1016 SPECIAL APPLICATION PROCEDURES

1016.05 INTRODUCTION

REV:01/1988

This section discusses the special application processing procedures for certain types of households and the treatment of income of individuals who are not eligible household members. The situations requiring special treatment and the sections which outline the procedures are:

*	Eligibility for Expedited Services	Section 1016.10
*	Households with Income from Self-Employment	Section 1016.15
*	Income/Resources of Ineligible Members	Section 1016.20
*	Income/Resources of Non-Household Members	Section 1016.25
*	RIW and GPA Households	Section 1016.30
*	SSI Households	Section 1016.35
*	Categorically Eligible Households	Section 1016.40

1016.10 ELIGIBILITY FOR EXPEDITED SERVICE

REV:01/1997

The following households are eligible for expedited service:

1. Households with less than $150 in monthly gross income, as computed in Section 1010, provided their liquid resources (i.e., cash on hand, checking or savings account, savings certificates and lump sum payments as specified in Section 1008.10.60) do not exceed $100;

2. Migrant or seasonal farmworker households who are destitute as defined in Section 1016.10.05, provided their liquid resources (see above) do not exceed $100; or

3. Eligible households whose combined monthly gross income and liquid resources are less than the household's monthly rent (or mortgage) and utilities.

Expedited service procedures apply at initial application and at recertification, but only for the first month of each certification period. At recertification, income from a new source is disregarded in the first month of the new certification period if income of more than $25 will not be received from this new source by the tenth (10th) calendar day after the date of the household's normal cycle.

1016.10.05 Definition of Destitute a Household

REV:07/1986

Migrant or seasonal farmworker households may have little or no income at the time of application and may be in need of immediate food assistance, even though they receive income at some other time during the month of application.

Special procedures are used to determine when migrant or seasonal farmworker households in these circumstances may be considered destitute and, therefore, entitled to expedited service and special income calculation procedures. Households other than migrant or seasonal farmworker households must not be classified as destitute.

A household's source of income is its employer, or, in the case of self-employed persons, the self- employment enterprise. A household member who changes jobs but continues to work for the same employer is considered as still receiving income from the same source. A migrant farmworker's source of income is considered to be the grower for whom the migrant is working at a particular point in time, and not the crew chief. A migrant who travels with the same crew chief but moves from one grower to another is considered to have moved from a terminated to a new source.

1016.10.05.05 Destitute Household - Terminated Source

REV:07/1986

A household whose only income for the month of application was received prior to the date of application, and was from a terminated source, must be considered a destitute household and provided expedited service.

If income is received on a monthly or on a more frequent basis, it must be considered as coming from a terminated source if it will not be received again from the same source during the balance of the month of application or during the month following the month of application.

If income is normally received less often than monthly, the non-receipt of income from the same source in the balance of the month of application, or in the following month, is inappropriate for determining whether or not the income is terminated. For example, if a household's income is received on a quarterly basis (i.e., on January l, April l, July l, and October l), and the household applies in mid - January, the income should not be considered as coming from a terminated source merely because no further payments will be received in the balance of January or in February. The test for whether or not this household's income is terminated is whether the income is anticipated to be received in April.

Therefore, for households that normally receive income less often than monthly, the income is considered as coming from a terminated source if it will not be received in the month in which the next payment would normally be received.

1016.10.05.10 Destitute Household - New Source

REV:07/1986

A household whose only income for the month of application is from a new source is considered destitute and must be provided expedited service if income of more than $25 will not be received from the new source by the tenth calendar day after the date of application.

Income, which is normally received on a monthly or more frequent basis, is considered to be from a new source, if income of more than $25 has not been received from that source within thirty (30) days prior to the date the application was filed.

If income is normally received less often than monthly, it is considered to be from a new source if income of more than $25 was not received within the last normal interval between payments. For example, if a household applied in early January and is expecting to be paid every three (3) months starting in late January, the income is considered to be from a new source if no income of more than $25 was received from that source during October or since that time.

1016.10.05.15 Destitute Household - Both Sources

REV:07/1986

A household may receive income from a terminated source prior to the date of application and income from a new source after the date of application, and still be considered destitute if no other income is received in the month of application from the terminated source and if the income, of more than $25 from the new source, is received by the 10th calendar day after the date of application.

1016.10.10 Screening for Expedited Service

REV:02/1987

According to the plan of the local certification office, application procedures are designed to identify a household eligible for expedited service at the time a household requests assistance. An agency representative is assigned responsibility for screening the application when it is filed or on the day the individual comes in to apply.

1016.10.15 General Processing - Expedited Service

REV:01/2002

For a household entitled to expedited service, the agency must make available to that household food stamp benefits not later than the seventh (7th) calendar day following the day the application was filed. For a resident of a public institution who applies for benefits prior to his/her release from the institution and who is entitled to expedited service, the filing date of his/her application is the date of the applicant's release from the institution. For intervening weekends or holidays, the agency shall use the following procedures so that the household has an opportunity to receive its food stamp benefits no later than that seventh (7th) calendar day.

1016.10.15.05 Special Processing - Expedited Service

REV:01/2002

For residents of drug addiction or alcoholic treatment and rehabilitation centers who are entitled to expedited service, the agency must make the food stamp benefits available no later than seven (7) calendar days following the date the application was filed.

Residents of shelters for battered women and children who are otherwise entitled to expedited service must be handled in accordance with the time limits specified in Section 1016.10.15.

1016.10.20 Out-of-Office Interviews

REV:01/1997

If a household is entitled to receive expedited service and is also entitled to a waiver of the office interview, as discussed in Section 1002.55.15, the agency representative must conduct the interview (unless the household cannot be reached) by the sixth (6th) calendar day following the date the application was filed.

The first day of this count is the calendar day following application filing.

If the agency representative conducts a telephone interview and must mail the application to the household for signature, the mailing time involved is not calculated in the expedited service standards specified in Section 1016.10.15. Mailing time only includes the days the application is in the mail to and from the household and the days the application is in the household's possession pending signature and mailing.

If the screening required in Section 1016.10.10 fails to identify a household as being entitled to receive expedited service and the agency subsequently discovers that the household is entitled to receive expedited service, the agency must provide expedited service to a household within the processing standards described in Section 1016.10.15, except that the processing standard is calculated from the date the agency discovers the household is entitled to expedited service.

1016.10.25 Determining Eligibility and Benefits

REV:02/1987

A destitute household must have its eligibility and level of benefits calculated for the month of application by considering only income which is received between the first of the month and the date of application. Any income from a new source which is anticipated after the day of application must be disregarded for that month.

Some employers provide travel advances to cover the travel costs of new employees who must journey to the location of their new employment. To the extent that these payments are excluded as reimbursements, receipt of travel advances does not affect the determination of when a household is destitute. However, if the travel advance is by written

contract an advance on wages which will be subtracted from wages later earned by the employee, rather than a reimbursement, the wage advance must count as income. Nevertheless, the receipt of a wage advance for the travel costs of a new employee does not affect the determination of whether subsequent payments from the employer are from a new source of income, nor whether a household is considered destitute.

For example, if a household that applies on May 10, has received a $50 wage advance for travel from its new employer on May 1, which, by written contract, is an advance on wages but will not start receiving any other wages from the employer until May 30, the household is considered destitute. The May 30th payment is disregarded, but the wage received prior to the date of application is counted as income.

1016.10.30 Verification Procedures - Expedited Service

REV:08/1986

The identity of the person making the application and, whenever possible, the household's residency in accordance with Section 1004.10., must be verified through a collateral contact or readily available documentary evidence. Examples of acceptable documentary evidence which the household may provide include, but are not limited to, a driver's license, work or school I.D., voter registration card, or birth certificate.

Once an acceptable collateral contact has been designated, the agency representative must promptly contact the collateral con- tact in accordance with Section 1002.60.25. Although the household has the primary responsibility for providing other types of verification, the agency representative must assist the household in promptly obtaining the necessary verification.

A household entitled to expedited service is asked to furnish a Social Security Number (SSN) for each person or apply for one for each person before the first full month of participation.

A household unable to provide the required SSNs, or who does not have one prior to its next issuance, must be allowed thirty (30) days from the first day of the first full month of participation to obtain the SSN in accordance with Section 1004.40.

All reasonable efforts must be made to verify within the expedited processing standards, the household's residency, income statements (including a statement that the household has no income), liquid resources and all other factors required by Section 1002.60., through collateral contacts or readily available documentary evidence. However, benefits must not be delayed beyond the processing standards described in Section 1016.15., solely because these eligibility factors have not been verified.

A household entitled to expedited service must meet the resource criteria in Section 1006., although verification of resources for expedited service must not cause a delay.

1016.10.30.05 Postponed Verification

REV:08/1986

The agency representative should attempt to obtain as much additional verification as possible during the interview, but should not delay the certification of households entitled to expedited service for the full timeframes when it is determined that it is unlikely that other verification can be obtained within these timeframes.

1016.10.30.10 Work Registration

REV:08/1986

The agency representative must, at a minimum, require the applicant to register (unless exempt or unless the household has designated an authorized representative to apply on its behalf.) The agency representative may attempt to register other household members but must postpone the registration of other household members if it cannot be accomplished within the expedited service timeframes.

The agency representative may attempt registration for other household members by requesting that the applicant complete the work registration forms for other household members to the best of his/her ability. The agency representative may also attempt to accomplish work registration for other household members in a timely manner through other means, such as calling the household. The agency representative may attempt to verify questionable work registration exemptions, but such verification must be postponed if the expedited service timeframes cannot be met.

1016.10.35 Certification Periods - Expedited Service

REV:06/1994

Households which are certified on an expedited basis and have provided all necessary verification required in Section 1002.60 prior to certification are assigned a normal certification period.

Non-migrant households eligible for expedited service and applying after the 15th of a month and who are assigned a certification period of longer than two (2) months must be notified in writing that they must provide postponed verification before a third month's benefits are issued.

A migrant household eligible for expedited service and applying after the 15th of a month and who is assigned a certification period of longer than two (2) months must be notified in writing that they must provide postponed verification from sources within the state before a third month's benefits are issued, and must provide all verification from out-of-state sources before being issued benefits for the third month. The notice must also advise the household that if verification results in changes in the household's eligibility or level of benefits, the agency representative must act on these changes without advance notice of adverse action.

Migrants must be entitled to postpone out-of-state verification only once each season. If a migrant household requesting expedited service has already received this exception during the current season, the agency representative must grant a postponement of out- of-state verification only for the initial month's issuance and not for the second month's issuance if the household is applying prior to the fifteenth of the month.

1016.10.40 Certification Period-Postponed Verification

REV:06/1994

If verification was postponed, the agency representative certifies the household for the month of application and for those households applying after the 15th of the month, the month of application and the following month. When certified only for the month of application and the following month, the household must reapply and complete the verification requirements which were postponed.

Except with regard to migrant and non-migrant households applying after the 15th of a month, when a certification period of longer than two (2) months is assigned, the agency representative must notify the household in writing that no further benefits will be issued until the postponed verification is completed.

Except for a migrant household needing out-of-state verification, when the postponed verification is not completed within thirty (30) days of the date of the application, the agency representative must terminate the household's participation and issue no further benefits.

1016.10.45 Limit on Expedited Service

REV:07/1986

There is no limit to the number of times a household can be certified under the expedited procedures provided that, prior to each expedited certification, the household either completes the verification requirements which were postponed at the last expedited certification or has been certified under normal processing standards since the last expedited certification. For example, a household is certified under the expedited procedures in February. If the household again requests expedited service in March, it must provide February's verification or be certified under normal standards. But if the household does not request expedited service until September, it must either: (1) have provided February's verification, or (2) have been certified under the normal certification procedures in the interim. If either of these did not happen, the household is not entitled to expedited service. Households requesting, but not entitled to, expedited service must have their applications processed according to the normal processing standards.

1016.15 HOUSEHOLDS WITH INCOME FROM SELF-EMPLOYMENT

REV:07/1986

The certification areas affected by self-employment income are:

* Work Registration Exemption - This determination is made on an individual basis.

* Assignment of Certification Periods - A 12-month certifi - cation period may be assigned if the household's annual support is from self-employment.

* Annualization of Self-Employment Income - Self-employment income must be annualized if it represents all a household's annual support, even if received in less than 12 months.

* Deductions for the Costs of Doing Business - These deductions are allowed for all self-employment income.

Owners of Rental Property

Ownership of rental property is considered self-employment although the work registration exemption applies only if one of the criteria in Section 1016.15.06.is met. The income from rental property is discussed in Section 1016.15.10.

1016.15.05 Work Registration

REV:07/1986

The receipt of income from self-employment does not automatically exempt a member from the work registration requirement. The member must be actively engaged in the enterprise on a day-to-day basis and the agency representative must determine that the self- employment enterprise either requires at least thirty (30) hours of work per week during the period of certification or an average of thirty (30) hours per week on an annual basis or, if not working thirty (30) hours per week, is receiving weekly earnings at least equal to the Federal minimum wage multiplied by thirty (30) hours.

In instances when the member hires or contracts for another person or firm to handle the daily activities of such enterprise, the member is not considered as self-employed for the purpose of work registration unless the person works in such activity at least thirty (30) hours per week.

1016.15.10 Income from Rental Property

REV:08/1986

Income derived from rental property is considered earned income for the twenty percent (20%) earned income deduction only if a member of the household is actively engaged in the management of the property at least an average of twenty (20) hours per week.

Regardless, the cost of doing business is deducted from rental property. If the twenty (20) hours per week criterion is not met, the net income is considered unearned.

Internal Revenue Services (IRS) Publications 17, 334 and 533 provide details on taxing self-employment income. They are available from the IRS information offices.

1016.15.15 Capital Gains are Income

REV:08/1986

The proceeds from the sale of capital goods or equipment are calculated in the same manner as a capital gain for Federal income tax purposes. Even if only fifty percent (50%) of the proceeds from the sale of capital goods or equipment is taxed for Federal income tax purposes, the agency representative must count the full amount of the capital gain as income for food stamp purposes.

1016.15.20 Costs of Producing Self-Employment Income

REV:08/1986

Allowable costs of producing self-employment income include, but are not limited to, the identifiable costs of labor, stock, raw material, seed and fertilizer, interest paid to purchase income- producing property, insurance premiums, and taxes paid on income- producing property.

1016.15.25 Averaging Self-Employment Income

REV:08/1986

Self-employment income which represents a household's annual support, is annualized over a 12-month period, even if the income is received in only a short period of time during the twelve (12) months. For example, self-employment income received by farmers is averaged over a 12-month period if the income is intended to support the farmer on an annual basis. This self-employment income is annualized even if the household receives income from other sources in addition to self-employment. However, if the averaged annualized amount does not accurately reflect the household's circumstances because the household has experienced a substantial increase or decrease in business, the agency must calculate the self-employment income on anticipated earnings.

The agency must not calculate self-employment income on the basis of prior income (e.g., income tax return) when the household has experienced a substantial increase or decrease in business.

For the period of time over which self-employment is determined, the agency representative adds all gross self-employment income (including capital gains), excludes the cost of producing the self-employment income, and divides the self-employment income by the number of months over which the income will be averaged.

1016.15.25.05 Monthly Self-Employment Income

REV:08/1986

Self-employment income which is received on a monthly basis but which represents a household's annual support is normally averaged over a 12-month period. If, however, the averaged amount does not accurately reflect the household's actual circumstances because the household has experienced a substantial increase or decrease in business, the agency representative calculates the self-employment income based on anticipated earnings.

1016.15.30 Anticipated Self-Employment Income

REV:05/1986

For those households whose self-employment income is not averaged but is instead calculated on an anticipated basis, the agency representative adds any capital gains the household anticipates it will receive in the next twelve (12) months (starting with the date the application is filed) and divides this amount by twelve (12). This amount is used in successive certification periods during the next twelve (12) months, except that a new average monthly amount is calculated over this 12-month period if the anticipated amount of capital gains changes. The agency representative then adds the anticipated monthly amount of capital gains to be anticipated monthly self-employment income, and subtracts the cost of producing the self-employment income. The cost of producing the self-employment income is calculated by anticipating the monthly allowable costs of producing the self-employment income.

1016.15.35 Monthly Income from Self-Employment

REV:08/1987

If it is determined that a household is eligible based on its monthly net income, the household may have the option to have its benefit level determined by using either the same net income which was used to determine eligibility, or by unevenly prorating the household's total net income over the period for which the household's self-employment income was averaged to more closely approximate the time when the income is actually received. If income is prorated, the net income assigned in any month cannot exceed the maximum monthly income eligibility standards for the household's size.

If the cost of producing self-employment farm income exceeds the income which is derived from self-employment as a farmer, such losses must be offset against any other countable income in the household. Losses from self-employment farm income are offset in two phases. The first phase is to offset losses against non-farm self-employment income. The second phase is to offset the remaining losses against the total of the household's earned and unearned income. To be considered a self-employed farmer, eligible for this offset of expenses, the farmer must receive or anticipate receiving annual gross proceeds of $1,000 or more from the farming enterprise.

1016.15.40 Determining Net Monthly Food Stamp Income

REV:08/1987

To determine the monthly Supplemental Nutrition Assistance Program (SNAP, previously called the Food Stamp Program) income for households with income from self-employment enterprises, the monthly net self - employment income is added to any other earned income received by the household. The total monthly earned income, less the twenty percent (20%) earned income deduction, is then added to all other monthly income received by the household. The standard deduction, dependent care and shelter costs are computed as for any other household and subtracted to determine the monthly net income of the household.

1016.15.45 Certification Periods

REV:08/1987

Households that receive their annual support from self-employment and have no other source of income may be certified for up to twelve (12) months. For those households that have other sources of income, or whose self-employment income is intended to cover a period of time that is less than a year, the agency representative must assign a certification period appropriate for the household's circumstances as discussed in Section 1012.10.

For those self-employed households that receive their annual income in a short period of time, the initial certification is assigned to coincide with the filing of the household's income tax.

1016.15.50 Household with Boarders

REV:05/1986

A household that operates commercial boarding houses are considered self-employed and the criteria Sections 1016.15.05 through 1016.15.45., apply. Households with boarders are allowed to deduct the cost of doing business as discussed in Section 1016.15.50.10.

A person paying a reasonable amount for room and board, as discussed in Section 1002.30., is excluded from the household when determining the household's eligibility and benefit level.

Payments from that boarder are treated as self-employment income.

1016.15.50.05 Cost of Doing Business

REV:05/1986

After determining the income received from a boarder, the agency representative excludes that portion of the boarder payment which is a cost of doing business. The cost of doing business is equal to one of the following provided that the amount allowed as the cost of doing business does not exceed the payment the household received from the boarder for lodging and meals:

* The cost of the thrifty food plan for a household size that is equal to the number of boarders; or

* The actual documented cost of providing room and meals if the actual cost exceeds the thrifty food plan. If actual costs are used, only separate and identifiable costs of providing room and board to the boarder are excluded.

1016.15.50.10 Deductible Expenses

REV:05/1986

The net income from self-employment is added to other earned income and the twenty percent (20%) earned income deduction is applied to the total. Shelter costs which the household actually incurs, even if the boarder contributes to the household for part of the household's shelter expenses, is computed to determine if the household receives a shelter deduction. However, the shelter costs must not include any shelter expenses paid directly by the boarder to a third party, such as to the landlord or utility company.

1016.20 INCOME/RESOURCES OF INELIGIBLE MEMBERS

REV:07/2007

During the period of time that a household member cannot participate because s/he:

* is an ineligible alien;

* is ineligible for failing to sign the DHS/SAV-1 attesting to his/her U.S. citizenship or alien status;

* is ineligible because of disqualification for an intentional program violation (IPV);

* is ineligible because of disqualification for failure or refusal to obtain or provide an SSN; or,

* is ineligible because a sanction has been imposed while s/he was participating in a household disqualified for failing to comply with work registration requirements;

* is ineligible due to meeting the time limit for able-bodied adult without dependents

the eligibility and benefit level of any remaining household members must be determined in accordance with the procedures delineated in Sections 1016.20.05 through 1016.20.15.

1016.20.05 Ineligible due to IPV or E & T Sanction

REV:05/2005

The eligibility and benefit level of any remaining household members of a household containing an individual(s) ineligible because of disqualification for an intentional program violation or individual(s) (non-head(s) of household) disqualified for failure to comply with any of the work requirements in Section 1004.25 are determined as follows:

Income, Resources and Deductible Expenses

The income and resources of the ineligible household member(s) continue to count in their entirety, and the entire household's allowable earned income, standard, medical, dependent care, and excess shelter deductions continue to apply to the remaining household members.

Eligibility and Benefit Level

The ineligible member is not included when determining the household's size for the purpose of:

* Assigning a benefit level to the household;
* Comparing the household's monthly income with the income eligibility standards; or
* Comparing the household's resources with the resource eligibility limits. The agency representative must ensure that no household's coupon allotment is increased as a result of the exclusion of one or more household member(s).

1016.20.10 Other Ineligible Household Members

REV:07/2007

Use the following procedures to determine the eligibility and benefit level of any remaining household member(s) of a household containing an individual determined ineligible for food stamp benefits because s/he:

* Is an ineligible alien;
* Failed to attest to his/her citizenship or alien status when applying for food stamps; or
* Was disqualified for refusal to obtain or provide an SSN.
* Was ineligible under Section 1004.27, for meeting the time limit for able-bodied adults without dependents

Resources

The resources of such an ineligible member(s) continue to count in their entirety to the remaining household members.

Income

A pro-rata share of the income of such an ineligible member(s) is counted as income to the remaining members. This pro-rata share is calculated by first subtracting the allowable exclusions from the ineligible members' income and dividing the income evenly among the household members, including the ineligible members.

All but the ineligible members' share is counted as income for the remaining household members. Rhode Island Works (RIW) cash assistance

shall be prorated evenly among the persons included in and covered by the cash assistance payment.

However, if the ineligible member receives no income of his or her own, the RIW payment shall not be prorated.

Deductible Expenses

The twenty percent (20%) earned income deduction applies to the pro-rated income earned by such an ineligible member(s) which is attributed to the household. That portion of the household's allowable shelter and dependent care expenses which are either paid by or billed to the ineligible members(s), is divided evenly among the household's members, including the ineligible member(s). All but the ineligible members' share is counted as a deductible shelter or dependent care expense for the remaining household members. If the expense is paid in full by an eligible member, the expense is allowed in full for the household.

If a household contains an ineligible member with no income of his/her own, the full shelter and/or dependent care costs are allowed in the determination of eligibility and benefit level for the Supplemental Nutrition Assistance Program (SNAP, previously called the Food Stamp Program).

Eligibility & Benefit Level

Such an ineligible member(s) must not be included when determining the household's size for the purposes of:

* Assigning a benefit level to the household;
* Comparing the household's monthly income with the income eligibility standards; or,
* Comparing the household's resources with the resource eligibility limits.

1016.20.15 Reduction or Termination of Benefits

REV:06/1988

Whenever an individual is determined ineligible within the household's certification period, the agency must determine the eligibility or ineligibility of the remaining household members based, as much as possible, on information in the case file.

Determined Ineligible for IPV

If a household's benefits are reduced or terminated within the certification period because one of its members was determined ineligible because of disqualification for intentional program violation, the agency must notify the remaining members of their eligibility and benefit level at the same time the ineligible member is notified of his/her disqualification. The household is not entitled to a notice of adverse action but may request a fair hearing to contest the reduction or termination of benefits.

Determined Ineligible for Other Reasons

If a household's benefits are reduced or terminated within the certification period because one or more of its members is an ineligible alien, is ineligible because a sanction has been imposed while s/he was participating in a household disqualified for failing to comply with work requirements, or ineligible because s/he was disqualified for refusal to obtain or provide an SSN, the agency must issue a notice of adverse action in accordance with Section 1018.10 which informs the household of the ineligibility, the reason for the ineligibility, the eligibility and benefit level of the remaining members, and the action the household must take to end the ineligibility.

1016.25 INCOME/RESOURCES OF A NONHOUSEHOLD MEMBER

REV:07/1986

For all other nonhousehold members as defined in Section 1002.20., who are not specifically mentioned in 1016.20., such as a roomer, the income and resources of such individuals must not be considered available to the household with whom the individual resides. Voluntary cash payments from a nonhousehold member to the household are considered income under the normal income standards. Vendor payments are excluded as income. If the household shares deductible expenses with the nonhousehold member, only the amount actually paid or contributed by the household is deducted as a household expense. If the payments or contributions cannot be differentiated, the expenses must be prorated evenly among persons actually paying or contributing to the expense and only the household's pro rata share is deducted.

Consideration of Income When the earned income of one or more household members and the earned income of a nonhousehold member are combined into one wage, the income of the household member(s) is determined as follows:

* If the household's share can be identified, the agency representative counts that portion due to the household as earned income.

* If the household's share cannot be identified, the agency representative must prorate the earned income among all those whom it was intended to cover and counts that prorated portion to the household.

Determination of Benefit Level

Such nonhousehold members must not be included when determining the size of the household for the purposes of:

* Assigning a benefit level to the household;

* Comparing the household's monthly income with the income eligibility standards; or

* Comparing the household's resources with the resources

eligibility limits.

1016.30 RI Works AND GPA HOUSEHOLDS

REV:01/2002

To facilitate participation in the program, households in which members are applying for RIW and/or GPA (PA households) must be allowed to complete a joint application for SNAP benefits at the same time they apply for such assistance. These households' SNAP eligibility and benefit levels are based solely on SNAP eligibility criteria. Households in which all members are applying for GPA may apply jointly for GPA and SNAP benefits but must not be considered categorically eligible for food stamps.

The joint application processing procedures in this section are used for a SNAP household in which some members are receiving RIW cash assistance and/or GPA and others are receiving SSI. A household consisting of some members who are receiving RIW/GPA/SSI and some not receiving assistance also may file a joint application for SNAP benefits.

The RIW and GPA application form contains all the information necessary to determine a household's SNAP eligibility and level of benefits. The application has a place for the household to indicate if it does not wish to apply for SNAP benefits. The application clearly indicates that the household is providing information for both programs, is subject to the criminal penalties of both programs for false statements, and waives the notice of adverse action.

1016.30.05 Categorically Eligible Households

REV:03/2009

A household in which all members are recipients of RI Works (RIW) cash assistance and/or SSI is eligible for Supplemental Nutrition Assistance Program (SNAP, previously called the Food Stamp Program) benefits because of its RIW/SSI status in accordance with Section 1016.40. Households in which all members receive or are authorized to receive a service or benefit funded by Temporary Assistance to Needy Families (TANF) are also categorically eligible.

The following SNAP households are categorically eligible:

1. A household in which all members receive Rhode Island Works (RIW) cash assistance;

2. A household in which all members receive SSI;

3. A household authorized to receive RIW cash assistance and/or SSI benefits but has not yet received a payment;

4. A household in which all members receive or are authorized to receive a combination of RIW cash assistance and SSI;

5. A household whose RIW or SSI benefits are suspended or being

recouped;

6. A household entitled to RIW benefits but is not paid such benefits because the grant is less than ten dollars ($10);

NOTE: A person who is entitled to Medicaid (MA) only is not considered a recipient of RIW or SSI benefits.

7. All households (including related children) with gross income at or below one hundred and eight-five percent (185%) of the federal poverty guidelines (as listed in Table IV of Section 1038.25), authorized to receive a TANF-funded service. A TANF-funded service includes receipt of the RI Department of Human Services TANF Information Publication. These households must meet the Gross Monthly Income Standards (Table IV) and the net Income Standards (Table II) in Section 1038.25.

   NOTE: This expanded categorical eligibility policy will sunset on December 31, 2011 unless otherwise extended by the Department under APA authority.

A resident of a public institution who applies jointly for SSI and SNAP benefits prior to his/her release from the institution, is not categorically eligible for SNAP benefits upon a finding by SSA of potential SSI eligibility prior to release. This individual is considered categorically eligible at such time as a final SSI eligibility determination has been made and the individual has been released from the institution.

Households, whether jointly processed and/or categorically eligible for SNAP benefits, must be certified in accordance with the notice, procedural, and timeliness requirements of the SNAP regulations.

1016.30.10 Single PA and SNAP Interview

REV:11/1986

The agency representative must conduct a single interview at the initial application for both public assistance (PA) and SNAP purposes. PA households are not required to see a different agency representative or otherwise be subjected to two interview requirements in order to obtain the benefits of both programs.

Following the single interview, the application may be processed by separate workers to determine eligibility and benefit levels for SNAP benefits and PA. A household's eligibility for the SNAP out-of-office interview provision does not relieve the household of any responsibility for a face-to- face interview in order to be certified for public assistance.

1016.30.15 Verification Standard

REV:03/2009

For households applying for both public assistance and SNAP benefits, the verification procedures described in Section 1002.60. must be

followed for those factors of eligibility which are needed solely for purposes of determining the household's eligibility for SNAP benefits. For those factors of eligibility which are needed to determine both PA and SNAP eligibility, the agency representative may use the PA verification rules.

However, the agency representative must not delay the household's SNAP benefits if, at the end of thirty (30) days following the date the application was filed, the agency representative has sufficient verification to meet the verification for SNAP purposes but does not have sufficient verification to meet the PA verification rules.

The Department shall verify the following factors for TANF-funded service households:

1. The household is eligible for the TANF Information Publication; and

2. the income of the household does not exceed the appropriate standards for the SNAP-Only TANF-funded Service household; and

3. the household contains no individuals disqualified in accordance with Sections 1016.40.15 and 1016.40.20; and

4. the household composition meets the definition of a household in accordance with Sections 1002.15 and 1002.15.05

5. the verification requirements set forth in Sections 1002.60, 1002.60.05 and 1002.60.10, with the exception of the requirement to verify resource information.

1016.30.20 Timeliness Standard

REV:03/2009

In order to determine if a household is categorically eligible due to its status as a recipient RIW/TANF-funded service/SSI household, the agency may temporarily postpone, within the thirty (30) day processing standard, the SNAP eligibility determination if the household is not entitled to expedited service and appears to be categorically eligible. The agency should postpone denying a potentially categorically eligible household until the 30th day in case the household is determined eligible for RIW, TANF-funded service and/or SSI benefits.

Once the RIW, TANF-service and/or SSI application is approved, the household is considered categorically eligible if it meets all the categorically eligible criteria in Section 1016.40.

Action on the SNAP portion of the application must not be delayed nor may the application be denied on the grounds that the PA determination has not been made. If the agency can anticipate the amount and the date of receipt of the initial PA payment but the payment is not received until a subsequent month, the agency must vary the household's SNAP benefit level according to the anticipated receipt of the payment and so notify the household. The portion of the initial PA payment intended to retroactively cover a previous month is disregarded as a lump sum payment. If the amount or date of receipt of the initial PA payment cannot be reasonably anticipated at the time of the SNAP

eligibility determination, the PA payment must be handled as a change in circumstances. However, the agency is not required to send a notice of adverse action if the receipt of the PA grant reduces, suspends or terminates the household's SNAP benefits, provided the household was notified in advance that its benefits may be reduced, suspended or terminated when the PA grant is received.

1016.30.25 Income/Resource Standards for PA Households

REV:01/2002

All income received by the PA household, including the RIW cash assistance, GPA, or SSI grant, any special allowances, and any other income, is counted in determining the net monthly SNAP income for basis of issuance purposes unless otherwise excludable for SNAP purposes. Exemptions from income allowed under PA plans for purposes of grant computation are not allowed in determining income for SNAP purposes. PA households receive only the income exclusions and deductions provided in Sections 1008.10 and 1008.20.

1016.30.30 Certification Periods for PA Households

REV:11/1986

A household in which all members are contained in a single PA grant should have its SNAP recertification completed, to the extent possible, at the same time it is redetermined for PA.

The agency representative assigns such households a SNAP certification period which expires at the same time as the household's PA redetermination date. In no event must SNAP benefits be continued beyond the end of a certification period.

If an PA household has not had its PA redetermination, and the SNAP recertification is due at the same time, the agency representative must ensure that the SNAP recertification is timely completed. A computer list is generated and the agency representative sends the household a notice of the expiration of its SNAP certification period and recertifies the household in accordance with Section 1018.15.

1016.30.35 Reporting Changes

REV:11/1986

Households are not required to report changes in the public assistance grant. Since the agency representative has prior knowledge of all changes in the public assistance grant, action must be taken on this information.

Except for PA grant changes, PA households have the same reporting requirements as any other SNAP household, and should use the SNAP change report form. PA households which report a change in circumstances to the PA worker are considered to have reported the change for SNAP purposes.

1016.30.40 Actions on Reported Changes

REV:01/2002

A household must be notified whenever its benefits are altered as a result of changes in the PA benefits or whenever the SNAP certification period is shortened to reflect a change in the household's circumstances. If the certification period is shortened, the household's certification period must not end any earlier than the month following the month in which the agency representative determines that the certification period should be shortened. Adequate time for the agency representative to send a notice of expiration and for the household to timely reapply must be allowed. If the PA benefits are terminated but the household is still eligible for SNAP benefits, members of the household must be advised of SNAP work registration requirements, as appropriate.

1016.30.45 Changes with Sufficient Information

REV:11/1986

Whenever a change results in the reduction or termination of the household's PA benefits within its SNAP certification period, and the agency representative has sufficient information to determine how the change affects the household's SNAP eligibility and benefit level, the agency representative takes the following actions:

* If a change in household circumstances requires both a reduction or termination in the PA payment and a reduction or termination in SNAP benefits, the agency representative must issue a notice of adverse action for both the PA and SNAP actions. If the household requests a hearing within the period provided by the notice of adverse action, the household's SNAP benefits should be continued on the basis authorized immediately prior to sending the notice. If the hearing is requested for both programs' benefits, the hearing is conducted according to PA procedures and timeliness standards. However, the household must reapply for SNAP benefits if the SNAP certification period expires before the hearing process is completed. If the household does not appeal, the change is made effective in accordance with the procedures specified in Section 1018.05.

* If the household's SNAP benefits are increased as a result of the reduction or termination of PA benefits, the agency representative issues the PA notice of adverse action, but does not take any action to increase the household's SNAP benefits until the household decides whether it will appeal the adverse PA action. If the household decides to appeal and its PA benefits are continued, the household's SNAP benefits may continue at the previous basis. If the household does not appeal, the agency representative makes the change effective in

accordance with the procedures specified in Section 1018.05 except that the time limits for the agency representative to act on changes which increase a household's benefits are calculated from the date the PA notice of adverse action period expires.

1016.30.50 Changes without Sufficient Information

REV:11/1986

Whenever a change results in the termination of a household's PA benefits within its SNAP certification period, and the agency representative does not have sufficient information to determine how the change affects the household's SNAP eligibility and benefit level (such as when an absent parent returns to a household, rendering the household ineligible for public assistance, and the agency representative does not have any information on the income of the new household member), the agency representative does not terminate the household's SNAP benefits but instead takes the following action:

* Where a PA notice of adverse action has been sent, the agency representative waits until the household's notice of adverse action period expires or until the household requests a hearing, whichever occurs first. If the household requests a hearing and its PA benefits are continued pending the appeal, the household's SNAP benefits are continued on the same basis.

* If a PA notice of adverse action is not required, or the household decides not to request a fair hearing and continuation of its PA benefits, the agency representative sends the household a notice of expiration which informs the household that its certification period will expire at the end of the month following the month the notice of expiration is sent and that it must reapply at the SNAP office handling NPA households if it wishes to continue to participate. The notice of expiration must also explain to the household that its certification period is expiring because of changes in its circumstances which may affect its SNAP eligibility and benefit level.

1016.30.55 Mass Changes in Public Assistance

REV:11/1986

When an overall adjustment to public assistance payments is made, corresponding adjustments in households' SNAP benefits are handled as a mass change. When there is at least thirty (30) days advance knowledge of the amount of the public assistance adjustment, SNAP benefits must be recalculated to be effective in the same month as the public assistance change. If there is not sufficient notice, the SNAP benefit change must be effective not later than the month following the month in which the public assistance change was made.

A notice of adverse action is not required when a household's SNAP benefits are reduced or terminated as a result of a mass change in the public assistance grant. However, the agency sends individual notices to such households to inform them of the change. If a household requests a fair hearing, benefits are continued at the former level only if the issue being appealed is that SNAP eligibility or benefits were improperly computed.

1016.35 SSI HOUSEHOLDS

REV:11/1986

On January 1, 1974, the SSI program for the aged, blind, and disabled replaced the former federally aided public assistance categories of OAA, AB, and APTD in the 50 states and the District of Columbia. Due to the specific provisions of law, SSI recipients require special handling for SNAP purposes.

1016.35.05 SSI/SNAP Joint Application Process

REV:01/2002

Households applying simultaneously for SSI and SNAP benefits must be subject to SNAP eligibility criteria, and benefit levels must be based solely on such criteria until the household is considered categorically eligible. However, households in which all members are either RIW or SSI recipients or are authorized to receive RIW or SSI benefits as defined in Section 1016.40., must be eligible for SNAP benefits based on their RIW/SSI status in accordance with the provisions for categorical eligibility for SNAP benefits.

When a household, with an SSI application pending, is denied SNAP benefits as an NPA household, it must be informed on the notice of denial of the possibility of categorical eligibility if the person becomes an SSI recipient.

1016.35.10 SSA Responsibility

REV:08/2006

The SSA will accept and complete SNAP applications received at the SSA office from SSI households and forward them, attached to a transmittal form (FSP-100), within one (1) working day after receipt of a signed application to the SNAP office. SSA must verify those items for which verification can be made at the time of the interview from either SSA records or from documents provided by the applicant.

The SSA also refers non-SSI households and those in which not all members have applied for or receive SSI to the SNAPoffice. Applications from such households are considered filed on the date the signed application is taken at the SNAP office, and the normal and expedited processing time standards begin on that date.

The SSA must also screen all applications for entitlement to expedited services on the day the application is received at the SSA office and should mark "Expedited Processing" on the first page of all applications that appear to be entitled to such service. The SSA informs households which appear to meet the criteria for expedited service that benefits may be issued sooner if the household applies directly at the food stamp office. The household may take the application from SSA to the food stamp office for screening and processing of the application.

If SSA takes an SSI application or redetermination on the telephone from a member of a pure SSI household, a SNAP application must also be completed during the telephone interview. In such cases, the SNAP application is mailed to the claimant for signature and for return to either the SSA office or the SNAP office. SSA should forward any SNAP applications it receives to the SNAP office.

The SSA sends a notice to SSI recipients redetermined for SSI, by mail, informing them of their right to file a SNAP application at the SSA office (if they are members of a pure SSI household) or at their local SNAP office, and their right to an out-of-office SNAP interview to be performed by an agency representative if the household is unable to appoint an authorized representative.

SSA distributes an information sheet, provided by the DHS, to all pure SSI households informing such households of the address and telephone number of the household's correct SNAP office; the remaining actions to be taken in the application process; and, a statement that a household should be notified of the SNAP determination within thirty (30) days and can contact the SNAP office if it receives no notification within thirty (30) days, or has other questions or problems. It also includes the client's rights and responsibilities (including fair hearings, authorized representatives, out-of- office interviews, reporting changes and timely reapplication), information on how and where to obtain SNAP benefits, and how to use SNAP benefits (including the commodities clients may purchase with the SNAP benefits).

1016.35.15 DHS Responsibility

REV:09/1987

Except for applications taken from residents of public institutions prior to their release, the SNAP office must make an eligibility determination and issue SNAP benefits to eligible SSI households within thirty (30) days following the date the application was received by the SSA. Applications are considered filed for normal processing purposes when the signed application is received by SSA. The expedited processing time standards begins on the date the SNAP office receives a SNAP application. SNAP applications and supporting documentation sent to an incorrect SNAP office must be sent to the correct office by the receiving office within one (1) working day of their receipt.

The agency must make an eligibility determination and issue SNAP benefits to a resident of a public institution who applies jointly for SSI and SNAP benefits within thirty (30) days following the date of

his/her release from the institution. Expedited processing time standards for such an applicant must also begin on the date of his/her release from the institution. SSA will notify the DHS of the date of the applicant's release. If, for any reason, DHS is not notified on a timely basis of the applicant's release, the Department must restore lost benefits, in accordance with Section 1020, back to the date of release.

The SNAP office should not require pure SSI households to see an agency representative or to have an additional interview.

The SNAP application is processed by the SNAP office. The SNAP office should not contact the household further in order to obtain information for certification for SNAP benefits, unless:

* the application is improperly completed;
* mandatory verification is missing; or,

* certain information on the application is determined to be questionable.

In no event would the applicant be required to appear at the SNAP office to finalize the eligibility determination.

The SNAP office should screen all applications received from the SSA for entitlement to expedited service on the day the application is received at the correct SNAP office. All SSI households entitled to expedited service are certified in accordance with procedures explained in Section 1016.10 except that the expedited processing time standard begins on the date the application is received at the correct SNAP office.

1016.35.15.05 Verification

REV:09/1987

The SNAP office should ensure that information required in accordance with Section 1002.60 is verified prior to certification for initial application. A household entitled to expedited certification services is processed in accordance with procedures described in Section 1016.10.

SSI benefit payments may be verified through information supplied by SSA or through verification provided by the household.

1016.35.20 Certification Period

REV:01/2002

The SNAP office certifies pure SSI households in accordance with Section 1012.10.15.25 or 1012.10.15.30, as appropriate. In jointly processed cases in which the SSI determination results in denial and the agency representative believes that SNAP eligibility or benefit levels may be affected, the agency representative sends the household a

notice of expiration advising that the certification period will expire the end of the month following the month in which the notice is sent and that it must reapply if it wishes to continue to participate. The notice must also explain that its certification period is expiring because of changes in circumstances which may affect SNAP eligibility or benefit levels and that the household may be entitled to an out-of-office interview.

1016.35.25 Changes in Circumstances

REV:11/1981

Households must report changes in accordance with the requirements in Section 1018.05.05. The agency representative processes changes in accordance with Section 1018.05.15.

Within ten (10) days of learning of the determination of the application for SSI through SDX, the household, advisement from SSA, or from any other source, the agency should take required action in accordance with Section 1018.05.15.

1016.35.30 Restoration of Lost Benefits

REV:11/1981

The agency representative must restore to the household benefits which were lost whenever the loss was caused by an error by the SNAP office or by the SSA office through joint processing.

Such an error includes, but is not limited to, the loss of an applicant's SNAP application after it has been filed with SSA. Lost benefits are restored in accordance with Section 1020.

1016.35.35 Recertification

REV:01/2002

The agency must provide SSI households with a notice of expiration in accordance with Section 1018.15.05 except that such notification should inform households consisting entirely of SSI recipients that they are entitled to a waiver of a face-to-face interview if the household is unable to appoint an authorized representative.

The agency representative must complete the application process and approve or deny timely applications for recertification in accordance with procedures in Section 1018.05.

Pure SSI households which have received a SNAP notice of expiration are entitled to make a timely application for SNAP recertification at the SSA office. SSA must accept the application of a pure SSI household and forward the completed application, transmittal form and any available verification to the SNAP office. When SSA accepts and refers the application in such a situation, the household must not be required

to appear at a second office interview, although the agency representative may conduct an out-of-office interview, if necessary.

In cases where pure SSI households apply for SNAP recertification at the SSA office, an application must be considered filed for normal processing purposes when the signed application is received by SSA.

1016.35.40 Work Registration

REV:01/2002

A household member who is applying simultaneously for SSI and SNAP benefits has the requirement for work registration waived until:

* s/he is determined eligible for SSI and is thereby exempt from work registration; or,

* s/he is determined ineligible for SSI and, when applicable, a determination of her/his work registration status must then be made through recertification procedures in accordance with Section 1016.35.35, or through other means.

1016.40 CATEGORICALLY ELIGIBLE HOUSEHOLDS

REV:01/2002

Any household (except those listed in Section 1016.40.20) in which all members receive, or are authorized to receive, RIW cash assistance and/or SSI benefits is considered eligible for food stamps because of its members' status as RIW and/or SSI recipients.

A household which receives zero RIW benefits is considered as authorized to receive benefits from the RIW or SSI program.

Categorical eligibility must also be assumed at recertification in the absence of a timely RIW redetermination. If a SNAP household is subsequently terminated from RIW benefits at the redetermination, the procedures in Section 1018.05.15 pertaining to changes are followed.

1016.40.05 Eligibility Factors Deemed

REV:01/2002

The eligibility factors which are deemed for SNAP eligibility without the required verification because of the household's RIW or SSI status are:

* the resource limit;

* the gross and net income limits;

* social security number information;

* sponsored alien information; and

* residency.

1016.40.10 Verification of Questionable Factors

REV:03/2009

If any of the following factors are questionable, the agency must verify, in accordance with Section 1002.60, that the household which is considered categorically eligible:

* Contains only members who are RIW, TANF-funded service (xxxx brochure) or SSI recipients;

* Meets the household definition (Section 1002.15);

* Includes all persons who purchase and prepare food together in one SNAP household regardless of whether or not they are separate units for RIW or SSI purposes; and

* Includes no person(s) who has been disqualified from the Supplemental Nutrition Assistance Program.

1016.40.15 Households Not Categorically Eligible

REV:07/1999

Under no circumstances should any household be considered categorically eligible if any member of that household is disqualified for:

* An intentional program violation in accordance with Section 1034; or

* Failure to comply with the work requirements in Section 1004.25.

These households are subject to all SNAP eligibility and benefit provisions.

1016.40.20 Persons Not Considered Household Members

REV:11/1986

No person is included as a member in any household that is otherwise categorically eligible if that person is:

* An ineligible alien as defined in Section 1004.20.;

* An ineligible student under the provision in Section 1004.35.; or,

* A person who is institutionalized in a non-exempt facility as defined in Section 1002.40.

1016.40.25 Timeliness Standards

REV:01/2002

For a household filing a joint application for RIW cash assistance and SNAP benefits, or a household which has a RIW and/or SSI application pending, and that is denied SNAP benefits but is later determined eligible to receive RIW and/or SSI and is otherwise categorically eligible, the agency must provide benefits using the original application and any other pertinent information occurring subsequent to that application. Except for residents of public institutions who apply for SSI and SNAP benefits prior to their release from a public institution, SNAP benefits must be paid from the beginning of the period for which RIW or SSI benefits are paid, the original SNAP application date or December 23, 1985, whichever is later. For this reason, the denied application of a potentially categorically eligible household should be easily retrievable.

The agency must not interview the household again but should use any available information to update the application and/or make either mail or telephone contact with the household (or its authorized representative) to determine any change in circumstances. Any change must be initialed and the updated application resigned by an authorized household member or the authorized representative. In no event can benefits be provided prior to the date of the original SNAP application filed on or after December 23, 1985.

Any household which is determined eligible for RIW cash assistance within the thirty (30) day SNAP processing time and is categorically eligible for SNAP benefits must be provided benefits back to the date of the SNAP application. Benefits for this initial month are prorated in accordance with Section 1038.35.

For a household which files a joint application and is subsequently found categorically eligible after being denied SNAP benefits, its benefits for the initial month must be prorated from the date from which the RIW or SSI benefits are payable or the date of the original SNAP application, whichever is later.

The agency must reevaluate the original application either at the household's request or when it becomes otherwise aware of the household's RIW and/or SSI eligibility. Such a household must be informed on its notice of denial to notify the agency if its RIW or SSI benefits are approved.

For a household which files a joint application for SNAP benefits and General Public Assistance (GPA), and whose GPA application is subsequently denied, its SNAP eligibility is determined or continued on the basis of the original application filed jointly for GPA and SNAP purposes and any other documented information obtained subsequent to the application which may have been used in the GPA determination and which is relevant to SNAP eligibility or level of benefits.

In this instance, a copy of the application form is made, as well as any information pertinent to the SNAP portion of the case and forwarded to the appropriate SNAP Certification Office, attention of the Supervisor.

The agency must notify a household of the need for a new application. If a required new application is filed within thirty (30) days of the

original application, the filing date of the new application must be the original filing date of the joint application.