

## January – March 2019 Summary of Changes

Chapter	Passage	Summary
<b>0600</b>	<b>0630.0401</b>	Removed retroactive Medicaid language
	<b>0630.0509</b>	Added for children under age 21 and pregnant women, including their postpartum period
	<b>0640.0401, 0640.0505</b>	Removed retroactive Medicaid language
	<b>0640.0509</b>	Added for children under age 21 and pregnant women, including their postpartum period
	<b>0660.0100</b>	Added language to waive the immunization and learnfare requirements at initial application for Refugees who are within their eight months date of entry/status/asylum; added address as a requirement for an acceptable application
	<b>0660.0103</b>	Strikethrough all language and added language for individuals age 65 or older, blind, or disabled, must apply for Supplemental Security Income (SSI)
<b>0800</b>	<b>0850.0600</b>	Removed Road to Independence funds and replaced with Postsecondary Educational Services and Support Program (formerly Road to Independence)
<b>1400</b>	<b>1410.1800</b>	Provided explanation of a potential ABAWD
	<b>1410.1801</b>	Replaced 20 hours weekly with 80 hours monthly
	<b>1410.1802</b>	Renamed section, replacing Exceptions with Exemptions and added more exemptions
	<b>1410.1802.01</b>	Added new section for Good cause from ABAWD Provisions
	<b>1410.1804</b>	New section on becoming eligible after sanction
	<b>1410.1806</b>	Provided updated information on regaining eligibility after time limited months exhausted
	<b>1410.1807</b>	New section: Bonus months under the ABAWD provision

Technical changes and changes in non-substantive information may be excluded from this summary.

## January – March 2019 Summary of Changes

	<b>1410.1900</b>	Replaced FSET with SNAP E&T
	<b>1410.1906</b>	Renamed section, replacing work requirements with SNAP E&T; added more exemptions
	<b>1410.1906.01, 1410.1906.02, 1410.1906.03, 1410.1906.04, 1410.1906.05, 1410.1906.07, 1410.1906.08, 1410.1906.10 1410.1906.11, 1410.1907, 1410.1908, 1410.1909, 1410.1911.01</b>	Added SNAP E&T
	<b>1410.1906.09</b>	Added more exemptions and Sober Living Houses
	<b>1410.1906.12</b>	Renamed section, replacing 30 Hours Weekly with 120 Hours Monthly
	<b>1410.1911.03</b>	Replaced 30 hours weekly with 120 hours monthly
	<b>1410.1915</b>	Replaced AG with household
	<b>1410.1916, 1410.1919</b>	Replaced FSET with SNAP E&T
	<b>1420.0509.01</b>	Added language to waive the immunization requirement at initial application for Refugees who are within their eight months date of entry/status/asylum
	<b>1420.2000</b>	Added note to waive learnfare requirement at initial application for Refugees who are within their eight months date of entry/status/asylum
	<b>1460.1400</b>	Strikethrough: Need cannot be established, nor eligibility determined upon failure to do so
<b>1800</b>	<b>1810.0300</b>	Added examples of self-employment
	<b>1810.0302</b>	Added contract labor and commission as an identifiable cost of labor
	<b>1810.0308</b>	Removed reimbursement amounts and replaced with website
	<b>1810.1200</b>	Removed Road to Independence funds and

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## January – March 2019 Summary of Changes

		replaced with Postsecondary Educational Services and Support Program (formerly Road to Independence)
	<b>1820.0302</b>	Added contract labor and commission as an identifiable cost of labor
	<b>1820.0303</b>	Revised layout; added language to include babysitters/licensed providers
	<b>1820.1200</b>	Removed Road to Independence funds and replaced with Postsecondary Educational Services and Support Program (formerly Road to Independence)
	<b>1830.0101</b>	Added language: decrees issued prior to January 1, 2019 is counted as unearned income
	<b>1830.0302</b>	Added contract labor and commission as an identifiable cost of labor
	<b>1830.0700</b>	Added language to explain the amount of alimony received based on decrees issued prior to January 1, 2019, minus any collection fees charged, must be counted as unearned income; and if received on or after January 1, 2019, it is not considered unearned income.
	<b>1830.1200, 1840.1200, 1850.0816.02, 1850.1200</b>	Removed Road to Independence funds and replaced with Postsecondary Educational Services and Support Program (formerly Road to Independence)
	<b>1860.0302</b>	Added contract labor and commission as an identifiable cost of labor
	<b>1860.0303</b>	Revised layout; added language to include babysitters/licensed providers
	<b>1860.1200</b>	Removed Road to Independence funds and replaced with Postsecondary Educational Services and Support Program (formerly Road to Independence)

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## January – March 2019 Summary of Changes

<b>2000</b>	<b>2030.0812.01, 2030.0812.02, 2040.0811.03, 2040.0812.01, 2040.0812.02</b>	Added for children under age 21 and pregnant women, including their postpartum period
<b>2200</b>	<b>2210.0320.02</b>	Removed Food Stamp Employment and Training Program (FSET) and replaced with Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)
	<b>2260.0407.02</b>	Added language for a Refugee adult age 18 or over who is not a full-time student in a secondary or equivalent school
<b>2600</b>	<b>2610.0402.01</b>	Added language to include transportation expense to see customers at the allowable state rate for mileage or the individual's actual expenses
	<b>2620.0413.01, 2630.0413.01, 2650.0413.01, 2660.0413.01</b>	Added language to include the individual's actual expenses for transportation; removed motorized

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## Listing of Amended Passages

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### **0630.0401      Requests for Additional Information/Time Standards (MFAM)**

If the Department needs additional information or verification from the applicant, provide:

1. a written list of items required in order to complete the application process,
2. the date the items are due in order to process the application timely, and
3. the consequences for not returning additional information by the due date.

The verification/information due date is 10 calendar days after the date of the interview or if there is no interview requirement, 10 days after the date the pending notice is generated. If the due date falls on a holiday or weekend, the deadline for the requested information is the next business day.

At the individual's request, extend the due date. Leave the case pending until the 30<sup>th</sup> day after the date of application to allow the household a chance to provide verifications. Assist applicants with getting missing verifications when needed.

1. If the applicant completes the interview if requested, provides all verifications, and meets all eligibility factors, approve the application by the 30<sup>th</sup> day for Medicaid. If the 30<sup>th</sup> day falls on a weekend or holiday, approve the application on the business day before the 30<sup>th</sup> day.
2. If the household does not return the verifications by the 30<sup>th</sup> day after the date of application, deny the application on the 30<sup>th</sup> day. If the 30<sup>th</sup> day falls on a weekend or holiday, deny the application on the next business day after the 30<sup>th</sup> day.
3. If the household returns the verifications after the 30<sup>th</sup> day but by the 60<sup>th</sup> day, approve the application as soon as possible following receipt of the verifications as long as disposal occurs by the 60<sup>th</sup> day. Do not require a new application.

Evaluate any delay in submitting information that exceeds the time standard to determine applicant or Department delay.

~~Apply retroactive Medicaid policy to months prior to the original month of application.~~

### **0630.0509      Retroactive Medicaid (MFAM)**

~~Medicaid is available for any one or more of the three calendar months preceding the application month.~~ Medicaid may be authorized for up to three months prior to the date of application for children under age 21 and pregnant women, including their postpartum period, provided:

1. at least one member of the AG has received Medicaid reimbursable services during the retroactive period;
2. the individual meets all factors of eligibility during the month(s) he requests retroactive Medicaid.

The applicant may request retroactive Medicaid at any time, as long as the coverage period is for any one of three months prior to any Medicaid application.

Retroactive coverage is not affected by:

1. the application's disposition (approval or denial);
2. whether or not the individual was alive at the time of the application; or
3. when the request for assistance or request to add was made.

## Listing of Amended Passages

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When the request for retroactive Medicaid for an unpaid bill(s) is for only one member of the household determine Medicaid eligibility for the individual. Determine eligibility for each month there were unpaid medical services provided; do not consider the month the bill was issued. Accept the individual's statement that a member of the household has an unpaid bill.

### **0640.0401 Requests for Additional Information/Time Standards (MSSI, SFP)**

If the Department needs additional information or verification from the applicant, provide:

1. a written list of items required in order to complete the application process,
2. the date the items are due in order to process the application timely, and
3. the consequences for not returning additional information by the due date.

The verification/information due date is 10 calendar days after the date of the interview or if there is no interview requirement, 10 days after the date the pending notice is generated. In cases where medical information is required, the return due date is 30 calendar days from date of request. If the due date falls on a holiday or weekend, the deadline for the requested information is the next business day. At the individual's request, extend the due date. Leave the case pending until the 30<sup>th</sup> day after the date of application to allow the household a chance to provide verifications. Assist applicants with getting missing verifications when needed.

1. If the applicant completes the interview, provides all verifications, and meets all eligibility factors, approve the application by the 30<sup>th</sup> day for Medicaid. If the 30<sup>th</sup> day falls on a weekend or holiday, approve the application on the business day before the 30<sup>th</sup> day.
2. If the household does not return the verifications by the 30<sup>th</sup> day after the date of application, deny the application on the 30<sup>th</sup> day. If the 30<sup>th</sup> day falls on a weekend or holiday, deny the application on the next business day after the 30<sup>th</sup> day.
3. If the household returns the verifications after the 30<sup>th</sup> day but by the 60<sup>th</sup> day, approve the application as soon as possible following receipt of the verifications as long as disposal occurs by the 60<sup>th</sup> day. Do not require a new application.

Evaluate any delay in submitting information that exceeds the time standard to determine applicant or Department delay.

~~Apply retroactive Medicaid policy to months prior to the original month of application.~~

### **0640.0505 PNAS Entitlement Date (MSSI)**

The individual is entitled to the personal needs allowance supplement for any month for which he is entitled to ICP and is in need of the supplement. ~~This includes retroactive Medicaid months.~~

### **0640.0509 Retroactive Medicaid (MSSI)**

This policy does not apply to QMB.

~~Medicaid is available for any one or more of the three calendar months preceding the application month.~~ Medicaid may be authorized for up to three months prior to the date of application for children under age 21 and pregnant women, including their postpartum period, provided:

1. at least one member of the SFU has received Medicaid reimbursable services during the retroactive period, and
2. the individual meets all factors of eligibility during the month(s) he requests retroactive Medicaid.

## Listing of Amended Passages

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The applicant may request retroactive Medicaid at any time, as long as the coverage period is for any one of three months prior to any Medicaid or SSI application.

This retroactive coverage is not affected by:

1. the application's disposition (approval or denial);
2. whether or not the individual was alive at the time of the application; or
3. when the request for assistance or request to add was made.

When the request for retroactive Medicaid for an unpaid bill(s) is for only one member of a SFU, determine Medicaid eligibility for the entire AG. Determine eligibility for each month there were unpaid medical services provided; do not consider the month the bill was issued. Accept the individual's statement that a member of the SFU has an unpaid bill.

### **0660.0100 APPLICATION FOR ASSISTANCE (RAP)**

The Refugee Assistance Program (RAP) provides refugee cash assistance and refugee Medicaid coverage. Benefits are time limited to eight months from the date of entry, [date of status, or date asylum was granted](#). ~~asylum was granted~~. Evaluate all refugee applicants for potential TCA and/or other Medicaid coverage prior to approving RAP benefits. [Refugees applying for TCA will have immunizations and learnfare requirements waived at initial application, if the initial application is within their eight-months from date of entry, status, or asylum; however, this information must be provided at recertification. Applicants who refuse to comply with TCA requirements are not eligible for RCA benefits.](#)

Individuals may apply in person, by mail or by web-based or facsimile application. An acceptable application must have the applicant's name, [address](#), and signature on the form. Upon request from an applicant, provide necessary assistance in completing the application.

Encourage the individual or the individual's authorized representative to exercise the right to file an application the same day the individual or authorized representative contacts the office and expresses interest in obtaining assistance. Only the PIP or authorized representative must sign the application. Unless signed in the presence of the eligibility specialist, an application signed with a mark must have two witness' signatures. If the eligibility specialist signs as the witness, no other witness is required.

An individual must complete an application form at initial application, reapplication, eligibility review and requests for additional types of assistance.

### **0660.0103 Screening for SSI Eligibility (RAP)**

~~Screen all applicants to determine potential eligibility for SSI. If an applicant is potentially eligible for SSI, advise the individual of his potential eligibility and how to apply.~~

[Refugees who are 65 years of age or older, blind, or disabled, must apply for cash assistance under the Supplemental Security Income \(SSI\) and accept SSI if eligible. Refer these individuals to the Social Security Administration \(SSA\) to apply for SSI.](#)

### **0850.0600 EX PARTE DETERMINATIONS (CIC)**

An ex parte determination assesses whether a Medicaid AG member that is no longer eligible under one coverage group is eligible under a different coverage group. Continue Medicaid until the ex parte process has been completed.

Perform an ex parte when:

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New language in passages appear [blue](#) in color and ~~strike through~~ is used for deleted language.  
The Introduction and Appendices are excluded.

## Listing of Amended Passages

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1. An increase in income or assets causes ineligibility.
2. A child turns 18, unless the youth is under 21 and a participant in the ~~Road to Independence Program~~ **Postsecondary Educational Services and Support Program (formerly Road to Independence)** or receiving payments under Title IV-E, or the IV-E agreement is still in effect.
3. Cancellation of an individual's SSI Medicaid.
4. The PEN coverage ends.

An ex parte determination does not require a new application. There is no requirement for the individual to contact the Department to initiate the ex parte determination. When the determination is complete, send the Primary Information Person (PIP) a notice of case action advising of the child's eligibility. If the child is not eligible or is eligible only for Medically Needy with a SOC, provide 10 days advance notice.

Close the Title IV-E and Medicaid and do not perform an ex parte determination when:

1. ~~the~~ **The** counselor fails to return requested information-,
2. ~~the~~ **The** counselor requests voluntary cancellation of Medicaid-,
3. ~~the~~ **The** child moves out of state-, or
4. ~~the~~ **The** Department is unable to locate the child.

### **1410.1800 ABLE-BODIED ADULT WITHOUT DEPENDENTS (FS)**

Able-bodied adults without dependents (ABAWDs) are persons 18 through 49 years of age, who do not have dependent children and who do not meet ~~an a food stamp employment and training (FSET) exemption~~. "Time-Limited" ABAWDs are individuals who are not otherwise exempt from ~~(FSET)~~ **Supplemental Nutritional Assistance Program (SNAP) Employment and Training (E&T)** work registration and participation and do not meet an ~~exception~~ **exemption** to the ABAWD time limits. **An individual who can be reasonably anticipated to become an ABAWD at some point within the four-month certification period and will not meet any other exemptions is considered to be a potential ABAWD.**

Some examples of potential ABAWDs include:

- Last child is turning 18,
- Graduating from school,
- Employment is expected to end, or
- Unemployment Compensation Benefits (UCB) is expected to end

### **1410.1801 ABAWD Provisions (FS)**

"Time-Limited" ABAWDs are not eligible to participate in the Food Stamp Program if, during the **assigned** 36-month period preceding the month of application, the individual received food stamps for any three months in which the individual was not:

1. Working ~~20~~ **80** hours or more ~~per week~~ **monthly\***; or
2. Participating in an Employment program that includes work, on the job training, volunteer work, and job search ~~less than 20 for~~ **80 hours or more** ~~a week~~ **month** ; or
3. Participating for ~~20~~ **80** hours or more ~~per week~~ **monthly\***, in a combination of work and work program activities

ABAWDs are required to report whenever their work hours fall below ~~the 20~~ **80** hours ~~per week~~ **per month** ~~threshold~~. Staff must encourage all customers who meet an ~~FSET~~ **SNAP E&T**



## Listing of Amended Passages

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exemption to report when hours fall below ~~20~~ 80 hours per ~~week~~ month. The customer will become a time-limited ABAWD the month the hours drop below ~~20~~ 80 hours per ~~week~~ month.

“Time-Limited” Able-Bodied Adults Without Dependents who have exhausted their time limit (3 ~~three~~ months in a ~~the designated~~ 36-month period) to receive food stamps will be treated as technically ineligible (Prorated) individuals for food stamps. ~~\*The first 36-month period is January 1, 2016 through December 31, 2018. A new 36-month period will begin January 1, 2019 and expire December 31, 2021. New 36-month periods begin every third year on January 1 and end three years later on December 31.~~

**Note:** \* The Department will begin a new 36-month period beginning January 1, 2019-, and expire December 31, 2021. New 36-month periods begin every third year on January 1 and end three years later on December 31.

~~“Good Cause” is a temporary situation that an employer would normally excuse and the individual has returned to work/work activities. This provision is limited to situations where the ABAWD was already participating in the employment and training program (E&T) but then became temporarily noncompliant and has returned to compliance~~

**Note:** ~~\*DCF determines “good cause.”~~

### 1410.1802 ~~Exceptions~~Exemptions from ABAWD Provisions (FS)

The time limit does not apply and the individual is not a “time-limited” ABAWD if he or she meets any of the following exemptions: ~~to the ABAWD time limits or FSET exemptions:~~

1. Is under 18 years of age or over 49 years of age. A person is considered 50 on their 50th birthday.
2. Physically or mentally unfit for employment (~~including 2 months post-partum~~). An individual is physically or mentally unfit for employment if he or she:
  - a. Is receiving temporary or permanent disability benefits issued by governmental ~~Supplemental Security Income/Social Security Disability Income~~ (SSI/SSDI) or private sources. Is obviously mentally or physically unfit for employment as determined by the eligibility specialist. Individuals are obviously unable to participate due to a physical or mental incapacity only if the physical or mental impairment(s) are of such severity that the individual is not only unable to do their previous work but cannot, considering education and work experience, engage in any other kind of substantial gainful work which exists in the national/state/local economy. This includes individuals who have proof of applying for ~~Supplemental Security Income~~ (SSI). The eligibility specialist is to record observations used to determine unfitness on CLRC.
  - b. If the unfitness is not obvious, it must be verified with a written or verbal statement from a physician, physician’s assistant, nurse, nurse practitioner, designated representative of the physician’s office, a licensed or certified psychologist, a social worker, or other medical personnel indicating, the individual is physically or mentally unfit for employment.
3. Is a parent (natural, adoptive, or step) or other member of the food stamp standard filing unit (SFU) with a child under age 18 in the standard filing unit, even if the member who is under 18 is not eligible for food stamps.

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## Listing of Amended Passages

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4. Is residing in an SFU where an SFU member is under age 18, even if the SFU member who is under 18 is not himself eligible for food stamps.
5. Is pregnant.
6. Is caretaker of an incapacitated individual.
7. Is caretaker of a child under 6 years of age.
8. Is a UCB applicant/recipient.
9. Is in a Drug or alcohol treatment program (does not include Alcoholics or Narcotics Anonymous or Sober Living Houses).
10. Is employed 120 hours/month or equivalent earnings (at least \$870 monthly).
11. Is a student enrolled at least half time.
12. Is a refugee participating in Office of Refugee Resettlement (ORR) E&T program.
13. Is a migrant worker with agreement to begin work within 30 days.

### **1410.1802.01 Good Cause from ABAWD Provisions (FS)**

“Good Cause” is a temporary situation that an employer would normally excuse and the individual has returned to work/work activities. This provision is limited to situations where the ABAWD was already working or participating in the employment and training program (E&T) but then became temporarily noncompliant and has returned to compliance.

Recipients may have a good cause reason for not complying with work requirements. Noncompliant ABAWDs must be given the opportunity to claim good cause prior to imposing a sanction from CareerSource. ABAWDs meeting the work requirements on their own also have the opportunity to claim good cause prior to using a time limited month. The department is responsible for determining good cause when an ABAWD refuses or fails to comply with work requirements. Good cause must not be granted up-front prior to referring to CareerSource. Good cause applies to situations in which an individual is normally able to meet the ABAWD work requirement but does not due to circumstances beyond their control. Most instances of good cause are short-term or temporary events. If the event is not temporary, the eligibility specialist should explore if the individual meets an exemption.

### **1410.1804 Becoming Eligible – After Sanction (FS)**

An ABAWD can become eligible for food stamps if the individual does one of the following:

1. Becomes Exempt.
2. During the first three time-limited months, “time-limited” ABAWDs that are sanctioned when they fail to comply with the work requirements may become eligible if during any month they comply. The minimum sanction period must be served.

**Note:** If the ABAWD has already received three time limited months, then evaluate regaining.

3. New 36-month period starts in order to receive food stamps again.

## Listing of Amended Passages

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### **1410.1806      Regaining Eligibility under the ABAWD Provisions after Time Limited Months Exhausted (FS)**

The eligibility specialist will discuss the process of regaining eligibility with all applicants and recipients who meet the ABAWD criteria **and have exhausted their time limits**. Months in which an individual receives food stamps for the full benefit month but did not meet the work requirements, or was not exempt, count toward the three-month time limit. ~~During the first three time-limited months, "time-limited" ABAWDs that are sanctioned when they fail to comply with the work requirements may regain their eligibility if during any month they comply or become exempt. The minimum sanction period must be served.~~ There is no limit as to how many times an individual may regain eligibility and subsequently maintain eligibility by complying with the work requirement.

Individuals denied eligibility for food stamps after receiving benefits for ~~3 of the last 36 months~~ **three time-limited months in the designated 36-month period** without meeting an exemption may regain eligibility for food stamps if during a 30-day period **prior to applying**, the individual does one of the following:

1. works 80 hours or more; or
2. participates in and complies with the requirements of a work program for 80 hours or more

**An individual who regains eligibility for food stamps shall remain eligible, as long as the recipient continues to meet the ABAWD work provisions, or they meet an exemption.**

An individual required to comply with the able-bodied provisions who regains eligibility, and then no longer meets the requirements under this provision, shall remain eligible for a consecutive three-month period beginning with the date the individual notifies the eligibility specialist of the change in their circumstances or reapplies. The receipt of a second three-month food stamp period (**bonus months**) is allowed only once during ~~a~~ **the** 36-month period.

~~**Note:** The individual must have fully exhausted their three months of benefits before the one-time extension provision applies.~~

~~An individual who regains eligibility for food stamps shall remain eligible, as long as the recipient continues to meet the able-bodied adult without dependents work provisions, or they meet an exemption.~~

### **1410.1807      Bonus Months under the ABAWD Provisions (FS)**

ABAWDs can receive an additional three months of eligibility if they have exhausted their three time limited months, regained eligibility through work, and are no longer fulfilling the work requirement. These are called the bonus months. Bonus months must be used consecutively and can only be used once in the three-year period. If the ABAWD is a current food stamp recipient and loses employment or their work hours fall below 80 hours monthly, the three consecutive bonus months of eligibility will begin when the individual notifies the Department that they are no longer meeting the ABAWD work requirements.

Bonus months will begin with the first full month of food stamps following the month they notify us. If the ABAWD was participating with CareerSource, the three consecutive bonus months will begin when the Department is notified that the ABAWD is no longer in compliance. If the ABAWD is not currently receiving food stamp, eligibility must first be regained prior to becoming eligible for use of bonus months. The use of bonus months must be recorded on the tracking screen (ARFS) and CLRC. While receiving bonus months, an ABAWD may become noncompliant with CareerSource and receive a sanction. The sanction for noncompliance will cancel out any remaining bonus months. Once the three consecutive bonus months have been used, an

## Listing of Amended Passages

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ABAWD must meet the ABAWD work requirements or have an exemption in order to receive food stamps for the remaining three-year period.

**Note:** Bonus months only apply to individuals who have regained eligibility through work.

### **1410.1900 EMPLOYMENT AND TRAINING (FS)**

Certain individuals who are not exempt must register and/or participate in ~~food stamp employment and training (FSET)~~ **SNAP E&T** or work activities. Individuals who are not in the benefit calculation are not subject to these requirements. At application and recertification, staff must discuss possible exemptions and ~~explore potential good cause reasons~~ for a deferral from participation.

For paper applications, provide the household with Food Stamp Work Registration Notice CF-ES 2095 with the names of all mandatory AG members. If the mandatory AG member is not the member completing the interview, explain work requirements and provide the form with the mandatory members' names to the member completing the interview.

### **1410.1906 Exemptions from ~~Work Requirements~~ **SNAP E&T** (FS)**

Individuals meeting one or more of the following conditions are exempt from work requirements:

1. Under age 16 or age 60 or older; age 16 or 17 who is not the payee/head of a household, or who is attending school, or is enrolled in an Employment and Training Program at least half-time;
2. Physically or mentally unable to work;
3. Complying with TCA work requirements;
4. Responsible for care of a dependent child under age six or responsible for an incapacitated individual;
5. Applying for or receiving unemployment compensation;
6. Drug and/or Alcohol Treatment and rehabilitation Program participant (not Alcoholics Anonymous, or Narcotics Anonymous, or Sober Living Houses);
7. Working a minimum of ~~30 hours a week~~ **120 hours/month** or ~~receiving earnings equal to or greater than the federal minimum wage multiplied by 30 hours~~ **equivalent hours (at least \$870 monthly)**; migrant and seasonal farm workers who are under agreement with an employer or crew chief to begin employment within the next 30 days;
8. A student enrolled at least half-time in any recognized school (high school, training program, or an institution of higher education);
9. **Recipient of SSI/SSDI;**
10. **UCB applicant/recipient; or**
11. **Refugee participating in Office of Refugee Resettlement (ORR) E&T program**

#### **1410.1906.01 Individuals under 16 Years of Age (FS)**

Individuals under 16 are exempt from **SNAP E&T** work requirements. Individuals whose 16th birthday occurs during the certification period must comply with work requirements starting at the next recertification, unless the individual meets another exemption. Accept the individual's statement of age unless questionable.

#### **1410.1906.02 Individuals Age 60 or Over (FS)**

Individuals age 60 or over are exempt from **SNAP E&T** work requirements. Accept the individual's statement of age unless questionable.

## Listing of Amended Passages

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### **1410.1906.03 Individuals Age 16 or 17 and Attending School (FS)**

An individual age 16 or 17 is exempt from [SNAP E&T](#) work requirements if the individual is not the payee/head of the household, or is attending school, or is enrolled in an Employment and Training Program on at least a half-time basis. The individual's statement is acceptable verification, unless questionable.

### **1410.1906.04 Physically or Mentally Unfit for Employment (FS)**

Individuals physically or mentally unfit for employment are exempt from [SNAP E&T](#) work requirements. An individual is physically or mentally unfit for employment if he or she is:

1. Receiving disability benefits issued by the government (Supplemental Security Income or Social Security Disability)

### **1410.1906.05 Care of an Incapacitated Individual (FS)**

Individuals responsible for the care of an incapacitated individual are exempt from [SNAP E&T](#) work requirements. The incapacitated individual may or may not be an SFU or an AG member. In addition, the incapacitated individual need not reside with the SFU or the AG. The individual's statement is acceptable verification unless questionable.

### **1410.1906.07 Responsible for Care of Dependent Child (FS)**

Individuals responsible for the care of a dependent child under age six are exempt from [SNAP E&T](#) work requirements. There must be one child per exempt adult in the SFU. Two parents must have at least two dependent children in their SFU to meet this exemption. If the SFU contains two parents but only one child under age six, only one parent meets the exemption.

If the child's sixth birthday occurs during the certification period, ~~as~~ the parent must comply with work requirements starting with the next recertification unless the parent meets another exemption. The individual's statement of the child's age is acceptable unless questionable.

### **1410.1906.08 Students (FS)**

Students enrolled on at least a half-time basis (as defined by the institution) in any recognized school, training program, or institution of higher education are exempt from [SNAP E&T](#) work requirements.

Students remain exempt during normal periods of class attendance, vacation, and breaks, unless the student graduates, is suspended or expelled, drops out, or does not intend to register for the next normal school term (excluding summer).

### **1410.1906.09 Drug Addiction/Alcoholic Treatment (FS)**

Individuals enrolled and regularly participating in a Drug Addiction or Alcoholic Treatment and Rehabilitation Program are exempt from [SNAP E&T](#) work requirements.

Participants in Alcoholics (AA), [Sober Living Houses](#), ~~or~~ [and](#) Narcotics Anonymous (NA) do not meet an exemption unless they are attending these meetings as a part of a certified treatment center program.

The individual does not have to be a resident of a center. However, the Substance Abuse Program must certify the treatment center as an eligible facility. The provider must verify the individual is participating in the treatment program.

## Listing of Amended Passages

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### **1410.1906.10 Complying with Work Requirements for TCA/RAP/Match Grant (FS)**

Individuals subject to and complying with any work requirement under Title IV-A of the Social Security Act (TCA participants) are exempt from **SNAP E&T** work requirements.

Evaluate individuals sanctioned for failure to comply with any TCA work requirements to determine if they meet a food stamp exemption. If they meet a food stamp exemption, do not apply a sanction to the food stamp benefits. If they do not meet a food stamp exemption, apply a sanction according to food stamp work requirements.

### **1410.1906.11 Receiving Unemployment Compensation (FS)**

~~FSET~~ **SNAP E&T** considers individuals receiving unemployment compensation to be participating in a work activity and exempt from **SNAP E&T** work requirements. An individual who has applied for, but is not receiving unemployment compensation, is exempt if the individual must register for work with CareerSource as part of the unemployment compensation application process.

### **1410.1906.12 Working Minimum of ~~30 Hours Weekly~~ 120 Hours Monthly (FS)**

Individuals are exempt from **SNAP E&T** work requirements if they are employed or self-employed and meet one of the following criteria:

1. working a minimum of ~~30 hours per week~~ **120 hours/month**;
2. receiving earnings equal to or greater than the federal minimum wage multiplied by ~~30 120 hours~~ **(at least \$870 monthly)**; or
3. migrant or seasonal farm workers under contract or similar agreement with an employer to begin work within 30 days.

When determining whether a self-employed individual is exempt, use the following information:

1. Income alone may be sufficient.
2. The self-employment enterprise must require ~~30 hours per week or an average of 30 hours per week~~ **120 hours/month** on an annual basis. If the income does not indicate full-time employment, but the individual claims full-time self-employment, the individual must cooperate to establish if the volume of work and income claimed justifies the self-employment as full-time employment.

Individuals who are working but not being paid, in exchange for expenses or for in-kind services such as working to pay their rent, meet this exemption if they are working **120 hours/month** or the amount of the expense is equal to or greater than the federal minimum wage multiplied by ~~30 120~~ hours **(at least \$870 monthly)**.

### **1410.1907 Loss of Exemption While Certified (FS)**

Individuals who lose an exemption due to a change in circumstances must comply with **SNAP E&T** work requirements.

When the customer reports a change that causes them to lose their exemption, refer the individual to participate by entering the referral code on the electronic case.

### **1410.1908 Provider Reporting Requirements (FS)**

**SNAP E&T** providers must notify the Department of employment for each participant. This does not relieve an individual of the responsibility to report receipt of income from employment for any member of the SFU according to reporting requirements.



## Listing of Amended Passages

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### **1410.1909 Noncompliance with FS SNAP E&T Requirements (FS)**

Determine if the individual meets an exemption or has a good cause for failure to participate when the SNAP E&T provider notifies the Department that a recipient is non-compliant. If exempt or good cause exists, do not impose a sanction. If not exempt or there is not good cause impose the sanction allowing for a 10-day adverse action.

### **1410.1911.01 Voluntary Quit/Voluntary Reduction of Hours (FS)**

Impose a voluntary quit/voluntary reduction of hours of employment sanction on any individual in the food stamp AG who quit a job or reduced hours of employment without good cause.

The sanctions for voluntary quit/reduction of hours of employment are the same sanctions as for noncompliance with SNAP E&T requirements.

### **1410.1911.03 Good Cause - Voluntary Quit/Voluntary Reduction of Hours (FS)**

Good cause for leaving employment/reducing hours of employment includes the SNAP E&T good cause reasons and resigning from a job that does not meet suitability criteria, regardless of whether the job was unsuitable at the time of employment or became unsuitable later.

Other good cause criteria may include:

1. discrimination by any employer;
2. unreasonable work demands or conditions;
3. acceptance by the payee or any other AG member of employment or enrollment at least half-time in any recognized school, training, or institution of higher education;
4. resignations by individuals under the age of 60 which are recognized as retirement;
5. ~~acceptance of an offer of employment of 120 hours/month or equivalent earnings (at least \$870 monthly), more than 30 hours a week, or the weekly earnings are at least equal to the federal minimum wage multiplied by 30 hours which, later either does not materialize or results in employment of less than 30 hours a week or weekly earnings of less than federal minimum wage multiplied by 30 hours; or~~
6. leaving a job in connection with patterns of employment in which employees frequently move from one employer to another, such as migrant farm labor or construction work.

### **1410.1915 When Payee/Head of Household Fails to Comply (FS)**

When the payee/head of household refuses or fails without good cause to comply with FSET SNAP E&T requirements, including voluntarily quitting or reducing hours of employment, the entire AG is ineligible. Make a final determination for good cause and apply the following sanctions for noncompliance.

**First violation:** The entire AG is ineligible for a minimum of one month.

**Second violation:** The entire AG is ineligible for a minimum of three months.

**Third violation:** The entire AG is ineligible for a minimum of six months.

If an individual complies before the effective date of the sanction period, whether the 10-day time period in the notice of adverse action expires, do not impose a sanction.

If, at the end of the minimum sanction period, the non-compliant payee/head of household does not meet an exemption, and is still not complying with the FSET SNAP E&T requirements, the payee/head of AG household remains ineligible for food stamps until compliance. Other members of the food stamp AG may reapply at that time.

## Listing of Amended Passages

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If the non-compliant payee/head of the ~~food stamp AG~~ **household** leaves the AG during a period in which the AG is ineligible due to noncompliance, the remaining food stamp AG members may request and receive food stamps providing they meet all factors of eligibility.

If the non-compliant payee/head of the ~~AG~~ **household** becomes the payee/head of another food stamp **household AG**, the new food stamp **AG household** is subject to the appropriate sanction for noncompliance.

When the payee/head of the ~~AG~~ **household** refuses or fails to comply with work requirements without good cause at initial application, deny the application. Do not assign a sanction period because compliance with work requirements is a condition of eligibility, and we cannot determine eligibility of the AG until the household meets the requirement.

### **1410.1916 Failure to Comply by AG Member (FS)**

Non-compliant individuals who are not the payee/head of the household are ineligible if they refuse or fail without good cause to comply with ~~FSET~~ **SNAP E&T** requirements. Make a determination of exemptions or good cause and apply the following sanctions for noncompliance.

**First violation:** The non-compliant individual is ineligible for a minimum of one month.

**Second violation:** The non-compliant individual is ineligible for a minimum of three months.

**Third violation:** The non-compliant individual is ineligible for a minimum of six months.

If a non-compliant individual complies before the effective date of the sanction period whether the 10-day time period in the notice of adverse expires, do not impose a sanction.

If, at the end of the minimum sanction period, the non-compliant individual does not meet an exemption, and is still not complying with the ~~FSET~~ **SNAP E&T** requirements, the individual remains ineligible for food stamps until compliance.

If a non-compliant individual joins another AG as payee/head of household, the entire new AG is ineligible for the remainder of the sanction period. If the individual joins another AG and the individual is not the payee/head of household, the individual is an ineligible member of that AG for the remainder of the sanction period.

When an individual refuses or fails to comply with work requirements without good cause at initial application or recertification, the individual is ineligible until the individual meets the requirement because compliance is a condition of eligibility.

### **1410.1919 Food Stamp Sanctions for RAP Individuals (FS)**

Impose an ~~FSET~~ **SNAP E&T** sanction on individuals who receive Refugee Cash Assistance and food stamps if they fail to complete employment and training requirements of RAP employment providers.

### **1420.0509.01 Immunization (TCA)**

Applicants and recipients for Temporary Cash Assistance (TCA) who have a preschool child under age five must complete appropriate childhood immunizations for the child as a condition of eligibility. If the immunization requirement is not met, the child is sanctioned. **When a refugee is applying for TCA with a child under age five, the immunization verification requirement is waived at initial application, if the initial application is within their eight-months from date of entry, status, or asylum. At recertification, the eligibility worker must ensure that immunization requirements are met prior to reauthorizing benefits.**



## Listing of Amended Passages

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The child's income and assets must be counted. If the only child in the assistance group does not meet the requirement, TCA is denied/terminated.

Applicants and recipients must be informed of the availability of childhood immunizations through the Department of Health County Health Department or through the child's health provider.

### **1420.2000 LEARNFARE (TCA)**

School age children age ~~6~~ **six** by February 1 of the current school year up to age 18 are subject to the school attendance requirement. Parents or caretaker relatives whose needs are included in the benefit calculation must participate in school conferences.

**Note:** Refugees applying for TCA are exempted from Learnfare requirements at initial application only, if the initial application is within their eight-month from date of entry/status/asylum. At recertification, the eligibility worker must ensure that immunizations requirements are met prior to reauthorizing benefits.

### **1460.1400 REQUIREMENT TO FILE FOR OTHER BENEFITS (RAP)**

Individuals must apply for and diligently pursue to conclusion an application for all other benefits for which they may be eligible as a condition of eligibility. ~~Need cannot be established nor eligibility determined upon failure to do so.~~ Benefits that must be applied for include, but are not limited to:

1. pensions from local, state, or federal government,
2. retirement benefits,
3. disability,
4. Social Security benefits,
5. Veterans' benefits,
6. UC benefits,
7. Military benefits,
8. Railroad retirement benefits,
9. Workers' Compensation benefits, and
10. Health and accident insurance payments.

Individuals applying for SSI-Related Medicaid, HCDA, Temporary Cash Assistance, or Family-Related Medicaid are not required to apply for SSI as a condition of eligibility.

Individuals who apply for OSS and are potentially eligible for SSI must apply for SSI as a condition of eligibility.

In some cases, individuals who are already receiving benefits may be eligible for increased benefits due to a change in their circumstances. Individuals are required to apply for all increased benefits for which they might qualify.

### **1810.0300 SELF-EMPLOYMENT (FS)**

An individual who owns a business or otherwise engages in a private enterprise is considered self-employed. Income derived from self-employment, less allowable expenses, is considered earned income.

Self-employment wages include the total gain from the sale of any capital goods or equipment in addition to profit and net income.

## Listing of Amended Passages

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Examples of self-employment include, but are not limited to:

1. farming,
2. odd jobs,
3. babysitting,
4. selling or donating blood,
5. doing hair/nails,
6. cutting lawn,
7. working as an independent contractor,
8. Lyft or Uber drivers, or
9. running a trade or business, etc.

### **1810.0302 Allowable Costs of Self-Employment Income (FS)**

The assistance group is required to keep a record of the expenses incurred in the production of self-employment income.

Examples of allowable costs of producing self-employment income are:

1. identifiable costs of labor (salaries, employer's share of Social Security, insurance, [contract labor, commission](#), etc.);
2. stock, raw materials, seed and fertilizer, and feed for livestock;
3. rent and cost of building maintenance;
4. business telephone costs;
5. costs of operating a motor vehicle when required in connection with the operation of the business;
6. the principal and interest paid on loans to purchase income producing real estate and capital assets, equipment, machinery, and other durable goods;
7. insurance premiums and [property](#) taxes paid on income producing property;
8. cost of meals and equipment for children for whom child care is provided in the home; and
9. travel and lodging, but not meals, away from home.

### **1810.0308 Child Care In Own Home (FS)**

Assistance groups deriving income from child care in their own home may elect one of the following methods of determining the cost of meals provided to the children:

1. the actual documented cost of meals,
2. a standard per day amount based on estimated per meal costs, or
3. ~~current reimbursement amounts used in the Child and Adult Care Food Program~~ [for breakfast, lunch and/or dinner can be found at https://www.fns.usda.gov/cacfp/reimbursement-rates](#) , ~~\$0.92 for breakfast, \$1.69 for lunch and/or dinner, and \$0.50 for supplements.~~

### **1810.1200 STUDENT LOANS, GRANTS, AND SCHOLARSHIPS (FS)**

All Title IV and Non-Title IV income a student receives from scholarships, educational grants, gifts, loans and work study are excluded as income. This includes federal Perkins loans authorized under Title IV, Bureau of Indian Affairs Programs and loans, and ~~Road to Independence funds~~ [Postsecondary Educational Services and Support Program \(formerly Road to Independence\)](#).

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New language in passages appear [blue](#) in color and ~~strikethrough~~ is used for deleted language.  
The Introduction and Appendices are excluded.

## Listing of Amended Passages

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### **1820.0302 Allowable Costs of Self-Employment Income (TCA)**

Allowable costs of producing self-employment income include, but are not limited to, the following expenses. The assistance group is required to keep a record of the expenses incurred in the production of this ~~of this~~ [of self-employment](#) income:

1. identifiable costs of labor (salaries, employer's share of Social Security, insurance, [contract labor, commission](#), etc.);
2. stock, raw materials, seed and fertilizer, and feed for livestock;
3. rent and cost of building maintenance;
4. business telephone costs;
5. costs of operating a motor vehicle when required in connection with the operation of the business;
6. interest paid to purchase income producing property;
7. insurance premiums and [property](#) taxes paid on income producing property;
8. costs for feed for work stock;
9. cost of meals and equipment for children for whom child care is provided in the home; and
10. travel and lodging, but not meals, away from home.

### **1820.0303 Costs not Allowed (TCA)**

The following expenses will not be allowed as a cost of producing self-employment income:

1. payments on the principal of the purchase price of income producing real estate and capital assets, equipment, machinery and other durable goods;
2. net losses from previous periods;
3. federal, state and local income taxes, money set aside for retirement purposes and other work- related personal expenses (such as transportation to and from work), as these expenses are accounted for by the 20% earned income adjustment and earned income disregards; ~~and~~
4. ~~depreciation;~~[and](#)

~~The following expenses will not be allowed as a cost of producing self-employment income for TCA:~~

- ~~1. depreciation,~~
- ~~2. Social Security and income tax deductions,~~
3. child care costs (not an allowable expense if he/[she](#) is a child care provider, [such as babysitters/licensed providers](#), even if he/[she](#) pays someone else for care);
- ~~4. transportation to and from work.~~

**Note:** Business equipment and supplies are considered assets for TCA.

### **1820.1200 STUDENT LOANS, GRANTS, AND SCHOLARSHIPS (TCA)**

All Title IV and Non-Title IV income a student receives from scholarships, educational grants, gifts, loans and work study are excluded as income. This includes federal Perkins loans authorized under Title IV, Bureau of Indian Affairs Programs and loans, and ~~Road to Independence funds~~ [Postsecondary Educational Services and Support Program \(formerly Road to Independence\)](#). These sources generally apply to students attending a college or other institution of higher education beyond the high school level.

## Listing of Amended Passages

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### **1830.0101      Income (MFAM)**

**Taxable Earned income** is the receipt of wages, salary, commission, or profit from an individual's performance of work or services or a self-employment enterprise.

**Taxable Unearned income** is income for which there is no performance of work or services. Taxable unearned income may include:

1. retirement, disability payments, unemployment compensation;
2. annuities, pensions, and other regular payments;
3. alimony and spousal support payments **with decrees issued prior to January 01, 2019**;
4. dividends, interest, and royalties;
5. prizes and awards; or
6. Social Security income.

**Excluded income** is income (earned or unearned) that is not counted when determining eligibility.

### **1830.0302      Costs of Self-Employment Income (MFAM)**

Net earned income from self-employment is the total gross income derived from all trades and businesses as computed under the Internal Revenue Code, less deductions allowable under the Code, attributable to such trades or businesses. It includes the individual's share of ordinary net income (or loss) from partnerships even though the partnership profits have not been distributed yet.

The assistance group is required to keep a record of business expenses incurred. Allowable costs of producing self-employment income include, but are not limited to, the following expenses:

1. identifiable costs of labor (salaries, employer's share of Social Security, group medical insurance, employee reimbursements, **contract labor, commission**, etc.);
2. stock, raw materials, seed and fertilizer, and feed for livestock;
3. rent and cost of normal building maintenance;
4. business telephone costs and utility expenses;
5. costs of operating a motor vehicle when required in connection with the operation of the business;
6. interest paid on debts related to the business property;
7. insurance premiums related to the business;
8. depreciation costs for owned property used in business or held to produce income;
9. travel meals, lodging and entertainment expenses away from home;
10. legal and professional fees; or
11. pension plans.

### **1830.0700      SUPPORT PAYMENTS (MFAM)**

Support payments are funds paid by a non-custodial parent or spouse intended for the support or maintenance of a member of the household.

Support paid by a non-custodial parent is considered child support to the child for whom the payment is intended and is excluded.

All child support received, including delinquency or arrearages, is excluded unearned income.

## Listing of Amended Passages

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Payments received for a child no longer in the home is considered a contribution and is also excluded.

Spousal support or alimony is an amount of money allocated from one spouse to another by the court as a result of a divorce or separation agreement. ~~The amount of alimony received must be counted as unearned income minus any collection fees charged.~~ The amount of alimony received based on decrees issued prior to January 01, 2019, minus any collection fees charged must be counted as unearned income. The amount of alimony received based on decrees issued on or after January 01, 2019, is not considered unearned income.

### **1830.1200 EDUCATIONAL SCHOLARSHIPS, FELLOWSHIPS AND GRANTS (MFAM)**

Scholarships, fellowships, grants, and ~~Road to Independence funds~~ Postsecondary Educational Services and Support Program (formerly Road to Independence) are excluded income if the recipient is a degree candidate at an eligible educational institution to the extent it does not exceed qualified educational expenses. Qualified educational expenses include tuition and fees, course related expenses such as fees, books, supplies and equipment if required. The costs of room and board, travel, teaching or research are not qualified educational expenses. The total grant amount received by the young adult participating in one of the Independent Living Programs is excluded in all Medicaid eligibility determinations for all members.

### **1840.1200 STUDENT LOANS, GRANTS, AND SCHOLARSHIPS (MSSI, SFP)**

These sources generally apply to students attending a college or other institution of higher education beyond the high school level.

All student financial assistance received under Title IV of the Higher Education Act of 1965, Bureau of Indian Affairs (BIA) student assistance programs, and ~~Road to Independence funds~~ Postsecondary Educational Services and Support Program (formerly Road to Independence) are excluded from income and assets, regardless of use.

Examples of Title IV programs include, but are not limited to:

1. Pell grants,
2. State Student incentives,
3. Academic Achievement Incentive scholarships,
4. Upward Bound, and
5. Work-Study Programs.

For other grants, scholarships, gifts or fellowships, apply the following policies:

1. Any portion of a grant, scholarship, gift or fellowship used for paying tuition, fees or other necessary educational expenses is excluded from income. This exclusion does not apply to any portion used for food, clothing, or shelter expenses.
2. Any portion of a grant, scholarship, gift or fellowship that is not used for tuition, fees, or other necessary educational expenses is income in the month received.

Examples of necessary educational expenses include books, supplies, laboratory fees, student activity fees, carfare, and impairment-related expenses necessary to attend school or perform schoolwork (e.g. special transportation to and from classes, special prosthetic devices necessary to operate school machines or equipment etc.).

## Listing of Amended Passages

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### **1850.0816.02 Foster Care Payments - Independent Living Grant (CIC)**

The independent living grant provided to a youth in the Independent Living Program is excluded in the Medicaid eligibility determination as long as the youth has been awarded a ~~Road to Independence Scholarship~~ **Postsecondary Educational Services and Support Program (formerly Road to Independence)**. Other income is budgeted according to the appropriate Medicaid policy.

Only youth that are awarded a ~~Road to Independence Scholarship~~ **Postsecondary Educational Services and Support Program (formerly Road to Independence)** continue to be eligible for Medicaid up to the age of 21 years. Once the youth attains the age of 21, eligibility must be explored under other coverage groups.

### **1850.1200 STUDENT LOANS, GRANTS, AND SCHOLARSHIPS (CIC)**

All Title IV and Non-Title IV income a student receives from scholarships, educational grants, gifts, loans, and work study, and ~~Road to Independence funds~~ **Postsecondary Educational Services and Support Program (formerly Road to Independence)** are excluded as income. This includes federal Perkins loans authorized under Title IV and Bureau of Indian Affairs Programs and loans. These sources generally apply to students attending a college or other institution of higher education beyond the high school level. The total grant amount received by the young adult participating in one of the Independent Living Programs is excluded in all Medicaid eligibility determinations for all members.

### **1860.0302 Allowable Costs of Self-Employment Income (RAP)**

Allowable costs of producing self-employment income include, but are not limited to, the following expenses. The assistance group is required to keep a record of the expenses incurred in the production of this **of self-employment** income:

1. identifiable costs of labor (salaries, employer's share of Social Security, insurance, **contract labor, commission**, etc.);
2. stock, raw materials, seed and fertilizer, and feed for livestock;
3. rent and cost of building maintenance;
4. business telephone costs;
5. costs of operating a motor vehicle when required in connection with the operation of the business;
6. interest paid to purchase income producing property;
7. insurance premiums and **property** taxes paid on income producing property;
8. costs for feed for work stock;
9. cost of meals and equipment for children for whom child care is provided in the home; and
10. travel and lodging, but not meals, away from home.

### **1860.0303 Costs Not Allowed (RAP)**

The following expenses will not be allowed as a cost of producing self-employment income:

1. payments on the principal of the purchase price of income producing real estate and capital assets, equipment, machinery and other durable goods;
2. net losses from previous periods;
3. federal, state and local income taxes, money set aside for retirement purposes and other work-related personal expenses (such as transportation to and from work), as these expenses are accounted for by the 20% earned income adjustment and earned income disregards; and
4. depreciation-, and

## Listing of Amended Passages

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5. child care costs (not an allowable expense if he/she is a child care provider, such as babysitters/licensed providers, even if he/she pays someone else for care).

The following expenses will not be allowed as a cost of producing self-employment income for TCA, CIC and RAP:

1. ~~depreciation,~~
2. ~~Social Security and income tax deductions,~~
3. ~~child care costs (not an allowable expense if he is a child care provider, even if he pays someone else for care), and~~
4. ~~transportation to and from work.~~

**Note:** Business equipment and supplies are considered assets for TCA, CIC, RAP and MFAM. Business equipment and supplies are excluded as assets in FS.

### **1860.1200 STUDENT LOANS, GRANTS, AND SCHOLARSHIPS (RAP)**

All Title IV and Non-Title IV income a student receives from scholarships, educational grants, gifts, loans, and work study, and ~~Road to Independence funds~~ [Postsecondary Educational Services and Support Program \(formerly Road to Independence\)](#) are excluded as income. This includes federal Perkins loans authorized under Title IV and Bureau of Indian Affairs Programs and loans. These sources generally apply to students attending a college or other institution of higher education beyond the high school level.

### **2030.0800 RETROACTIVE MEDICAID (MFAM)**

The following passages ~~will discuss~~ [covers the](#) Retroactive Medicaid requirements and the date of entitlement for Retroactive Medicaid.

#### **2030.0812.01 Retroactive Medicaid (MFAM)**

~~DCF may authorize Medicaid coverage for any one or more of the three calendar months preceding the month of application for ongoing Medicaid benefits when the requirements are met.~~ [Medicaid maybe authorized for up to three months prior to the date of application for children under age 21 and pregnant women, including their postpartum period.](#)

#### **2030.0812.02 Requirements for Retroactive Coverage (MFAM)**

The following requirements must be met in order to be eligible for retroactive Medicaid [coverage, for children age 21 and pregnant women, including their postpartum period:](#)

1. The individual must file an application for ongoing assistance. A request can be made for a deceased individual.
2. In the retroactive period, the individual must have received medical services which would be reimbursable by Medicaid. The individual's statement that he has unpaid medical bills for any of the three months will be accepted; the individual is not required to verify that the bills exist or that the services will be covered by Medicaid.
3. The eligibility specialist will determine eligibility for each of the retroactive month(s) using eligibility criteria for any Medicaid coverage group, regardless of the program for which the individual applied.
4. A determination of eligibility must be made for each of the month(s) in the period.
5. Once current income has been verified and any discrepancies resolved, staff must accept self-attestation that the individual's income was consistent during the retroactive period. Request additional information only if the income is inconsistent or information known to the agency suggests the individual's circumstance may have changed in the retroactive period.



## Listing of Amended Passages

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### **2040.0811.03 Retroactive Coverage for Posthumous Medicaid (MSSI)**

~~Medicaid coverage must be authorized for any one or more of the three calendar months preceding the month of application if an individual received medical services which would have been covered by Medicaid and if he would have been eligible for the month(s) in question.~~

Medicaid may be authorized for up to three months prior to the date of application for children under age 21 and pregnant women, including their postpartum period. An application must be filed for this individual.

Requests for Medicaid for individuals who were not alive on the date of application will be treated as a request for retroactive Medicaid.

### **2040.0812.01 Retroactive Medicaid (MSSI)**

~~DCF may authorize Medicaid coverage for any one or more of the three calendar months preceding the month of application for ongoing Medicaid benefits.~~ Medicaid may be authorized for up to three months prior to the date of application for children under age 21 and pregnant women, including their postpartum period when the requirements are met.

### **2040.0812.02 Requirements for Retroactive Coverage (MSSI)**

The following requirements must be met in order to be eligible for retroactive Medicaid coverage, for children under age 21 and pregnant women, including their postpartum period:

1. The individual must file an application for ongoing assistance. A request for can be made for a deceased individual.
2. In the retroactive period, the individual must have received medical services which would be reimbursable by Medicaid. The individual's statement that he has unpaid medical bills for any of the three months will be accepted; the individual is not required to verify that the bills exist or that the services will be covered by Medicaid.
3. The eligibility specialist will determine eligibility for each of the retroactive month(s) using eligibility criteria for any Medicaid coverage group, regardless of the program for which the individual applied.
4. A determination of eligibility must be made for each of the month(s) in the period.
5. Once current income has been verified and any discrepancies resolved, staff must accept self-attestation that the individual's income was consistent during the retroactive period. Request additional information only if the income is inconsistent or information known to the agency suggests the individual's circumstance may have changed in the retroactive period.

All SSI-Related noninstitutionalized applications for retroactive Medicaid due to a disability must have the disability reviewed by the Division of Disability Determinations (DDD).

All SSI-Related institutionalized applications for retroactive Medicaid (i.e., ICP and HCBS) due to a disability must have the disability reviewed by the District Medical Review Team (DMRT).

For disability cases, the eligibility specialist should call DDD for a Title II diary date and onset date prior to completing the disability forms. If the retroactive Medicaid date is covered by the Title II onset date, then DDD will adopt the decision and completion of the disability forms will not be necessary. (Also see Chapter 1400, Blindness/Disability Determinations.)

**Note:** There is no retroactive Medicaid coverage for QMB. For the State Funded Programs (SFP), there is no retroactive coverage. This includes OSS and HCDA.



## Listing of Amended Passages

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### 2210.0320.02 Student Eligibility Test (FS)

Complete the student eligibility test for students in institutions of higher education to determine if they meet a student exemption. Testing for student eligibility does not apply to individuals attending high school, individuals not attending school at least half-time, or individuals enrolled full-time in schools and training programs that are not institutions of higher education. Individuals pass the student eligibility test and are eligible to participate in the Food Stamp Program if they are:

1. ~~age~~ **Age** 17 or under or 50 or older. ~~Or;~~
2. ~~p~~ **P**hysically or mentally unfit. Individuals are physically or mentally unfit if they are receiving temporary or permanent disability benefits from government or private sources or are obviously physically or mentally unfit. Individuals meet the obviously unfit criteria if the impairment is so severe that they are not only unable to do their previous work but cannot, considering their education and experience, hold any other kind of job in the national, state, or local economy. If the unfitness is not obvious, get written or verbal verification from a physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, licensed or certified psychologist, social worker, or other medical personnel. Assist the individual in providing the verification. ~~Or;~~
3. ~~r~~ **R**esponsible for the care of a dependent standard filing unit (SFU) member under age six. ~~Or;~~
4. ~~h~~ **H**ouseholds with parent(s) or members acting as the parents responsible for the care of a dependent SFU member age six but under the age of 12, for whom adequate child care is not available to allow the student to attend class and comply with the requirements of working an average number of work hours that total 80 hours per month or attend class and participate in a state or federally financed work study. ~~or;~~
5. ~~r~~ **R**eceiving Temporary Cash Assistance benefits. ~~or ;~~
6. ~~a~~ **A**ssigned to or placed in an institution of higher learning through the Job Training Partnership Act, the ~~Food Stamp Employment and Training Program (FSET)~~ **Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) program**, Regional Workforce Board coalition/contract provider, the Trade Act, or state or local government employment and training program where components are the same as required components in the ~~FSET~~ **SNAP E&T Program. Postsecondary Educational Services and Support Program (formerly Road to Independence)** meets this criteria. ~~or;~~
7. ~~p~~ **P**articipating in an on-the-job training program. The exemption applies only while the employer is training the individual. ~~or;~~
8. ~~e~~ **E**nrolled in the school because of participation in the JOBS Program or its successor programs through the ~~Agency for Workforce Innovation~~ **Department of Economic Opportunity** under Title IV of the Social Security Act. ~~or;~~
9. ~~s~~ **S**ingle parents enrolled in school full-time and responsible for care of a dependent child under age 12 when there is only one natural, adoptive, or step-parent in the same food stamp SFU. ~~or;~~
10. ~~w~~ **W**orking average work hours that total 80 hours per month and be paid for the work (with no allowance for substitution of wages equal to 80 times the federal minimum wage), or self-employed average work hours that total 80 hours per month and receiving

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New language in passages appear **blue** in color and ~~strikethrough~~ is used for deleted language.  
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## Listing of Amended Passages

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payment for the work at least equal to the federal minimum wage multiplied by 80 hours per month. ~~Or ;~~ ;

11. ~~p~~**P**articipating in a state or federally financed work-study program during the regular school term. The student must have approval for the work-study when they apply for food stamp benefits and anticipate actually participating in work-study during the school term. This exemption does not apply to students working in hospitals or as student teachers who must get actual experience as part of their course work or cooperative education students who attend classes full-time one semester and work at curriculum related jobs full-time the next semester. This work-study exemption does not continue during term breaks of more than a full month unless the student participates in work-study during the break.

### **2260.0407.02 Adult Refugee May be Included (RAP)**

~~A refugee adult age 18 or over may be included in the SFU.~~ A refugee adult age 18 or over who is not a full-time student in a secondary school or equivalent, may have their own SFU.

### **2610.0402.01 Assistance Groups with Self-Employment Income (FS)**

Generally, self-employment income is budgeted in accordance with the pattern of receipt and the period over which the income represents the assistance group's support.

Self-employment income representing an assistance group's annual support must be averaged over a 12 month period, even if the amount is received in a short period of time.

When a vehicle is used, the cost of transportation to see customers is recognized at the allowable state rate for mileage or the individual's actual expenses.

**Example:** Self-employment income received by farmers must be averaged over a 12 month period if the income represents the farmer's annual support. This self-employment income must be annualized even if the assistance group receives income from other sources in addition to self-employment.

### **2620.0413.01 Computation of Self-Employment Income (TCA)**

Self-employment income, other than the provision of child care in the individual's home, can at the individual's option be derived by:

1. calculating an average of the most recent consecutive four weeks, or
2. prorating the assistance group's annual income over a 12-month period based on the most recent income tax return.

Monthly operating costs would be calculated in the same manner as the income and deducted from the income to arrive at the adjusted monthly income budgeted.

Operating costs are those costs incurred in the course of the business operation that are necessary to run the business. Operating costs which are recognized include transportation to see customers, materials and equipment. When a ~~motorized~~ vehicle is used, the cost of transportation to see customers is recognized at the allowable state rate for mileage **or the individual's actual expenses**. Depreciation costs are not recognized. Operating costs do not include Social Security and income tax deductions, child care costs, or transportation to and from work. Business equipment and supplies are considered assets.

## Listing of Amended Passages

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### **2630.0413.01 Computation of Self-Employment Income (MFAM)**

Self-employment income, other than the provision of childcare in the individual's home, can at the individual's option be derived by:

1. calculating an average of the most recent consecutive four weeks, or
2. prorating the assistance group's annual income over a 12-month period based on the most recent income tax return.

Monthly operating costs are calculated in the same manner as the income and deducted from the gross income to arrive at the adjusted monthly income budgeted.

Operating costs are those costs incurred in the course of the business operation that are necessary to run the business. **Recognized operating costs** ~~Operating costs which, are recognized~~ include transportation to see customers, materials and equipment. When a ~~motorized~~ vehicle is used, the cost of transportation to see customers is recognized at the allowable state rate for mileage **or the individual's actual expenses**. Operating costs do not include Social Security and income tax deductions, child care costs, or transportation to and from work.

### **2650.0413.01 Computation of Self-Employment Income (CIC)**

Self-employment income, other than the provision of child care in the individual's home, can at the individual's option be derived by:

1. calculating an average of the most recent consecutive four weeks, or
2. prorating the assistance group's annual income over a 12 month period based on the most recent income tax return.

Monthly operating costs would be calculated in the same manner as the income and deducted from the income to arrive at the adjusted monthly income budgeted.

Operating costs are those costs incurred in the course of the business operation that are necessary to run the business. Operating costs which, are recognized include transportation to see customers, materials and equipment. When a ~~motorized~~ vehicle is used, the cost of transportation to see customers is recognized at the allowable state rate for mileage **or the individual's actual expenses**. Depreciation costs are not recognized. Operating costs do not include Social Security and income tax deductions, child care costs, or transportation to and from work. Business equipment and supplies are considered assets.

### **2660.0413.01 Computation of Self-Employment Income (RAP)**

Self-employment income, other than the provision of child care in the individual's home, can at the individual's option be derived by:

1. calculating an average of the most recent consecutive four weeks, or
2. prorating the assistance group's annual income over a 12 month period based on the most recent income tax return.

Monthly operating costs would be calculated in the same manner as the income and deducted from the income to arrive at the adjusted monthly income budgeted.

Operating costs are those costs incurred in the course of the business operation that are necessary to run the business. Operating costs which, are recognized include transportation to see customers, materials and equipment. When a ~~motorized~~ vehicle is used, the cost of transportation to see customers is recognized at the allowable state rate for mileage **or the individual's actual expenses**. Depreciation costs are not recognized. Operating costs do not

## Listing of Amended Passages

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include Social Security and income tax deductions, child care costs, or transportation to and from work. Business equipment and supplies are considered assets.

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