

### 14.3 EMERGENCY FOOD STAMP ASSISTANCE FOR DISASTER VICTIMS

Authorization of emergency Food Stamps to areas affected rest with USDA.

#### A. DISASTER DECLARATION PROCEDURES

When at least a part of the State has been affected by a disaster, with a disruption and subsequent restoration of commercial channels of food distribution, and the ongoing Food Stamp Program cannot respond due to the number of affected persons, the Department may apply to USDA's FNS for authorization to implement temporary emergency procedures.

The application for authorization to use disaster procedures must include the following information:

- The date the disaster began
- A list of the areas affected or a description of the geographical limits of parts of the affected areas in need of assistance.
- A determination that commodity distribution is, or is not, necessary in any part of the disaster areas
- A determination, with substantiation, that commercial channels of food distribution have been disrupted and restored
- A determination, with substantiation, that AG's residing within the affected parts of the disaster area are in need of emergency Food Stamp.
- A determination, with substantiation, that the food needs of such AG's cannot be met by the ongoing Food Stamp Program
- An estimate of the numbers of eligible AG's in need
- An assessment of the availability and accessibility of Food Stamp certification and issuance sites in the affected areas
- A determination that temporary certification and/or issuance arrangements are, or are not, necessary, and, if so, a description of any proposed arrangements

- An assessment of the availability and accessibility of FNS authorized food outlets in the affected area
- An estimate of the time necessary to accept and process applications for victims of the disaster
- A recommendation of the length of the benefit period, either a half-month or a full month
- Whether or not the Department plans to reduce disaster Food Stamp benefits to AG's also certified under the ongoing Program, by the amount of the AG's monthly coupon allotment. A description of how the Department plans to accomplish this, or a justification of why it is not administratively practicable, must be included.
- Information on the use of any disaster relief agency the Department wants to assist in administration of emergency Food Stamps. A disaster relief agency is a public or private agency, designated by the Department and authorized by FNS, to perform specified functions in connection with certification for and distribution of emergency Food Stamp benefits during a disaster. The Department must specify the functions which it intends to delegate to the disaster relief agency, and the specific geographical areas in which such functions will be performed by the agency.
- If more than one State agency is involved in administering emergency Food Stamp benefits, a separate application must be submitted for each agency.

If the Department's application is approved, FNS authorizes the State to use disaster certification and issuance procedures. If the application is denied, FNS will immediately notifies the Department. The Department may request that FNS review the decision, if additional information is available.

B. SPECIAL ELIGIBILITY CRITERIA

The AG must meet all of the following criteria:

1. Residence

At the time the disaster struck, the AG must have been residing within the geographical area authorized for disaster procedures. The AG may be approved even if it currently occupies temporary accommodations outside the disaster area.

2. Intent to Purchase and Prepare Meals

The AG must indicate its intent to purchase food and prepare meals during the benefit period. A AG residing in a temporary shelter which provides its meals, is ineligible.

3. Adverse Effects

The AG has experienced at least one of the following adverse effects as a result of the disaster.

a. Loss or Inaccessibility of Income

This is a reduction or termination of income or a significant delay in the receipt of income. This may occur if a disaster has caused a place of employment to close or reduce its work days, if pay checks or other payments are lost or destroyed or if there is a significant delay in the issuance of pay checks or other payments. It could also occur if the work location is inaccessible due to the disaster.

b. Inaccessibility of Liquid Assets

This includes situations in which the financial institutions in which the AG keeps its assets are expected to be closed due to the disaster for most of the disaster benefit period, or the AG is otherwise unable to reach its cash assets and is not expected to be able to for most of the benefit period.

c. Disaster-Related Expenses

Disaster-related expenses are those which the AG has paid, or is expected to pay during the disaster benefit period, for one of the following expenses. In addition, the client must not

expect to receive full reimbursement for such expenses. In addition, the client must not expect to receive full reimbursement for such expenses during the benefit period.

- Expenses to repair damage to the benefit group's home or other property essential to the employment or self-employment of a benefit group member
- Expenses for temporary shelter, if the benefit group's home is uninhabitable or the benefit group cannot reach its home
- Expenses for moving out of an area evacuated due to the disaster
- Expenses related to protecting property from disaster damages
- Medical expenses for disaster-related injuries to a person who was a benefit group member at the time of the disaster. This includes funeral and burial expenses in the event of death

#### 4. Income, Assets and Deductions

The first step in determining countable income is adding together the following:

- Net income
- Cash assets, i.e., cash-on-hand, accessible funds in checking and savings accounts

From this total, all disaster-related expenses are subtracted the remaining amount is compared to the maximum disaster income limit. If the income is equal to or less than the disaster income limit, the benefit group is eligible. Otherwise, the benefit group is not eligible for disaster Food Stamps. The maximum disaster income limits are determined as follows:

- Determine the current maximum net income for the appropriate benefit group size.
- Add the amount of the current standard deduction.

- Add the current amount of the shelter/utility cap. See Appendix A in Chapter 10.

Net earned income includes wages a benefit group actually receives after taxes and other payroll deductions are subtracted, AFDC/U payments or other unearned income, and self-employment income after a personal income and Social Security taxes and costs of producing the income are subtracted.

Income is counted if it has already been received in the benefit period, or if it is reasonably certain to be received during the benefit period.

#### C. CERTIFICATION PERIODS

The certification period must coincide with the disaster benefit period. If the benefit period is one month, then the income over this full month is counted, disaster-related expenses that are paid or expected to be paid in this full month period are deducted. In addition the monthly disaster Food Stamp income limit is used.

If the disaster benefit period is for one-half month, income over the half-month period is counted, disaster-related expenses paid or expected to be paid over this period are deducted. In addition, the disaster income limit is one-half of the monthly Disaster Food Stamp income limit. The full amount of cash assets are counted regardless of the length of the disaster benefit period.

#### D. APPLICATION PROCESSING

A special application form must be completed by each benefit group and an interview must be conducted. Group sessions may be used to screen benefit groups, explain rights and responsibilities and explain the completion of the application form.

The Department must act on all applications within the benefit period. Benefit groups must have an opportunity to obtain benefits on the date of application, unless restrictions, such as curfews, make it impossible for the Department to meet this standard, or unless the manner of issuance, such as mail issuance precludes this.

During the application interview, the benefit group must be informed of the following:

- Disposition of the application

- The certification period
- The availability of the ongoing Food Stamp Program
- The civil and criminal provisions and penalties for IPV's
- The possibility of a post-disaster review
- The benefit group's rights and responsibilities
- The proper use of Food Stamps

If the benefit group wishes to apply for the ongoing Program, the address and telephone number of the appropriate office must be provided.

E. VERIFICATION

Only residence and identity must be verified. Acceptable verification includes, but is not limited to:

- Driver's license
- Work identification
- School identification
- Voter's registration card
- Birth certificate
- Rent or utility receipts for verification of residence

When the documents listed above are destroyed or inaccessible during the disaster, telephone directories, city directories and collateral contacts may be used:

In some situations, verification of residency may not be possible. Such as when a benefit group moved to the area immediately prior to the disaster. They may have no documentation of residency or be known in the community. In these situations, the application must not be denied for the lack of verification.

F. CLIENT NOTIFICATION AND FAIR HEARINGS

The Worker must advise the applicant of his eligibility status at the time the application is completed. If

eligible, the applicant must be advised of the amount of the allotment and the period the benefits are intended to cover. This information is provided verbally and must be followed up in writing.

Applicants who are denied must be notified in writing. Form FS-D-2 is available for this use or the Worker may complete an ES-NL-a for each individual denial. As with any other Department action, the client has the right to request a Fair Hearing. The denied applicant must be offered an immediate, on the spot, supervisory review of the Worker's action. This supervisory review is in addition to the right to a Fair Hearing, not a replacement for it.

G. RELATIONSHIP BETWEEN ONGOING FOOD STAMP PROGRAM AND DISASTER PROGRAM

Those who are issued disaster allotments and who are subsequently determined eligible for the ongoing Food Stamp Program must not have overlapping certification periods.

**EXAMPLE:** The disaster benefit period is November 1st through November 15th. On November 10th, the client applies for the Food Stamp Program. The application is treated as if application was made on November 16th, and benefits for November are prorated based on that date.

Those who are certified for the ongoing Program at the time the disaster occurs, must be allowed to apply for disaster benefits. Their eligibility will be determined in the same manner as for any other disaster victim. However, to the extent practicable, the disaster coupon allotment is reduced by the amount of ongoing Food Stamps issued for any part of the disaster benefit period. "To the extent practicable" will be defined by the Office of Family Support at the time of each disaster. However, if the family's food has been damaged by the disaster and must be replaced, the disaster coupon allotment is not reduced by the amount of ongoing Food Stamp benefits.

Those who request replacement of Food Stamps received under the ongoing Program, but which were subsequently destroyed in the disaster, or for food destroyed in the disaster, are handled in accordance with instructions in Chapter 21. However, no replacement will be issued if the client has received or will receive disaster benefits for the same time period.

H. ISSUANCE OF DISASTER BENEFITS

Because disaster situations are likely to interrupt normal mail service for an affected area, mail issuance may not be practical. The OFS will notify the county offices of issuance procedures for each disaster.