



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

FIA ACTION TRANSMITTAL

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISOR AND ELIGIBILITY STAFF**

FROM: ROSEMARY MALONE, EXECUTIVE DIRECTOR

RE: FOOD SUPPLEMENT PROGRAM MASS CHANGES

PROGRAM AFFECTED: FOOD SUPPLEMENT PROGRAM

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

Be advised, due to the sun-setting of federal legislative provisions in the American Reinvestment and Recovery Act (ARRA), money that was authorized by Congress for the temporary increase in FSP benefits will end as of October 31, 2013. This will result in an **allotment decrease effective November 1, 2013.**

Each August, the United States Department of Agriculture (USDA) publishes the updated standards for income and deductions for the next federal fiscal year. The income standards for the Food Supplement Program (FSP) increase for all household sizes. The FSP excess shelter deduction also increased slightly to **\$478**. The Standard and Limited Utility Allowances (SUA, LUA) and telephone standards remain unchanged. Effective October 1, 2013, customers may see a slight increase in their Food Supplement benefits. Allotment levels did not increase for October.

CARES central staff have made all necessary modifications as of the week-end of September 8. The CARES system will generate notices for affected households advising them of the changes in benefits. A flyer will be attached to the notice explaining the change [See Attached].

ACTION REQUIRED:

The Family Investment Administration has updated the on-line FSP manual to reflect the changes.

Reminder: The homeless shelter deduction **remains at \$143**. In cases where all members are homeless, but do not receive free shelter, the household will qualify for the standard homeless shelter deduction of \$143.

Note: Use actual shelter expenses, rather than the homeless shelter deduction, if the actual shelter costs result in an excess shelter deduction that is higher than the \$143 homeless deduction.

Food Supplement benefits and new recoupment amounts do not require further action by the case manager. The only exceptions are recoupment cases when the payment plan source is grant reduction (GR) or court order (CO). CARES generates a report identifying these cases. CARES will send local departments this report right after the migration. Case managers must manually update these cases.

PAYMENT ACCURACY

The changes should not affect payment accuracy. However, local departments using the manual Food Supplement calculation worksheets should make adjustments for the new standard deductions for calculations **effective November 1, 2013**.

INQUIRIES: Please direct FSP policy questions to Rick McClendon at 410-767-7307 or rick.mcclendon@maryland.gov

cc: DHR Executive Staff
Constituent Services
DHR Help Desk
FIA Management Staff
OIG

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115.1 Definition

Categorical eligibility means that a household is considered eligible for Food Supplement Program (FSP) benefits based on its eligibility for a public assistance grant, FSP benefit or service. Households in which all members receive or are authorized to receive Temporary Cash Assistance (TCA), a service or benefit funded by Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), Temporary Disability Assistance Program (TDAP), or Public Assistance to Adults (PAA) are categorically eligible. This includes a FSP benefit household with a mix of TCA, SSI, TDAP or PAA members or a household authorized to receive a TANF funded service or FSP benefit.

115.2 Categorically Eligible Individuals and Households

Categorically eligible individuals and households include the following:

- A. Individuals who receive TCA, SSI, TDAP or PAA;
- B. Individuals who have been authorized but have not accessed TCA, SSI, TDAP or PAA;
- C. Individuals authorized to receive TCA, SSI, TDAP or PAA but who have not yet received the FSP benefit;
- D. Household members receiving TCA, SSI or PAA whose benefits are suspended or recouped; or
- E. TCA households that are not paid because the grant is less than \$10.
- F. Broad Based Categorical Eligibility
 1. To confer broad based categorical eligibility to FSP households, all households with income below 200 percent of federal poverty guidelines are authorized to use a non-cash Temporary Assistance for Needy Families (TANF) funded program.
 2. TANF funds were used to print the brochure, Family Planning, A Guide for You. This meets the criteria for broad based categorical eligibility. With broad based categorical eligibility, there is no requirement that there be minor children in the household. Give the customer the Family Planning brochure when the customer requests a copy. There is no requirement to give it to everyone.
 3. The following information is on the applications that are used for FSP:

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115.2 Categorically Eligible Individuals and Households (continued)

Authorization to Receive Family Planning Information

If you want information, you can ask your case manager for a Family Planning Guide. You may also contact:

- 1-800-546-8900 if you need help in finding a provider for birth control or arranging prenatal care, or
- The Center for Maternal and Child Health at 410-767-6713
phpa.dhmh.maryland.gov/mch

G. 200% of 2014 Monthly Federal Poverty Guidelines:

1	\$1916
2	2586
3	3256
4	3926
5	4596
6	5266
7	5936
8	6606

Each additional member is \$670

H. Examples:

1. Ms. A applies for assistance for herself and her two children, aged 10 and 12 because her earnings do not cover her bills. The local department enters the household's \$4,000 monthly income on CARES to determine FSP eligibility. The household is not categorically eligible because the household's income is greater than 200 percent of poverty for a household of three. CARES denies the FSP case because gross income exceeds the gross income limit.
2. Ms. B applies for assistance for herself and her son, aged 10. The case manager enters the household's \$1,850 monthly earned income and deductions on CARES. She is categorically eligible and was found to be eligible for the \$15 minimum benefit because the household size was two.
3. Mr. C applies for FSP benefits for himself, his wife and her two children because Ms. C had recently lost her job. The household's total gross income is \$2500 earned income. The household is categorically eligible because the income is below 200 percent of the federal poverty level for a family size of 4. Mr. and Ms. C have \$10,000 in savings. They have high shelter costs and

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Mr. C pays child support for children outside the FSP benefit household. CARES determines that this household is eligible for a FSP benefit.

115.2 Categorically Eligible Individuals and Households (continued)

4. Mr. and Mrs. D apply for FSP benefits. In the home is their 20-year old son who must be included in the household because he is under age 22. The household has gross monthly income of \$3,500. This household is not categorically eligible (income over 200% of the poverty level) and their income exceeds the gross income test. CARES will deny the household's application.

115.3 Application Processing

- A. Local departments must notify households applying for public assistance that:
 1. They have the right to apply for FSP benefits at the same time.
 2. The time limits or other requirements that apply to the receipt of TCA do not apply to the receipt of FSP benefits.
 3. Households that stop receiving TCA because they have reached the maximum time limit for receiving TCA, have begun working or for any other reason, may still be eligible for FSP benefits.
 4. Receiving FSP benefits has no bearing on any other program's time limits.
- B. If the local department attempts to discourage a household from applying for TCA, it shall make clear that that the disadvantages and requirement of applying for TCA do not apply to FSP benefits.
- C. In order to determine if a household is categorically eligible for FSP benefits, the local department may postpone (within the 30-day processing standard) the FSP eligibility determination if the household is not entitled to expedited service and appears to be categorically eligible.
- D. The local department must postpone denying a potentially categorically eligible household until the 30th day in case the household is determined eligible to receive TCA, SSI, TDAP or PAA benefits. Once the public assistance application is approved, the household is considered categorically eligible, provided no exceptions listed in "E" below are applicable.

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115.3 Application Processing (continued)

E. A household is not categorically eligible and is subject to all FSP eligibility and benefit provisions if:

1. Any member is disqualified for an intentional program violation (IPV) in accordance with Section 480.4 (Intentional Program Violation Disqualification Determination) of this manual; or
2. The head of household is disqualified for failure to comply with the work requirements in accordance with Section 130.11 (Failure to Comply with Work Registration Requirements) of this manual.

F. In addition to 115.3 E listed above, a TDAP household is not categorically eligible and is subject to all FSP eligibility and FSP benefit provisions if:

1. The household refuses to cooperate in providing the local department the information necessary to make a FSP eligibility determination;
2. The household is disqualified under the striker provisions in accordance with Section 101(Strikers) of this manual; or
3. The individual has been disqualified for an IPV or for failure to apply for a social security number.

G. If any of the following factors are questionable, verify that the household:

1. Contains only members that are recipients of TCA, a WAG, SSI, TDAP or PAA or is a household authorized to receive a TANF funded service or benefit as described in 115.2F;
2. Meets the household composition definition as described in Section 100 of this manual;
3. Includes all persons who purchase and prepare their meals together regardless of whether they are separate units for cash programs; and
4. Includes no person who has been disqualified as described in paragraph 115.3E or F.

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115.3 Application Processing (continued)

- H. If required, verify FSP eligibility factors, as described in Section 408.3 (Mandatory Verification at Application) of this manual, that are not verified for the program conferring categorical eligibility.
- I. Do not include any person as a member of a categorically eligible FSP household if that person is:
 1. An ineligible immigrant as defined in Section 120 (Immigrants) of this manual;
 2. Ineligible under the student provision as described in Section 102 (Students) of this manual;
 3. Institutionalized in a non-exempt facility as defined in Section 100.63 of this manual;
 4. Ineligible because of failure to comply with a work requirement in accordance with Section 130.12 of this manual; or
 5. Ineligible because of a drug related felony offense.
- J. Eligibility factors that are accepted for FSP eligibility without the verification required in Section 408.3 because of categorical eligibility are:
 1. Resources
 2. Gross and net income limits
 3. Sponsored immigrant information
 4. Residency
 5. Social security number information

Reminders:

- **Do not verify the assets/resources of a categorically eligible household.**
- **Do not deny or terminate a categorically eligible household when the household fails to verify resources.**

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115.3 Application Processing (continued)

- K. When a household files a joint public assistance/FSP application and is denied FSP benefits but is later determined eligible for TCA, TDAP or PAA, the case manager will issue FSP benefits as described in section 115.3L. The case manager will also use any verification or information provided subsequent to the application.

The local department must be able to retrieve an original application when the application was initially denied but is subsequently authorized a FSP benefit or service conferring categorical eligibility. The case manager should annotate changes on the application and mail it to the household for a signature.

NOTE: Do not re-interview the household. However, the local department may make mail or telephone contact with the household or its authorized representative to determine any changes in circumstances.

- L. The department will provide benefits from the date of the FSP application to any household determined eligible for TCA, TDAP or PAA that is categorically eligible within the 30-day processing standard. Prorate FSP benefits in accordance with Section 412 (Prorating Initial Allotment) of this manual.

A household that files a joint application that is found categorically eligible after being denied non-public assistance FSP benefits will have its FSP benefits for the initial month prorated from the date from which the public assistance benefits are payable, or the date of the original application, whichever is later.

Assume that the household is categorically eligible at recertification in the absence of a timely public assistance recertification.

- M. The local department will re-evaluate the original application either at the household's request or when the local department becomes aware of the household's public assistance or SSI eligibility.
- N. One and two person households that are categorically eligible are entitled to at least a \$15 per month allotment, except in an initial month. CARES will deny a categorically eligible household with three or more members that are not eligible for FSP benefits because of their income.
- O. The resources of any household member who receives or is authorized to receive TCA, SSI, TDAP, TANF funded benefit or service, or PAA are excluded.

Your Food Supplement Benefits Are Changing

Why are my benefits changing?

In November 2013, you will get less in your Food Supplement benefit (Food Stamps) because of a change in federal law. The American Recovery and Reinvestment Act (ARRA) of 2009, which provided extra Food Supplement benefits, will end on October 31.

How much are my benefits going down on November 1?

You can see your benefits for November on the first page of this notice.

Can I appeal this change?

No, you cannot appeal this change because this decrease in benefits is the result of a change in federal law. You can file an appeal if you think that the reduction in your benefits was calculated wrong.

Questions?

If you need help or have questions about this change, please call 1-800-332-6347. For questions about food resources in your area, dial 2-1-1.

Health Care Reform is Coming

What does health care reform mean to me?

If you already receive Medical Assistance, then you do not need to do anything. Your Medical Assistance will continue as long as you are eligible.

What can I do if I don't have Medical Assistance or health insurance?

The law is changing in January 2014. If you do not have Medical Assistance, Medicare or private health insurance, then you can apply for affordable health insurance through the Maryland Health Connection.

How can I apply for affordable health insurance?

Anytime between October 1, 2013 and December 31, 2013, you can apply in advance of the law changing. You can apply on line at <http://www.MarylandHealthConnection.gov> or by coming into your local department of social services office.

Questions?

If you have questions about health care reform, please call 1-855-642-8572