



Department of Human Resources
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FIA ACTION TRANSMITTAL

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

**FROM: *Kevin Mahon*
KEVIN MAHON, EXECUTIVE DIRECTOR, FIA**

RE: HOUSEHOLD COMPOSITION

PROGRAM AFFECTED: FOOD STAMPS

**ORIGINATING OFFICE: OPA/ DIVISION OF PROGRAM POLICY AND
REGULATION**

BACKGROUND

The food stamp provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 signed by President Clinton on August 22, 1996, deletes a current rule that permitted minor children to be separate food stamp households in some situations. Action Transmittal IMA OPA #95-42 is obsolete.

CURRENT POLICY

Children, 21 years old or younger, living with their parents, cannot be separate households from their parents unless they are married and living with their spouse, or are parents and living with their children. The exception also applied to children living with and under the parental control of someone other than a parent.

NEW POLICY

The new rules are as follows:

- All children, 21 years old and younger, living with their parents, **must** be included in the same household as their parents.
- Children (other than foster children) under 18, who live with and are under the parental control of someone other than a parent, cannot be a separate food stamp household.

Example #1: Ms. Jones is age 19. She and her husband and child are living with Ms. Jones' parents. They purchase and prepare their food separately. They must all be included in the same food stamp household.

Example #2: Mr. Brown is an SSI recipient and is applying for food stamps. He and his employed 20 year-old son live together, but purchase and prepare their food separately. They must be considered as one household.

Example #3: Ms. Smith is age 17 and is applying for food stamps. Her uncle allows her to live in his home and they purchase and prepare her food separately. The local department determines that the uncle does not exercise parental responsibility over Ms. Smith. She can be a separate food stamp household.

REMINDERS

The rule requiring that those who customarily purchase and prepare prepare their meals together be considered one household has not changed.

Spouses who live together are still considered one household.

ACTION REQUIRED

The decision of who to include in the food stamp household is made by the case manager, based on the statements of the household members and the requirements of the program. There is no change in the coding of AIMS and CARES for most households. The work around and special processing required when minor parents were in separate households from their parents is eliminated. Action Transmittal IMA OPA #95-42 is obsolete.

Please place the attached manual pages in the Food Stamp manual. The On-line Manual will also be updated by November 1, 1996.

ACTION DUE

The policy is effective at application, recertification, or at interim change on or after, October 1, 1996.

INQUIRES

Please direct questions to Kay Finegan at (410) 767-7939.

cc: FIA Management Staff
Constituent Services

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- o **Special Eligibility Situations** The following persons may make up or be part of the food stamp household provided they meet the special requirements described.
 - A. **Strikers** - Households with a member subject to work registration who is on strike are not eligible for food stamps unless they were eligible for benefits on the day prior to the strike. (See Section 101). Persons who are exempt from work registration are not defined as strikers, therefore, this policy does not apply to them. In addition, it does not apply to persons locked out from their jobs.
 - B. **Students** - Students must meet one of the eligibility requirements listed in section 102.
 - C. **Residents of some private non-profit housing for elderly** - If the housing was built under with the Section 202 of the Housing Act of 1959 or Section 236 of the National Housing Act.
 - D. **Narcotic addicts or alcoholics** - For the purpose of participation in a drug or alcohol treatment rehabilitation the addict/alcoholic must reside at a facility or treatment center. The treatment center must be a non-profit (federally tax-exempt) facility. It must also be verified or licensed as providing treatment by a health, mental health or alcohol abuse agency of the State of Maryland or be licensed by FNS as a retail food outlet.
 - E. **Disabled or blind individuals** who are residents of group living arrangement (GLA) facilities and who received benefits under Title II (RSDI) or Title XVI (SSI) of the Social Security Act, who are rated as 100% disabled by the Veteran's Administration receiving a non-service connected disability payment from the Veteran's Administration, receiving disability retirement benefits from a governmental agency because of a disability considered permanent under the Social Security Act or receiving an annuity payment under the Railroad Retirement Act and determined eligible to receive Medicare by the Railroad Retirement Board. The GLA facility must be a non-profit (federally tax-exempt) facility certified by a health, mental health or social services agency of the State of Maryland. See Section 109 for more details.



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GENERAL
INFORMATION:
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o Food Stamp Household Definition

- A. Spouses - Either of two people who (1) would be defined as married to each other under applicable state law; or (2) hold themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or trades people.
- B. Parents and Children - Children, 21 years and younger, living with their parents cannot be separate households from their parents.

Adult children (22 years or older) who live with their parents can be separate households if they purchase and prepare their food separately.
- C. Children Under 18 Years of Age - Children (other than foster children) under 18 who live with and are under the parental control of someone other than a parent cannot be a separate food stamp household.

No individual may participate as a member of more than one household in any month unless he/she is a resident of a shelter for battered women and children as defined in Section 103. However, if a person or group leaves a household, they must be permitted to apply and participate as a separate household the month after the move, if otherwise eligible. Since the remaining members of the original household must receive notice of the adverse action if their benefits are reduced, they will receive benefits based on the original household size if the adverse action period expires in the month after the move.