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Field Operations Memo 98-24
June 1, 1998

To: Transitional Assistance Office Staff
From: Joyce Sampson, Assistant Commissioner for Field Operations
Re: Changes to Food Stamp Work Requirements

Background

USDA has required that the Department make changes to the Food Stamp Work Program (FS/WP) regulations. These changes were transmitted by State Letter 1153, effective June 1, 1998. As a result, procedural changes are also necessary.

This memo will:

- ◆ discuss the changes to the FS/WP;
- ◆ provide instructions for handling FS/WP cases including System (PACES, PRISM II and ESP-MIS) coding requirements; and
- ◆ consolidate prior memos and instructions on the Food Stamp Work Requirements (FS/WP and FS/ET).

Changes to the Food Stamp Work Program

Most of the good cause reasons for failing to participate in the FS/WP have been removed. **The only remaining good cause reason is *No Food Stamp Community Service Program Site Available*. See 106 CMR 362.320(C).**

- ◆ Applicants/recipients are no longer allowed a 60-day good cause period to search for a job or community service site before they must meet FS/WP requirements.
- ◆ Applicants/recipients are no longer allowed a 60-day good cause period to verify a disability claim.

**Changes to the
Food Stamp
Work Program
(continued)**

Workers must tell the applicant/recipient that under the FS/WP, he or she can be eligible for ONLY three months in a three-year period without meeting FS/WP requirements. Explain to all applicants/recipients subject to the FS/WP requirements that they must find a job or community service placement as soon as possible but within 90 days to continue food stamp eligibility.

Some of the Action Reasons for FS/WP eligibility have been redefined and others have been eliminated.

- ◆ Action Reasons 05 and 08 have been redefined. See Page 8 and Page 9 of this memo for new definitions.
- ◆ Action Reasons 09, 10 and 11 have been eliminated.

Note: FS/WP participants previously coded AR 09 and AR 10 must be recoded. See page 9 of this memo for FS/WP eligibility Action Reasons.

**Food Stamp
Work Program
Requirements**

Nonexempt applicants and recipients between the ages of 18 and 50 must comply with FS/WP requirements for 33 months in a three-year period. FS/WP 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 job availability and employment status when requested.
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**Food Stamp
Work Program
Exemptions**

Exemptions from the FS/WP include:

- (1) Persons under 18 years of age or over 50 years of age are exempt.
- (2) A pregnant woman is exempt.
- (3) 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.

If both parents claim to be responsible for the care of the same dependent child, both may be exempt.

- (4) Persons who are physically or mentally unfit for employment, either permanently or temporarily, are exempt.
- (5) A TAFDC 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) Persons enrolled at least half-time in any recognized school, training program or institution of higher education who have met the conditions of 106 CMR 362.400 and 362.410 are exempt.
- (8) A regular participant, either on a resident or nonresident basis, in a drug addiction or alcoholic treatment and rehabilitation program is exempt.
- (9) 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.

Failure to comply with the FS/WP requirements will result in ineligibility for the remaining months in the three-year period unless the applicant/recipient complies with the FS/WP requirements.

**Food Stamp
Employment &
Training
Program
Requirements**

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 job availability and employment status when requested.

**Food Stamp
Employment &
Training
Program
Exemptions**

Exemptions from FS/ET include:

- (1) A person younger than 16 years of age or older than 60 years of age is exempt.
- (2) Persons who are physically or mentally unfit for employment, either permanently or temporarily, are exempt.
- (3) A Food Stamp Program recipient subject to and complying with the FS/WP requirements in accordance with 106 CMR 362.320 is exempt.
- (4) A TAFDC or EAEDC recipient subject to and complying with the cash assistance program work requirement is exempt.
- (5) Unemployment Compensation applicants or recipients subject to and participating in a comparable work program are exempt.
- (6) A parent or other household member responsible for the care of a dependent child under six or an incapacitated household member is exempt.

If a parent and another member of the household both claim to be responsible for the care of the same dependent child or incapacitated household member, the actual responsibility shall be determined by discussion with the applicant or recipient.

**Food Stamp
Employment &
Training
Program
Exemptions
(continued)**

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- (7) Persons enrolled at least half-time in any recognized school, training program or institution of higher education who have met the conditions of 106 CMR 362.400 and 362.410 are exempt.
 - (8) A regular participant, either on a resident or nonresident basis, in a drug addiction or alcoholic treatment and rehabilitation program is exempt. Participation, if questionable, may be verified through the organization or institution operating the program.
 - (9) 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.
 - (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.

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

**Determining
Which Work
Requirement
Applies**

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

To determine which work requirement (FS/WP or FS/ET) an applicant/recipient is subject to:

You must first consider the age of the applicant/recipient. When the applicant/recipient is between the ages of 18-50, determine whether the applicant/recipient is responsible for the care of either a dependent child under age 18 or an incapacitated household member.

- ◆ If yes, the applicant/recipient is exempt from the FS/WP.

Note: The applicant/recipient may be subject to FS/ET depending on the age of the child.

**Determining
Which Work
Requirement
Applies
(continued)**

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- ◆ If no, the applicant/recipient is subject to the FS/WP unless one of the other exemptions at 106 CMR 362.320(B) applies.

When the applicant/recipient is between the ages of 16-60, determine whether the applicant/recipient is responsible for the care of either a dependent child under age 6 or an incapacitated household member.

- ◆ If yes, the applicant/recipient is exempt from the FS/ET.
- ◆ If no, the applicant/recipient is subject to the FS/ET unless one of the other exemptions at 106 CMR 362.310(B) applies.

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

**Work
Registration**

Each nonexempt 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/WP, complete the following steps.

Tell the applicant/recipient that under the FS/WP, he or she can be eligible for ONLY three months in a three-year period without meeting FS/WP requirements. Review with the FS/WP participant the exemption reasons.

- ◆ 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 if the disability is not verified, he or she will be using a month(s) of eligibility without meeting FS / WP requirements.* Give the applicant/recipient a Medical Report (FS-MR) for completion by a competent medical authority. Code the applicant/recipient as AR 05 on PACES.
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Food Stamp
Work Program
(continued)

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- ◆ If the applicant/recipient claims an exemption other than disability, **any required verification must be received within *ten days* from the date of the interview.**
 - ▶ If the exemption is verified, code the applicant/recipient as AR 04 on PACES.
 - ▶ If the exemption is not verified, code the applicant/recipient as AR 05 on PACES.

 - ◆ If no exemption is claimed, the applicant/recipient must find a job or community service site before the three months of eligibility end. Explain to the applicant/ recipient that any month that he or she is not exempt, working or performing community service counts toward the three months of eligibility. Offer the applicant/ recipient a Food Stamp Community Service Program (FS/CSP) site, if available. Use the ESP-16 to refer the applicant/recipient to the community service site. **The applicant/recipient has *ten days* to verify community service placement.**
 - ▶ If the ESP-16 is not returned, code the applicant/recipient as AR 05 on PACES.
 - ▶ If the ESP-16 is returned verifying FS/CSP placement, code the applicant/recipient as AR 07 on PACES.
 - ▶ If the ESP-16 is returned stating the applicant/recipient is not a qualified candidate, code the applicant/recipient as AR 08 on PACES.
- Note:** If the recipient would not be qualified (i.e., lack of specific skills, language required by the site) or appropriate for an available community service position, the case must be coded AR 08 -- no slot available. The worker must document in the case record the reason(s) for not offering community service.
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**Food Stamp
Work Program
Certification
Periods**

Households containing FS/WP participants must be given one-month certification periods until:

- (1) a job or community service placement is found;
- (2) a disability claim is verified;
- (3) an exemption other than disability is verified; or
- (4) the three months of eligibility are used.

Households containing FS/WP participants may be given longer certification periods:

- ◆ Once a job or community service placement has been found, the case can be certified for two months. These cases will be reviewed at recertification to determine compliance with the FS/WP requirements for the previous months.
- ◆ Once a disability claim is verified, the case can be certified for the duration of the disability.
- ◆ Once an exemption other than disability is verified, the case can be certified for the duration of the exemption or normal certification period.

Note: Once an FS/WP participant has failed to comply in two prior months, the case can be certified for one month.

**Food Stamp
Work Program
PACES
Coding &
Tracking**

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

- AR 04 Case or household member approved, exempt from the Food Stamp Work Program
- AR 05 Case or household member approved, subject to Food Stamp Work Program and referred to work or community service or verifying an exemption/disability
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**Food Stamp
Work Program
PACES
Coding &
Tracking
(continued)**

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- | | |
|-------|---|
| AR 06 | Case or household member approved, subject to Food Stamp Work Program and working 20 hours per week |
| AR 07 | Case or household member approved, subject to Food Stamp Work Program and performing Community Service for 20 hours per week or combining of work and Community Service for 20 hours per week |
| AR 08 | Case or household member approved, Food Stamp Community Service Program site unavailable or inappropriate candidate |
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**Food Stamp
36-Month
Period on
PRISM II**

The FS/WP participant's Food Stamp 36-Month Period is automatically calculated and displayed on the Client Detail Screen in PRISM II.

The Food Stamp 36-Month period begins on:

- ◆ January 1, 1997 for those subject to FS/WP requirements who were receiving benefits on that date; or
- ◆ The first full month after the date the FS applicant/recipient subject to FS/WP requirements becomes eligible for food stamp benefits; or
- ◆ The first full month after the date the FS recipient becomes subject to FS/WP requirements.

Example 1: An individual subject to FS/WP requirements applies and is approved for food stamp benefits on 4/6/97. His 36-Month Period start date is 5/1/97.

Example 2: An ongoing food stamp case contains a recipient who turned age 18 on 10/27/97. Her 36-Month Period start date is 11/1/97.

**Action
Reason 05**

Once the FS/WP participant's Food Stamp 36-Month Period has been set, a full calendar month(s) in which a recipient is coded AR 05 may be counted as a noncompliance month if the recipient does not:

- ◆ Verify work for 20 hours per week averaged monthly; or
- ◆ Verify community service for 20 hours per week averaged monthly; or
- ◆ Verify a combination of work and community service for 20 hours per week averaged monthly; or
- ◆ Verify an exemption.

Exception: For applicants/recipients who have claimed and verified a disability, the month(s) in which the disability was being verified will not be considered a noncompliance month(s).

Noncompliance months must be entered on PRISM II in accordance with instructions on Page 12 of this memo.

**Food Stamp
Community
Service
Program**

Each FS/WP participant must work at a paid job or community service site for 20 hours per week for a minimum of 80 hours per month. An FS/WP 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/WP participant may be offered an FS/CSP placement on Day 1, if available.
- ◆ An FS/WP participant may self-arrange a volunteer Community Service Program placement approved by the Department.

Do not offer FS/CSP if there are no sites available.
Code the recipient as AR 08 on PACES.

**Food Stamp
Community
Service
Program
(continued)**

Note: If the recipient would not be qualified (i.e., lack of specific skills, language required by the site) or appropriate for an available community service position, the case must be coded AR 08 -- no slot available. The worker must document in the case record the reason(s) for not offering community service.

The food stamp worker must keep a list of AR 08 recipients who are waiting for FS/CSP placements. These recipients must be referred to an FS/CSP placement as sites become available.

**ESP-MIS
Coding**

FS/WP participants referred to an FS/CSP site must be coded 300 on ESP-MIS.

- ◆ If the ESP-16 is returned verifying that the recipient has been accepted into an FS/CSP site, close the code 300 with end code 101 and enter code 301 on ESP-MIS.
- ◆ If the ESP-16 is returned stating that the recipient has not been accepted into an FS/CSP site, close the code 300 with end code 152.

Workers must code each referral to a FS/CSP site.

**Verifying Work
or Community
Service Hours**

If the recipient is working at a 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 month of the certification period. Give the recipient 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 to the next recertification. The FS-CSP forms will be reviewed at recertification to determine compliance with FS/WP requirements.

**Food Stamp
Work Program
Tracking in
PRISM II**

To ensure that months of noncompliance are tracked and letters are produced, the food stamp worker must properly enter the information on PRISM II.

FS/WP noncompliance months must be entered on the Family Cap/Clock tab of the Client Detail Screen. If the recipient has not met the FS/WP requirements for a specific month, the month must be entered on PRISM II. A letter telling the recipient that a month(s) has been used must be sent. Select the FS Work Program Letter from the Reports Option on the menu bar.

- ◆ Enter the month(s) of noncompliance as required. *PRISM II will not insert this information.*
- ◆ Indicate whether this is the first month, second month or first and second successive months of noncompliance.

**Closing an
FS/WP
Participant on
PACES**

If an FS/WP participant fails to comply for three months during a three-year period, the recipient must be disqualified for the remaining months in the three-year period. The food stamp worker must close the FS/WP participant using Ineligibility Action Reason 73 on PACES.

Note: The worker must also enter the third month of noncompliance on PRISM II.

**Food Stamp
Employment &
Training
Program**

If during the application or recertification interview, it is determined that the household member is subject to the FS/ET, complete the following steps.

The food stamp worker must notify FS/ET participants of their FS/ET status and explain the exemption criteria. An applicant/recipient claiming 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.*

**Food Stamp
Employment &
Training
Program
(continued)**

The following rights and responsibilities must be explained to the FS/ET participant. The food stamp worker must:

- ◆ inform the participant of the Job Search Program participation requirements at 106 CMR 362.310(A);
- ◆ review with the participant all other participant responsibilities; and
- ◆ explain the consequences of failure to comply with FS/ET requirements.

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 through a Department contracted vendor. FS/ET participants must verify Job Search Activities by completing the Self Directed Job Search Form (FS-JS) or Department receipt of the FS/ET Referral and Response Form (FS/ET-2) from the vendor.

**FS/ET
PACES
Coding &
Tracking**

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

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

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

**Obsolete
Materials**

The following Field Operations Memos are now obsolete: Field Operations Memo 96-45, Field Operations Memo 97-31 and Field Operations Memo 97-39.

Questions

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