

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

(916) 445-6907



September 15, 1983

ALL-COUNTY LETTER NO. 83-98

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY FOOD STAMP COORDINATORS

SUBJECT: FOOD STAMP MONTHLY REPORTING/RETROSPECTIVE BUDGETING TRAINING PACKAGE

REFERENCE:

This letter transmits a written training package on the Food Stamp Monthly Reporting/Retrospective Budgeting (MR/RB) regulations. The package contains an outline of regulation changes, questions and answers on regulations, specific case example exercises, and a County Welfare Department (CWD) Problem Identification form. On-site training sessions are being scheduled for October 1983 and CWDs will be informed of the exact dates and locations of these sessions under separate cover.

MRRB Regulation Changes

This section outlines changes that were made to the regulations that went out for public hearing in April 1983. To effectively utilize this section, CWD staff reviewing or being trained with this package must be familiar with the regulations that went out for public hearing.

Questions and Answers

Questions and answers are provided in response to concerns commonly raised at either the on-site MR/RB training sessions conducted in May or comments submitted as testimony for the public hearing regulations. Questions were also added in response to CWD input as CWDs began to develop procedures to "operationalize" the MR/RB regulations.

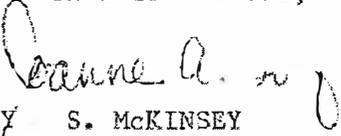
Case Example Exercises

Case exercises are included to test CWD familiarity with the MR/RB regulations. These exercises will assist CWDs in assessing areas that require additional training. The CWD should complete a Problem Identification form for each problem area identified by the CWD. These are the areas that will be stressed at the on-site training sessions.

CWD Problem Identification Form

All CWDs are strongly encourage to complete this form as they complete the case example exercises and for any other problem identified by the CWD and submit it to the Food Stamp Policy Coordination Bureau at 744 P Street, M.S. 15-51, Sacramento, California 95814, as soon as possible, but no later than September 30, 1983. The information provided on this form will be the basis for determining CWD training needs at the on-site training sessions. The on-site sessions will be tailored to meet these needs to the extent possible. To accomplish this, the forms must be returned as soon as possible so that training material and policy positions can be developed. Without CWD input many problems that CWDs may already have identified will not be answered at the on-site training sessions due to the need for prior research on many of the questions.

If there are questions on any of the attached training material, please contact either Jesus Hernandez or Debra Sanchez of the Food Stamp Policy Coordination Bureau, at (916) 445-6907.


KAY S. MCKINSEY
Deputy Director

Attachment

cc: CWDA

FOOD STAMP

MONTHLY REPORTING/RETROSPECTIVE BUDGETING
(MR/RB)

CHANGES TO PUBLIC HEARING (5/83) REGULATIONS

63-000 IMPLEMENTATION SCHEDULES

034 MRRB will be implemented December 1, 1983

63-102 DEFINITIONS

- bbb. "Beginning Month(s)" is the first month a household is certified and the month thereafter and cannot follow any month for which a household is certified and subject to retrospective budgeting.
- ddd. "Extended Filing Date" is by close of business on the first working day of the issuance month.
- fff. A farm worker or farmworker household must be residing and travelling outside of the project to be considered a migrant farmworker household.
- jjj. An "initial application" is defined for the purposes of proration, verification and beginning month(s).
- kkk. "Recipient Due Dates" means to be received by close of business on the date specified unless it is a weekend or holiday in which case it is by close of business on the next working day.
- lll. "CWD Time Limits" means within the time frame specified unless it falls on a Sunday or holiday in which case the last day for taking action is the next normal working day.

(lll. that went to public hearing was incorporated into 63-102u by a different regulation package.)
- rrr. Renumbered from 63-102kkk "Prospective Eligibility" in public hearing regulations.

63-103 ADMINISTRATIVE AUTHORITIES

.21

- (c.) The requirement to conduct outreach liaison activities has been deleted, this section was renumbered as a result of this change.
- (1)(3) Requires coordination between all CWD administered programs to ensure food stamp eligibility and benefit level accurately reflect participation and changes which occur in other programs.

- .6 CWDs must use the state developed form(s) specified. Any modification or substitution is subject to the provisions on Section 63-1250.

63-300 APPLICATION PROCESS

- .2 All households will apply for food stamps using the DFA 285 A1 and A2.
- .22 MR households are recertified using the DFA 285 A2 and the CA 7.
- .23 Non MR households are recertified using the DFA 285 A1 and A2.

63-501 APPLICATION PROCESSING TIME STANDARDS

.521 RB households will not be screened for ES entitlement at recertification.

.6 PA households will apply for food stamps using the DFA 285 A1 and A2.

63-503 DETERMINING HH ELIGIBILITY AND BENEFIT LEVEL

- .131 A households whose prorated allotment is less than \$10 will not receive an allotment for the initial month of certification.
- .231 Inaccurate estimates of prospective eligibility will not result in either a restoration of benefits or a claim against a household.
- .232(c)(4) After the beginning month(s) CWD paid grants for the issuance month will be anticipated with reasonable certainty.
- .232 Any income received in a beginning month(s) from a source that no longer provides income in the corresponding retrospectively budgeted month will be disregarded when determining benefits for the issuance month, unless the income was discontinued due to participation in a strike, or quitting a job, or being used to repay a prior overpayment in assistance programs.
- .24 Applies to migrant farmworker households only.
- .242(c)(1) Migrant farmworker PA households may not elect to have fluctuating income averaged.
- .242(c)(2) Migrant farmworker household may not have contract or self-employment income averaged.
- .322 Applies to households in which at least one member is elderly or disabled.
- .323 Applies to households in which all members are elderly or disabled and receiving only unearned income.
- .412 Explains how to annualize self-employment income and when self-employment income must be reaveraged.
- .437 Seasonal farmworker households are not entitled to expedited service at recertification.
- .44 Explains how to determine the eligibility and benefit level for households which contain members that have been excluded from participation for being ineligible aliens, disqualified for refusal or failure without good cause to provide an SSN, or for intentional program violation or due to the imposition of a workfare sanction.
- .442(c) The Standard Utility Allowances may be prorated.
- .452 The Standard Utility Allowance may be prorated.

63-504 HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY

- .121 PA certification periods may be established for up to 14 months for MR households.
- .121(a) Households that initially apply jointly for PA and food stamps shall be assigned a certification period of no longer than 12 months if food stamps is approved prior to the PA determination being made.
- .122 RCA and ECA households are subject to the same regulatory provisions as other NA households.
- .134 Non MR households that change classification are subject to the same limitations as MR households.
- .141 The CWD can not shorten a household's certification period if it will result in a certification period of less than six months. The CWD can not shorten a certification period to coordinate RCA, ECA and food stamp recertifications.
- .143 The CWD may terminate a household prior to the last month of its shortened certification period only if the CWD has received information which renders the household ineligible and the CWD has time to provide the appropriate notice.
- .233 The CWD may provide a household which is denied for the initial month but approved for the subsequent month with either a combined or separate Notice of Approval and Notice of Denial.
- .251(a) A NEC is not required when a PA redetermination occurs in the month prior to the last month of certification and the household is recertified for food stamps at the same time.
- .264 The CWD will send a Notice of Proposed Change in Benefits whenever a household fails to submit verification of a deduction with an otherwise complete report, or the household submits a report that contains questionable information.
- .264(a) If a household submits a monthly report after the CWD has mailed the household an NA 960, the CWD is not required to send a Notice of Proposed Change in Benefits.
- .264(b) If a household submits incomplete verification/clarification after the CWD has sent a Notice of Proposed Change in Benefits, the CWD is not required to send a second Notice of Proposed Change in Benefits.
- .267(e) The CWD must provide a household with an adequate only notice if the household responds to either an NA 960 or a Notice of Proposed Change in Benefits.
- .27 The NA 960 will not be sent to households that submit an otherwise complete report but fail to provide verification of a deduction, or households that submit information/verification that is determined to be questionable.

63-504 HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY (Continued)

- .272 If a household responds to an NA 960 but does not provide a complete report, the CWD is not required to send a second NA 960.
- .3 Specifies that the "Recipient Due Dates" and "CWD Time Limits" defined in Sections 63-102 (kkk) and (lll) shall modify all due dates required in this section.
- .323 Clarifies that the PA caretaker relative, or natural or adoptive parent, must be either the head of household, responsible household member or authorized representative to satisfy the food stamp signature requirement on the monthly report.
- .324 To be considered complete, information on the monthly report together with any attached documentation must provide sufficient information to allow for a determination of eligibility or benefit level, except that if earnings are reported, documentation must be attached to the report and the income section of the monthly report must be filled out completely and correctly.
- .324(a)(2) If elements pertaining to one program's requirements are missing from the report the report will be considered incomplete for that program only.
- .34 The CWD shall not delay the benefits of a household which submits a complete report but fails to submit verification of a deduction.
- .342 A household which submits questionable information will be sent a Notice of Proposed Change in Benefits and allowed until the extended filing date to submit the necessary verification/clarification. If the household fails to submit the necessary verification/clarification the CWD will only act on the reported information if it will result in a decrease in benefits.
- .362 All households which have been terminated for any reason must reapply for food stamps using the DFA 285 A2 and must also submit any missing CA 7s if the household reapplies in the month following termination.
- .372(a) A suspended household which experiences an unanticipated change which will result in an additional one month period of ineligibility will be terminated at the end of the month of suspension. If the household reapplies in the month following termination and is prospectively eligible, the CWD shall approve the application. If the household is ineligible in the month of application due to retrospective budgeting, the CWD shall suspend the household.
- .39 Mass change procedures apply to all households.
- .41 The Change Report form for the non-MR households is the DFA 377.5.
- .43 This section applies to migrant farmworker households only.
- .45 The mass change procedures have been moved to Section 63-504.39.

63-504 HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY (Continued)

- .51 Specifies that RB households that were certified in the previous month in another project area are not entitled to expedited service when the household applies for benefits in the new project area.
- .613(a) MR households which submit a complete monthly report by the 11th and their DFA 285 A2 by the time of their interview shall be considered to have timely reapplied for benefits.
- .621 The CWD must mail an application with the NEC to MR households.
- .622(b) The household may submit a complete monthly report at the time of their interview, however if the interview is conducted after the 11th of the last month of certification the household shall be considered to have made an untimely application for benefits.
- .625 Specifies that households are not subject to the notice requirements or all of the monthly report processing requirements in the last month of certification as the provisions of Section 63-504.6 take precedence.

63-505 HOUSEHOLD RESPONSIBILITIES

- .222 Households in which all members are elderly and disabled and without earned income are excluded from monthly reporting.
- .311 Households need not report receipt of any grant paid by the county from which the household is receiving food stamp benefits.
- .4(f) Shelter costs must be reported when the household moves or when there is a change.
- .53 Migrant farm worker households that file PA monthly reports are exempt from the 10-day reporting requirement for other non-MR households. Migrant farm worker households that report changes on the PA monthly report shall be considered to have met their food stamp reporting responsibilities.

- .62 In all instances a household must file its request for a hearing prior to the dates specified in Sections 63-804.621, .622, and .623.
- .63 CWDs without local intake will provide continued benefits to households within five workings following the date SDSS notifies the CWD of the household's request or by the first issuance date in which the household's allotment would have been reduced or terminated, whichever is later. CWDs with local intake will provide continued benefits to households within these time frames from the date the household submits its written request to the CWD.

FOOD STAMP

MONTHLY REPORTING/RETROSPECTIVE BUDGETING
(MR/RB)

QUESTIONS AND ANSWERS

Question:

If a new member who is currently certified and subject to retrospective budgeting as a one person household is added to another food stamp household should the new member still be prospectively added to the new household?

Answer:

Yes, the new member must be added prospectively as it is no longer the household which was certified and subject to retrospective budgeting.

Question:

A household applies for benefits and is determined eligible for the month of application, but ineligible in the subsequent month. If the household reapplies for benefits in the month of denial should the household be prospectively or retrospectively budgeted?

Answer:

The household must be retrospectively budgeted if the household is now determined eligible for the month of denial as there has not been at least a one month break since the household was certified and subject to retrospective budgeting. If the household is still ineligible for the month of denial, but eligible in the subsequent month, the household would be prospectively budgeted.

Question:

If a household's AFDC grant cannot be approved until month three of the food stamp certification period can the beginning months be extended for one more month for food stamps, making a total of four prospectively budgeted months?

Answer:

No, for households that apply for food stamps and AFDC at the same time the maximum number of beginning months that may be used is three. Under no circumstances may prospective budgeting be extended beyond that point.

Question:

If a household applies for food stamps after they apply for AFDC, but before their AFDC eligibility is determined, can the CWD use three beginning months for food stamps if needed to coordinate budgeting process?

Answer:

Unless the household has specifically indicated on the CA 1 that they do not want food stamps, the household is considered to have made a joint application for food stamps and AFDC when it submits the CA 1. The CWD, may therefore assign three beginning months if needed. Households which indicate that they do not want food stamps, but then later make a separate application for food stamps are entitled to only two beginning months.

Section 63-102fff

Question:

If a migrant farmworker moves into an existing food stamp household but the existing household is not a migrant household and is retrospectively budgeted, how should the migrant farmworker be added to the household? Is the household now considered a migrant farmworker household?

Answer:

The migrant farmworker would be prospectively added to the existing household. The household would not be considered a migrant farmworker household since it is not traveling from place to place to seek employment in an agriculturally related activity. Therefore, the household is required to monthly report and is subject to retrospective budgeting as specified in Sections 63-505.21 and .22.

Section 63-102jjj.(3)

Question:

If a migrant farmworker household was certified in the previous month in another project area, but the household is now living at their primary residence and applying for food stamps, should the household be retrospectively budgeted?

Answer:

No, although there has not been at least a one month break since the household was previously certified, the household was not subject to retrospective budgeting in the previous month. Therefore, the household should be treated as an initial application and prospectively budgeted.

Section 63-300.3

Question:

A household subject to monthly reporting reapplies in the month after its last month of certification, but submits only a DFA 285-A1. Has the household filed an application?

Answer:

As long as the DFA 285-A1 contains a name, address and signature of a responsible household member the household has made an application for food stamps per Section 63-300.3.

Section 63-300.4

Question:

What are the new CWD responsibilities at the interview?

Answer:

The CWD must first determine who is subject to MRRB. For those households that are, the CWD must provide the following:

- . Written and verbal explanation of MRRB.
- . Copy of CA 7 and explanation of how to fill it out.
- . Explanation of monthly reporting verification responsibilities.
- . Name of phone number of an EW who can assist household in completing CA 7.

Section 301.52

Question:

When are MRRB households entitled to expedited service?

Answer:

MRRB households are only entitled to expedited service at initial application as defined in Section 63-102jjj(3).

Section 301.543

Question:

If a MRRB household has postponed verification at initial application, should they be assigned a one or two month certification period?

Answer:

The household must be assigned a normal certification period in accordance with Section 63-504.1.

Question:

Can PA households apply for food stamps using any form(s) other than the DFA 285-A1 and DFA 285-A2?

Answer:

No, all households must apply for food stamps using the DFA 285-A1 and DFA 285-A2.

Section 63-503.14

Question:

Can a household be suspended in a beginning month?

Answer:

No, since a household is prospectively budgeted in the beginning months and in accordance with Section 63-503.212(c)(1), the CWD must count the actual income available to the household in the month it will be received, the household must be terminated rather than suspended when receipt of an extra routine check makes the household ineligible in a beginning month.

Section 63-503.212(a)

Question:

Both food stamps and AFDC use the criteria of "best estimate" for determining a household's income in the beginning months. However, in food stamps the CWD cannot adjust subsequent allotments to correct for inaccurate estimates. Can the CWD estimate two different income amounts for the same household to allow for this inconsistency between food stamps and AFDC?

Answer:

No, since food stamps and AFDC use the same criteria for determining income there should be no difference in the amount of income estimated from the same source for a household that participates in both programs.

Question:

How should a CWD process an initial application received very late in the month and the household is not scheduled for an interview until the next month. When does the household have to get its first CA 7 in to the CWD?

Answer:

A household is informed of its reporting requirements at the time of the interview, therefore, the CWD cannot require a household to submit their first CA 7 prior to the household's interview. The CWD may have the household complete the CA 7 at the time of the interview as long as the household is allowed at least 10 days to provide any missing verification without resulting in a decrease or termination of its next month's benefits. If a CWD includes a CA 7 in household's application packet the CWD must still allow at least 10 days from the date of the interview for the household to provide any missing verification. If a CWD cannot meet both the application processing timeframes and the requirement to retrospectively budget a household's third month of benefits by taking the full 30-day processing period allowed in Section 63-301.1, then the CWD may shorten its processing timeframes to meet these requirements.

Question:

Is "best estimate" different than "reasonable certainty"?

Answer:

Yes, "best estimate" is based on when and what a household might reasonably be expected to receive. "Reasonable certainty" is determined by knowing both the date and amount that the household will receive.

Section 63-503.212(b)

Question:

Can MRRB households elect to have their income averaged?

Answer:

No, there are no instances when an MRRB household may elect to have income averaged. This section delineates the circumstances when an MRRB household must have their income averaged.

Section 63-503.231

Question:

Should a claim be established against a household which deliberately misreports its prospective circumstances on the CA 7?

Answer:

No, in accordance with Section 63-801.2, as long as the household reports actual changes in circumstance in the appropriate timeframes a claim would not be established against the household.

Section 63-503.232(c)(4)

Question:

Section 63-503.212(a) requires a household's income during the beginning months to be determined using the CWD's "best estimate" of the household's circumstances. Section 63-503.232(c)(4) however, requires CWD's to determine a household's "CWD paid grants" using what the CWD can anticipate with "reasonable certainty". Which section is correct?

Answer:

Both sections are correct. In the beginning months households will be prospectively budgeted using the CWD's and household's "best estimate" of the household's circumstances. After the beginning months, households' will be retrospectively budgeted, but CWDs will continue to determine the amount of any CWD paid grants prospectively. This determination will be based on the criteria of reasonable certainty as defined in Section 63-503.242(a)(1).

Section 63-503.232(d)

Question:

Does the discontinued income provision apply when a new member is being added to a household?

Answer:

Yes, the discontinued income provision would apply.

Question:

If a portion of an ineligible alien's income is considered available to the household in a beginning month and the ineligible alien's income is discontinued, do the provisions of Section 63-503.232(d) apply?

Answer:

Yes, Section 63-503.232(d) applies to income from any source. If a portion of the ineligible alien's income was considered available to the household in the beginning month and the ineligible alien's income is no longer available to the household in the corresponding retrospectively budgeted month, then the ineligible alien's income will be disregarded when computing benefits for the issuance month as long as the income was not discontinued for the reasons specified in Sections 63-503.232(d)(1) and (2).

Question:

Is "discontinued income" the same as "income from a terminated source" as defined in Section 63-503.431?

Answer:

No, income from a terminated source is income that was received prior to the date of application. Discontinued income is income that is received during a beginning month(s) that does not continue into the corresponding retrospectively budgeted month(s).

Section 63-503.24

Question:

Are migrant farmworker households the only households which will not be retrospectively budgeted?

Answer:

Yes, they are the only households not subject to retrospective budgeting.

Section 63-503.252

Question:

This section specifies that all households can elect to have fluctuating expenses averaged. Is this true for households which submit monthly reports?

Answer:

Yes, all households may elect to have fluctuating expenses averaged.

Section 63-503.321

Question:

Should the gross and net income standards be used for both the prospective eligibility determination and the retrospective budget computation?

Answer:

No, the gross and net standards must be used to determine whether or not the household is prospectively eligible. If the household is prospectively eligible, the CWD will retrospectively issue benefits.

Section 63-503.412

Question:

If a household reports an increase in self-employment income for one month must the CWD reaverage the household's income?

Answer:

If the one month increase is outside whatever is normal for the particular season or trade the CWD must reaverage the household's income.

Question:

How should the CWD compute and assign a new average when a household reports a change in self-employment income?

Answer:

If at the time of application, the CWD determined that the household had earned \$4,000 and incurred \$700 in expenses and that the resultant \$3,300 in self-employment income was intended to cover one year, the CWD would assign a twelve-month certification period and count \$275 per month ($\$3,300 \div 12 \text{ mos.} = \275 per month) as earned income available to the household. When the household reports receipt of income that is significantly more than what was budgeting the CWD should take the following steps.

In month five the household reports earning \$500 in self-employment income. The CWD must first determine whether or not the \$500 represents an increase in what the household would normally earn for its particular trade or for the particular season. If this is the time of year that the household would normally earn its income the \$500 may not represent an increase in what should be budgeted for the household. If the \$500 does represent an increase in what the household would normally earn at this time of year, then the CWD would add the \$500 to the previously verified \$4,000 ($\$500 + \$4,000 = \$4,500$), subtract the verified expenses ($\$4,500 - \$700 = \$3,800$) and divide that figure by 12 months ($\$3,800 \div 12 \text{ mos.} = \316.66 or \$317 per month). The CWD would then count the new average income figure (\$317) for the remainder of the household's certification period.

Section 63-503.412(b)

Question:

If a household receives self-employment income on a monthly basis, but the income fluctuates, can the CWD average that income?

Answer:

No, income that is received monthly must be counted monthly even if it fluctuates.

Question:

When self-employment income is reaveraged because of a major change in circumstances, is it ever necessary to restore benefits or establish a claim?

Answer:

No, as long as the household reports any change in circumstance in the appropriate timeframes, and the CWD acts timely and appropriately on the reported information the CWD would not establish a claim, nor would the household ever be eligible for a restoration of benefits.

Question:

If a migrant farmworker household also has self-employment income can the self-employment income be averaged?

Answer:

No, a migrant farmworker's household self-employment income may not be averaged, see Section 63-503.242(c)(2).

Section 63-503.437

Question:

This section specifies that different procedures shall be followed when determining the destitute status of migrant and seasonal farmworker households. What is the difference between a "migrant" and a "seasonal" farmworker household?

Answer:

A migrant farmworker household travels from place to place outside of the project area in which the household normally resides to seek employment in an agriculturally related activity. A seasonal farmworker household does not travel from place to place, but rather works seasonally in an agriculturally related activity in the project area where the household normally resides.

Question:

Why do the destitute provisions apply at recertification to migrant farmworkers, but not to seasonal farmworkers?

Answer:

Seasonal farmworkers are subject to monthly reporting and retrospective budgeting, therefore, since seasonal farmworkers must continue to be retrospectively budgeted at recertification they are not entitled to expedited service.

Section 63-504.1

Question:

Can the CWD assign a certification period of less than six months?

Answer:

A certification period of less than six months can only be assigned to a nonmonthly reporting household. All monthly reporting households must be assigned a minimum six-month certification period.

Question:

Is it possible to shorten the length of a certification period that results in certification period of less than six months?

Answer:

No, Section 63-504.14 prohibits the CWD from shortening the length of a household's certification if it will result in certification period of less than six months. This does not prevent the CWD from terminating a household if circumstances warrant such action.

Question:

Can the food stamp certification period be extended to facilitate alignment of recertifications with the PA redetermination?

Answer:

No, certification periods shall not be extended under any circumstances. However, the CWD has the authority to establish certification periods up to a maximum of 14 months when AFDC and food stamps are applied for jointly. Also, the CWD may establish the certification period to expire in the month in which the PA redetermination is due as long as it will result in at least a six-month certification period.

Question:

Can a household be terminated prior to the last month of a shortened certification period?

Answer:

Termination prior to the last month of the shortened certification period is permitted only if the CWD receives information that shows the household is

ineligible and there is sufficient time to provide appropriate notice to the household. Termination prior to the last month of the certification period due to failure to comply with recertification requirements is not permitted.

Section 63-504.121

Question:

If a household jointly applies for food stamps and AFDC and AFDC cannot be approved during the food stamp application processing timeframe, but we're almost positive the household is AFDC eligible, can't we establish a 14-month certification period?

Answer:

If a household applies jointly for food stamps and PA benefits, the CWD must assign a nonassistance classification to the household if food stamps are approved prior to the PA determination. The certification period shall be assigned in accordance with Sections 63-504.122 (6 to 12 months). When the PA application is approved, the household shall be reclassified as PA, but the certification period shall remain as originally assigned.

Question:

During conversion to MRRB can existing food stamp certification periods be extended to 12 months?

Answer:

No.

Section 63-504.261

Question:

Section 63-504.261 states that a timely notice shall be provided prior to reducing or terminating a household's benefits except as specified in Sections 63-504.266 and .267. Section 63-504.265 states that a timely notice shall be provided to a household which reports timely and a concurrent notice shall be provided to a household which reports after the eleventh. These sections appear to contradict each other. Which section takes precedence?

Answer:

The notification to monthly reporting households shall be used to inform MRRB households of action taken as a result of reported information in accordance with the timeframes provision in Section 63-504.265. The Notice of Adverse Action shall be used in all other instances that require timely notice.

Section 63-504.264

Question:

If a household has been provided a DFA 377.4, Notice of Proposed Change in Benefits, do they have to be provided another DFA 377.4 if their benefits actually change?

Answer:

Yes, Section 63-504.26 states that the CWD shall notify a household of any change from its prior benefit level and the basis for its determination. If the CWD reduces or terminates benefits, it shall send the notice so the household receives it no later than either the date benefits are to be received or in place of the benefits. The Notice of Proposed Change in Benefits does not meet the requirements of Section 63-504.26 as it only alerts the household to a possible change in benefit level.

Section 63-504.27

Question:

If the household responds to an NA 960 by submitting a CA 7 with questionable information, must the CWD send another NA 960 to the household?

Answer:

No, instead, the CWD will act on the reported information if benefits will decrease and notify the household via the Notice of Change in accordance with Section 63-504.265, or not act on the change if benefits will increase.

Question:

Can a household who receives an NA 960 for lack of a CA 7 file for a state hearing and receive continuation of benefits?

Answer:

Yes, but only after the CWD has terminated the household for failing to submit a complete CA 7.

Question:

Section 63-504.271 states that a NA 960 shall be provided to a household which fails to submit a CA 7 or submits an incomplete CA 7. Section 63-504.264 states that a Notice of Proposed Change in Benefits shall be provided to a household which fails to verify a deduction or submits questionable information. Does this mean that both notices must be sent to a household which submits an incomplete CA 7 and fails to verify a deduction?

Answer:

No, when the CWD notifies the household that its CA 7 is incomplete and the reason for the incompleteness, it must also inform the household that the CA 7

is missing verification of specific items and of the consequences of failing to submit the missing verification. This can be accomplished by the use of one NA 960.

Question:

Section 63-504.264 states that a Notice of Proposed Change in Benefits does not have to be provided to a household which has received a NA 960. Section 63-504.271 states that a NA 960 shall be provided to a household which fails to submit a complete CA 7 by the eleventh. Does this mean that on the twelfth the CWD can send out a NA 960 to everyone who hasn't submitted a CA 7 and not have to send any further notice to a household which reports incompletely after the 12th?

Answer:

Yes.

Section 63-504.32

Question:

Will the CA 7 be considered incomplete if the year is inadvertently omitted by the household?

Answer:

The CA 7 will be considered incomplete only if the CWD is not able to establish the year and date that the CA 7 clearly applies to in accordance with Section 63-504.321.

Question:

The regulations state that all questions pertaining to eligibility and benefit level on the CA 7 must be fully answered. If the household fails to include verification on dependent care costs, will the CA 7 be considered incomplete?

Answer:

As Section 63-504.34 more specifically addresses the treatment of unverified deductible items that section takes precedence over Section 63-504.32. Therefore, the deduction would be disallowed and the CA 7 would be considered complete.

Section 63-504.324

Question:

If a household called the CWD on April 20 and reported that another person had moved into the home on April 15, but the monthly report for April received on May 2 does not show the new person should the report be considered incomplete or questionable?

Answer:

In accordance with Section 63-504.324(b)(1), this report would be considered incomplete as it does not include information on changes that the household has previously reported to have occurred.

Section 63-504.34

Question:

What activity is taken when a complete CA 7 is submitted on time by a household but the CA 7 lacks verification of a deduction? Will benefits be delayed? Will the CWD be required to provide a supplement?

Answer:

The CWD shall act on the information that has been received but disallow any unverified deductions. Benefits will be issued on the household's normal issuance date. If the household submit the missing verification of the deductions in question by the extended filing date the household is entitled to those deductions. If benefits have been computed and processed by the time the CWD receives the missing verification, the CWD must issue a supplement to the household to accurately reflect the information reported.

Section 63-504.342

Question:

Under what conditions can a household be terminated for submitting questionable information on a factor of eligibility?

Answer:

A household cannot be terminated for submitting questionable information, however the CWD may shorten a household's certification period in accordance with Section 63-504.14. If a household has been certified for less than six months, then the CWD must wait until the household has been certified for at least six months before shortening the household's certification period. The CWD would then establish a claim for any overissuances that occurred due to the household's failure to provide clarification of the questionable information.

Section 63-504.353

Question:

How is the income of a disqualified/ineligible member treated when he is added to a currently certified household? Is the income prospectively or retrospectively budgeted?

Answer:

The income of a disqualified/ineligible member would be treated in the same manner as if an eligible member was being added to the household. The income of the disqualified/eligible member would be considered available to the household and the income would be prospectively budgeted.

Question:

When a new member is being added to a household, is the new member entitled to expedited service?

Answer:

No, expedited service eligibility is determined for the entire household not individual members. Therefore, since it is not the entire household's "beginning month(s)" there is no expedited service eligibility.

Question:

When an ineligible individual who has been residing with the household becomes eligible for food stamps should that person be added in prospectively or retrospectively.

Answer:

All new household members are added in to the household prospectively.

Question:

How is the CWD to determine which deductions apply to new members entering a household if some deductions are to be shared with the currently certified household?

Answer:

Only the deductions that apply specifically to the new member will be credited when prospectively budgeting a new member in to the household.

Section 63-504.353

Question:

CWD receives a CA 7 that reports a new member with income has moved into the household but the CA 7 does not provide verification of that income. Is the monthly report incomplete? The income information will not be used in calculating benefits for the new member since his income is being prospectively budgeted.

Answer:

No, the CA 7, if otherwise complete, shall be considered complete since the new member's income from the budget month is excluded from consideration when determining the household's eligibility and benefit level for the issuance month. However, this does not guarantee that benefits for the new member will be issued. Once the CWD becomes aware of the addition of the new member, the CWD shall contact the household to obtain the necessary information so that an accurate assessment of the household's and new member's eligibility and benefit level may be made. Additionally, the new member shall provide all verification as required at initial application in accordance with Section 63-300.5. If the

information/verification is not available to the household, the CWD shall act on the best available information in accordance with Section 63-300.511. If the household or new member refuses to cooperate in providing the information/verification, the household or new member shall be denied participation in accordance with Section 63-505.1.

Question:

Will a reminder notice be used to inform households adding new members that a CA 8 must be returned to the CWD?

Answer:

A notice is not required to "remind" households to return the CA 8, but this does not prevent the CWD from sending a notice or contacting the household.

Question:

Can the CWD act on anticipated changes in household composition?

Answer:

No, the CWD will act on the changes only after it has received information that the changes have actually occurred.

Section 63-504.361

Question:

Is the CWD required to conduct an interview for a household reapplying in the month of termination for failing to submit a complete CA 7 by the extended filing date?

Answer:

The CWD will be required to conduct an interview anytime a household reappplies after a termination.

Question:

Is a new application required from a household reapplying as a result of termination due to failure to submit a complete CA 7 by the extended filing date? What is the date benefits are prorated from?

Answer:

A new application will be required for households reapplying and benefits will be prorated from the date the new application is received in the appropriate food stamp office.

Section 63-504.37

Question:

Can a household be suspended in the beginning month of aid?

Answer:

No, once benefits in the beginning months are prospectively budgeted the CWD will be able to anticipate the household's ineligibility. Therefore, the household must be terminated in accordance with Section 63-504.361(A).

Question:

Can a household be suspended for two consecutive months?

Answer:

If a suspended household experiences an unanticipated change resulting in an additional one-month period of ineligibility, the CWD shall terminate the household at the end of the month of suspension. If the household reapplies in the month of termination and is prospectively determined to be eligible for benefits but due to retrospective budgeting the household is ineligible for benefits, the CWD shall suspend the household for the month of reapplication and continue to retrospectively budget the household.

Question:

Is retrospective budgeting to be used in calculating the household's benefits in the month following suspension?

Answer:

Yes, retrospective budgeting is required unless there has been a break in certification of at least one month.

Question:

If the household is suspended, must the Notice of Suspension be timely?

Answer:

If the household files a complete CA 7 by 10 days before the end of the report month, the notice must be timely. If the household files a complete CA 7 after 10 days before the end of the report month, the notice must be received by the household no later than its usual issuance date.

Section 63-504.5

Question:

Can a household that was certified in the previous month that moves and applies for aid in a new county be eligible for expedited services?

Answer:

No, the household must continue to be retrospectively budgeted and is not entitled to expedited service.

Question:

If a household applies for aid in a new county, but the losing county fails to send verification which the household had provided to the losing county relative to the determination of the household's eligibility/benefits, what action should be taken by the CWD to continue retrospective budgeting and issue timely benefits?

Answer:

If the losing county does not send the required verification in time for the gaining county to process the household's application then the gaining county must contact the losing county by telephone or some other very expeditious means, obtain all of the missing verification and document the case file accordingly. It should be noted that in accordance with Section 63-103.21(j)(8), losing counties are required to facilitate continuous participation of eligible households moving to another county or state.

Section 63-504.6

Question:

Are there any instances when a household can have benefits denied, terminated or delayed for failure or refusal to appear for an interview scheduled prior to the last month of their certification period?

Answer:

There are no instances when either a monthly reporting or nonmonthly reporting household can be denied, terminated or have benefits delayed for failing or refusing to appear for an interview scheduled prior to the last month of their certification period.

Question:

Must the CWD send an application form with the Notice of Expiration of Certification to monthly reporting households?

Answer:

Yes, as specified in Section 63-504.621.

Question:

Must the CWD delay reflecting information from a monthly reporting household's recertification interview until the second month of the household's new certification period?

Answer:

Yes, as specified in Section 63-504.623(b).

Question:

If a household provides an incomplete CA 7 by the eleventh of the last month of certification and an application by the time of the interview, has the household timely reapplied for benefits?

Answer:

No, to be considered as having timely reapplied for benefits the household must submit a complete CA 7 by the eleventh and an application by the time of the interview.

Section 63-505.4(h)

Question:

Is there a conflict between Section 63-505.4(h) and Section 63-404? When a new member is added to a household, when is the new member's Social Security number required to be verified?

Answer:

Section 63-504.353 stipulates that the verification procedures in Section 63-300.5 apply to new members when they are added to the household. Section 63-300.54 specifies that the provisions outlined in Section 63-404 must be used. Therefore, the CWD must use Section 63-404 to verify a new member's Social Security number.

Section 63-804.63

Question:

If a recipient in a local intake county submits a request for a hearing to DSS rather than to the CWD what are the timeframes for providing a continuation of benefits?

Answer:

In this instance the timeframe for providing a continuation of benefits would be within five working days from the date the CWD receives written notification from SDSS of the household's request or by the first regular issuance date that the household's benefits would have been reduced or terminated, whichever is later.

FOOD STAMP

MONTHLY REPORTING/RETROSPECTIVE BUDGETING
(MR/RB)

CASE EXAMPLE EXERCISES

QUESTIONS

CASE #1

A parent and child apply for AFDC on January 3 using the CA 1.

- 1) What is the date of application for food stamps?
- 2) What forms must the parent complete for food stamps?

The parent and child are eligible for AFDC, but food stamps is going to be approved prior to AFDC.

- 3) What is the maximum certification period that may be assigned to this household?

The parent calls the CWD on February 16 and reports that her sister (who earns \$200/mo.) now lives with the household. The CA 7 for February is received March 3 and the sister is not reported.

- 4) Is the report incomplete or questionable?
- 5) What form must be sent to the household and when must it be sent?

The household submits a corrected CA 7 on March 25 reporting the sister and her income.

- 6) Does verification of the sister's income have to be provided with the CA 7?
- 7) By what date must the household receive its April issuance?
- 8) By what date must the sister be added to the household?
- 9) What form must be sent to the household regarding its benefit level and when must it be sent?

On April 6 the household submits a CA 7 that reports a \$50 increase in rent, but provides no verification.

- 10) What form must be sent to the household and when must it be sent?

The household provides the rent verification on May 2.

- 11) What rent amount was budgeted for the May issuance?
- 12) Is the household entitled to a supplement or a restoration of lost benefits?

On May 7 the household reports that the sister has moved out of the home.

- 13) What will the household's composition be for June?

14) What income will be counted in determining the household's June issuance?

15) What form is sent to the household, and when must it be sent?

On June 5 the household reports an increase in utility expense on its CA 7 but fails to provide any verification.

16) What form must be sent to the household and when must it be sent?

The household sends in the utility expense verification on July 1.

17) Does the July issuance include the increased expense?

18) What form must be sent to the household and when must it be sent?

On July 3 the household reports on its CA 7 a \$500 gift received in June. The \$500 has put the household over the resource limit, but the household also reports that the \$500 has already been spent.

19) Should the household be suspended or terminated?

20) What form must be sent to the household and when must it be sent?

ANSWERS

Case #1

1. January 3. (63-301.631)
2. DFA 285 A1 and DFA 285 A2. (63-300.2)
3. 12 months. (63-504.121(a))
4. Incomplete. (63-504.324(b)(1))
5. NA 960. (63-504.271) Send no later than 10 days before the end of the report month.
6. No. (63-504.353)
7. No later than 10 days after the household's normal issuance date. (63-504.382)
8. Processed by April 25 (retroactively effective from 4/1). (63-504.353)
9. If increased, concurrent (63-504.263); if reduced, concurrent (63-504.265(b)).
10. Notice of Proposed Change in Benefits (DFA 377.4). Send no later than 10 days before the end of the report month. (63-504.264)
11. \$0. (63-504.34)
12. No. (63-802.1)
13. The parent and child. (63-504.356)
14. The June AFDC grant. (63-503.232(c)(4))
15. If increased, concurrent (63-504.263); if decreased, timely (63-504.265(a)).
16. Notice of Proposed Change in Benefits. Send no later than 10 days before the end of the report month. (63-504.264)
17. Yes. (63-504.34)
18. Notice of Increased Benefits (377.4), concurrent (63-504.263).
19. Suspended in the issuance month. (63-504.372)
20. Notice of Suspension (DFA 377.4). Send no later than 10 days before the end of the report month. (63-504.262 and 63-504.265(a))

QUESTIONS

CASE #2

On August 29 two parents and their child apply for food stamps. The woman earns \$600/month, the man is unemployed.

- 1) When is the household's first CA 7 due?

On October 7 the household reports on their CA 7 that the man's brother moved into the home on September 30. The brother is a migrant farmworker and anticipates earning \$250 during October.

- 2) Is the household now considered a migrant farmworker household?
- 3) Will the brother always be prospectively budgeted?

On November 2, prior to the brother being processed in to the household, the household reports that the brother moved out of the home on October 20.

- 4) Should the CWD still add the brother in to the household effective November 1?
- 5) What form must be sent to the household and when must it be sent?

On December 5 the household fails to submit verification of earned income and also fails to verify a \$50 increase in rent.

- 6) What form must be sent to the household and when should it be sent?

On January 1 the household submits verification of the increased rent.

- 7) Can the CWD delay the household's January issuance?
- 8) What form must be sent to the household and when must it be sent?

On January 8 the household submits verification of the earned income.

- 9) What forms must the household submit to the CWD to reestablish food stamp eligibility?
- 10) Is the household entitled to a restoration of benefits?
- 11) Should the household be prospectively or retrospectively budgeted?
- 12) Should the household be screened for expedited service eligibility?

On May 16 the CWD sends the household a Notice of Expiration of Certification effective June 30 and schedules the household for an interview on May 25. The household refuses to appear for the interview.

- 13) Can the CWD terminate the household effective June 1?

14) Must the CWD reschedule the interview?

The household submits an incomplete CA 7 on June 5 and appears for an interview scheduled June 12. The household submits its application at the interview.

15) Has the household timely reapplied for food stamps?

16) By what date must the CWD approve or deny the application?

The household provides all of the verification required for the application, but never submits a complete CA 7.

17) Can the CWD approve the application?

18) What form must be sent to the household and by what date must it be sent?

ANSWERS

Case #2

1. No earlier than at the time of the household's interview. (63-300.41)
2. No. (63-102fff)
3. No, since the household is not a migrant household he is not exempt from retrospective budgeting. (63-505.22)
4. No (63-504.353), if the brother leaves before the first of the issuance month he is not entitled to benefits with the household for November.
5. None required (63-504.2), unless CWD has already taken action for November and December benefits will increase or decrease as a result.
6. NA 960 (63-504.271), send no later than 10 days before the end of the report month.
7. No, household is terminated due to failure to submit verification of earned income. (63-504.33)
8. NA 960 was already sent, no other form is required. (63-504.266(j))
9. DFA 285 A2 (63-300.2), CA 7s for previous month (if missing) and for month of termination. (63-504.362)
10. No. (63-802.1)
11. Retrospectively budgeted. (63-504.362)
12. No, the household is not entitled to expedited service. (63-301.521)
13. No. (63-504.622(a) and (b))
14. Yes. (63-504.622(b))
15. No. (63-504.613(a))
16. 30 days after June 5. (63-504.642)
17. No. (63-504.621(a))
18. Notice of Denial (DFA 377.1) (63-504.231) by 30 days after June 5.

QUESTIONS

CASE #3

A parent and two children apply for AFDC on September 2. The parent completes the DFA 285 A1 and A2 on September 7 and is determined to be eligible for expedited service with postponed verification.

- 1) Can the household be given three prospectively budgeted months, if needed, to align the food stamp and AFDC budgeting processes?
- 2) What is the maximum certification period that can be assigned to this household?

On November 5 the household reports on its CA 7 that the parent's sister has moved into the home, but provides no other information on the sister.

- 3) Can the CA 7 be considered incomplete?
- 4) Can the CWD shorten the household's certification period if needed?

On November 15 the household returns a CA 8 completed for the sister which shows that she was certified for food stamps in October and has earned income in November for which no verification is provided.

- 5) Should the sister be prospectively or retrospectively added to the household?
- 6) What form is the CWD required to send to request the missing income verification?

The household submits the necessary verification by November 30.

- 7) By what date must the household receive its issuance?
- 8) By what date must the household receive an issuance for the sister?

In July the household appears for an interview in conjunction with their PA redetermination. By July 31 the PA redetermination and the food stamp recertification have not been completed.

- 9) Must the household be sent a Notice of Expiration of Certification?
- 10) Must the household be scheduled for another interview for food stamps?

ANSWERS

Case #3

1. Yes (63-102bbb), unless otherwise indicated on CA 7.
2. 12 months if food stamps is approved prior to AFDC. (63-504.121(a))
3. No. (63-504.353)
4. No, household must have six month minimum certification period.
(63-504.141)
5. Prospectively. (63-504.353)
6. Although the regulations do not require that a notice be sent, SDSS strongly recommends that CWDs provide households with notification in this instance.
7. Normal issuance date. (63-504.381)
8. By December 5 (retroactively effective from December 1). (63-504.353)
9. Yes. (63-504.624)
10. Not if the interview has already been conducted. (63-504.622(b))

PROBLEM IDENTIFICATION FORM

_____ COUNTY

Please answer the following questions regarding the MRRB regulations and the training package you have just completed. Your responses will assist us in developing the onsite training sessions.

Indicate your level of confidence in performing the following procedures:
(5 = greatest confidence level, 1 = least confidence level)

Performing new application process requirements.

1	2	3	4	5
---	---	---	---	---

Determining all households prospective eligibility.

1	2	3	4	5
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Determining monthly reporting households prospective eligibility after the beginning months.

1	2	3	4	5
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Transitioning monthly reporting households to retrospective budgeting.

1	2	3	4	5
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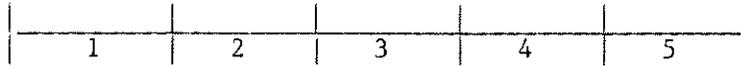
Applying the gross and/or net income eligibility standards.

1	2	3	4	5
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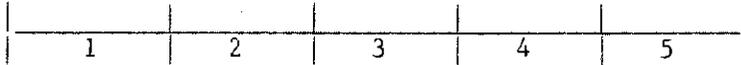
Averaging and reaveraging income.

1	2	3	4	5
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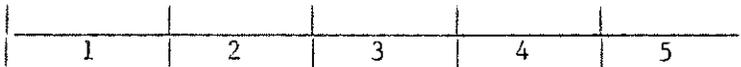
Assigning certification periods to all households.



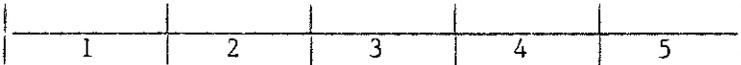
Shortening all households certification periods.



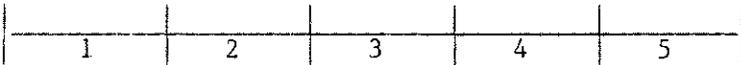
Determining appropriate forms usage and requirements



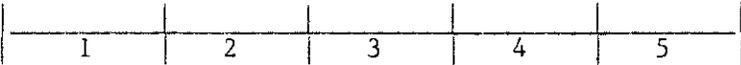
Determining whether or not a CA 7 is complete.



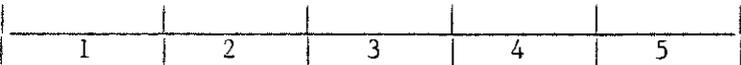
Taking appropriate action on questionable information.



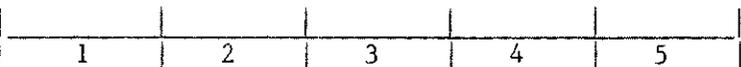
Adding and removing a household member.



Terminating monthly reporting households.



Suspending monthly reporting households.



Processing households that were certified in the previous month in another project area.

1	2	3	4	5
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Recertifying monthly reporting households.

1	2	3	4	5
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Establishing claims against monthly reporting households.

1	2	3	4	5
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Providing a continuation of benefits to monthly reporting households.

1	2	3	4	5
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Describe any terms or concepts in the MRRB regulations which are still confusing to you.

Describe any circumstances where you will have difficulty implementing a requirement even though you understand what is being required.

List any area of the new regulations in which you are uncertain of how it interacts with existing regulations.

Are there any areas you would like emphasized during the onsite training? What questions do you still need answered? (Please use the attached form.)

FORM INSTRUCTIONS

1. Please fill the form out as completely as possible.
2. Specify all manual sections impacted by an identified problem or conflict.
3. Describe the problem or conflict in as much detail as possible. Give examples, if needed, to clarify any problem.
4. Provide a workable solution to the problem or conflict. (Workable solutions are limited to those which are not in conflict with regulations.)

_____ COUNTY

MANUAL SECTION(S):

DESCRIPTION OF PROBLEM OR CONFLICT:

PROPOSED SOLUTION: