



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number:

Effective Date:

Issuance Date:

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND CASE MANAGERS**

FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR

RE: SEPARATE HOUSEHOLD STATUS FOR DISABLED PERSONS

PROGRAM AFFECTED: FOOD STAMP PROGRAM

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY:

The Food and Nutrition Service (FNS) recently provided guidance for situations involving disabled persons, the household definition, and the policy for elderly disabled households living with others (Food Stamp Manual 109.4). FNS is concerned that past guidance has not provided a consistent message on the policy. This transmittal is to ensure that local departments are applying policy consistently.

POLICY:

Separate Household Status For Disabled Persons

A person who lives with others but customarily purchases and prepares his or her meals separately from others is a separate food stamp household. The new guidance clarifies that this policy also applies to persons of any age who are too disabled to purchase their own food, but who have arranged to have their food purchased and prepared separately from those with whom they live. The disabled person may claim separate household status even if the person who buys and prepares meals for the disabled person is residing in the home.

Note: All policy related to household composition applies.

Example: Mrs. Jones lives with her daughter's family. Mrs. Jones is unable to purchase and prepare her meals on her own because of her disability. Mrs. Jones' daughter buys and prepares her mother's food separately from her family's food. Mrs. Jones is a separate food stamp household. Note: The case

manager does not have to verify the daughter's income since food purchase and preparation is separate.

Elderly and Disabled Persons Living With Others

The policy in Section 109.4 of the Food Stamp Manual deals with the exception to the policy that all individuals who live together and customarily purchase food and prepare meals together for home consumption are one household. The policy in this section allows the elderly and disabled members to be a separate food stamp household from those with whom they live if the income of the others in the home (excluding the income of the elderly and disabled person) is no more than 165 percent of the Federal poverty income guideline.

Example: Mr. Smith lives with his daughter and her two children. He is 65 years old and is unable to purchase and prepare his meals on his own because of his disability. The daughter's monthly income is \$1500. Since this is less than the amount for a three-person household in Section 600 column C of the Food Stamp Manual, the case manager considers Mr. Smith as a separate household.

CARES PROCEDURES:

Separate Household Status

Screen and pend (Option **J** from the **AMEN**) the disabled customer as a household size of one. Process (Option **P**) the application using only the disabled customer's information. Finalize (Option **Q**) the application.

Elderly and Disabled Persons Living with Others

Screen and pend (Option **J** from the **AMEN**) all household members. When the verifications are received, test the income of the non-elderly/disabled household members off-line. If the income is no more than 165 percent of the Federal poverty income guideline, code those individuals as **NM** (non-member) and process the elderly/disabled household member as a household size of 1.

ACTION DUE:

This policy is effective upon receipt.

INQUIRIES:

Please direct policy questions to Kay Finegan at 410-767-7939 or Rick McClendon at 410-767-7307.

cc: FIA Management Staff
Constituent Services
DHR Help Desk

SIDE-BY-SIDE FOR SEPARATE HOUSEHOLD STATUS FOR PERSONS WHO ARE DISABLED

Food Stamp Manual Section 100 - Household Composition	Food Stamp Manual Section 109.4 Elderly and Disabled Persons Living and Eating with Others
<p>A household may be one person or a group of people who live together and customarily purchase and prepare their food together.</p> <p>This also applies to persons who are too disabled to purchase their own meals, but who have made arrangements to have their <u>food purchased and prepared separately from those with whom they live.</u></p>	<p>Elderly individuals 60 years of age or older (and their spouses) who are unable to purchase and prepare their own meals because of a disability considered permanent under the Social Security Act, or some other permanent physical or mental non-disease-related disability, <u>living and eating with others</u> may be considered an individual household.</p> <ul style="list-style-type: none"> • Consider the elderly and disabled living with others as a separate household if the income of the others with whom the individual resides does not exceed 165% of the poverty level. • Income for this provision includes the earned and unearned income of all other individuals with whom the elderly and disabled individual resides except for his or her spouse.
<p>This does not change the rules about who must be included in a household. The following people who live together <u>must</u> be included in the same food stamp household. They cannot choose to be excluded on the basis of being a boarder, roomer or live-in attendant.</p> <ol style="list-style-type: none"> 1. Spouses 2. Parents and Children - Children, 21 years old and younger, living with their natural, adoptive parents or stepparents cannot be separate households from their parents. 3. Children Under 18 Years of Age - Children (other than foster children – See section 100.5) age 17 or younger who live with and are under the parental control of someone other than a parent cannot be a separate household. 	