 CMR 362.320(A) for more information on Food Stamp Work Program requirements.

Q. A food stamp recipient who is currently Food Stamp Work Program required verifies new employment of 18 hours per week. She is earning \$9.25 per hour. Is she still subject to Food Stamp Work Program requirements?

A. No. She is exempt from the Food Stamp Work Program requirements because she is receiving wages equal to or greater than the federal minimum wage of \$5.15 per hour multiplied by thirty hours. Refer to 106 CMR 362.320(B) for additional information on exemptions from the Food Stamp Work Program requirements

Q. Can we allow the telephone SUA for an applicant if she only uses a cell phone and has no other utility expenses?

A. Yes, the telephone SUA is appropriate for this AU. Refer to 106 CMR 364.400(F) for more information.

Q. An individual was reluctant to apply for food stamp benefits due to her INS status. How does the AU Manager record the INS status of an individual who reports they are undocumented or not legally residing in the U.S.?

A. When an individual indicates inability or unwillingness to provide verification of an eligible noncitizen status for any assistance unit member, the Department shall not continue efforts to obtain documentation. The AU Manager must enter "Undetermined" as the INS Designation on BEACON if the individual does not provide any verification.

The AU Manager may only enter "Not Legally Residing" on BEACON if the individual verifies an illegal status by providing a Final Order of Deportation or other formal document with a determination subject to Administrative Review and Immigration Review that the noncitizen is present in the U.S. illegally. See 106 CMR 362.220 and 106 CMR 262.240 for more information.



Relocation Benefit

TAFDC, EAEDC
State Letter 1248

The relocation benefit is increased from \$750 to \$1000 effective February 3, 2003.

Elimination of the State Supplemental Food Stamp Program (SSFSP)

FS
State Letter 1246
Field Operations Memo
2003-4

State Letter 1246 removes SSFSP regulations from policy and adds food stamp eligibility requirements for certain battered noncitizens and noncitizens who are victims of trafficking.

Field Operations Memo 2003-4 notifies AU Managers of the SSFSP shutdown on BEACON and discusses:

- BEACON automated SSFSP shutdown activities;
- BEACON changes and AU Manager instructions for processing noncitizens;
- Notices to former SSFSP recipients;
- A LOQC report comprised of AUs that were closed but not noticed because their current noncitizen information requires review; and



Continued from Page 1

- SSI income will now count in determining EA financial eligibility.
- The 12-month period of ineligibility for EA begins on the last day that emergency shelter is paid for by the Department
- The plan for self-sufficiency will include a requirement that any outstanding default or arrest warrants be resolved.

There are a number of other changes which are highlighted in State Letter 1247. The changes being made allow us to continue to provide this essential benefit and emphasize the shared responsibility of the Department and the recipient to move the family as quickly as possible to permanent housing. In addition to these program changes, the Department reduced contracts with shelters by five percent to help address the deficit and has requested \$2 million in supplemental funding for the EA program.

As I said to you in my memo of January 30, the Department must make additional budget cuts in this fiscal year as a result of the Commonwealth's financial situation. The impact of the \$10 million cut in the ESP account is being determined and you will receive additional information as soon as possible. Your continued hard work and dedication during these difficult times is incredibly important. Thank you for that and for your continued support.

Sincerely,



John Wagner
Commissioner



COMMUNICATION is the KEY



FYI

Child Care and Earned Income Credit (EIC) Mailing

During the last week of January 2003, an informational mailing was sent to all active TAFDC AUs, all TAFDC AUs closed since January 2002, and all active FS AUs, excluding FS AUs in SSI Regional Offices and FS AUs in receipt of TAFDC. The mailing included information about:

- the federal Earned Income Credit (EIC), which is available to a person who worked in 2002 and whose income was below certain limits, even if income tax is not owed;
- the Massachusetts Earned Income Credit (MEIC), which is available to taxpayers who have earned income for 2002 and meet the requirements of the federal Earned Income Credit;
- the Saver's Tax Credit for 2002, which is available to taxpayers whose income was below certain limits and who contributed to a retirement plan or an IRA in 2002. A tax credit of up to 50 percent of a maximum \$2,000 contribution is available, if the taxpayer owes income tax and files Form 1040 or 1040A; and
- the Child Care brochure, which explains how to get and keep child care, provides information for review with the Child Care Resource and Referral (CCR&R) agency, including how the child care fee is determined, and provides a listing of the names and addresses of CCR&R agencies.

Undelivered mail will be returned to Central Office and then forwarded to the AU Manager who must take the appropriate action.

TAFDC Disability Clarification

TAFDC, FS

A User's Guide: Transitional Assistance Programs and BEACON Update 039

This update provides:

- expansion of procedures for the TAFDC disability process; and
- technical corrections to the Index.

EAEDC Review for SSI

EAEDC

Field Operations Memo
2002-29

Even though they were initially denied SSI because of their noncitizen status, certain EAEDC recipients (age 65 or older or disabled with a disability expected to last 12 months or more) may now be eligible for and should reapply for SSI benefits because of a change in their noncitizen status or more up-to-date information on their work history.

This memo:

- explains which noncitizen EAEDC recipients must be encouraged to reapply for SSI;
- defines a specific group that needs to apply for SSI immediately; and
- instructs AU Managers to assist EAEDC recipients in the SSI application process.

"In a society where the rights and potential of women are constrained, no man can be truly free. He may have power, but he will not have freedom."

Mary Robinson
(Irish labor politician)



Thibault Settlement

TAFDC
Field Operations Memos
2003-1, 2003-1A &
2003-2

Field Operations Memo 2003-1 explains that as a result of the Thibault Settlement Agreement, the Department has agreed to provide retroactive relief to certain current TAFDC recipients and notice certain former TAFDC recipients whose disability application had been previously denied by HealthPro for reasons other than failing to meet the requirements of the Initial Appointment for Medical Treatment (IAMT) letter.

An email sent to TAO Directors on January 13, 2003 explained that the two mailings described in Field Operations Memo 2003-1 were sent to the wrong groups. Because of this error, both populations were renoticed on January 15, 2003. Field Operations Memo 2003-1A explains the process to follow if any TAFDC AUs respond to the incorrect notice.

Field Operations Memo 2003-2 explains that under the Thibault Settlement Agreement, the Department agreed to monitor all non-presumptive TAFDC disability applications.

FYI

Changes to Policy Online

This month you will see the following changes to Policy Online.

REFERENCE DOCUMENTATION WINDOW

The Springfield/State SSI TAO has closed and the North Adams Regional SSI Office is now responsible for the FS/SSI AUs previously assigned to the Springfield/State SSI Office. The following options listed on the Reference Documentation Window have been updated to reflect this change:

- ***Region Number/TAO Number/TAO Name Listing***

- ***SSI Regional Office Listing By City/Town***

- ***SSI Regional Office Listing***

FMCS CODES WINDOW

The FMCS Codes Window has been expanded to two windows. This was done to accommodate the additional codes that are added each month to Policy Online. The statement "Page 1 of 2" or "Page 2 of 2" appears to the right of the title "FMCS Codes."

The following FMCS data element options have been added to the FMCS Codes Window:

- Additional/Supplemental Payment Codes
- Education Codes
- Health Insurance Codes
- Hourly Wage Codes
- Teen Living Arrangement Codes
- Work Experience Codes

When an option is selected, the corresponding definitions will be displayed. Additional FMCS data element options will continue to be added in the following months.



Child Citizenship Act of 2000

EAEDC, FS and TAFDC
State Letter 1244

One provision of the Child Citizenship Act of 2000 allows that a foreign-born child, including an adopted child will acquire U.S. citizenship automatically if the child:

- 1) has at least one parent who is a U.S. citizen by birth or naturalization,
- 2) is under age 18,
- 3) is a lawful permanent resident, and
- 4) is currently residing permanently in the U.S. in the custody of the citizen parent.

This policy change has a major eligibility impact on a child whose noncitizen parent becomes a naturalized U.S. citizen. Proof of the child's citizenship will be issued to the parent upon request. Be sure to update the BEACON Citizenship and Noncitizen windows on the Assessed Person Nonfinancial Statement for both the parent and the child.

Note: INS put this policy change into effect on February 27, 2001; DTA policy is effective February 1, 2003. A child may have acquired U.S. citizenship automatically sometime between these dates if the four criteria were met. The parent or adult child should apply for a certificate of U.S. Citizenship as verification.

From the Forms File

New/Revised Forms

The following forms are now available in Spanish.

25-171-0103-05

FSA-1 (S) (1/2003)

Food Stamp Benefits Application

13-201-0103-05

HM-NT (S) (Rev. 1/2003)

Notice to Recipients of Emergency Assistance (EA) Staying in Hotels/Motels

Social Security/SSI COLA

All
Field Operations Memo
2003-3

Effective January 2003, Social Security benefits and SSI payments increased by 1.4 percent. The Medicare Part B penalty premium also increased. This memo:

- explains how BEACON updated Assessed Persons (APs) with the 2003 Social Security/SSI COLA amounts and recalculated eligibility for the active AUs containing the updated APs;
- explains which AUs listed on the "Clients With RSDI and/or SSI" View require AU Manager action;
- gives procedures for AU Managers to update AUs with discrepant 2003 Social Security/SSI COLA amounts; and
- gives the increase to the Medicare Part B penalty premium in a table format.

BEACON Today Issued in January 2003

BT 100 BEACON Release 2.1.1
(1/27/03)



Emergency Assistance Program

EA

State Letter 1247

State Letter 1249

State Letter 1250

Field Operations Memo
2003-5

There are numerous changes to the EA program. The changes impact:

- the continuation of shelter benefits for an additional 30 days when the AU's income exceeds the EA eligibility standard,
- revised definition of eligible relatives of the needy child,
- the 12-month period for determining EA eligibility begins on the last day that emergency shelter was paid for by the Department. The 12-months are no longer counted from the start date of the EA benefit. There are four exceptions to the 12-month rule,
- an EA AU that received shelter which was interrupted when the EA AU left shelter for temporary housing and the move to temporary housing was approved by the Department is one of the exceptions to the 12-month rule,

- a reduction in earnings or a termination of employment has an impact on the eligibility of an EA applicant and an EA recipient,
- failure to appear at the placement without good cause or a refusal of a shelter placement has an impact on the eligibility of an EA applicant and an EA recipient,
- good cause criteria, including transportation issues, may be considered as a good cause reason for failure to appear at the placement,
- a teen parent age 18 or older who was asked to leave three Teen Living Programs (TLP) for rule violations or behavior-related issues or refuses to go to an available TLP is ineligible for EA shelter benefits,
- SSI income is countable income in determining EA eligibility, and

The EA-related forms and EA procedures are being revised and will be available in the near future.

SL 1249 and SL 1250 contained several technical corrections.

Field Operations Memo 2003-5 instructs staff about manually processing EA AUs with SSI income and determining the days an ineligible EA AU may continue to be sheltered before the shelter benefits are terminated due to increased income.

Employment Services Program and Temporary Absence

TAFDC

State Letter 1245

This State Letter transmits the following changes in TAFDC regulations.

- Pursuant to a decision in the Thibault/McColgan lawsuit, the Department has been ordered to amend its regulation to eliminate the full family sanction at 106 CMR 207.200 (B)(3).
- A technical correction was made in 106 CMR 203.660.

