



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

FIA ACTION TRANSMITTAL

Control Number: FIA/OPR #99-06

Effective Date: August 1, 1998

Issuance Date: August 13, 1998

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS**
Charles E. Haney Sr

**FROM: LYNDA FOX, DEPUTY SECRETARY FOR PROGRAMS AND LOCAL
OPERATIONS**

**RE: RESIDENCY REQUIREMENT FOR STATE FUNDED FOOD STAMPS
FOR LEGAL IMMIGRANT CHILDREN**

PROGRAM AFFECTED: FOOD STAMP PROGRAM

ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH, AND SYSTEMS

SUMMARY

This transmittal provides information about a new residency requirement for receipt of the state-funded Food Stamp Program.

OLD POLICY

The state-funded Food Stamp Program for immigrant children did not have a residency requirement.

NEW POLICY

A legal immigrant who applies for the state-funded Food Stamp Program and has lived in Maryland for less than 12 months after moving from another state, may not receive benefits unless the prior state paid benefits to legal immigrants.

Policy Reminder

The State Food Stamp Program provides benefits for children who are:

- Qualified aliens, and
- Under age 18 or who are included in a TCA grant, and
- Not eligible for the federal FS Program (FSP).

States that have State Funded Food Stamp Programs as of 1/1/98

Following is a listing of states we know have state- funded nutrition benefits for immigrants who became ineligible for food stamp benefits because of federal legislation. Please be aware that the programs may change and some states may add or terminate programs.

STATE	STATE FUNDED NUTRITION PROGRAM
California	Children under 18 and seniors (65 and over) in U.S. on 8/22/96
Colorado	Counties have the option to provide nutrition assistance through emergency assistance funds
Florida	Benefits provided for elderly (65 and over) who were residing in the state on 8/22/96, were residents before 2/1/97 and are in the process of becoming citizens
Illinois	Children, seniors and immigrants with disabilities living in Illinois before FS were terminated: \$43 for seniors and \$80 for children
Massachusetts	From January until June 1998, state food stamps available at federal level
Minnesota	Families on TANF or state-funded TANF in the state on 7/1/97 get nutritional benefits at federal FS level until 6/30/98
Nebraska	Fully restored benefits for all immigrants
New Jersey	Children, seniors and people with disabilities who resided in the state on 8/22/96 are eligible; must naturalize within 60 days of date approved for state program or within 60 days of meeting residency requirement for citizenship whichever is later.
New York	Local service districts may opt to provide food stamps to children under 18, elderly (60 years and older) or disabled, if on 8/22/96, they were living in the district where they are applying
Rhode Island	If lawfully admitted to U.S. by 8/22/96 and state resident on 8/22/96 get full food stamp benefits
Texas	Seniors and people with disabilities who were receiving benefits on 8/22/96
Washington	Fully restored benefits for all immigrants

Not all states provide state funded nutrition benefits for children. Texas and Florida provide nutrition benefits for the elderly only. Children in families that move from these states are not eligible for benefits until after they have lived in Maryland for 12 months.

Some states provide benefits at local option. It may be necessary to contact the locality to determine eligibility for benefits.

POLICY REMINDER: Adults are not eligible for the state-funded food stamp program for children.

ACTION REQUIRED

In interviewing applicants for the state-funded Food Stamp Program for immigrant children:

- Discuss where the family lived in the 12 months prior to application. If the family lived in another state during this period, determine if that state provides nutrition benefits for immigrant children who are ineligible for federal benefits.
- If the family lived in one of the states listed above that provides nutrition benefits to immigrant children, they are eligible for state-funded benefits for immigrant children.
- If the family lived in a state that is not listed or does not provide benefits for children, deny the individual. Inform the household that they may reapply after living in Maryland 12 months.

CARES PROCEDURE:

FS ONLY HOUSEHOLDS:

Application:

- Pend a Federal Food Stamp AU listing all household members on the STAT screen with their respective relationship codes and financial responsibility as "PN."
- On the DEM2 screen, in the Citizenship field, enter:
 - "I" for all ineligible federal adult recipients AND all ineligible federal children not meeting residency requirements for the State Food Stamp Program (regardless of actual status – CARES will prorate any earned or unearned income of the ineligible individual),
 - "L" for all federal eligible recipients and all children eligible for State food stamps, and
 - "C" for all citizens.
- On the ALAS screen, enter the actual:
 - INS Status code and verification type. For those immigrants who are eligible for 5 years after entry (refugees) or for 5 years after obtaining their status (i.e. asylees, parolees, Cuban/Haitian entrants), if their status changes to legal permanent resident, **do not change the code until the 5 year period of eligibility ends.**

- "Y" or "N" for Sponsored Alien,
 - Country of Origin,
 - Entry Date (This date should reflect the date status as a Cuban and Haitian entrant, or asylee was obtained or the date deportation was withheld. For refugees it should reflect the date of entry into the U.S.),
 - INS Number, verification, and Verification Date, and
 - "Y"- (Yes), "N"- (No), or "E"- (Exempt) for SPP (State Paid Program). (If citizenship code is "I", SPP must = "N"; if citizenship code is "L", SPP must = "E" for those adults and children who meet federal exemption criteria, "Y" for children who will be in the State FS program.)
- Enter assets and income on the appropriate household member's screens (income entered for all "I" coded legal immigrants will be prorated correctly by CARES).
 - Calculate the correct shelter amount (including rent, mortgage, utilities, etc.) off-line according to policy (see Action Transmittal 98-20), then:
 - Enter the prorated amount on the head of household's SHEL screen in the rent field. Leave the Utility Standard as "N."
 - Enter "Y" in the "Is heat in the rent?" field.
 - Enter "N" in the "Do you pay light/cooking?" field.
 - Add a remark using PF9 as to the actual rent and utility information.
 - Process (Option "P" from the AMEN) each month making sure to review the:
 - ALAS screens to ensure proper coding,
 - Assets and income to ensure accuracy,
 - SHEL screens to ensure shelter expense is prorated and entered only on the head of household's SHEL screen.
 - Finalize (Option "Q" from the AMEN) the application, for each month:
 - Review the ELIG screen to ensure the status of all ineligible adults and children is "ND" with a denial code of "202" (failed citizenship).
 - Enter "Y" to confirm eligibility.
 - Review the FSFI screen to ensure correct household size and benefit amount.
 - Enter "Y" to confirm benefit amount.
 - Allow system-generated notice to be sent.
 - After finalizing, select Option "R" and:
 - Change all legal immigrant "I" codes to "L,"
 - Enter any other information now required,
 - Reconfirm the status of ELIG and FSFI, and
 - Suppress the notice.

NARRATE ALL CASE ACTIVITY.

Currently Active FS AU:

Using Option "R" from the AMEN:

- On the DEM2 screen, in the Citizenship field, enter:
 - "I" for all ineligible federal adult recipients AND all ineligible federal children not meeting residency requirements for the State Food Stamp Program (regardless of actual status – CARES will prorate any earned or unearned income of the ineligible individual),
 - "L" for all federal eligible recipients and all children eligible for State food stamps, and
 - "C" for all citizens.
- On the ALAS screen, enter the actual:
 - INS Status code and verification type. For immigrants who are eligible for 5 years after obtaining their status (i.e. asylees, parolees) or for refugees who are eligible for 5 years after entry into the U.S, if their status changes to legal permanent resident, **do not change the code until the 5 year period of eligibility ends.**
 - "Y" or "N" for Sponsored Alien,
 - Country of Origin,
 - Entry Date (This date should reflect the date status as a refugee, Cuban and Haitian entrant, or asylee was obtained or the date deportation was withheld.),
 - INS Number, verification, and Verification Date, and
 - Enter "Y"- (Yes), "N"- (No), or "E"- (Exempt) for SPP (State Paid Program). (If citizenship code is "I", SPP must = "N"; if citizenship code is "L", SPP must = "E" for those adults and children who meet federal exemption criteria, "Y" for children who will be in the State FS program.)
- Enter assets and income on the appropriate household member's screens (income entered for all "I" coded legal immigrants will be prorated correctly by CARES).
- Calculate the correct shelter amount (including rent, mortgage, utilities, etc.) off-line according to policy, then:
 - Enter the prorated amount on the head of household's SHEEL screen in the rent field. Leave the Utility Standard as "N."
 - Enter "Y" in the "Is heat in the rent?" field.
 - Enter "N" in the "Do you pay light/cooking?" field.
 - Add a remark using PF9 as to the actual rent and utility information.
- Review the ELIG screen to ensure the status of all ineligible adults and children is "ND" with a denial code of "202" (failed citizenship).
 - Enter "Y" to confirm eligibility.
- Review the FSFI screen to ensure correct household size and benefit amount.
 - Enter "Y" to confirm benefit.
 - Allow system-generated notice to be sent.

NARRATE ALL CASE ACTIVITY.

TCA/FS OR MA/FS HOUSEHOLDS:

Application:

- Complete the above procedures, making sure to finalize the FS AU first.
- After changing the citizenship code to "L," finalize the TCA or MA AU.

Currently active households:

- Using Option "R" from the AMEN:
 - Close the TCA or MA in the on-going month with a "554" code on the STAT screen.
 - Change the citizenship code from "L" to "T" on the DEM2 screen(s) for all ineligible adult legal immigrants AND all ineligible federal children not meeting residency requirements for the State Food Stamp Program.
 - Enter "Y" to recalculate eligibility on the MISC screen.
 - Confirm eligibility with a "Y" on the TCA or MA AU's ELIG screen making sure the AU is closing effective the end of the month with a "554" code.
 - Confirm case closure with a "Y" on the CAFI or MAFI screen.
 - Confirm eligibility with a "Y" on the Food Stamp AU's ELIG screen, making sure the financial responsibility code for the ineligible adults and children has changed to "ND" with a reason code of "202" (failed citizenship requirements).
 - Review the FSFI screen to ensure correct household size and benefit amount.
 - Enter "Y" to confirm benefit.
 - Allow system generated notice to be sent.

Restore the TCA or MA benefits as follows:

- Using option "M" from the AMEN:
 - Reinstate the TCA or MA AU.
- Using option "R" from the AMEN:
 - Remove the "554" code from the TCA or MA STAT screen for the AU and each individual household member.
 - Change the citizenship code from "T" to "L" for all ineligible legal immigrant adults AND all ineligible federal children not meeting residency requirements for the State Food Stamp Program.
 - Review the food stamp "SPP" field on the ALAS screen to ensure the correct codes are entered for each immigrant household member.
 - Enter "Y" to recalculate eligibility on the MISC screen.
 - Confirm eligibility for the TCA or MA AU with a "Y" on the ELIG screen, making sure the "554" reason code has been removed from all household members and that the AU status is "A" (Active).
 - Confirm benefit amount with a "Y" on the CAFI or MAFI screen and suppress the system-generated notice.
 - Confirm eligibility for the FS AU with a "Y" on the ELIG screen, making sure the

financial eligibility for all ineligible legal immigrant adults remains as "ND."

- Confirm benefit amount with "Y" on the FSFI screen and suppress the system-generated notice.

NARRATE ALL CASE ACTIVITY.

ACTION DUE

This policy is effective August 1, 1998 for new applications.

INQUIRIES

Please direct policy questions to Kay Finegan at (410) 767-7939 and system questions to Joyce Westbrook at (410) 767-8735.

cc: FIA Management Staff
Constituent Services
OIM Help Desk
CTF
RESI