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**Field Operations Memo 96-45**  
**December 16, 1996**

**To:** Local Office Staff  
**From:** Joyce Sampson, Assistant Commissioner for Field Operations  
**Re:** Food Stamp Program - Welfare Reform Work Requirements

**Overview**

The federal welfare reform law requires certain food stamp applicants and recipients to meet new Food Stamp Program Work Requirements.

**Food Stamp Work Program**

Nonexempt applicants and recipients between the ages of 18 and 50 must comply with the **Food Stamp Work Program (FS/Work Program)** requirements for 33 months in a three-year period. FS/Work Program participants must:

- (1) Register for work; **AND**
- (2) Work at a job for 20 hours per week averaged monthly;

*or*

Work at a community service site for 20 hours per week averaged monthly;

*or*

Combine hours of work at a job and community service site to total 20 hours per week averaged monthly; **AND**

- (3) Provide the Department with information regarding availability for work and employment status when requested.

**Note:** For ease of administration, 80 hours per month will be considered equivalent to *20 hours per week averaged monthly*.

**Overview  
(Continued)**

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**Exemptions from the FS/Work Program include:**

- (1) Persons under 18 years of age or over 50 years of age are exempt.
- (2) Persons exempt from the FS/ET Program in accordance with 106 CMR 362.310 (B) are exempt.
- (3) A pregnant woman is exempt.
- (4) A parent or other household member who is responsible for the care of a dependent child under eighteen or an incapacitated household member is exempt.

Failure to comply with the *FS/Work Program* requirements without good cause will result in ineligibility for the remaining months in the three-year period *unless* the applicant/recipient complies with the FS/Work Program requirements.

**Food Stamp Employment & Training Program**

Nonexempt applicants and recipients between the ages of 16 and 60 must comply with the *Food Stamp Employment & Training Program (FS/ET)* requirements. FS/ET participants must:

- (1) Register for work; AND
- (2) Participate in the Job Search Program; AND
- (3) Provide the Department with information regarding availability for work and employment status when requested.

**Exemptions from FS/ET include:**

- (1) A Food Stamp Program recipient subject to and complying with the FS/Work Program requirements in accordance with 106 CMR 362.320 is exempt.
  - (2) A person younger than 16 years of age or older than 60 years of age is exempt.
  - (3) Persons who are physically or mentally unfit for employment are exempt in accordance with 106 CMR 362.310(B)(2).
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**Overview  
(Continued)**

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- (4) Persons who are physically or mentally unfit for employment due to a temporary illness are exempt.
  - (5) A TAFDC, AFDC or EAEDC recipient subject to and complying with the cash assistance program work requirement is exempt.
  - (6) Unemployment Compensation applicants or recipients subject to and participating in a comparable work program are exempt.
  - (7) A parent or other household member responsible for the care of a dependent child under six or an incapacitated household member is exempt.
  - (8) Persons enrolled at least half-time in any recognized school, training program or institution of higher education in accordance with 106 CMR 362.400 are exempt.

Persons enrolled less than half-time or who experience a break in their enrollment status due to graduation, expulsion or suspension, or who drop out or otherwise do not intend to return to school do not qualify for this exemption.

- (9) A regular participant, either on a resident or nonresident basis, in a drug addiction or alcoholic treatment and rehabilitation program is exempt.
- (10) Persons employed or self-employed may be exempt if working a minimum of 30 hours weekly or receiving weekly earnings equal to or greater than the federal minimum wage multiplied by 30 hours.
- (11) A person aged 16 or 17 who is not a head of household or who is attending school on at least a half-time basis, or who is enrolled in an employment and training program on at least a half-time basis, is exempt.

Failure to comply with FS/ET requirements without good cause will result in disqualification. The disqualification penalties are found at 106 CMR 367.800.

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**FOOD STAMP WORKER RESPONSIBILITIES**

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Each food stamp case must be reviewed at application or recertification to determine which food stamp household members, if any, are subject to the new Food Stamp Program Work Requirements.

*Note: A household may consist of members with different work requirement statuses.*

**Work  
Registration**

Each household member's status must be listed on the Food Stamp Work Requirement Registration form (FS-WR). The work registration requirement is completed when this form is signed and filed in the case record.

**Food Stamp  
Work Program**

If, during the application or recertification interview, it is determined that the household member is subject to the FS/Work Program, explain to the participant the FS/Work Program requirements and review the FS/Work Program exemption reasons.

- ◆ If the applicant/recipient claims an exemption other than disability, any required verification must be received within ten days from the date of the recertification interview. If the exemption is verified, code the applicant/recipient as AR 04 on PACES.
  - ◆ An applicant/recipient who claims to be physically or mentally disabled/unfit for employment must verify the disability in accordance with 106 CMR 362.310(B)(2). Instruct the applicant/recipient that verification of the disability must be received within 60 days. Give the applicant/recipient a Medical Report (FS-MED) for completion by a competent medical authority. Competent medical authorities include: certified physicians, nurse practitioners, licensed or certified psychologists, or registered nurses associated with homeless shelters or day programs for the homeless.
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**Food Stamp Worker Responsibilities (Continued)**


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Certify this household for two months to ensure that the exemption status is timely reviewed. Instruct the applicant/recipient to bring the completed FS-MED to the next recertification interview. Code the applicant/recipient as AR 05 during this 60-day disability verification period.

- ◆ If no exemption is claimed or an exemption, other than disability, is not verified, the applicant/recipient has 60 days to locate a paid job or a community service site. Certify this household for two months to ensure that the recipient has located a paid job or a community service site. Code the applicant/recipient as AR 05 during this 60-day job search period.

**Two-Month  
Certification  
Periods**

Households containing FS/Work Program participants must be given two-month certification periods. These cases will be reviewed at recertification to determine compliance with the FS/Work Program requirements for the previous two months.

*Note:* Households containing noncitizens must be given certification periods in accordance with instructions issued in Field Operations Memo 96-42.

**FS/Work  
Program  
Coding &  
Tracking**

All active recipients between the ages of 18 and 50, and not coded as disabled, will be initialized on 12/13/96 with Eligibility Action Reason 05 *Case or household member approved, good cause for not participating in the Food Stamp Work Program*. AR 05 should be a tip-off to the worker at recertification that the household member *may* be subject to the FS/Work Program.

*Note:* *The presence of AR 05 does not mean that the household member is subject to the FS/Work Program. It is the responsibility of the food stamp worker to determine the Work Requirement status of each household member and code each household member appropriately.*

To ensure that the FS/Work Program participation status can be readily identified, the food stamp worker must properly code the TD. Enter the following eligibility Action Reasons pertaining to FS/Work Program status in Block 33, 53 and 92A of the PACES TD.

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**Food Stamp Worker Responsibilities (Continued)**

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- 04 Case or household member approved, exempt from the Food Stamp Work Program
- 05 Case or household member approved, good cause for not participating in the Food Stamp Work Program
- 06 Case or household member approved, subject to the Food Stamp Work Program

**Community  
Service  
Program**

Each FS/Work Program participant must work at a paid job or community service site for 80 hours per month. An FS/Work Program participant may also combine hours of work at a paid job and work at a community service site to total 80 hours per month.

An FS/Work Program participant who is not in a paid job for the required hours per month must:

- ◆ self-arrange a Community Service Program site subject to approval by the Department; *or*
- ◆ select a Food Stamp Community Service Program (FS-CSP) site identified by the Department, if available.

If a recipient has not located a paid job or community service site at the end of the 60-day job search period, the food stamp worker must mandate FS-CSP using the Community Service Referral (ESP-16) form.

The Department is in the process of developing Community Service Program sites for food stamp recipients. **Do not mandate FS-CSP if there are no FS-CSP sites available.** Code the recipient on PACES as:

- AR 08 Case of household member approved, good cause for not participating in the Food Stamp Work Program - no FS-CSP site available

Review recipients coded as AR 08 at recertification.

*Note:* You will receive separate instructions on how to identify and code FS-CSP sites. The *Systems User's Guide, Volume 8: ESP-MIS User's Guide* will also be updated.

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**Food Stamp Worker Responsibilities (Continued)**

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**Verifying Work  
or Community  
Service Hours**

If the recipient is working at a paid job, the recipient must bring pay stubs or other verification of hours worked for each month of the certification period to the recertification interview.

If the recipient is working at a community service site, a Community Service Participation Record (FS-CSP) form must be completed for each *calendar* month of the certification period. Give the recipient two FS-CSP forms at each recertification interview. Indicate on the FS-CSP form the month to be recorded. Instruct the recipient to bring the completed FS-CSP forms to the next recertification. The FS-CSP forms will be reviewed at recertification to determine compliance with FS/Work Program requirements.

*For example:* If a recipient is recertified on June 5, 1997, the worker must review FS-CSP forms for the calendar months of 4/97 and 5/97 to determine compliance with the FS/Work Program participation requirements. The worker must give the recipient FS/CSP forms for the calendar months of 6/97 and 7/97. These forms will be reviewed at the August 5, 1997 recertification interview.

*Note: Be sure to examine good cause reasons at 106 CMR 362.330 if a recipient has not worked the necessary hours in a particular month at a paid job or community service site.*

**FS/Work  
Program Non-  
Compliance**

If an FS/Work Program participant fails to comply for three months during a three-year period, the recipient must be disqualified from the Food Stamp Program for the remaining months in the three-year period, *unless the recipient regains eligibility as explained below*. The food stamp worker must close the FS/Work Program recipient using Ineligibility Action Reason 73.

**FS/Work  
Program  
Regaining  
Eligibility**

An FS/Work Program participant can regain eligibility after complying with FS/Work Program requirements for a 30-day period. Use the following Action Reason to reopen an FS/Work Program participant who has regained eligibility after closing for AR 73.

- 09 Case or household member approved, regained Food Stamp eligibility and subject to the Food Stamp Work Program

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**Food Stamp Worker Responsibilities (Continued)**

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**FS/Work  
Program  
Loss of  
Employment  
Exception**

An FS/Work Program participant who regains eligibility (AR 09) and is subsequently terminated from a paid job for reasons beyond his/her control may continue to participate in the Food Stamp Program under the loss of employment exception for an additional three months. Code these recipients as follows:

- 10 Case or household member approved, eligible for the Food Stamp Work Program loss of employment exception

**Food Stamp  
Employment &  
Training  
Program**

The food stamp worker must notify FS/ET participants of their FS/ET status and explain the exemption criteria. An applicant/recipient who claims to be exempt must verify the exemption in accordance with 106 CMR 362.310(B).

The food stamp worker is responsible for enrolling FS/ET participants in the Job Search Program. *Enrollment is complete when the FS/ET participant signs the FS-WR form.*

The food stamp worker must:

- ◆ inform the participant of the Job Search Program participation requirements;
- ◆ review with the participant all other participant responsibilities;
- ◆ explain the consequences of failure to comply with FS/ET requirements.

**Job Search  
Activities**

FS/ET participants must complete Job Search Activities described at 106 CMR 362.310(D)(3) within 60 days of enrollment. Job Search Activities may be self-initiated or obtained through a Department contracted vendor, if services are available. FS/ET participants must verify Job Search Activities by completing the new Self-Directed Job Search Form (FS-JS). Department receipt of the FS/ET Referral and Response Form (FS/ET-2) from the vendor also serves as verification of Job Search Activities.

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**Food Stamp Worker Responsibilities (Continued)**

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**FS/ET  
Coding &  
Tracking**

To ensure that the FS/ET participation status can be readily identified, the food stamp worker must properly code the TD.

Enter the following eligibility Action Reasons pertaining to FS/ET status in Block 33, 53 and 92A of the PACES TD.

- 13 Case or household member approved, exempt from the Food Stamp Employment and Training Program
- 14 Case or household member approved, subject to the Food Stamp Employment and Training Program
- 15 Case or household member approved, good cause for not participating in the Food Stamp Employment and Training Program

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**System  
Enhancements**

Systems is currently modifying PACES, ESP-MIS and PRISM to assist workers in tracking and monitoring compliance with the new Food Stamp Work Requirements. Details on these changes will be forthcoming.

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**Questions**

Policy questions should be referred to the Policy Hotline at (617) 348-8478. Systems questions should be referred to Systems Customer Support Services at (617) 348-5290.

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