

MANUAL MATERIAL TRANSMITTED					
MANUAL: Income Maintenance			CHANGE NUMBER: 54		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
27	1	10/96	27	1	12/96
28	1	9/95	28	1	9/95
51	10	10/96	51	10	10/96
52 - 54	10	8/95	52 - 53	10	12/96
77 - 78 b	10	10/96	54	10	8/95
			77 - 78	10	12/96
			78 a - 78 b	10	10/96
DATE: October, 1996			TO: All Income Maintenance Manual Holders		

Three changes are being made as follows.

1. Section 1.4,0: A correction was made that was overlooked when change #50 was made.
2. Sections 10.4,D,8,b and 10.4,D,8,b, (3) were changed to add clarifications requested by FCS.

Also, we have addressed some QA problems related to receipt of LIEAP and eligibility for the FS SUA.

These clarifications was added to Sections 10.4,B,6,c, (1), (a), (iii) and 10.4,B,6,c, (1), (b).

Questions should be directed to the IM Policy Unit in the Office of Family Support.

must be made every 12 months. Form ES-FS-2 will be automatically mailed to the client to accomplish the contact. Workers will be notified when the report is due.

O. EXPEDITED PROCESSING

NOTE: It is possible for a client to qualify for Expedited Service at any time during the application process.

Expedited Service is the term used for special procedures in processing applications meeting specific requirements. The requirements and procedures follow.

1. Eligibility Requirements

The following groups of cases are eligible for Expedited Service provided all other eligibility factors are met. They are:

- Those whose monthly gross income is less than \$150 and whose liquid assets do not exceed \$100.
- Migrant and seasonal farm worker benefit groups which have been determined Destitute, as defined in Chapter 10, and whose liquid assets do not exceed \$100.
- Eligible benefit groups whose combined monthly gross non-excluded income and liquid assets are less than the benefit group's monthly paid and unpaid shelter and utility costs.

There is no limit to the number of times a benefit group may be certified under expedited procedures, as long as, prior to each expedited certification, the benefit group 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.

EXAMPLE: Mr. A was due for redetermination in April. He kept his scheduled appointment and continues to be eligible. He is not eligible for Expedited Service because his normal issuance cycle continues.

EXAMPLE: Mr. B applies for Food Stamps on May 1 and is found eligible for Expedited Service. He is

to allow for fluctuations in utility costs. The current SUA is found in Appendix B.

The benefit group may change from the SUA to actual utility costs or vice-versa at each redetermination.

When the SUA is used, the Worker must still determine the actual utility costs, including any met by LIEAP, and enter the amount in the data system.

(a) Who Is Eligible

To be eligible for the SUA, the benefit group must meet the criteria in items (i) and (ii) or in item (iii).

(i) Heating or Cooling Costs

The benefit group must have heating or cooling costs billed on a regular basis. This does not mean that there must be a monthly billing for heating or a monthly billing for cooling throughout the year. It means that there must be a regular bill for heating during the heating season or a regular bill for cooling, during the appropriate season.

Heating expenses include, but are not limited to: the cost of electricity, gas, oil, coal, wood and kerosene. Such heating costs must be payments for the fuel item itself, not for related costs. Related costs are those expenses necessary to obtain the fuel, such as when a client uses free wood, but must pay for delivery. The delivery cost alone does not qualify the client for the SUA.

Cooling costs are verifiable utility expenses related to the

information, short of a LIEAP eligibility determination. Certification periods may be set to run concurrently with the LIEAP heating season.

Any benefit group which receives LIEAP and also incurs out-of-pocket utility expenses may use actual costs in lieu of the SUA.

Benefit groups which share a residence and heating or cooling costs with another individual(s), whether or not this individual(s) is participating in the Food Stamp Program, are eligible for a pro-rated share of the SUA, provided they are otherwise eligible to use it. See item (c) below and Chapter 23 for proper coding.

(b) Who Is Not Eligible

NOTE: A client who received LIEAP during the last heating season, as defined by LIEAP, but who does not apply or is not eligible for LIEAP when the new heating season begins, is not eligible for the SUA as a LIEAP recipient. Otherwise, a recipient of LIEAP is eligible for the SUA, even if he falls into one of the groups listed below as not eligible for it.

The benefit group is not eligible to use the SUA, instead of actual utility costs, when any of the following situations exist:

- The heating or cooling costs are included in the shelter payment.
- The benefit group receives an excluded utility supplement and does not have heating or cooling costs in excess of the amount of the excluded supplement.
- The only heating and cooling costs billed to the benefit group are

- failure of the non-Head of Household to comply with FSE&T requirements:
- IPV:
- receiving multiple benefits simultaneously:
- being a fleeing felon or probation/parole violator:
- conviction of trafficking food stamp benefits of \$500 or more:
- conviction for using Food Stamps to purchase drugs, firearms, explosives or ammunition.

The income of the disqualified individual(s) is counted as if he were a member of the benefit group.

All applicable exclusions, disregards, and deductions apply to the disqualified individual(s) income.

The disqualified individual(s) is not included in the benefit group when determining eligibility or the benefit level.

NOTE: In no instance is it acceptable for the benefit level to increase when an individual is disqualified and all other case circumstances are the same. Should this happen, please notify the IM Policy Unit in OFS immediately.

b. Failure to Comply With Public Assistance Requirements

Food Stamp benefits must not increase due to a reduction, suspension or termination of income from a federal, State or local welfare or public assistance program, when the reduction (suspension or termination) is due to the client's failure to comply with a requirement of the program. This applies to reductions, suspensions or terminations which begin on or after August 1, 1996.

In addition, this applies to any reduction, suspension or termination which was decided or

If the Worker is unable to obtain information about the client's failure from another program outside DHHR, the policy in this section must not be applied. The Worker must record efforts to obtain such information, with copies of appropriate correspondence, if any, filed in the case record. This is necessary to avoid QA errors for non-compliance with the policy.

(4) Deeming Period

The amount of the public assistance benefit received prior to the reduction, suspension or termination is counted as income for the duration of the penalty imposed by the public assistance program. If the client's benefits are terminated indefinitely and he does not apply for those benefits again, the level of income prior to the termination must be counted until his benefits are no longer terminated for failure to comply. The client is not required to begin receiving the benefit again in order to end the prohibition on an increase in Food Stamp benefits, but, if he continues to be ineligible, it must be due solely to some reason(s) other than the failure to comply that resulted in the previous termination.

(5) Client Notification

The fact that benefits do not increase based on a decrease in income, does not constitute an adverse action. However, client notification, using form letter ES-NL-B is required. See Sections 6.3,B and C.

(6) Denial of Food Stamp Fair Hearing

The benefit group is not entitled to a separate and distinct Food Stamp Fair Hearing on the issue of failure to comply because this would require the Food Stamp Program to second guess another program's determination. However, if the public assistance program is AFDC/U, the issue of intent may be dealt with during an AFDC/U Fair Hearing about the imposition of the reduction, suspension or termination. A Food Stamp Fair Hearing may be held on the issue of not increasing Food Stamp benefits when income has decreased.