

CHANGE NOTICE FOR MANUAL

DATE: March 10, 2003

MANUAL: Food Stamp Certification Manual

CHANGE NO.: 5-2003

TO: County Directors of Social Services

EFFECTIVE April 1, 2003, make the following changes to the Food Stamp Certification Manual.

I. BACKGROUND

In accordance with new requirements established in Title IV of Public Law 107-171 of the Food Stamp Reauthorization Act of 2002, this change restores food stamp eligibility to certain qualified aliens. This change clarifies existing policy concerning verification procedures for Hmong and Highland Laotian Refugees, as well as battered aliens. This change also redefines federal means-tested public benefits for the purpose of determining which quarters may be included in the 40-quarter test for Lawful Permanent Residents (LPR) and updates the 2003 quarter of coverage earnings requirement.

II. SPECIFIC CHANGES

A. Section 225.02, United States Citizenship Requirement

Clarifies that children born outside the United States to a United States citizen parent must have citizenship verified in order to be eligible.

B. Section 225.04, Determine Alien Status and Eligibility for Food Stamp Benefits

1. Adds Section 209 as a reference code for INS I-94 (Arrival and Departure Record) documents to the document/alien status chart.
2. Adds documents needed by qualified battered aliens to the document/alien status chart.
3. Clarifies policy concerning parolees to show that the one-year parole period refers to the actual number of months of the parole. Parolees must have a parole period of at least one year.
4. Clarifies eligibility of Cuban/Haitian parolees and INS documentation they may present.

C. Section 225.05, Determining Alien Eligibility

Restores food stamp eligibility to any qualified alien who is otherwise eligible and has lived in the United States as a qualified alien for a period of five years or longer. The five-year waiting period begins on the date the immigrant obtains status as a qualified alien from the Immigration and Naturalization Service (INS), even if this status is granted retroactively. Qualified aliens in an exempt category for five years have already met the requirement, even if they are later adjusted to LPR status.

D. Section 225.05, B., 2., d., Trafficking Victims

Updates contact information for the North Carolina State Refugee Section.

E. Section 225.05, B., 3., Additional Exceptions

1. Clarifies existing policy concerning documentation needed for determining eligibility for battered aliens and for corroborating claims of abuse.
2. Specifies that if Hmong or Highland Laotians, their spouses, or children appear on the Refugee Data Center List, they are eligible with no further verification.

F. Section 225.06, Sponsored Aliens

Specifies that both countable and non-countable income is used to determine if an alien is indigent and adds qualified battered aliens to the list of those exempt from sponsored alien requirements.

G. Section 225.07, B., 3., Verification of Alien Status

Deletes reference to the eligibility table in Section 225.05, as this table is being removed.

H. Section 225.08, B., Secondary Verification

Clarifies when to initiate secondary verification.

I. Section 225.12, The Interview

1. With eligibility being restored to qualified aliens who have lived in the United States for five years or longer, the need for qualifying aliens using the 40 quarters will be greatly reduced. This change updates this section to show that working 40 qualifying quarters is no longer a requirement but noting that this procedure can still be used to qualify aliens who do not

meet the five-year requirement by applying a parent or spouse's qualifying quarters.

2. Includes Medicaid and North Carolina Health Choice to the list of federal means-tested public assistance programs that will cause qualifying quarters to be excluded from the 40-quarter eligibility test for LPR.

J. Section 225.14, Using the Query Output

1. For 2003, an individual must earn at least \$890 for their earnings to count as a Qualifying Quarter credit.

2. Deletes all references to contacting the IEVS Coordinator to obtain a QC history, as this information is now received on-line with the TPQY.

K. Section 225.16, Requirement to Report Illegal Aliens in the United States

Clarifies that the alien reporting requirement applies to applicants/recipients only.

III. IMPLEMENTATION INSTRUCTIONS

A. For applications, recertifications, or changes prior to April 1, 2003, but processed on or after April 1, 2003:

1. Use the current alien policy to determine eligibility for months prior to April 2003.

2. Use the new alien policy to determine eligibility for April 2003 or later.

B. For applications taken on or after April 1, 2003, use the new alien policy to determine eligibility.

C. For recertifications or changes taken on or after April 1, 2003, screen households to determine if any previously ineligible qualified alien is eligible under the new guidelines. If so, include the individual in the new certification period or the first month affected by the reported change.

III. INSTRUCTIONS FOR MAINTENANCE OF THE FOOD STAMP MANUAL

REMOVE		INSERT	
Section	Pages	Section	Pages
225	1-25	225	1-25

If you have any questions, please contact your Program Integrity Representative.

Sincerely,

Wilbert R. Morris, Chief

Economic Independence Section

WRM/DK/bh

Attachments

[FSs225](#)