Division of Family Support
OPERATION MANUAL
Volume II

OMTL-542

Supplemental Nutrition Assistance Program
Table of Contents

R. 4/1/19

INTRODUCTION 2000-2009

SNAP Definitions 2000-2001

Definitions 2000

SNAP 2002-2005

Use of SNAP Benefits 2002

Special Uses 2004

Volunteers 2006-2009

Volunteers 2006

HOUSEHOLD COMPOSITION AND CLASSIFICATION 2010-3499

Determining Household Composition 2010-2199

Relatives as a Separate Household 2010

Special Provision for the Elderly and Disabled 2020

Emancipated Child 2030

Irregular Household Members 2040

Nonhousehold Members 2060

Nonhousehold Members as a Separate Household 2070

Ineligible Members 2080

Residents of Institutions 2090

Excluded Members 2100

Boarders 2200-2299

Boarders - General 2200

Students 2300-2349

Students 2300

Period of Student Enrollment 2310

Ineligible Students 2320

Exceptions to Student Status 2330

Criminals 2350-2369

Criminals 2350

Other Program Noncompliance 2370-2399

Noncompliance with Other Programs 2370

[Child Support Disqualification Overview 2380

Child Support Disqualification Exemptions 2385]

Strikers 2400-2459

Strikers - Introduction 2400

Guidelines for Applying Striker Provisions 2420

Shelters for the Homeless 2460-2499

Temporary Shelters for the Homeless 2460

Shelters for Victims of Abuse 2500-2599

Shelters for Victims of Abuse 2500

Duplicate Participation of Shelter Residents 2510

Drug/Alcoholic Treatment Centers 2600-2699

Basis for Treatment Center Participation 2600

Eligibility of Center Residents 2610

Exemption from Work Registration 2640

Certification Procedures 2650

Center Responsibilities 2660

Supplemental Nutrition Assistance Program
Table of Contents R. 4/1/19

Group Living Arrangement 2700-2789

Group Living – Introduction 2700

Method of Application 2710

Supports for Community Living and Group Living Arrangements 2715

Certification Procedures 2720

Group Living Facility Responsibilities 2730

Food Preparation 2780

Regional Responsibilities 2790-2799

Regional Responsibilities for DAA's and GLA's 2790

Migrants and Seasonal Farmworkers 2800-2899

Migrant and Seasonal Farmworker- General 2800

Destitute Households 2820

Citizenship and Alien Status 2900-3099

Immigrant Status 2900

Citizenship/Alien Status Declaration Requirement 2903

Verification of Citizenship 2905

Verification of Alien Status 2910

Verification - SAVE 2915

Ineligible Alien/Member - Resources and Income 2920

Ineligible Alien - Deductions 2930

Determining Ineligible Alien Status 2940

Sponsored Aliens - General 3000

Household Responsibilities 3010

K-TAP Sponsored Alien Information 3050

Deeming Sponsor's Income 3060

Verification of Sponsored Alien Information 3070

SSI Households - SSA Applications 3100-3159

SNAP Applications by the SSA Office 3100

Expedited Services/SSA SNAP Applications 3110

Eligibility Determination for SNAP Applications from SSA 3120

Categorical Eligibility 3160-3199

Categorical Eligibility 3160

Verification at Application 3175

Simplified Assistance for the Elderly 3200-3399

Simplified Assistance for the Elderly – Overview 3200

SAFE Eligibility 3210

SAFE Allotments 3220

SAFE Application Procedures 3230

Verification Requirements 3250

Change Report Requirements for SAFE 3260

Monthly SDX Match for SAFE 3275

SAFE Recertification Processing 3280

Denial and Discontinuance Reasons 3285

TECHNICAL ELIGIBILITY 3500-3899

Residency 3500-3599

Residency 3500

Enumeration 3600-3699

Enumeration Requirements for the SNAP 3600

Failure to Comply With Enumeration Requirement 3610

SSN Applications 3620

Good Cause Criteria 3630

Use of the SSN 3640

Representatives 3800-3899

Representative Requirements 3800

Allowed Representatives 3810

Non-Allowed Representatives 3820

Emergency Representatives 3830

Representatives for Treatment Center Participants 3840

Representative Liability for Overissuances 3850

Disqualification of Representative 3860

TECHNICAL FINANCIAL ELIGIBILITY 5000-5999

Resources 5000-5199

Resource Maximums 5000

Resources - Self-Employed 5010

Transfer of Resources - Allowable 5020

Transfer of Resources - Disqualification 5030

Resources - Excluded 5040

Countable Resources 5050

Resources Which May or May Not be Counted 5060

Income 5200-5299

Income Eligibility Scale 5200

Excluded Income 5210

Countable Income 5220

Farm/Self-Employment Income 5300-5399

Types of Self-Employment Income 5300

Special Considerations 5310

Boarders 5315

Business Expenses 5320

Budgeting-Nonfarm Income 5330

Budgeting-Farm Income 5340

Farm Income Net Loss 5350

Deductions 5400-5599

Deductions - General 5400

Members Eligible for Medical Deduction 5410

Medical Deductions - General 5420

Allowable Medical Deductions 5430

Disallowable Medical Deductions 5440

Dependent Care Deduction 5450

Allowable Shelter Deductions 5470

Disallowable Shelter Costs 5480

Treatment of Homeless Households with Shelter Costs 5485

Heating and Cooling Costs/Standard Utility Allowance 5490

Non-heating/Non-cooling Costs/Basic Utility Allowance 5498

Treatment of Utility Expenses 5500

Child Support Deduction 5510

Special Considerations for Specific Households 5520

Determining Eligibility 5600-5799

Determining Eligibility and Allotment 5600

Month of Application or Recertification 5610

Eligibility Months 5620

Budgeting Income 5650

Converting Income 5660

Budgeting Deductions 5670

Determining Household Size and Composition 5680

Calculating Allotment 5800-5899

Calculation of Allotment 5800

Special Procedures for Calculation 5810

Rounding 5820

CERTIFICATION PROCESS 6000-7499

Overview of Certification Process 6000-6099

Initial Contact - Responsibilities 6000

Household Classification 6010

Caseworker Responsibilities 6020

Filing Application/Recertification 6100-6199

Filing an Application 6100

Taking the Application 6102

Who Signs the Application 6103

Withdrawal of Application 6120

Interview Time Standards 6210-6220

Recertification Interviews 6210

Interviews for Working Recipients 6220

Interviewing 6300-6399

Requirement for Interview 6300

Types of Interviews 6310

Scope of the Interview 6320

Criteria for Out-of-Office Interview 6330

Conducting Out-of-Office Interview 6340

Application Time Standards 6400-6499

Overview of Application Time Standards 6400

Verification Time Standards at Application and Recertification 6410

Issuance Time Standards at Application 6420

Expedited Services Criteria 6430

Special Issuance Timeframes for Expedited Services 6450

Assigning Certification Periods for Expedited Services 6460

Delays in Processing 6470

Reinstatement 6475

SNAP Interim Review Overview 6480

SNAP Interim Review Processing 6485

SNAP Interim Review Verification Requirements 6490

Recertification Time Standards 6500-6599

Overview of Recertification Time Standards 6500

Verification Time Standards at Recertification 6520

Change Reported Prior to Processing Recertification 6525

Issuance Time Standards at Recertification 6530

Failure to Complete Recertification 6540

Assigning Certification Periods 6600-6699

Assigning Certification Periods 6600

Reporting Changes 6700-6899

Simplified Reporting Households 6705

Simplified Reporting – Acting on Changes 6707

Reporting Requirements & Entering Changes for Pending Applications 6710

Household Change Reporting Form 6720

Failure to Report Changes 6730

Head-of-Household Change 6732

Worker Requirements for Acting on Changes in Medical Expenses 6735

Worker Requirements for Acting on Changes in Fleeing Felon Status 6737

Worker Requirements for Acting on All Other Changes 6740

System Action on SNAP Changes with Missing Verification 6745

Acting on Changes Which Increase Benefits 6750

Acting on Changes Which Decrease Benefits 6760

Acting on Change of Address 6765

Providing Supplementals 6770

Overview of PA Changes Affecting SNAP Cases 6780

SNAP Restorations 6790

Verification 7000-7199

Required Verification at Application 7000

Expedited Verification 7010

Verification of Questionable Information 7020

Required Verification at Recertification 7030

Verification of Changes 7040

Sources of Verification 7050

Household Cooperation 7060

Household Failure to Cooperate 7070

Method of Providing Verification 7090

Worker Responsibility for Verification 7100

Timely Notice of Decrease, Discontinuance _____ 7110

Exceptions to Timely Notice Period – SNAP 7115

Case Record 7200-7499

Disclosure of Information – SNAP 7200

Case Record Content 7450

SNAP Case Documentation 7475

Management Evaluation (ME) 7500-7699

Management Evaluation/Program Access Reviews – Purpose ____7500

Corrective Action Plan (CAP) 7600

ELECTRONIC BENEFIT TRANSFER 8000-8299

Supplemental Nutrition Assistance Program
Table of Contents R. 4/1/19

General Procedure 8000-8099

Manual Voucher Transaction 8050

Issuance 8100-8199

Issuance Cycle 8100

Replacements 8200-8299

Authorizing Replacements due to a Move from Out-of-State 8210

Authorizing Replacements Due to a Casualty Loss 8220

SPECIAL PROCEDURES 9000-9499

FNS Declared Disaster 9000-9100

Disaster - General 9000

DSNAP Eligibility 9005

DSNAP Income Limits 9010

DSNAP Allotment 9015

DSNAP Caseworker Responsibilities 9020

Dual Participation 9025

DSNAP Fair Hearings 9030

DSNAP Electronic Benefit Transfer (EBT) Issuance 9035

DSNAP EBT Card Security 9040

MS 2000 DEFINITIONS (1)

ACTIVE CASE: A household which was certified for and received SNAP benefits during the month.

ADEQUATE NOTICE: A written notice that includes:

- A statement of the action the agency has taken or intends to take;
- The reason for the intended action;
- The household's right to request a fair hearing;
- The name of the person to contact for additional information;
- The availability of continued benefits; and
- The liability of the household for any overissuance received while awaiting a fair hearing if the hearing official's decision is adverse to the household.

  This notice must be received no later than when the reduced benefits are received. If benefits are terminated, the notice must be received at the time benefits would have been received if they had not been terminated. Participants are allowed 10 calendar days from the mailing date of the notice to request a hearing and continuation of benefits. If the 10-day period ends on a weekend or a holiday and a request is received the day after the weekend or holiday, consider the request to be timely.

ADULT: Any individual aged 18 or over, or an emancipated child under the age of 18.

ALLOTMENT: The total value of SNAP benefits a household is authorized to receive.

APPLICATION FORM: The form signed by a household member or the household's representative to apply for SNAP benefits.

AUTHORIZED REPRESENTATIVE: A person or persons designated in writing by the head of the household, spouse or other responsible member of the household to act on behalf of the household in applying for, obtaining and using the SNAP benefits. The representative can complete work registration for those household members required to register for work. The household has the option of selecting one representative to apply for program benefits, and another to obtain and use the SNAP benefits (EBT representative), or one to perform both functions.

BOARDER: An individual(s) residing with a household and paying reasonable compensation to the household for lodging and meals or residing in a commercial boarding house.

BOARDING HOUSE: An establishment licensed as a commercial enterprise which offers meals and lodging for payment. In areas without licensing requirements, a boarding house is a commercial establishment which offers meals and lodging for payment with the intent of making a profit. The number of boarders residing in a

boarding house is not used to determine if a boarding house is a commercial enterprise. The household of the operator of a boarding house may participate in the program separate and apart from the residents of a boarding house if that household meets all other eligibility requirements.

CAFETERIA PLAN: Under some pay/benefit plans, an employee may choose to have the employer withhold money from wages to pay expenses such as child care, medical expenses, etc. If the benefit plan involves money owed the recipient, it is countable income. As each cafeteria plan is unique, it must be reviewed thoroughly to determine if the funds would otherwise be available to the household.

CALL SERVICES WORKER: This job function answers the 855 number and the goal is to resolve the concern or request on the first call whenever possible. This job function may include application and recertification phone interviews, resolving complaints, providing information or answering questions, processing case changes, etc.

CAPITAL GAIN: Profit resulting from the sale of capital investments such as stocks, real estate, etc.

CLIENT INTAKE WORKER: This job function includes more than one role and may be completed by one or more staff depending on the size of the local office and foot traffic. Roles of the client intake worker include routing clients who come in to the local office to complete "Recertification/Application" to the appropriate worker and provide "Case Support." When clients walk into the office the intake worker reviews the client's information to determine appropriate next steps and assigns the client to Eligibility and Enrollment, or Adult Medicaid or KWP worker. The Case Support function for the intake worker includes: answering questions; providing information about services or processes; scanning documents and assign to support services.

COLLATERAL CONTACT: A verbal or written confirmation of a household's circumstances by a person outside of the household.

COMMUNAL DINING FACILITY: One of the following:

- A public or nonprofit private establishment approved by Food and Nutrition Services (FNS) which prepares and serves meals for elderly persons or for SSI recipients and their spouses;

- A public or private nonprofit establishment (eating or otherwise) that feeds elderly persons or SSI recipients and their spouses;

- Federally subsidized housing for the elderly where meals are prepared for and served to the residents; and

- Private establishments that contract with a State or local agency to offer meals at concessional prices to elderly persons or SSI recipients and their spouses.

DATE OF ADMISSION: The date established by the U.S. Citizenship and Immigration Services (USCIS) as the date a sponsored alien is admitted for permanent residence into the United States.

DISABLED: An individual determined eligible for or receives the following benefits. This includes instances in which the entire benefit is recouped to recover an overpayment.

A. SSI or presumptive SSI under Title XVI of the Social Security Act or disability/blindness payments under Titles I, II, X, XIV or XVI of the Social Security Act. A description of these titles is as follows:

   1. Title I - Old-Age and Medical Assistance for the Aged;

   2. Title II - Federal Old-Age, Survivors and Disability Insurance Benefits;

   3. Title X - Aid to the Blind;

   4. Title XIV - Aid to the Permanently and Totally Disabled;

   5. Title XVI - Aid to the Aged, Blind or Disabled or for such Aid and Medical Assistance for the Aged;

B. State Supplementation;

C. Disability retirement benefits from a Federal, State or local governmental agency because of a disability considered permanent under Section 221(i) of the Social Security Act. This includes Federal Employees Compensation Act (FECA) payments an individual elects to receive in place of Civil Service Retirement (CSR) benefits. This does not include FECA payments received pending a determination of eligibility for Civil Service disability;

D. Annuity payments under:

   1. Section 2(a)(1)(iv) of the Railroad Retirement Act of 1974 AND is determined to qualify for Medicare by the Railroad Retirement Board; or

   2. Section 2(a)(i)(v) of the Railroad Retirement Act of 1974 AND is disabled based upon the criteria used under Title XVI of the Social Security Act;

E. A veteran with a service connected or nonservice connected disability rated by the Veteran's Administration (VA) or paid as total (100%) by the VA under Title 38 of the United States Code;

F. A veteran considered by the VA to be in need of regular aid and attendance or permanently housebound under Title 38 of the United States Code;

G. A surviving spouse of a veteran considered by the VA to be in need of regular aid and attendance or permanently housebound or a surviving child of a veteran and considered by the VA to be permanently incapable of self-support under Title 38; or

H. A surviving spouse or child of a veteran considered by the VA to be entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under Title 38 who has a disability considered

permanent under Section 221(i) of the Social Security Act. Disabilities considered permanent under the Social Security Act include:

1. Permanent loss of use of both hands, both feet, or one hand and one foot.

2. Amputation of leg at hip.

3. Amputation of leg or foot because of diabetes mellitus or peripheral vascular diseases.

4. Total deafness, not correctable by surgery or hearing aid.

5. Statutory blindness, except if due to cataracts or detached retina.

6. IQ 59 or less, established after attaining age 16.

7. Spinal cord or nerve root lesions resulting in paraplegia or quadriplegia.

8. Multiple sclerosis in which there is damage of the nervous system because of scattered areas of inflammation which recurs and has progressed to varied interference with the function of the nervous system, including severe muscle weakness, paralysis, and vision and speech defects.

9. Muscular dystrophy with irreversible wasting of the muscles with a significant effect on the ability to use the arms and/or legs.

10. Impaired renal function due to chronic renal disease (documented by persistent adverse objective findings) resulting in severely reduced function which may require dialysis or kidney transplant.

11. Amputation of a limb, current age 55 or older.

I. Disability related medical assistance under Title XIX of the Social Security including a determination by the Medical Review Team (MRT) that the person is disabled. A KTAP incapacity determination is not evidence of disability for this reason.

DOCUMENTATION: An explanation maintained in the case record of the household's circumstances. The documentation must be in sufficient detail to support the accuracy of any case determination.

DRUG ADDICTION OR ALCOHOLIC TREATMENT AND REHABILITATION PROGRAM: Any drug addiction or alcoholic treatment and rehabilitation program conducted by a public agency pursuant to Part B of Title XIX of the Public Health Service Act, or a private nonprofit organization or institution which is certified by the State agency or agencies designated by the Governor as responsible for the administration of the State's programs for alcoholics and drug addicts pursuant to P.L. 91-616, Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1970 and P.L. 92-255, Drug Abuse Office and Treatment and Rehabilitation Act of 1972 as providing treatment that can lead to the rehabilitation of drug addicts or alcoholics. Please refer to MS 2600.

ELDERLY: An individual age 60 or older. If a member is 59 years of age at the time of application but will turn 60 before the end of the month of application, consider that member elderly.

ELECTRONIC INCOME VERIFICATION (EIV): A method of verifying income through the transmission of information by various electronic systems.

ELIGIBLE FOOD: Any of the following:

- Food or a food product intended for human consumption including bottled water. Alcoholic beverages including "non-alcoholic" beer, tobacco and hot food products prepared for immediate consumption do not fall within this definition;
- Seeds and plants to grow foods for the personal consumption of eligible households;
- Meals prepared and delivered by an authorized meal delivery service to households eligible to use SNAP benefits to purchase delivered meals;
- Meals served to households eligible to use benefits for communal dining, by an authorized communal dining facility for the elderly, SSI households or both;
- Meals prepared and served by a drug addiction or alcoholic treatment and rehabilitation center to eligible households;
- Meals prepared and served by a certified public or private nonprofit group living arrangement facility to residents who are blind, aged or disabled and meet the definition of "Disabled";
- Meals prepared by and served by a shelter for battered women and children to its eligible residents; and
- Meals prepared and served by a public or private, nonprofit establishment, that feeds homeless individuals, e.g., soup kitchen, shelter for homeless, and which is approved by FNS and the appropriate state or local agency.

ENROLLMENT & ELIGIBILITY WORKER: This job function completes in-person application/recertification interviews for assigned programs; including processing and disposing applications during the interview when all verification is provided and no additional actions are needed, such as a supervisor case review.

ENTITLEMENT: The amount of SNAP benefits the household would receive if one or more members disqualified for an Intentional Program Violation were included in the calculation of benefits.

FLEEING FELON: An individual convicted of Federal aggravated sexual abuse, murder, sexual exploitation and abuse of children, sexual assault or similar State laws **AND** who are not in compliance with the terms of their sentence **OR** parole.

FLEXIBLE BENEFITS: Under some pay/benefit plans, an employer awards the employee fringe benefits. This is usually an employer paid benefit and in most cases

is not monetary, such as a point system redeemable for merchandise. These are not considered countable income, unless determined to be wages owed to the employee.

FLUCTUATING INCOME: Pay amounts differ every pay period.

GENERAL ASSISTANCE (GA): Cash assistance which is financed by State or local funds. KENTUCKY DOES NOT PROVIDE GA PAYMENTS.

GROUP LIVING ARRANGEMENT: A public or private nonprofit residential setting that serves no more than sixteen residents and is certified by the State under regulations issued under Section 1616(e) of the Social Security Act or under standards determined to be comparable to the standards implemented by appropriate state agencies under Section 1616(e) of the Social Security Act. To be eligible for SNAP benefits, a resident of a group living arrangement must be blind, aged or disabled and meet the definition of "Disabled" contained in this section.

HEAD-OF-HOUSEHOLD: The person in whose name application is made for participation in the Program.

HOMELESS INDIVIDUAL: A homeless individual is one who:

A. Lacks a fixed and regular nighttime residence; or

B. Has a primary nighttime residence that is:

   1. A supervised shelter designed to provide temporary living accommodations; or

   2. An institution that provides a temporary residence for individuals intended to be institutionalized; or

   3. A temporary accommodation of less than 90 days in the residence of another individual; or

   4. A place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, such as a tent, box, car, etc.

HOMELESS MEAL PROVIDER: A nonprofit establishment authorized to prepare and serve meals to homeless individuals (e.g., soup kitchen, shelters for homeless).

INCOME ELIGIBILITY VERIFICATION SYSTEM (IEVS): A system of information sharing through various computer matches for purposes of income and eligibility verification.

[INDIGENT ALIEN: An indigent alien is an alien that the agency has determined as being unable to obtain food and shelter, taking into account the alien's own income plus any cash, food, housing or other assistance provided by other individuals, including the sponsor(s). This means that the sum of the eligible sponsored aliens' households own income, the cash contribution of the sponsor and others and the value of any in-kind assistance the sponsor and others provide do not exceed 200% of the poverty level guidelines for the household's size.**]**

INSTITUTION OF HIGHER EDUCATION: A business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment in the curriculum, or a college or university that offers degree programs regardless of whether a high school diploma is required. A college includes a junior, community, two-year or four-year college or a university.

INTENTIONAL PROGRAM VIOLATION: Any of the following intentional actions by a household member:

- Making a false or misleading statement;
- Misrepresenting, concealing or withholding facts; or
- Committing any act that constitutes a violation of the Food and Nutrition Act of 2008, federal or state SNAP regulations or any state statute relating to the use, presentation, transfer, acquisition, receipt or possession of SNAP benefits.

IRREGULAR INCOME: An amount which is not received on a consistent basis. The amount may be stable or vary but receipt every pay period is uncertain. There may be some pay periods where no income is received.

MEAL DELIVERY SERVICE: A private nonprofit organization or a private establishment with which a State or local agency has contracted for the preparation and delivery of meals at concessional prices to elderly persons and their spouses and to disabled persons and their spouses who are unable to adequately prepare all of their meals.

MEANS-TESTED: An applicant's financial circumstances are considered in determining eligibility and/or benefit level. Examples of means-tested programs are KTAP, SSI, publicly funded housing (HUD) and educational payments that are counted as income. If the income is not countable for SNAP benefits purposes, the question of whether it is means-tested is not considered.

MIGRANTS: A farm worker who is traveling away from home on a regular basis, seeking employment in an agriculturally-related activity. A migrant household is a household traveling for this purpose.

OVERISSUANCE: The amount of SNAP benefits which exceeds the amount the household was eligible to receive.

PHYSICIAN: A practitioner of medicine who is authorized or licensed to treat diseases. A chiropractor who is licensed by the Kentucky State Board of Chiropractic Examiners is recognized as a licensed practitioner who can diagnose and treat diseases or disorders that are within his/her realm of expertise.

POST-SECONDARY SCHOOLS: Includes vocational/technical schools, even those not requiring a high school diploma or GED if these institutions are recognized by the State to provide an educational program beyond secondary education, all colleges and universities and all programs providing training to prepare the individual for gainful employment including correspondence schools and programs for the physically/mentally disabled at any level.

PRIMARY WAGE EARNER: The household member with the primary source of earned income in the past two months. Households containing adult parents of children must be given the option of selecting the primary wage earner, rather than having this designation made based on earnings history.

PUBLIC ASSISTANCE (PA): Any household in which all members have been approved for a KTAP grant or State Supplementation benefit whether or not the first payment is received in the month of approval.

QUALIFIED ALIEN: An alien who meets eligibility requirements specified in MS 2900.

QUALITY CONTROL REVIEW: A review of a case to determine if a household is receiving the food benefits to which they are entitled and to ensure that benefits are not incorrectly denied or terminated.

RECOGNIZED CHEMICAL DEPENDENCY TREATMENT PROGRAM: is defined as "A program which provides treatment that leads to the rehabilitation of drug addicts and/or alcoholics."

RESIDENTS OF INSTITUTIONS: Individuals who are residents of an institution which provides, 2 or more meals daily, as a part of the institution's normal services. Residents of institutions include students with meal tickets who reside in dormitories, fraternities, and/or sororities, and spouses who reside in spouse abuse centers where the majority of meals are provided. On campus includes any university sponsored housing where meals are provided. The facility does not have to be physically located on campus.

RESOURCES: Available money, or other assets.

ROOMER: An individual to whom a household furnishes lodging but not meals.

SEASONAL FARMWORKER: A person employed in agricultural work, temporary in nature, and not required to be absent from home overnight.

SELF-EMPLOYMENT INCOME: Income from which NO taxes are withheld PRIOR to receipt of income by the individual.

SHELTER FOR BATTERED INDIVIDUALS AND CHILDREN: A nonprofit residential facility that serves battered individuals and their children. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered individuals and children.

SIGNIFICANT OWNERSHIP INTEREST: An ownership interest of 5 percent or more in a for-profit entity that filed an immigrant visa petition to give a prospective employee immigrant status.

SPONSOR: A person who is either eligible to execute or has executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's entry as a permanent resident into the United States. Sponsors must be an individual and not a corporation or other entity.

SPONSORED IMMIGRANT: An alien lawfully admitted for permanent residence in the United States in whose behalf a sponsor executed an affidavit of support or similar agreement, including any spouse or child who will accompany or follow-to-join the beneficiary of an immigrant visa petition.

SPOUSE: Either of two individuals:

1. Who are defined as married to each other under applicable State law. or

2. Who live together and represent themselves as husband and wife to the community, which includes relatives, friends, neighbors, or tradespeople.

STABLE INCOME: The same amount received every pay period.

STRIKER: Anyone involved in a strike or concerted stoppage of work by employees, including a stoppage by reason of the expiration of a collective bargaining agreement and any concerted slowdown or interruption of operations by employees.

STUDENT: Any person who is aged 18 through 49, physically and mentally fit, and enrolled at least half-time in an institution of higher education. See definition of Institution of Higher Education.

SUPPLEMENTAL SECURITY INCOME (SSI): Monthly cash payments made under the authority of:

- Title XVI of the Social Security Act, as amended, to the aged, blind, and disabled;

- Section 1616 (a) of the Social Security Act; or

- Section 212 (a) of Public Law 93-66.

SUPPORT SERVICES WORKER: This job function will handle all items received via mail, fax or electronic means, and process documents as appropriate. Additional functions include scanning/indexing/attaching documents in ECF, mailing Request For Information and other application or recertification documents generated from Call Services, and processing cases.

SUPPORTIVE SERVICES: Services provided to KTAP recipients participating in the Kentucky Works Program (KWP). Supportive services payments are authorized for transportation expenses and other items or services needed by the participant.

THRIFTY FOOD PLAN: SNAP benefits levels are based on the "Thrifty Food Plan" (TFP). The TFP is a low cost diet and is revised October 1 of each year.

TRANSITIONAL HOUSING: Housing to encourage the movement of homeless individuals or families to independent living within a reasonable amount of time, as determined by the Secretary of Housing and Urban Development (HUD). Transitional housing includes housing primarily designed to serve formerly institutionalized homeless individuals, homeless individuals with mental disabilities, and homeless families with children.

UNDERISSUANCE: The amount of SNAP benefits issued to a household which was less than the amount it was eligible to receive.

VERIFICATION: The use of third party information or documentation to establish the validity of statements provided by the household.

Eligible households may use their benefits to purchase eligible food items in stores that are authorized by the USDA, Food and Nutrition Service (FNS) to accept benefits.

A. Federal law does not allow sales tax to be charged on food purchased with SNAP benefits.

1. For items purchased with a combination of SNAP benefits and cash, sales tax can only be charged on the taxable items purchased with cash.

2. All complaints from participants on sales tax being charged on taxable items purchased with SNAP benefits should be reported to:

   The Kentucky Revenue Cabinet
   P.O. Box 181, Attn: Station 53
   Frankfort, KY 40602

3. Complaints should include the name and address of the grocer; items on which sales tax was charged; and, if available, attach a copy of sales receipt.

4. Clients having a complaint do not have to reveal their name or address.

B. The following items can be purchased with SNAP benefits:

   1. Food products intended for human consumption;

   2. Seeds or plants to grow food intended for human consumption by the household; and

   3. Nonalcoholic beverages.

C. The following items cannot be purchased with SNAP benefits:

   1. Alcoholic beverages, including "non-alcoholic" beer;

   2. Household products such as soap, paper products, cleaning utensils;

   3. **[**Hot foods (such as cooked food from a grocery store deli) or food products prepared for immediate consumption, except as provided in MS 2004;**]**

   4. Tobacco products; and

   5. Any other nonfood products.

D. SNAP benefits on the EBT card cannot be used to pay on credit accounts; this includes accounts where retailors have allowed recipients to charge eligible food purchases.

MS 2004 SPECIAL USES

Prepared meals may be purchased with food benefits in the following instances:

A. COMMUNAL DINING. Eligible household members who are age 60 or over, or SSI recipients and the spouses of these members may use benefits to purchase meals prepared especially for them at communal dining facilities authorized by FNS for that purpose. Communal dining facilities include private establishments, such as a church, which do not normally serve food.

B. MEALS ON WHEELS. Eligible household members who are age 60 or over or who are housebound, physically disabled or otherwise unable to adequately prepare all their meals may use benefits to purchase meals from a nonprofit meal delivery service authorized by FNS. Spouses, regardless of age or disability, are eligible to participate in this program.

C. COOPERATIVES. Benefits may be used to purchase food at any private nonprofit cooperative food-purchasing venture, including those whose members pay for food prior to its receipt.

D. ADDICT/ALCOHOLIC TREATMENT PROGRAMS, including addict/alcoholic treatment centers run by a community health organization.

E. GROUP LIVING ARRANGEMENT.

F. SPOUSE ABUSE CENTER RESIDENTS.

MS 2006 VOLUNTEERS

[Volunteers or other persons not employed by the Department may be involved in certification related activities; however they do not conduct certification interviews or certify applicant households. Activities of these volunteers include the following:]

A. Teaching nutrition;

B. Transporting clients to certification and issuance offices;

C. Assisting in completion of required eligibility forms;

D. Assisting in securing necessary verification; and

E. Acting as representatives.

[No persons or organizations who are parties to a strike or lockout are used in any certification related activity. An employee of the Department for Community Based Services whose spouse is a party to a strike is not included in this restriction.

These individuals may be used as a source of verification for information provided by applicant households if they would, under normal circumstances, be in the best position to confirm a household's circumstances. The facilities of persons or organizations who are parties to a strike or lockout are not used in the certification process or as a site for the certification interview.]

MS 2010 RELATIVES AS A SEPARATE HOUSEHOLD (1)

A. The following individuals living together **must** be certified as one household regardless of whether they customarily purchase and prepare food separate and apart from each other.

1. The spouse (as defined in MS 2000) of any household member;

   [For example: Boyfriend and girlfriend are living together and representing themselves as spouses to the community, which includes relatives, friends, neighbors, or tradespeople. They must be certified as one household.**]**

2. Parents living with their natural, adopted, or stepchildren who are age 21 or younger (including ex-stepchildren, as divorce does not sever stepparent relationship). Biological blood ties are severed when a child is legally adopted for SNAP benefit purposes. For example, a child lives in the home with a natural parent and an adoptive parent. The child must be included in the case with the adoptive parent if the parents are applying as separate households. However, guardianship does not override a parent's natural relationship; and

3. Children, other than foster children, under 18 who are under the parental control of an adult household member.

NOTE: In situations where a parent moves into a household that contains a child and a nonparental adult, who has custody of said child, the SNAP case must include the parent, child, and nonparental adult, along with anyone else with whom they purchase and prepare meals. The parent and child must be in the same SNAP case, as this is a requirement for any parent living with their child age 21 or younger. Since the nonparental adult has custody of the child and the child is under that adult's parental control, until the child moves out or the custody has been severed, the nonparental adult must also be included in the same SNAP case.

Separate entrances to a home have no bearing on household composition; there must be a clear separation of living units; for example, a duplex is considered separate dwellings/living units.

B. The following relatives may be granted separate household status if they meet all other eligibility criteria and purchase food and prepare meals separately from the others.

1. Adult children age 22 or older, living with their parents; and

2. Siblings, regardless of age, who are not living with their parents.

3. A person who is too disabled to purchase his or her own food, but who has arranged to have the food purchased and prepared separately from those with whom he or she lives, may qualify for separate household status. The disabled person may claim separate household status even if

the person who shops for food or prepares meals resides with the disabled person.

If questionable, require the household member to verify separate household status.

C. If a household containing elderly and disabled relatives, who purchase and prepare their meals together, is requesting separate household status, see MS 2020.

D. If an applicant does not meet the criteria above, all household members must be included on the case.

MS 2020 SPECIAL PROVISION (1)
FOR THE ELDERLY AND DISABLED

For SNAP purposes, a household is an individual or group of individuals who live together and who customarily purchase and prepare food together. The members of a household may be related or unrelated. Any individual or a group of individuals who purchase and prepare food together are considered as one household unless an elderly individual, whether related or unrelated, is unable to purchase and prepare meals separately because of a disability. If an individual states he/she falls into this category, that individual and his/her spouse can be certified as a separate household if all of the following apply:

A. The individual is age 60 or over; and

B. The individual has a disability considered permanent under the Social Security Act or suffers from a non-disease-related, severe, permanent disability as outlined in MS 2000; and

C. The countable gross income of all others living with the individual, excluding the income of the elderly and disabled individual's spouse, is less than or equal to 165% of the net monthly income eligibility standard.

[Income information for the other individuals who reside with the elderly and disabled applicant(s) in the case is requested; however, the income is not used to calculate the allotment for the elderly and disabled applicant(s), but is used to determine whether the elderly or disabled household is eligible to receive benefits separately. If the income of the other individuals is greater than the 165% limit, all individuals must be included in one household.]

MS 2030 EMANCIPATED CHILD

[If a child under age 18, other than the natural, adoptive, or stepchild of a household member, is not under the control of a household member, the child can be certified as a separate food benefits household if the household is eligible for separate household status and if one of the following apply:]

A. The child has income sufficient to meet his/her needs; or

B. The child has moved into the household due to his/her divorce or separation.

MS 2040 IRREGULAR HOUSEHOLD MEMBERS (1)

[Treat households containing a family member, other than a spouse, who is in and out of the home due to the nature of their employment, vacation, or hospital confinement, in the following manner:

A. Establish as head-of-household a household member other than the family member who is in and out of the home on a predetermined cycle. In situations where it cannot be determined whether an irregular member can be claimed by the household, make the determination based on where the individual takes the majority of their meals.]

If a child involved in a joint custody arrangement receives an equal number of meals from each parent's household, the parents must decide which household will apply for SNAP benefits for the child. If an agreement between the parents cannot be made, the child will be included in the household that applies first. If a parent is receiving child support from a nonhousehold member for the child, that income would be considered as countable income.

B. [Establish that the family member engaged in out-of-town employment is in the home sometime during the month before considering them in the household for that month.]

C. [Establish the amount of income provided to the household by the family member while not a part of the household and consider this amount as income to the household.

Consider a spouse who is temporarily out of the home due to a factor such as employment, hospitalization, or school attendance as a household member if the spouse has not established another residence and is in the household or is expected to be in the household sometime during the month. Handle spouses who are irregular household members as follows:]

A. Consider the spouse as a household member in determining the household's food benefit allotment amount;

B. Consider the spouse's income available in its entirety to the household; and

C. Consider deductible expenses incurred by the spouse while absent from the household along with all other deductible expenses.

MS 2060 NONHOUSEHOLD MEMBERS (1)

The following individuals are considered non household members when determining household composition:

A. Roomers;

B. Live-in attendants;

C. Ineligible students, including a related member;

D. Boarders, if the household does not request their inclusion.

E. Unrelated individuals who live together but who do not customarily purchase and prepare food together.

F. Foster care children/adults, if the household does not request their inclusion.

Related individuals cannot be considered non household members except under the provisions of MS 2010.

[Household size and composition must be verified at every application, reapplication, recertification, reported change in composition and/or address, and whenever the information provided by the household is questionable. Client Statement is accepted as verification of a change in household composition reported on an FS-2, UNLESS it is questionable.]

MS 2070

NONHOUSEHOLD MEMBERS AS A SEPARATE HOUSEHOLD

The following non household members can be certified as a SNAP household:

A. Roomers;

B. Live-in attendants; and

C. Unrelated individuals who live together but who do not purchase and prepare food together.

[The relationship of non-members should be thoroughly explored and documented.]

MS 2080 INELIGIBLE MEMBERS

[The following individuals are ineligible to participate in the Supplemental Nutrition Assistance Program (SNAP):

A. Boarders. Foster care children/adults excluded at the request of the SNAP applicant; except foster care adults who are residents of a group home. See MS 2700.

B. Residents of institutions, except as provided in MS 2090;

C. Strikers, unless the household was eligible for benefits the day prior to the strike and the household is eligible at the time of application;

D. Excluded household members as outlined in MS 2100; and

E. Ineligible students.]

MS 2090 RESIDENTS OF INSTITUTIONS

[Only the following residents of institutions can participate in the Supplemental Nutrition Assistance Program (SNAP):]

A. Residents of federally subsidized housing for the elderly.

B. Narcotics addicts or alcoholics and their children who reside at a facility or treatment center for the purpose of regular participation in a drug or alcohol treatment and rehabilitation program which meets the criteria specified in MS 2600.

C. Blind, aged or disabled individuals who meet the definition of "Disabled" and who are residents of a group living arrangement.

D. Women or women with their children temporarily residing in a shelter for battered women and children.

E. Residents of temporary shelters for the homeless.

F. Applications received from the Social Security Administration (SSA) for SSI applicants who are residents of institutions. The application is held for processing until the SSA advises the local office of a release date. (Refer to MS 3155 for details.)

G. Residents of dormitories or other on-campus housing who do not have meal tickets.

MS 2100 EXCLUDED MEMBERS

[Excluded members cannot participate in the Supplemental Nutrition Assistance Program (SNAP) as a separate household or as a member of any SNAP household. Refer to MS 5050, MS 5220, and MS 5520 for treatment of the resources, income and deductions for those individuals.]

The following are considered excluded household members:

A. Ineligible aliens;

B. Individuals currently disqualified for:

1. Refusing to provide or apply for a social security number;

2. Intentional program violation;

3. Failure to register for work;

4. Noncompliance with an employment and training requirement, including a KWP sanction;

5. Voluntary quit;

6. Fleeing to avoid prosecution, custody, or confinement for a crime that would be classified as a felony;

7. Fleeing to avoid prosecution or custody for an attempt to commit a crime that would be classified as a felony;

8. Violating the conditions of probation or parole under a Federal or State law; or

9. Committing and convicted of Federal or State felonies after 8/22/96, for possession, use, or distribution of illegal drugs unless the criteria in Vol. II, MS 2090 or Vol. II, MS 2350 is met.

MS 2200 BOARDERS – GENERAL (1)

Boarders are considered nonhousehold members. To be a boarder, the member must meet the following criteria:

A. The member must be making reasonable monthly payments as follows:

1. Payments made by boarders who receive an average of more than 2 meals a day from the household and who pay an amount EQUAL TO OR EXCEEDING the full monthly food benefits allotment for the appropriate size of the boarder household; or

2. Payments made by boarders who receive an average of 2 meals or LESS each day from the household and who pay an amount which EQUALS OR EXCEEDS TWO-THIRDS of the full monthly food benefits allotment for the appropriate size of the boarder household.

B. Foster care adults/children that are excluded by the household are considered boarders. The reasonable payment criteria are not applied and the entire foster care maintenance payment is excluded from consideration in benefits calculations.

C. The following relatives who live together, but do not purchase and prepare food together, may be boarders. These individuals must be making reasonable monthly payments, as defined above.

1. Children age 22 or older, living with their parents; and

2. Siblings who do not live with their parents. (If the sibling is under age 18 and is under the parental control of another sibling, he/she cannot be a boarder in the case of the sibling who assumes the parental role.)

D. The following cannot be a boarder:

1. Spouse of a household member;

2. Children under 18 years of age if under the control of a household member;

3. Individuals paying less than a reasonable monthly payment for meals;

4. Individuals furnished both meals and lodging by a household but contributing less than a reasonable monthly amount for meals; or

5. Parents living with their natural, adopted or step child(ren).

[E. Individuals who are coded as boarders in an active/pending case cannot apply separately for themselves.]

MS 2300 STUDENTS (1)

A. In order to be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP), students, as defined in MS 2000, must meet at least one of the following criteria:

1. Be employed and paid for an average of 20 hours per week OR 80 hours per month;

2. Be self-employed and working an average 20 hours per week or 80 hours per month and receive weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours per week or 80 hours per month (use gross amount of income to make this determination);

3. Participate in a State or Federally financed work study program during the regular school year. To qualify under this provision, the student must be approved for work study at the time of application for SNAP benefits, the work study must be approved for the school term, and the student must anticipate actually working during that time. The exemption begins with the month in which the school term begins or the month work study is approved, whichever is later. Once started, the exemption continues until the end of the month in which the school term ends, or it becomes known that the student has refused an assignment. The exemption does not continue between terms when there is a full month or longer break, unless the student participates in work study during the break;

4. Be responsible for the physical care of a dependent household member under age 6. Only one parent/stepparent per household can be responsible for the care of dependent household members under age 6. The parents must decide who has primary responsibility;

5. Be a single parent enrolled in an institution of higher education on a full-time basis, as determined by the institution, who is responsible for a dependent child under age 12, regardless of the availability of adequate child care. This provision applies where only one natural, adoptive, or stepparent, regardless of marital status, is in the same SNAP household as the child. “Regardless of marital status” means that the parent may be single (meaning never married), a widow or widower, separated, divorced, or married and living in a separate household from the other parent. If no natural, adoptive or stepparent is in the same SNAP household as the child, another full time student in the same SNAP household as the child may be eligible if he or she has parental control over the child and is not living with his or her spouse;

6. Be responsible for the care of a dependent household member who has reached age 6 but is under age 12 where it has been determined that adequate child care is not affordable or convenient to enable the individual to attend class AND satisfy the work requirements of item 1 of this section. The lack of adequate child care includes any case situation where abuse, neglect or safety of the child is in question. Only one parent/stepparent per household, can be responsible for the child between the ages 6 through 12. The parents must decide who has primary responsibility;

7. [Receive benefits from the KTAP program. This does not include WIN payments;

8. Be assigned to or placed in an institution of higher education through a program under the Workforce Innovation and Opportunity Act (WIOA), or in compliance with the requirements of another program operated by a State or local government, for the purpose of the Employment and Training Program (ETP). An appropriate State or local ETP is one that contains ETP components which are at least equivalent to the acceptable components of the SNAP ETP. Persons who voluntarily participate in one of these employment and training programs and are placed in an institution of higher education through or in compliance with the requirements of the program also qualify for the exemption;]

9. Be assigned to, or placed in, an institution of higher education through, or in compliance with, Section 236 of the Trade Act of 1974. This Act was passed to assist workers who have lost their jobs due to foreign trade. The provisions of the Trade Act are administered by the Office of Employment and Training (OET) through a program entitled Trade Adjustment Assistance (TAA). To receive assistance through TAA, a group of three or more fired or laid-off employees, the labor union, or company may petition OET for consideration. OET submits the request to the Department of Labor (DOL) for consideration. DOL is responsible for making the determination that the job loss was the result of foreign trade. If the request is approved by DOL, OET notifies the dislocated workers when to come to the local One-Stop Career Center to apply for the TAA program. Individuals with college credits will be placed into college; all others will be placed into a trade or vocational school.

NOTE: If a member is enrolled at least half time due to ETP placement or through TAA, they are not exempt from work registration.

B. Individuals who reside on campus and possess a meal ticket that provides over 50% of daily meals are not eligible for SNAP benefits. These individuals are considered to be living in an ineligible institution.

C. Students determined ineligible can become eligible for SNAP benefits as soon as one of the criteria listed in this section, item A, is met.

D. Participants in an on-the-job training program are not considered students during the time they are in training. They may be considered students during the period of time they are only attending classes. However, if they meet the student definition, they must meet one of the criteria in item A above, to be eligible for SNAP benefits.

E. [At the end of the school term if the student does not meet ongoing eligibility, it is the responsibility of the household to report this change.]

F. For determination of student financial eligibility, refer to MS 5650.

MS 2310 PERIOD OF STUDENT ENROLLMENT

Enrollment status begins on the first day of the school term of the institution of higher education. Enrollment continues through normal periods of class attendance, vacation, and recess, including summer recess, unless the student:

A. Graduates;

B. Is suspended or expelled;

C. Drops out; or

D. Does not intend to register for the next normal school term, excluding summer term.

MS 2320 INELIGIBLE STUDENTS

An ineligible student is considered an ineligible member. The remaining household members can participate, if otherwise eligible, whether they are a spouse, parent, child, or sibling of the ineligible student.

MS 2330 EXCEPTIONS TO STUDENT STATUS

The following persons ARE NOT considered students:

A. Persons 17 years of age or younger or 50 years of age or older;

B. Persons physically or mentally unfit;

C. [Persons participating in on-the-job training programs are exempt from student criteria during the time they are being trained by the employer; (Persons doing an apprenticeship that they are being paid to do are not considered students. For example, an individual enrolled in school to become an electrician completing an apprenticeship for which they are being paid would not be considered a student.)]

D. Persons attending school less than half-time as defined by the institution;

E. Persons enrolled full-time in schools and training programs which are not institutions of higher education;

F. Persons attending high school;

G. Refugees enrolled only in English as a second language (ESL) course(s) at institutions of higher education. A refugee taking ESL course(s) as part of a total program must meet one of the student provision requirements if he/she otherwise meets the definition of student.

MS 2350 CRIMINALS (1)

Individuals charged with or convicted of certain crimes are disqualified from receiving food benefits.

A. These crimes are:

1. Fleeing to avoid prosecution, custody, or confinement for a crime that would be classified as a felony. If the warrant is not being acted upon, then the individual would not be considered fleeing;

2. Fleeing to avoid prosecution or custody for an attempt to commit a crime that would be classified as a felony;

3. Violating the conditions of parole/probation under a Federal or State law. If a law enforcement agency does not intend to arrest an individual for probation or parole violations, within 30 days, the State Agency shall not determine the person as a fleeing felon, probation, or parole violator; and

4. After 8/22/96, individuals committing and convicted of a Federal or State felony for possession, use, or distribution of illegal drugs are disqualified from receiving SNAP benefits. If an individual's criminal record has been expunged, they are no longer considered a drug felon.

   A drug felony disqualification is permanent, unless the recipient meets one of the following requirements, provides verification of the circumstance, and is otherwise eligible for benefits.

   a. **[**The individual has been assessed as chemically dependent **and** is participating in, or has successfully completed a chemical dependency treatment program. If the individual is participating in a program and has not completed it, it must be verified at each recertification that they are still participating until they have completed the program.

      The individual must provide verification of **BOTH** the assessment as chemically dependent **AND** participation or completion of treatment. There is no requirement as to the order in which these must occur or that the assessment and treatment must be from the same program. The only requirement is that the assessment and treatment must have occurred after **the most recent conviction.** For example:

      EXAMPLE #1: Paul was convicted of a drug felony on 9/12/2000. He was assessed as chemically dependent on 10/1/2019 and began treatment on 10/5/2019. Paul is eligible if he meets all other criteria.

      EXAMPLE #2: Mark was convicted of a drug felony on 9/1/2000. He began treatment on 12/1/2019 but his assessment for this program was not completed until 1/15/2020. Mark is eligible if he meets all other criteria.

EXAMPLE #3: Shelia was convicted of a drug felony on 11/1/1998. She completed a treatment program while incarcerated on 12/1/1998 but she does not have verification of an assessment for that program. She does however have verification of an assessment from another treatment program. Shelia is eligible if she meets all other criteria.

EXAMPLE # 4: Marcy was convicted of a drug felony on 12/1/2008. She was assessed as chemically dependent on 1/1/2010 and completed a treatment program on 1/15/2020. She was convicted of a second drug felony on 3/17/2015. Marcy is not eligible until she has a second assessment and once again, completes or participates in a treatment program.

Sources of verification include, but are not limited to, a written statement or collateral contact with the program to verify that an assessment is required and was completed. As a last resort, once all means of obtaining primary documentary evidence from the program has been exhausted by both the client and the worker, the worker may verify via a collateral contact who is aware of the client's situation. This form of verification should ONLY be used in unusual circumstances and must be thoroughly documented in the case record.**]**

There are no restrictions on what type of assessment is required. Participants in programs such as Alcoholics Anonymous and Narcotics Anonymous make a self- declared assessment. This self-declared assessment is acceptable as this is the only type of assessment that these programs require. There are no criteria for who can verify the assessment. Whatever type of assessment the treatment provider chooses to use is acceptable; or

b. The individual is a resident of a drug/alcohol treatment center and meets the criteria specified in MS 2600. If the individual leaves the treatment center, a notice will be issued advising the individual that unless they meet another exception, a disqualification will be applied.

c. The individual is pregnant. The individual is eligible during pregnancy only and must provide verification of pregnancy and the expected due date. A notice will be generated the month prior to the due date advising the individual that unless they meet another exception, a disqualification will be applied.

B. Impose a disqualification when:

1. All four parts of the below four-part test are met to establish the person is a fleeing felon when an individual admits that he/she is a fleeing felon.

a. There is an outstanding felony warrant for the individual by a Federal, State, or local law enforcement agency and the underlying cause for the warrant is for committing or attempting to commit a crime that is a felony under the law of the place from which the individual is fleeing or a high misdemeanor under the law of New Jersey;

b. The individual is aware of, or should reasonably have been able to expect that, the felony warrant has already or would have been issued;

c. The individual has taken some action to avoid being arrested or jailed; and

d. The law enforcement agency is actively seeking and intends to enforce warrant.

2. After an individual admits that he/she is a probation or parole violator, it is the state's responsibility to verify this. Client statement cannot be used to disqualify the individual;

3. An investigator has verification of a drug felony conviction; or

4. Notified by staff in the Division of Family Support (DFS) that the individual is a fleeing felon.

   When notification is received from DFS that the individual is a fleeing felon, impose the disqualification immediately. Failure to do so will result in an overissuance and an agency error in the SNAP case.

   Pretrial diversion is not considered "conviction" of a felony.

C. The disqualification varies according to the offense:

Fleeing felons and parole/probation violators are disqualified until the condition stops. Once they are no longer fleeing, delete the disqualification.

If the individual states they are not a fleeing felon, and cannot provide proof from the law enforcement agency, contact the Claims Management Section at CHFS.DFS.Claims@ky.gov.

THE INDIVIDUAL IS NO LONGER FLEEING WHEN NOTIFICATION IS RECEIVED FROM CENTRAL OFFICE OR THE INDIVIDUAL PROVIDES PROOF OF STATUS FROM THE LAW ENFORCEMENT AGENCY.

MS 2370 NONCOMPLIANCE WITH OTHER PROGRAMS (1)

A. [When an individual fails to comply with requirements in some other programs they will be penalized in the Supplemental Nutrition Assistance Program (SNAP). This is to prevent an increase in SNAP benefits due to the decrease in the other program's benefits because of the non-compliance.

The following KTAP penalties will generate a disqualification:

1. Failure to cooperate with the Department of Child Support (DCS), resulting in a 25% reduction in the KTAP benefit;

2. Teen parent and no adult supervised setting;

3. 16 to 18 year old not in school; and

4. Cooperate with KWP. If the SNAP member is exempt work registration for any reason other than receipt of KTAP benefits, then a disqualification is imposed when the member fails to cooperate with KWP requirements.

B. When a SNAP allotment is reduced by 25%, only one 25% reduction is applied to the case, regardless of the number of members with a penalty. For KTAP cases that are being penalized because the individual failed to comply with a program requirement, consider the reduced KTAP amount in the SNAP income calculations. This policy only applies if the individual was certified for SNAP at the time the failure to perform the required action occurred. The system automatically applies penalties and disqualifications.

If there is a break in the household's SNAP participation, and a penalty was imposed prior to the break, then the penalty would still apply at re-application if the non-cooperation with the KTAP program is still occurring.

A non-cooperation disqualification does not apply when a disqualification is applied in a MA only case for not complying with MSE. See Vol IIA, MS 4350, for additional information on disqualifications.]

MS 2380 [CHILD SUPPORT DISQUALIFICATION OVERVIEW] (1)

[Individuals with $500 or more in child support arrearages are disqualified from receiving SNAP benefits. The individual is ineligible until he/she meets his/her monthly obligation amount on ALL court orders or is exempt as discussed in MS 2385. The Division of Child Support Enforcement (DCSE) determines when the disqualification should be imposed.

A. The KASES Non-Payment Delinquent report displays all individuals identified as delinquent by DCSE.

   Staff use this report to identify individuals who must be disqualified. An individual is disqualified by answering "Yes" to the question on the Non-Financial Questions screen that asks "Does any of the following apply to anyone in the household: refused a job, voluntarily quit a job, did not comply with other programs, UIB sanctioned or identified as delinquent with Child Support by CSE?"

B. The KASES Non-Payment Cured Individuals report displays all disqualified members of an active case that have become compliant as identified by DCSE.

   Staff use this report to cure a child support disqualification. The disqualification is cured by completing a case change to add the individual back to the SNAP EDG and end dating the disqualification.

   If an individual comes in prior to appearing on the cure report, the worker must explain the disqualification and inquire if the individual meets exemption criteria. Do not request or accept statements from local child support offices to cure an individual's disqualification. If the individual disputes the validity of the disqualification, email the Nutrition Program Assistance Section (NPAS) at CHFS.FoodBenefitsPolicy@ky.gov who will verify the circumstances with DCSE central office staff.

C. Upon receipt of a Notice of Administrative Hearing involving a child support disqualification, email the Nutrition Program Assistance Section (NPAS). Attach a copy of the scheduling order and any other applicable information. NPAS will notify DCSE central office staff who will attempt to resolve the issue prior to the hearing. If the issue is resolved, notification will be sent to withdraw the hearing request on Worker Portal. If the issue cannot be resolved prior to the hearing, NPAS will facilitate a DCSE representative to appear at the hearing, if needed.]

*MS 2385 CHILD SUPPORT DISQUALIFICATION EXEMPTIONS (1)

The child support disqualification does not apply to individuals who meet specific exemption criteria. Exemptions are determined by Family Support staff or Department for Child Support Enforcement (DCSE) staff. Individuals must have a verified exemption at application before the disqualification can be end-dated.

A. Exemption criteria determined and verified by Family Support:

1. Having a child under age 6 in the home;

2. Residing in a Drug or Alcohol Addiction (DAA) Treatment facility;

3. Participating in a drug treatment program;

4. Pregnant or in 90 days postpartum period; Or

5. Complying with the Employment and Training (E&T) Program, Kentucky Works Program (KWP) or another state or federally funded work program (this applies only after the individual has participated for 30 days);

B. Good Cause criteria determined and verified by Family Support:

1. Having a pending claim for Unemployment Insurance Benefits (UIB);

C. Good Cause criteria determined and verified by DCSE:

1. Temporary good cause for 30 days or less for a delinquency due to a job change (only applicable if individual pays support via wage garnishment), illness or recent incarceration.

D. If verification of an exemption or temporary good cause is provided, end date the disqualification and thoroughly document in case comments.

MS 2400 STRIKERS - INTRODUCTION

[A household containing a member on strike is ineligible to participate in the Supplemental Nutrition Assistance Program unless one of the following applies:

A. The household would have been eligible to participate in the program had an application been made the day prior to the strike; or

B. The household was certified for benefits at the time of the strike. However, a certified household may not receive an increased allotment as the result of a decrease in the income of the striking member(s) of the household.

Reference MS 2420 for information to determine whether or not a household member is considered a striker for food benefits purposes.

To determine eligibility of households containing strikers, do the following:

A. Determine pre-strike eligibility by considering the household's circumstances the day before the strike;

B. Determine current eligibility by considering the household's circumstances at the time of application; and

C. Compare the striking member's income the day before the strike to the striker's income at the time of application. Add the higher of the two to the current income of the other non striking household members during the month of application.

In determining the amount of the allotment and eligibility for the household, calculate all deductions including the earned income deduction for the month of application in the same manner as for any other household.]

MS 2420 GUIDELINES FOR APPLYING STRIKER PROVISIONS

Use the following information to determine whether a household member is considered a striker. If a member is determined to be a striker, follow procedures specified in MS 2400 .

A. Striker Provisions DO NOT apply:

1. To employees whose workplace is closed by an employer in order to resist demands of employees, i.e., by lockout;

2. To employees who are not members of the striking union and who are unable to work because of striking employees; for example, striking newspaper pressmen are preventing newspapers from being printed and as a result truck drivers are not working because there are no papers to deliver;

3. To employees who are not members of the bargaining unit on strike who do not want to cross a picket line due to fear of personal injury or death. The household's statement, as well as general knowledge of violence in the past or present is sufficient verification to substantiate this exemption from striker provisions;

4. To employees who are exempt from work registration the day prior to the strike, for reasons other than full-time employment at the company which is being struck;

5. To members of the bargaining unit who are working;

6. If the company fires the employee while they are on strike;

7. If the employee officially resigns from his/her job while on strike;

8. If the company hires permanent replacements for the strikers;

9. If the company will not allow the striker to return to their same job but offers them a different one;

10. If an employee was locked out by the company the day before the strike;

11. If the company lays off, furloughs, or otherwise notifies employees, who are not part of the bargaining unit, that no jobs are available because of the strike;

12. If a person was laid off when the strike began;

13. To self-employed persons such as independent long distance truck drivers; or

14. If the union and the company both consider the work stoppage a lockout by the company.

B. Striker Provisions DO apply:

1. If both the union and the company consider work stoppage a strike;

2. If an employee participates in a sympathy or support strike;

3. To all non-working members of the bargaining unit on strike, even if they are not members of the union and regardless of whether they are afraid to cross a picket line;

4. To a person who gets another job while on strike but he/she does not officially resign from the struck company; or

5. If the union calls off the strike, tells the strikers to return to work and they do not. The employees are considered strikers until they go back to work, are fired or resign.

C. [If the union and the company disagree as to whether the work stoppage is called a strike or a lockout, the State agency must request that a determination be made by the Food and Nutrition Services (FNS).

Additionally, employees are not exempt from striker provisions for food benefits purposes solely because:]

1. The individual receives unemployment compensation; or

2. The struck company has applied for bankruptcy under Chapter 11.

MS 2460 TEMPORARY SHELTERS FOR THE HOMELESS

[A. Individuals and/or families residing in temporary shelters for the homeless, if otherwise eligible, may receive food benefits. Additionally, residents who are billed for rent are entitled to a shelter deduction.

B. Employees involved in temporary shelters for the homeless that accept food benefits for payment of meals may not apply or act as a representative for persons residing in the shelter.

C. Shelters for the homeless may be approved by the Food and Nutrition Services (FNS) to accept food benefits from the homeless for the purchase of prepared meals.

Refer shelters requesting information regarding approval to accept food benefits for prepared meals to the FNS at 859-233-2411.

Whether the shelter has been approved to accept food benefits has NO bearing on food benefits eligibility of the homeless residents.]

MS 2500 [SHELTERS FOR VICTIMS OF ABUSE] (1)

Before certifying shelter residents, determine whether the facility meets the criteria in MS 2000. Document the basis of this determination. Shelters having FNS authorization to access benefits through wholesalers are considered to meet the definition and the Agency is not required to make any further determination. Maintain a list of shelters meeting the definition in the local office to facilitate prompt certification of eligible residents. Shelter residents can apply on their own behalf or through a representative who is an employee of the shelter.

MS 2510 DUPLICATE PARTICIPATION OF RESIDENTS OF SHELTERS FOR VICTIMS OF ABUSE (1)

A. Many abuse shelter residents have recently left a household containing the person who abused them. Their former household may be certified for participation in the program and its certification may be based on a household size that includes the individuals who have just left. Provided the shelter resident is certified as a member of the household containing the person who abused them, the shelter residents can apply for and, if otherwise eligible, duplicately participate in the SNAP as separate households. Shelter residents who participate duplicately can receive an allotment as a separate household only once a month. Benefits are prorated from the date of application. Do not deny or discontinue benefits to the resident because the individual and their children have not been removed from the former household timely. If the former household receives benefits for the shelter residents for more than one month, initiate claims action against the former household for any duplicate benefits which it received because the residents were not removed timely.

B. Certify the shelter resident who applies as a separate household solely on the basis of their income and resources and on the expenses for which they are responsible. Certify the shelter household without regard to the income, resources, and expenses of the former household. Consider jointly held resources inaccessible if the conditions in MS 5060, B are met. Consider room payment made to the shelter as a shelter expense. Take prompt action to ensure that the former household's case reflects the change in the household composition. If otherwise eligible, provide expedited services to shelter residents.

1. [If the head-of-household (the person in whose name the case is in) moves into a spouse abuse center, remove all the other members from the SNAP case, except any children that reside with the head-of-household in the center. When the case change is processed, the next issuance is added to the household’s existing EBT account and accessible through the household’s current EBT card. If the head-of-household has the EBT card, the household has access to the benefits. If the head-of-household does not have the EBT card, they should report this and the worker processing the change of address can issue a new card after the change is entered.]

2. If a member other than the head-of-household (in whose name the case is not in) moves into the spouse abuse center, remove that member and any individual that moved with the member, from the SNAP case. Take a new SNAP benefits application for the members residing in the spouse abuse center. When the case is approved, a new EBT card is mailed to the individual in the spouse abuse center.

MS 2600 BASIS FOR TREATMENT CENTER PARTICIPATION (1)

In order for the residents of Drug Addiction and Alcohol (DAA) treatment centers to be eligible to receive SNAP benefits, the DAA center must meet the following criteria:

[A. Have a POS system certified by the Food and Nutrition Service (FNS). This is a requirement of for-profit centers, and optional, but recommended for non-profit centers. To determine if a center is an authorized retailer, contact FNS at (312) 353-6609; or

B. Non-profit DAA centers may also meet one of the following criteria:**]**

1. Be certified by the Office of the Inspector General (OIG). Facilities that are certified by the state as an alcohol or drug treatment center can be found at http://dbhdid.ky.gov/ProviderDirectory/ProviderDirectory.aspx
After opening the page, the list of certified DAA centers can be found by selecting "Substance Abuse Treatment". To further narrow the list of results, select county and/or service type.

2. Provide a letter from CHFS Department of Behavioral Health, Developmental and Intellectual Disabilities (DBHDID). To obtain this letter, DAA centers must call The Adult Substance Use Treatment and Recovery Services Branch within DBHDID at (502) 564-4456. The facility will have to supply DBHDID with a list of services they provide to their residents in order to determine if the facility qualifies for the above-mentioned letter. The letter is good indefinitely and no subsequent review is conducted by DBHDID.

DAA Authorized Representatives applying on behalf of residents of facilities that are unable to provide proper documentation must understand that residents are not eligible to receive SNAP benefits until required documentation has been provided.

Please refer centers to (502) 564-4456 to determine eligibility as an allowable DAA facility.

MS 2610 ELIGIBILITY OF TREATMENT CENTER PARTICIPANTS (1)

Narcotics addicts or alcoholics who regularly participate in authorized drug or alcoholic treatment and rehabilitation programs on a resident basis may voluntarily apply for SNAP through the program's specified representative. The representative must apply in person, be an employee of the treatment center/program, have verification that he/she is an employee, and have verification that he/she is designated to apply on behalf of the residents. The representative must sign the application.

Before approving any residents of private, non-profit treatment centers for SNAP, verify the institution is certified by the appropriate state agency(s) or have the representative provide the letter from the Department of Mental Health, Developmental Disabilities and Addiction Services as specified in MS 2600.

[If the treatment center is an ineligible facility enter the following on the system:

1. Choose "DAA" for the Living Arrangement Type on the Living Arrangement screen.
2. When the Organization/Provider section is opened, enter the "From" date and answer "Yes" to the facility providing 50% of the meals. Leave the "Organization/Provider" field blank.]

Resident addicts or alcoholics have eligibility determined as a 1-person household unless the resident's children also live at the center. Those children are included in the household size.

Certify residents of addict/alcoholic treatment centers by using the same provisions that apply to all other applicant households, except that certification is accomplished through a representative.

Individuals who regularly participate in an authorized drug or alcohol treatment and rehabilitation program on a non-resident basis may apply for SNAP on their own behalf or through the use of an authorized representative.

MS 2640

EXEMPTION FROM WORK REGISTRATION

Exempt regular participants in a drug addiction or alcoholic treatment and rehabilitation program, either resident or nonresident, from work registration requirements.

[If the information is questionable, verify the regular participation of an addict or alcoholic in a treatment program through the organization or institution operating the program before granting the exemption. Consider information questionable if information on the application or previous applications or known to or received by the caseworker prior to certification is contradictory.]

MS 2650

CERTIFICATION PROCEDURES FOR RESIDENTS OF TREATMENT CENTERS

The following certification procedures apply to residents of treatment centers:

A. EXPEDITED SERVICES. For residents of treatment centers entitled to expedited services, the monthly allotment is made available to the resident no later than 5 calendar days following the filing date. If eligibility for the initial application is expedited, complete the verification and documentation requirements (if postponed) at recertification.

B. NORMAL PROCESSING STANDARDS. If item A does not apply, complete the verification and documentation requirements prior to making an eligibility determination for the initial application.

C. [RIGHTS OF CERTIFIED RESIDENTS. Resident households have the same rights to notices of adverse action, fair hearings and entitlement to restoration of lost benefits as all other SNAP households.]

MS 2660 CENTER RESPONSIBILITIES (1)

Treatment centers have the following responsibilities:

A. MONTHLY REPORTS. Each treatment and rehabilitation center provides the local office with a list of residents who are currently receiving SNAP benefits on a monthly basis. This list must be submitted by the center by the 5th of each month and it must include a statement signed by a responsible center official attesting to the validity of the list. This list is then checked each month against any active cases to ensure no over-issuance occurs. This list should also be used by the staff member who is designated to do the quarterly visits. The designated staff member should compare the list to the EBT cards that the center has on file. This will ensure that the center is either giving the EBT cards to the clients as they leave or returning the cards to the local office. If the center fails to provide the list of currently participating residents, contact the Nutrition Assistance Branch (NAB) at CHFS DCBS DFS Food Benefits Policy Inbox.

B. USE OF BENEFITS. If the participant receives their benefits prior to the 16th of the month, the treatment center must debit the participant's EBT card twice per month for half each time. For example, if the participant's monthly allotment is $200, the center must debit the card for $100 before the 16th of the month and debit it again on or after the 16th of the month for $100. If the participant receives their benefits on or after the 16th of the month, the full month's benefits can be debited at once.

C. WHEN THE PARTICIPANT LEAVES THE CENTER.

1. If the participant leaves the treatment center before the 16th of the month and the benefits have already been issued, the recipient is entitled to one half of their monthly allotment and the EBT card is returned to the recipient.

   If the participant leaves on or after the 16th of the month and the benefits have already been issued, no benefits are required to be returned to the EBT card; however, the recipient's EBT card must be returned to them.

2. If the participant applied for benefits after the 15th of the month, and was issued the initial or prorated month's benefits AND the second month's benefits in the application month, the following procedures apply:

   a. If the participant leaves the treatment center prior to the 16th of the second month and a portion of the benefits for the second month have been used on behalf of the individual, the treatment center provides the household with one-half (1/2) of the second month's allotment.
   b. If the participant leaves the treatment center on or after the 16th of the application month but before the first day of the second month, and the benefits for the second month have been issued but not used, the household receives the full allotment for the second month.

If the participant leaves the treatment center without notifying the center and the center is unable to locate the participant, the EBT card is returned to the local office in accordance with Item E of this section.

3. After the participant leaves the treatment center, the center can no longer act as the participant's representative.

4. [If possible, the treatment center provides the participant with a change report form. The participant uses the form to report their new address and other circumstances after leaving the center. The center advises the participant to return the form to the appropriate SNAP benefits office in accordance with the participant's reporting requirements. If the center reports that a participant has left the center, but the participant does not provide a new address, remove the verification source for residency to allow the case to correctly discontinue.]

D. REPORTING CHANGES. The treatment center notifies the local office of changes in accordance with change reporting requirements.

E. RETURNING BENEFITS. The treatment center returns the participant's EBT card to the address on the back on the card or to the local office if it is received after the participant has left the center. The EBT card is logged on the system and immediately destroyed. The case remains active and the participant has to request a new EBT card.

F. CENTER LIABILITY. As a representative, the organization or institution must be knowledgeable about resident circumstances and review those circumstances with residents prior to applying on their behalf. The organization or institution is liable for all losses or misuse of SNAP benefits held on behalf of residents and for all over-issuances which occur while the participants are residents of the treatment center.

G. CENTER PENALTIES AND DISQUALIFICATIONS. The organization or institution authorized by FNS as a retail food store can be penalized or disqualified if it is determined administratively or judicially that benefits misappropriated or used for purchases that did not contribute to a certified participant's meals. The office promptly notifies the NAB by memorandum when it has reason to believe that an organization or institution is misusing benefits. NAB notifies FNS upon receipt of the memorandum from the local office. NAB takes no action against the organization or institution prior to FNS action.

H. CLAIMS FOR OVERISSUANCE. The treatment center is liable for repayment of SNAP benefits held on behalf of resident recipients if any over issuance is discovered during an investigation or hearing procedure for redemption violations. Claims against treatment centers cannot be collected by benefit reduction.

I. DISQUALIFIED TREATMENT CENTER. If FNS disqualifies a treatment center as an authorized retail food store, DCBS suspends the center representative status for the same period and its residents are no longer eligible to participate. The treatment center will be removed from the list of eligible facilities.

MS 2700 GROUP LIVING – INTRODUCTION (1)

[Disabled, aged or blind residents, including disabled, aged or blind foster adults in a certified group living arrangement, who meet the definition of "disabled" in MS 2000 may voluntarily apply for SNAP benefits.

A. These residents can receive SNAP benefits by either one of the following means:

1. Apply and be certified through use of a representative employed and designated by the group living arrangement; or
2. [In situations where a legal guardian has been appointed, the legal guardian must either make the application for the household or appoint an authorized representative for the household to make the application; or
3. Apply and be certified on their own or through a representative of their own choice.]

B. All Supports for Community Living (SCL) facilities in Kentucky are licensed and public institutions and are considered a group living arrangement.

C. [The group living arrangement determines if the resident is capable of applying for benefits on his/her own behalf. The determination is based on the resident's physical and mental ability to handle his/her affairs. The group living arrangement is encouraged to consult with any other state agencies providing services to individual residents prior to determining if the resident is capable of making an application. In situations where a legal guardian has been appointed, the legal guardian must either make the application for the household or appoint an authorized representative for the household to make the application.]

D. If the resident applies through the use of the facility's representative, the group living arrangement either receives and spends the benefit allotment for food prepared for and served to the eligible resident or allows the eligible resident to use all or any portion of the allotment on his/her behalf.

E. If the resident applies on his/her behalf, the benefit allotment may:

1. Be used by the facility to purchase food for meals served either communally or individually to eligible residents;

2. Be used by eligible residents to purchase and prepare food for their own consumption; and/or

3. Purchase meals prepared by the group living arrangement.

MS 2710 METHOD OF APPLICATION

The residents of the group living arrangement are certified using one or both of the following application processes:

A. If the resident applies through the use of the facility's representative, his/her eligibility is determined as a one person household.

B. If the resident applies on his/her own behalf, the household size is determined in accordance with MS 2010.

C. If more than one resident applies as part of the same food benefits household, deduct the food benefits maximum allotment amount for a 1 person household from the room and board payment for each person. Consider the remaining balance as a shelter expense for the household.

In certifying these households, apply the same provisions that apply to all other applicant households. Prior to certifying any residents for food benefits, verify that the Group Living Arrangement (GLA) is certified by the appropriate agency(s) of the State. GLA's must be public or private, non-profit.

MS 2715 SUPPORTS FOR COMMUNITY LIVING PROGRAMS (1)

Some residential group homes for disabled individuals are operated under a Medicaid Waiver, known as Supports for Community Living (SCL). SCL provider organizations in Kentucky are all licensed and public and are therefore considered Group Living Arrangements (GLA's) as defined in MS 2000.

The residents of these facilities receive supportive services from the organization operating the homes, but the residents may or may not be responsible for his/her own shelter and food. Even though all meals may be provided, GLA's have an exception from institutional status. Therefore, if all other eligibility requirements are met, these residents may receive SNAP benefits.

[The DCBS office will need to ascertain what portion of the program fee paid to the SCL provider is for shelter and include that amount in the calculation for SNAP benefits.]

MS 2720 CERTIFICATION PROCEDURES

Apply the following certification procedures to residents of group living arrangements:

A. MEDICAL AND SHELTER DEDUCTIONS. If the resident or his/her protective payee is making payments from the resident's own funds, allow separate and identifiable room and/or medical costs as shelter and medical deductions, respectively. Vendor payments made by the State or others are not deductible. If the amount paid for medical and shelter costs cannot be separately identified, no deduction is allowed for the costs.

1. [If a resident makes a single payment for room and meals which cannot be identified separately, consider the amount of the payment which exceeds the maximum benefit allotment for a 1 person household as an identified shelter expense.

2. If a resident makes a single payment for room, meals, and medical needs, identify these three items separately to the extent possible. Some group living arrangements charge a basic rate for room and board and have higher rates depending on the amount of medical care needed. In these situations, if the expense cannot be identified separately, the difference between the basic rate and the higher rate may be considered as the medical expense. Personal needs allowances are not an allowable medical deduction.]

B [EXPEDITED SERVICES. For those residents of a group living arrangement entitled to expedited services, make the food benefits available to the resident no later than 5 calendar days following the filing date. If eligibility for the initial application is expedited, complete the verification and documentation requirements (if postponed) at recertification.]

C. NORMAL PROCESSING STANDARDS. When normal processing standards apply, complete the verification and documentation requirements prior to making an eligibility determination for the initial application.

D. [RIGHTS OF CERTIFIED RESIDENTS. Resident households have the same rights to notices of adverse action, fair hearings, and entitlement to lost benefits as do all other SNAP households.]

MS 2730 GROUP LIVING FACILITY RESPONSIBILITIES (1)

The Group Living Arrangement (GLA) is responsible for the following:

A. [REPORTING CHANGES. If the resident made application on his/her own behalf, the resident is responsible for reporting changes to DCBS. If the GLA is acting in the capacity of a representative, the representative notifies DCBS of any changes in the household's income or other household circumstances and when the individual leaves the GLA.]

B. WHEN THE PARTICIPANT LEAVES THE GLA.

1. If a resident or a group of residents apply on their own behalf and retain use of their own benefits, these individuals are entitled to keep the benefits when they leave. If a group of residents has applied as one household, a pro-rata share of the remaining benefits is provided to any departing household member. The household, not the GLA, is responsible for reporting the changes in household circumstances in accordance with reporting requirements.

2. If a resident applies through the use of the facility's representative, the following procedures apply:

a. The departing resident receives the full allotment of benefits if no benefits were spent on behalf of that individual. The GLA provides the departing resident with his/her EBT card regardless of when the resident leaves the center. Follow this procedure any time during the month.

b. If the household leaves the GLA prior to the 16th of the month, and the benefits have been issued for the month and a portion has been used on behalf of the individual, the facility provides the household with their EBT card and 1/2 of the household's monthly benefit allotment. If the household leaves on or after the 16th of the month and benefits have been issued for the month and used, the household does not receive any benefits.

c. If the participant applied for benefits after the 15th of the month, and was issued the initial or prorated month's benefits AND the second month's benefits in the application month, the following procedures apply:

(1) If the household leaves the GLA prior to the 16th of the second month, and a portion of the benefits for the second month were used on behalf of the individual, the facility provides the household with one-half (1/2) of the second month's benefit allotment.

(2) If the household leaves on or after the 16th of the application month but before the first of the second month, and the benefits for the second month were issued and not used, the household receives the full allotment for the second month.

[d. If a participant dies, the GLA should return the EBT card to the address on the back of the card.

e. If a group of residents is certified as one household and has returned the benefits to the facility to use, the departing residents are given a

pro-rata share of 1/2 of the household's monthly benefit allotment if leaving prior to the 16th of the month.

f. Once the resident leaves, the GLA can no longer act as his/her representative.

g. If possible, the GLA provides the household with a change report form to return to DCBS with the individual's new address and other circumstances after leaving the GLA and advises the household to return the form to DCBS within 10 days.]

C. As a representative, GLA must be knowledgeable about household circumstances and carefully review those circumstances with residents prior to applying on their behalf. If the facility acts as the resident's representative, the GLA is strictly liable for all losses or misuse of SNAP benefits held on behalf of the resident households, and for all over-issuances which occur while the households are residents of the GLA, whether the over-issuance is due to an act on the part of the resident or on the part of the treatment center.

D. The GLA may be penalized or disqualified if it is determined administratively or judicially that benefits were misappropriated or used for purchases that did not contribute to the certified household's meals. The DCBS office promptly notifies the Office of the Inspector General (OIG) by memorandum when it has reason to believe the GLA is misusing SNAP benefits in its possession. Upon receipt of the memorandum from the office, OIG will immediately investigate and notify FNS. OIG takes no action against the GLA prior to FNS action.

If the GLAloses its certification from FNS, residents applying on their behalf are still eligible to participate.

E. MONTHLY REPORTS. Each GLA provides the local DCBS office with a list of currently participating residents on a monthly basis. This list includes a statement signed by a responsible GLA official attesting to the validity of the list. The GLA should be advised to compare this list to the EBT cards they have on file to ensure they have either given the EBT card to the departing client(s) or have returned the EBT card to the local DCBS office. If the GLA fails to provide the list of currently participating residents, contact the Nutrition Assistance Branch. File cases of residents in GLAs separately and check currently active cases against the list to ensure no over-issuance occurs.

MS 2780 FOOD PREPARATION

The group living arrangement may purchase and prepare food to be consumed by eligible residents on a group basis if residents normally obtain their meals at a central location as part of the group living services or if meals are prepared at a central location for delivery to the individual residents. If residents purchase and/or prepare food for home consumption as opposed to communal dining, the group living arrangement insures that each resident's benefit allotment is used for meals intended for that resident. If the resident retains use of his/her own benefit allotment, he/she may either use the benefits to purchase meals prepared for them by the facility or to purchase food to prepare meals for their own consumption.

MS 2790 REGIONAL RESPONSIBILITIES FOR DAA AND GLA FACILITIES (1)

Local office staff designated by the Service Region Administrator must conduct random onsite visits to Drug Addiction and Alcohol (DAA) and Group Living Arrangements (GLA) facilities. Staff should ensure at these visits that the DAA and GLA are operating within the specified guidelines in order for residents to be eligible for SNAP benefits. Ensure that listings are accurate and submitted timely and that the local office's records are consistent and up to date.

A. Visits to Drug Treatment Centers must be conducted quarterly. Written reports of findings from the visits should be submitted by each Region to the CHFS DCBS DFS Food Benefits Policy inbox via CHFS.FoodBenefitsPolicy@ky.gov .

1. The visit should cover the following items:

   a. Provide a copy of current policy regarding drug treatment centers to the treatment center representative. Discuss policies with the center representative and complete the Center Acknowledgement form located at http://chfsnet.ky.gov/dcbs/dfs/TipSheets.htm . DO NOT file this form in any case record. Maintain a folder of your report findings.
   b. [Provide a copy of forms including FS-1, Application for SNAP, PAFS-702, Proof of No Income, PAFS-76, Information Request, PAFS-700, Proof of Employment and Wages and FS-2, SNAP 6 Month Review. Discuss each form and its proper usage.]
   c. Discuss any issues relating to the POS machine, worker interactions, communications, etc. Complete the Center Quarterly Visit form with the representative that can be accessed at http://chfsnet.ky.gov/dcbs/dfs/TipSheets.htm. DO NOT file this form in any case record. Maintain in a folder of report findings.
   d. Review the Center's log books (how benefits are tracked, who is active, etc.)
   e. [Provide the representative with the full name/e-mail address of the local office contact and advise that they must submit their listing of current residents to the contact via e-mail by the 5th of each month. Forward this list to the appropriate worker.]

B. [Visits to GLA facilities are conducted periodically. Reports on visits to GLA facilities are not required.

C. If an overissuance is discovered during an investigation or hearing, establish a claim against the representative of the DAA or GLA for overissuances of SNAP benefits held on behalf of residents. The DAA or GLA is responsible for the overissuance, not the individual residents. Only if a GLA resident applied on their own behalf would the individual be responsible for an overissuance.]

MS 2800 [MIGRANT AND SEASONAL FARMWORKER-GENERAL]

Due to the nature of their employment, migrant and seasonal farm worker households are allowed certain exceptions when eligibility is determined. These exceptions are specified in the sections which follow.

Migrants, who are not citizens, must meet the same alien eligibility requirements as outlined in MS 2900.

MS 2820 DESTITUTE HOUSEHOLDS

Migrant or seasonal farmworker households may have little or no income at the time of application and may be in need of immediate food assistance, even though they may receive income at some other time during the month of application. Only migrant or seasonal farmworker households can be considered destitute. Therefore these households are allowed the following exceptions to normal expedited services criteria and processing.

A. Destitute Household Criteria

Migrant and seasonal farm worker households meeting the destitute criteria are entitled to expedited services at application, as well as special income calculation procedures.

When applying destitute criteria and calculating income for destitute households, consider a migrant or seasonal farmworker's employer to be the grower for whom the migrant is working and not the crew chief. Consider a migrant who travels with the same crew chief but moves from one grower to another to have moved from a terminated income source to a new income source.

Destitute Household Criteria are met if one of the following applies:

1. The only income for the month of application was received prior to the date of application and was from a terminated source. Income is from a terminated source if:

   a. It is received on a monthly or more frequent basis and it will not be received again from the same source during the balance of the month of application or during the following month.
   b. It is normally received less often than monthly and no further payments will be received in the month in which the next payment would normally be received.

2. The only income for the month of application is from a new source and no more than $25 is anticipated to be received by the 10th calendar day following the date of application. Income is from a new source if:

   a. It is normally received on a monthly or more frequent basis and no more than $25 was received from the source within 30 days prior to the date of application.
   b. It is normally received less often than monthly and no more than $25 was received from the source within the last normal interval between payments.

3. The only income for the month of application is from a terminated source prior to the date of application and from a new source after the date of application and income of more than $25 from the new

source is not anticipated to be received by the 10th day after the date of application.

B. Calculating Income for Destitute Households

1. Consider only income received between the first of the month and the date of application.

   Do not consider income from a new source that is anticipated after the day of application.

2. At recertification, disregard income from a new source in the first month if more than $25 is not anticipated to be received by the 10th calendar day following the date of the household's normal issuance cycle.

3. Apply these special calculating procedures only for the first month of the certification period for both applications and recertifications.

MS 2900 ALIEN STATUS (1)

A person must be a United States (U.S.) citizen or an eligible alien in order to participate in the Supplemental Nutrition Assistance Program (SNAP). Nationals of Puerto Rico, Guam, U.S. Virgin Islands, Northern Mariana Islands, American Samoa or Swain's Island are equivalent to U.S. citizenship. Other individuals are ineligible to participate until they become U.S. citizens or meet exemption criteria outlined below:

A. An alien must be both a qualified alien listed in item 1 and meet special SNAP criteria in item 2 to be eligible. Aliens who are both qualified and meet SNAP criteria are eligible to receive SNAP benefits indefinitely from the date of application. Aliens who are considered qualified but do not meet SNAP criteria must live in the United States for 5 years or longer in qualified status to be eligible.

1. Qualified Alien

a. Lawfully admitted for permanent residence;
b. Granted asylum under section 208 of INA;
c. Refugee admitted under section 207. Victims, their spouses and dependent children, and if the victim is a child, the child's parents and siblings, of a severe form of trafficking as defined by the Trafficking Victims Protection Act of 2000, are treated as refugees;
d. Paroled under section 212(d)(5) of INA for at least one year;
e. Deportation withheld under 243(h) or 241(b)(3) of INA;
f. Granted conditional entry under 203(a)(7) in effect prior to 4/1/80;
g. Cuban or Haitian entrant as defined in 501(e) of Refugee Education Assistance Act (REAA) of 1980. Section 501(e) defines Cuban and Haitian entrants as any individual:
   (1) Granted parole status as a Cuban/Haitian entrant (Status pending);
   (2) Granted any other special status established under USCIS laws for these nationals;
   (3) Being a national of Cuba or Haiti, paroled into the U.S. and has not acquired another status under USCIS;
   (4) Subject to exclusion or deportation proceedings under INA; or
   (5) Having an application for asylum pending with USCIS.

   Cuban and Haitian nationals who are paroled under section 212(d)(5) of INA are considered paroled in the special status in section 501(e)(1) of the REAA of 1980, except for those paroled for purposes of criminal prosecution or solely to testify as a witness in court proceedings, which continue to fall under f. of this section.

h. A battered spouse, battered child or parent or child of a battered person with a petition pending under 204(a)(1)(A) or (B) or 244(a)(3) of INA.

NOTE: Asylees and refugees who were admitted under Section 207 or 208 of the INA but have since obtained legal permanent resident status under

Section 209 remain as qualified aliens and are not subject to the 5 year from the date of entry ban.

2. SNAP Criteria

a. Aliens must meet one of the following criteria:
   (1) Refugee admitted under 207 of INA;
   (2) Asylees granted asylum under 208 of INA;
   (3) Deportation withheld under 243(h) or 241(b)(3) of INA;
   (4) Cuban or Haitian under 501(e) of REAA (Cuban/Haitian Parolees under section 212(d)(5) are considered the same as a Cuban/Haitian Entrant as defined in section 501(e) of the Refugee Education Act of 1980);
   (5) Amerasian aliens under 584 of Foreign Operations, Export financing and Related Program Appropriations Act.
   (6) Trafficking victims, their spouses and dependent children, and if the victim is a child, the child's parents and siblings.

b. The following are eligible at application and indefinitely:
   (1) Veterans who were honorably discharged for reasons other than alien status;
   (2) Active duty military personnel, other than for training. Active duty does not include reserves or guard duty. It is intended to reflect full-time employment in the service. The minimum active-duty service requirements must have been met by the veteran. Active-duty is defined as a minimum of 24 months or the period for which the person was called to active duty;
   (3) The spouse of a living or deceased veteran or active duty personnel, provided the spouse has not remarried and the marriage lasted for at least one year or for any period if a child was born before or after the marriage. This includes military personnel who die during active duty service and Filipinos who served in the Philippine Commonwealth Army during World War II or as a Philippine Scout following the war;
   (4) The unmarried dependent child of such a veteran or active duty personnel. Unmarried dependent children, under age 22 who are students regularly attending school and adult disabled children who were disabled before becoming adults, are also eligible under this provision.
   (5) ["Noncitizens" lawfully in U.S. and under 18 at the time of application. Once the child turns 18, he or she must meet another criteria to continue to be eligible;]
   (6) "Noncitizens" lawfully in U.S. and 65 or older on 8/22/96.
   (7) Blind or disabled legal aliens who receive a disability benefit, such as SSI or Medicaid based on a disability.
   (8) Lawful permanent residents who can be credited with 40 quarters of work performed in the United States and territories.
      (a) Covered earnings include wages or self-employment income or any earnings of a noncitizen for work legally performed in the U.S.
      (b) For couples that are still legally married, the quarters can be credited to a spouse. The aliens lose the quarters of the ex-spouse when they become divorced.

For qualifying work quarters after 1/1/97, the alien must not have received any federal means-tested public benefits, such as K-TAP, SSI or SNAP during that quarter. If the member received means-tested assistance in any month of any quarter, the quarter does not count as a qualifying quarter.

(c) The Social Security Administration (SSA) is the primary source of information concerning qualifying quarters worked by an individual. Some aliens may have 40 quarters clearly established, while others may not. Migrant workers in particular may have difficulty obtaining verification of employment.

(d) Qualifying quarters are verified via SSA. When the household states that an alien has 40 quarters, answer "Yes" to the question "Does the alien has 40 quarters qualified Social Security Credits". The system will automatically interface with the SSA file to check. If the alien has quarters, the system will prepopulate with the verification source of "Interface" and date attained. If it cannot verify the quarters, the verification source will prepopulate to "Not Verified" and the client will be required to obtain verification.

B. Effective 12/19/09, Section 8120 of the Department of Defense Appropriations Act (DDAA) of 2010 provides that Iraqi and Afghan Special Immigrants (SIVs) are eligible for SNAP benefits under the same extent and for the same period of time as refugees pursuant to Section 207 of the Immigrations and Nationality Act.

Please see MS 2910 for acceptable forms of verification for Afghan/Iraqi Special Immigrants.

C. The following aliens may be eligible even if they are not qualified aliens as listed above, and may be eligible for an indefinite period of time:

1. An individual lawfully residing in the United States who was a member of a Hmong or Highland Laotian tribe that rendered assistance to U.S. personnel by taking part in a military or rescue operation during the Vietnam Era (8/5/64-5/7/1975). This also includes the spouse (or unremarried surviving spouse) or unmarried dependent children of these individuals.
2. American Indians born in Canada to which section 289 of INA applies, and members of Indian tribe as defined in section 4(e) of Indian Self-Determination and Education Assistance Act.

D. Under the Child Citizenship Act of 2000, a child will automatically acquire citizenship on the date that all of the following requirements are satisified:

1. At least one parent is a U.S. citizen;

2. The child is under 18 years of age; and

3. The child is admitted to the U.S. as an immigrant.

The parent can apply for a Certificate of Citizenship by filing Form N-600. They can also apply for a U.S. passport. If the applicant has other documentation that verifies the father of the children is a U.S. Citizen, such as the child's birth certificate or the father's birth certificate, then this can be used and the Certificate of Citizenship would not be necessary.

E. Noncitizens, other than those described above, are ineligible to participate as a member of any household. This includes visitors, tourists, diplomats and students who enter the United States temporarily with no intention of abandoning their residence in a foreign country.

F. See MS 3000 for policy concerning Sponsored Aliens and Required Affidavit of Support.

MS 2903

CITIZENSHIP/ALIEN STATUS DECLARATION REQUIREMENT

[On a one-time basis only, as a condition of eligibility, one adult representative of the household must attest under penalty of perjury, that all household members are citizens or qualified aliens. This is done when the household representative signs the application. Attesting to the citizenship of all household members is contained in the rights and responsibilities portion of the application for food benefits.]

MS 2905 VERIFICATION OF CITIZENSHIP

Verification of citizenship is a technical eligibility requirement. The individual's statement is an acceptable form of verification, unless questionable.

If questionable, ask the household to provide verification of citizenship. Acceptable forms of verification include birth certificates, religious records, voter registration cards, certificates of citizenship or naturalization provided by BCIS, such as BCIS Form I-179 or BCIS Form I-197, or U.S. passports. If the above forms of verification cannot be obtained and the household provides a reasonable explanation as to why it is not available, accept a signed statement from someone who is a U.S. citizen which declares, under penalty of perjury, that the person in question is a U.S. citizen. For example: I, _____, swear under penalty of perjury that I do know that _____ is a U.S. citizen.

[For companion food benefits and Medicaid or K-TAP cases, the client's failure to present documentary evidence of citizenship for the Medicaid or K-TAP case DOES NOT make the client's declaration of citizenship questionable for the food benefits case.]

MS 2910 VERIFICATION OF ALIEN STATUS (1)

When verification of eligible alien status is not provided on a timely basis or if questionable verification is not substantiated, consider the member an ineligible alien. See MS 2920.

A. Determine the eligibility of the remaining household members.

1. If the household states that the member does not meet the criteria that would make him or her eligible for participation, further verification of alien status is not required.

2. If the household states the member does meet the criteria that would make him or her eligible for participation, but is currently without the verification, a request for verification can be submitted.

   Once verification to determine eligible alien status has been submitted to the US Citizenship and Immigration Services (USCIS), SSA or another federal agency, do not delay, deny, reduce or terminate the individual's eligibility. Certify the individual for up to 6 months from the date of the request for verification.

   [If the verification hasn't been received and processed by 15 days prior to the 6 month period expiration date, the system will issue a warning notice to the alien stating his/her SNAP benefits will cease unless the verification is received by the expiration date. If the verification hasn't been received and processed by the 6 month period expiration date, the system will change the member's status to "ineligible alien" and issue a notice.]

3. If the household states they do not know if the member meets the criteria and no documents are available, they are considered ineligible until proven otherwise. If the alien does not wish the Department to contact the USCIS to verify immigration status, the agency must give the household the option of withdrawing its application or participating without that member.

4. If any household member is identified as an alien on the application, determine whether he is an eligible alien.

NOTE concerning form I-94, Arrival/Departure Record: On 4/30/13, Customs and Border Protection (CBP) automated the I-94 process at air and sea ports only. Most non-immigrant visitors entering the country via air and sea ports will no longer be issued a paper I-94. Instead, the admission information generally provided in the paper I-94 will be stamped on the traveler's foreign passport (i.e. COA, date of entry and expiration date), with the exception of the I-94 admission number. Aliens have to visit www.cbp.gov/I94 to print their I-94 admission number. Also, if an alien is unable to provide a passport with the admission stamp, a copy of their record of admission can be printed by the alien at this website.

Beginning 9/7/15, refugees will no longer receive the paper I-94 card at Ports of Entry (POE) and will need to obtain the I-94 record online. CBP will stamp the refugee's transportation boarding letter upon admission to the U.S. which is

provided to the Principal Applicant of each refugee case. Beginning 9/1/15, the transportation boarding letter will be the only document provided to the refugee with an official CBP refugee stamp.

Derivative asylees and parolees will continue to receive a paper I-94. CBP will strike out the pre-printed number and hand-write the true I-94 number on the document. Use the hand-written I-94 number when verifying alien status. When an alien presents only an I-94, workers must ask the individual if he or she has an Unexpired Foreign Passport. The passport along with any documentation provided is scanned into the Electronic Case File (ECF). It is important when scanning alien documentation, that clear and clean pictures are captured. When scanning a passport, ensure the biographic page and the admission stamp page are scanned.

B. An alien must present:

1. USCIS form I-151 or I-551, Alien Registration Receipt Card. Encourage aliens who possess form I-151 to apply for form I-551 which is more secure and machine-readable.

2. USCIS form I-94. An alien is eligible only if form I-94 is annotated as follows:

   a. Unexpired temporary I-551 stamp; or
   b. Section 207, 208, or 243(h) of the Immigration and Nationality Act; or
   c. Section 241(b)(3) – only if issued after April 1, 1997; or
   d. Admission for at least one year under Section 212(d)(5); or
   e. The following terms: refugee, parolee as "Cuban/Haitian Entrant" under Section 212(d)(5); or grant of asylum under Section 203(a)(7).

3. Amerasians must present the following:

   a. An I-94 with the codes AM1, AM2, or AM3; or
   b. An I-551 with the codes AM6, AM7, or AM8; or
   c. A U.S. passport, if stamped by INS with the codes AM1, AM2, or AM3.

4. Afghan/Iraqi Special Immigrant must present the following:

Afghan/Iraqi Special Immigrant	Passport with an immigrant visa (IV) stamp noting the individual has been admitted under IV category SI1; Department of Homeland Security (DHS) stamp or notation on passport or form I-94 showing date of entry, or form I-551 (green card) SI6.
Spouse of Afghan/Iraqi Special Immigrant	Passport with an immigrant visa (IV) stamp noting the individual has been admitted under IV category SI2; Department of Homeland Security (DHS) stamp or notation on passport or form I-94 showing date of entry, or form I-551 (green card) SI7.
Unmarried dependent child of	Passport with an immigrant visa (IV) stamp noting the individual has been admitted under IV category SI3; Department of Homeland Security (DHS) stamp or

Afghan/Iraqi Special Immigrant	notation on passport or form I-94 showing date of entry, or form I-551 (green card) SI9.
Iraqi Special Immigrant under Section 1244	Passport with an immigrant visa (IV) stamp noting the individual has been admitted under IV category SQ1; Department of Homeland Security (DHS) stamp or notation on passport or form I-94 showing date of entry, or form I-551 (green card) SQ6.
Spouse of Iraqi Special Immigrant under Section 1244	Passport with an immigrant visa (IV) stamp noting the individual has been admitted under IV category SQ2; Department of Homeland Security (DHS) stamp or notation on passport or form I-94 showing date of entry, or form I-551 (green card) SQ7.
Unmarried Dependent child of Iraqi special Immigrant under Section 1244	Passport with an immigrant visa (IV) stamp noting the individual has been admitted under IV category SQ3; Department of Homeland Security (DHS) stamp or notation on passport or form I-94 showing date of entry, or form I-551 (green card) SQ9.

5. If not annotated as such on the aliens' I-94, Cuban and Haitian immigrants must present verification from USCIS that confirms admittance under Section 501(e) of the Refugee Education Assistance Act of 1980. See MS 2900 for admittance provisions.

C. An alien, to be eligible to participate in the SNAP, must first be a qualified alien. An alien is ineligible to participate until acceptable documentation is provided, unless:

1. The agency has submitted a copy of a document provided by the household to USCIS for verification; or

2. [The agency has submitted a request to SSA for information on the number of quarters of work that can be credited to the individual and SSA states that the number of quarters that can be accredited is under investigation; or]

3. The individual or agency has submitted a request to a federal agency for verification of information that pertains to the individual's eligible alien status.

Once verification to determine eligible alien status has been submitted to the USCIS, SSA or another federal agency, do not delay, deny, reduce or terminate the individual's eligibility. Certify the individual for up to 6 months from the date of the request for verification. Follow instructions in A, 2 of this manual section.

Count the income and resources of members participating in the SNAP while awaiting verification of alien status.

D. If USCIS form I-94 does not bear annotations sufficient to verify the member's status and the alien has no other verification of alien classification OR if the alien is unable to provide any USCIS document, do the following:

1. The agency submits form G-845, Document Verification Request, to USCIS.

2. Advise the alien he/she may be eligible if acceptable verification is obtained.

3. Explain that the following classifications of the Immigration and Nationality Act result in eligible status:
   a. Section 207, 208, or 243(h);
   b. After April 1, 1997, Section 241(b)(3); or
   c. Cuban or Haitian refugees and Amerasian asylees.

4. The alien may contact USCIS or otherwise obtain the necessary verification, or if the alien chooses to sign a written consent, the worker may contact USCIS to obtain clarification of the alien's status. Do not contact USCIS to obtain information about the alien's correct status without the alien's written consent. Written consent is not required when using SAVE to validate the alien's eligible status or when verifying the alien's qualifying quarters.

[Once verification to determine eligible alien status has been submitted to the USCIS, SSA or another federal agency, do not delay, deny, reduce or terminate the individual's eligibility. Certify the individual for up to 6 months from the date of the request for verification. If the verification hasn't been received and processed by 15 days prior to the 6 month period expiration date, the system will issue a warning notice to the alien stating his/her SNAP benefits will cease unless the verification is received by the expiration date. If the verification hasn't been received and processed by the 6 month period expiration date, the system will change the member's status to "ineligible alien" and issue a notice.]

If the alien does not wish to contact USCIS, give the household the option of withdrawing its application or participating without that member. If the household opts to participate without the ineligible alien, an eligibility notice is sent notifying the household of the exclusion, the reason for the exclusion, the eligibility and benefit level of the remaining members, and the action(s) the household must take to end the member's exclusion.

When the applicant or any other household member indicates inability or unwillingness to provide verification of alien status for any member, classify that member as an ineligible alien. Do not continue efforts to obtain the verification. Document the case record.

E. If the proper USCIS verification is not available, the alien may state the reason and submit other conclusive evidence as verification. Other forms of acceptable verification include:

1. Corroboration from USCIS that the alien is classified pursuant to Section 207 or 208 of the Immigration and Nationality Act or is a Cuban or Haitian

refugee or Amerasian asylee; or

2. Evidence, such as a court order, stating that deportation has been withheld pursuant to Section 243(h), or after April 1, 1997, Section 241(b)(3) of the Immigration and Nationality Act.

F. If verification of eligible alien status is later received, act on the information as a reported change in household membership. If it is later determined that the alien is verified as ineligible, a claim exists for the months the recipient received benefits while the Department was waiting on verification.

MS 2915 VERIFICATION – SAVE (1)

The Immigration Reform and Control Act of 1986 (IRCA) requires the verification of immigration status of aliens applying for benefits. The Systematic Alien Verification for Entitlement (SAVE) is the US Citizenship and Immigration Services (USCIS) operated system of verification for this purpose. Use SAVE to reverify the initial documentation of alien status received from the alien. Any applicant who is not a U.S. citizen is required to carry immigration documentation that contains an Alien Registration Number (A-Number) or an I-94 Admission Number. Use these numbers to access SAVE.

Do not complete a SAVE inquiry on victims of human trafficking. However, do complete a SAVE inquiry on eligible family members of trafficking victims.

The SAVE process must be completed within 30 calendar days of initial application. Complete the SAVE process only one time for aliens who have permanent resident status. For all other aliens, repeat the SAVE process at every recertification or until the alien is granted permanent resident status.

Use the following procedure when an alien member applies for benefits.

A. Obtain initial USCIS documentation of alien status from the applicant/recipient for any alien who is to be included on the case. If the alien member states they meet eligibility criteria, but they do not have verification, a request for verification can be submitted.

   Once verification to determine eligible alien status has been submitted to the USCIS, SSA or another Federal agency, do not delay, deny, reduce or terminate the individual's eligibility. Certify the individual for up to 6 months from the date of the request for verification.

   [If the verification hasn't been received and processed by 15 days prior to the 6 month period expiration date, the system will issue a warning notice to the alien stating his/her SNAP benefits will cease unless the verification is received by the expiration date. If the verification hasn't been received and processed by the 6 month period expiration date, the system will enter a disqualification for the ineligible alien and issue a notice.]

   If the alien does not wish the Department to contact the USCIS to verify immigration status, the agency must give the household the option of withdrawing its application or participating without that member.

B. At the time the documentation is received, initiate the request for verification by SAVE. Send a memorandum with the following information to the Regional Office:

   1. Case name and number;
   2. For each alien member: name, the corresponding alien number, birthdate, the type of documentation provided, and if available, the social security number and the I-94 admission number; and
   3. Worker name, code and phone number.

DO NOT delay processing the case while awaiting the receipt of the SAVE information.

C. Within 3 work days from receipt of the request, the Regional contact person accesses the web-based program to obtain SAVE information and:

1. In response, the Verification Information System (VIS) assigns a verification number which is used as a reference number if further verification from USCIS is needed.

2. VIS also provides the name, alien number, birthdate and social security number, if available, which is retained by the VIS database.

3. Regional Office compares the information provided in the original memorandum to the information provided by VIS, and decides whether further verification by form G-845, Document Verification Request, is necessary.

4. Regional Office annotates the original memorandum with the SAVE information and their decision, and returns the memorandum to the local office.

D. When the SAVE information is received from Regional Office:

1. If SAVE verifies alien status: document the SAVE response in comments and scan into ECF.

2. If SAVE does not verify alien status and requests additional verification:

a. Regional Office completes form G-845, Document Verification Request. The form along with a scanned copy of the alien's document with or without additional information for verification is submitted electronically to USCIS.

DO NOT deny or discontinue the case based on alien status until a response is received.

b. If the USCIS response on form G-845 indicates the alien status document is valid, document the response in comments and scan into ECF.

c. If the USCIS response on form G-845 indicates the alien status document is not valid, deny or discontinue benefits for the unverified alien.

MS 2920 INELIGIBLE ALIEN/MEMBER RESOURCES AND INCOME (1)

A. All of the resources of the ineligible alien member are counted as available to the remaining household members.

B. [A pro rata share of the income of the ineligible alien member is counted as income to the remaining members. When manually calculating the pro rata share to ensure the benefit amount is correct, do the following:]

1. Subtract allowable exclusions from the ineligible alien's income;

2. Divide the countable income evenly among the household members including the ineligible alien and any other excluded members; and

3. Count all but the excluded member's share as income to the remaining household members.

C. [When considering the income and resources of the ineligible alien, the ineligible alien status takes precedence over all other excluded member status, such as the alien who is also an ineligible student.]

MS 2930 INELIGIBLE ALIEN - DEDUCTIONS

Give the earned income deduction to the pro rata share of the ineligible alien's earned income that is countable to the household.

[Divide the household's allowable shelter and dependent care expenses equally among the household members, including the ineligible alien and any other excluded members. Count all but the prorated share of the excluded member as a deductible expense to the remaining household members.]

Do not include the ineligible alien as a member of the household when determining the household size for the following:

A. Assigning a benefit level;

B. [Comparing the household's gross monthly income with the income eligibility standards; or]

C. Comparing the household's resources with the resource eligibility limit.

Additionally, the household is NOT entitled to a medical deduction if the only elderly or disabled individual is an ineligible alien.

MS 2940

DETERMINING INELIGIBLE ALIEN STATUS

When a household does not provide verification of alien status for any household member, consider that member an ineligible alien. DO NOT continue efforts to obtain verification of alien status.

Make a determination that an alien is an illegal alien when:

1. There is an admission by the applicant, another household member, or the household's representative that an illegal alien is a member of the household;

2. USCIS documents presented by the household during the application process are determined to be forged; or

3. A formal order of deportation is presented by the household during the application/recertification process.

MS 3000 SPONSORED ALIENS - GENERAL

[With the passage of The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), most immigrants are barred from receiving food benefits until they become U.S. citizens. This restriction applies to most newly arriving immigrants and to any alien who was already admitted but whose eligibility for benefits was not preserved under the Balanced Budget Act of 1997. Exceptions are listed in MS 2900. In addition to meeting general Supplemental Nutrition Assistance Program (SNAP) requirements, sponsored aliens must meet additional income and resource requirements.]

A. Sponsored aliens who enter the United States (U.S.) on or after 12/19/97 must complete and sign before a notary public, a sponsorship agreement; Immigration and Naturalization Service (INS) form I-864, Affidavit of Support under Section 213A of the Act.

Forms I-864 and I-864A show that an immigrant has adequate means of financial support and is not likely to become a public charge. Signing the form constitutes a legally binding contract between the sponsor and the U.S. Government in which the sponsor agrees to support the immigrant and any spouse and/or children immigrating with the individual. The deeming requirements apply only to immigrants whose sponsor has signed a legally binding affidavit of support (known as 213A affidavits – Form I-864 or I-864A) on or after December 19, 1997. Prior to this time, affidavits of support were not legally binding meaning the sponsor could not be legally compelled to support the immigrant. The sponsor's obligation continues until the sponsored immigrant becomes a U.S. citizen, can be credited with 40 qualifying quarters of work, departs the U.S. permanently, or dies. Divorce does not terminate the obligation. Death of the sponsor does terminate the support agreement, but does not relieve the sponsor's estate of reimbursement obligations.

B. The affidavit of support is required for the sponsored immigrants listed below and is completed by the individual as listed:

1. All immediate relatives, including orphans and family-based immigrants. The family member petitioning for the immigrant completes the form; and

2. Employment-based immigrants where a relative filed the immigrant visa petition or has a significant ownership interest (5% or more) in the entity that filed the petition. The petitioning relative or a relative with significant ownership interest in the petitioning entity completes the form.

C. The sponsor must:

1. [Be a citizen or national of the U.S. or an alien lawfully admitted for permanent residence;

2. Be at least 18 years of age;

3. Be domiciled in the U.S., its territories or possessions; and

4. Demonstrate the ability to support the sponsored immigrant. The sponsor's household income must meet or exceed 125% of the Federal poverty limits. Internal Revenue Services tax forms are used by US Citizenship and Immigration Services (USCIS) to verify household income.

   Sponsors on active duty in the U.S. armed forces need only demonstrate income at 100% of the Federal poverty limits, IF they are submitting form I-864 on behalf of their spouse or child. Joint sponsorship is possible, if necessary to meet the financial requirements. Separate sponsorship agreements are required and the joint sponsors become equally liable for any overpayment of means-tested benefits.

D. Sponsors must report any change of address to USCIS within 30 days, by completing form I-865/sponsor's Notice of Change of Address. Failure to do so results in severe penalties.]

E. Use of form I-134, Affidavit of Support or form I-361, Affidavit of Financial Support and Intent to Petition for Legal Custody, is not ruled out as these forms were used prior to passage of the Balanced Budget Act of 1997. Immigrants currently in the U.S. who previously completed sponsor agreements are NOT subject to the new affidavit requirements.

F. [The following individuals were previously exempted from sponsored alien provisions, based on prior legislation. If the prior affidavit of support is still in effect, these members remain exempt from deeming provisions, if otherwise eligible.]

   1. [An alien who was participating in the SNAP as a member of his/her sponsor's household or an alien whose sponsor is participating in the SNAP separate and apart from the alien; or]

   2. An alien who was sponsored by an organization or group rather than an individual; or

   3. An alien who was not required to have a sponsor under the unrevised Immigration and Nationality Act, such as, but not limited to, a refugee, a parolee, an asylee, a Cuban or Haitian entrant, or a noncitizen under age 18.

MS 3010 HOUSEHOLD RESPONSIBILITIES

A. Sponsored aliens entering the U.S. on or after 12/19/97 and completing the new affidavit of support are responsible for:

1. Providing form I-864 and I-864A as appropriate, to verify the income and resources of the sponsor and the sponsor's spouse. The sponsor's total income and resources as well as the spouse's are deemed available to the sponsored alien;

2. Obtaining the cooperation necessary to process the application from the sponsor's household;

3. Reporting all changes concerning the sponsor's household which affect the sponsorship of the member, such as income changes; and

4. Reporting a change in sponsor or termination of the sponsorship agreement.

B. Sponsored aliens completing affidavits of support prior to 12/19/97 are responsible for:

1. Providing any information or documentation necessary to determine the deemed income and resources of the alien's sponsor and the sponsor's spouse for 3 years from the alien's date of entry or date of admission as a lawful permanent resident;

2. Providing the names or identifying information of other aliens sponsored by his/her sponsor, if more than one; if this information is not provided, use the total countable deemed income and resources in determining eligibility and amount of benefits;

3. Obtaining any necessary cooperation from the sponsor;

4. Reporting all changed information about the sponsor and sponsor's spouse, such as changes in income or death of sponsor or sponsor's spouse; and

5. Reporting a new sponsor.

C. If the sponsorship agreement was signed prior to February 1, 1983, portions of the gross income and resources of the alien's sponsor and the sponsor's spouse are deemed available to the sponsored alien. Even though the marriage to the sponsor may have taken place after the sponsorship agreement was signed, consider the spouse's income and resources if he or she is living with the sponsor.

MS 3050

K-TAP SPONSORED ALIEN INFORMATION

[If gross income information is reported for a K-TAP sponsored alien household it will also be considered in the in the food benefits eligibility determination (EDG). Limit income deductions for food benefits deeming purposes to the earned income deduction and the food benefits gross monthly eligibility standards. If the household is categorically eligible, the gross monthly eligibility standards do not apply. See MS 3175.]

MS 3060 DEEMING SPONSOR'S INCOME

[Deeming applies to all sponsored aliens, except sponsored alien children under age 18. Deeming policy does not apply to indigent or battered aliens as they do not actually receive the deemed income. An indigent alien is an alien that the agency has determined as being unable to obtain food and shelter, taking into account the alien's own income plus any cash, food, housing or other assistance provided by other individuals, including the sponsor(s); this means that the sum of the eligible-sponsored alien's household's own income, the cash contributions of the sponsor and others and the value of any in-kind assistance the sponsor and others provide do not exceed 200% of the poverty level guidelines for the household's size. Deeming continues until the alien gains citizenship or attains 40 qualifying quarters of coverage or the sponsor dies. Therefore, deeming applies only to those who qualify for SNAP benefits under the military service provision.**]**

A. Sponsored aliens who complete the affidavit of support on or after 12/19/97, must have both their sponsor's and sponsor's spouse's income deemed as available to the alien. The sponsor's spouse must be living with the sponsor for their income to be considered available to the alien.

   1. The total income of the sponsor and the sponsor’s spouse are considered available to the sponsored alien.

   2. If the sponsored alien verifies that his sponsor is the sponsor of other aliens, the total income of the sponsor and the sponsor’s spouse are divided by the number of sponsored aliens before income is deemed to the sponsored alien applicant. If one of the sponsored aliens is a child, determine the amount of deemed income for each alien and then exclude the child’s portion before considering the income available to the sponsored alien applicant.

   3. If a change in sponsorship occurs during the recertification period, verify and recalculate the deemed income.

B. For sponsored aliens completing the US Citizenship and Immigration Services (USCIS) affidavit of support prior to 12/19/97 consider both the sponsor's and the spouse's income as available to the alien. Both are deemed available to the sponsored alien for 3 years following the alien's admission as a permanent resident.

   1. For these individuals, use the following procedures to determine the amount of income deemed available:
      a. Add the monthly gross earned income, less exclusions, of the sponsor and spouse.
      b. Subtract the earned income deduction from earned income of the sponsor and sponsor’s spouse.
      c. Add the monthly gross unearned income, less exclusions, of the sponsor and sponsor’s spouse.

d. Subtract the food benefits gross monthly income eligibility limit for a household equal in size to the sponsor, his spouse and anyone claimed or who could be claimed as dependents by them for Federal income tax purposes. The resulting figure is the amount deemed available to the alien.
e. Consider either the actual income provided to the sponsored alien's household or the deemed amount, whichever is greater, as unearned income to the sponsored alien's household.

2. Deem the total resources of the sponsor and the sponsor's spouse minus $1500 to the alien.

3. If an alien can demonstrate that his/her sponsor sponsors other aliens, the income and resources of the sponsor and sponsor's spouse which are deemed available are divided by the number of such aliens that apply for or are participating in the Supplemental Nutrition Assistance Program.

4. If an alien changes sponsors during the certification period, recalculate the deemed income and resources based on the new sponsor's situation after the reported change is verified.

5. If an ineligible alien is the sponsor of his alien wife, with whom he lives and his wife is eligible to receive benefits, prorate the sponsor's income per MS 5220.

MS 3070 [VERIFICATION OF SPONSORED ALIEN INFORMATION]

Obtain and verify the following information for sponsored aliens at initial application and at recertification:

A. The name, address and phone number of the alien's sponsor;

B. The income and resources of the alien's sponsor and the sponsor's spouse;

C. The name and other identifying information of other aliens for whom the sponsor has signed an affidavit of support;

D. The provision of the Immigration and Nationality Act under which the alien was admitted;

E. [The date of the alien's entry or admission as a lawful permanent resident as established by US Citizenship and Immigration Services (USCIS);]

F. The alien's date of birth, place of birth and alien registration number;

G. The number of household members and/or dependents who are claimed by the sponsor and sponsor's spouse on Federal income tax forms; and

H. Any questionable information.

I. An alien is ineligible to participate until acceptable documentation is provided unless:

1. [The agency has submitted a copy of a document provided by the household to USCIS for verification. While awaiting the finding on this verification, the agency cannot delay, deny, reduce or terminate the individual's eligibility for benefits on the basis of the individual's immigration status; or

2. The agency has submitted a request to the Social Security Administration (SSA) for information on the number of quarters of work that can be credited to the individual and SSA states that the number of quarters that can be accredited is under investigation. Pending the results of the SSA investigation, the individual must be certified for up to 6 months from the date of the original determination of insufficient quarters; or

3. The individual or agency has submitted a request to a Federal agency for verification of information that pertains to the individual's eligible alien status. Certify the individual for up to 6 months from the date of the submittal of the original request for verification.]

[Count the income and resources of members participating in the Supplemental Nutrition Assistance Program while awaiting verification of alien status. If verification is not obtained, the alien is ineligible, with his

prorata share of income and total resources considered available to the household. Deemed income from the sponsor is not considered if the alien is ineligible. If the sponsor is responsible for verification for the entire household, the household is ineligible until it is provided. When the required information or verification is received, it is treated as a reported change in household composition according to timeliness standards.]

MS 3100 SNAP APPLICATIONS BY THE SOCIAL SECURITY ADMINISTRATION

[Households consisting entirely of SSI applicants or recipients which do not have an active food benefits case or applications pending may apply and be certified or recertified for SNAP benefits through the Social Security Administration (SSA). Eligibility and benefit levels are based solely on SNAP benefits eligibility criteria for the categorically eligible. An eligibility determination is based on information provided by SSA or, if necessary, by the household. The application form SNS-101 is forwarded from the SSA office to the local SNAP benefits office the same day and must be processed by the local office within 30 calendar days of the date the application is received by the SSA office.

The SSA is also authorized to accept SNAP benefits applications for individuals in public institutions, who also apply for SSI benefits. Procedures for processing these applications are contained in MS 3155.

Households which consist entirely of SSI recipients are categorically eligible, unless the entire household resides in an institution or is disqualified from receiving SNAP benefits for reasons other than non-compliance with SSI. Households containing a drug felon are not considered categorically eligible. Non-compliance with SSI requirements no longer results in a 310 penalty for the SNAP benefits case.]

Non-SSI households are referred to the food benefits office by SSA.

MS 3110 [EXPEDITED SERVICES/SSA SNAP APPLICATIONS]

Handle expedited services applications made by SSI households who apply at the Social Security Administration (SSA) office as follows:

A. The SSA office has the following responsibilities:

1. [Prescreens all applications for expedited services on the day the application is received at the SSA office.

2. Marks "Expedited Processing" on the first page of the application if eligible for expedited services.

3. Informs households which appear to meet the criteria for expedited service benefits that they may be issued a few days sooner if the household applies directly at the appropriate food benefits office.

4. Informs the household it may take a referral form and the application from SSA to the appropriate food benefits office for screening, interviewing, and processing of the application.

5. Forwards the application to the local food benefits office the same day.

6. Verifies to the extent possible and indicates verification received on the transmittal memorandum. The food benefits worker requests any additional verification necessary.]

B. The local office has the following responsibilities:

1. [Prescreens all applications received from the SSA for possible expedited services on the day the application is received at the correct food benefits office.

2. Makes the final determination of eligibility for expedited services. All SSI households entitled to expedited services are certified per normal procedures, except that the expedited processing time standard begins on the date the application is received at the food benefits office rather than the SSA office.]

3. Provide benefits to expedited households retroactive to the day the application was received by the SSA office.

MS 3120 ELIGIBILITY DETERMINATION FOR SNAP APPLICATIONS FROM SSA (1)

Certify SSI households' applications accepted by the Social Security Administration (SSA) like any other application with the following exceptions:

A. Households are not subject to another interview or required to see a SNAP worker.

B. No further contacts are made with the households unless:

1. The application is improperly completed or not signed;

2. Mandatory verification is missing (assume identification has been verified as the applicant must present ID when applying for SSI); or

3. Information on the application is questionable.

[If an unsigned form SNS-101, Application for SNAP, is received in the local office, do not enter the application on the system. Mail the unsigned SNS-101, with forms PAFS-2, Approval Letter or Notice of Expiration, FS-120, Information Needed to Process a SNAP Application, FS-360, Facts About SNAP Benefits, and a request to designate an authorized representative to the household. Retain a copy of the unsigned SNS-101 in the local office.]

C. Use a telephone interview, letter or home visit with the applicant to update form SNS-101 when necessary, using hardcopy application FS-1 to identify missing information. Attach the unsigned FS-1, Application For SNAP, to form SNS-101.

D. The SSA office verifies information to the extent possible and indicates verification received on the transmittal form. The SNAP worker requests any additional needed verification.

E. Recertify SSI households as other households with the following exceptions:

1. [SSI households are entitled to make timely application for recertification at the SSA office if:]

a. They do not have a SNAP application pending in the local office; and
b. They have received an appointment letter from the local office informing them of their need to reapply.

2. An application for recertification is considered filed when received by the SSA office.

MS 3160 CATEGORICAL ELIGIBILITY (1)

A. Households that receive one of the following benefits are categorically eligible for Supplemental Nutrition Assistance Program (SNAP) unless the household meets the description of a non-categorically eligible household in B:

1. All household members receive TANF cash benefits or in-kind TANF benefits. If all members are authorized to receive or currently receive KTAP, Kinship Care, Work Incentive Reimbursement (WIN), or Family Alternatives Diversion (FAD), the household is categorically eligible.

2. All household members are SSI recipients. Whenever you discover income or resources for an SSI recipient that have not been reported to the Social Security Administration (SSA), contact the SSA office and provide them with all appropriate information. These members remain categorically eligible for SNAP as long as they continue to receive SSI.

4. Households in which all members receive a combination of the TANF benefits listed above and SSI are considered are considered categorically eligible.

[3. Households who receive the TANF funded information sheet that is generated at application, which makes them aware of other programs in which they may qualify, are considered expanded categorically eligible unless the household income is over the 200% Federal Poverty Level (FPL) income limits.**]**

Expanded categorically eligible households must be under the NET income for their household size.

B. The following households are not categorically eligible or expanded categorically eligible for SNAP:

1. Households where all members reside in an institution.

2. Households with a member who is disqualified for certain reasons from SNAP. If the household contains any member(s) who has a current Intentional Program Violation (IPV) disqualification, a drug-related felony disqualification, or a work disqualification on the head of household, the household cannot be categorically eligible.

MS 3175 VERIFICATION AT APPLICATION (1)

A. Categorically eligible members have certain eligibility factors that are considered met for SNAP benefits eligibility.

These eligibility factors are:

1. Resources;

2. Social Security Number (SSN) information;

3. Residency; and

4. Sponsored alien information.

The gross and net income limits do not apply to categorically eligible households, but income must be verified.

All other factors of eligibility apply.

B. Expanded categorically eligible household members only have resource factors met. All other factors of eligibility must be met.

If a client states during an interview that he/she has resources, the worker must enter the client stated amounts on the system. It is very important that reported resources are entered on the system as they could become countable resources in the event that the member loses their categorical eligibility.

Although client statement is accepted for verification of resources for expanded categorically eligible household members, do the following during an application or case action involving resources:

If the household is near the resource limit or if questionable, inquire Eligibility Advisor (EA) before requesting verification of resources. If EA returns no bank accounts or returns accounts but does not verify the balances, then appropriate verification requested on an RFI. If the verification is not provided, the system will deny or discontinue the case.

[In all other situations, client statement is accepted as verification of resources.]

MS 3200 SIMPLIFIED ASSISTANCE FOR THE ELDERLY – OVERVIEW (1)

Kentucky's Simplified Assistance for the Elderly (SAFE) program provides a standard amount of food benefits to SSI eligible households consisting of one or two members (spouses) who are age 60 or older. SAFE is a simplified version of the regular Supplemental Nutrition Assistance Program (SNAP).

A. SAFE eligibility is determined from a daily match with the Social Security Administration on the State Data Exchange (SDX) file. Individuals meeting the eligibility requirements will have a computer generated form SF-1, SAFE Application, sent to them in the mail.

B. [SAFE applications are identified as either "SAFE" or "SF" on the system and are entered like all other food benefits applications.]

C. No changes are required to be reported from SAFE recipients.

D. No face-to-face interview is required for SAFE cases.

E. SAFE cases are certified for three years.

F. All SAFE case activity, i.e. approvals, denials, discontinuances, recertifications, reported case changes, claims identification and establishment, is processed by staff in the Division of Family Support, Nutrition Assistance Branch (NAB).

G. SAFE eligible recipients can opt out of SAFE to apply for the regular food benefits program and opt out of the regular food benefits, to apply for SAFE. An individual cannot receive from both programs at the same time.

[H. SAFE cases follow regular food benefits policy for fair hearings and claims identification and establishment.

I. Any staff with system access can inquire SAFE cases.]

MS 3220 SAFE ALLOTMENTS (1)

A. Simplified Assistance for the Elderly (SAFE) allotments for a one person household are:

1. $33 if the monthly rent/mortgage expense is $199 or less per month; or

2. $75 if the monthly rent/mortgage expense is $200 or more per month.

B. SAFE allotments for a two person household are:

1. [$60 if the monthly rent/mortgage expense is $107 or less per month; or

2. $123 if the monthly rent/mortgage expense is $200 or more per month.]

C. Advise households that it may be to their benefit to apply for the regular Supplemental Nutrition Assistance Program if:

1. A one person household has shelter (rent/mortgage) expenses that exceed $280 per month;

2. A two person household has shelter (rent/mortgage) expenses that exceed $310 per month; or

3. The household (1 or 2 person) has medical expenses greater than $35 per month.

MS 3230 SAFE APPLICATION PROCEDURES (1)

A. [A nightly match with the Social Security Administration is completed by the system, via the Kentucky State Data Exchange (SDX) to identify SSI recipients who are potentially eligible for the Simplified Assistance for the Elderly (SAFE) Program. These individuals have a computer generated form SF-1, Simplified Assistance for the Elderly (SAFE) Application, mailed to them. A return envelope is mailed with every SAFE application.

B. Applicants return completed applications to the Division of Family Support, Nutrition Assistance Branch (NAB). If the initial application is not received and entered on the system within 30 days from the date it is sent, the individual will automatically receive a second application. If the individual does not return the second application, no more applications will be automatically sent.]

C. Applications must be processed within 30 days from the date the application is received in NAB as follows:

1. The date of application is considered the date the application is received in NAB.

2. Expedited services do not apply to SAFE applications.

3. SAFE benefits are not prorated.

4. SAFE applicants are not required to be interviewed. Information from SDX and form SF-1 is used to process the application.

5. Income Eligibility Verification System (IEVS) matches or any other computer matches are not completed on SAFE applicants.

D. Eligible households automatically receive an EBT card with instructions on how to select a Personal Identification Number (PIN) once the SAFE application is approved. Households will always receive a new EBT card whenever a SAFE application is approved, even if the client already has a card. All food benefits remaining on the EBT account from the regular SNAP will be accessible via the new EBT card issued when the SAFE case is approved.

E. SAFE cases are certified for 36 months.

F. If the SAFE application is received in the local office, the local office must forward the SAFE application to:

Division of Family Support
Nutrition Assistance Branch
275 East Main Street 3-EI
Frankfort, KY 40621.

G. Evaluate individuals applying for the regular SNAP for SAFE. If the individual meets the criteria and wishes to apply for SAFE, have them call 1-866-256-3823 to request a SAFE application. Take their application for the regular

SNAP even when it appears that they MAY be eligible for SAFE. DO NOT refuse to let them apply for regular SNAP if they do express intent to apply.

H. Any questions/inquiries regarding SAFE should be submitted to the SAFE Inbox at SAFE@KY.gov.

MS 3250 VERIFICATION REQUIREMENTS

Simplified Assistance for the Elderly (SAFE) applicants are not required to provide any verification. Information received from the SDX match is used to verify eligibility. The individual's statements indicated on form SF-1, Simplified Assistance for the Elderly (SAFE) Application, is used as verification of shelter expenses and separate household status.

MS 3260 CHANGE REPORT REQUIREMENTS FOR SAFE (1)

A Simplified Assistance for the Elderly (SAFE) household is not required to report changes as the SDX update process meets reporting requirements. However, individuals may voluntarily report changes by calling toll-free 1-866-256-3823. The following changes if voluntarily reported are acted on by staff in the Division of Family Support, Nutrition Assistance Branch:

- Date of birth;
- Name;
- Address; and
- Shelter expenses.

All other changes, such as marital status and SSI eligibility, must first be reported to the Social Security Administration (SSA). Once SSA makes the change to SDX, the system takes appropriate action during the monthly match with SDX.

[See MS 6765 for acting on address changes and instructions for entering address with an apartment number.]

MS 3275 MONTHLY SDX MATCH FOR SAFE (1)

[Once approved for Simplified Assistance for the Elderly (SAFE), all recipients are matched monthly to determine ongoing eligibility. The system automatically updates any changes that occur.

If a client now has a spouse, but the spouse is not eligible to receive SSI or is not age 60 or over, the system automatically discontinues the SAFE case.

If the head-of-household or spouse no longer receives SSI, the system automatically discontinues the SAFE case.]

MS 3280 SAFE RECERTIFICATION PROCESSING (1)

All Simplified Assistance for the Elderly (SAFE) cases are certified for 36 months. Recertification coming due displays on the SAFE workers DCSR on the first work day of the month prior to the certification end date and remains there until the recertification form appointment notice has been generated on the 10th day of that month. Form SF-2, Simplified Assistance for the Elderly (SAFE) Recertification, is generated one month prior to the end of the certification period and mailed to the recipient.

[If a recertification is not entered on the system by the 10th of the certification end month, the system generates a second SF-2. If the recertification is not entered on the system by the end of the certification period, the SAFE case is discontinued for failure to “Return SAFE Recertification Form”.]

MS 3285 [SAFE DENIAL AND DISCONTINUANCE REASONS]

A. Simplified Assistance for the Elderly (SAFE) applications and recertifications are denied by the system for the following reasons:

1. Not SAFE Eligible;

2. Incomplete SAFE application or recertification; or

3. Already Received.

B. SAFE applications can be manually denied and recertifications can be manually discontinued for the following reasons:

1. Client Request;

2. Not SAFE Eligible;

3. Incomplete SAFE application or recertification; or

4. Client Opted out of SAFE for Regular Supplemental Nutrition Assistance Program (SNAP) food benefits.

C. SAFE cases are discontinued through case change for the following reasons:

1. Client Request;

2. Client Opted out of SAFE for Regular Food Benefits Program;

3. Client Deceased;

4. Client No Longer Receiving SSI;

5. Client Institutionalized;

6. Client Moved Out-of-State;

7. Client Failed to Provide Sufficient Information; or

8. Not SAFE eligible

D. If a regular food benefits case is discontinued because someone is applying for SAFE, the reason is “Opted out of Reg FS for SAFE”.

MS 3500 RESIDENCY (1)

A. To participate in the Supplemental Nutrition Assistance Program (SNAP), a member must be a resident of Kentucky (the household is not required to verify its address; only that it is a resident of Kentucky). No individual may participate in more than one household, in more than one county or in more than one state in any month with the exception of an individual who is a resident of a shelter for battered individuals and children. Those individuals may participate in more than one household if the individual was a member of a household containing the abuser. Residency must be verified for every household member.

Households that receive SNAP benefits in another state are not eligible for SNAP benefits in Kentucky for the same period of time the household received SNAP benefits in the other state. Cash-out payments from California are considered the same as having received SNAP benefits in another state.

Contact the state the client moved from to determine the months of SNAP benefits received. A current list of out-of-state contact information is found at State SNAP Information/Hotline Numbers.

A household can be considered a resident without being required to have the following:

1. A fixed mailing address or residence in a permanent dwelling;

2. An intent to reside in the state permanently; or

3. A durational limit on residency in the state.

Do not consider persons in the state solely for vacation purposes as residents.

Consider the residency requirement met for any household in which all members are categorically eligible. THIS DOES NOT APPLY TO HOUSEHOLDS WHO ARE CATEGORICALLY ELIGIBLE DUE TO THE RECEIPT OF THE TANF FUNDED INFORMATION SHEET.

B. Households that do not have a fixed mailing address, including the homeless or migrant farm workers, must provide the Agency with a fixed mailing address.

Allow the household to select one of the following options:

1. The address of its church, minister, neighbor, family, friend; or

2. [General Delivery if available in that county.

If the household states it does not have a fixed mailing address, ask the household to provide an address where it can receive mail. The local office address should not be used as an address for any household.

The household may choose to have the EBT card mailed to the local office regardless of where it receives mail. If its mail is delivered to the local office,

store the household's mail with its EBT card, or in the event the household has already picked up its EBT card, place the mail in the area designated for storage of information held for local pickup by clients.

Advise a member of the household that they must check their mail regularly for important notices to ensure that their eligibility for SNAP is not adversely affected.

After 30 days, or if the case is otherwise inactive, mail which is delivered to the local office but not picked up is purged. Notices are filed in the case record. ETP reimbursement checks are returned to the Nutrition Program Assistance Section, Nutrition Assistance Branch, 3rd Floor 3E-I, 275 E. Main Street, Frankfort, Kentucky, 40621.

[See MS 6765 for acting on address changes and instructions for entering address with an apartment number.]

MS 3600 ENUMERATION REQUIREMENTS FOR SNAP (1)

A. [As a requirement for applying and participating in the Supplemental Nutrition Assistance Program (SNAP), each household member must provide their Social Security Number (SSN). Providing this requested information is voluntary, however, failure to provide an SSN will result in the denial of food benefits to the individual failing to provide an SSN. Staff should advise applicants of this provision at initial certification and member add. Household members denied for this reason are considered excluded members.]

If the household can provide a social security card or other official documentation provided by an organization or source which verifies the SSN, scan into ECF.

B. [SSNs entered on the system at application or member add are sent to the Social Security Administration (SSA) and matched against the Numident file.

C. When entering an application or member-add for an individual who has never been on the system, the State On-Line Query (SOLQ) match process is completed to prevent an incorrect SSN from being used. SOLQ provides real-time verification of SSNs and allows staff to address discrepancies face-to-face with an individual.]

If a discrepancy occurs between the SSN entered on the system and SOLQ, and the discrepancy cannot be resolved at the time the SSN is entered then request the applicant verify the SSN by a copy of the Social Security Card or written verification from SSA.

D. [When a case member does not provide an SSN, that case member must apply for an SSN as outlined in this subchapter, section SSN Applications.

If the household is eligible for expedited services, request, but do not require, the household to apply for SSNs prior to initial certification. However, allow those household members unable to provide the required SSN or who do not have one prior to the first full month of participation to continue to participate only if the household applies for an SSN or satisfies the good cause requirements outlined in this subchapter, section Good Cause Criteria. Newborns may be certified up to six months without an SSN, prior to having to show good cause.

If the household is not eligible for expedited services, require the household to apply for SSNs for each member.]

E. Acceptable documents for meeting “Good Cause” requirements are:
- Form SS-5, Application for a Social Security Card, completed with all required verification;
- Form SS-10;
- Form SSA-5028; or
- Form SSA-2853, Message from Social Security.

Form SSA-2853 is acceptable verification of an SSN application ONLY when signed by an authorized hospital official. Workers must remind the individual to supply the SSN to the agency upon receipt of the card.

[F. In situations where a Refugee or Parolee has applied for an SSN and provides verification from SSA stating they cannot give the individual an SSN due to not providing documents showing he/she is allowed to work in the U.S:

1. Enter on the system that he/she has provided SS-5 verification, as this will give the member 6 months to provide the SSN; and

2. Enter comments stating that verification from SSA was provided for the individual stating he/she isn't eligible due to being a refugee or parolee and not being allowed to work, the SS-5 date has been entered to allow 6 months to provide the SSN.]

MS 3610 [FAILURE TO COMPLY WITH ENUMERATION]

A. Failure to comply with enumeration requirements means:

1. A statement of intent not to provide/apply for a SSN;

2. Failure to apply for a SSN; or

3. The member fails to supply documentation required for completion of form SS-5, Application for a Social Security Card, without good cause. As long as a good faith effort is being made to provide the SSN, good cause exists for failing to provide the number.

B. Household members denied for failure to comply with enumeration requirements are considered excluded members.

The disqualification applies to the individual for whom the SSN is not provided and not to the entire household. If a household member is excluded for refusing to obtain or provide a SSN, form KIM-105, Notice of General Action, is issued to the household notifying them of the exclusion, the reason for the exclusion, the eligibility and benefit level of the remaining members and the actions the household must take to end the member's exclusion. Consider all the resources of the disqualified individual available to the household. All income of the disqualified individual is considered minus the individual's prorated share of income. The member is disqualified in an on-line process by the system until information is entered by the worker showing that the member is complying with enumeration requirements.

The disqualified household member becomes eligible upon providing the Agency with a SSN or applying for a SSN at the local office, if otherwise eligible.

MS 3620 SSN APPLICATIONS (1)

[If application for an SSN with the Social Security Administration (SSA) is verified, do not complete form SS-5, Application for a Social Security Card. Obtain a copy of form SS-10 or form SSA-2853, Message from Social Security, for the case record.]

In completing form SS-5 for a member, verify the date of birth, identity, and citizenship of the individual using evidence required by SSA and procedures for form SS-5.

[Ensure each individual who completes form SS-5 understands the use of the number and has read and understands "The Privacy Act and Your Request for a Social Security Number" which is printed on page 4 of form SS-5.]

To preserve the anonymity of the natural parents and to ensure the contents of the original case record remain confidential for children placed for adoption or subsidized adoption, follow enumeration procedures outlined in the Welfare Enumeration Manual, section 00305.145, located on the Social Security Administration website.

A. VERIFICATION. Acceptable proof of age includes:

1. Birth certificate from any hospital NOT shown in the appendix to the procedural instructions for form SS-5;

2. Verification of birth registration (Notification of Birth Registration issued by Vital Statistics);

3. If the member was born in Kentucky in 1976 or later, Kentucky Vital Events Tracking System (KVETS), Birth Index File;

4. Hospital record;

5. Baptismal record;

6. School record; and

7. U.S. Citizenship and Immigration Services (USCIS) records.

If a birth certificate, birth registration, baptismal record, etc., is used for proof of date of birth, additional verification is required to establish that the document is actually that of the applicant. Procedural instructions to form SS-5 give a complete listing of acceptable evidence of age and identity. Any document showing a birth place in the United States establishes citizenship.

DO NOT use one document to verify both age and identity (e.g., driver's license); a driver's license verifies identity only. An additional document to verify age is required.

[Applicants born outside the United States, Puerto Rico, Guam, U.S. Virgin Islands, Northern Mariana Islands, American Samoa or Swain’s Island must prove legal entry into the United States or present proof of citizenship.]

B. INTERVIEWING. The SSA conducts the required face-to-face interviews for:

1. All individuals age 18 or over applying for the first SSN card;

2. All immigrants applying for their first SSN card;

3. Immigrants using their INS card for identification for a replacement card; and

4. Individuals who will not allow their original verification to be forwarded to SSA.

C. PROCESSING. Send completed form SS-5 along with original verification of birth and identity each week to the Regional or District SSA office serving the specific county. SSA is responsible for returning original verification to the applicant.

1. Enumeration is completed in the following manner:

   a. For all SSN applications for which form SS-5 includes an NPN, once the SSN is assigned, SSA will forward the SSN information to our agency.
   b. Complete the enumeration process by completing an SSN change on the system as appropriate upon receipt of the verified SSN.

2. At recertification or member-add, review the case to ensure enumeration is complete for all members and that the SSN is changed. If the food benefits household cannot provide an SSN or proof of application at its next recertification after the birth of a new household member, allow the food benefits household up to six months following the birth month to provide the information.

[3. By entering an SS-5 date on the Individual member screen, the system provides the member 165 days to provide the SSN.

D. In situations where a Refugee or Parolee has applied for an SSN and provides verification from SSA stating SSA cannot give the individual an SSN due to the individual not providing documents showing he/she is allowed to work in the U.S:

1. Enter on the system that he/she has provided SS-5 verification, as this will give the member 6 months to provide the SSN; and

2. Enter comments stating that verification from SSA was provided for the individual stating he/she isn't eligible due to being a refugee or parolee and not being allowed to work, the SS-5 date has been entered to allow 6 months to provide the SSN.]

MS 3630 GOOD CAUSE CRITERIA

If a household member, based on religious grounds refuses to provide an SSN, the member has good cause for failing to comply. If the household member is unable to provide evidence such as out-of-state birth records which are necessary for completing form SS-5, the member has good cause for failing to comply as long as he is making a good faith effort to obtain the evidence.

For food benefits, good cause must be shown monthly in order for the household member to continue to participate. However, newborns may be certified up to six months without an SSN, prior to having to show good cause.

MS 3640 USE OF THE SSN

The Department for Community Based Services is authorized to use SSN's in the administration of benefit programs. The SSN is used in the following ways to:

A. Access BENDEX information regarding individuals who currently receive food benefits, K-TAP, MA, or State Supplementation benefits and receive benefits under Title II of the Social Security Act (RSDI);

B. Access the State Data Exchange (SDX), to determine if any household member is currently receiving SSI income and the amount;

C. Access other computer files available to the Department, e.g., IEVS, UI, etc.; and

D. Prevent duplicate participation and determine the accuracy and/or reliability of other income information given by households, e.g., wage records.

MS 3800 REPRESENTATIVE REQUIREMENTS (1)

Limits are not placed on the number of households a representative may represent. If employers, such as those that employ migrant or seasonal farm workers, are designated as representatives or if a single representative has access to a large number of benefits, ensure the following apply:

A. The household has freely requested the assistance of the representative;

B. The household's circumstances are correctly represented and the household is receiving the correct amount of benefits; and

C. The representative is properly using the benefits. If it is suspected that a representative is not properly using benefits, report the circumstances to the Nutrition Assistance Branch through your appropriate supervisory channels.

[Enter the name and address of the household's authorized representative(s) on the system. The system sends an EBT representative's name to Fidelity National Information Services (FIS). (If the representative is applying only, the information is not sent). The EBT system adds this information to the recipient's EBT account file. This allows the authorized representative to contact the Customer Service Representative (CSR) to report a problem with the card and/or PIN, request a new card and/or PIN and benefit balance.]

If the individual making the call to the CSR is not on file as the authorized representative, and cannot provide the food benefits head-of-households date of birth, the CSR denies the person's request.

AUTHORIZED REPRESENTATIVES ARE NOT ISSUED THEIR OWN EBT CARD. If the household wants the authorized representative to purchase food for them, the household must provide the authorized representative with the household's EBT card and PIN.

MS 3810 ALLOWED REPRESENTATIVES (1)

The household has the option of designating one or two representatives. The individual may appoint one representative to complete the application process and obtain the household's Supplemental Nutrition Assistance Program (SNAP) benefits or the individual may select two representatives, one for each process. If applicants do not have the mental capacity to care for themselves, then they do not have the ability to designate an authorized representative. In situations where a legal guardian has been appointed, the legal guardian **must** make the SNAP application for the applicant. The legal guardian can apply without a signed statement from the applicant as long as proof of guardianship is provided. The order of guardianship by the court will serve as verification of representation. If an applicant designates an authorized representative during the application interview and that authorized representative is entered on the system, the client's signature on the application meets the requirement of the authorized representative being designated in writing. The authorized representative cannot be used as a verification source for the household, if representing the household during the interview.

A. An individual authorized to represent the household for certification purposes MUST be an adult who:

1. Is designated in writing by the head-of-household, his/her spouse or another responsible adult of the household to act on the household's behalf. Representatives may complete form FS-1, Application for SNAP, for the household. If not designated in writing as a representative by the household, have the individual complete form FS-1, and issue a manually completed form PAFS-2, Application Letter or Notice of Expiration, scheduling the application interview. Request a written statement from the household, authorizing the representative to make application for the household. In addition, provide the individual making the application with form FS-120, Information Needed to Process a Supplemental Nutrition Assistance Program (SNAP) Application.

   In instances of "power of attorney" (POA), unless the POA document specifies food benefits, the recipient has the right to choose whoever they want as an authorized representative; and

2. Is sufficiently aware of relevant household circumstances. In the event the only adult member of a household is classified as a non-household member, that person may be designated as the authorized representative for the minor household members.

B. **[**The initial application can be conducted by phone or on the Self Service Portal (SSP) with an authorized representative.**]**

C. Recertifications may be completed over the phone with an authorized representative, if the authorized representative is currently listed for that case and the proper documentation is located in the Electronic Case File (ECF).

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MS 3820 NONALLOWED REPRESENTATIVES

The following individuals cannot be representatives:

A. [Department employees (those who work in Family Support programs) involved in the certification and/or issuance processes unless there is specific written approval from the Service Region Administrator (SRA) or designee, and only if a determination is made that no one else is available to serve.]

B. [Retailers authorized to accept food benefits unless there is specific written approval from the SRA or designee and only if a determination is made that no one else is available to serve.]

C. [Individuals disqualified for intentional program violation during the period of disqualification unless a disqualified individual is the only adult member of the household able to act on its behalf and it is determined that no one else is available to serve. Separately determine whether this individual is needed to apply on behalf of the household, to receive the EBT card and to use the benefits for food. The household may have one representative to obtain the benefits each month and not be able to find anyone to purchase food regularly with the benefits. If no one can be located to purchase food regularly with the benefits, allow the disqualified member to serve as representative for purchasing food.]

D. Persons disqualified from being a representative.

E. Minors.

MS 3830 EMERGENCY REPRESENTATIVES

[The household can designate an emergency representative as the need arises. The emergency representative can obtain benefits on the occasions when neither a household member nor the representative is able, due to an emergency. A separate written designation is needed each time an emergency representative is used.

When notified by the household that an emergency representative is needed, instruct the head of household or spouse to complete a statement similar to the one below. The head of household or spouse and emergency representative sign the statement. The emergency representative brings the completed statement, plus a form of personal ID along with the household's EBT card and PIN.

I authorize _____
(Emergency Representative)

to use my EBT card and PIN to buy food for me.

_____
(Signature of Head of Household or Spouse) (Date)

_____]
(Signature of Emergency Representative)

MS 3840 REPRESENTATIVES
FOR TREATMENT CENTER PARTICIPANTS

[Narcotics addicts or alcoholics who regularly participate in a drug or alcoholic treatment program on a resident basis may elect to participate in the SNAP if the treatment center is certified by the appropriate State agency(s) including that agency's determination that the center is a private, non-profit organization or a publicly-operated community mental health center. The residents that apply are certified for program participation through the use of a representative. The representative must be an employee the organization or institution and must be designated by the organization or institution as the representative. The organization or institution applies on behalf of each addict or alcoholic and receives and spends the allotment for food prepared by and/or served to the addict or alcoholic. Do not accept verification signed by the representative in instances where the representative is applying on behalf of the household. The organization or institution is also responsible for complying with requirements set forth in MS 2660.]

MS 3850 REPRESENTATIVE LIABILITY FOR OVERISSUANCES (1)

[When another household member or the representative is actually interviewed, the head of household or the spouse reviews the application whenever possible. Emphasize that the household, as well as the representative, is held liable for any overissuance which results from erroneous information given by the representative except in the following situations:]

A. The drug addict/alcoholic rehabilitation institution, when acting on behalf of the addict/alcoholic, is held liable for all overissuances.

B. The group living arrangement, when acting on behalf of the resident, is held liable for all overissuances.

[In instances where the representative provides erroneous information the representative is disqualified from serving as a representative. The household and the representative are responsible for the overissuance. See MS 3860 for procedures for disqualifying a representative.]

Establish an inadvertent household error claim against the household as the result of the erroneous information unless an administrative disqualification hearing determines a household member collaborated with a representative to commit an intentional program violation.

If the hearing finds the household member collaborated with the representative to commit an intentional program violation (IPV), establish the IPV claim against the household and disqualify the household member.

MS 3860 DISQUALIFICATION OF REPRESENTATIVE

Disqualify representatives according to the following procedures:

A. WHEN TO DISQUALIFY A REPRESENTATIVE. Do not allow an individual to act as a representative in the program when evidence is obtained that the representative has done either of the following:

1. Misrepresented a household's circumstances without the household's knowledge by knowingly providing false information pertaining to the household; or

2. Used benefits incorrectly.

B. PERIOD OF DISQUALIFICATION. Disqualify the individual from acting as a representative in the program for six months after the first verified incident. Disqualify for one year after additional verified incidents.

C. REPRESENTATIVE FOR MORE THAN ONE HOUSEHOLD. If an individual acts as a representative for more than one household and is disqualified as a representative for any of these households, disqualify the person as a representative for all households. Each household has the right to appeal the disqualification action through a fair hearing.

D. [AGENCY ACTION. Manually send a Notice of Eligibility to the affected household(s) and the representative 30 days prior to the date of disqualification. Include the following:]

1. The proposed action;

2. The reason for the proposed action;

3. The household's right to request a fair hearing; and

4. The name and office phone number of the worker.

E. LOCAL OFFICE RECORD OF DISQUALIFIED REPRESENTATIVES. Whenever a representative is disqualified, record the following information on a reference card and maintain in the file:

1. Name of disqualified representative;

2. Social security number and address of the representative, if available;

3. Head of household(s) and case number(s) of the case(s) from which the representative was disqualified; and

4. Beginning and ending date of disqualification period.

F. EXCEPTION. Do not apply these provisions in the case of drug and alcoholic treatment centers and those group living arrangements which act as representatives for their residents.

MS 5000 RESOURCE MAXIMUMS (1)

Determine SNAP maximum resource limits as follows:

A. Households in which all members receive KTAP benefits and whose income does not exceed the SNAP gross income limit for the appropriate household size have automatically satisfied the resource eligibility criteria. Households composed entirely of SSI recipients or households in which all members receive KTAP, Kinship Care, WIN or FAD are categorically eligible and satisfy the resource eligibility criteria. See MS 3160 - MS 3199.

B. Deny or terminate eligibility if the value of nonexempt resources including both liquid and non-liquid assets for the household exceeds:

   1. $3,500 for households which include a disabled member or member age 60 or over; or

   2. $2,250 for all other households.

C. Households who receive a TANF funded benefit or service (the information sheet) are considered expanded categorically eligible and also satisfy the resource eligibility criteria. MS 3160 will specify who is not categorically eligible.

D. **[**The asset limit for elderly or disabled households also serves as the threshold for substantial lottery or gambling winnings.**]**

MS 5010 RESOURCES - SELF-EMPLOYED

Those liquid resources that can be readily identified as used exclusively for the self-employment enterprise are not considered available to the household. If these resources are co-mingled for both the household's use and the business' use, the resources are divided based on the household's statement of percentage of use.

However, a self-employed household that receives a business loan has the loan considered as a resource in the month received, even if the household anticipates spending some or all of it in the same month. Any amount remaining after the month of receipt continues to be counted as a resource until the money is spent.

MS 5020 TRANSFER OF RESOURCES - ALLOWABLE

Eligibility is not adversely affected if the household transfers resources which:

A. Would not otherwise affect eligibility; i.e., excluded personal property, such as furniture or money that when added to other nonexempt resources was less than the allowable limits at the time of the transfer;

B. Were sold or traded at or near fair market value;

C. Were transferred between members of the same household including ineligible aliens or disqualified persons whose resources are being considered available to the household; or

D. [Were transferred for reasons other than qualifying or attempting to qualify for food benefits, such as a parent placing funds in an inaccessible educational trust fund.]

MS 5030 TRANSFER OF RESOURCES - DISQUALIFICATION

[Any non categorically eligible household or non expanded categorically eligible household that transfers resources to a non household member for the purpose of qualifying or attempting to qualify for food benefits is disqualified. The period of disqualification is up to one year and is assigned when the household:]

A. Knowingly transfers resources in the three-month period before making application; or

B. Knowingly transfers resources after it has been determined eligible or is receiving benefits.

The resource disqualification provision applies to any member of the household, ineligible alien or disqualified person whose resources are considered available to the household.

[If the household has knowingly transferred resources for the purpose of qualifying or attempting to qualify for food benefits, document the determination of ineligibility and the amount of transferred resource. Add that amount to the existing resource amount and compare to the resource limit for the household size. If the household's resources then exceed the limit, take the amount over the allowable resource limit and determine the disqualification period based on the following scale:]

DISQUALIFICATION PERIOD BASED ON VALUE OF TRANSFERRED RESOURCES

AMOUNT IN EXCESS OF THE RESOURCE LIMIT	PERIOD OF DISQUALIFICATION
$0 to $ 249.99	1 month
250 to $ 999.99	3 months
$1,000 to $2,999.99	6 months
$3,000 to $4,999.99	9 months
$5,000 and more	12 months

The period of disqualification begins as follows:

1. Application - begins with the month for which the household is requesting benefits;

2. Currently participating - begins with the first issuance after the adverse notice period expires unless a fair hearing is requested with continuation of benefits during the balance of the certification period.

MS 5040 RESOURCES - EXCLUDED

All resources other than those listed in MS 5050 or MS 5060 are excluded.

[Any household member who receives SSI benefits (unless the member has a current Intentional Program Violation (IPV) disqualification, a drug-related felony disqualification, or a work disqualification on the head of household) is categorically resource eligible for food benefits purposes, and that member's resources, if they can be identified separately from the household's resources, are disregarded when counting the household's total resources.]

DO NOT count the current month's income as both income and a resource. For example, if income for the current month is deposited in a bank account, deduct that amount from the account to determine the actual account balance.

The following resources are counted for households that are not categorically eligible or expanded categorically eligible:

A. Cash on hand;

B. Checking account;

C. Savings account;

D. Certificates of deposit minus any penalty for early withdrawal;

E. Stocks;

F. Bonds;

G. Any vacation pay of a laid off employee that is paid to him/her at the time of lay off. If the vacation pay is withdrawn in one payment, the money is considered a lump sum payment. If the member receives the vacation pay in more than one payment, the pay is considered income.

H. Resources of a household member disqualified from program participation are counted in their entirety to the household minus allowable resource exclusions.

I. Resources of ineligible alien household members are counted in their entirety to the remaining household members.

J. Funds received from Crowdfunding accounts, such as GoFundMe, Kickstarter, and Indiegogo, are considered liquid resources. The actual value of the accessible funds is counted.

[K. Lottery winnings paid as a non-continuing lump sum are countable resources. Lottery winnings paid on an annual basis are considered unearned income; See MS 5000.**]**

L. Money accumulated from attendant care payments to pay withholding taxes;

M. All loans, except educational loans with deferred repayment. Educational loans with deferred payment are excluded until repayment begins;

N. Equity Lines of credit ONCE accessed; and

O. First Time Home Buyers Credit payment.

MS 5060 RESOURCES WHICH MAY OR MAY NOT BE COUNTED (1)

For households that are not categorically eligible or expanded categorically eligible, the following resources may or may not be counted depending on the situation. These are:

A. Jointly held resources (i.e., checking, savings, certificate of deposit, savings bonds) are resources owned or held by more than one household. Determine the amount to be considered as follows:

1. Resources owned jointly by separate households are considered available in their entirety to each household, unless the household can demonstrate that the resources are inaccessible. For households claiming that funds in an accessible jointly held checking/savings account do not belong to the household, consider as a countable resource unless the household does the following:

a. Obtains written verification from the other account holder(s) that the household has not contributed funds to the account; and
b. Removes the name of the household member(s) from the account.

Upon verification that the household member's name is no longer on the account, do not consider as a resource and do not consider as a transfer of resources. This is effective with the month the member's name is removed from the account.

2. If the household can demonstrate that it has access to only a portion of the resource, consider that portion of the resource toward the household's resource level.

B. Resources of battered individuals and children residing in shelters are not counted if:

1. The resources are jointly owned by such persons and by members of their former household; and

2. The shelter resident's access to the value of the resources is dependent on the agreement of a joint owner who still resides in the former household.

C. HUD retroactive tax and utility cost subsidy payments issued as a result of Underwood vs. Harris are excluded in the month received and the following month. Thereafter, any remaining balance is counted as a resource.

D. Resources whose cash value is not accessible to the household, such as but not limited to, security deposits on rental property or utilities.

Exclude from consideration any resource which is available to the household, but of which the household is unaware, to the point in time the household is advised that the resource is legally available. The resource is then considered in determining eligibility.

E. Any funds in a trust or transferred to a trust and the income produced by that trust to the extent that it is not available to the household is not counted if:

1. The trust is under the control and management of an institution, corporation or organization;

2. The trust is under the control and management of an individual, whether or not a household member, appointed by the court who has court imposed limitations placed on his/her use of the funds which meet the requirements outlined in this section;

   If the trust can be accessed via such means as petitioning to the court and funds can be accessed for reasons with no restrictions, the money withdrawn is countable as income in the month received.

3. The funds held in irrevocable trust are either:

   a. Established from the household's own funds, if the trustee uses the funds solely to make investments on behalf of the trust or to pay the educational/medical expenses of any person named by the household creating the trust;
   b. Established from non-household funds by a non-household member; or
   c. Currently in an Irrevocable Funeral Trust Agreement with a funeral home.

4. The trust investments do not directly involve or assist any business or corporation under the control or influence of a household member;

5. The trust arrangement will not likely cease during the certification period; and

6. No household member has the power to revoke the trust arrangements or change the name of beneficiary during the certification period.

F. Money received in the form of a nonrecurring lump sum is counted as a resource in the month received and thereafter, unless specifically excluded from consideration as a resource by other federal laws. Nonrecurring lump sums are amounts such as, but not limited to: income tax refunds, or rebates; retroactive lump sum social security, SSI, public assistance, railroad retirement benefits, Tobacco Settlement Agreement Payments if received in a single payment; or other payments; insurance settlements; lottery winnings (annuities and lottery winnings which are paid annually

are averaged over 12 months and considered countable income); refunds of security deposits on rental property or utilities.

[Tax refunds received are to be excluded as resources for a period of 12 months after receipt.]

If the total amount exceeds the allowable resource limitation, send the household form PAFS-2 and give the household 10 calendar days to update its entire resources statement. If the household declines to do so, take action to terminate the household's certification. If the household responds to the request and resources still exceed the limits, discontinue the case.

G. Excluded monies kept in a separate account and not co-mingled in an account with other non-excluded funds retain their exclusion for an unlimited period of time. When interest is credited to and retained in this type of account, co-mingling does not occur and the principal of the account retains its exclusion.

Excluded monies co-mingled in an account with non-excluded funds only retain their exemption for six months from the date they are co-mingled. After six months from the date of co-mingling, count all funds in the co-mingled account as a resource.

If income of students and self-employed persons which is excluded has been co-mingled in an account with non-excluded funds, this money continues to be exempt during the period of time over which it has been prorated.

H. Servicepersons deployed overseas may provide their parents, or other individuals, access to their bank account, or a portion thereof, solely for the purpose of paying the serviceperson's bills, etc., and otherwise handle the serviceperson's affairs. If the applicant household can access the account for its own purpose, then the funds must be counted.

Generally, spouses have jointly owned bills/expenses and therefore this provision would not apply.

In a situation where the couple was separated and maintained separate households/bills before deployment, this would apply to spouses too - as long as the funds are not used for the applicant household. If the household cannot use the funds for itself, the funds are excluded as an inaccessible resource.

It is the responsibility of the applicant household to provide documentation concerning such an arrangement. This could be in the statement from the involved financial institution, or other means attesting to the fact.

MS 5200 INCOME ELIGIBILITY SCALE (1)

[Effective October 1, 2020, the income scale is:

Household Size	Net Income	130% Gross Income	165% Gross Income	200% Gross Income
1	1,064	1,383	1,755	2,128
2	1,437	1,868	2,371	2,874
3	1,810	2,353	2,987	3,620
4	2,184	2,839	3,603	4,368
5	2,557	3,324	4,219	5,114
6	2,930	3,809	4,835	5,860
7	3,304	4,295	5,451	6,608
8	3,677	4,780	6,067	7,354
Each additional member	+374	+486	+616	+748**]**

Determine allowable gross and net income as follows:

A. Compare the net monthly income of households containing one or more elderly or disabled members to the net allowable income scale for the appropriate household size, unless the household is categorically eligible.

   If the household contains a member who is 59 years of age at the time of application but who will turn age 60 before the end of the month of application, compare the net monthly income of the household to the net allowable income scale.

B. If an elderly and disabled individual and his/her spouse who live with others is considered a separate household because they meet the criteria outlined in MS 2020, compare the income of other persons with whom he/she lives to the maximum gross monthly income for elderly/disabled separate households.

C. If not categorically eligible, compare households which do not contain an elderly or disabled member to both the gross and net income eligibility standards as follows:

   1. Compare the gross monthly income to the gross allowable income for the appropriate household size.

   2. If the gross monthly income is more than the gross allowable income, deny benefits.

   3. If the gross monthly income is less than or equal to the gross allowable income, apply appropriate deductions.

   4. Compare the net monthly income to the net allowable income for the appropriate household size.

a. If the net monthly income is more than the net allowable income, deny benefits.
b. If the net monthly income is less than or equal to the net allowable income, approve benefits.

For example:	Household size:	4
	Gross income :	2,725.00
	Net income :	2,212.00

[Household would be ineligible. The household's income is below the gross income limit of $4,368.00; however, it is over the net income limit of $2,184.00.**]**

MS 5210 EXCLUDED INCOME (1)

If a recipient has excluded income, the type code is entered under the household member for whom it is intended. If the excluded income is intended to cover the household, the type is entered under the head of household.

The following are excluded from household income:

A. In-kind Income: Consider any gain or benefit not in the form of money payable directly to the household as in-kind. This includes free rent, meals, clothing, public housing or produce from a garden.

B. Vendor Payment: A money payment made to a vendor on behalf of a household member by a person outside of the household or an organization. In order to be excluded, the payment cannot be made from funds owed to the household.

1. If an employer, agency, former spouse, or other person makes payments for a household's expenses to a third party from funds not owed to the household, consider these payments as vendor payments. This does not apply to military Basic Allowance for Housing (BAH) payments as these payments are legally obligated to the household. BAH payments shown on the Leave and Earnings Statement (LES) are countable income.

   Payments specified by a court order or other legally binding agreement to go directly to a third party rather than to the household are vendor payments. This includes amounts which exceed the amount specified in the court order of agreement.

2. Dependent care payments by a government agency to an institution to provide day-care for a household member.

3. Rent or mortgage payments paid to landlords or mortgage holders by the Department of Housing and Urban Development or by state or local housing authorities are vendor payments. Rent subsidy payments from the Farmers Home Administration (FmHA) are also vendor payments.

   Do not exclude housing assistance distributed by Federal, State or local organizations for households residing in transitional housing for the homeless. Although these payments are made to a third party, they are countable unearned income in the SNAP benefits case.

4. Exclude any vendor payment that is converted to cash if it is provided by a demonstration project carried out or authorized under Federal law.

5. Exclude annual school clothing allowances provided by the State, whether provided as a two-party check, voucher or cash.

6. Consider KWP supportive service payments issued directly to the service provider as a vendor payment.

7. Flexible benefits offered to an employee in the form of credits, which are not legally obligated income to the employee, are excluded as income to the household.

C. Income Excluded by Law: Any income that is specifically excluded by Federal statute from consideration as income for the purpose of determining eligibility for the SNAP benefits. Examples include, but are not limited to:

1. Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646, Sec. 216). The following payments are included under Title II of this Act:

   a. Payments to persons displaced as a result of the acquisition of real property by an agency acting under the auspices of this Act;
   b. Relocation payments to a displaced homeowner toward the purchase of a replacement dwelling. Such payment may only be to a displaced owner who purchases and occupies a dwelling within one year following displacement; and
   c. Replacement housing payments to displaced persons not eligible for a homeowner's payment.

2. Payments received under the Alaskan Native Claims Settlement Act (P.L. 92-203, Sec. 21 (a)).

3. Payments received under P.L. 92-531, Sec. 22 made to Navajo or Hopi Indians.

4. Payments received under the Trade Adjustment Assistance (TAA).

5. Exclude allowances, earnings, and payments to individuals in the following Title I Programs of the National and Community Service Act:

   a. Serve-America;
   b. American Conservation and Youth Service Corps Act;
   c. National and Community Services Models Act;
   d. Higher Education Service and Learning Program; and
   e. Americorps.

6. Exclude allowances, earnings, and payments to individuals in the following Title I Programs of the National and Community Service Act, <u>ONLY</u> if that individual was receiving SNAP benefits or public assistance at the time they joined the Title I Program. Temporary interruptions in SNAP benefit participation DO NOT change the exclusion once an initial determination is made:

   a. VISTA;
   b. University Year for Action; and
   c. Urban Crime Prevention.

7. Exclude allowances, earnings, and payments to individuals in the following Title II Programs of the Domestic Volunteer Services Act of 1973:

   a. Foster Grandparents;
   b. RSVP;
   c. Senior companion; and
   d. State and National.

8. Income derived from certain sub marginal land of the United States which is held in trust for certain Indian tribes (P.L. 94-114, Sec. 6).

9. Indian Per Capita Payments are handled as follows:

   a. Exclude per capita payments made each calendar year from judgment awards and trust funds of $2000 and less, regardless of the frequency, from income for SNAP benefits purposes per P.L. 98-64. Apply this exclusion to each annual payment made to each individual included in the case, per P.L. 93-134.
   b. Count portions of these payments IN EXCESS of $2000 per payment as follows:
      (1) The recipient may elect to consider the excess as income in the month received or averaged over the certification period.
      (2) For households which receive their SNAP benefits allotment prior to receiving their per capita payment in the same month, or fail to report the payment, disregard the excess of the $2000 per payment as income in the month received. Consider as a resource any remaining monies in subsequent months.

10. Exclude allowances, Try-Out Employment, earnings other than OJT and Job Corps, and payments to individuals participating in programs (such as AmeriCorps) funded under the Workforce Investment and Opportunity Act (WIOA).

    Exclude payments funded through the WIOA, Title III, and National Reserve Grant, commonly called the Coal Grant.

    Exclude payments under YouthBuild, under the Housing and Community Development Act of 1992, regardless of age.

    Count WIOA-OJT earnings as income, unless paid to a member age 18 or under who is under the parental control of another household member. This includes any WIOA funded OJT arranged in connection with the Kentucky Works Program.

11. Exclude earned income tax credit (EITC) payments.

    Tax refunds received are to be excluded as income for a period of 12 months after receipt.

12. Exclude earnings received by individuals 55 years of age or older under the Senior Community Service Employment Program (SCSEP) as authorized by Title V of the Older Americans Act, P.L. 100-175.

    Organizations that receive Title V funds are:

    a. Experience Works;
    b. National Council on Aging;
    c. National Council of Senior Citizens;
    d. American Association of Retired Persons;
    e. U.S. Forest Service;
    f. National Association for Spanish Speaking Elderly;
    g. National Urban League; and
    h. National Council on Black Aging.

13. Payments received by U.S. citizens of Japanese ancestry, Japanese permanent resident aliens or their survivors and Aleuts, under the Wartime Relocation of Civilians, P.L. 100-383.

14. Payments received from Agent Orange Compensation Exclusion Act, P.L. 101-201. These payments are issued by Aetna Life and Casualty to veterans or their survivors as lump sum payments and are retroactive to January 1, 1989.

    P.L. 102-4, Agent Orange Act of 1991, authorized veteran's benefits for service connected disabilities resulting from exposure to Agent Orange. These VA payments are not excluded by law.

15. Attendant care and child care payments made to a SNAP benefits household member from his/her own pocket and not from monies from an outside source. Such attendant care and child care payments are not earned income because the money is exchanged between household members.

16. Child care payments authorized by Service Agents through Child Care and Development Fund (CCDF) if the provider is not in the SNAP benefits household. To determine the allowable dependent care deduction when child care payments are issued by Service Agents, see MS 5450.

17. [Exclude any portion of the KTAP grant which the household receives because a childcare expense is subtracted from earnings as part of the grant calculation process. To determine the countable KTAP income for KTAP cases with earnings and childcare expenses, see MS 5650.]

18. Exclude payments made to farmers due to a farm emergency resulting from a natural disaster as required by Section 312(d) of the Disaster Relief Act of 1974, as amended by P.L. 100-387.

    This Act was additionally amended in 1988 by P.L. 100-707 to expand this exclusion to Federal assistance provided to persons directly affected by a major disaster, and to comparable disaster assistance provided by

States, local government and disaster assistance organizations. Examples of assistance types include, but aren't limited to: Disaster Unemployment Assistance (DUA) which provides financial assistance to individuals whose employment or self-employment has been lost or interrupted as a direct result of a major disaster and who are not eligible for regular unemployment insurance benefits; financial assistance to individuals or households to rent alternate housing accommodations (such assistance may include the payment of the cost of utilities), financial assistance for the repair of owner-occupied private residences, utilities, and residential infrastructure; financial assistance for replacement of owner-occupied private residences; financial assistance to an individual or household to meet disaster-related medical, dental, and funeral expenses; financial assistance to address personal property, transportation, and other necessary expenses or serious needs.

19. Payments received from the Radiation Exposure Compensation Trust Fund as compensation for injuries or death resulting from the exposure of radiation from nuclear testing and uranium mining (P.L. 101-426).

20. Payments/fees withheld by a qualified organization or representative payee from funds received on behalf of an SSI or RSDI recipient. The representative payee fee is excluded by federal statute. To qualify to collect a fee as a representative payee, an organization must be a community based nonprofit social service agency which is bonded or licensed in each state. Qualified organizations are determined by the Social Security Administration.

21. On-the-job training payments received under the Summer Youth Employment and Training Program (SYETP), P.L. 102-367.

22. Payments received by individuals as a result of their status as victims of Nazi persecution (P.L. 103-286).

23. Assistance payments made to children, not providers, under the National School Lunch Act, P.L. 94-105.

24. The value of assistance to individuals under the Child Nutrition Act of 1966, P.L. 89-642. This includes the Special Milk Program, the School Breakfast Program and the Special Supplemental Food Program for Women, Infants, and Children (WIC).

25. Payments or compensation paid to any crime victim under the Crime Act of 1984, P.L. 103-322.

26. Payments received from the Social Security Administration (SSA) and directly deposited into an "SSI dedicated account", for eligible individuals under age 18, according to Section 213 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. However, consider interest earned by the account as income.

27. Benefits for individuals with covered birth defects who are the natural children of women veterans who served in Vietnam during the Vietnamese war. There is no age limit for recipients of these benefits. These individuals receive the benefits until they die.

28. Income maintained in or withdrawn from an Individual Development Account (IDA), including interest earned as long as the recipient is receiving KTAP.

    An IDA is a savings account established at an approved financial institution, matched by funds from a non-profit organization participating in the Assets for Independence Act (AFIA). There are currently two IDA granters under the AFIA demonstration project in Kentucky: The Center for Women and Families, in Louisville, KY and Kentucky River Foothills Development Council, Inc., in Richmond, KY.

29. Family Alternative Diversion (FAD) payments.

30. Work Incentive Reimbursement (WIN) payments.

31. Military Income Payments under the Consolidated Appropriations Act of 2005, received by military personnel while deployed to a combat zone. To determine excludable income in a SNAP benefits household use the following steps to process military pay:

    a. Establish the amount of the military person's pay that was actually available to the household prior to the deployment of the military person to a designated combat zone as identified in item f.
        (1) If the military person was part of the SNAP benefits household prior to deployment, the amount would be the net military pay. For SNAP benefits case budgeting purposes, gross pay was counted; however, only the net pay was actually made available to the household. Therefore, once deployed continue to consider the net pay as available to the household unless otherwise reported and verified.
        (2) If the military person was not part of the household prior to the military person's deployment to a designated combat zone, for SNAP benefits purposes, this amount is the amount the absent military person actually made available to the family prior to deployment to the designated combat zone.
    b. Determine the amount of military pay that the absent member deployed in a designated combat zone is making available to the family.
    c. If the amount of the military pay that the absent member deployed in a designated combat zone is making available is equal to or less than the amount the household was receiving from the military person prior to deployment to a designated combat zone, all of the military pay would be counted as income to the household for SNAP benefits purposes. Any portion of the amount that exceeds the amount the household was receiving prior to deployment of the military person to a designated combat zone is excluded when determining the household's income for SNAP benefits purposes.

d. The deployed person's military pay record, the Leave and Earnings Statement (LES), can be used to verify if combat pay is being received, if the deployment is to a combat zone, and the amount of combat pay. Military orders can also be used to establish deployment. Although the LES is usually sent to the military person's family back home, this is not always the case. If the applicant household does not have the LES, the household can obtain the income information for this deployed person through the web or the local military base's financial office.

e. For SNAP benefits, this policy is retroactive to October 1, 2004. Any household that had an increase in income as a result of the deployment of the service member to a designated combat zone that was counted in their SNAP benefits case as of October 1, 2004, is entitled to restoration of lost benefits. Determine at the household's next recertification if they are due a restoration, unless the household requests a review of their case prior to recertification.

f. The following are the Combat Zone Tax Exclusion Areas:

(1) Executive Order 12744 (effective January 17, 1991) established the Arabian Sea Portion that lies North of 10 degrees North Latitude and West of 68 degrees East Longitude which includes:

- Bahrain
- Gulf of Aden
- Gulf of Oman
- Iraq
- Kuwait
- Persian Gulf
- Qatar
- Oman
- Red Sea
- Saudi Arabia
- United Arab Emirates

(2) Direct Support of Executive Order 12744 established the following:

- Turkey - effective January 1, 2003
- Israel - effective January 1 to July 31, 2003
- Eastern Med - effective March 19 to July 31, 2003
- Jordan - effective March 19, 2003
- Egypt - effective March 19 to April 20, 2003

(3) Executive Order 13239 (effective September 19, 2001) established Afghanistan.

(4) Direct Support of Executive Order 13239 established the following:

- Pakistan - effective September 19, 2001

- Tajikistan - effective September 19, 2001
- Jordan - effective September 19, 2001
- Incirlik AFB Turkey - effective September 21, 2001
- Kyrgyzstan - effective October 1, 2001
- Uzbekistan - effective October 1, 2001
- Philippines (only troops w/orders that reference OEF) - effective January 9, 2002
- Yemen - effective April 10, 2002
- Djibouti - effective July 1, 2002

(5) Executive Order 13119 (effective March 24, 1999) Public Law 106-21 Establishing Kosovo as Qualified Hazardous Duty Area (3/24/99) established:

- The Federal Republic of Yugoslavia (Serbia/Montenegro)
- Albania
- The Adriatic Sea
- The Ionian Sea north of the 39th parallel

(6) Public Law 104-117 Establishing a Qualified Hazardous Duty Area (11/95) established the following countries:

- Bosnia
- Herzegovina
- Croatia
- Macedonia

32. Payments received from the Filipino Veterans Equity Compensation Fund. These payments were created under the American Recovery Reinvestment Act (ARRA) of 2009 for certain veterans and the spouses of veterans who served in the military of the Government of the Commonwealth of the Philippines during World War II (Division A, Title X, Section 1002 of ARRA).

33. Chafee Independent Program payments under Title IV E.

34. State Supplementation payments (SSP) issued as a reimbursement. Note: Community Integrated Services (CIS), a type of State Supplementation, is countable, as it is not a reimbursement.

D. Payments or allowances paid directly to the household which is made under any federal law for the purpose of energy assistance or Federal or State one-time assistance for weatherization or emergency repair or replacement of heating or cooling devices. If a second payment is made on an as-needed basis, rather than as a regular periodic payment, it is also considered a one-time payment and excluded as income. These payments or allowances must be clearly identified as energy assistance by the legislative body authorizing the program or providing funds and must be approved as a legitimate provider of energy assistance based on existing criteria developed by the Food and Nutrition Service. An example of payments authorized in Kentucky is the Low-Income Home Energy Assistance Program (LIHEAP).

Utility reimbursements that are provided by the Department of Housing and Urban Development (HUD) and Farmers Home Administration (FmHA), to households that receive housing assistance and are responsible for paying their utilities separately from their rent, are excluded income.

E. Public Assistance (PA) vendor payments (payments made by a third party on behalf of a household.)

F. Exclude monies withheld or received from any income source not otherwise excluded, which are used to repay a prior overpayment from that same income source. Do not exclude monies withheld from assistance payments from other means tested programs to recoup an overpayment from a household because of failure to comply with the other program's requirements. See MS 5220.

Non-compliance with another program's policy does not apply to SSI. Exclude the recouped portion of SSI benefits as income.

[Means tested programs include SSI, KTAP, and publicly funded housing payments.

Since Social Security and Veterans benefits are not means tested, exclude the recouped portion of these benefits as income.

G. Child support payments received by KTAP recipients which must be sent to Child Support Enforcement (CSE) in the Department for Income Support.]

H. Payments received as reimbursement for past or future expenses. The entire amount of the reimbursement is excluded. The following are examples of reimbursements:

1. Reimbursements or flat allowance for job or training related expenses such as travel, uniforms, and transportation to and from the job or training site even if the reimbursements are provided in addition to wages. Reimbursements for the travel expenses of migrant workers are also excluded.

2. Reimbursements for out-of-pocket expenses of volunteers incurred in the course of their work.

3. The transportation allowance is provided to reimburse eligible KWP participants for transportation and related expenses (e.g., gas, tolls, parking fee) incurred as a result of participation in the KWP program.

4. Jury duty pay from the Kentucky judicial system is $12.50 per day, of which $7.50 per day is excluded.

5. Payments made to severely physically disabled adults to purchase attendant care services. Money accumulated from attendant care payments to pay State and Federal withholding taxes is excluded as income and considered a resource.

6. School clothing allowances provided by the State, for the purpose of obtaining children's clothing when the children return to school or day care, are excluded from income whether provided as a two-party check, voucher, or cash.

7. Preparing Adults for Competitive Employment (PACE).

I. All Educational Assistance Payments are excluded except Ready to Work and other educational assistance programs funded by TANF.

1. Any allowable deductions such as tuition, books, fees, and other items listed in MS 5650, can be deducted from the Ready to Work/TANF funded income.

2. For a complete overview of student financial eligibility, refer to MS 5650.

J. Monies Received for Third Parties: Monies received and used for the care and maintenance of a third-party beneficiary who is not a household member. If the beneficiaries of a single payment include both household and nonhousehold members, the portion of the payment intended and used for the care and maintenance of the nonhousehold member is excluded. If the nonmember's portion cannot be readily identified, the payment is prorated evenly among the intended beneficiaries. The nonhousehold member's prorata share or the amount documented as actually used for the nonhousehold member's care and maintenance, whichever is less, is the amount excluded.

K. Earnings of Children: The earned income of members of the household who are age 17 or younger, who are in elementary or secondary school, GED classes or accredited home schooling, and who live with a natural, adoptive, or stepparent or under the parental control of a household member other than a parent. This income is excluded during temporary interruptions in school attendance due to semester or vacation breaks as long as the child's enrollment in school will resume following the break. If a home school is not accredited by the local Board of Education, the children are not considered to be in school. If the wages of several persons are paid as one sum and the child's earnings or the amount of work performed cannot be differentiated from that of the other persons, the total earnings are prorated equally among the working members and the child's prorata share is excluded.

For households with a child who is age 17 or younger at application or recertification and has earned income, verify school attendance and accept client’s statement as verification of earned income. School attendance must be verified in order to exclude the earned income.

For applicant households, when a child who is a student at least half-time becomes 18 in the month of application, determine at the time of the interview how much of the child's earned income was received or anticipated to be received AFTER turning 18. Consider this as income to the household. Exclude any amount received prior to the 18th birthday. For participating households, exclude the earned income of students whose 18th birthday is after the first of the month for the entire month. For those students whose

18th birthday falls on the first of the month, count the entire month's earned income.

L. Loans: All loans, including loans from private individuals, commercial institutions, and business loans for self-employed households. Reverse mortgages are also considered loans and excluded.

If the household receives payments to meet expenses on a recurring or regular basis from the same source for more than three months, but claims the payments are loans, the provider of the loan may complete and sign form PAFS-73, Verification of Contributions-Loans-Roomer/Boarder Status or sign a written statement. A written statement from the provider of the loan is acceptable IF it includes the offer and acceptance along with the full and complete terms of the loan and consideration. If form PAFS-73 is not completed and signed, showing that repayments are being made or that payments will be made in accordance with an established repayment schedule, consider the money as income to the household.

M. Irregular Income: Exclude any income not exceeding $30 in a quarter within the certification period that is received too infrequently to be reasonably anticipated.

N. Nonrecurring Lump Sum Payment: Consider a nonrecurring lump sum payment as a resource for SNAP benefits purposes. One-time payments from Federal or State assistance for weatherization or emergency repair or replacement of an unsafe or inoperative furnace or other heating or cooling device, are excluded as income.

O. Cost of Producing Self-Employment Income: The portion of the income that represents the household's cost of doing business.

P. Allocated Tips: Some employers may show allocated tips on an employee's check stub. Allocated tips are used by the IRS for audit purposes only and are not included in the gross wages. Do not count allocated tips as income solely based on the check stub. See MS 5650 for further details.

Q. Cash Donations Based on Need: Exclude any cash donations of no more than $300 per quarter which are received from non-profit charitable organizations. Consider any amount of such payment that is in excess of $300 per quarter as income available to the household. A quarter is defined as follows:

January - March	July - September
April - June	October - December

R. If the household chooses to exclude foster adults or foster care children as members, exclude the entire foster care maintenance payment from consideration in benefit calculations.

S. Exclude any income necessary for the fulfillment of a Plan for Achieving Self-Support (PASS) under Title XVI of the Social Security Act. The income exclusion for PASS accounts is effective December 13, 1991, unless one of the following applies:

1. The agency had information that a household member had a PASS account. If so, the effective date for this household is October 1, 1990; or

2. There was a fair hearing on the subject of a denied income exclusion for a PASS account. In these cases, the effective date would be the date of the hearing.

Exclude only PASS plans that have been approved by SSA for SSI recipients. Obtain a copy of the approved PASS plan from the recipient. It lists the amount of money set aside for PASS. The source can be resources, earned or unearned income, or a combination.

T. Tobacco Settlement Agreement payments received in a single payment. The SNAP benefits household is responsible for providing verification of the payment amount and how often the payment will be received. Application for the Tobacco Settlement payments can be made with the Kentucky Department for Agriculture. If recipients have questions about the payments, advise them to contact the Department for Agriculture.

U. Benefits for children of female Vietnam Veterans.

V. Payments made to a child of a Vietnam Veteran who suffers from disabilities resulting from Spina Bifida.

W. [Dividend income.]

X. Exclude payments made from the National Flood Insurance Program Act (HFIP) to SNAP benefits households. Payments made under NFIP for flood mitigation activities are counted as income or resources for the owner of the property when determining eligibility.

Y. One time only gift cards are excluded from consideration as income or resources.

Z. FEMA funds.

AA. Payments under the Uniform Services Former Spouse Protection Act are excluded from military pension when being paid to a former spouse.

BB. Census Bureau Income for those individuals who are temporarily employed through the Census Bureau.

CC. Unemployment Benefits paid under the American Reinvestment and Recovery Act (ARRA) of 2009.

Consider all non-excluded payments received by household members as countable income.

A. Earned Income: Consider the following as earned income:

1. Wages and salaries. Includes all actual nonallocated tips for services performed as an employee, wages earned by a household member that are garnished or diverted by an employer and paid to a third party, any employee FICA paid by the employer, WIOA on-the-job training, except when paid to a member age 18 or younger who is under the parental control of another household member or paid to a member participating in the Summer Youth Employment and Training Program (SYETP), non-excluded earnings of children and cafeteria plans. Cafeteria plan refers to a variety of benefits, health insurance or child care benefits, offered to an employee by their employer. If the benefit plan involves money owed to the recipient, it is countable income.

2. American Reinvestment and Recovery Act (ARRA) funds to assist employers in paying wages.

3. Vacation pay received in more than one payment of a laid off employee no longer in active pay status.

   Vacation pay received by an employee on active pay status is considered in the gross income as regular wages.

   Vacation pay which is paid in one payment is a resource. For example: The client works all week but also receives vacation pay for that same week. The wages are considered as earned income and the vacation pay is a resource.

4. The total gross income from self-employment, excluding the cost of doing business. This includes payment from a roomer or boarder, selling blood, operating a business, operating rental property if a household member is actively engaged in its management more than 20 hours per week, and farming including payments from the Agricultural Stabilization and Conservation Service (ASCS).

   Child Care Assistance payments which are paid by an outside source, such as CCAP, are treated as self-employment income to the person providing the child care.

5. Training allowances from vocational and rehabilitative programs recognized by federal, state, or local governments, unless excluded by law.

6. Income shown on the Leave and Earnings Statement (LES) for basic military pay, housing and/or food. This includes Basic Allowance for Housing (BAH), Basic Allowance for Quarters (BAQ), Variable Housing Allowance (VHA), Basic Allowance for Subsistence (BAS) or Rations,

Regular Sea Pay, Sea Duty Pay or Career Sea Pay. The household is entitled to a shelter deduction for rental expenses.

However, any gain or benefit not in the form of money, e.g., free meals/housing furnished to military personnel, is in-kind income. On 1/1/98, the Armed Services began phasing in BAH to replace BAQ and VHA. BAH is paid in one monthly amount for BAQ and VHA.

The mandatory salary reduction amount for military service personnel which is used to fund the G.I. Bill is excluded.

Military personnel living in government supplied, rent free quarters, such as barracks, are not entitled to receive a BAQ. However, the Marine Corps shows an equivalent amount under "entitlements" and a similar amount under "deductions" on its LES. Depending on the Marine's living situation, the BAQ income may or may not be countable in the SNAP case.

Disregard the BAQ as income and the corresponding deduction on the LES for Marine applicants living in government-supplied, rent-free, quarters. Such BAQ income shown on the LES is considered countable earned income, and the rent is used in determining the household's shelter deduction.

Foreign Language Proficiency Pay (FLPP) and Special Duty Allowance (SDA) are countable income.

7. Earned income from members excluded from SNAP participation is handled as follows:

   a. IPV Disqualification, drug felons, fleeing felons, disqualification for noncompliance with an Employment and Training Requirement, including KWP sanctions or refusal to work register: Attribute all of the earnings to the household. Allow only one earned income deduction from the gross countable earned income which includes the earned income of the excluded individual.

   b. SSN Disqualification, Ineligible ABAWDS, and Ineligible Aliens: A prorata share of the countable income of the ineligible member is attributed to the remaining household members. The system automatically calculates the ineligible member's countable income; however, to manually calculate the prorata share to determine if the correct amount of benefits have been issued:

      (1) Allow exclusions, if any, from the ineligible member's gross monthly income to arrive at the gross countable income.
      (2) Divide the countable income between the household members, including all ineligible members.
      (3) Subtract the shares of ineligible members from the countable gross income.
      (4) Add the remainder to other household earned income.
      (5) Apply the earned income deduction to the household's gross

monthly earned income.

8. Consider capital gains income derived from a self-employment enterprise as earned income. Calculate the earned income according to MS 5310. Consider capital gains income not derived from a self-employment enterprise as unearned income in the month received and as a resource thereafter. Do not apply capital gains calculations to determine countable unearned income.

9. Consider sick pay received as earned income if the person is still considered an employee by the employer and the sick pay is received for time off, such as a short-term illness. However, sick pay from an outside source, such as insurance company, is considered unearned income whether or not the recipient is still considered an employee by the employer.

10. Income from nonexcluded educational assistance which has a work requirement is treated as earnings with the appropriate disregards given. See MS 5650 for procedures on computing this income.

11. $5.00 of the $12.5O per day received for jury duty pay from the Kentucky judicial system is considered earned income. See MS 5210.

12. Attendant care payments which are paid by an outside source are treated as unearned income to the person providing the attendant care.

13. Consider payments under Title I, VISTA, University Year for Action, Urban Crime Prevention, of the Domestic Volunteer Service Act of 1973 as earned income unless those individuals were receiving SNAP or public assistance at the time they joined the program.

14. Consider payments under the Consumer Directed Option (CDO) as earned income.

15. Michelle P. Waiver payments.

16. Relative Caregiver Mentor Program payments are considered self-employment, as taxes are not withheld.

17. Kentuckiana Regional Planning and Development Agency (KIPDA) payments.

18. Incentive Therapy (IT) Program and Compensated Work Therapy Program payments through the Veteran's Administration (VA).

19. Holiday pay that is representative of ongoing income.

    Example: Client works Monday through Thursday and is off Friday for a holiday. The check he receives for that week reflects what he normally makes in a week. This holiday pay is countable income.

Client works Monday through Friday. Friday is a holiday and the client receives a higher rate of pay for working on a holiday (i.e., time and a half). In this situation, the holiday pay that the client receives is not representative of on-going income and would not be counted.

B. Unearned Income: Consider the following as unearned income:

1. Assistance payments from federal or federally aided public assistance programs such as Supplemental Security Income (SSI), KTAP, or other assistance programs based on need. Kinship Care (KC) payments are considered in the SNAP as unearned income. Children who receive KC payments must be included in the SNAP household.

   When it is determined that a SNAP benefits household member did not comply with the KTAP program, the actual amount of KTAP income received is counted in the SNAP case.

   If a 310 penalty is imposed, the household's SNAP benefit allotment will be reduced by 25%.

2. Annuities, lottery winnings paid annually, pensions, retirement, veteran's or disability benefits, including Agent Orange payments issued by the Department of Veterans Affairs, worker's compensation, unemployment insurance benefits (UIB), including the dependent allowance that other states receive as part of their UIB compensation, social security benefits, strike benefits and foster care payments for children or adults that are included in the household.

   Prorate over a 12-month period annually paid annuities and lottery winnings.

3. Count support or alimony payments made directly to the household by nonhousehold members or by the CSE as income.

   a. Exclude corrective payments made in a later month to make up for missed payments as a nonrecurring lump sum payment. Count only the current month's payment as income. If the absent parent pays on a consistent basis more each month than the court ordered amount to make up for arrearages, and the corrective payment has not already been counted, the corrective payment is no longer nonrecurring. The corrective payment has become the regular payment and the entire amount must be counted as unearned income.

   b. ESCROW is support that CSE collects and holds because the KTAP amount is exceeded by the child support payments. KASES generates a "Notice of Payment of Child Support Collections to KTAP Recipient" form to the local office. The form includes the amount of support and the month the support is forwarded to the recipient. If there are multiple absent parents tied to the KTAP case, the ESCROW notice might contain an incorrect absent parent's name. This incorrect name has no effect on the amount of

child support payment. The ESCROW is countable income for SNAP cases if it is anticipated to continue. See MS 5650.

4. For a complete overview of student financial eligibility, refer to MS 5650.

5. Any portion of a statutory benefit due the household but diverted to a third party or protective payee for purposes, such as managing a household's expenses even if the household has the option of receiving a direct payment.

6. All money payments from any source which can be construed as a gain including, but not limited to, royalties or payments from government sponsored programs unless otherwise excluded.

7. Income from members excluded from SNAP participation is handled as follows:

   a. IPV disqualification, drug felons, fleeing felons, disqualification for noncompliance with an Employment and Training requirement, including KWP sanctions, refusal to work register, reducing the number of hours working below 30 hours or below the 30 hours multiplied by the Federal minimum wage equivalent or voluntarily quitting a job without good cause: Attribute all the income to the remaining household members.

   b. SSN Disqualification, Ineligible ABAWDS and Ineligible Aliens: Consider the excluded member's monthly unearned income less exclusions and divide the total by the eligible household size plus all excluded members to determine the excluded member's prorated share. Once the excluded member's share has been subtracted, count the balance in with the household's unearned income total.

8. Income derived from rental property, including land contracts, if a household member is not actively engaged in management of the property at least 20 hours a week.

9. Monies legally obligated and otherwise payable to the household, but diverted by the provider of the payment to a third party for household expenses are counted as income. The distinction is whether the person or organization making the payment on behalf of a household is using funds that otherwise are payable to the household. If an employer, or agency, owing funds to a household diverts them to a third party to pay for a household expense, these payments are counted as income to the household (e.g., garnishment on wages).

10. Monies which are withdrawn from trust funds are excluded as resources. Such trust withdrawals are considered income in the month received unless otherwise excluded.

11. Income of nonhousehold members, including an ineligible student, is handled as follows:

a. Cash payments from the nonhousehold member to the household are considered income unless the non household member is making vendor payments.

b. Income deemed to a community spouse, from an institutionalized spouse in a long term care facility, is countable in the community spouse's case.

c. When the earned income of one or more household members and the earned income of a nonhousehold member are combined in one wage, the income of the household member(s) is determined as follows:

(1) If the household's share can be identified, that portion due the household is counted as earned income.
(2) If the household's share cannot be identified, prorate the earned income among all those for whom it was intended to cover and count that prorated portion to the household.

12. Severance pay received after termination of employment is considered unearned income.

13. Recurring annual Tobacco Settlement Agreement payments are counted as follows:

a. Prorate Tobacco Settlement payments over a 12-month period for the following SNAP recipients:
(1) Households actively engaged in farming either as owners or tenants, who are considered self-employed. In this situation, the income is entered under “Farm” self-employment and “number of hours” worked greater than 0 is entered; this way it will be counted as earned income.
(2) Households who previously farmed tobacco and are leasing their land to others, who are also considered self-employed. In this situation, the income should be entered under “Rental” self-employment; since hours worked are under 20, it is counted as unearned income.

b. Count the payments in their entirety in the month received or average the payment over the period of time the income is intended to cover for households that do not own the land and are leasing their quotas to third parties to grow tobacco. This type of arrangement is not considered self-employment. Enter as Other Unearned Income and give the recipient the option of selecting the budgeting process that is to the household’s advantage.

c. Do not enter farm income as Farm Income Self-Employment when an individual is not actively engaged in farming. Enter the income from rental or lease of farm property as Self-Employment/Rental unearned income.

14. Consider sick pay received as unearned income if the person is not considered an employee by the employer while receiving the sick pay. Sick pay from an outside source, such as an insurance company, is considered unearned income whether or not the recipient is still considered an employee by the employer. Do not consider these payments earned income.

15. Assistance payments which require, as a condition of eligibility, the household to work without any compensation other than the assistance payments.

16. Monies received by a household member (protective payee/benefit payee) which are used for the care and maintenance of a nonhousehold member, are handled as follows:

    a. If all the money is used for the care and maintenance of the non-household member, it is excluded. For example, Grandma is the payee for her grandchild's RSDI. The grandchild does not live with grandma. Grandma gives the grandchild the entire RSDI check. In this situation, none of the RSDI is counted as income for Grandma.

    b. If the household member (protective payee/benefit payee) keeps some or all of the money, that portion of the money is considered unearned income to the protective payee's household.

    c. If the nonhousehold member's portion cannot be readily identified, the payment is evenly prorated among intended beneficiaries. The nonhousehold member's pro rata share or the amount documented as actually used for the nonhousehold member's care and maintenance, whichever is less, is the amount excluded.

17. Any income of military personnel dispatched to bases in the United States or sent overseas, which is sent directly to the household. This includes money directly deposited by the military in a joint checking account in the name of the dispatched person and a household member.

18. Housing assistance for households residing in transitional housing for the homeless that is distributed by Federal, State or local organizations to a third party.

19. Federal or State assistance in the form of money for weatherization or emergency replacement or repair to a heating or cooling device is countable income when periodic payments are received on a regular basis. The income is prorated over the period it is intended to cover. If one-time payments are made on an as-needed basis that cannot be anticipated, the assistance is excluded.

20. Payments received under the Trade Re-Adjustment Act (TRA). These payments are an extension of unemployment benefits and are considered countable unearned income.

21. Kentucky Wilson-Fish payments received by refugees.

22. Adoption Subsidy payments.

23. Voluntary Separation Incentive payments.

24. Student Conservation Association (SCA) payments.

25. Gift Cards received on an ongoing basis, as a method of payment for services rendered, or given in exchange for other types of income, such as child support.

26. If the household receives payments to meet expenses on a recurring or regular basis from the same source for more than three months, but claims the payments are loans, the provider of the loan may complete and sign form PAFS-73, Verification of Contributions-Loans-Roomer/Boarder Status or sign a written statement. A written statement from the provider of the loan is acceptable IF it includes the offer and acceptance along with the full and complete terms of the loan and consideration. If form PAFS-73 is not completed and signed, showing that repayments are being made or that payments will be made in accordance with an established repayment schedule, consider the money as income to the household.

27. Community Integrated Services (CIS) is a type of State Supplementation that is countable, as it is not a reimbursement.

28. Interest Income.

[29. VA Aid and Attendance.]

MS 5300 TYPES OF SELF-EMPLOYMENT INCOME (1)

[Self-employment is defined as income from which NO taxes are withheld PRIOR to receipt of income by the individual. The following are types of self-employment enterprises:

A. Households receiving regular income from self-employment: These households receive income as profit on a regular schedule (weekly, monthly) or receive a certain amount from the business each week or month and may draw the balance of profit from the enterprise at the end of the business year. The self-employed in this category include households who receive their income from leases and/or rental property, small businesses such as grocers, or some farmers such as dairy farmers.

B. Households in a service type business: These households receive income on a frequent basis, yet many times the employment and receipt of income will be sporadic in nature. These households include craftsmen, certain repairmen or franchise holders working out of their home.

C. Households deriving income from short-term, seasonal, self-employment: Calculation of monthly income depends on whether the self-employment provides the household's support for the entire year or if the income is only for a seasonal period of time and the household has other sources of income during the remainder of the year. Seasonal self-employment includes vendors who work only in the summer or tourist season, certain seasonal farmers or fishermen, etc.

Farm workers for whom taxes are paid by the employer are considered self-employed. If the employer pays the farm worker's taxes at the end of the year, contact the employer to determine what the future payment arrangement will be. If the employer is going to pay the taxes on an ongoing basis, the taxes are included in the gross income and annualized with all other self-employment income. If the tax payment is paid one time only, consider the payment a resource in the month of receipt.]

D. Cash-crop farmers: Households who receive their annual income from self-employment in a short period of time and who must control expenditures in order that these funds cover their expenses for the next 12 months. Included in this category are cash-crop farmers and some seasonal farmers where the seasonal income is the household's primary support for the year. Cash crops include tobacco pounds which are sold, not rented or leased.

[E. For farmers receiving recurring annual Tobacco Settlement Agreement payments, consider the income as follows:

1. Prorate Tobacco Settlement payments over a 12-month period for the following SNAP benefits recipients.

   a. Households actively engaged in farming either as owners or tenants, who are considered self-employed. See MS 5220.

b. Households who previously farmed tobacco and are leasing their land to others, who are also considered self-employed. See MS 5220.

2. Count the payments in their entirety in the month received or average the payment over the period of time the income is intended to cover for households that do not own the land and are leasing their quotas to third parties to grow tobacco. This type of arrangement is not considered self-employment. Enter this income as Other Unearned Income and give the recipient the option of selecting the budgeting process that is to the household's advantage.

The SNAP household is responsible for providing verification of the payment amount and how often the payment will be received. Application for the Tobacco Settlement payments can be made with the Kentucky Department for Agriculture. If recipients have questions about the payments, advise them to contact the Department for Agriculture.]

[F.] Households whose earnings are from irregular sources such as day labor, odd job income from yard work, small painting and carpentry jobs, selling scrap paper and metal, and selling blood or plasma. The employers change daily and cash payments are usually received. These types of households do not have their income annualized.

MS 5310 SPECIAL CONSIDERATIONS

Give special consideration for the following types of income:

A. Income from Rental Property: Consider income derived from rental property as earned income for the earned income deduction only if a member of the household is actively engaged in the management of the property at least an average of 20 hours per week. If the 20 hours per week criteria is not met, the net income is considered unearned. Whether the income is considered earned or unearned, exclude the cost of doing business.

B. Capital Gains: Calculate the proceeds from the sale of capital goods or equipment as a capital gain. Even if only 50 percent of the proceeds from the sale of capital goods or equipment is taxed for Federal income tax purposes, count the full amount of the capital gain as income. For those households whose self-employment income is not averaged but is instead calculated on an anticipated basis, any capital gains the household anticipates it will receive in the next 12 months are added starting with the date the application is filed, and this amount is divided by 12. This amount is used in successive certification periods during the next 12 months; however, if the anticipated amount of capital gains changes, reaverage the monthly amount over this 12-month period. Add the anticipated monthly amount of capital gains to the anticipated monthly self-employment income and subtract the cost of producing the self-employment income. The cost of producing the self-employment income is calculated by anticipating the monthly allowable costs of producing the self-employment income. Depreciation is not allowed as a cost of doing business.

   Include as a capital asset tobacco pounds which are bought (not rented or leased) and can be resold without selling the land.

C. S Corporation: Any “distributions” that the household receives from the corporation must be entered as self-employment earned income to allow the 20% earned income deduction only. Although entered as self-employment, this is not considered self-employment. No other expenses should be entered. Distributions are most often reflected on the individual income tax return line which includes: Rental real estate, royalties, partnerships, S corporations, trusts, etc.

   Any “dividends” that the household receives from the corporation are considered as unearned income. Dividends are most often reflected on the individual income tax return line which includes: Ordinary/qualified dividends.

   Any “wages” (in which taxes are withheld) that the household receives from the corporation are entered as earned income. Wages are most often reflected on the individual income tax return which includes: Wages, salaries, tips, etc.

D. For farmers receiving recurring annual Tobacco Settlement Agreement payments, prorate the income over a 12-month period. See MS 5300, D.

MS 5315 BOARDERS

The income from the boarder includes all direct payments to the household for room and meals including contributions to the household's shelter expenses. Shelter expenses paid directly by a boarder to someone outside the household are not counted as income to the household.

If the household operates a commercial boarding house, exclude the household's actual allowable cost of doing business. If the household does not operate a commercial boarding house, exclude that portion of the boarder payment which is a cost of doing business. The cost of doing business is equal to either of the following procedures provided the amount allowed as a cost of doing business does not exceed the payment the household receives from the boarder for lodging and meals:

A. [The full value of the thrifty food plan (maximum allotment) for a household size that is equal to the number of boarders; or

B. The actual documented cost of providing room and meals if the actual cost exceeds the appropriate thrifty food plan (maximum allotment). If actual costs are used, only separate and identifiable costs of providing room and meals to boarders are excluded.]

Add the net income from self-employment to other earned income and apply the earned income deduction to the total. Shelter costs the household actually incurs, even if the boarder contributes to the household for part of the household's shelter expenses, are computed to determine if the household will receive a shelter deduction. However, any shelter expenses paid directly by the boarder to a third party such as to the landlord or utility company are excluded as a vendor payment and are not allowed as a deductible expense.

MS 5320 BUSINESS EXPENSES (1)

Business expenses are that portion of the income which represents the household's cost of doing business. Some are deducted from gross income. If an income tax return is provided as verification, only the Schedule C portion from the most recent income tax return is sufficient to verify self-employment gross income and business expenses. Enter each business expense on the system in the appropriate field. Expenses without a designated field are to be entered under “Other Expenses”.

A. The following are deductible expenses:

1. Wages, if paid to a non household member;

2. Livestock or raw materials;

3. Rent of property or equipment;

4. Seed, fertilizer and feed costs;

5. Utilities, maintenance costs, and repairs to income-producing properties;

6. Interest paid to purchase income-producing property;

7. Insurance premiums;

8. Taxes paid on income producing property;

9. Mileage-if the individual uses his/her private vehicle in the performance of the self-employment enterprise, other than to and from the self-employment site if other than where the client lives. If the individual files a tax return, the amount on the tax return is used. If he/she does not file a tax return, use the IRS business mileage rate for the time period the expense is claimed. The IRS mileage rate can be accessed at www.irs.gov.

10. Tax preparation, professional or legal fees;

11. The Child Adult Care Food Program (CACFP) meal rate when used to calculate the cost of doing business for child day care;

12. Any costs allowed by the Internal Revenue Service and not listed in item B below;

13. Payments on the principal of the purchase price of income-producing real estate and capital assets including purchased tobacco pounds, equipment, machinery and other durable goods;

14. A household which operates a self-employment enterprise from home must be given the OPTION of having shelter and/or utility expenses treated as a business expense or a shelter deduction. If the household chooses to have the costs considered as a business expense, allow the

deduction from the self-employment income and do not allow shelter deductions. Receipt of LIHEAP does not override the client's option.

[Document the case sufficiently to indicate all options were explained to the household and the option(s) chosen; and]

15. The costs associated with attracting customers, such as advertising, meals and promotional activities, travel and expenses required for work and repairs to income-producing properties are allowable expenses. (For example, taking a potential client out for a business dinner is an allowable expense.)

B. The following items are not allowable costs:

1. Net losses from previous periods;

2. Losses from a different self-employment enterprise whether or not that enterprise is still in existence, except for certain farm losses;

3. Work expenses of household members which include federal, state, and local income taxes, money set aside for retirement purposes and other work-related personal expenses such as transportation to and from work. Costs whose purpose is for amusement, social activities, and related costs, such as meals, beverages, lodgings, rentals, transportation and gratuities. These expenses are accounted for by the 20% earned income deduction; (for example, going out to dinner while away on business is not an allowable cost).

4. Depreciation/depletion; and

5. Charitable contributions.

MS 5330 BUDGETING – NONFARM INCOME (1)

Self-Employment Nonfarm Income: Determine nonfarm self-employment income in the following manner. If an income tax return is provided as verification, only the Schedule C portion from the most recent income tax return is sufficient to verify self-employment gross income and business expenses.

If the self-employment activity has been in operation for at least 12 months, use the client's Schedule C portion from their latest tax return (if filed and representative of the ongoing income) or the client's business records for the last year to prorate the income over 12 months. Whenever records and receipts other than tax returns are used, document the reason the tax return was not used and document in detail the records and receipts that were used to determine countable income. If the self-employment activity has been in operation for less than 12 months, prorate the income by dividing by the number of months the activity has been in operation. Households which report weekly payments of self-employment will have their monthly income determined by anticipating the monthly self-employment income. Compute the anticipated monthly income by using the actual income which was received by the household. Use the households available self-employment income information (such as household records or an employer statement) to arrive at a monthly amount. Do not convert, as self-employment is budgeted based on actual income and prorated over the certification period. Advise the household to keep records of their income so that a more accurate and representative indication of his/her self-employment can be made. Recalculate the self-employment income at the next recertification.

If the prorated income does not accurately reflect the household's actual circumstances because the household has experienced a substantial increase or decrease in business due to unusual seasonal changes or other changes, base the amount of self-employment income on anticipated earnings which are representative of the ongoing situation. Use the client's records or written statement of anticipated earnings in this situation. The anticipated earnings must be in an amount no less than a period of a month. For example, the client started babysitting and is paid $125 per week. The client must anticipate and verify a monthly amount instead of a weekly amount.

A. Income is for a Year. Self-employment income which represents all or a portion of a household's annual support is annualized over a 12-month period, even if the income is received in only a short period of time. This self-employment income is annualized even if the household receives income from other sources in addition to self-employment.

B. [Self-Employment Income is Received Monthly. Self-employment income which is received on a monthly basis but which represents a household's annual support is prorated over a 12-month period.

For households who receive Tobacco Settlement Agreement payments, count the payments in their entirety in the month received or average the payment over the period of time the income is intended to cover for households that do not own the land and are merely leasing their quotas to third parties to grow tobacco. This type of arrangement is not considered self-employment. Enter

this income as unearned income and give the recipient the option of selecting the budgeting process that is to the household's advantage.]

The Supplemental Nutrition Assistance Program (SNAP) household is responsible for providing verification of the payment amount and how often the payment will be received. Application for the Tobacco Settlement payments can be made with the Kentucky Department for Agriculture. If recipients have questions about the payments, advise them to contact the Department for Agriculture.

C. Seasonal Self-Employment Income. Self-employment income which is intended to meet the household's needs for only part of the year is averaged over the period of time the income is intended to cover. For example, self-employed vendors who work only in the summer and supplement their income from other sources during the balance of the year have their self-employment income prorated over the summer months rather than a 12-month period.

D. New Business. If a household's self-employment enterprise has been in existence for less than a year, the income from that self-employment enterprise is prorated over the period of time the business has been in operation.

Example #1: The client reports that she started a babysitting service on November 1, 2010. She applies for SNAP January 1, 2011. The customer is charged $25.00 per week; the client has records to verify 2 months of payments (November and December). Enter the income dates as November 1, 2010 through December 31, 2010 on the first self-employment screen. If the client states November and December income is not representative of the household's ongoing self-employment income, use the customer's written statement and available records to determine the best estimate of the monthly income.

Example #2: The client applies December 1st for SNAP and only has 1 month of income verification. Determine the average monthly income by using the client's written statement. In this situation, the client stated she made $200 in November and that is what she anticipates to make each month. Enter the income dates as November 1st through November 31st on the first self-employment screen.

E. End of Self-Employment Activity

When the client's self-employment activity has ended, have the client provide a written statement detailing:

1. The end date of the self-employment activity;
2. The last day income has been or will be received from this self-employment activity; and
3. The client's signature.

[If the end date or last day of receipt of income is in the current month, have the client provide verification of all income to be received in the current month in addition to the written statement. Update the self-employment income with

the current month's gross income and expenses, and enter the end date of the self-employment.

If the end date is in the current month, but the last day of receipt of income is in the next month, request the client provide verification of the total income for the last month of receipt in addition to the written statement. The total income for the last month of receipt can only be verified after it is received by the client. Update the self-employment income with the current month's gross income and expenses, and enter the end date of the self-employment.

If the end date AND the last receipt of income were in a previous month, have the client provide the written statement as detailed above. Update the self-employment income with the end date of the self-employment.]

If the self-employment has not been in existence long enough to receive income, the individual must provide an estimate.

DOCUMENT the case record thoroughly of the actions taken to determine the self-employment income.

MS 5340 BUDGETING – FARM INCOME (1)

[Self-Employment Farm Income: Determine farm self-employment income in the following manner. If an income tax return is provided as verification, only the Schedule F portion from the most recent income tax return is sufficient to verify self-employment farm income and business expenses.

If the prorated income as determined below does not accurately reflect the household's actual circumstances because the household has experienced a substantial increase or decrease in income due to unusual seasonal changes or other changes, base the amount of the farm income on anticipated earnings which are representative of the ongoing situation.

A. Farm income which represents all or a portion of the household's yearly income is averaged over the 12-month calendar year it is received. The 12-month period begins with the month of January. To determine the amount of farm income, use the Schedule F from the most recent federal income tax return covering the 12-month calendar year period. If the household does not file a return, use the household's receipts and personal records to establish the annual income and deductions. Whenever records and receipts other than tax returns are used, document the reason the tax return was not used and document in detail the records and receipts that were used to determine countable income.]

   If it is verified that the household received all of its income from the sale of crops in the current year rather than the past calendar year, count the income as though it were received in the same calendar year as the crop(s) was produced.

B. Farm Income is Received Monthly. Farm income which is received on a monthly basis but which represents a household's annual support is prorated over a 12-month period.

C. New Farm. If a household's farm enterprise has been in existence for less than a year, the income from that farm enterprise is prorated over the period of time the farm has been in operation and the monthly amount projected for the coming year. However, if the farm has been in operation for such a short time that there is insufficient information to make a reasonable projection, the household is certified for less than a year until the farm has been in operation long enough to base a longer projection.

D. Annually recurring Tobacco Settlement Agreement Payments. Count annually paid Tobacco Settlement payments as income as follows:

   1. Prorate Tobacco Settlement payments over a 12-month period for the following food benefits recipients:

      a. Households actively engaged in farming either as owners or tenants, who are considered self-employed. See MS 5220.
      b. Households who previously farmed tobacco and are leasing their land to others, who are also considered self-employed. See MS 5220.

2. Count the payments in their entirety in the month received or average the payment over the period of time the income is intended to cover for households that do not own the land and are merely leasing their quotas to third parties to grow tobacco. This type of arrangement is not considered self-employment. Give the recipient the option of selecting the budgeting process that is to the household's advantage.

The food benefits household is responsible for providing verification of the payment amount and how often the payment will be received. Application for the Tobacco Settlement payments can be made with the Kentucky Department for Agriculture. If recipients have questions about the payments, advise them to contact the Department for Agriculture.

MS 5350 FARM INCOME NET LOSS (1)

[Use farm self-employment net loss to reduce other countable income in the household only when the household receives or anticipates receiving annual gross farm income of $1,000 or more. Use the same verification used to calculate the gross income from the farm enterprise to determine the net loss, e.g. schedule F from the most recent income tax return. Prorate the loss over the year in the same manner as net farm income.]

Determine the household's countable self-employment income as follows:

A. If there is other nonfarm self-employment income:

1. Compute countable nonfarm self-employment income;

2. Subtract the prorated farm loss from the remainder;

3. Allow the 20 percent work expense.

B. If there is a farm loss remaining after this offsetting:

1. Total any other earned income (NOT self-employment);

2. Allow the 20 percent work expense.

3. Subtract the remaining farm loss from this figure; and

C. If there is still a farm loss remaining after this offsetting:

1. Total any unearned income; and

2. Subtract the remaining farm loss from this figure.

MS 5400 DEDUCTIONS – GENERAL (1)

Deductions from income are allowed only for specific expenses.

A. The following deductions are allowed:

1. Earned income deduction of 20% of the gross countable earned income;

2. Standard deduction of:

   a. $167 for household size up to 3
   [b. $181 for household size of 4
   c. $212 for household size of 5
   d. $243 for household size of 6 or more**]**

   For purposes of determining the standard deduction amount, the household size is the number of active eligible members;

3. Medical deductions of any expenses totaling more than $35 for elderly or disabled members;

4. Dependent care deduction;

5. Child support deduction;

6. **[**Shelter costs in excess of 50% of the household's income after all other deductions, not to exceed the maximum shelter deduction of $586 unless the household contains an elderly or disabled member. Households containing an elderly or disabled member receive a shelter deduction for the total monthly shelter costs that exceed 50% of the household's monthly income after all other appropriate deductions are given; and**]**

7. **[**Homeless shelter deduction of $157 in lieu of shelter deductions.**]**

B. The following are nondeductible expenses:

1. Any portion of an expense which is to be or has been reimbursed;

2. Any portion of an expense which is paid on behalf of the household by a third party as a vendor payment;

3. Any expenses for services rendered by a household member, such as dependent care or caretaker services. (For example: an elderly grandmother pays her granddaughter to take care of her, the granddaughter is a member on the grandmother's case. This is nondeductible);

4. Any medical expenses for household members who are not elderly or disabled;

5. Any portion of a bill carried forward from past billing periods even if it is included in the most recent billing and it is paid by the household; and

6. Mandatory Severance tax for the extraction of Natural Resources from land.

MS 5410

MEMBERS ELIGIBLE FOR MEDICAL DEDUCTION

[Allow a deduction for medical expenses for any household member who is elderly or disabled as defined in MS 2000. Also allow a deduction for a previous household member, if a current household is responsible for the medical bills (example: While receiving food benefits for herself and her disabled husband the recipient's disabled husband passes away. The wife has medical bills for her deceased spouse that she is responsible for and verifies she is currently billed for). Do not allow a deduction if the member receiving SSI or RSDI due to drug addiction or alcoholism is suspended due to noncooperation, unless the member qualifies for the deduction based on another reason.]

If a person turns age 60 during the initial month of certification, allow any medical and shelter deductions beginning that month. If the person turns age 60 later in the certification period, handle as a case change. For persons under age 60, certified for but not yet receiving disability benefits or persons currently having their entire benefit check recouped to recover a prior overpayment, consider these individuals as disabled and allow any medical deductions.

Persons receiving emergency SSI benefits based on presumptive eligibility may also be eligible for the deduction. The following are programs currently available for potentially eligible SSI recipients:

A. SSI PRESUMPTIVE DISABILITY PAYMENTS pays regular benefits for a three month period to persons who will likely meet SSI disability criteria. Persons in this category are considered SSI eligible by the Social Security Administration and receive a federal SSI check for the amount of the entitlement. Persons receiving this payment are eligible for the special medical/ shelter deduction. If the SSI application is denied and the presumptive check is terminated, remove any considered medical expenses.

B. SSI EMERGENCY ADVANCE PAYMENTS provides a single $100 payment to applicants who appear to meet the eligibility criteria and are considered in need of immediate assistance. Persons in this category are considered SSI eligible by SSA. Anyone receiving this payment is eligible for the special medical/shelter deduction each month until a final SSI determination is made.

C. STATE INTERIM ASSISTANCE PAYMENTS. SSI applicant households may receive temporary general assistance payments issued by a public agency pending a final determination of SSI eligibility. If such persons are later determined eligible for SSI, the agency receives a retroactive benefit check as repayment for benefits provided. These households are not considered SSI eligible during the period they receive general assistance. Persons receiving this type of payment are NOT eligible for the special medical/shelter deduction.

MS 5420 MEDICAL DEDUCTIONS – GENERAL (1)

Handle allowable medical deductions as follows; if paid, the expense and, if applicable, the reimbursement MUST have been reported timely:

A. Determine if the reported medical expense is currently being billed and the reimbursement status of the expense.

Consider only the currently existing balance of a currently billed expense. If the expense is no longer being billed, do not allow the expense.

Do not consider any medical expense which is reported timely which will be reimbursed or which reimbursement is undetermined until such time as the reimbursement is verified or denied and the nonreimbursable amount is determined. If the reimbursement status cannot be determined, document the case record accordingly.

Refer to Items G. and H. when medical expenses are reported during the certification period.

B. Determine if the member eligible for a medical deduction has medical insurance or is included in a Medicaid case.

Medical insurance or a MA case indicates the possibility of reimbursement which must be resolved prior to consideration of the expense.

If an SSI individual has expenses for prescription medicine which is not covered by Medicaid, advise the individual to contact the prescribing physician and ask about preauthorization by the Medicaid program.

C. Determine if any currently reported one-time only medical expenses were considered during any previous certification period. Examples of one-time expenses are hospital bills, ambulance bills, laboratory fees, noncontinuing doctor visits and/or prescription costs such as treatment for flu, etc.

Once a one-time only expense has been considered during a certification period, do not consider the same expense in succeeding periods. However, if the household elected to receive a deduction for each month an installment payment is due, the deduction may span more than one certification period.

For one-time only, nonreimbursable expenses, the household may elect to receive the entire deduction at one time, have it averaged over the certification period or receive a deduction for each month an installment payment is due. Monthly installment agreements need not be formal but are verified if questionable. Document the method chosen by the household.

For one-time only, nonreimbursable expenses reported during the last month of the certification period, the household may elect to have the entire deduction considered in the first month of the succeeding certification period, have it averaged over the succeeding certification period or receive a deduction for each month an installment payment is due. Document the method chosen by the household.

A food benefits household receiving a medical deduction for a one-time only expense continues to receive a deduction as scheduled even if the eligible member dies.

D. For recurring medical expenses, such as attendant care or a regular bill for prescriptions, consider the nonreimbursable expense only in the month the expense is billed. Do not allow recurring medical expenses, which are past due or brought forward from prior billing periods.

E. [For fluctuating medical expenses, such as a prescription that fluctuates in cost or frequency of use, obtain verification of all nonreimbursable expenses for the last 2 months, which are expected to continue and consider the average monthly amount. Fluctuating expenses do not include one-time bills that are NOT expected to continue. If the last 2 months of fluctuating medical expenses do not adequately represent the client's anticipated expenses for the certification period, more or less than 2 months of fluctuating expenses can be considered.]

F. For medical expenses paid by a credit card, allow only the expense and not the interest. Consider the expense to have occurred when the bill is received. Allow payments made on a loan when the loan is used to pay a one-time only medical expense. Do not allow the interest as part of the expense.

G. For allowable medical insurance charges, only the amount billed for the actual premium can be considered. Any surcharge or billing/handling fee in excess of the premium cannot be considered as part of the deduction.

EXAMPLE: Household is billed annually for their medical insurance premiums. However, the household chooses to make monthly payments to the company. The company charges an additional fee for the monthly billing statements. Only the annual amount billed, divided by twelve, can be considered as the monthly amount for deduction purposes.

H. Medical expenses must be reported at application, reapplication and recertification according to the reporting requirements in MS 6735. If the expense is not reported timely, then no deduction is allowed.

MS 5430 ALLOWABLE MEDICAL DEDUCTIONS (1)

The following are allowable medical expenses:

A. Medical and dental care including psychotherapy and rehabilitation services provided by a licensed practitioner authorized by State law or other qualified health professional;

B. Hospitalization or out-patient treatment, nursing care and nursing home care including payments by the household for an individual who was a household member immediately prior to entering a hospital or nursing home;

C. Prescription drugs prescribed by a licensed practitioner and other over-the-counter medication, including insulin, approved by a licensed practitioner or other qualified health professional, and the 25¢ revenue tax pharmacies charge per prescription;

D. Medical supplies, sick-room equipment including rental or other prescribed equipment and the cost of repairs necessary to keep the equipment in working condition. Authorization by a licensed practitioner or other qualified health professional is sufficient verification;

E. Health and hospitalization insurance policy premiums (without surcharges), for the elderly or disabled person. Medicare premiums paid by the eligible household related to coverage under Title XVIII of the Social Security Act. SMI premiums paid by the Medicaid Program, including those for QMB, QDWI, or SLMB eligible individuals, are not an allowable deduction;

F. Cancer insurance policy premiums (without surcharges) for cancer policies that relate to health and hospitalization. Cancer policies that pay the person money because they have been diagnosed with cancer are not an allowable deduction;

G. Any cost-sharing or spend down expenses incurred by Medicaid recipients. For spend down expenses review the expense to determine if the expense was previously used as a deduction for SNAP benefits;

H. Dentures, hearing aids and prosthetics;

I. The cost of securing and maintaining "service animals," specifically service dogs or miniature horses trained to do work or perform tasks for persons with disabilities, including the cost of food and veterinary bills. Prior to allowing the medical deduction verification that the animal is certified as a “service animal” and trained to assist with medical needs must be provided;

J. Eye glasses and contact lenses prescribed by a physician skilled in eye disease or by an optometrist;

K. Telephone charges for telephonic aids, such as amplifiers and warning signals, for disabled persons and costs of teletypewriter equipment for the deaf;

L. [Reasonable cost of transportation and lodging to obtain medical treatment or services. This includes trips to a doctor, dentist, or other health professional as well as trips to fill prescriptions for medicine, dentures, hearing aids, eyeglasses, sickroom equipment, etc. Reasonable transportation cost is the current business IRS mileage rate, accessed at: is http://www.irs.gov/uac/Newsroom/New-Standard-Mileage-Rates-Now-Available;-Business-Rate-to-Rise-in-2015 when a personal vehicle is used or the actual verified costs. Client statement is acceptable as verification of mileage; however, when the client states they have mileage expenses, compare the client stated total miles with a map program, such as MapQuest, to ensure that the client's stated total is reasonable. Have the client provide a signed and dated statement detailing the total number of miles they are claiming and for the period of time they cover, i.e. weekly, monthly, or the entire period. Lodging costs are the actual verified costs;

M. Maintaining an attendant, homemaker, home health aide, child care services or housekeeper necessary due to age, infirmity or illness. State and federal withholding taxes paid by the disabled individual for attendant care payment, even if paid with other monies received by the disabled individual, are allowable medical deductions. In addition, deduct an amount equal to the one person benefit allotment if the household furnishes the majority of the attendant's meals. Deduct the amount equal to the benefit allotment in effect at the time of initial certification and/or recertification. If the household has attendant care expenses which qualify under both the medical deduction and dependent care deduction, treat the cost as a medical expense; and]

N. Reasonable cost for building a wheelchair ramp. A written statement from a licensed practitioner or medical doctor verifying the necessity of the ramp is required prior to allowing the deduction.

MS 5440 DISALLOWABLE MEDICAL DEDUCTIONS (1)

The following medical expenses are disallowed:

A. The cost of health and accident policies, such as those payable in lump sum settlements for death or dismemberment, or income maintenance policies, such as those that continue mortgage or loan payments while the beneficiary is disabled.

B. Any surcharge or billing fee added to the monthly insurance premium.

C. The cost of membership by an insurance company which allows for reduced cost of certain medical expenses.

D. Premium payments on cancer policies that pay the owner of the policy upon diagnosis of cancer.

E. Expenses of spouses or other persons receiving benefits as a dependent of the SSI or disability recipient.

F. Expenses for which the household will be reimbursed or for which an insurance company or government program will directly pay. Consider the nonreimbursable portion at the time the amount of reimbursement is verified or when the reimbursement is denied. If the reimbursement status cannot be determined, do not consider the expense and document the case record accordingly.

For example: A joint application is taken for SNAP and Adult MA (Z case) on 9/17/10. The SNAP case is approved on 9/7/10. The MA case is approved for SLMB on 10/7/10. As the SMI premium is reimbursable, it is not allowed as a medical deduction in the SNAP case. If the MA application is denied, a case change would be done in the SNAP case to allow the medical deduction and a restoration would be issued if appropriate.

Applicants who are approved for QMB may be due a SNAP restoration as the SMI reimbursement is not effective until the month following the QMB application approval month.

G. Expenses incurred jointly with other household members are not allowed in their entirety. Only the eligible person's expense is deducted. If the eligible person's share cannot be identified, the expense is prorated among the members the expense covers.

H. Medical expenses billed to a SNAP benefits household but are for a nonhousehold member.

I. Items used for medical needs, such as Ensure or Boost, when purchased with SNAP benefits.

J. Food items for “special diets”, such as lean meats and fresh vegetables.

K. Monthly car payments for handicapped accessible vehicles.

L. “Companion Pets”; pets not specially trained to care for disabled persons.

[M. Medical marijuana.]

MS 5450 DEPENDENT CARE DEDUCTION (1)

[Allow a deduction for care of a child or other dependent when such care is necessary for a household member to seek, to accept or to continue employment, training or education which is preparatory to employment. The dependent care deduction also includes the expense of transporting the child to and from the care provider. Effective 10/1/08, there is no longer a limit on the allowable dependent care deduction.]

A. Recipients may be potentially eligible for childcare assistance. See Volume I, MS 0610-MS 0620.

When childcare is paid by the Child Care Assistance Program (CCAP), do not allow a dependent care deduction for the expense that is covered by vendor payment to the provider. However, if the participant's expense exceeds the amount of the vendor payment, allow a deduction for the difference.

For those households who receive benefit of the CCAP and are required to pay a daily co-payment to the child care provider, allow the co-payment as a child care deduction.

Do not allow a deduction for services provided by a household member.

B. If dependent care expenses for the household are covered by an excluded reimbursement, including reimbursements under employment and training programs and the child care disregard in KTAP budget calculations when child care is not paid by CCAP, only the portion which exceeds the excluded reimbursement is allowed as a dependent care deduction.

EXAMPLE: A KTAP client with earnings receives a $186 grant because she incurs a child care expense of $100 per month and does not receive CCAP. If her grant was calculated NOT allowing the child care expense, she would receive $131. The KTAP grant has been "adjusted" in the amount of $55 due to child care. The difference ($186 - $131 = $55) of $55 is the "adjusted" or reimbursable amount of child care. This amount is excluded income. The difference in the total child care expense and the "adjusted" or reimbursable amount ($100 - $55 = $45) is $45. $45 is the amount of dependent care deduction allowed in the case.

C. Do not allow as a dependent care deduction any portion of the dependent care expense which is allowed as an educational assistance payment exclusion. For a complete overview of student financial eligibility, refer to MS 5650.

D. Because kindergarten attendance is mandatory in Kentucky for any child expecting to enter the first grade, do not allow kindergarten expenses as a dependent care expense. School attendance is required for any child over the age of five and under the age of 17; disallow school costs for these children. If childcare is provided for these children before or after school hours, allow that expense as a deduction.

E. Allow the actual cost of boarding a dependent outside the home when the boarding of that dependent enables a household member to accept or to continue employment, training or education which is preparatory to employment.

F. If the client is claiming a transportation cost, allow the expense as follows:

1. If they are using a private vehicle, they have the choice of either claiming the actual cost of the transportation or using the IRS mileage rate at http://www.irs.gov. If they choose to use their actual cost, they must provide verification. See MS 7050, Sources of Verification, for acceptable sources of verification.

2. If the expense is billed by the provider, (nonhousehold member), allow the actual cost as billed.

MS 5470 ALLOWABLE SHELTER DEDUCTIONS (1)

Allow shelter expenses as billed or otherwise become due. Shelter expenses include rent or mortgage, electricity, fuel oil, coal, telephone, sewer, gas (natural or propane), wood, water and garbage. If a household is billed for mortgage, rent or utilities the amount is an allowable deduction regardless of whether it is paid in advance. During the interview, ask the household how much they pay out-of-pocket for the stated expense.

Shelter expenses must be verified at application and when a household reports a change in their physical address or a change in shelter expenses. Accept any form of verification of shelter expenses that the client provides, such as a mortgage contract or coupon, receipt, utility bill or collateral contact. If a collateral contact is used, contact with the provider of the service is the primary source of verification. For example: If a client is paying rent, the landlord is the provider of the service and should therefore be verifier of the rent. The primary source of verification should always be considered first before exploring alternate sources. Please refer to MS 7050 for acceptable sources of verification. If a mortgage coupon is provided that does not break-down the principal, interest, taxes and insurance, enter the entire amount as the mortgage deduction. The client's statement is an acceptable source of verification ONLY at recertification and ONLY if the stated amount has not changed and if their physical address has not changed.

A payment made by a third party as a vendor payment (see MS 5400) is not an allowable deduction.

A. Rent, mortgage or other continuing charges in order for the household to occupy a given shelter or leading to ownership of shelter, including condominium association fees. Enter these fees in the rent/mortgage field as part of the total costs of those expenses. Allow only the following mortgage related expenses:

1. Allow the principal and interest charged for mortgages. For home equity loans, allow only the minimum amount due.

2. Allow the deduction for an open ended mortgage that is for, and secured by, the property wherein the household resides. Average the amount of the entire principal and interest over the certification period wherein the note becomes due.

   Example: During the January recertification the principal and interest total $4200 a year and the payment comes due in April. Divide the total by 12 and enter $350 as the monthly mortgage amount.

3. Some lending institutions initiate "on demand" mortgage contracts, which read as though the entire amount of the loan is due upon demand. If no other arrangements are made between the customer and the lending institution, consider these as open-ended mortgages as described above.

   However, in most situations, some type of separate agreement is arranged by the bank, to allow monthly payments to be made by the customer.

4. Actual property taxes, not the discounted or penalty amount, including State and local assessments.

5. [Insurance on the shelter structure itself, including flood and earthquake insurance. Allow state and local taxes, assessments, and the 1.8% surcharge mandated by the State of Kentucky, which are added to the cost of the insurance premium as deductions. Do not allow service fees mandated by insurance companies to cover processing costs as deductions.]

6. For households, which pay their mortgages yearly when a crop is sold, process these cases like an open ended mortgage.

7. Promissory note payments are not an allowable deduction unless they lead to ownership and there is a verifiable lien.

8. Subsidy recapture payments are not an allowable shelter deduction unless the household has a continuing repayment agreement with the United States Department of Agriculture/rural Development (USDA). They must provide verification of the established payment schedule before allowing the deduction.

B. Utility expenses including fees charged by the utility provider for initial installation.

C. Charges for the repair of a home substantially damaged or destroyed due to a natural disaster, such as fire or flood, which have not or will not be reimbursed.

D. Shelter costs for an unoccupied home if the home is temporarily unoccupied because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss. To receive a deduction, the following criteria must be met:

1. The household must intend to return to the home;

2. The current occupants of the home, if any, must not be claiming the shelter costs for SNAP benefits purposes;

3. The home must not be leased or rented during the absence of the household; and

4. If a household has both an occupied and an unoccupied home, only one SUA can be used.

E. Any household which operates a self-employment enterprise at his/her home must be given the OPTION of having his/her expenses treated as a business expense or a shelter deduction. If treated as a business, refer to MS 5320. During the interview, advise the client of the following:

A shelter deduction may be given if the expense covers both the recipient's home and business. If the recipient chooses to have the expense considered as a shelter deduction, a business deduction CANNOT be given.

Document cases sufficiently to indicate all options were explained to the household and the option chosen.

MS 5480 DISALLOWABLE SHELTER COSTS (1)

Do not allow the following as a shelter cost:

A. Charges for one-time deposits, including security deposits on utilities;

B. Charges for upkeep and to repair natural deteriorations or wear;

C. Charges for insuring furniture and personal belongings;

[D. Volunteer Fire Department dues, unless a mandatory expense.

As this expense can be mandatory OR optional, depending on the county, a call should be made to verify each situation.]

E. Charges for optional home buyers protection plans or extended home warranties.

F. Charges for repair of the home damaged or destroyed by a natural disaster which has or will be reimbursed by a private or public relief agency, insurance company or from any other source;

G. Charges for recoupment. If a household understates its income to the Department of Housing and Urban Development (HUD) and as a result has paid less than the appropriate rent, do not include the recoupment as part of the household's shelter costs;

H. A utility or shelter expense which is reimbursed or paid by vendor payment.

I. Charges for keeping a pet in the residence; and

J. Payments made by the household to make up for delinquent shelter payments if the deduction for the payment was previously allowed (for example: the household failed to pay the mortgage to the bank July through November. The bank allows the household to pay an additional $100 month to make up the delinquent payments effective January. The household was given the shelter deduction July through November so the $100 is not an allowable deduction).

MS 5485 TREATMENT OF HOMELESS HOUSEHOLDS WITH SHELTER COSTS (1)

A homeless standard allowance is available for homeless households who incur shelter expenses, in lieu of a deduction for shelter expenses. The allowance is deducted from net income after the child support deduction and before the medical deduction, rather than appearing as a shelter deduction. If the only utility expense incurred by a homeless household is a telephone expense, then the household is only entitled to the Telephone Standard deduction.

A. Homeless households which reasonably expect to incur a shelter expense for rent or utilities are allowed to use the homeless standard allowance. Households claiming shelter expenses greater than the homeless standard may choose to use their actual rent expense and the SUA or BUA, if eligible. When the homeless standard allowance is used, the household is not entitled to any additional shelter deduction. Explain that it is the homeless household's choice to use the homeless standard or their actual shelter expense and/or SUA or BUA. If actual shelter and/or SUA or BUA is chosen, accept any form of verification the household provides, such as a receipt, collateral contact, or written statement. If the homeless household pays only one utility and chooses to take the actual utility bill as a deduction, the actual amount of the utility expense must be verified Example: client is homeless but a friend lets the client stay at his house at night and requires the client to pay the water bill.

B. Homeless households receiving free housing and utilities throughout the month are NOT eligible for the homeless standard allowance unless they state that they reasonably expect to incur a shelter cost during the calendar month.

C. **[**The homeless standard allowance is $157 per month. This figure may be updated annually when the shelter cap is adjusted by the Food and Nutrition Service.**]**

D. For non-homeless households eligible to use the SUA who also share utility expenses with a homeless household, do the following:

1. Allow the non homeless household the SUA.

2. Advise the homeless household they are entitled to choose either the homeless standard allowance, or they may use the SUA if entitlement is verified.

E. For two homeless households living together temporarily and incurring shared shelter expenses, allow each household the homeless standard allowance, if they choose to use it. Do not prorate the standard between the two households.

Example: Two households share total rent or utility payment of $100.00. $50.00 is each household’s share. Each household is eligible to use the homeless standard allowance.

Document the case regarding the households' use of actual utility expense or shared shelter expenses.

MS 5490 HEATING AND COOLING COSTS/STANDARD UTILITY ALLOWANCE (1)

A. **[**The Standard Utility Allowance (SUA) is a standard amount used monthly for households with utility expenses that include the cost of heating or cooling their homes. Households which incur out-of-pocket heating or cooling costs must use the SUA; they cannot use actual utility expenses. The SUA amount for all households that incur a heating or cooling cost, regardless of household size, is $329. Eligible households include:**]**

1. Residents of rental housing who are billed for primary heating or cooling costs on a monthly basis by their landlords for actual usage as determined through individual metering;

2. Recipients who own their home and live in that home, which are billed for its primary heating or cooling costs;

3. Households receiving **a payment greater than $20 annually**, in the current month or in the immediately preceding 12 months, in energy assistance payments made under the Low Income Home Energy Assistance Program (LIHEAP) regardless of any change in the household's address. This includes households residing in public or private housing projects that are billed separately for excess costs or whose utilities are included in their rent or mortgage payments. Households who receive heating or cooling assistance from the Community Action Agencies are included in this provision. Access the HEAP Master Report to verify receipt of LIHEAP.

4. Recipients who expect to incur a primary heating or cooling expense during the certification period. Future heating or cooling expenses MUST reasonably be anticipated. For example, a household may apply during the summer and have no cooling expense, but will have a heating expense in the winter;

5. Recipients where two or more households live together and share utility expenses. See MS 5500;

6. Recipients of indirect energy assistance payments, other than LIHEAP, receiving **a payment greater than $20 annually** in the current month or in the immediately preceding 12 months, who continue to incur out-of-pocket heating or cooling expenses during any month covered by the certification period regardless of any change in the household's address.

   NOTE: If the recipient states they have received a payment(s) totaling greater than $20 annually, request verification, such as their assistance receipt or a collateral contact to the assistance agency, before allowing the SUA deduction. The client can choose to verify a heating/cooling expense and not verify the total amount of energy assistance payments, if he/she prefers.

   Households that receive HUD or FMHA utility payments are entitled to use the SUA regardless of whether or not they incur a primary heating or cooling cost that exceeds the amount of the reimbursement; or

7. Recipients residing in public housing who are billed for or anticipate incurring an out-of-pocket expense for excess utility charges for heating or cooling expenses do not have to incur a cost first. If the household states they do not expect to incur an out-of-pocket expense for excess utility charges then they are not eligible to receive the deduction.

B. Households who are NOT ELIGIBLE to use the SUA may be entitled to use the Basic Utility Allowance (BUA). These households include:

1. Residents in a public or private housing project who are billed ONLY for excess utility usage for two non-heating/non-cooling expenses.

   However, if the resident is in receipt of LIHEAP benefits, they are entitled to and must use the SUA;

2. Recipients who are billed only for utility expenses other than heating or cooling expenses. The household is not eligible to use the SUA, except when two or more households live together, share utility expenses and one of the households is entitled to use the SUA; or

3. Recipients who are billed only for a supplementary heating expense. For example, a household's apartment has gas as its primary heat source and this expense is included in the rent but the household is billed for electricity to run a blower fan on the furnace. The household is NOT eligible to use the SUA.

C. If the household changes residences within the certification period, entitlement to the SUA must be re-evaluated. The household's entitlement to the SUA is evaluated as follows:

1. If the household is billed for its primary heating or cooling costs separate from its rent or mortgage payments at the new address, the household is entitled to and must use the SUA;

2. If the household has received LIHEAP benefits or been approved to receive LIHEAP benefits) regardless of any change in the household’s address that is **greater than $20 annually** in the current month or in the immediately preceding 12 months, as verified by the HEAP Master Report, the household is entitled to the SUA; or

3. If the household is billed only for excess non-heating/non-cooling expenses, or their utilities are included in the rent or mortgage payments, and the household has not applied or been approved for LIHEAP benefits at the new address, the household is not entitled to the SUA.

MS 5498 NON-HEATING AND NON-COOLING COSTS/ BASIC UTILITY ALLOWANCE (1)

A. The Basic Utility Allowance (BUA) is a standard utility amount budgeted monthly for households who DO NOT incur heating or cooling costs. To be entitled for the BUA, the household must be billed for at least two of the following utility expenses:

1. Electricity (non-heating/non-cooling);

2. Water;

3. Garbage or trash;

4. Cooking fuel;

5. Telephone;

6. Excess utility cost for non-heating/non-cooling expenses for households which live in public or private housing; or

7. Sewage.

B. **[**The BUA amount for ALL households is $281.**]**

C. Households entitled to the BUA, must use the BUA and are not allowed to use actual utility expenses.

D. Households using the BUA are not allowed a separate utility deduction for a telephone.

E. **[**Households whose only utility expense is for a telephone, are only allowed the telephone standard of $45.**]**

F. If a household reports a change of address, entitlement to the BUA ends and should be re-evaluated.

Refer to MS 6765 for further procedures regarding acting on a reported change of address.

NOTE: The telephone expense must be verified whether it is part of the BUA deduction or for the Telephone Standard Deduction.

MS 5500 TREATMENT OF UTILITY EXPENSES (1)

A. Households who are eligible to use the SUA or BUA MUST use the appropriate standard. Only households that are not entitled to use the SUA or BUA are allowed to use their actual utility expense.

In the following instances the household may be required to change between standards or to use their actual utility expense.

1. The household moves from a residence, which qualifies it for use of the SUA, into a residence, which qualifies it for the BUA;

2. The household moves from a residence, which qualifies it for use of the BUA, into a residence, which qualifies it for use of the SUA;

3. The household is approved for LIHEAP, which qualifies it for use of the SUA, and the SUA is not currently used in the SNAP case; or

4. The household moves from a residence, which qualifies it for the SUA or BUA, to a residence, which qualifies it for the actual utility expense.

   Example: When a household moves from a residence where they were eligible for the SUA or BUA to a residence where they are billed for garbage only.

B. If a household is eligible to use the SUA, apply the policy as follows:

1. Question SNAP applicants/recipients regarding receipt or approval of LIHEAP benefits at application, reapplication and recertification.

2. If the recipient indicates they are in receipt of LIHEAP benefits or have been approved for LIHEAP at their current address, verify by using the HEAP MASTER list, explain SUA policy and give the recipient the SUA.

3. The deduction is allowed through their certification period beginning the first month following the month of LIHEAP approval.

4. Review entitlement to the SUA at every recertification/reapplication.

If a household has both an occupied and an unoccupied home, only one SUA can be used.

C. HEAP MASTER list provides a statewide listing of all individuals that were approved for LIHEAP during the current heating season.

The report contains the applicant's last name, first name, SSN, county of residence and month/year of the approval. The report is listed in alphabetical order within the county.

D. If a household receives LIHEAP during their certification period, the system will automatically update the case.

E. **[**If a household is only responsible for a telephone expense, allow the household the telephone standard of $45 regardless of the actual cost (this includes prepaid cell phones).**]**

F. If two or more households live in the same residence and share utility expenses, do the following regardless of whether each household participates in the Supplemental Nutrition Assistance Program (SNAP):

1. Each household is ELIGIBLE for and must use the SUA, if EITHER of the households is billed for heating/cooling costs. If neither household is billed for heating/cooling costs, but billed for two allowable non-heating/non-cooling costs, the household is ELIGIBLE for and must use the BUA.

2. Additional applicant households living in the same residence MUST use the type of expense used by the first household, as long as they contribute to the utility expenses.

3. If the household is entitled to use actual expenses, allow the household the actual amount of the utility expense for which it was responsible, if verified.

G. If two or more households live in the same residence and separate the cost of utilities, then determine the utility deduction according to the bills each household pays.

Example: Two roommates maintain a separate household. Roommate A states he pays the phone and water bill and roommate B pays the utility bill which includes heating and cooling. Roommate A would receive the BUA and roommate B would receive the SUA.

H. Households which live in separate residences but share the same utility meter device, may both be allowed the SUA. The SUA is not prorated and each household is allowed the full SUA for their respective household sizes.

I. If a household states no out-of-pocket heating/cooling costs, inquire the HEAP MASTER list to determine if the household may be allowed SUA.

MS 5510 CHILD SUPPORT DEDUCTION (1)

Allow a child support deduction for household members who are legally obligated to pay and are verified as paying child support for an individual living outside the household. The deduction is based on the amount of legally obligated child support the household pays, or expects to pay, during the certification period. Do not allow more than the legally obligated amount unless the excess is toward a verified arrearage. The child support payments may be paid directly to the custodial parent or other caretaker, or paid through a third party, such as a court. Alimony or spousal support payments, or payments made in accordance with a property settlement, are not allowable as part of the child support deduction.

[For example, a client is court-ordered to pay $550 in current child support obligation and $50 in arrearages, a total of $600 court-ordered per month. An application is taken in April, so January, February, and March months are considered when reviewing the prior 3 months payments. The client paid an average of $650 in the prior 3 months. In this situation, no more than the $600 court-ordered obligation (current and arrearage) is allowed as a deduction, based on the verified payments and court-ordered amount.**]**

There are situations when an obligation to pay child support may continue even if the child, or the child and the other parent, are in the same household as the individual paying the child support. This may occur if the child moves back and forth between parents or if the payer has a continuing obligation to make arrearage payments to Child Support Enforcement (CSE) after the family is reunited. Do not allow a child support deduction if the payments are made to a household member. Payments to an individual or agency outside the household are allowable even if the child, for whom the support is paid, is a household member.

Allow a deduction only for payments that are paid or anticipated to be paid on a continuing basis. Allow a deduction for amounts collected from income, such as Unemployment Insurance intercept, salary garnishment, and income tax refund intercepts. For child support collected through tax intercept, allow the household the option of using it as a one-time deduction or having it averaged over the certification period.

If a household member reports paying legally obligated child support to someone outside the household, the system forwards that information to CSE. CSE matches against their files and sends information back to the system.

MS 5520

SPECIAL CONSIDERATIONS FOR SPECIFIC HOUSEHOLDS

The deductions of the following individuals are given special consideration:

A. Members disqualified for intentional program violation, drug felons/fleeing felons, members disqualified for failure to comply with a work requirement (including KWP sanctions) or members who refuse to work register. The entire household's allowable deductions including the excluded member's deductions are considered. Allow only one earned income deduction (20%) from the household's gross countable income, which includes the gross earned income of the excluded individual. If the disqualified member is paying legally obligated child support to a non-household member, allow the entire child support deduction for the household.

B. [Ineligible Aliens, ineligible ABAWDS, members excluded for failure or refusal to obtain or provide a Social Security number and members excluded for failure or refusal to sign the citizenship/alien status declaration. (Providing an SSN is voluntary; however, failure to provide an SSN will result in the denial of food benefits to the individual failing to provide an SSN. Staff should advise applicants of this provision at initial certification and member add. Household members denied for this reason are considered excluded members.) Allow only one earned income deduction (20%) from the gross countable income, which includes the adjusted earned income of the excluded individual. For

For ineligible aliens, that portion of the household's allowable shelter and dependent care expenses and legally obligated child support payments, are divided evenly among the household members, including the excluded member. This includes utility expenses when an actual expense is used. All but the excluded member's share is a deductible expense for the remaining household members. The system will calculate the allowed expense for shelter expenses.

For Ineligible ABAWDS, allowable shelter, dependent care expenses and legally obligated child support payments are only pro-rated if that individual is billed or responsible for paying.]

C. Non-household members (Ineligible students). Only the portion of the expense actually contributed or paid by the household is an allowed deduction. The amount paid by the ineligible student is not an allowable expense.

MS 5600 DETERMINING ELIGIBILITY AND ALLOTMENT

[For applicant and continuing households, determine both eligibility and the allotment based on the household's anticipated income and circumstances at the time of the eligibility decision.]

MS 5610 MONTH OF APPLICATION OR RECERTIFICATION (1)

Household eligibility is based on circumstances for the entire month the household files its application and/or circumstances anticipated to exist in future months. The initial month's benefits are prorated from the date of application.

The initial month is the first month the household is certified, following ANY break in the certification period. Prorate benefits from the date of reapplication, for the household that reapplies in the month following discontinuance.

Do not prorate benefits for the first month of the new recertification period for those households whose deadline for filing a timely recertification falls after the end of their current certification period. Do not prorate benefits for migrant and seasonal farmworker households.

[Individuals who move to Kentucky from another state are considered to have participated in the SNAP if the individual received benefits for the month. If an individual states they have received in another state, OR if there is reason to believe the may have, verification is required. If the local office has access to the out-of-state worker (e.g. client has the phone number of the previous worker), contact the state to determine if the individual received benefits in their state for the month and to verify if the case has been discontinued. Out of state numbers can be found at National Directory of Contacts. If the worker is unable to verify this information application, pend for verification. An RFI will generate giving the household 20 days to provide verification. If verification is not returned, the case will process without it.]

MS 5620 ELIGIBILITY MONTHS

Because of anticipated changes, a household may be eligible for the month of application, but ineligible for the subsequent month(s). The household is entitled to benefits for the month of application even if the processing of its application results in the benefits being issued in the subsequent month. Likewise, a household may be ineligible for the month of application, but eligible in the subsequent month(s) due to anticipated changes in circumstances. Even though it is denied for the month of application, the same application is used for the determination of eligibility for subsequent months without requiring the household to reapply for the subsequent month(s). NORMAL TIMELINESS STANDARDS ARE MET.

As a result of anticipating changes and/or proration of benefits, the household's allotment for the month of application may differ from its allotment in subsequent months.

Fully document applications which are taken in one month and acted on in the subsequent month to substantiate that an eligibility determination was made for both months.

MS 5650 BUDGETING INCOME (1)

For the purpose of determining the household's eligibility and monthly benefit, take into account the income already received during the month and any anticipated income reasonably certain to be received during the remainder of the certification period.

If the amount of income that will be received or when it will be received is uncertain, do not count that portion of the household's income. Example: A household is anticipating income from a new source, such as, but not limited to, a new job, KTAP grant, Social Security benefits, or SSI, but is uncertain as to the time or amount of payment. These monies are not anticipated unless there is reasonable certainty of the month of receipt and the amount of payment.

Handle specific income listed below as follows:

A. Wages

1. Steady Employment:

a. If anyone in the household is steadily employed, the best practice is to use gross income from all pay-periods in the prior 2 calendar months to determine the amount of income that can be anticipated in the month of application and subsequent months. If the client does not provide verification of the prior two months income, but has provided verification that is representative of their anticipated income, use the provided verification. This includes tips as well as wages.
Example: 4 semi-monthly gross paychecks of:
360.25, 325.30, 359.20, and 338.45
Round to 360 + 325 + 359 + 338 = 1382
1382 ÷ 4 = 345.50
Round to 346
346 x 2 = $692 per month

b. If the client is unable to provide the previous two months verification but has verification that is representative of their on-going income, accept their verification.

Example: A client comes in for a recertification in December and states he is paid weekly on Fridays. The worker asks for all October and November check stubs and the client states he doesn’t have them all. He has 2 October check stubs and 3 November check stubs. He states that he works between 35-40 hours weekly and the check stubs provided reflect the client’s statement. The verification provided is representative of his on-going income and is sufficient verification. No further verification is requested.

c. Tips

(1) Consider tips that appear on an individual's check stub to be allocated tips. Allocated tips are not included in the gross wages

shown on an employee's pay stub but are used by the IRS for audit purposes.

Allocated tips displayed on the check stub may or may not be representative of tips received. The employee is responsible for reporting and verifying, usually by keeping a tip log, the actual amount of tips received. If the client states the allocated tips are representative of income received by the employee, use the allocated tip amounts when calculating the monthly tip income.

(2) Nonallocated tips are not shown on the employee's pay stub at all.

(3) Tips are counted and entered separately from the wage amount when entering the pay check verification on the system.

When manually calculating tips to ensure the benefit amount is correct, convert the tips (by 2 1/6 or 4 1/3, as appropriate) all allocated and non-allocated tips to a monthly amount and enter on the system. Follow these steps to arrive at the monthly tip amount:

(a) Using the tip log, separate the tips into the pay-periods that correspond with the pay dates of the checks being used.

(b) Add the tips for the pay-period together. DO NOT round the tips at the daily level.

(c) Once you determine the pay-period amount, round the tips up or down.

(d) Add the rounded pay-period amounts together.

(e) Divide the total pay-period amount by the number of pay-periods. The result is the AVERAGE pay-period tip amount.

(f) CONVERT your average pay-period amount to a monthly amount (2 1/6 or 4 1/3).

Example: The client comes in for recertification in August. She states she is paid every week on Friday. She has a daily tip log and provided the prior two months (June and July) tips. She was paid on the following dates in June and July:

6/05/10	7/03/10
6/12/10	7/10/10
6/19/10	7/17/10
6/26/10	7/24/10
	7/31/10

Add her daily tips to arrive at weekly tips and round up or down to the nearest dollar as follows:

6/05/10	$14.75=15	7/03/10	$65.85=66
6/12/10	$61.24=61	7/10/10	$67.50=68

6/19/10	$72.25=72	7/17/10	$74.15=74
6/26/10	$72.50=73	7/24/10	$49.95=50
		7/31/10	$91.95=92

The client stated she only worked one day during the 6/05/10 pay-period. The 6/05/10 tips are not considered, as they are not representative of ongoing tips.

The total rounded tips earned for the weeks considered is $556.

Divide the total by the number of pay periods (556 ÷ 8 = 69.50).

Round to $70.

Convert to a monthly amount and round (70 x 13 ÷ 3 = 303.33).

$303 is the monthly tip amount.

d. If information supplied by the household or a collateral contact indicates that future income will differ from the previously received income, use the pay-period(s) which are representative of ongoing wage payment to make a reasonable estimate of anticipated income (example: Client receives occasional overtime, once every few months, the check with the overtime would not be used as it is not representative of ongoing). Document the method used to determine income in the case.

e. If the income is NOT representative of the ongoing situation, enter the verified ongoing pay rate, hours worked in a pay-period, how often paid and the pay day on the system. When manually calculating the income to ensure the benefit amount is correct, do the following:

(1) For the recently employed who have not received 2 calendar months of earned income, calculate the monthly amount as follows:

(a) Multiply the hourly rate by the estimated number of hours to be worked in a pay-period. Round the results; or

Example: A client works 35 hours a week at $8.75 an hour.

Paid weekly (Every Friday) = 8.75 x 35 = 306.25
Round to 306 weekly

Paid bi-weekly (Every other Friday) = 8.75 x 70 = 612.50
Round to 613 bi-weekly

Paid semi-monthly (paid twice per month) =
8.75 x 35 hours per week = 306.25 (per week)
306.00 x 52 weeks in a year = 15,912.00 (per year)
15,912.00/24 pay-periods per year = 663 semi-monthly

This method is only used as an estimate. Once the check stubs are received, use them.

(b) Multiply the daily rate by the estimated number of days to be worked in a pay period. Round the results; and

(c) Convert the estimated pay period amount by multiplying:
(i) The weekly amount by 4 1/3;
(ii) The bi-weekly amount by 2 1/6; or
(iii) The semi-monthly amount by 2.

Apply current rounding procedures found in MS 5820.

(2) For cases of new employment, where the employer verifies the client will be paid for only a partial month, use the estimated weekly amount multiplied by the number of checks the client will receive for the month of application. To determine ongoing eligibility, convert the weekly estimated amount by 4 1/3, bi-weekly amount by 2 1/6 and semi-monthly amount multiplied by 2 to get the monthly amount.

(3) For cases where the hours of employment or the rate of pay changes and the client has not received 2 calendar months of earned income at the changed hours or rate, calculate the monthly amount using the steps outlined in A, 1, e, (1). If the client reports that only their rate of pay has changed, it is acceptable to use the prior two months check stubs, or whatever check stubs that the client has provided as his/her verification of anticipated income, and calculate the income by using the hours on the check stubs times the verified new hourly rate of pay. If the client also receives tips, use the tips on the corresponding check stubs that are being used if the client states these are reflective of anticipated tip income.

2. Hourly and Piece-Work Wages

If income is received on an hourly wage or piece-work basis, weekly income may fluctuate if the wage earner works less some days or is required to work overtime on others.

3. Wages Withheld

Consider wages that are withheld as follows:

a. Count wages held at the request of the employee as income in the month the wages would NORMALLY have been paid by the employer.

b. Count wages held by the employer that were not previously counted as income when received by the employee.

c. Count wage advances in the month received and not in the month the advances are deducted by the employer.

d. Count garnished wages and other wages withheld by court order, such as child support payments, as income to the wage earner.

e. Wages held by the employer as a general practice, even if in violation of law, are NOT considered income.

4. Contract Wages

Not every school employee is a contract employee. Refer to items a. or b. for treatment of income for school employees.

a. Annualize income which is governed by a verbal or written contract or payment agreement. This applies even if the income is received in less than 12 months. Begin to annualize income with the first month payment is received.

Example 1: Contract stipulates $10,000 for one year. (This income is annualized. The system should count $833 per month.)

Example 2: Contract stipulates $10,000 for one year and is based on an hourly rate. The employee's contract is based on the number of hours expected and the hourly wage agreed upon to determine the annual gross. The employee will not receive any more or less than the total gross no matter how many hours they work. It is a set, agreed upon amount and will not go up or down without another contract. (This income is also annualized. The system should count $833 per month.)

b. Do not annualize income which is received on an hourly or piecework basis that is not governed by a written or verbal contract.

Example: Contract stipulates that the recipient is to be paid an hourly amount with no annual limit established. (This income is not annualized, but is prorated over the period of time the income is intended to cover.)

c. For contract wages, other than school employees, who are governed by a written contract or payment agreement, divide the income over the amount of time the contract stipulates.

Example 1: Contract stipulates that the recipient is to be paid $1200 for 6 months, beginning January 1st and ending June 30th. After 6 months the contract ends and no additional wages will be received unless a new contract is signed. The wages would be averaged for 6 months beginning the first month the payment is received.

Example 2: Contract stipulates that the recipient is to be paid $36,000 for 18 months, beginning March 1st and ending August 31st. After 18 months the contract ends and no additional wages will be received unless a new contract is signed. The wages would be averaged for 18 months beginning the first month the payment is received.

5. Terminated Wages

For terminated wages in the month of application, verify and count the actual wages received in the month. Additionally, review with the household any employment which occurred in the 30 days prior to the date of the application to determine the last day worked, last day paid and the reason for

termination. This must be done in order to determine if any income was received, or will be received, in the application month, as well as to determine voluntary quit.

6. Bonus Income

If there is a pattern of bonus payments, determine the average monthly bonus income from the checks provided and enter the monthly amount as earned income.

Example: The recipient receives quarterly bonuses of $300. Enter $100 as a monthly amount of earned income in addition to the regular wages.

7. Commission Income

For commissioned income that is included in the taxable gross amount of regular wages, separate the commission amount from the taxable gross wages and enter the commission amount on the system.

B. Child Support

Before budgeting child support income, determine if the average of the prior three months is representative of future child support. For new child support or a change in child support, use the amount of court-ordered child support (or other verified amount in cases where there is no court order), if representative of future support, to determine anticipated ongoing child support. A thorough explanation of how ongoing support is determined is required. Use an average of the prior three months if this is more consistent with anticipated child support due to an absent parent making irregular payments. Allow a written statement from the absent parent if paid directly to the custodial caretaker and is representative of ongoing child support income. If verification of the prior three months child support is not available or is not representative of the ongoing amount, average and convert as follows to get the monthly amount: the weekly estimated amount by 4 1/3, bi-weekly amount by 2 1/6 and semi-monthly amount multiplied by 2. Do not round the weekly amount.

Example: The absent parent provides a written statement verifying he pays $75 per week cash to the client for child support for his child. 75 X 13/3 = 325 a month.

If payments are received through KASES, review KASES Option 21, Benefits Summary Inquiry. The amounts provided to the family are listed in the columns entitled “$ CSUP FAMILY” and “$ ARR FAMILY”. Use the following method to determine the anticipated ongoing child support income to be counted in the SNAP benefits case:

In order to make an accurate determination of what is to be considered, review both columns for patterns of payment and discuss any discrepancies with the client. Further verification, such as a collateral contact with Child Support Enforcement (CSE), may be required to resolve discrepancies.

For example, Option 21 lists the following:

CSUP FAMILY		$ ARR FAMILY	
03/09	0.00	03/09	0.00
02/09	100.00	02/09	0.00
01/09	100.00	01/09	900.00
12/08	100.00	12/08	0.00
11/08	0.00	11/08	0.00

In order to determine whether or not the $900.00 listed in the "$ARR FAMILY" should be considered when budgeting the child support income in the case, the worker must first confirm with the client that the payments were actually received. Look for a pattern of payment. In the example above, there does not appear to be a regular pattern of arrearage payments in this column. Therefore, the $900.00 would not be considered when determining the ongoing child support income. It would be considered as a lump sum payment.

1. [Manually add all 3 months together and divide by 3 to get an average monthly amount of child support to be considered in the SNAP benefits case. Enter the monthly amount on the system.]

2. Enter the child support income under each child receiving the child support that is paid by the Non-Custodial Parent (NCP). If there is more than one child for the same NCP, determine the average monthly amount and divide it among the number of children for whom the support is intended. Enter the amounts in a manner that equals the total monthly amount of support due.

3. Document the case in enough detail to permit a reviewer to determine the accuracy of the entries.

ESCROW payments are only countable income if it is anticipated to continue. If it is not anticipated to continue, consider the payment as a resource.

C. Assistance Payments

Do not average monthly Federal or State assistance payments, such as KTAP, SSI, VA or Social Security benefits, when two payments are received in a month as a result of the issuance date. If two payments are received due to changes in mailing cycles or pay dates or weekends or holidays, only count the monthly amount.

Consider the KTAP grant amount NOT including the child care expense as income in the SNAP case. DO NOT consider the amount actually issued.

D. Student Income

1. A household member must be enrolled in one of the following types of educational programs, to receive student educational income exclusions.

   a. Recognized institution of post-secondary education;

   b. School for the disabled;

   c. Vocational or technical school;

d. High school; or

e. GED program.

Students attending high school do NOT have to meet the student criteria outlined in MS 2300 to receive these exclusions.

2. Student income

a. Educational Assistance Payments

Assistance payments such as educational loans with deferred repayments, grants, scholarships, fellowships with no work requirements, and VA educational benefits are excluded income, and should be entered as excluded income.

b. Countable earned educational assistance is income funded by the Temporary Assistance for Needy Families (TANF) grant such as Ready-to-Work (RTW). Some regions have different names for this program, such as Work and Learn.

(1) Contact the RTW Coordinator to determine the number of hours the student is expected to work per week. The weekly hours must be verified and entered as anticipated hours per week.

(2) Enter RTW income based on the frequency in which it is received. For example, if a client is paid every week, the wages are entered as weekly wages.

3. Tuition, books, mandatory fees and supplies, transportation in excess of KWP supportive service payments, and other miscellaneous personal expenses other than room and board, are excluded from RTW income received by a household member.

4. Exclusions are applied to RTW earned income as follows:

a. Calculate the educational expenses that can be excluded.

b. Consider any remaining balance as GROSS earned income, subject to the 20% earned income disregard.

5. Verification of Student Income and Expenses

[The only student income that must be verified is income received through RTW or other student income programs funded by TANF. This income is verified by a form PAFS-700, Verification of Employment and Wages, a written statement from the RTW coordinator, or collateral contact with the RTW coordinator. It is imperative that the worker questions the client as to whether he/she incurs educational expenses. Educational expenses can be verified by, but not limited to, the student's educational account or a collateral contact to the institution.]

E. Odd Job and Seasonal Income

Use income received during the past 30 days if it is reflective of the income that is or will be available to the household during the certification period. Do not use past income as an indicator of income anticipated for the certification period if a change has occurred or can be anticipated. If income fluctuates to the extent that a 30-day period cannot provide an accurate indication of anticipated income, use a longer period of past time if it provides a more accurate indication of anticipated income.

If the household's income fluctuates seasonally, it may be appropriate to use the most recent season comparable to the certification period, rather than the last 30 days, as an indicator of anticipated income. Exercise particular caution in using income from a past season as an indicator of income for the certification period. In many cases of seasonally fluctuating income, the income also fluctuates from one season in one year to the same season in the next year. The amounts of any past income should not be automatically attributed to the household.

F. Unemployment Insurance Benefits (UIB)

When entering state UIB amounts on the unearned income screens, enter a minimum of two biweekly amounts. Batch Match compares the last two payments of the UIB data base to the first two verified payments on the unearned income screen. Therefore, if only one biweekly UIB amount is entered, a monthly exception is generated even though the UIB income is being considered correctly.

MS 5660 CONVERTING INCOME

Income is converted to a monthly amount using one of the following methods:

A. Take the following actions to determine a representative monthly amount for stable or fluctuating income:

1. Verify the income from all pay periods in the last 2 calendar months.

a. [If the household does not have verification of income from the last 2 calendar current months, request that they provide verification that is representative of their anticipated income.

b. Document the amount, the expected date of receipt, how the amount was determined and why consecutive weeks were not used for any anticipated income along with the documentation of previous income. When all attempts to verify income have been unsuccessful because the income provider fails to cooperate with the household and/or the worker or no other source of verification was available, determine an amount to be used based on the best available information. Document the method used to determine any unverified amount including efforts made to obtain the missing verification.

2. Total the income from all provided pay-periods and divide by the number of pay periods to establish the representative weekly or bi-weekly payment amount.]

3. Multiply the representative payment amount by 4 1/3 if weekly and 2 1/6 if bi-weekly to determine the monthly income amount used in determining household eligibility and level of benefits.

4. Document the method used to establish a representative pay period including dates and amounts of wages verified.

B. When the household's income is unstable, use the actual amount RECEIVED or anticipated to be RECEIVED when a full monthly amount is not anticipated due to terminations, layoffs, suspensions. DO NOT determine a representative payment amount and DO NOT multiply by 4 1/3 or 2 1/6 for irregular income.

C. If a household derives its income by a verbal or written contract, ANNUALIZE the income provided the income is not received on an hourly or piecework basis. Annualize the income beginning with the first month payment is received.

Example 1: Contract stipulates $10,000 for one year.
(This income is annualized.)

Example 2: Contract stipulates $10,000 for one year, and is based on an hourly rate. The employee's contract is based upon the

number of hours expected and the hourly wage agreed upon to determine the annual gross. The employee will not receive any more or less than the total gross no matter how many hours more or less they work. It is a set, agreed upon amount and will not go up or down without another contract.
(This income is also annualized.)

Example 3: Contract stipulates that the recipient is to be paid so much an hour with no annual amount established.
(This income is not annualized, but is prorated over the period of time the income is intended to cover.)

MS 5670 BUDGETING DEDUCTIONS (1)

[A. Household expenses are calculated based on the expenses the household expects to be billed during the certification period. Anticipation of the expense is based on the most recent month's bills unless the household is reasonably certain a change will occur. If a household receives a bill in one month and the due date on the bill is the following month, consider the expense for the month the bill is received rather than the month payment is due.

Households may elect to have fluctuating expenses averaged. Households may also choose to have expenses which are billed less often than monthly:

1. Prorated forward over the period between scheduled billings;

2. Prorated forward over the period the expense is intended to cover if there is no scheduled billing period; or

3. Deducted in the month billed or otherwise comes due.

Document the method of deduction chosen by the household.

If an expense is prorated over the period between scheduled billings or prorated over the period it is intended to cover, the expense does not have to be billed during the certification period to be deductible.

Convert all expenses billed weekly or biweekly using 4 1/3 or 2 1/6, as appropriate.

EXAMPLE:
Dependent Care Expense

09/07/12	$50	10/05/12	$50
09/14/12	$70	10/12/12	$60
09/21/12	$50	10/19/12	$50
09/28/12	$60	10/26/12	$70

$50 + $70 + $50 + $60 + $50 + $60 + $50 + $70 = $460 ÷ 8 = $57.50
$58 X 13 ÷ 3 = $251.33 per month]

B. Households reporting one-time only shelter expenses may elect to have a one-time only deduction or to have the expense averaged over the ENTIRE certification period in which the expense is billed.

Households reporting one-time only medical expenses during their certification period may elect a one-time only deduction or have the expense prorated over the remaining months of the certification period beginning the month the change becomes effective.

Households which report a one-time only medical expense during the last month of the certification period may have the expense deducted in the last month of the certification period, deducted in the first month of the new certification period or deducted over the new certification period.

MS 5680 [DETERMINING HOUSEHOLD SIZE AND COMPOSITION]

Determine the household size and composition as of the day of processing. Both the eligibility and the allotment are determined based on the anticipated income and deductions of every household member in the household on the day of processing.

MS 5800 CALCULATION OF ALLOTMENT (1)

For households with no elderly or disabled household member, calculate the SNAP benefits allotment as follows: (See MS 5810 for calculation procedures for elderly or disabled members, excluded members and self-employed members.)

A. Add all nonexempt gross monthly earned income minus exclusions by all household members. This figure is the household's total gross earned income.

B. Add all nonexempt gross monthly unearned income minus exclusions received by all household members. This figure is the household's total gross unearned income.

C. Add total gross earned income to total gross unearned income. This figure is the household's total gross income.

D. Compare gross income to the Income Scale in MS 5200. If the household's income is equal to or below the standard for its size, the net income and benefit level is calculated. If the income exceeds the gross income standard, the case is denied/discontinued unless the household is categorically eligible.

E. Subtract the standard deduction.

F. Multiply the total gross earned income by 20% and subtract that amount to determine the monthly income.

G. Allow monthly dependent care expenses paid for each child or other dependent in the household.

H. Allow a deduction for legally obligated child support paid to someone outside the household.

I. Total the allowable shelter expenses to determine shelter costs. Subtract fifty percent of the household's monthly income, after all the above deductions, from total shelter costs. The remaining amount, if any, is the excess shelter cost. If there is no excess shelter cost, the net monthly income is determined. If there is an excess shelter cost, the shelter deduction is computed.

J. **[**Subtract the excess shelter cost from the household's monthly income after all other appropriate deductions, up to the maximum of $586. The remainder is the household's net monthly income.**]**

K. Compare net monthly income to the Income Scale in MS 5200 for the appropriate household size. If the household's income is above the allowable net income, the case is denied/discontinued, unless the household is categorically eligible.

L. Calculate the allotment by multiplying the net monthly income by 30%. The result is rounded up to the next whole dollar. Subtract this amount from the Maximum SNAP Benefit Allotment for the household's size.

[Maximum SNAP Benefit Allotment:

Household Size	Allotment
1	204
2	374
3	535
4	680
5	807
6	969
7	1,071
8	1,224
Each additional member	+156]

M. Approve all households whose initial month benefit results in less than $10, (regardless of application date), for $0 benefits for the initial month.

For categorically eligible households, issue benefits for months other than the initial month as appropriate for the individual case situation:

1. One and two person who meet the appropriate income tests, receive a minimum allotment of $16.

2. The minimum allotment does not apply to households with three or more members. These households are issued the actual benefits they are eligible to receive.

N. If benefits are prorated, the following formula is used for the initial month:

1. Subtract the date of application from 31. For households applying on the 31st of the month, the date of application is considered the 30th.

2. Multiply the amount calculated in Item 1 by the household's full month's benefit for the initial month.

3. Divide the amount from Item 2 by 30. This amount is the prorated allotment. If the result ends in anything other than a whole dollar, round it down to the next whole dollar.

4. If the initial month’s prorated allotment is less than $10, do not issue benefits.

5. If the monthly allotment is greater than zero but the prorated amount is zero, the household is eligible as the zero allotment is the result of the date of application, not available income.

MS 5810 SPECIAL PROCEDURES FOR CALCULATION

Special procedures are used to calculate the allotments of the households with the following types of members:

A. Elderly or disabled household members have their special deductions allowed as follows:

1. Follow procedures outlined in MS 5800, items A through C.

2. Subtract the standard deduction.

3. If the household is entitled to an excess medical deduction, subtract any portion of the total medical expenses which exceeds $35.

4. Subtract monthly dependent care expenses, if any, paid for each child or other dependent.

5. Subtract legal child support payments that are paid to individuals outside the household.

6. **[**If the homeless household elects to use the homeless standard allowance in lieu of shelter deductions, subtract the $157 deduction. DO NOT compute additional shelter expenses for the homeless household when the standard allowance is used.**]**

7. Total the allowable shelter expenses to determine shelter costs. Subtract 50% of the household's monthly income, after all the above deductions, from total shelter costs. The remaining amount, if any, is the excess shelter cost. If there is no excess shelter cost, determine the net monthly income.

8. Subtract the excess shelter costs from the household's monthly income after all other appropriate deductions. Determine the household's net monthly income.

9. Follow procedures outlined in MS 5800, items K through N.

B. If the only elderly or disabled individual in a household is an ineligible alien or an individual disqualified for failure to meet enumeration requirements:

1. The household MUST meet the Gross Income Standards;

2. Do NOT allow the medical deduction or the uncapped excess shelter costs; and

3. Do NOT include this individual in household size.

C. If the individual who is elderly and disabled and his/her spouse are being certified as a separate household, compute the gross income of the individual(s) with whom the household lives as follows:

1. Follow the procedures outlined in MS 5800, A through C, except do NOT give the earned or unearned income exclusions.

2. Compare these individuals' gross income against the maximum gross monthly income limits for elderly/disabled separate households.

3. If their income exceeds the limit, consider the individuals as one household.

4. If their income is at or below the limit, consider the elderly/ disabled individual and his/her spouse as a separate household.

D. Excluded household members are included in the household size except for the following purposes:

1. Assigning a benefit level to the household; or

2. Comparing the household's monthly income to the income eligibility standards.

E. Determine the income of self-employed household members as follows:

1. Add all self-employment income including capital gains, and divide by the number of months it is intended to cover.

2. Add the costs of producing the self-employment income, and divide by the number of months the expenses are intended to cover.

3. Subtract the monthly cost of producing the income from the monthly gross to arrive at the monthly net self-employment income to consider.

4. Add the income from item 3 to any other earned income received by the household.

5. Follow procedures outlined in MS 5800, K through N.

MS 5820 ROUNDING (1)

When calculating gross or net monthly income and deductions, round the monthly amounts to the nearest dollar ($.01-.49, round down; $.50-.99, round up). Complete the rounding before and after each calculation for income and deductions except for the computation of shelter and medical expenses. Shelter and allowable medical expenses are computed using exact dollars and cents. Round total expenses prior to determining the shelter or medical deduction.

Do NOT round cents before adding or multiplying hourly or daily earnings. Round all cents before adding or multiplying weekly, bi-weekly, semi-monthly, quarterly, or annual earnings. This policy also applies to child support deductions and dependent care. Workers must follow rounding procedures in MS 5650 for rounding child support income.

[DO NOT round RSDI. Enter the actual NET RSDI amount. If there is an overpayment of RSDI retained in order to pay back an RSDI claim, subtract the current overpayment amount from the 'Net' amount to calculate the amount of RSDI to be counted in the case.]

When calculating the allotment, round the 30 percent of net income up to the nearest whole dollar.

For example: Round cents in gross weekly earnings prior to multiplying by 4 1/3. Round the cents resulting from this multiplication before computing the earned income deduction. Round cents from this deduction before subtracting from earned income. Because rounding could result in a significant decrease in a household's shelter or medical expenses, the individual costs are computed using exact dollars and cents. However, round total shelter/medical costs to determine the deductions before determining net monthly income.

MS 6000 INITIAL CONTACT – RESPONSIBILITIES (1)

The worker, or other trained staff designated by the Service Region Administrator Associate (SRAA), is responsible for the following:

A. Prescreening all individuals to determine whether the household is applying for initial certification, recertification, or reporting changes.

B. Issuing form FS-360, Facts About The Supplemental Nutrition Assistance Program (SNAP), immediately to an individual expressing a desire to apply for SNAP benefits.

C. Prescreening all applications as they are filed to determine whether the household may qualify for expedited services.

D. Annotating the type of contact on the appropriate log.

E. Referring applicants to the appropriate caseworker for an interview.

F. Advising the individual of the Web Portal.

[G. Advising the individual of the call service center and providing the telephone number: 855-306-8959.]

MS 6010 HOUSEHOLD CLASSIFICATION (1)

[Supplemental Nutrition Assistance Program (SNAP) households are divided into the following classifications:]

A. PUBLIC ASSISTANCE (PA) includes all households where all members have been approved for a K-TAP grant or State Supplementation check regardless of whether the first payment is received in the month of approval.

B. NONASSISTANCE (NA) includes all households not classified as PA. This category includes households where some but not all members are included in a PA case.

[Include individuals who are normally considered members of the household, but who are excluded or ineligible to participate in the SNAP, when assigning a classification.]

MS 6020 CASEWORKER RESPONSIBILITIES (1)

The caseworker is responsible for:

A. [Interviewing the client, other responsible household members, or authorized representative and entering the individual's response to appropriate questions on the system. It is very important that a thorough interview is conducted with every contact made with the client. The worker must ask the client every question on the system. After the interview is complete, review the entries with the applicant, explain rights and responsibilities, and have the applicant sign the printed application.]

B. Accepting an application for a SNAP household or member who has received in another state. Follow these procedures to prevent duplicate participation:

1. Contact the state agency to determine:

   a. The effective date of discontinuance;
   b. The last day benefits were received; and
   c. The period of time the last issuance covered.

2. If the other state does not issue SNAP benefits on a calendar month basis, do the following:

   a. Accept a hardcopy application if the benefit period from the other state is still in effect;
   b. Enter the application date on the first day of potential eligibility in Kentucky;
   c. Answer "N" to "Received in another state"; and
   d. Document the action in comments.

The application will approve with benefits prorated from the date of application.

EXAMPLE: Household received benefits in Alabama on 6/24/10, which covered the period from 6/15/10 through 7/14/10. Enter the application on 7/15/10, the first day of potential eligibility in Kentucky.

C. Scheduling the household for an interview at the earliest possible time.

D. [Thoroughly questioning households reporting no income to determine how they are paying for necessities (particularly those households who continually report no income). Documenting the client's statement. Access all programs available, such as BENDEX, Eligibility Advisor, , UI BENEFITS, SDX, and child support (if children are in the home, or it is otherwise warranted), on all individuals who report no income.]

E. Documenting the case to sufficiently describe the household situation and the basis for the case action.

F. Assuring that all the appropriate forms are completed. This includes checking the electronic case file (ECF) to ensure any forms already completed remain valid for the new certification period.

G. Assisting the household in obtaining verification, if necessary.

H. Processing the case within the appropriate time standards.

I. Advising households applying for both SNAP benefits and KTAP that the KTAP time limits do not apply to the receipt of SNAP benefits. In addition, households which cease receiving KTAP because they have reached the time limit, have begun working, or for other reasons, may still qualify for SNAP benefits and must be so advised.

J. Explaining the use of the EBT card and eligible and ineligible SNAP EBT Purchases, e.g., the SNAP EBT card cannot be used to pay on a charge account.

K. Thoroughly explaining the applicable change reporting requirements to the household.

L. Thoroughly explaining the Quality Control (QC) process and providing PAM-PAFS-343.2, Quality Control, to the household.

MS 6100 FILING AN APPLICATION (1)

Individuals have the right to apply in any county for any program administered by the Department. Additionally, application for the Supplemental Nutrition Assistance Program (SNAP) can be made by the individual, their guardian, a power of attorney or authorized representative. The authorized representative designation must be made in writing by the head of household, the spouse of the head of household, or another responsible member of the household.

[An application is considered to have been made when the application is submitted on-line, by telephone or the appropriate application form is signed and received in any Family Support office.]

The worker and the applicant must complete an application interview by answering questions on the computer screens and the applicant signs the system-generated application.

[Each household or its representative has the right, and is encouraged, to file an application the same day of contact with the office whether the contact is made in person or by telephone. As processing standards begin and the amount of benefits are calculated from the date of application, it is IMPERATIVE that all persons contacting the office be informed of and understand this right and its implications. The household does not have to be interviewed before being considered to have filed an application and may file an incomplete application. Explain to the household that an interview must be conducted to complete the application process. In addition, allow households to file SNAP applications by submitting the form in person, through an authorized representative, by mail, Web Portal, fax or telephone. See Volume II, MS 6320 and MS 6330 for interviewing procedures.]

If an individual or their representative signs an application by making a mark (X), the mark must be witnessed by one person, either related or unrelated to the individual, who can write.

A person whose application has been previously denied or one whose assistance has been discontinued may reapply at any time.

Residence in a spouse abuse center does not affect the individual's right to apply.

MS 6102 TAKING THE APPLICATION (1)

Every individual has the right to apply for any program administered by the Agency at any county office, regardless of county of residence. No individual is refused the opportunity to apply. Eligibility requirements or Agency procedures do not preclude the opportunity for an individual to apply and obtain a determination of technical and financial eligibility or ineligibility.

A. The applicant's county of residence has no bearing on the county where the application is completed.

B. Accept all information or verification from individuals coming into the local office regarding their case. Information should be scanned on the date it is received.

C. [IF THE INDIVIDUAL IS PHYSICALLY OR MENTALLY DISABLED OR IS ELDERLY, provide reasonable accommodation to any special needs the individual may have no matter where the interview is conducted. Special needs include, but are not limited to:

1. Interpreter services for hearing impaired individuals. Refer to Volume I, MS 0220;

2. Additional space for the interview to accommodate an individual in a wheelchair;

3. Scheduling appointments when special transportation services are available; or

4. Making a home visit.]

D. IF THE INDIVIDUAL IS NON-ENGLISH SPEAKING, obtain interpreter services. Refer to Volume I, MS 0230.

MS 6103 WHO SIGNS THE APPLICATION (1)

[Supplemental Nutrition Assistance Program (SNAP) applications must be signed by an adult or an emancipated child who is a responsible member of the household or an adult authorized representative. By signing an application, the applicant is attesting he/she understands he/she is responsible for ensuring all the information in the application is accurate.]

If an individual or their authorized representative signs an application by making a mark (X), the mark must be witnessed by one person, related or unrelated to the individual, who can write.

For SNAP purposes, individuals who do not wish the Department to contact U.S. Citizenship and Immigration Services (USCIS) to verify immigration status are allowed the option of withdrawing the application or participating without that member. See Volume II, MS 5220 for how to consider income of ineligible aliens.

MS 6120 WITHDRAWAL OF APPLICATION (1)

The household may voluntarily withdraw its application at any time before final case disposition.

A. If the client requests withdrawal in person, enter the request on the system.

B. [If the client requests withdrawal by phone, verify identity of client prior to completing the case action. Verification of identity can be accomplished through a correct response to the following information on the head of household:

1. First and last name

2. Date of birth

3. Social security number

C. Document the reason for the withdrawal, if a reason was given by the client.]

D. An automated denial notice is sent indicating the request for voluntary withdrawal and explaining the household's right to reapply.

MS 6210 RECERTIFICATION INTERVIEWS (1)

[A system-generated “Notice Of Renewal Interview” notice is issued on the 15th (or prior workday if the 15th is a weekend or holiday) of the month before the month of the certification end date.

If a recertification has not been entered on the system by the 15th of the certification end month, a “Notice of Missed SNAP Interview” is automatically issued to the household advising them that they must contact the Department for Community Based Services (DCBS) by the last work day of the month to complete a recertification interview or benefits will be discontinued.

When the application is approved under expedited criteria with postponed verification, the household is instructed on the RFI to call DCBS by the end of the certification period. The household is also notified on the SNAP approval notice that they must contact DCBS to complete a recertification interview and provide the missing verification by the end of the certification period. A recertification interview MUST be completed prior to approval of ongoing benefits.]

MS 6220 INTERVIEWS (1)
FOR WORKING RECIPIENTS

[If the applicant is unable to complete a phone interview during work hours, determine if another adult household member or a representative can be interviewed. In addition, the Department is responsible for setting office hours that take into account the special needs of all Supplemental Nutrition Assistance Program (SNAP) applicants, especially households containing working members. Use flextime to accommodate the needs of working recipients, which allows them to be interviewed before 8:00 a.m. and after 4:30 p.m. Any offices using protected hours for workers must ensure that those hours are staggered in order that clients can be assisted from 8:00 a.m. to 4:30 p.m. and during the lunch hour.]

MS 6300 REQUIREMENT FOR INTERVIEW (1)

All households who are applying or being recertified, must complete an interview with a worker.

The applicant is one of the following:

A. The head-of-household;

B. The spouse of the head-of-household;

C. Any other responsible member of the household;

D. The household's representative; or

E. The legal guardian or the authorized representative appointed by the legal guardian.

The applicant is able to bring anyone he or she chooses to the interview.

[The applicant is responsible for ensuring the information in the application regarding the household is accurate.]

MS 6310 TYPES OF INTERVIEWS (1)

[An in-office or out-of-office interview must be completed for application for the Supplemental Nutrition Assistance Program (SNAP). Out-of-office interviews are conducted by telephone or through home visits. A home based interview is allowable only when the household requests one due to hardship. Households can file applications for SNAP by submitting the form in person, through an authorized representative, by mail or via the Self Service Portal. Staff can also accept applications via fax. See Volume II, MS 6100 for application processing and MS 6320 and MS 6330 for interviewing procedures.]

MS 6320 SCOPE OF THE INTERVIEW (1)

During the in-person or out-of-office interview:

A. Help the applicant feel at ease and assist the household in completing the application process.

B. Complete appropriate forms.

C. Complete the applicant's statement fields on the appropriate screens or hard copy forms, as appropriate. Ask only questions which are related directly to household eligibility.

D. Review the applicant's responses on the application and clarify any incomplete or conflicting information. Signed applications lacking information or containing incorrect information are corrected during the interview by the applicant and worker and documented accordingly. Any additions or corrections to the hardcopy application must be initialed and dated by the applicant and entered on the system.

E. Assure that the application is SIGNED and DATED by the applicant.

F. Question the member regarding any possible outstanding claim(s). If a claim exists:

   1. Determine if the claim is in the Claims Management Section located in the Division of Family Support.

   2. Discuss method of repayment.

G. Provide the household with the following verbal explanations:

   1. Enumeration requirement and the uses of the member's SSN;

   2. The household's rights and responsibilities;

   3. Proration of the initial month's benefits;

   4. Timeframes for application processing;

   5. The fair hearing process;

   6. Penalties for intentional program violation;

   7. The Quality Control (QC) process; and

   8. Any portion of the application process which the household does not understand.

H. Explain which changes must be reported during the certification period and the interim change report process.

I. Explain and provide, if appropriate, the following to the household:

1. FS-120, Information Needed to Process a Supplemental Nutrition Assistance Program Application;

2. FS-360, Facts about the Supplemental Nutrition Assistance Program (SNAP);

[3.] FSET-101, SNAP Employment and Training Fact Sheet;

4. PAFS-706, Voter Registration Rights and Declination. See Volume I, MS 0640 and MS 0650 ; and

5. PAM-PAFS-343.2, Quality Control, handout.

J. If a member of the household appears to have a disabling health condition (e.g. quadriplegia, head injury), advise the individual to go to the SSA to apply for SSI/RSDI benefits.

K. Issue a Request for Information (RFI) to request all verification required to process the case and file a copy in the case record. Assist the client in obtaining the necessary verification.

L. Keep all information about the household's circumstances confidential.

MS 6330 CRITERIA FOR OUT-OF-OFFICE INTERVIEW (1)

Out-of-office interviews include both telephone interviews and home visits.

Workers MUST conduct telephone interviews upon request by the client.

A face-to-face interview is required only if:

A. Requested by a household;

B. When an authorized representative applies on behalf of another individual at the initial application; OR

C. When deemed appropriate by the agency. For example, initial application by the program's specified representative for applicants residing in Drug Addiction and Alcohol (DAA) treatment facilities, in cases where a household member has an Intentional Program Violation (IPV) or has had a recent trafficking allegation.

Waiver of the face-to-face interview may not affect the length of the household's certification period.

Waiver of the face-to-face interview does not exempt the household from the verification requirements. See MS 7050 for acceptable sources of verification.

[Home based interviews are used only if the household requests one due to hardship.]

MS 6340 CONDUCTING OUT-OF-OFFICE INTERVIEW (1)

Waiver of the face-to-face interview does not exempt the household from providing a signed application or providing necessary verification. Special procedures such as substituting collateral contacts for verification are used to allow the household to obtain its benefits timely. Waiver of the face-to-face interview does not affect the length of the household's certification period. Use the following procedures for conducting out-of-office interviews:

A. If a telephone interview is held:

1. [Ask the caller qualifying questions to ensure the identity of the client, such as first and last name, case number, date of birth, or social security number.

2. Ask all questions and enter the client's responses on the system.

3. If a case is potentially expedited, type “EX” in the notes area of the Request for Information (RFI), before disposing of the case. Asterisks may be used to further draw attention to the expedited nature of the case. When the RFI and the application are gathered from the printer, write “EX” across the top of each page of the application, if the client did not sign electronically or by voice signature. This is done in the event that the client returns just the application (in whole or in part) without the RFI.

4. Mail all necessary pamphlets to the client.

5. Mail all necessary forms, including the application form, if not signed electronically or by voice signature, no later than close of business the day after the phone interview is completed.

6.] The case is pended for return of mandatory information and the signed application, if necessary. Do not approve the case without a signed application.

B. If a home visit is conducted:

1. Take all necessary forms to the interview.

2. Provide all necessary pamphlets at the interview.

MS 6400 OVERVIEW OF APPLICATION TIME STANDARDS (1)

The processing standards of applications are as follows:

A. If the household is not eligible for expedited services, process the application within 30 calendar days from the date the application is filed. Households who submit an incomplete form FS-1, Application for SNAP, must have form FS-105, Notice of Eligibility/Ineligibility, issued manually by the local office early enough that it is received by the 30th calendar day from the date of application. Households who provide all requested information must have action taken on their applications promptly. **Action must be taken early enough that the client is able to participate in the program, or the client receives a notice of denial, by the 30th calendar day from the date of application.** Only those cases pending requested information or completion of the interview are held until the 30th day from the date of application. If the household fails to provide mandatory verification, deny the application.

B. **[**If the household is eligible for expedited services, the application must be processed by the 5th day. In order to meet the 5 **calendar** day timeframe, the application must be disposed by the 4th **calendar** day **after** the date of application. For example:

Application taken on:	**Must be processed by:**
Monday	Friday
Tuesday	Friday (as the 4th day is Saturday)
Wednesday	Friday (as the 4th day is Sunday)
Thursday	Monday
Friday	Tuesday**]**

If the household is ineligible for benefits, notify the household of denial so that the notice is received within 5 calendar days of the date of application. If the household fails to provide mandatory verification, the household loses its right to expedited services; process the application according to normal timeframes outlined in Item A. of this section.

C. If the required action at application is not completed within 30 days, the application is denied. If the applicant completes the required action within 60 days from the initial application date or provides enough necessary verification to be certified for benefits, the application is processed even if it is not the information originally requested. A new application and interview is not required.

EXAMPLE: An individual applied May 15th and provided all mandatory verification except income verification. The income verification request is for March and April on the Request for Information (RFI). The individual did not return the requested verification and their application denied. On June 20th (after their application has been denied), check stubs for April and May are returned. The household is certified without an interview (as other requirements are met) because verification necessary to process the case has been provided, even though it is not the verification that was originally requested. The new application date is June 20th.

A household must provide MANDATORY verification, but it may not necessarily be the verification ORIGINALLY requested. In this example the MANDATORY verification provided was income verification for APRIL and MAY. The ORIGINAL request was for MARCH and APRIL income verification.

Process the case with benefits prorated from the date the requested action was completed. An application must be entered using the date the required action was completed. Applications meeting these criteria should be processed as soon as possible but no later than 60 days from the initial application date.

Example: An application is filed April 20th and is pending for required action by the household. The applicant has until May 20th to complete necessary action. The application denies the evening of May 20th. The mandatory verification is received June 17th. The application is entered with June 17th as the application date. Action must be taken early enough so that the client is able to participate in the program, or the client receives a notice of denial, by the 60th calendar day from the initial date of application, April 20th.

D. When a probationary worker or any worker tries to dispose a case that pends for supervisor approval, a message will appear stating that a supervisor has to sign off on the case before it can be processed and a supervisor task will be generated.

MS 6410 VERIFICATION TIME STANDARDS AT APPLICATION AND RECERTIFICATION (1)

Allow the household the appropriate length of time to provide verification as follows:

A. If the household is not eligible for expedited services, allow the household 30 calendar days from the date form KIF-2.2, Request for Information, (RFI) is given or mailed to provide the necessary information. This 30 day time standard applies only to the initial RFI.

1. If the 30th day is a workday, verification must be returned by close of business that day.

2. If the 30th day is a non-workday (weekend or holiday), verification must be returned by the following workday. Benefits will be issued from the original date of application.

3. Allow the household a minimum of 10 calendar days (or the next work day if the 10th day falls on a weekend or holiday) on any subsequent RFI to provide additional information in the following instances:

   a. To verify conflicting or questionable information. Document in the case record why the information was questionable;
   b. To provide information due to a change in the household's situation which occurred after the interview and the initial request; or
   c. To provide additional information which the worker discovers is needed to make an eligibility determination after the interview and initial request.

4. When all <u>mandatory verification</u> is received, during the extended 30 day period, enter the application and process the application without the optional information. The date of application is the date all the mandatory verification is received.

   Example: The applicant returned all the mandatory information, identity, wages, etc., but the applicant failed to return verification of rent. Process the application using the date all mandatory verification was received and enter 0's for the rent (non-mandatory information). If applicant returns the rent information after the case has processed, process the information received as a change.

   When all of the mandatory verification is not received, but optional verification has been received, <u>DO NOT</u> re-app the case until all mandatory information is received.

   Example: After the application denies at 30 days, the applicant returns verification of rent, wages and child support, but fails to return <u>all mandatory</u> <u>required information.</u> DO NOT enter the application until all of the mandatory verification is received.

5. If the household returns requested verification during the extended 30-day period, after the application has been denied, and it is discovered household circumstances have changed, do the following:

   a. Put the case back on the system immediately;
   b. Pro-rate benefits from the date verification is received; and
   c. Issue an RFI requesting verification of the change allowing the normal 10 days to return the verification.

   If this is a SR household and the verification is not returned, the case cannot be closed unless it is one of the changes SR households are required to report.

6. When information is requested, be specific about information needed. If income for the prior two months is needed, the original RFI should reflect the exact two months. If information is returned in the 30-day period following the denial/discontinuance, use the same 2 months of verification. If the household returns all requested information, process the application.

B. Recertification

1. If a household files a timely application for recertification, but fails to return requested verification by the end of the certification period, the case will be discontinued. If the requested verification is returned within 30 days following the end of the certification period, the case is processed as an application and benefits are prorated from the date the requested verification is provided. The household does not have to reapply.

   Example: Application for recertification is filed April 10th and pended for requested verification. The applicant has until April 30th to complete and return the required action. The case discontinues the evening of April 30th. Requested verification to process the case is received on May 6th. The application filed on April 10th is processed with benefits prorated from May 6th. An application is entered with a May 6th date and the household does not have to reapply.

2. If a household files an untimely application for recertification and fails to return requested verification within 30 days, the case is discontinued. If the requested action is completed and provided within 30 days of the date of discontinuance, the case is processed as an application and benefits are prorated from the date the requested action was completed and received.

   Example: Application for recertification is filed untimely on April 20th and pended for verification from the household. The applicant has until May 20th to return and complete the verification. The case discontinued the evening of May 20th. The verification is returned and received on May 29th. The application filed on April 20th is processed as an application with benefits prorated from May 29th. The household does not have to reapply.

   ;

C. [Applications for multiple programs:

When a household applies for multiple programs, follow normal procedure. However, advise the household that their due dates to return requested verification may be different and the household should make every effort to return the requested verifications for all programs by the earliest due date.]

MS 6420 ISSUANCE TIME STANDARDS AT APPLICATION (1)

Provide the household a timely opportunity to participate as follows:

A. If the household is not eligible for expedited services, ensure that the household's benefits are available no later than the 30th calendar day following the date of application. If all verification has been provided, process the application by the 28th day to allow at least 2 days mailing time after approval for the household to receive benefits by the 30th day.

B. If the household is eligible for expedited services, provide benefits no later than the 5th calendar day following the date of application. Participating households must receive their EBT card in the mail no later than the 5th calendar day; allow 2 days for mail delivery. The count begins with the first day following the date of application. Please reference MS 6400.

   If the 5th calendar day falls on a weekend or holiday, the benefits must be made available by the preceding workday.

C. Households applying after the 15th day of the month are issued the initial or prorated month's benefits AND the second month's benefits when the application is approved, except in the following situations:

   1. Households determined ineligible for the first month but eligible for the second month receive only the second month's benefits when the application is approved;

   2. Households eligible for zero benefits the first month because the prorated allotment is less than $10, receive only the second month's allotment when the application is approved.

[D. For applications with severely delayed processing (more than 1 year) due to agency error, refer to MS 6790, SNAP Restorations.]

MS 6430 EXPEDITED SERVICES CRITERIA

Determine eligibility for expedited services during application prescreening. Households do not have to request expedited service to receive it and cannot waive the right to expedited service.

The following households are eligible for expedited services:

A. Eligible households with liquid resources of $100 or less and who:

1. Have gross monthly income of less than $150; or

2. Are destitute migrant or seasonal farm workers.

B. Eligible households whose combined gross income and liquid resources are less than the household's actual monthly shelter expenses. Shelter expenses include rent or mortgage, electricity, fuel oil, coal, telephone, sewer, gas (natural or propane), wood, water and garbage. DO NOT include taxes and insurance on the property in determining the household's shelter expense. If the applicant is eligible to use the SUA or BUA, use the appropriate standard as the utility expense when determining eligibility for expedited services. If the household is not entitled to the SUA or BUA, use the actual utility expenses to make the determination.

C. [Verification of noncitizen status, or drug treatment program participation or completion is not required for expedited services. However, verification must be determined prior to determining ongoing eligibility.]

If an individual requests expedited services but is not entitled to it, process the application as any other nonexpedited services application.

There is no limit to the number of times a household may be certified under expedited procedures as long as prior to each expedited certification the household either completes the verification requirements that were postponed at the last expedited certification or was certified under normal processing standards since the last expedited certification.

MS 6450 SPECIAL ISSUANCE TIMEFRAMES FOR EXPEDITED SERVICES (1)

The following special issuance timeframes exist for certain households which are eligible for expedited services:

A. If the household member is a resident of a drug or alcoholic rehabilitation and treatment center, make the household's benefits available no later than 5 calendar days following the date the application was filed.

B. If the household member is a resident of a shelter for battered persons and children, make the household's benefits available no later than 5 calendar days following the date the application was filed.

C. [If a telephone interview is conducted for a household which is entitled to a waiver of the office interview and the application must be mailed to the applicant for signature, the mailing time and the time the application is in the household's possession are not calculated in determining expedited services time standards. Expedited processing timeframes begin the date the signed application is received in the local office. Enter the date the signed application is received in the Signature Date field. Make the household's benefits available no later than 5 calendar days following the date the signed application is received in the local office.]

D. If prescreening procedures fail to identify a household as being entitled to expedited services and it is later discovered that the household is entitled, provide expedited services to the household within 5 calendar days of the date of discovery. Calculate the processing timeframes from the date it is discovered that the household is entitled to expedited services rather than from the date of application.

The system-assigned certification periods for expedited applications with postponed verification cannot be changed.

A. Expedited applications with postponed verification taken on or before the 15th of the month are assigned a 1-month certification period. A recertification interview must be completed by the last working day of the month of the approval.

B. [Expedited applications with postponed verification taken after the 15th of the month are assigned a 2-month certification period. A recertification interview must be completed by the last working day of the last month of the certification period.

A recertification interview MUST be conducted. If the client does not complete the recertification interview, the case is discontinued at the end of the certification period. If the client reapplies, he/she is not eligible to receive expedited services for the reapplication month unless the household completes verification requirements that were postponed at the previous expedited certification.]

C. If a case meeting expedited criteria provides all verification, the system assigns a normal certification period.

MS 6470 DELAYS IN PROCESSING (1)

If the household's eligibility and opportunity to participate are not provided within 30 calendar days following the date the application was filed, use the following procedures:

A. HOUSEHOLD CAUSED DELAY. If any of the following conditions apply, consider the delay the fault of the household and deny benefits for the month of application on the 30th day following the date of application or the date of the initial Request for Information Form (RFI), whichever is later:

1. The household failed to complete the application process.

2. The household failed to complete the application form.

3. One or more members of the household failed to register for work after being informed of the need to register for work and given up to 10 days from the date of notification to register these members. Benefits are denied only for the member(s) who refused to work register.

4. The household failed to provide mandatory verification when the worker provided all required assistance to the household to obtain the verification and when the worker allowed the appropriate amount of time on the RFI for submittal of the verification.

5. For households that fail to make contact with the agency for their first scheduled appointment, the system sends a notice to the household advising that they have missed their appointment and requesting that they reschedule the appointment within 30 days following the date the application was filed. If the household fails to contact the agency for the first interview and is rescheduled at the household's request after the 20th day but before the 30th day following the date the application was filed, the household must complete the interview, supply verification and register members for work by the 30th day.

6. All caseworker requests for the recipient's cooperation in completing the application process after the application is filed must be made in writing by sending an RFI to the household. All appointments must be scheduled on the appointment calendar and the system will generate the appropriate notice.

B. AGENCY CAUSED DELAY. If any of the following conditions apply, consider the delay the fault of the agency and provide benefits to the household retroactive to the date of application, if eligible:

1. The worker fails to provide required assistance to the household.

2. The worker fails to schedule the required interviews within specified timeframes.

3. The household completes all necessary actions in a timely manner, but the worker fails to complete the application process timely.

4. The caseworker fails to provide the household with a written statement of required verification.

[For applications with severely delayed processing (more than 1 year) due to agency error, refer to MS 6790, SNAP Restorations.]

MS 6475 REINSTATEMENT AND REACTIVATE (1)

Reinstatement:

Reinstate a case when the case has discontinued in error. Click the “Reinstate” button on the Case Summary screen and follow system prompts. Document the case thoroughly.

A reinstatement should never pend as it should never be initiated unless all information necessary to process the case has been provided.

When a case is reinstated, it is being restored back to the circumstances as they were at the time of discontinuance. If anything has changed, complete a case change AFTER the reinstatement is complete.

Never reinstate an application that was correctly denied. If an application is correctly denied, it must be re-entered as a re-application.

Reactivate:

[Reactivate a case when all mandatory verification has been provided and a 30/60 is appropriate. A reactivated case should never pend as it should never be initiated unless all mandatory information has been provided. If the case previously pended for both mandatory and optional verification, the optional information should be removed so the case will not pend. Click the “Reactivate” button on the Case Summary screen and follow system prompts. Document the case thoroughly.

If anything has changed, complete a case change AFTER the reactivate action is complete.]

The reactivate button will only be enabled during the 30/60 timeframe. After this period, the household needs to submit a new application, which is accessed via the “Reapply/Add Program” button.

MS 6480 SNAP INTERIM REVIEW OVERVIEW (1)

A. [The FS-2, SNAP Review, is automatically generated to the appropriate households during the 5th month of the household's certification period. The form is generated to households that consist of all elderly or disabled members with no earned income during the 11th month of certification. If an elderly/disabled household without earned income is changed to include a non-elderly/disabled member or earned income prior to issuance of benefits for the sixth month of the certification period, the household will receive a SNAP Review in the 5th month of certification.

B. The FS-2 can be entered from the 25th of the 5th month through the last work day of the 6th month. If the form is not acknowledged by the 5th day of the 6th month of the certification period, a notice is generated to inform the household that the SNAP case will discontinue unless the form and all necessary verification is provided and processed timely.

C. Determine the date the form was received as either the task received date or the date stamp on the form. If the form is received after the office closes, it is considered as received the next business day.

D. If a blank form FS-2 is received, meaning there is no signature and NO questions have been answered or if an FS-2 is received that has no signature and no changes reported, do not start the review. Generate a manual request for information (RFI) stating what is needed and the date the information must be provided to avoid discontinuance of benefits. Scan and file the original FS-2 into the electronic case record and mail the original FS-2 and the RFI to the household.

E. If form FS-2 is received signed, initiate the review in Worker Portal and then:
1. Enter all changes the household reports through the appropriate data collection screens. Enter verification sources, if provided, run eligibility and dispose the case. If verification is not provided, run eligibility so an RFI will generate to the household.
2. If no changes are reported, navigate to the eligibility summary, run eligibility, and dispose the case.

F. If form FS-2 is received that does not have a signature and changes were reported, process the FS-2 and then navigate to Manual Correspondence. Search for the RFI that was generated for the reported changes. Manually type in the comments that the FS-2 was received without a signature and request that the form be signed and returned. Scan the FS-2 into the ECF and mail the original along with the RFI to the client.

G. If a household who has a 24-month certification period, reports a change in earned income or the addition of a household member who is not aged or disabled. The following will occur:

1. If the change is reported on or prior to 10th day of the 5th month, the household will be required to complete an interim review and the certification period will be shortened to 12 months.

2. If the change is reported on or prior to 10th day of the 11th month, the household's certification period will be shortened to 12 months.
3. If the change is reported after 10th day of the 11th month and the household completes an interim review, the household will have another interim review due during the 18th month of certification period, retaining the original certification period.

H. The due date for the FS-2 when scanned into ECF will be the 15 day default task due date. A listing of FS-2s received for processing will be generated daily .This listing is to be used to monitor completion of the interim reviews.

MS 6485 SNAP INTERIM REVIEW PROCESSING

A. If the FS-2, SNAP Review, is signed, select “Review” on the case summary screen:

1. If the client reported changes, go to the “Data Collection” tab and select the section that corresponds to the reported change. Enter the verification if provided.
2. If verification of the reported change is not provided, it will be requested on the RFI.
3. Run Eligibility.

B. If the received FS-2 does not have a signature:

Navigate to “Manual Correspondence” on the “Correspondence” tab and manually type a notice stating that the review was received without a signature and to return the form with their signature. After scanning the FS-2, mail the notice and the original to the client for signature.

C. If the received FS-2 does not have a signature and changes were reported:
1. Follow all steps in “A.”; and
2. Navigate to the “Correspondence” tab and search for the RFI that was generated for the reported changes. Manually type in the comments that the review was received without a signature and to return the form with their signature. After scanning the FS-2, mail the RFI and the original to the client for signature.

D. The household may return verification by fax or other electronic means. If possible, use collateral contacts to assist the recipient in getting required information. When contacting collaterals, only request the information needed to process the action. Do not disclose that the information is being used for SNAP purposes.

E. Once the review process is completed, benefits for the 7th month of certification will be issued on or before the household’s normal monthly issuance date.

F. [If the household fails to return a complete FS-2 and/or all mandatory verification timely, the case is automatically discontinued.]

G. If the case is discontinued because the agency did not receive the requested information and the recipient states that he/she returned the information, review the case situation to determine if the case should be reapproved or reinstated. Document the case record of the actions taken to process the case.

H. If an individual contacts the local office to report the loss or non-receipt of form FS-2, search the case in “Correspondence” for the issued FS-2. Then reprint and mail or give to the client if in the office.

MS 6490 SNAP INTERIM REVIEW VERIFICATION REQUIREMENTS (1)

Review all information reported by the household on the SNAP Review form and update the case information if a change is indicated. The household has until the last work day of the month to provide verification.

The household's statement is accepted for all changes except:

A. Changes in the source(s) of income, unearned income amount by more than $50 per household member, as well as, change(s) in a household member's employer, salary or wage rate, and/or full or part-time employment status must be verified.

B. Income, or the lack of income, for any new adult household member.

C. Verify changes in the legal obligation, including the amount of the obligation, and the amount of child support the household pays to individuals outside the household. Reported information that is not a change is verified only if the information is incomplete, inaccurate, inconsistent or outdated; and

D. Any questionable information.

If verification of any questionable information is not received, the acknowledged incomplete review will discontinue on the last work day of the month.

MS 6500 OVERVIEW OF RECERTIFICATION TIME STANDARDS (1)

At the expiration of the certification period, entitlement to food benefits ends. Establish further eligibility only when a completed application, an interview, and verification are provided. Do not continue benefits beyond the end of a certification period without a new determination of eligibility. All households keeping timely recertification interviews are entitled to uninterrupted food benefits.

Use the following timeframes to process recertification applications based on whether the household makes timely application:

A. If a household submits an application for recertification and meets interview requirement by the 15th calendar day of the month, act on the recertification no later than the last workday of the month. Provide the household's issuance no later than its normal issuance date. If the household is not provided an opportunity to participate in the first month of its new certification period, the household is entitled to restoration of lost benefits.

B. If a household does not submit an application for recertification and/or complete interview requirements by the 15th calendar day of the month, act on the recertification no later than 30 days from receipt of the application; the household loses its right to uninterrupted benefits and maintenance of its normal issuance cycle. The recipient must be able to access their benefits no later than the 30th day from receipt of the application.

C. Consider a recertification from an expedited application timely if application for recertification and an interview are completed within 15 calendar days of the initial approval or 17 calendar days if the Request for Information (RFI) is mailed to the applicant/recipient.

D. When a probationary worker or any worker tries to dispose a case that pends for supervisor approval, a message will appear stating that a supervisor has to sign off on the case before it can be processed and a supervisor task will be generated.

If the household fails to submit a timely recertification application or the worker fails to act on a recertification application, the case is automatically discontinued on the last calendar day of the month.

[For recertifications with severely delayed processing (more than 1 year) due to agency error, refer to MS 6790, SNAP Restorations.]

MS 6520 VERIFICATION TIME STANDARDS AT RECERTIFICATION

For recertification, the household must provide verification as follows:

A. If the household submitted a timely recertification, it has until the last calendar day of the month to provide the requested verification.

B. If the household submitted an untimely recertification, benefits must be provided within 30 days following the date of application if all verification is provided. If the 30th day falls on a weekend or holiday and mandatory verification is not returned until the next workday after the 30-day timeframe ends, consider the verification as received timely and approve the case.

   [If the household states they returned requested verification and the agency did not receive it, ask the recipient when the verification was mailed or brought to the local office. If the recipient can provide documentary evidence, such as a collateral or employer statement that they cooperated or attempted to cooperate with the agency to provide required verification, allow the recipient additional time to provide the verification if possible or process the case with the available information if possible. The additional time cannot exceed the 30 day timeframe.

   If necessary, contact collaterals to assist the recipient in getting required information. When contacting collaterals, only request the information needed to process the application. Do not disclose that the information is being used for food benefits purposes. The household may return verification by fax or other electronic means.]

   If the case is discontinued because the agency did not receive requested information and the recipient states that he/she returned the information, review the case situation to determine if reinstatement is warranted. The determination to reinstate a case is made on a case-by-case basis by evaluating the circumstances which caused the nonreceipt of the requested information. If the recipient can provide documentation that he/she returned the requested information, reinstate the case. Document the case record of the actions taken to process the case.

C. The household must be allowed a minimum of 10 days to provide required verification. If allowing the household 10 days causes the case to pend beyond the end of the current certification period, the household must be approved if eligible and allowed to participate within 5 working days of the date the verification is provided.

MS 6525

CHANGE REPORTED PRIOR TO PROCESSING RECERTIFICATION

While a recertification is pending, handle reported changes as follows:

A. If a recipient provides required verification at the time a change is reported, update the pending recertification with the changed information and verification. The change becomes effective when the recertification is processed.

B. If a recipient reports a change without verification, and AT LEAST 10 days remain before the recertification must be processed, update the pending recertification with changed information and allow the household 10 days to verify the additional information. The change becomes effective when the recertification is processed.

C. If a recipient reports a change without verification, and LESS THAN 10 days remain before the recertification must be processed, DO NOT act on the change until after the recertification is processed. Handle the change as reported during the certification period and allow the household 10 days to provide verification. Even though the change is not effective the first month of the new certification period, there is no overissuance/underissuance because the household must be provided adequate time to provide verification.

MS 6530

ISSUANCE TIME STANDARDS AT RECERTIFICATION

Use the following time standards for issuing benefits to recertified households:

A. If the household meets the criteria for a timely recertification, provide benefits by the household's normal issuance date.

B. [If the household does not meet the criteria for a timely recertification, provide benefits no later than the 30th calendar day following the date the application is received. If the 30th day falls on a weekend or a holiday, ensure that the household's issuance is available no later than the first workday preceding the 30th day.]

When information is requested, be specific about information needed. If income for the prior two months is needed, the original Request for Information (RFI) should reflect the exact two months. If information is returned in the 30-day period following the discontinuance, the same 2 months of verification is used, if the household returns all mandatory requested information.

Whether the household submits a timely or untimely application for recertification, notify the household of its ineligibility or a decrease in benefits no later than the appropriate timely issuance day listed in this section.

[For recertifications with severely delayed processing (more than 1 year) due to agency error, refer to MS 6790, SNAP Restorations.]

MS 6540 FAILURE TO COMPLETE RECERTIFICATION (1)

[Households which fail to keep a recertification appointment or whose case is not processed by the last work day of the last month of its certification period are automatically discontinued, unless pending for supervisor approval.

If the household is incorrectly discontinued, reinstate the household via the case summary screen. Do not prorate benefits.

If the household fails to submit an application for recertification prior to the end of their certification period, and the household reapplies during the following month, treat as an initial application. If the household meets the criteria, provide the household with expedited services. Prorate benefits from the date of application ONLY if there is any lapse in the household's certification. If a migrant or seasonal farmworker household received SNAP benefits in the month prior to the application, do not prorate the benefits for the application month.]

MS 6600 ASSIGNING CERTIFICATION PERIODS (1)

Establish a definite period of time in which a household is eligible to receive benefits.

Certification periods conform to calendar months. At initial application, the first month in the certification period is generally the month of application, even if the household's eligibility is not determined until a subsequent month, assuming that all criteria for eligibility are present for the month of application.

At recertification, begin the certification period with the month following the last month of the previous certification period.

[Certification periods are assigned as follows:

A. A household with a member who is between ages 18-49, no children and no member is unable to work is assigned a 4 month certification period.

B. A household in which all members are elderly or disabled with no earned income is assigned a 12 month certification period. A mid-review will be issued if a member is being added who is neither elderly nor disabled, or the household reports earned income prior to the 15th of the 5th month of the certification period.

C. All other households are assigned a 6 month certification period.]

If a case meeting expedited criteria provides all verification prior to approval, assign a normal certification period.

MS 6705 SIMPLIFIED REPORTING HOUSEHOLDS (1)

All households are considered Simplified Reporting (SR) households and follow SR requirements. Households are only required to report when:

[A. **Total gross (earned and unearned) monthly income exceeds 200% poverty level for their appropriate household size**; or**]**

B. **A member of the household, who is 18 through 49 and subject to ABAWD requirements, begins to work less than 20 hours per week.**

These changes must be reported by the 10th of the month following the month the change occurred.

[Example: A household begins receiving income May 12 that causes gross monthly income to exceed 200% of the poverty level for their household size. The change must be reported no later than June 10.

Advise households they have the right to report other types of changes in their household that may impact their SNAP case, but are not required to do so. For changes in household composition, households only have to report when the change in household size results in the household's gross monthly income exceeding the 200% threshold established for the last reported household size. The household must compare the income for the entire household to 200% income guideline for the household size that was last reported**.**

Example: Household applies in May and reports 3 household members. In July, 2 more individuals move in. If the recipient does not report this, they must compare the income of all 5 household members to the 200% threshold for a household size of 3. If the recipient does report the change, then their household size will change to 5 and will be compared to the 200% threshold for a household size of 5.**]**

Ensure that recipients understand the difference in reporting requirements for each program. SR policy only applies to SNAP households and does not apply to KTAP and Medical Assistance cases.

If a household voluntarily reports any change during the certification period, act on the change. Enter the change and request verification, if required. The change follows normal change processing procedures. When a change is reported, all technical eligibility factors related to the change must be explored.

Example: If a new member is reported, all technical eligibility questions, such as those relating to citizenship, being a drug felon, received benefits out of state, must be asked.

MS 6707 SIMPLIFIED REPORTING – ACTING ON CHANGES (1)

Use the following procedures to act on all changes that are known to the agency regardless of how it became known to the agency. It does not have to be verified upon receipt.

A. Act on changes in the SNAP case known to the agency because they were reported in another program.

B. If a household member leaves one household and moves into another household, or becomes a separate household, remove the person from the first household to avoid duplicate participation.

C. Act on changes reported from any source, such as, but not limited to, the following:

1. The household.

2. A "Hotline" referral.

3. Other matches, such as the quarterly wage data match, prisoner match, and batch matches.

D. When a change becomes known to the agency, enter the change on the system. The system will generate an RFI requesting verification of the change, if required. When the requested verification is returned, enter the verification and allow the system to process the change. If the verification is not returned, the system will act on the change according to policy in Vol. II, MS 6750 and MS 6760, as appropriate. If the mail is returned as undeliverable, refer to Vol. 1, MS 0090.

If enough information is not provided to enter the change on the system, click the "Is contact needed to verify unclear information?" button on the case summary screen and send the Request for Information (RFI) notice requesting the verification needed to process the change. Document the case thoroughly as to why the question was utilized and what is requested on the RFI. Allow the household 10 days from the date the RFI is mailed to provide the verification. If the mandatory verification is not returned at the end of 10 days, the case will automatically discontinue/deny for non-cooperation.

Example: On June 5, a report is received that the client is employed, but the hours and rate of pay are unknown and attempts to contact the client by phone are unsuccessful. On June 6, an RFI is mailed to the household requesting verification of employment. On June 16 the verification has not been returned and the household has not made contact to discuss the report. The system will discontinue the SNAP case due to non-cooperation.

E. After cut-off, do not enter changes that affect the next month's benefits when the case is due a recertification in the next month. The worker in receipt of the reported case change does the following:

1. Scans form PAFS-126, Change Report Form, if used, and any verification provided for the reported change into Electronic Case File (ECF).

2. Documents the reported case change, any documents scanned into ECF, and the delay of action.

The worker completing the client's recertification interview is responsible for reviewing case comments and ECF prior to the interview, and entering the reported change as part of the recertification.

Example: The client reports a job change on July 27 and is due a recertification in August. Do not act on the change when reported. The intake worker documents the reported change on the system and scans form PAFS-126 into ECF. The recertification worker reviews case comments and ECF prior to acting on the reported change during the recertification interview.

[F. If the case discontinues due to an unverified change and the requested information is received within 30 days of discontinuance, reactivate the case.]

MS 6710 [REPORTING REQUIREMENTS & ENTERING CHANGES FOR PENDING APPLICATIONS] (1)

All households who are making application must report changes as follows:

A. All changes related to eligibility and benefits which occur between the time an application is filed and the time of the interview must be reported at the certification interview.

B. All changes related to the household's eligibility and benefits which occur after the interview but before approval of the application must be reported within 10 calendar days of the date of the notice of eligibility.

Explain to the applicant the responsibility to report changes during the interview.

[When an applicant reports a change on a case that is in pending Intake mode, regardless of which program they are reporting the change for, process the change as follows:

A. Enter the case via "Proceed to Verification";

B. Enter the appropriate information and verification. If verification is not provided, select "Not Verified";

C. Run eligibility. If verification is required, a new RFI will generate. The RFI will allow the applicant until the 30th day from the date of application to return the information. If the applicant has other active programs, an RFI will generate allowing the applicant 10 days to return the requested verification for the applicable programs; and

D. Dispose any program(s) not pending.

NOTE: It is VERY important that the information is entered via "Proceed to Verification" and NOT as "Report a Change". If the information is entered via "Report a Change", the system will generate an RFI allowing only 10 days to return the requested verification and the application will deny on the 10th day if the requested information is not returned. This will result in the case being in error as the applicant must have 30 days to return information on a pending application.]

MS 6720

HOUSEHOLD CHANGE REPORTING FORM

[Households may use the Notice of Eligibility to report changes in income and other circumstances. The system provides an eligibility notice at each certification, recertification and interim change.]

MS 6730 FAILURE TO REPORT CHANGES

If it is discovered the household failed to report a change as required and received more benefits than they were entitled to, initiate a claim on the household. If the discovery is made within the certification period, the household is entitled to a notice of adverse action if its benefits are reduced or terminated. Do not hold a household liable because of a change in household circumstances, which it is not required to report. See MS 6705 for reporting requirements.

MS 6732 HEAD-OF-HOUSEHOLD CHANGE (1)

[When the head-of-household changes, the policy below is followed using the office processing procedures for new applications.

A. If the head-of-household dies:

1. Discontinue the current SNAP case;

2. Complete a new application in the name of the surviving spouse. If there is not a surviving spouse in the household, contact the household and give the household the option of choosing whose name the new SNAP case will be in;

3. Conduct an interview and obtain a signature in addition to the appropriate verification;

4. Issue a new EBT card in the new head-of-household's name, if needed;

5. All new benefits issued will be accessed with the new EBT account and card; and

6. Tell the household that they may continue to utilize the benefits issued on the old EBT card until the benefits are exhausted.

B. If the head-of-household moves out:

1. As the head-of-household has changed residency, and this is a change known to the agency, update the residency information;

2. Remove the remaining household members from the current SNAP case;

3. Complete a new application in the new head-of-household's name;

4. Conduct an interview and obtain a signature in addition to the appropriate verification;

5. Issue a new EBT card in the new head-of-household's name if needed; and

6. All new benefits issued will be accessed with the new EBT account and card.]

MS 6735 WORKER REQUIREMENTS (1)
FOR ACTING ON CHANGES IN MEDICAL EXPENSES

Households eligible for a medical deduction are required to report medical expenses at application, reapplication and recertification. However, if a household voluntarily reports a change in medical expenses it must be reported timely in order for a deduction to be allowed. To be considered timely, the change must be reported within the certification period in which the medical expense was incurred.

Example: The household is certified 1/1/15 through 6/30/15. The household incurs a medical expense on 4/15/15. In order to be considered timely, the household must report the medical expense before the end of the certification period (6/30/15).

A. Handle allowable medical expenses as follows if reported within the certification period:

1. Determine if the reported medical expense was incurred during the current certification period;

2. Enter the reported medical expense and any verification onto the system the same day it is reported;

3. [If verification is not provided, an RFI is issued allowing the household 10 days to provide the required verification;]

4. If verification that would increase benefits is not provided within 10 days, the system will revert back to allowing the recipient his/her previously verified medical deduction. If verification which would decrease benefits is not provided within 10 days, the system will apply the client stated amount and take action to decrease benefits; or

5. [If verification is provided within 10 days, enter the verification. The change will be effective the next issuance.]

Allow the household the option to receive the entire deduction at one time (the next possible month), averaged over the remainder of the current certification period, or receive a deduction for each month an installment payment is due.

B. Follow steps in item A., for handling allowable medical expenses reported at the recertification interview or within the last month of the certification period. Allow the household the option to have the entire deduction considered in the first month of the new certification period, averaged over the new certification period, or receive a deduction for each month an installment payment is due.

C. If the household reports an anticipated medical expense at the time of the certification, but is unable to provide the verification, advise the household that the expense is allowed if the verification is provided during the certification period. Therefore, such reported expenses cannot be considered in the following certification period unless the verification is provided in the last month of the certification in which the bill is reported.

D. For changes in medical expenses reported from a source other than the household, follow the actions outlined in item A.

MS 6737 WORKER REQUIREMENT (1)
FOR ACTING ON CHANGES IN FLEEING FELON STATUS

[Households are required to report fleeing felon status changes at application, reapplication, and recertification. However, if the household reports or notification is received from Central Office within the certification period, action must be taken to either add the disqualification or remove the disqualification. Failure to take prompt action results in an agency error in the food benefits case. See MS 2350 to determine if a disqualification is imposed.]

MS 6740 WORKER REQUIREMENTS FOR ACTING ON ALL OTHER CHANGES (1)

Act on all changes that are reported or otherwise become known to the agency in writing or by other means, such as the telephone, spot checks, in person, or through the call service center.

A. Enter the client stated data on the system the day the change is reported to determine if it affects the household's eligibility or allotment, except as outlined in MS 6750. If verification is not provided, enter the change and pend the case for verification. If verification of a change which would increase benefits is not returned within 10 days, the system will revert back to allowing the recipient's previously verified information. If verification of a change which would decrease benefits is not returned within 10 days, the system will apply the client stated amount and decrease benefits. This DOES NOT apply to shelter or utility deductions. See MS 6765 for acting on changes of address and shelter.

   Examine all eligibility elements to determine if the reported change has any effect on other elements.

   Example 1: The household reports that their earned income has been terminated. The household is receiving a deduction for child care. Review the deduction to determine if the household is still incurring the expense and is still eligible for the deduction. If not, remove the child care deduction.

   Example 2: The household reports a member's loss of RSDI/SSI income. Inquire about changes in medical expenses. Send RFI requesting verification of expenses.

B. Document the reported change. If the change results from a report through the call service center, annotate comments with the words "call service report".

C. Adjust the benefit allotment, if appropriate.

D. An eligibility notice is generated to advise the household of the income and deductions considered in determining the household's eligibility and benefits.

E. Take action to discontinue benefits before the next issuance when reliable information is received that the household is moving out of Kentucky.

   For a change to take effect the following month after being reported, the change must be completed by monthly cutoff. The cutoff date for the 1st monthly issuance is the 7th work day before the end of the month. To calculate the cutoff date, count back from the last work day and exclude weekends and holidays.

   The date the change is reported is the date written notification is received by the local office or the date the change is reported to the agency even if the household contacted another worker.

   Provide a restoration or establish a claim due to agency error if the worker fails to take action on a change within the time limits and incorrect benefits are issued.

MS 6745* SYSTEM ACTION ON SNAP CHANGES WITH MISSING VERIFICATION (1)

The system takes the following action when a SNAP change is entered with no verification:

A. After 10 days, apply a change which would result in a decrease in benefits if the following items are not verified:

1. Earned income, including self-employment, farm income or boarder income;
2. Unearned income, including self-employment or farm income;
3. Medical expenses;
4. Dependent care expenses;
5. Resources;
6. Tuition and fees; and
7. Entitlement to SUA or BUA.

B. After 10 days, ignore a change which would result in an increase in benefits if the following items are not verified:

1. Earned income, including self-employment, farm income or boarder income;
2. Unearned income, including self-employment or farm income;
3. Medical expenses;
4. Dependent care expenses;
5. Tuition and fees; and
6. Entitlement to SUA or BUA.

C. Shelter and actual utility expenses: if not verified, the system will count $0 regardless of whether the change would cause an increase or decrease in benefits.

MS 6750 ACTING ON CHANGES WHICH INCREASE BENEFITS (1)

If a household reports a change that increases benefits, take the following action on the day the change is reported:

A. [If the change does not require verification, enter the change with client statement (CS) as the verification code.

B. If the change must be verified, inform the household that verification of the change must be provided. Enter the change to pend the case and send the RFI to the household.]

C. If the household fails to provide the required verification within 10 calendar days, the reported but unverified information is not considered in allotment calculations.

   If the household fails to provide the required verification within 10 calendar days but does provide the verification at a later date, take action on the reported change no later than 10 days after verification is received.

D. Do not increase benefits when a household's benefit from another means-tested program is decreased due to a failure to comply with requirements. See MS 5220 for instructions.

MS 6760

ACTING ON CHANGES WHICH DECREASE BENEFITS

If a household reports a change that decreases benefits or makes the household ineligible, take the following action:

A. Enter the change on the system.

B. The system sends an RFI requesting the necessary verification. The household is allowed 10 calendar days to provide the requested verification. If the 10th calendar day falls on a weekend or holiday, the system allows the household until the next work day to provide the verification.

C. The system acts on the change at the end of the 10 days, effective with the allotment issued the month following the month the 10-day timely notice period expires, unless the household requests a fair hearing and continuation of benefits. If the action is taken without verification, advise the household that the missing verification must be supplied at the time of recertification. Regardless of whether verification is provided, an eligibility notice is sent advising the household of action taken.

6765 ACTING ON CHANGE OF ADDRESS (1)

When the household reports a change of address, take the following action:

A. **[**Require verification of household composition and shelter expenses. If the household was receiving shelter and/or utility deductions at the previous address, inquire with the household on possible shelter and utility expenses at the new address. The household's entitlement to these deductions begins anew with the change of address. The "Begin Date" of the shelter deductions must be the same as or a later date than the "Begin Date" of the address, otherwise the system will recognize that the shelter deductions are no longer allowable. Request verification of household composition whether it has changed or not.**]**

B. Change the address and shelter expenses.

Mailing addresses that include apartment/lot numbers, etc. must be entered on Worker Portal using both the first and second address lines. This ensures that the household receives all mail and Electronic Benefits Transfer (EBT) cards issued by the Agency. To ensure that the address file is correctly transmitted to the Fidelity Information System (FIS),which issues EBT cards and benefits, follow these steps:

1. Enter the street number and name on the first line. Example: 123 W. Main St.
2. Enter the apartment or lot number, as applicable, on the second line. Example: Apt. 2-A
3. Complete the appropriate city, state, and zip code fields.
4. Click "Next"
5. Review the address suggested by Worker Portal.
6. Select "No" to decline the suggested default address. This prevents the suggested address from being transmitted in error.

Enter an "End Date" for all previous shelter and utility expenses that are active for the old address. Enter the unverified client stated amount of rent/mortgage/tax/insurance and the SUA, BUA, or phone expense, as applicable or if only one utility expense was reported, enter the amount under that expense and let the case pend. An RFI will be issued requesting proof of the unverified expense. If the client does not provide the requested verification within 10 days, their SNAP allotment will recalculate without the deductions.

C. Accept the recipient's statement for address and do not require any further verification for address. Enter client statement "CS" as verification source. Residency is verified at application only. Do not verify residency at a change of address, unless there is reason to believe that the household no longer lives in Kentucky.

D. Process and document the case change action(s).

MS 6770 PROVIDING SUPPLEMENTALS (1)

A household is eligible for a supplemental issuance based on a change if one of the following applies:

A. A member is added and the member is not a member of another certified household; or

B. There is a decrease of $50 or more in the household's gross monthly income.

[If a change is reported on or before the 20th calendar day of the month and verification is provided timely, authorize supplemental benefits beginning the month the change was reported.]

If the change is reported after the 20th calendar day of the month and verification is provided timely, authorize supplemental benefits beginning the month the change should have been effective.

If required verification is not provided timely, authorize supplemental benefits beginning the month following the month verification is provided.

Manually issued supplementals pend for supervisory approval.

[The “Replacements, Supplementals, and Restorations” report captures multiple manual replacements, restorations and supplementals as well as system issued supplementals. The report is sorted by region name, county, unit and caseload code and captures actions initiated by workers, principals or supervisors. The report is posted on the 4th workday of each month, reporting information for the previous month. It can be accessed on the system via the “Tools” tab. Regional office staff is to review this report on a monthly basis, annotate the report by the 20th of each month and forward the annotated report to the Nutrition Assistance Branch (NAB) Inbox at CHFS DCBS Food Benefits Policy.]

MS 6780 [OVERVIEW OF PUBLIC ASSISTANCE (PA) CHANGES AFFECTING SNAP CASES] (1)

[PA SNAP households have the same reporting requirements as any other SNAP household. PA households, which report a change in circumstances in their PA case, are considered to have reported the change for SNAP purposes. The household is not required to submit separate sets of verification for each case.

Notify PA households whenever their benefits are adjusted as a result of a change in PA benefits. Reduce or remove the PA grant(s) from the SNAP case effective with the next appropriate issuance.]

MS 6790 SNAP RESTORATIONS (1)

When a household receives fewer benefits than it is entitled to receive and the loss was not caused by the household, restore those benefits which were lost, regardless of whether the SNAP case is active or inactive. Restorations are completed based on what the household SHOULD HAVE received if the case had been processed correctly.

A. [Process SNAP restorations within 30 days from the date of discovery even if the household is not currently eligible. Complete calculations on form FS-103, SNAP Worksheet, and enter amount owed on the system.

B. Do not restore benefits for any period of time more than 12 months prior to whichever of the following occurred first:

   1. The date the Agency received a request for restoration of benefits from the household;

   2. The date the Agency is notified or discovers that the household lost benefits; or

   3. The date the request for a fair hearing was received.

C. While there are situations when the amount restored may cover a period of time greater than one year, the determination of the amount of benefits to be restored can go back no further than 12 months prior to the date indicated above.

   EXAMPLE: A currently participating household requests a restoration of benefits for a 1 year period. It takes 2 months to establish the household's entitlement. The household would receive restoration for more than 12 months.

D. Use restorations to offset already established claims. Do not delay issuing a restoration to allow time for a claim to be established.

E. For each month affected by a SNAP benefits loss, determine if the household was actually eligible. If there is no information in the household's case file to document the household was actually eligible, send form PAFS-2, Application Letter or Notice of Expiration, to the household to request information to determine eligibility for the month in question. For each month the household cannot provide the necessary information to demonstrate its eligibility, consider the household ineligible for a restoration.

F. [To issue a restoration, navigate to “Manual Issuance Request” via “Benefit Management” under “Tools” on the system.

   1. To issue a one-time restoration, enter the correct amount as a lump sum. The restoration issues as one payment in the daily issuance cycle. If only one payment is to be made, ensure that the amount is entered as a lump sum amount.

2. If the household requests monthly installments, enter the monthly restoration amount and the benefit begin and end dates. The monthly restoration amounts issue at first issuance for the months entered, whether the case remains active or inactive.

G. A restoration can be issued if benefits were denied.

EXAMPLE: Case denied in 9/09 and it was determined in 2/10 that an agency error occurred and the household was eligible for benefits for the month of 9/09.

H. Restoration issuances pend for supervisory approval. Once the restoration has been entered, a task will be generated for the supervisor to review.

I. The "Replacements, Supplementals, and Restorations" report captures multiple manual replacements, restorations and supplemental, and system issued supplementals. The report is sorted by region name, county, unit and caseload code and captures actions initiated by workers, principals or supervisors. The report is posted on the 4th workday of each month, reporting information for the previous month. It can be accessed on the system via the "Tools" tab. Regional office staff is to review this report on a monthly basis, annotate the report by the 20th of each month and forward the annotated report to the Nutrition Assistance Branch (NAB) Inbox at CHFS DCBS Food Benefits Policy.]

MS 7000 REQUIRED VERIFICATION AT APPLICATION (1)

Require the following verification for all initial applications, which are not eligible for expedited services. Do not require the applicant to reverify information the agency already has unless there is reason to believe that the information possessed by the agency is inaccurate, incomplete or inconsistent. If the household is required to return information, advise them not to wait until the final due date to return their information as this may cause a delay in the receipt of benefits.

Inactivity of a case for more than 60 days deems verification as outdated and current verification must be obtained unless the verification currently in a case record is dated specifically for the application time period:

Example #1: A case is discontinued June 10, 2010. Client reapplies September 18, 2010, and requests the PAFS-76 in the prior case record be used as verification of residency. This exceeds the 60 day time period and current verification must be provided.

Example #2: The same situation as above but the previous case contained a lease that is for the time period of January 1, 2010 through December 31, 2010. The lease can be used as it is for the current time period.

A. GROSS NONEXEMPT INCOME. Verify all income before initial certification. Complete inquiries on all available programs and system verification sources [i.e. BENDEX, SDX, Eligibility Advisor (EA), Program 4B – UI BENEFITS, and Child Support Enforcement (CSE) External Search if children are or have been in the home] for all adult household members.

Example #1: An applicant applies for herself and 3 children and states that the children do not receive child support. Inquire CSE External Search to ensure that the household is not receiving child support through the Division of Child Support Enforcement (CSE).

Example #2: An applicant states that she was recently laid-off from her job. Inquire Program 4B to determine if she has applied for, or is receiving, Unemployment Insurance Benefits (UIB).

Please see Vol. I, MS 0131, on acceptable Electronic Income Verification (EIV).

Furthermore, SDX cannot be used as a source of income verification for RSDI or VA as it is not an accurate source for “other” income.

When requesting separate household status due to inability to purchase and prepare meals, the elderly and disabled individual or representative is responsible for obtaining the cooperation of the individuals with whom he/she resides in providing the necessary income information about them.

Verify termination of employment that occurred within 30 days of the date of the SNAP application to determine the date the last pay was received and if voluntary quit applies.

Verify the lack of income for all adult household members by form PAFS-702, Proof of No Income, written statement or a collateral contact (CC). The verification must be completed by an unrelated individual who does not live in the same home as the member. An in-depth interview is conducted so that sufficient information is obtained concerning each member and household's situation to assure an accurate eligibility determination can be made:

Example #1: A client reports that he has no income, but pays rent and utility expenses. Inquire all system verification sources [i.e. BENDEX, SDX, EA, Program 4B – UI BENEFITS, and CSE External Search if children are or have been in the home]. Question the client about how he is paying bills with no income. Require verification of lack of income for all adult household members.

Example #2: A client states that his spouse pays child support. He also states that she has no income. CSE External Search inquiry verifies that the spouse is making regular child support payments. Question the client to determine how his wife is paying child support with no income. Require verification of the lack of income for the spouse as well as all other adult household members.

Refer to MS 7020 for a list of what is considered questionable information.

B. HOUSEHOLD SIZE COMPOSITION. Verify household size and composition at every application. Verification must list EVERY household member.

C. SHELTER EXPENSES. Verify the amount of any shelter expense, such as utilities, entitlement to SUA/BUA, rent, mortgage, property taxes, homeowners' insurance, or telephone expense.

Acceptable sources of verification include written statement, receipt, bill and 'CC'.

D. ACTUAL UTILITY EXPENSES. Verify an actual expense for a household. If the actual expenses cannot be verified within 30 days, the unverified expense is not allowed.

Any utility expense for an unoccupied home must be verified.

E. MEDICAL EXPENSES. Verify the amount of any medical expense, including the amount of reimbursement, if the household wishes to claim medical expenses. Verification of other factors, such as allowability of services provided or the eligibility of the person incurring the cost, is required, if questionable.

F. RESIDENCY. Kentucky residency is verified for every household member only at application. Do not verify residency at an address change, unless there is reason to believe the household no longer lives in Kentucky. Verify residency except in unusual cases where verification of residency cannot reasonably be accomplished. Examples of unusual cases are migrant farm workers, homeless households or households who have recently moved into the county. Accomplish verification of residency in conjunction with the verification of other information such as utility expenses and identity. If verification cannot be

obtained in this manner, use a collateral contact or other readily available documentary evidence. Accept any documents or collateral contact which reasonably establish residency.

In situations where the residence borders two counties or another state, the county of residence is the county that the household's physical address is located. If the applicant is not a resident of Kentucky, enter 'N' for 'Resident of Kentucky' and the application will deny.

When a resident of Kentucky has a home address served by a postal district in a border state, enter the abbreviation for that state in the "State" field of the home address. Document the address situation in case comments.

G. IDENTITY. Verify the identity of the person making application. In instances where a representative applies on behalf of a household, verify the identity of both the representative and the head of household. Identity is verified by readily available documentary evidence or, if this is unavailable, by a 'CC'. Examples of acceptable documentary evidence include a driver's license (it does not matter if the license has expired), work or school ID, an ID for health benefits or for other assistance or social services program, a voter registration card, wage stubs, or a birth certificate. Accept any documents which reasonably establish the applicant's identity and impose no requirement for a specific type of document such as a birth certificate.

NOTE: Eligibility Advisor (EA) cannot be used to verify identity for SNAP.

H. ALIEN STATUS. Verify eligible alien status for any person in the household who is not a United States citizen. Refer to MS 2910 for the list of acceptable documents used to determine alien status. Aliens must meet qualified alien status outlined in MS 2900, Item 1, and special SNAP benefits criteria outlined in Item 2, to be eligible for SNAP benefits.

I. STUDENT STATUS. Verify eligible student status for any persons in the household 18-49 years of age enrolled at least half-time in an institution of higher education. Student status is verified through readily available documentary evidence. Examples of acceptable documentary evidence are, but are not limited to, school records or a 'CC' with the school's admissions office.

J. LEGAL CHILD SUPPORT. Verify all legally obligated child support payments that were paid to individuals outside the household during the past three months. Verify the legal obligation to pay and the obligated amount of child support through documents such as a court order, administrative order, or a legally enforceable separation agreement. Verify amounts paid with cancelled checks, wage withholding statements, verification of withholding from unemployment compensation, and statements from the custodial parent regarding direct payments or third party payments the noncustodial parent pays or expects to pay on behalf of the custodial parent. If payments are made through DCSE, use CSE External Search inquiry to verify the legal obligation and the payments.

K. DEPENDENT CARE. Verify the actual cost for each dependent. When a flat rate is charged for more than 1 dependent, request a breakdown of the expense from the provider; consider the total amount only when the amount of the expense per dependent cannot be obtained. Verification must include the names of the dependents provided care and the amount billed for each. If the household does not verify the expense the deduction is not allowed.

L. DISABILITY. The following verification is required for the types of disability defined in MS 2000.

1. For individuals in items A or B of MS 2000, the household must provide proof that the disabled individual is receiving benefits under one of the mentioned titles of the Social Security Act.

2. For individuals in item D of MS 2000, the household must provide proof that the individual receives a Railroad Retirement disability annuity from the Railroad Retirement Board and has been determined to qualify for Medicare.

3. For veterans in item E of MS 2000, the household must present a statement from the VA which clearly indicates that the disabled individual is receiving VA disability benefits for a service-connected or non-service-connected disability and that the disability is rated as total or paid at the total rate (100%) by VA.

4. For individuals in items F and G of MS 2000, the household must provide proof that the disabled individual is receiving VA disability benefits.

5. For individuals in items C or H of MS 2000, if it is obvious that the individual has one of the listed disabilities listed in H, document the case accordingly. If the disability is not obvious, the household must provide a statement from a physician or licensed/certified psychologist, stating the individual has one of the listed disabilities.

6. For individuals in item I of MS 2000, the household must provide proof that the disabled individual receives disability related medical assistance under Title XIX of the Social Security Act.

7. For those elderly and disabled persons unable to purchase and prepare meals, verify the disability as follows:

   a. If it is obvious the individual is unable to purchase and prepare meals because of one of the listed disabilities in MS 2000 or because it is obvious he/she suffers from a severe physical or mental disability even if not one of those listed, consider disabled and document the case accordingly.
   b. If the disability is not obvious verify the disability by requiring a statement that the individual, in the physician's or psychologist's opinion, is unable to purchase and prepare meals because he/she suffers from one of the non-obvious disabilities or he/she suffers from some other severe, permanent physical or mental disability.

M. If initial verification provided by the client is considered questionable and the worker requests additional verification, annotate in comments the reason the additional verification was requested:

Example: A client provides a current lease listing the client and her husband as household members, however the client states that a child also lives with them, additional verification of household size would be required.

N. Client statement is not used as a verification source if the household can provide original verification or a collateral contact to verify the household situation. If the client and worker have exhausted all avenues of obtaining verification, client statement is accepted as a last resort. Document the case comments why the client's statement was accepted in lieu of other verification.

O. DISQUALIFICATIONS. The system does not display any current disqualifications until eligibility has been run on the case.

P. SCHOOL ENROLLMENT AND ATTENDANCE. Verify school enrollment and attendance at application, recertification, and member add for a child age 17 and younger.

If the child age 17 and younger does not have any earned income, accept client statement.

If the child age 17 and under has earned income, verify school attendance and accept client's statement for verification of the earned income. School attendance must be verified in order to exclude the earned income.

[NOTE: If a verification source is entered for another program, DO NOT change the verification source. Document to explain the source was previously entered for another program.]

MS 7010 EXPEDITED VERIFICATION

Obtain as much verification as possible, but do not delay the certification of the household if it is unlikely that the verification can be obtained within the timeframe to provide expedited benefits. This includes requests or pending information from the Disqualified Recipient Subsystem (DRS).

A. At a minimum, verify the applicant's identity by a collateral contact or readily available documentary evidence. Acceptable documentary evidence includes, but is not limited to, a driver's license, work or school ID, voter registration card, birth certificate, or rent receipt.

B. Require each applicant to register for employment unless otherwise exempt.

[1. If the applicant claims physical or mental disability and the disability is evident, the worker must provide a detailed description of the individual's disability or incapacity in case comments.]

2. If the disability is not evident and the applicant refuses to work register, request verification of the disability. If the verification is not provided within the expedited services timeframe, postpone the verification. See Volume IIA, MS 1650C, for acceptable verification of disability.

3. If the household designated a representative to apply on its behalf, the representative completes the appropriate work registration forms for the head of household.

C. When the household does not provide a collateral contact or otherwise provide verification of identity within the expedited services timeframe, the case reverts to the 30-day processing standard. The household also loses the right to postpone verification of other eligibility factors and the right to the special income exclusions for destitute households. If the needed verification is later provided, process the case within 30 days from the date of application.

[D. The following is required at the time of application but may be postponed if the application is expedited:

1. Make all reasonable efforts to verify the household's residency, income and all other items of mandatory verification within the expedited processing standards. However, except for identity, do not delay benefits beyond the time standards solely because these items of mandatory verification are not provided. Accept client statement as verification of resources.

2. Postpone verification of actual utility expenses if the household is not entitled to SUA or BUA or the telephone standard and any utility expense for an unoccupied home regardless of entitlement to SUA,

BUA or actual expenses if the application is expedited and the verification cannot be obtained within the expedited services timeframes. This includes rent or mortgage expense, any separately billed property taxes and homeowner's insurance, and entitlement to the Heating and Cooling Costs/SUA or the non-heating and non-cooling costs/BUA as appropriate.

If the household is entitled to use an actual utility expense or expenses for an unoccupied home and fails to verify the expense within the expedited services timeframes, allow the unverified expenses. If the household fails to verify the expenses within 30 days from the date of application, do not allow the household a utility expense for any unverified utility expenses.]

3. Homeless households which state that they have incurred or reasonably expect to incur a shelter cost for the month may select the homeless standard allowance. Verification of the household's shelter expense is not required unless the household's statement is questionable.

4. Ask the household to provide or apply for social security numbers (SSN) prior to certification. If the household is unable to provide the required SSN, allow 30 days from the first day of the first full month of participation to apply for or provide the SSN. Providing this requested information is voluntary; however, failure to provide a SSN will result in the denial of food benefits to the individual failing to provide a SSN. Staff should advise applicants of this provision at initial certification and member add. Household members denied for this reason are considered excluded members. For newborns, the household must provide an SSN or proof of an application for an SSN at its next recertification or within 6 months after the month the baby is born, whichever is later.

5. Attempt to register the head-of-household and all other household members for work, unless otherwise exempt.

   a. An application can be approved for expedited benefits once the head-of-household work registers, leaving the other members' work registration pending.
   b. Do not delay expedited benefits for verification of questionable work registration exemptions.

6. Do not require the applicant to verify information the agency already has unless there is reason to believe that the information possessed by the agency is inaccurate, incomplete, or inconsistent.

   When the postponed verification is later provided, determine if the household was entitled to the benefits that were issued based on the client's statement. If benefits were overissued as a result of erroneous information supplied by the household, a claim is completed. If the household did not intentionally withhold information, a claim for the overissuance is not appropriate.

VERIFICATION OF QUESTIONABLE INFORMATION

To be considered questionable, the information on the application must be inconsistent with statements made by the applicant, with other information on the application or previous applications, or with information received from other sources.

When determining if information is questionable, base the decision on each household's individual circumstances. If information is considered questionable, verification is required for:

A. [HOUSEHOLD SIZE AND COMPOSITION. Factors such as boarder status and separate household status require independent verification. Individuals who claim separate household status are responsible for proving the claim. Hotline calls which report that other members are in the household that are not listed on the application, require independent verification of household size.]

B. INCOME/EXPENSES. A household's report of expenses which exceed its income is questionable. Example: A household who reports no income but is still managing to pay bills, justifies further verification. However, this circumstance is not sufficient grounds for a denial. Instead, explore with the household how it is managing its finances, whether the household receives excluded income or has resources, and how long the household has managed under these circumstances.

C. DEDUCTIBLE EXPENSES. A household’s report of shelter costs for a home that is temporarily unoccupied because of employment or training away from the home, illness, or abandonment caused by a natural disaster or casualty loss are responsible for providing verification of the expense, if the expense would result in a deduction. If a deductible expense must be verified and obtaining the verification may delay the household's certification, tell the household that their eligibility and benefit level may be determined without providing a deduction for the claimed, but unverified expense. The expense will be allowed after the verification is provided.

D. FOOD LOSS. Repeated requests for replacements from the same household may be considered questionable and require independent verification such as a written statement from a collateral contact, landlord statement, receipt of new appliance, or an appliance repair receipt.

E. [LIQUID RESOURCES AND LOANS. When verifying that income is exempt as a loan, a legally binding agreement is not required. However, a contract or written statement signed by both parties that have the basic parts of a loan contract is acceptable. The loan document must consist of an offer and acceptance that is made, full and complete terms, and a consideration.

If the household receives payments to meet expenses on a recurring or regular basis from the same source for more than three months, but claims the payments are loans, the provider of the loan may complete and sign form PAFS-73, Verification of Contributions-Loans-Roomer/Boarder Status or sign a written statement. A written statement from the provider of the loan is acceptable IF it includes the offer and acceptance along with the full and complete terms of the loan and consideration. If form PAFS-73 is not completed and signed, showing that repayments are being made or that payments will be made in

accordance with an established repayment schedule, consider the money as income to the household. Accept the client statement as verification of liquid resources.

[Resources that are at or the resource limit are considered questionable and and must be verified. Before requesting verification, inquire the Eligibility Advisor (EA). If EA returns no bank accounts or returns accounts but does not verify the balances, appropriate verification must be requested.]

MS 7030 REQUIRED VERIFICATION AT RECERTIFICATION (1)

At recertification, review all information and update verification if a change is indicated. If the household is required to return information, advise them not to wait until the final due date to return their information as this may cause a delay in the receipt of benefits. At a minimum, verify the following:

A. All gross nonexempt income. As a part of the recertification, any IEVS "hits" must be resolved.

   Complete inquiries on all system verification sources [i.e. BENDEX, SDX, Eligibility Advisor (EA), Program 4B – UI BENEFITS, and Child Support Enforcement (CSE) External Search if children are or have been in the home] for all adult household members.

   Please see Vol. I, MS 0131, on acceptable Electronic Income Verification (EIV).

B. Verify the lack of income for each adult household member by form PAFS-702, Proof of No Income, written statement, or a collateral contact. Form PAFS-702 must be completed by an unrelated individual not living in the same home as the member.

   Complete inquiries on all system verification sources [i.e. BENDEX, SDX, The Work Number, Program 48 – WAGE RECORDS, Program 4B – UI BENEFITS, and Child Support Enforcement (CSE) External Search if children are or have been in the home] for all adult household members claiming no income.

C. [Household composition. Verification must list EACH household member.]

D. Any questionable information.

E. Actual costs incurred by the household for allowable dependent care expenses.

F. Changes in the legal obligation, including the amount of the obligation, and the amount of child support the household pays to individuals outside the household. Reported information that has not changed is verified only if the information is incomplete, inaccurate, inconsistent or outdated. If payments are made through DCSE, use CSE External Search inquiry to verify the legal obligation and the payments.

G. Actual utility expenses if the household incurs only one type of utility expense or any utility expenses for an unoccupied home.

H. Medical expenses if the source or the total allowable amount for the household has changed by more than $25.

I. SCHOOL ENROLLMENT AND ATTENDANCE. Verify school enrollment and attendance at application, recertification, and member add for a child age 17 and under.

   If the child age 17 and under does not have any earned income, accept client statement.

If the child age 17 and under has earned income, verify school attendance and accept client's statement as verification of the earned income. School attendance must be verified in order to exclude the earned income.

NOTE: With the exception of items A-H above, do not require the applicant to re-verify information the agency already has unless there is reason to believe that the information possessed by the agency is inaccurate, incomplete, or inconsistent.

If the household does not provide requested verification of the expenses in items E through H, the recertification is processed but the deduction is not allowed.

MS 7040 VERIFICATION OF CHANGES (1)

[Verify and process case changes reported during the certification period according to the procedures for acting on changes.]

Verify medical expenses only if the source or the total allowable amount for the household has changed by more than $25.

Verify reported changes in the legal obligation, including the amount of the obligation, and the amount of child support the household pays.

[Verify a reported change in household composition.]

MS 7050 SOURCES OF VERIFICATION (1)

Verify information provided by the household by the following source:

A. DOCUMENTARY EVIDENCE. Use documentary evidence as the primary source of verification for all items in which verification is mandatory.

When requesting verification of information from the household, first request that verification be provided by the provider of the service before exploring alternate sources. This is the procedure that Quality Control (QC) uses when reviewing a case for accuracy.

Documentary evidence is written confirmation of a household's circumstances, such as SSA computer tapes, social security cards, wage stubs, income tax returns if the household has self-employment income, rent receipts, utility bills, or medical bills. Acceptable verification is not limited to any single type of document and is obtained from the household or other source. Whenever documentary evidence cannot be obtained or is insufficient to make a firm determination of eligibility or benefit level, use alternate sources of verification such as collateral contacts and home visits. Mail that is addressed to a P.O. Box or General Delivery is not an acceptable form of verification of residency.

Example #1: An individual is applying for SNAP and reports that he/she has wages but is working under a different name and/or social security number (SSN). As a result, the name and/or SSN on the check stubs he/she provides to verify his/her wages do not match the name and/or social security number that they are applying under. In this situation, the household should be allowed to provide verification to explain the discrepancy, such as a written statement or collateral contact to verify it is the same person. Workers are only to use collateral contacts with the client's approval or when it has been requested by the client.

Example #2: An individual is applying for SNAP and reports that he/she incurs rent/mortgage and utility expenses. The worker should ask for verification from the primary source first (landlord, banking institution, utility company) before using an alternate source of verification.

[Example #3: An individual is applying for SNAP and he/she is a drug felon. The worker should ask for a written statement or collateral contact with the program first before using secondary sources of verification. As a last resort, once all means of obtaining primary documentary evidence from the program have been exhausted by both the client and the worker, the worker may verify via a collateral contact who is aware of the client's situation. This form of verification should ONLY be used in unusual circumstances and must be thoroughly documented in the case record.**]**

Documentary evidence is considered insufficient when the household presents pay stubs which do not represent an accurate picture of the household's income or when identification papers appear falsified.

Tip income may be verified by a daily log, kept by the client, of actual tips received. Alternatively, the allocated tip amount listed on pay stubs may be

used, but ONLY if the client states that this amount is representative of the actual tips received.

Please see Vol. I, MS 0131, on acceptable Electronic Income Verification (EIV).

When verifying pensions and statutory benefits such as RSDI, SSI and VA, for the first time or in the event of change, verification from the provider must be obtained. This includes benefit verification letters, Bendex, SDX, etc. Once the income has been verified by the authorizing agency and where no possibility of a change exists, the check may be used as verification.
Furthermore, SDX cannot be used as a source of income verification for RSDI or VA as it is not an accurate source for "other" income.

In instances of mass change, when all recipients of the benefit will receive a raise, DO NOT use the check to verify the increase. Contact the authorizing agency to verify the new benefit amount and any deductions.

B. COLLATERAL CONTACTS. Rely on the household to provide the name and phone number of any collateral contact. The acceptability of a collateral contact is not restricted to a particular individual but is anyone who can provide accurate verification of the household's statements. A representative can be used as collateral provided he/she is not making application on behalf of the household.

The worker is not required to use a collateral contact designated by the household if the collateral contact cannot be expected or is unable to provide accurate third-party verification. When the collateral contact designated by the household is unacceptable, require the household to designate another collateral contact or conduct a home visit.

The household may request assistance in designating a collateral contact. Examples of acceptable collateral contacts are employers, landlords, social service agencies, community action agencies, migrant service agencies, neighbors of the household or other persons outside the household.

Households with irregular income that could not be verified at certification must be told that form PAFS-121, Irregular Work Form, or comparable verification must be presented at the next recertification interview.

Once an acceptable collateral contact is designated, the worker is responsible for obtaining verification from the collateral contact. When contacting collaterals, only request the information needed to process the application. Do not disclose that the information is being used for food benefits purposes. If the collateral contact will not provide the requested verification, do not deny/discontinue the case. Ask the household for another means of obtaining the information. The household is not required to personally present verification at the food benefits office. Do not consider information to which the worker has routine access, such as SDX or records of another agency where a routine access agreement exists, as a collateral contact.

C. HOME VISITS. Use home visits as verification only if documentary evidence cannot be obtained. Schedule the visit in advance with the household.

D. The Agriculture Stabilization and Conservation Service (ASCS). The Agriculture Stabilization and Conservation Service may be contacted to determine tobacco

poundage quotas and base arrangements. However, information regarding the production and sales price is protected by the Privacy Act and cannot be released.

E. In addition to the methods listed, the household may return verification by fax or other electronic device.

F. If all avenues of obtaining verification has been exhausted by the client and worker, the client's statement can be used as verification as a last resort. Thoroughly document in case comments why client statement was accepted in lieu of other verification.

MS 7060 HOUSEHOLD COOPERATION (1)

The household or its representative must cooperate with the agency so that eligibility can be determined. The household or representative cooperates by:

A. Being interviewed;

B. Answering questions regarding eligibility;

C. Reviewing the application form;

D. Signing and dating the application;

E. Providing all required verification. However, the agency must assist the household if the household is cooperating in other areas of the eligibility process, but is experiencing difficulty obtaining required verification; and

F. **[**Resolving any questionable information. If the household failed to cooperate in providing any requested information related to a fraud report affecting eligibility, and their SNAP case discontinued or denied, the household must resolve the report with contact to DCBS before the SNAP case can be re-approved. The only exception is for expedited applications which will approve, but the issue must be resolved prior to the recertification of an expedited household.**]**

   Each worker must review prior case comments to see if the question "Is contact needed to verify unclear information?" has been previously used and the case discontinued for not complying. If this situation is found, the worker will review prior comments and case documentation to learn why the question was utilized and inform the applicant they must go to their local office to resolve or explain the questionable information that was received before the case can be finalized. The application is taken as usual and will pend for the household to complete the face-to-face contact. Workers should avoid using the terms 'trafficking' or 'fraud' when directing households to resolve these complaints; state only that the action is needed due to the receipt of questionable or conflicting information.

MS 7070 HOUSEHOLD FAILURE TO COOPERATE

A. A household or its representative has failed to cooperate when the household or representative:

1. Is able to cooperate, and states or clearly demonstrates that he/she will not take an action required to complete the application process; or

2. Refuses to cooperate in any subsequent review of its eligibility.

Deny or discontinue the household when it is determined that the household or its representative fails to cooperate as outlined above. Once a household has been denied or discontinued, it may reapply but eligibility does not exist until the household cooperates.

B. A household is not denied or discontinued solely because an individual who is not a household member refuses or fails to provide the agency with information required to determine the household's eligibility. If this situation occurs, assist the household in finding another means to obtain required verification and document "Comments" accordingly.

The following individuals are considered household members and therefore must cooperate with the agency in the application process:

1. Ineligible students;

2. Ineligible aliens;

3. Individuals disqualified for IPV;

4. Individuals disqualified for failure to comply with a work requirement;

5. Individuals disqualified for refusing to apply for a social security number;

6. Individuals refusing to attest to citizenship or alien status; and

7. SSI recipients in a cash out state;

8. Fleeing felons; and

9. Drug felons.

MS 7090 METHOD OF PROVIDING VERIFICATION (1)

The household may provide verification:

A. In person;

B. Through the mail;

C. Through the representative; or

D. [By fax or other electronic methods.]

MS 7100

WORKER RESPONSIBILITY FOR VERIFICATION

The worker has responsibility for the following if the household has difficulty, cannot obtain the necessary verification, the household provides insufficient verification or indicates the verification was provided, but the agency failed to receive the information:

A. If the household has difficulty or cannot obtain the necessary verification, assist the household in obtaining the verification.

1. Assist the household by using collateral contacts;

2. Allow the household additional time if possible; or

3. Conduct a home visit.

B. If the household presents insufficient verification.

1. Accept any reasonable documentary evidence provided by the household which verifies the information provided on the application;

2. Contact collaterals or other sources to substantiate the verification received or to obtain the additional verification required to complete the case action; or

[3. Mail form KIF-2.2B, Request for Information (RFI), to the household to request any additional verification if required; and]

4. Allow the household 10 calendar days from the date the RFI is sent to resolve any discrepancies in the evidence provided before making an eligibility determination.

C. If the agency does not receive requested information from the household and the client states they forwarded the requested information, do the following:

1. Ask the client when the information was returned or mailed to the local office;

2. If the client can provide documentary evidence, such as an employer or collateral statement, that he/she have cooperated or attempted to cooperate with the agency to provide required verification, assist the client in obtaining the information. This assistance can be accomplished by allowing the client additional time to return the information if possible, contacting collaterals or other sources. Document the case record thoroughly concerning the actions taken to process the case;

3. If the case is denied or discontinued because the agency did not receive requested information and the client states that he/she returned the information, review the case situation to determine if reapplication or reinstatement is warranted. The determination is made on a case by case basis by evaluating the circumstances which caused the nonreceipt of the requested information. If the client can provide documentation that he/she returned the requested information and all verification required is available take action to approve or reinstate the case; and

4. Advise the household that for future certifications it must provide all necessary verification.

MS 7110 TIMELY NOTICE OF DECREASE, DISCONTINUANCE (1)

If information in a SNAP case indicates reduction or discontinuance of benefits is appropriate, notify the client of the proposed action 10 calendar days prior to the effective date, unless one of the exceptions to the timely notice requirement applies (see MS 7115) or unless this happens during the recertification process. This 10-day period is the Timely Notice Period.

A. The system issues form KIM-105, General Notice of Action, when the change is entered on the system.

B. Case changes entered on the system with a timely notice period expiring on or before the last calendar day of the month, are effective with the following month's issuance.

C. [If the timely notice period does not expire in the month form KIM-105 is sent, action is taken by the system the day following the expiration of the timely notice period.]

MS 7115 EXCEPTIONS TO TIMELY NOTICE PERIOD – SNAP (1)

A timely notice is required on action taken in SNAP cases; however, an individual notice of timely action is not required for the following actions:

A. [MASS CHANGE. Changes initiated by State or Federal government, which may affect a significant number of cases. These changes include: adjustments to the income eligibility standards; maximum shelter deduction; dependent care deductions; adjustment to the Thrifty Food Plan; standard deduction; annual adjustments to SUA and BUA; cost-of-living adjustments to state or federal benefits; and changes in eligibility criteria based on legislative or regulatory actions.

B. NOTICE OF DEATH. Based on reliable information, it is determined the recipient is deceased.

C. MOVE OUT OF STATE. Based on reliable information, it is determined the household has moved out of Kentucky.]

D. COMPLETION OF RESTORATION OF LOST BENEFITS. The household has been receiving an increased allotment to restore benefits; the restoration is complete; and the household was previously notified by form KIM-105, General Notice of Action, when the increased allotment would terminate.

E. EXCLUDED FOR INTENTIONAL PROGRAM VIOLATION. A household member is excluded for an intentional program violation and the benefits of the remaining household members are reduced or terminated to reflect the disqualification of that household member.

F. RESIDENTS OF DRUG OR ALCOHOLIC TREATMENT CENTERS OR GROUP LIVING ARRANGEMENT. The eligibility of a resident in a drug or alcoholic treatment center or a group living arrangement is terminated due to the facility's loss of either its certification from the appropriate state agency or agencies, or its status as a representative is suspended due to FNS disqualifying it as a retailer.

G. BENEFIT REDUCTION TO REPAY A CLAIM. Converting a household from cash repayment to benefit reduction as a result of failure to make an agreed upon repayment.

H. HOUSEHOLD REQUEST. The household voluntarily requests, in writing, to terminate its benefits.

MS 7200 DISCLOSURE OF INFORMATION – SNAP (1)

All SNAP case records are confidential and information contained in them cannot be disclosed or opened for public inspection. The use or disclosure of information obtained from the applicant household is available only to employees of the Cabinet for Health and Family Services and USDA officials in the performance of duties directly connected with the administration and enforcement of the SNAP. The local office may withhold confidential information, such as the names of individuals who have disclosed information about the household without the household's knowledge or the nature or status of pending criminal prosecutions.

Disclose information to others only as follows:

A. Cooperate in providing information directly connected with the administration of federal or federally aided, means-tested assistance programs such as K-TAP or the School Lunch Program.

B. If there is a written request by a responsible member of the household, its current representative, or a person acting on the household's behalf, the material and information contained in the case file is made available for inspection during normal business hours.

C. Employees of the United States Comptroller General's office for authorized audit examination purposes.

D. Provide Local, State or Federal law enforcement officials with the recipient's address, Social Security Number, and photograph, if available when they:

1. Furnish the recipient's name and indicate that the individual:

   a. Is fleeing to avoid prosecution, custody, or confinement for a felony;
   b. Is violating a condition of parole or probation; or
   c. Has information necessary for the officer to conduct an official duty, related to a felony or parole violation.

2. Are investigating an alleged violation of the SNAP and provide a written request. The written request must include, at minimum, the following information:

   a. The identity of individuals requesting information and their authority to do so;
   b. The violation being investigated; and
   c. The identity of the person for whom the information is requested.

3. If the requesting officer indicates that they wish to take the case record material with them, make the determination of whether the material is available in a hard copy case record (as it may be older

information that they are requesting) or in an electronic case record. If the information is in a hard copy case record, offer to provide photo copies. If they indicate that only original materials will suffice from a hard copy case record, make photo copies for the case record. If the information that they are requesting is in an electronic case file, make copies for them and explain that these are the only materials available. Annotate the case record.

If the entire case record is requested, discuss with the officer what specific pertinent information may be acceptable rather than the entire case record. If they are requesting an entire hard copy case record and they have stated that photo copies will not suffice, make photo copies of the last two packets for the case record.

4. If the recipient is identified as a fleeing felon, refer to Volume II MS 2350 prior to imposing a disqualification.

5. The Kentucky State Police (KSP) may identify a potential SNAP fraud during the course of other investigations.

   a. KSP use form KSP-58, Request for Confidential Information, to request information concerning fraud or potential fraud investigations, whether identified by DCBS or another source.
   b. [Upon receiving form KSP-58 for the release of information, ensure it is completed in its entirety. If the form is not completed in its entirety, DO NOT provide the information and DO NOT sign the form. If the form is complete, provide the information. If KSP is requesting EBT transaction data and a complete KSP-58 is provided, release the information and DO NOT require a court order or subpoena.]

E. Anyone the household has authorized, via a signed form DCBS-1, Informed Consent and Release of Information and Records, to receive the information.

F. Persons directly connected with the administration or enforcement of the programs which are required to participate in the Income and Eligibility Verification System (IEVS), to the extent SNAP benefits information is useful in establishing or verifying eligibility or benefit amounts under those programs.

G. Persons directly connected with the administration of the Child Support Program under Part D, Title IV of the Social Security Act in order to assist in the administration of that program and employees of the Secretary of Health and Human Services as necessary to assist in establishing or verifying eligibility or benefits under Titles II and XVI of the Social Security Act.

H. Cooperate in providing information necessary to verify a suspected or known senior or child abuse situation, which has been reported to the proper authorities.

I. Follow court orders, unless otherwise notified by Regional Office staff or the court.

1. Court orders must be signed by a judge and have an assigned docket number, but may or may not require a court appearance.

   a. If the officer of the court, such as an attorney provides the local office with a court order, signed by a judge, the specified information must be released to the officer of the court.
   b. If a court appearance is required, the agency must comply or be held in contempt.

2. For procedures regarding subpoena requests, refer to Volume I MS 0170.

J. [Only Board of Elections officials may view forms and/or information used directly in the voter registration process. Otherwise, voter registration information remains confidential.]

MS 7450 CASE RECORD CONTENT (1)

All case records represent a continuing documentation of eligibility for assistance. The case record contains sufficient material to substantiate validity of all authorized assistance.

[The SNAP electronic case record contains the following material, as applicable to the case situation:]

1. Applications;

2. Documentation;

3. Verification;

4. Forms;

5. Notices;

6. Hearing information;

7. Claims information;

8. Restoration information;

9. Any other relevant information.

MS 7475 SNAP CASE DOCUMENTATION (1)

Each worker that interacts with a case must document all related actions in order for anyone to sufficiently understand the case situation and to substantiate the validity of all authorized assistance. This section contains documentation requirements specific to SNAP case records. In conjunction with Volume I, MS 0130, the following information should be documented in the SNAP case:

A. Interview.

1. An explanation regarding a deviation from standard office procedures.

2. The reason why an RFI was issued.

3. Document the name and phone number of a collateral contact (CC) when used for any verification.

4. If Client Statement (CS) is used in lieu of verification.

5. Reason for any delays in case processing.

6. The worker reviewed prior case comments. All case comments since the prior application should be reviewed at the beginning of the application.

B. Rights & Responsibilities/Forms/QC.

1. Rights & Responsibilities (R/R) were explained & the client states they understand.

2. All required forms were given to the client.

3. The QC process was explained & the QC pamphlet was provided.

C. Alien.

1. If the household states there is an undocumented or ineligible alien.

2. Document what makes the alien an Eligible Alien:
   a. Qualified; and
   b. What criteria were met.
   Refer to MS 2900.

D. Household (HH) Composition.

1. Explain the reason an individual living in the household is not included in the case, i.e. an ineligible student or alien, disqualified member, drug felon, a joint custody child, and nonmember.

2. Explain the relationship of any nonmembers.

E. Income.

1. [Excluded income types that cannot be shown on the system. If it can be entered on the system, it is not necessary to comment.]

2. If no income, how is the HH meeting basic needs?

3. If expenses exceed HH income, how long this situation has existed and how they are paying their bills/getting basic needs.

4. Wages.

   a. If all paychecks in the prior 2 months were not used and the reason why.
      Example: The client's work hours increased in the last month. Instead of using the prior 2 months' wages, the last 2 paychecks were used, as they are representative of ongoing. Document that the work hours increased and only the paychecks reflecting the increase were used as this is a deviation from standard office procedures.
   b. Income verification and calculations that conflict with system entries.
   c. If income is terminated: last day worked, date of final pay, and if job quit explored.

5. Self-Employment.
   a. Whether a household operating a self-employment enterprise in his or her home chooses to treat the utility expense as a business expense or a shelter expense.
   b. Explain if the tax return or personal records for the prior 12 months are not reflective of ongoing.

6. If child support is verified by the Child Support Enforcement (CSE) External Search and all child support from the prior 3 months is not used and the reason.

7. Unearned Income.
   a. The date UIB is verified by program 4B.
   b. Explain any income entered as "other".

8. Lump sum payment is received.

F. Resources. For a non-CE or non-ECE HH, if resources are near the limit.

G. Shelter and Utilities. If pended for verification.

H. Child Support Deduction. If the prior 3 months of legally obligated child support payments are not used.

I. Medical Deduction

1. When a medical deduction is not considered, enter a statement that a member who is eligible for medical deductions does not have any out-of-

pocket medical expenses or chooses not to provide verification of the expenses.

2. Prescriptions (RX):
   a. When using anything other than the last 2 months to calculate the monthly RX cost.
   b. Why a RX wasn't included.
   c. Why amounts were allowed.

3. Anything unusual that would keep any person from easily understanding how or why an amount was allowed or not allowed.

J. Work Registration. Exempt or required to work register.

K. ABAWD. If an ABAWD in an active E&T county is:

1. In compliance.
2. Participating in WEP/VES.
3. Any good cause given.

L. Additional Verification is requested over and above what the client provided. Example: A client provides a current lease listing 2 household members, but the client states there are 4 people in the household.

M. Resolution of a Batch Match.

N. Case Change. All Interim changes should be documented following documentation policy.

O. Claims. If a claim is suspected and reason it is or is not referred.

P. Help Desk. Enter details of the issue (i.e. specific error message received), any actions taken based on special instructions from the Help Desk, and any ticket number assigned.

Q. The reason a disqualification was imposed.

R. The reason for a determination that information is questionable and how this was resolved.

S. The contact number used for households without telephone service.

MS 7500 MANAGEMENT EVALUATION/PROGRAM ACCESS REVIEWS - PURPOSE

Management Evaluation (ME) reviews are conducted to measure compliance with food benefits regulations, provide a systemic method of monitoring and assessing programs operations and provide a basis for counties/units to improve and strengthen operations by identifying and correcting deficiencies in case processing. Program Access reviews are conducted to ensure local office services are accessible to the public. Counties are reviewed either yearly or on a two or three year schedule depending on their size, past review history and potential impact on the food benefits error rate. Copies of review findings are forwarded to the supervisor, regional program specialist, SRAA and Central Office.

MS 7600 CORRECTIVE ACTION PLAN (CAP)

Exit conferences are a routine part of the ME/Program Access process. Identified barriers which require corrective action are submitted to the supervisor and regional program specialist prior to the exit. CAP plans can be developed prior to the exit; or during the exit conferences as areas of deficiency are discussed. All parties, including the management review officer (MRO), regional program specialist, supervisor, SRAA or designee and county staff contribute to the plan development.

CAP plans are completed as follows:

A. Agency: Name of Service Region

B. Date: This is the date the CAP is submitted.

C. County/Unit: Indicate the county/unit for which the plan is being done.

D. Description of Deficiency: Indicate the deficiency area addressed, including root cause and error element.

E. Magnitude and Geographic Extent and data sources used: Region, county or unit in which the deficiency has been identified and how the deficiency was identified; i.e., ME reviews, local office findings, QC.

F. Complete Description of Activity to Resolve Deficiency: Complete description of the activity that the region/county/unit implemented as a result of the review, such as: training and workshops (formal and in-house), tip sheets, team reviews, project recall, special element reviews, etc.

G. Tasks/Steps, timeframes and person(s) responsible for each step: List the tasks/steps, timeframes and person (s) responsible needed to implement the activity in F.

H. Description of plan to monitor activity: How will the tasks/steps be monitored to ensure they have been implemented?

I. Description of plan to evaluate the effectiveness of the initiative: Is the activity implemented working to reduce and/or correct the deficiency identified?

J. Expected outcome: ( ) percent reduction in error rate during the next ( ) months: Set an attainable goal that can be reached

K. Current status of completing tasks/steps and progress in implementing this initiative.

L. Name and title of person who has overall responsibility for this initiative.

MS 8050 MANUAL VOUCHER TRANSACTION

A. A manual voucher is used to process the EBT transaction in the following situations:

1. The retailer redeems less than $100 a month in food benefits and does not have a POS terminal installed.

2. The merchant is a roadside vendor or provides meals on wheels and does not have access to a POS terminal; or

3. The POS terminal is not operational.

B. When the POS terminal is not operational or the retailer does not have access to a POS terminal, the retailer takes the following action:

1. Completes the paper voucher for the transaction. The recipient must have the card and present the card to the retailer. If not, the transaction is denied;

2. If the EBT system is available, the retailer contacts a 1-800 number to get approval for the transaction amount;

3. If the recipient has sufficient funds in their EBT account, the transaction is approved. If not, the transaction is denied. The recipient does not receive a receipt that shows the remaining balance when a manual voucher is used. To obtain their balance they must contact the CSR.

If the EBT system is not available and the retailer cannot obtain phone authorization for the transaction, the retailer can approve the transaction for up to $40.

MS 8100 ISSUANCE CYCLE (1)

A. [Benefits issued on first monthly issuance are available to the recipient in the benefit month based on the last digit of the head of household's Social Security Number.

Benefits for all households on EBT are available at 5:00 a.m. EST, according to the following schedule:

0-----benefits available on the 1st calendar day
1-----benefits available on the 3rd calendar day
2-----benefits available on the 5th calendar day
3-----benefits available on the 7th calendar day
4-----benefits available on the 9th calendar day
5-----benefits available on the 11th calendar day
6-----benefits available on the 13th calendar day
7-----benefits available on the 15th calendar day
8-----benefits available on the 17th calendar day
9-----benefits available on the 19th calendar day

Benefits issued on the first monthly issuance can be inquired under Benefit Management.

B. Benefits issued on second monthly issuance are available on the 1st calendar day of the benefit month. Benefits issued can be inquired under Benefit Management.

C. Benefits issued on third monthly issuance are available on the 2nd calendar day of the benefit month. Benefits issued can be inquired under Benefit Management.

D. Benefits for approvals, replacements, supplementals, and lump sum restorations are available on the day following the day the action is approved. However, for approvals or re-approvals for recipients who do not have an EBT card or for those who have requested a new EBT card, benefits cannot be accessed until the EBT card has been received, activated, and a PIN selected.]

MS 8210 [AUTHORIZING BENEFITS DUE TO A MOVE FROM OUT OF STATE

An allotment issued out-of-state may be authorized in Kentucky once nonreceipt is verified. If the household verifies the move was prior to receipt of benefits for the month, the household's application must be taken and approved if otherwise eligible, in Kentucky. The State where benefits were previously issued pursues a claim, if the benefits are not returned.]

MS 8220 AUTHORIZING REPLACEMENTS DUE TO A CASUALTY LOSS (1)

A household can receive a replacement for the amount of food purchased with SNAP benefits that is later destroyed in a household disaster such as a fire, flood or power outage. The household's electricity being turned off for failure to pay the bill is not a power outage and does not meet the criteria for a replacement. Food purchased with an EBT card that is later stolen is not considered a casualty loss. The household may receive a replacement for the amount of loss up to the household's current month's allotment. Replace SNAP benefits only for the amount of food lost that was purchased with SNAP benefits. [Do not automatically replace the household's full monthly allotment.

Before issuing a replacement, complete an in-depth review to ensure that the request meets policy requirements and verification is provided. If the household has a pattern of requesting replacements, additional verification is needed and/or receipts should be requested before approval of the replacements. FNS now requires states to separated replacement amounts from normal issuance amounts on budget reports, and large numbers of replacement be substantiated. As a result, an in-depth investigation and verification of replacements is of utmost importance.]

When a household reports food that was purchased with an EBT card has been destroyed, take the following action:

A. Question the household thoroughly to determine if the reported amount of food spoiled is reasonable based on the situation. If the casualty loss happened at the first of the month, did the household just receive their SNAP benefits and spend them on a full month's worth of food, or is it the end of the month and they have very little food left for the month? Ask the household where the food was located when it spoiled (i.e. cabinet, refrigerator, freezer, etc.). This is necessary as food stored in a cabinet would typically not spoil in a power outage, but the same food would most likely be destroyed in a fire. Investigate all requests for replacement of SNAP benefits, especially requests made due to power outages that are:

   1. Made by households on a regular basis; and

   2. A result of a misfortune other than a natural disaster; or

   3. Requests for replacement of the household's entire monthly allotment

   Document the case record in sufficient detail for a reviewer to follow the actions taken in the case. Only replace food that was purchased with SNAP benefits.

B. Review case circumstances:

   1. If a food loss was a result of a power outage, determine the loss date as the date the household discovered the food was spoiled. If the incident occurred more than 10 days prior to the report, deny the replacement request.

2. If the loss was reported timely, obtain a signed form FS-70, Request for SNAP Replacement, from the household. Allow the household 10 days to return form FS-70. If the 10th day is a non-workday, and the form is received on the next workday, consider the signed request as received timely. If form FS-70 is received more than 10 calendar days after the report of loss, deny the replacement request.

3. Verify that the destruction of food purchased occurred in a household disaster. Verification can be obtained through a collateral contact, documentation from a community agency including, but not limited to, the fire department or the Red Cross, or a home visit. Upon contacting an individual that was provided by the household as a collateral contact, read the following statement to the individual: *Any person who aids another person to obtain assistance (or benefits) fraudulently is subject to penalties provided by state and federal law, including fines, imprisonment or both.* Request additional verification when there is reason to doubt the household's statement of loss or the original verification source provided by the household. Examples of additional verification may include a written statement or repair receipt.

4. There is no limit to the number of replacements a household can receive as a result of food destroyed in a household disaster.

5. Provide the replacement to the eligible household within 10 calendar days after the reported loss, or within two working days of receiving signed form FS-70, whichever date is later.

6. Replacements are provided in the amount of the loss to the household, up to the household's full monthly allotment.

When a Presidential disaster declaration is issued (e.g., hurricane, earthquake, etc.), and a household is eligible for SNAP benefits due to the declaration, the household cannot receive both the disaster allotment and a replacement allotment. See MS 9000.

MS 9000 DISASTER - GENERAL (1)

The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 allows distribution of Disaster Supplemental Nutrition Assistance Program (DSNAP) benefits to victims of a Presidentially-declared major disaster. The Food and Nutrition Service (FNS) must approve the operation of DSNAP. The approval includes the geographical area of service and time frame for accepting applications. Individuals currently receiving benefits under the regular SNAP program are not eligible for DSNAP benefits.

FNS oversees the operation of the DSNAP, including the following:

A. Application Period. FNS usually approves a 7-day period in which applications for DSNAP may be accepted.

B. Disaster Benefit Period. The disaster benefit period is the budget period in which only income, resources and expenses during the period are considered for DSNAP eligibility. It begins the date of the disaster or the date of mandatory evacuation. FNS typically approves a period of 30 days except in extraordinary circumstances.

To be eligible for DSNAP benefits, individuals must have incurred one of the following AND they must plan on purchasing food during the disaster benefit period:

- Damage to home or self-employment property;
- Disaster-related expenses;
- Income source disrupted;
- Inaccessible liquid resources; or
- Food Loss (Food loss is only when requested by a waiver).

[Applications for DSNAP are taken face-to-face and entered on the system. Access to DSNAP is limited to those areas where FNS has approved operation of the program. If the system is not available where applications are accepted, hardcopy application forms and worksheets are used. Information from the hardcopy forms and verification is transferred to the system.

During a disaster, regional and county field staff have primary responsibility for informing the public about the program.]

*MS 9005 DSNAP ELIGIBILITY (1)

Eligibility for DSNAP is based on the following:

A. Identity- Identity of the applicant must be verified.

B. Residency- The household must have lived or worked in the disaster area at the time the disaster occurred and provide verification IF possible. This includes households that are temporarily staying outside of the disaster area at the time of the application but were in the area at the time of the disaster.

C. Household Composition- Persons living and eating together at the time of the disaster are considered a household. This does not include individuals of a household with whom applicants are temporarily staying during the disaster.

D. Alien Status- Citizenship and alien status do not apply.

E. Student Status- Student status does not apply.

F. Social Security Number (SSN)- Failure to provide SSN's does not result in a disqualification.

G. Work Requirement- Work requirements do not apply.

H. Resources- Only liquid resources are counted. Resources should be verified IF possible. Liquid resources which are inaccessible for at least half of the disaster benefit period (e.g. bank closed due to the disaster) are not countable.

I. Income-Only the net income expected to be received during the disaster benefit period is countable. There are no special provisions for the elderly and disabled. Income should be verified IF possible.

J. Expenses- Households are allowed the maximum standard and shelter deductions for their household size. Households are also allowed a deduction for out of pocket disaster related expenses that the household expects to pay during the disaster benefit period and the expense is not expected to be reimbursed during the disaster benefit period. Examples of disaster related expenses are:

- Home or business repairs
- Temporary shelter expenses
- Evacuation expenses
- Home or business property protection
- Medical expenses due to personal injury
- Disaster related funeral expenses
- Disaster related pet boarding fees
- Replacing personal and necessary household items (e.g. clothes, fuel, tools)

- Fuel for primary heating source
- Clean-up items
- Disaster damaged vehicle expenses
- Storage expenses
- Other reasonable disaster related expenses

K. Intentional Program Violations (IPV)-Disqualification status from the regular SNAP does not disqualify an applicant from DSNAP. An IPV in DSNAP will count towards a disqualification in regular SNAP.

MS 9010 DSNAP INCOME LIMITS (1)

In order for a household to be eligible for DSNAP benefits, the total net income of the household received during the benefit period, plus accessible liquid resources, minus allowable disaster related expenses must not exceed the disaster gross income limit (net income limit for the regular SNAP).

For example:

Household of 4

$3,000 Net Income+ accessible resources
- $500 Disaster related expenses
[- $181 Standard deduction for household size
- $586 Maximum shelter deduction
= $1,733 adjusted income

The net income limit for the regular SNAP for a household size of 4 is $2,184. This household is eligible for DSNAP and will receive the maximum allotment for a 4 person household, $680.**]**

The limits for income and deductions are determined annually by the Food and Nutrition Service (FNS) and provided to field staff when approval is received to operate DSNAP in Kentucky.

MS 9015 DSNAP ALLOTMENT (1)

[Eligible DSNAP households receive an allotment equal to the maximum monthly allotment established for the appropriate household size in a regular SNAP case.

Recipients of regular SNAP benefits who have suffered the following may also receive a replacement or supplemental if the approval by the Food and Nutrition Service (FNS) to operate the DSNAP allows.

A. Food loss: May be eligible to receive a replacement of SNAP benefits for the value of their food loss.

B. Disaster Related Expenses: May be eligible to receive a supplemental to bring their allotment up to the maximum SNAP allotment for their household size.

Recipients of regular SNAP who have suffered both a food loss and disaster related expenses may be eligible for BOTH a replacement AND a supplemental.

In some disasters, mass supplementals may be authorized and automatically generated to affected households by the system. Individual disaster related supplementals are not appropriate when mass supplementals are issued.]

Information regarding supplementals and replacements for SNAP recipients will be provided to staff when approval to operate a DSNAP is received. FNS approves different services based on the circumstances of the disaster.

*MS 9020 DSNAP CASEWORKER RESPONSIBILITIES (1)

The caseworker must:

A. Interview one of the following:

1. Head of household;

2. Spouse;

3. Responsible household member; or

4. Authorized representative. If the household designates an authorized representative, the designation must be in writing by the head of household, spouse or other responsible household member.

ALL Division of Family Support (DFS) employees applying for DSNAP must have their application taken and approved by the supervisor or a person designated by the supervisor. All employee applications will be reviewed by Quality Control (QC) within six months of the application period.

B. Review the application with the applicant and ensure:

1. All questions/statements are answered and understood;

2. The application is signed by one of the individuals in A, 1-4, above;

3. The household is aware of its rights and responsibilities;

4. The household understands its eligibility period; and

5. The amount of benefits.

C. Advise the household of their civil rights and criminal penalties for violations of the Food and Nutrition Act.

D. Inform the household how to use the EBT card and of the proper use of benefits (e.g. eligible purchases and transactions).

E. Provide all applicants with the tip sheet, “Rules and Tips for Disaster DSNAP Shoppers”.

F. Advise all households that they may be subject to a post-disaster review by QC.

G. Advise all households of the regular SNAP.

H. Obtain any necessary verification.

I. Explain the issuance of DSNAP benefits to the applicant.

J. Enter each application on the Disaster Daily Application Log.

MS 9025 DUAL PARTICIPATION (1)

[System edits are in place to prevent dual participation by matching the social security number (SSN) of all household members to previously approved or denied DSNAP applicants. The system will also match SSN's with regular SNAP to prevent participant duplication.

Inquire the individual's information on the system to determine if the individual is currently receiving regular SNAP benefits and to determine if the individual was previously approved or denied DSNAP benefits.

If hard copy applications are taken, they must be entered on the system daily to prevent dual participation. This includes approved and denied applications.

If an applicant for DSNAP has an application pending for regular SNAP, they may choose to withdraw their SNAP application and apply for DSNAP.]

*MS 9030 DSNAP FAIR HEARINGS (1)

DSNAP households requesting a fair hearing must be given an immediate supervisory review on-site.

A. Once the review is completed, the applicant still has a right to request a fair hearing. If a client requests a hearing, regular hearing procedures are followed. Please see Volume I, MS 0440.

B. Hearing decisions must be rendered within 30 days of the request.

C. If the household chooses to withdraw its request for a hearing, it may do so verbally or in writing. Verbal withdrawals must be followed up in writing.

MS 9035 DSNAP ELECTRONIC BENEFIT TRANSFER (EBT) ISSUANCE (1)

[The DSNAP EBT card is issued with two series of numbers. The first series is a 16-digit number and is the EBT card number. The second series is 6-digits and is the last 6-digits of the EBT case number. The entire EBT case number is a 14-digit number.

When the application is approved, the recipient's DSNAP EBT case number must be entered on the system. The first 8 digits of the number are specific to Kentucky EBT cards and are uploaded by the system. To complete the 14-digit EBT case number, the worker enters the 6-digit second series of numbers shown on the EBT card.

Every applicant who is approved for DSNAP must be given an EBT card and EBT training materials.

A. The DSNAP EBT card is active upon receipt; however, no benefits are loaded on the account until the day after the application is approved on the system. Clients DO NOT have to call to have their EBT card activated.]

B. Explain to the client that their 4 digit personal identification number (PIN) is the 4 numbers in positions 11-14 of the 16-digit card number on the front of the card. Clients should be encouraged to call the customer service number and change the PIN.

C. DSNAP benefits will be expunged after 12 months unless other processes are approved by the Food and Nutrition Service.

D. There must be a clear separation of duties between the worker who takes and processes the DSNAP application and the staff member who hands the EBT card directly to the client.

*MS 9040 DSNAP EBT CARD SECURITY (1)

Security and control of EBT cards is very important. DCBS staff must ensure security of the cards by doing the following:

A. Utilizing DCBS administrative staff and local law enforcement in the disaster area to securely transport the EBT cards to the distribution sites and to oversee storage and distribution at distribution sites;

B. Authorizing administrative staff at the disaster issuance site who will be responsible for issuing each DSNAP card;

C. Ensuring there is a clear separation of duties for the certification of the DSNAP application and the issuance of the EBT card;

D. Not allowing any unauthorized person access to the EBT cards;

E. Ensuring minimal exposure of the EBT cards;

F. Monitoring issuance operations;

G. Ensure EBT cards are maintained under lock and key;

H. Ensuring hardcopy applications and worksheets are maintained in a secure area; and

I. Immediately reporting any unusual circumstances to the Division of Family Support.

The following EBT logs must be kept for tracking and monitoring:

A. Disaster EBT Card Accountability Log;

B. Disaster EBT Card Local Office Tracking Report; and

C. Disaster Center EBT Card Issuance Log.