

MANUAL MATERIAL TRANSMITTED					
MANUAL: INCOME MAINTENANCE			CHANGE NUMBER: 14		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
33 - 34	1	9/95	33	1	9/95
			34	1	3/96
i - ii	10	2/96	i	10	2/96
12 a	10	2/96	ii	10	3/96
21 - 22	10	8/95	12 a	10	2/96
36 a - 36 b	10	2/96	21 - 22	10	8/95
			36 a	10	2/96
			36 b	10	3/96
33 - 34	11	8/95	33	11	8/95
			34	11	3/96
i - ii	13	9/95	i - ii	13	9/95
9 - 10	13	9/95	9	13	3/96
15 - 16	13	9/95	10	13	9/95
19 - 20	13	9/95	15	13	9/95
47 - 48	13	9/95	16	13	3/96
			19	13	3/96
			20	13	9/95
			47	13	3/96
			48	13	9/95
DATE: January, 1996			TO: All Income Maintenance Manual Holders		

The following changes have been made:

1. Section 1.4: The temporary waiver of work registration requirements for individuals who apply for SSI and Food Stamps at SSA has been removed. It was removed from Section 13.10 also.
2. Section 10.3,M: This item was inadvertently deleted on Change 13 and is added back to the Section.

- Assist the client in completing form ES-2.
- Inform the client to contact the county office about the status of his application.
- If the benefit group qualifies for Expedited Service, inform the applicant that the benefit group may receive these benefits faster if he applies at, or delivers the application to, the county office.
- Forward the ES-2 to the county office within one working day, following procedures worked out between the CSM and the SSA contact person. See Section 1.2,N.
- Complete an ES-2 for a redetermination when the client requests this service. SSA may initiate this action. Since SSA accepts the client's statement that his case is due for redetermination, the county office may receive ES-2's for persons who are not actually due for redetermination. The county office completes the redetermination when the ES-2 is received, whether it is due or not.
- A redetermination is indicated by Recertification written in red at the top of the ES-2.
- All procedures and time limits which apply to applications accepted by SSA, apply to redeterminations accepted by SSA.

b. Worker Responsibilities

- Screen and, if eligible, process the application for Expedited Service.

NOTE: The date of application for the Expedited Service time limits is the date the application is received in the county office.

- Screen the ES-2 to determine if further information is necessary.

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SOURCE OF INCOME	CONSIDERED AS INCOME FOR:		
	FOOD STAMPS	AFDC/U, DEEMED AFDC/U, TM, QC, P.L. PW AND CHILDREN, GA FOR DA, AFDC/U- RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI- RELATED MEDICAID
2. Arrearages	<p>2.</p> <p>a. AFDC/U Recipients</p> <p>When redirected, only the amount refunded to the client by CAO is counted as income. When not redirected to CAO, no portion is counted as income.</p> <p>b. All Others Unearned</p>	2. Unearned	2. Unearned
M. CHORE SERVICE PROVIDER INCOME	Earned if an employee; Self- Employment	Earned if an employee; Self- Employment	Earned if an employee; Self- Employment

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:		
	FOOD STAMPS	AFDC/U, DEEMED AFDC/U, TM, QC, P.L. PW AND CHILDREN, GA FOR DA, AFDC/U- RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI- RELATED MEDICAID
CC. ENERGY ASSISTANCE PAYMENTS OTHER THAN LIEAP	No, if designated as an energy payment or allowance under federal law. Any payments or allowances (including tax credits) under State or local law, which are so designated and made for the purpose of providing energy assistance, are excluded only with FCS approval. This FCS approval is obtained by the IM Policy Unit in OFS. When notified of the existence of any local programs, the Policy Unit will obtain approval from FCS. No retroactive or supplemental benefits are issued to the client for any loss of benefits during the time the approval of the exclusion is being sought.	No	No
DD. FHA; FmHA (Federal Housing Authority); (Farmers Home Administration)	No	No	No

SOURCE OF INCOME	CONSIDERED AS INCOME FOR:		
	FOOD STAMPS	AFDC/U, DEEMED AFDC/U, TM, QC, P.L. PW AND CHILDREN, GA FOR DA, AFDC/U- RELATED MEDICAID	PAC, QMB, SLIMB, QDWI, CDCS, AIDS PROGRAMS, SSI- RELATED MEDICAID
AAAA. VETERAN'S COMPENSATION OR PENSION	Unearned	Unearned	Unearned
BBBB. VISTA	See Domestic Volunteer Act	See Domestic Volunteer Act	See Domestic Volunteer Act
CCCC. WIC	No	No	No
DDDD. WINNINGS (Prizes, Awards, Lottery, Bingo, Gambling, etc.)	Unearned	Unearned, treated as a lump sum payment.	Unearned, treated as a lump sum payment.
EEEE. WVHA (WV Housing Authority)	No, unless a <u>rent</u> supplement is paid directly to the client or to the <u>utility</u> provider. If so, it is counted as unearned income.	No	No

LIST OF ASSETS

If the client believes the life estate is worth less than the determined value, he must provide proof of a lower value.

NOTE: For long-term care cases, a penalty may be assessed for transferring property when retaining a life estate. See Chapter 17.

When property is transferred to a client by someone who retains a life estate interest in the property, the transferred property is not counted as an asset, as long as the client cannot legally dispose of it.

5. Real Property Related to Vehicle Maintenance

No *	Yes	Yes
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Food Stamps: Property which is not excludable under other provisions in this Chapter is excluded as an asset, when the vehicle is excluded for one of the following reasons, and the real property is directly related to maintenance or use of that vehicle:

- Over 50% of the use of the vehicle is for income-producing purposes, or
- The vehicle annually produces income consistent with its fair market value, even if used on a seasonal basis, such as a truck used in a produce business or for hauling coal, or
- The vehicle is necessary to transport a physically disabled individual, who is a member of the Food Stamp benefit group, regardless of the purpose of such transportation.

Only the portion of real property determined necessary for maintenance or use of a vehicle under this policy is excluded. For an example, see Vehicles.

BB. RECREATIONAL EQUIPMENT

Yes	Yes	Yes
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The value of the equity in boats, snowmobiles, campers and camper-trailers, airplanes, etc., which do not meet the definition of vehicles.

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13.5 GOOD CAUSE FOR VOLUNTARILY QUITTING (FS)

Once a determination is made that the Voluntary Quit provisions apply, the Worker determines if the individual had good cause for leaving employment, using the following criteria:

- The individual was discriminated against by the employer based on age, race, sex, color, disability, religious beliefs, national origin or political beliefs.
- The work demands or conditions were unreasonable, such as working without being paid on schedule.
- The acceptance, by any benefit group member, of employment or enrollment of at least half-time in any recognized school, training program or institution of higher learning which requires the benefit group to move and, thereby, requires the Head of Household to leave employment.
- The employment does not meet the suitability requirements.

Employment is considered unsuitable if any of the following conditions exist:

- The wage offered is less than the highest of:
 - The applicable federal minimum wage,
 - The applicable State minimum wage, or
 - Eighty (80) percent of the federal minimum wage, if neither the federal nor the State minimum wage is applicable.
- The employment in question is on a piece-rate basis and the average hourly yield the employee can reasonably expect is less than the applicable hourly wages specified above.
- The individual, as a condition of employment, is required to join, resign from or refrain from joining, any legitimate labor organization.
- The work is at a site subject to a work stoppage as a result of a strike or lockout at the time of the offer, unless the strike has been enjoined under section 208 of the Labor Management Relations Act (Taft-Hartley Act) or Section 10 of the Railway Labor Act.

13.8 VOLUNTARY QUIT CORRECTIVE ACTION (FS)

Following the end of the penalty period, a benefit group may begin participation in the Food Stamp Program, if reapplication is made and the benefit group is otherwise eligible.

Eligibility may be reestablished during a penalty period, if otherwise eligible, if the benefit group member who caused the disqualification:

- Secures employment which is comparable in salary or hours to the job which was quit, or
- Leaves the household, or
- Becomes exempt from the work registration requirements for some reason other than those found in Section 13.10, items F and J.

If the benefit group splits into more than one benefit group, the sanction follows the member who caused the penalty.

If a Head of Household who committed the Voluntary Quit without good cause joins another Food Stamp benefit group, as Head of Household, the new benefit group is ineligible for the balance of the Head of Household's period of ineligibility.

End of Food Stamp Voluntary Quit Policy

or non-resident basis. Any person leaving the treatment program must register within 10 calendar days after the change is reported, unless exempt for some other reason.

- A student enrolled at least half-time in any recognized school, training program, or institution of higher education, provided that the student has met one of the exceptions to the restriction on student participation listed in Chapter 9. Any person losing this exemption must register at the next redetermination, unless exempt for some other reason.
- AFDC/U recipients who are subject to and complying with any JOBS requirement, including JOBS enrollment. If the individual refuses to register with W&T, the Worker must evaluate the appropriate application of FSE&T penalties. Any person losing this exemption must register within 10 calendar days after the change is reported, unless a penalty is applied, or unless exempt for some other reason.
- Individuals who are employed or self-employed and working a minimum of 30 hours per week, or receiving weekly earnings equal to the federal minimum wage multiplied by 30 hours. An employed person who is laid off, fired, goes on strike, quits or changes to employment of less than 30 hours per week, or ceases earning wages equal to the federal minimum wage times 30 must register within 10 calendar days after the change is reported, unless exempt for some other reason.

13.28 EFFECT OF JOBS PENALTY ON FOOD STAMP AND MEDICAID ELIGIBILITY

- If the benefit group is certified for Food Stamps, and the AFDC/U client whose JOBS participation is required, is sanctioned and removed from the AFDC/U benefit group, a Food Stamp penalty may also be appropriate. See Sections 13.9 and 13.13.
- A member of a family who is receiving AFDC/U, who is excluded from the payment because of refusing to cooperate after enrollment, is not eligible for AFDC/U-Related Medicaid.

The individual is ineligible until the penalty period ends or until the individual's status changes from mandatory to exempt, whichever comes first.