

DSS ADMINISTRATIVE LETTER NO. ECONOMIC INDEPENDENCE 16-2001

(Work First)

TO: County Directors of Social Services

ATTENTION: Work First Supervisors

SUBJECT: Revisions to Counting Work First Sanctions and Recoupments

That Affect Automated Food Stamp (AFS) Cases

DATE: September 27, 2001

I. GENERAL INFORMATION

The Personal Responsibility and Work Opportunity Act (PRWORA) of 1996 implemented the rule to prevent increasing a family's food stamp benefit amount when the family failed to comply with a means-tested program. The means-tested programs referred to in this rule were Work First and Supplemental Security Income (SSI). When recoupments were made from the Work First or SSI payment due to client responsible overpayment, the gross amount of the payment was counted.

II. POLICY CHANGE

The Code of Federal Regulations, CFR 273.11, was revised to:

A. Remove SSI from consideration as a means-tested program for the purposes of the change implemented by PRWORA. The net SSI amount must be counted in determining the food stamp benefit amount when the SSI payment is reduced for failure to comply with a SSI requirement.

B. Discontinue adding back **all** recoupments to the Work First payment when determining the food stamp benefit amount. This applies even if the client caused the overpayment.

C. Discontinue adding the Work First sanction amount back to the payment if the family was not receiving food stamp benefits at the time the sanction was imposed. Count the gross Work First payment only if the family **was receiving** food stamp benefits when the sanction was imposed.

NOTE: When the net Work First payment is to be counted in an AFS case, uncombine the case. The Eligibility Information System (EIS) is programmed to send the gross Work First payment to the Food Stamp Information System (FSIS).

III. IMPLEMENTATION INSTRUCTIONS

Apply this policy to all applications, reapplications, redeterminations, and changes taken or processed on or after October 1, 2001.

A. Count the net SSI payment. EIS was programmed to discontinue sending Work First recoupment amounts to FSIS; thus, the net Work First payment will be counted when determining the food stamp benefit amount.

B. Check the Issuance Screen in FSIS when there is an active Work First sanction to determine if the family was **receiving** food stamp benefits when the sanction was imposed.

1. If the Work First sanction starts before the family is approved for food stamp benefits, count the net Work First payment. Do not combine this case. This is not an AFS case.

EXAMPLE: The FSU applies for food stamp benefits in October. A Work First sanction started in August. Count the net Work First payment (amount the family would have received without the sanction) when determining the food stamp benefit amount. Do not combine the case. This is not an AFS case.

EXAMPLE: The FSU applies for food stamp benefits in October. A Work First sanction started in October. Count the net Work First payment (amount actually received by the family) in determining the food stamp benefit amount. Do not combine the case. This is not an AFS case. The FSU was not **receiving** food stamp benefits at the time the sanction was implemented.

2. If the Work First sanction starts at a time in which the family receives food stamp benefits, count the gross Work First payment. Combine this case. This is an AFS case.

EXAMPLE: The FSU applies for food stamp benefits in October. A Work First sanction starts in November. Count the gross Work First payment (amount the family would have received without the sanction) in determining the food stamp benefit amount. Combine the case because the FSU was **receiving** food stamp benefits at the time the sanction was implemented.

If you have any questions, please contact your Work First Representative.

Sincerely,

Wilbert R. Morris, Chief

Economic Independence Section

PM/bh