

**Legislative Regulation
Review Committee**

2008-036

Department of Social Services

**CATEGORICAL ELIGIBILITY FOR FOOD
STAMPS**

STATE OF CONNECTICUT
REGULATION
OF

IMPORTANT: Read instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

NAME OF AGENCY

Department of Social Services

Concerning

SUBJECT MATTER OF REGULATION

Categorical Eligibility for Food Stamps

SECTION _____

Statement of Purpose: (A) The purpose of the regulation is to amend section 2545.05 of the Uniform Policy Manual (UPM) regarding categorical eligibility for the Food Stamp Program. The problems, issues or circumstances that the regulation proposes to address are: (1) previously, an assistance unit was considered categorically eligibility for the Food Stamp program if at least one member of the assistance unit was receiving cash assistance from the Temporary Family Assistance, State Supplement, State Administered General Assistance, Refugee or SSI Programs. The regulation provides that only assistance units in which all members receive cash assistance from one of the previously mentioned cash assistance programs are categorically eligible for Food Stamps; (2) the department has chosen to terminate the policy that conferred categorical eligibility to assistance units in which at least one member received services from the Safety Net Basic Needs or Transitional Rental Assistance programs; and (3) the regulation is being promulgated to comply with 7 CFR §273.2(f).

(B) The main provisions of the regulations are: only assistance units in which all members receive cash assistance from one of the previously mentioned cash assistance programs are categorically eligible for Food Stamps.

(C) The legal effects of the regulation, including all of the ways that the regulation would change existing regulations or other laws are: the proposed revision amends UPM section 2545.05 to require that all assistance unit members must be receiving cash assistance from one of the designated cash assistance programs to be categorically eligible for Food Stamps.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: **Transmittal: UP-08-** **2545.05**

Section: **Categorical Eligibility Requirements** **Type:**
POLICY

Chapter: **Categorically Eligible Assistance Units** **Program:**
FS

Subject:
Which Assistance Units are Categorically Eligible

2545.05 A. Categorically Eligible Unit

An assistance unit is considered categorically eligible for the Food Stamp program if:

1. [at least one member] all members of the assistance unit [receives or is] receive or are authorized to receive benefits under one or more of the following cash assistance programs:
 - a. TFA, including diversion assistance;
 - b. AABD;
 - c. SSI (except if the individual does not meet the Food Stamp technical requirement of citizenship status);
 - [d. General Assistance;]
 - [e.] d. SAGA individual or family assistance;
 - [f.] e. Refugee Assistance; or
- [2. at least one member of the assistance unit receives or is authorized to receive TANF-funded services under one or more of the following programs:
 - a. Safety Net Basic Needs services;
 - b. Transitional Rental Assistance Program (T-RAP) or]
- [3.] 2. the assistance unit meets the criteria in [A.1 or 2 above,] section 2545.05 A.1. but payment of benefits or services [are] is not being made because:
 - a. The cash benefits or TANF-funded services are being recouped;
 - b. The cash benefits amount to less than ten (\$10.00) dollars;
 - c. The cash benefit or TANF-funded service is temporarily suspended due to income received in a prior budget month, under retrospective budgeting; and

[4.] 3. none of the assistance unit's members have been disqualified, as follows:

- a. the assistance unit has not been disqualified from FS because of failure to comply with any of the following requirements:
 - (1) work registration, participation, or job search;
 - (2) voluntary quit; or
- b. an individual in the household has not been disqualified from FS for:
 - (1) committing an intentional program violation; or
 - (2) failure to comply with the requirements of work registration, participation or job search.

B. Authorized to Receive a Benefit

1. To be considered authorized to receive a benefit, the client must:
 - a. be determined eligible for the benefit; and
 - b. must receive notification of the eligibility determination.
2. The client's household is categorically eligible if it meets the conditions of [1.a. and b. above,] section 2545.059(B) 1.a. and b., even if the benefits are not used by the household.

C. Categorical Eligibility Assumed Under Certain Conditions

Categorical eligibility of an assistance unit meeting the conditions of A. above is assumed at the time of the FS recertification in the absence of a timely cash assistance redetermination.

D. Presence of Other Individuals

1. The institutionalization of a household member does not preclude the members of the assistance unit from being categorically eligible.
2. The presence in the household of the following individuals does not preclude the assistance unit from being considered categorically eligible, even if the individual is the recipient of the benefit or service that confers categorical eligibility:
 - a. ineligible non-citizen (unless the non-citizen is an otherwise mandatory assistance unit member who qualifies for SSI but does not meet the FS technical eligibility requirement for citizenship status);
 - b. ineligible student;
 - c. ineligible able bodied adult without dependents (ABAWD) (Cross reference 3512).

CERTIFICATION

R-39 REV. 1/77

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Sections 17b-3 of the General Statutes.

Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

Public Act No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on April 15, 2008 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on _____ day of _____

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The _____ day of _____

In Witness Whereof:	Date <u>5/27/08</u>	SIGNED (Head of Board, Agency or Commission) 	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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Approved by the Attorney General as to legal sufficiency in accordance with sec. 4-169, as amended C.G.S.	SIGNED 	7/7/07 ASSOC. ATTY. GENERAL	OFFICIAL TITLE, DULY AUTHORIZED ATTY. GENERAL
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- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	Date	SIGNED (Clerk of the Legislative Regulation Review Committee)
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Two certified copies received and filed, and one such copy forwarded to the Commission in Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State.)	BY
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INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
- Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.