

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL: 97 ADM-1

TO: Commissioners of
Social Services

DIVISION: Temporary
Assistance

DATE: January 14, 1997

SUBJECT: Federal Cost-of-Living Adjustment in Social Security and
Supplemental Security Income (SSI) Benefits and Impact on
Department Programs

SUGGESTED

DISTRIBUTION: Income Maintenance (IM) Staff
Medical Assistance (MA) Staff
Food Stamp (FS) Staff
SSI/SDX Coordinators
Services Staff
Staff Development Coordinators
CAP Coordinators
SSI Control Unit Staff

CONTACT

PERSON: Call 1-800-343-8859 and ask

for SSI, HR, ADC-Jim Gaudet, extension 4-9313 (AV3050)
for WMS MRB/A -Don Evensen, extension 4-9101 (AV1070)
for WMS ABEL -Joe Ventuleth, extension 3-9779 (89D943)
for WMS NYC -Stephen Cohen, (212) 383-2426 (0iw110)
for FS -FS County Representative,
extension 4-9225
for MA, Upstate -Sharon Burgess, extension 3-5531
(DMA026)
for MA, NYC -MA Representative, (212) 383-2512

ATTACHMENTS: Attachment A - Listing of all attachments (Available
on-line).

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
See AttachmentB	See AttachmentB	See AttachmentB	See AttachmentB	See AttachmentB	See AttachmentB

DSS-296EL (REV. 9/89)

Date January 14, 1997

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PURPOSE

The purpose of this ADM is to advise social services districts of:

A. the January 1997 federal cost-of-living adjustment (COLA) in Social Security (RSDI) benefits, and its impact on public assistance (PA), medical assistance (MA), supplemental security income (SSI) and food stamps (FS);

B. the pass-through of the January 1, 1997 federal COLA in federal Supplemental Security Income (SSI) benefits; and

C. the impact of the increased SSI Congregate Care benefit levels and increased minimum personal needs allowances (PNAs).

II. BACKGROUND

A. The January 1997 federal COLA increase has been set at 2.9%.

B. Effective January 1, 1997, the federal SSI monthly benefit levels will increase by \$14 for individuals and \$21 for couples.

C. Chapter 213 of the Laws of 1996 authorizes a pass-through of the federal SSI COLA to most SSI recipients in New York State and higher PNAs for residents of congregate care facilities.

III. PROGRAM IMPLICATIONS

A. The full amount of the RSDI COLA is considered income available to reduce or eliminate need for PA, FS or SSI, and for MA except in those MA cases in which the applicant/recipient meets the criteria for eligibility in light of Lynch v. Rank as described in 85 ADM-35.

B. The pass-through of the federal SSI COLA will result in an increase in income for most SSI recipients in New York State.

C. Increased SSI benefit levels and PNA amounts will result in higher PA standards of assistance and higher PNAs for PA recipients residing in Congregate Care Level I and II facilities.

IV. REQUIRED ACTION

A. RSDI COLA and SSI Benefit Levels Increases

1. RSDI COLA - General

A flat 2.9% increase in RSDI must be used to recompute the budgets for recipients of PA, FS and MA-Only. The exact amount of new Social Security benefits must be verified at the next client contact or the next regularly scheduled recertification interview, whichever occurs first. The difference between the flat 2.9% computation and the actual increase will not be considered a Quality Control error until after the first client contact.

2. Budgeting Procedures - PA

In December, when completing prospective budgets for January 1997, social services districts must increase the RSDI benefits of these cases by 2.9% to reflect the January 1997 COLA.

3. Budgeting Procedures - PA Supplementation of SSI Recipients

Social services districts are required to provide HR or PG-ADC to the small

number of SSI recipients whose available income is less than the applicable PA standard of need and who are otherwise eligible for HR or PG-ADC. Districts must identify all such individuals and rebudget such cases in accordance with the instructions contained in Section IX-H of the PA Source Book.

In rebudgeting supplementation cases, local districts must compare the SSI standards of need listed in Attachment C against the applicable PA standard of need. These updated standards of need must also be used in determining eligibility of any new applicants for supplementation.

4. Budgeting Procedures - Medical Assistance Only

All MA-Only cases in receipt of RSDI must be rebudgeted to determine continuing eligibility for MA.

Individuals who received RSDI and SSI at any time since April 1977 and who lost SSI eligibility for any reason must be evaluated in light of Lynch v. Rank. Budgeting procedures outlined in 85 ADM-35 should be followed. Persons who are part of this class of recipients ("Pickle" individuals) under Section 503 of Public Law 94-566 should be reviewed annually to ensure that SSI income and resource levels are not exceeded.

Federal law requires that a 20% Social Security increase given to recipients for October 1972 be disregarded in determining MA eligibility for individuals who, in August 1972, were eligible for or receiving cash assistance under Aid to Dependent Child or Aid to the Aged, Blind and Disabled. Individuals who qualify under the provisions of the relevant federal law (Section 249E of PL 92-603, as amended by PL 94-48), must have their income recomputed using the new conversion figures of .242 to determine what the RSDI income would have been in August 1972 and using .952 to determine the amount of the 20% disregard of October 1972. The method as described in 85 ADM-3 must be followed to compute the income which is considered available in determining MA eligibility.

As described in 82 ADM-5, any individual related to a federal assistance category for Medicaid purposes (including parents and children in intact households) and whose cash public assistance case is closed as a result of an increase in RSDI benefits is entitled to a separate determination of eligibility for Medical Assistance.

NOTE: Districts are also reminded to apply the new MA Income and Resource exemption levels. Further details on these January 1, 1997 changes will be provided in a separate administrative directive.

5. Budgeting Procedures - Food Stamps

a. Applicant Households

All new food stamp applicant households with RSDI or SSI income as of January 1, 1997 must be budgeted prospectively using the January 1, 1997 RSDI or SSI amounts.

b. Recipient Households

1. Upstate

RSDI or SSI households currently in receipt of food stamps must have their allotments recomputed to reflect the RSDI or SSI benefit increase for their January 1997 allotments. Most of these households will be mass-rebudgeted as part of the WMS (JAN) Mass Rebudgeting/Reauthorization (MRB/A). Households that are part of the WMS (JAN-2) MRB/A must have their allotments recomputed to reflect the RSDI or SSI increase for their February 1997 allotments.

2. New York City

RSDI or SSI households currently in receipt of food stamps must have their allotments recomputed to reflect the RSDI or SSI benefit increases for their January 1997 allotments.

c. Food Stamp Categorically Eligible Households

Because of food stamp categorical eligibility of all SSI/ADC recipients, no food stamp households composed entirely of SSI, or a combination of only SSI and ADC recipients, will become food stamp ineligible due to this income increase. In addition, each eligible household of one or two persons is entitled to a \$10 minimum benefit; however, categorically eligible cases of three or more persons may be entitled to \$0 benefits.

d. SSI "Living In the Household of Another" Recipients

A small number of SSI recipient's SSI cash grants are reduced due to the federal determination that they are in receipt of in-kind income due to the receipt of free or subsidized food and shelter. Effective January 1, 1997, this group's benefit amounts will be those found in Attachment C.

B. Increased PA Standards of Assistance for Residents of Congregate Care Facilities

1. Effective January 1, 1997, all PA recipients residing in certified Congregate Care Level I and II facilities must be identified and rebudgeted in accordance with the new standards of assistance set forth in Attachment C.

PA standards of assistance for residents of congregate care facilities are the comparable SSI benefit levels rounded down to the next whole dollar.

2. Notification of New Benefit Levels

a. Operators

Social services districts must inform all operators of DSS certified family-type homes supervised by the local district of the increases in the Congregate Care Level I benefit levels and PNA amounts. The Office of Housing and Adult Services will provide additional information and instructions to districts regarding this notification requirement for operators of family - type homes for adults. The increased SSI benefit levels for individuals and couples residing in Level I facilities are set forth in Attachment C.

The Office of Housing and Adult Services will notify operators of DSS certified Level II facilities of the new SSI/PA benefit levels and PNA amounts.

Please note that OHAS has issued 96 LCM-99 on 11/6/96 providing additional information and instructions to districts regarding notification requirements for operators of family-type homes for adults.

b. Residents

Residents of Congregate Care Level I and Level II facilities who are in receipt of public assistance will not receive a system-generated Notice of Intent to Change Benefits. Therefore, social services districts must send the appropriate notice to public assistance recipients in these facilities. The appropriate notice must contain an explanation of any change in the resident's public assistance, food stamps, medical assistance or PNA. The notice must also state the date that any change is due to become effective.

C. FS Budgeting in Group Living Facilities

1. Public Assistance Recipients Not Receiving SSI/RSDI

For public assistance recipients residing in supervised/supportive apartments, drug/alcohol treatment/rehabilitation programs, and enriched housing (all Level II facilities), there will be an increase in public assistance based on the new Level II SSI rate (see Attachment C). For new cases and cases already in receipt of food stamps, the increase in public assistance is effective January 1, 1997. The PA grants are to be budgeted prospectively, which requires that these cases reflect this increase in the January 1, 1997 food stamp allotment amount. In budgeting these cases, the revised Personal Care Costs (income exclusions) and shelter costs must be used.

For PA recipients in family care (Level I), there will be an increase in public assistance based on the new Level I SSI rate (see Attachment C).

2. SSI and PA Recipients

SSI and PA recipients may reside in supervised/supportive apartments, drug/alcohol treatment/rehabilitation programs, other Level II facilities or Congregate Care Level I facilities. They will receive an increased PA grant or SSI benefit effective January 1, 1997. The increased PA grant or SSI benefit is to be budgeted prospectively as part of the JAN MRB/A to determine the household's January FS benefit. JAN-2 MRB/A cases will, however, be budgeted with the increased PA grant or SSI benefit effective February 1, 1997. The Personal Care Costs (income exclusions) and the amount of shelter cost used to budget such cases, have also been revised. These revised costs must be used when rebudgeting such cases (see NOTE in 3. below)

3. NPA SSI/RSDI Recipients

Food stamp recipients in Group Living facilities will have their cases budgeted prospectively with the January 1997 benefit level reflecting the increased amounts of SSI/RSDI and State supplements, except for JAN-2 MRB/A cases which must be rebudgeted effective February 1, 1997. Cases which are not categorically eligible for FS and are made financially ineligible for FS due to the increased income must be closed for January 1997.

Cases that remain eligible for food stamps after the January 1997 increase, must be rebudgeted. This rebudgeting must be done for the January 1997 food stamp issuances and must include the changes in the Personal Care Costs (income exclusions), shelter amounts and incomes.

NOTE: Attachment D provides the revised data for food stamp budgeting for residents of Group Living facilities who are recipients of SSI or RSDI. The same figures are applicable for RSDI or SSI recipients who receive HR supplementation grants.

4. NPA Disabled Residents Not Receiving SSI/RSDI

Cases with disabled Group Living residents not receiving PA, SSI or RSDI, must be rebudgeted for the January 1997 food stamps issuances and must include changes in the Personal Care Cost (income exclusion) and shelter amounts. The JAN MRB/A will rebudget such cases for these COLA - affected items of need.

5. NPA Participants in the Enriched Housing Program

All eligible participants in the Enriched Housing Program receive SSI benefits at the Level II rate (see Attachment C). For January 1, 1997, the Personal Care Cost (income exclusion) for such persons remains \$412 in New York City, Nassau, Suffolk and Westchester Counties, and \$382 in the rest of the State (see Attachment D). Rebudgeting to reflect the COLA

must be done to determine benefit amounts effective January 1997.

D. Use of SSI/RSDI by PA Recipients and Implications for FS

Under Department regulations 351.1(b)(iii) and 352.12(c)(2), as a condition of eligibility for public assistance, all applicants/recipients of public assistance who may qualify for Social Security or Supplemental Security Income (RSDI/SSI) benefits must make application for such benefits. ADC recipients, however, are not required to accept SSI benefits.

This is of particular concern to the HR population between the ages of 62 and 65 who may be eligible for Social Security retirement benefits and, as a result, would have their public assistance grants reduced/discontinued upon receipt of these benefits. Even if the Social Security benefits would be a reduced amount because the applicant/recipient applies for them at age 62, an applicant/recipient is required to pursue them. That person does not have the choice of waiting until age 65.

To assist social services districts in identifying those recipients who may be eligible for RSDI/SSI benefits based upon their age, WMS automatically produces a report twice each month that identifies recipients who will soon reach an age that may qualify them for receipt of RSDI/SSI benefits. The WINR 4137 "Undercare Notice of Anticipated Future Action" report is run on the first and third weekends of each month. This report contains the following Anticipated Future Action (AFA) codes that "flag" recipients who have attained possible RSDI/SSI eligibility ages:

108 - Widow turning 60 - Social Security Survivor's benefits can be made to a deceased worker's widow or widower 60 years of age or older.

109 - Individual turning 62 - a worker and his/her spouse can start receiving Social Security Retirement Benefits as early as age 62.

110 - Individual turning 65 - an individual can start receiving Supplemental Security Income benefits as early as age 65.

It should be noted that this report is currently unavailable in New York City. However, NYCHRA produces its own report that alerts a worker when an individual is about to reach age 60, 62 or 65.

For a complete discussion of RSDI/SSI eligibility, refer to Public Assistance Source Book Sections XXI-M-ALL and XXIV-A-2.1 through A-2.2.

Upstate districts are urged to examine their procedures to ensure the routine review of this report and that recipients who attain RSDI/SSI eligible ages make application for these benefits so that maximum savings of State and local funds can be realized.

While application for RSDI/SSI benefits is encouraged, it is not an eligibility requirement in the Food Stamp Program. Households whose public assistance benefits are denied or terminated due to their failure to apply for RSDI/SSI must have their eligibility for food stamp benefits determined separately.

E. Notices

1. Public Assistance

a. System Generated Notices

(1) Upstate

WMS will system-generate general notices of grant reduction to cases receiving a cost-of-living adjustment (COLA) increase to their federal benefits for cases successfully mass-rebudgeted. For those cases, the notice will eliminate the need for social services districts to send client-specific notices. Attachment H of this Directive is a copy of this notice.

As noted above in Section IV.B.2.b, no system-generated notice will be sent to residents of Congregate Care Level I and II facilities who are in receipt of PA benefits. Therefore, manual notices must be sent to PA recipients residing in these facilities.

(2) New York City

Previous NYC local procedures for COLA mass-rebudgeting notices continue to apply.

b. Manual Notice Requirement

A manual notice (DSS-4015: "Notice of Intent to Change Benefits: Public Assistance, Food Stamps, Medical Coverage and Services [Timely and Adequate]") must be sent to any case affected by the COLA increase, that appears as an exception to mass-rebudgeting or is discontinued as a result of the COLA increase, since these cases will not receive the system-generated notice.

Unless other specific language is approved by the Department, the following wording must be used in these notices as the reason for an adverse action:

For a Reduction

"According to our records, you are receiving both a federal benefit (Social Security, SSI and/or veterans non-service - connected disability benefits) and a public assistance grant from this Department. As a result of a 2.9% increase in the federal benefits which will take effect in December 1996 and be received in January 1997, your public assistance grant must be reduced."

For a Discontinuance

"According to our records, you are receiving both a federal benefit (Social Security, SSI and/or veterans non-service - connected disability benefits) and a public assistance grant from this Department. As a result of a 2.9% increase in the federal benefits which will take effect in December 1996 and be received in January 1997, your public assistance grant must be discontinued."

For both reductions and discontinuances, the Food Stamps and Medical Assistance sections of the combined notice must also be completed, as appropriate.

c. Client Notices System (CNS) Districts

Local districts that have implemented CNS should use WMS PA reason code E39 "Excess Income - COLA" for households found to be ineligible for public assistance due to the COLA increase.

2. Food Stamps

a. Upstate

As part of the WMS (JAN) MRB/A process in upstate districts, this

Department is planning to send a "Notice of Intent to Change Your Food Stamps (COLA)". This notice will be sent to food stamp households whose food stamps will change due to the January 1, 1997 cost of living increase to RSDI, SSI and/or veterans non-service connected disability benefits.

The Department also plans to send to NPA/FS households that are part of the WMS (JAN-2) MRB/A whose benefits will be reduced but will remain eligible as a result of the January 1, 1997 SSI increase, a "Notice of Intent to Reduce Food Stamp Benefits - COLA (SDX)" (see Attachment J). This notice will be sent by January 21, 1997.

Households whose food stamp benefits are unchanged, despite their January 1, 1997 COLA increase will not receive a notice.

Districts continue to be responsible for sending individual notices. For districts who have implemented the Client Notice System (CNS) refer to 2.c. below. Districts that have not implemented CNS must send the DSS-3620 accompanied by budgets and budget narratives within the timely and adequate notice (10-day) time frame to households in the following circumstances:

- i. households who become ineligible for food stamps due to the COLA increase; and,
- ii. households who are not mass rebudgeted and who appear on the MRB/A exception list.

Categorically eligible households whose benefits are reduced to zero due to the COLA increase will receive the general notice of change. However, districts should send an additional specific notice to such households explaining the change. This will decrease the number of inquiries from households which do not receive benefits after the COLA rebudgeting. The adequate-only (not timely) food stamp notice of change must be used in these circumstances because of the fair hearing language.

b. New York City

Previous NYC local procedures for COLA mass-rebudgeting notices continue to apply.

c. Client Notices System (CNS) Districts

Local districts should use WMS Food Stamp reason code E-39 "Excess Income - COLA" for households found ineligible for food stamps due to the COLA increase.

3. MA - Only Cases

The notices of change or discontinuance in English and Spanish, as contained in this directive as Attachments F and FS and Attachments G and GS, must be provided to all affected MA-Only recipients.

These notices must be reproduced locally without modification. The appropriate notice must be mailed no later than 10 days prior to the date of the proposed action. In accordance with Department policy, two copies of the appropriate notice must be sent to the client. In addition, another copy must be maintained in the case record. A copy of the budget or MBL printout must be sent with each notice.

Districts are also reminded that in any instance in which there is a decrease in the monthly surplus amount (resulting from the net effect of the concurrent COLA increases

and the MA Income Exemption level increase), recipients must be notified in writing of such increase in coverage.

V. SYSTEMS IMPLICATIONS

A. WMS and ABEL Support - Upstate Only

WMS will support action on the January 1, 1997 COLA-related mass changes with a mass rebudgeting/reauthorization (MRB/A) on Production on November 18 & 25, 1996. A supplementary MRB/A (Jan. 2) will be available on December 23, 1996.

Beginning November 11, 1996 for budgets with effective dates of January 1, 1997 or later, ABEL will use increased federal benefit levels to generate PA Personal Needs Allowance amounts, PA Shelter amounts and FS Personal Care Cost (Income Exclusion) amounts for residents of Congregate Care facilities whose rates are related to federal benefit levels. (Because these cases are not part of the mass rebudgeting process, the FS shelter cost must be manually recalculated and adjusted on ABEL if it is changed).

Complete details of ABEL-related changes and the Jan.2 MRB/A's are contained in ABEL Transmittal 96-3.

B. WMS and ABEL Support-NYC

WMS supported action on the January 1, 1997 COLA-related mass rebudgeting for all NPA-FS and WMS PA cases is scheduled for the weekend of December 14-15 for digits 0-3 and weekend of December 21-22 for digits 4-9. Notices will be generated to client households as a result of the mass rebudgeting process. Complete details of ABEL-related changes will be shared with HRA once the mass rebudgeting schedule is finalized.

C. MBL Support-Upstate

On the weekend of November 30, 1996 MBL supported action on the following changes: January 1, 1997 RSDI COLA increase, new SSI benefit levels, and new MA Income/Resource Exemption levels, with an automated Mass Rebudgeting and Principal Provider Update Process. MBL Transmittals 96-1 and 96-2 may be referenced for details of all related system support.

D. MBL Support-NYC

On January 1, 1997, the Social Security Cost-of-Living Increases, new Medical Assistance Income/Resources Exemption Levels and new SSI Benefit levels will go into effect.

Mass rebudgeting for these increases was completed on the weekend of December 7. In order to be rebudgeted, cases must be active, have a "TO DATE" greater than December 9 and meet the MBL edit checks.

The MA level changes were available on MBL on December 9. At that time, a budget with a budget "FROM DATE" of January 1, 1997 or greater will access the new 1997 levels. Budgets with a "FROM DATE" in December were calculated with the 1996 levels.

VI. EFFECTIVE DATE

This administrative directive is effective January 1, 1997.

Patricia A. Stevens

Deputy Commissioner
Division of Temporary Assistance

ATTACHMENT A

Listing of all Attachments

Attachment A - Listing of all Attachments to this Directive (Available on-line).

Attachment B - Filing References for this Directive (Available on-line).

Attachment C - The "SSI Benefit Levels Effective January 1, 1997" chart, describes the new SSI benefit levels, the new PNA amounts and 1997 resource limits (Available on-line).

Attachment D - The "Food Stamps, Group Living Budget Data: Effective January 1, 1997" chart, summarizes the appropriate budget figures for calculating food stamp budgets for residents of Group Homes (Available on-line).

Attachment E - PNA charts entitled "Personal Needs Allowances (PNA's) In Non-Medical Facilities Effective January 1, 1997" and "Personal Needs Allowances (PNA's) In Medical Facilities Effective January 1, 1997, provides a comprehensive summary of 1997 PNA amounts (Available on-line).

Attachment F - A copy of the "Notice of Intent to Change Medical Assistance" (New Excess/COLA Case) in English and Spanish (Not available on-line).

Attachment G - A copy of the "Notice of Intent to Change Medical Assistance" (Undercare Excess/COLA Case) in English and Spanish (Not available on-line).

Attachment H - A copy of the "Notice of Intent to Reduce Your Public Assistance" that will be sent to recipients by WMS (Not available on-line).

Attachment I - A copy of the "Notice of Intent to Reduce Food Stamps - COLA" that will be sent to Food Stamp recipients upstate by WMS (Not available on-line).

Attachment J - A copy of the "Notice of Intent to Reduce Food Stamps - COLA (SDX)" that will be sent to Food Stamp recipients upstate by WMS as a result of a computer match against the January 1997 SDX (Not available on-line).

ATTACHMENT B

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FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
95 ADM-23	95 ADM-23				Chap 213 of the Laws of 1996
94 ADM-19	94 ADM-19				Chap 213 of the Laws of 1996
89 ADM-21					MBL
87 ADM-27		351.1(b)(iii)SSL	131-o	PASB	Transmittals
85 ADM-35		352.12(c)(2) SSL	209	IX-H-All	96-1 & 96-2
85 ADM-6		352.2,352.3	SSL 366.2	XIII-D-10-	

			NYC, Nassau, Suffolk & Westchester Counties		484
266.48	(	750.48	(	726	774.96 (1,500.96 (
		((
		Rest of State			484
228.48	(	712.48	(	726	698.96 (1,424.96 (
		Level II - Residential Care			
((((
((((
		a) DSS certified Adult Care Facilities			
((((
A	D	b) OMH, OMRDD, or OASAS certified Community Residences, OASAS certified			
((((
		Residential Substance Abuse Treatment Programs, and OMH certified			
((((
		Residential Care Centers for Adults			
((((
((((
		NYC, Nassau, Suffolk & Westchester Counties			484
435	(	919	(	726	1,112 (1,838 (
		((
		Rest of State			484
405	(	889	(	726	1,052 (1,778 (
		Level III - Schools for the Mentally Retarded			
((((
((((
A	E	New York City			484
482.96	(	966.96	(	726	1,207.92 (1,933.92 (
		Rest of State			484
458.96	(	942.96	(	726	1,159.92 (1,885.92 (
		D	G	Title XIX (Medicaid certified) Institutions ^{2/}	30
53/	(	353/	(	60	103/ (703/ (
		A	Z	(See 4/ below)	484
0	(	484	(	726	0 (726 (

1/ The "living with others" category includes the recipients whose federal benefit has been reduced by the "value of 1/3 reduction (VTR)" due to the federal determination that they are: a) living in someone else's household, and b) receiving some amount of both free or subsidized food and shelter (support and maintenance). The VTR is \$161.33 for an individual and \$242.00 for a couple.

2/ Applies when the recipient spends a full calendar month in the Institution and Title XIX (Medicaid) pays for at least 50% of the cost of care.

3/ Recipients in Title XIX Institutions licensed by the NYS Department of Health receive an additional grant of \$20 per month called a State Supplemental Personal Needs Allowance (SSPNA). SSPNA checks are issued directly to the recipient by the NYS Department of Social Services.

4/ Applies when the recipient spends a full calendar month in a private Title XIX Institution and Medicaid pays for less than 50% of the cost of care, when the

recipient resides in certain publicly operated community based residential facilities, or while the recipient resides in a public emergency shelter for six (6) calendar months during a nine (9) month period.

Additional Notes: 1) The minimum personal needs allowances (PNA): Level I - \$94, Level II - \$109, Level III - \$74. References: 2) The limits on countable resources: \$2000 for an individual and \$3000 for a couple Chapter 213 Laws of 1996 3) An essential person receives \$242.

ATTACHMENT D

FOOD STAMPS
GROUP LIVING BUDGET DATA: EFFECTIVE JANUARY 1, 1997
(Applicable for SSI/RSDI Recipients Only)

Living Arrangement Benefit	New York City WMS External Budget Shelter Type Code	Upstate WMS ABEL Shelter Type Code	SSI
SSI Living with Others Benefit \$507.00	N/A	N/A	
Level I - Family Care			
OMH/OMRDD Certified Family Care Homes			
NYC, Nassau, Suffolk and Westchester \$750.48	15	15	
Rest of State \$712.48	28	15	
Level II - Residential Care			
OMH/OMRDD Certified Facility or DSS Certified Enriched Housing			
NYC, Nassau, Suffolk and Westchester \$919.00	16,31	10,16,17	
Rest of State \$889.00	29,32	10,16,17	
State (OMH/OMRDD) Operated Community Residences \$484.00	17	13	

The following monthly allowances and costs pertain to eligible residents of group living arrangements.

	Minimum Personal Needs Allowance*	Personal Care Costs (Income Exclusion)	Shelter Costs*
Board* (Thrifty Food Plan)			
Level I- NYC, Nassau, Suffolk and Westchester \$120.00	\$94.00	\$243.48	\$293.00
Level I - Rest of State \$120.00	\$94.00	\$205.48	\$293.00
Level II - NYC, Nassau, Suffolk and Westchester \$120.00 OMH/OMRDD Certified Facility or DSS Certified Enriched Housing	\$109.00	\$412.00	\$278.00
Level II - Rest of State \$120.00 OMH/OMRDD Certified Facility or DSS Certified Enriched Housing	\$109.00	\$382.00	\$278.00
State (OMH/OMRDD) Operated Community Residences \$120.00	\$109.00	\$0	\$255.00

The payment to the Group Home equals the personal care costs + shelter + board. The client keeps the personal needs allowance + they may keep part of their unearned or earned income.

*Personal needs and/or board amounts may be higher at some residences. If so, shelter costs are reduced by the amount of the difference between the minimum above and the actual amount allowed. Total SSI benefits and Personal Care Costs are not changed.

NOTE: The budget data and procedures above apply to residents receiving RSDI/SSI or to disabled residents not receiving RSDI/SSI or PA. Other budget data and procedures apply to residents who can participate and who are not receiving RSDI/SSI but who are receiving PA. No special procedures apply for residents who can participate and who do not receive PA or RSDI/SSI.

Personal Needs Allowances (PNAs) In Non-Medical Facilities
Effective January 1, 1997

Authority	Facility Type	Certifying Agency	Funding Source	Monthly PNA (per person)
SSL 131-o, (	Congregate Care Level I	DSS, OMH, or OMRDD	SSI HR or ADC	941
	Congregate Care Level II	DSS, OMH, OMRDD, or OASAS	SSI HR or ADC	1091
18NYCRR 352.8(c)(1) (ii)	Congregate Care Level III	OMRDD	SSI	741
MHL 31.29,	State operated RCCA or Commu- nity Residence	OMH	OMH direct payment	\$109
MHL 33.08	State operated Community Residence	OMRDD	SSI or other income	\$109
	room and board situations	not State certified	HR, ADC or EAF	\$45
18NYCRR 352.8(c)(1)(i)	non-medical facilities other than Congregate Care Level I, II or III (including maternity home, Shelter for Victims of Domestic Violence, and certain private shelters for the homeless)	DSS, OASAS, not State certified, or other	HR, ADC, EAF2 or SSI	\$45
18NYCRR 900.17(a)	Shelter for Families - Tier II	DSS	EAF, ADC HR, or SSI	\$633
SSL 194.8	Public Home	operated by a city or county	Public Institutional Care	Up to \$104

1 This PNA is the minimum established in Social Services Law for SSI recipients. Any income

disregarded in

determining the amount of a recipient's SSI grant is included as part of the PNA. SSI disregards the first

\$20 of unearned income; disregards for earned income include the first \$65 plus one-half of the remainder.

Thus, SSI recipients receiving Social Security benefits will have PNA's of \$20 more than the amounts

noted on this chart. Recipients with earned income can have significantly larger PNA's.

2 A PA funded PNA is not provided to residents of hospitals or publicly operated facilities.

3 This allowance is called a "special needs allowance" and applies only when the Tier II facility provides

3 meals a day.

4 The facility can provide each resident with up to \$10 for work performed by the resident.

ATTACHMENT E

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Personal Needs Allowances (PNAs) In Medical Facilities
Effective January 1, 1997

Authority	Facility Type	Certifying Agency	Funding Source	Monthly PNA (per person)
SSL 209.2-a SSL 366.2(a)(10),	Hospital	Department of Health	SSI + State payment (MA-Only personal needs allowance6)\$50	\$55 (\$30 + \$25 SSPNA 5)
18NYCRR 352.8(c)(1)(i) 360-4.9(a)	Nursing Home (SNF, HRF)	Department of Health	SSI + State payment HR (MA-Only personal needs allowance6)	\$55 (\$30 + \$25 SSPNA 5) \$402
SSL 366.2(a) (10) SSL 209.2-a	Psychiatric Center (Hospital), Inpatient Alcoholism Facility	OMH or DAAA	SSI + SSI State supplement; direct State Payment; or MA-Only personal needs allowance6	\$35

18NYCRR 352.8(c)(1)(i), 360-4.9(a)	ICF-DD's (Developmental Center, free- standing ICF)	OMRDD	SSI + SSI State supplement; or MA-Only personal needs allowance ⁶	\$35
			HR	\$402
SSL 209.3	Free-Standing Alcoholism Facility (FNP Medicaid)	DAAA	SSI	(footnote ⁷)
			HR	\$402
18NYCRR 352.8(c)(1)(i), 360.5(e)(2)			(MA-Only com- munity needs level 7)	(footnote 7)

5 SSPNA is the "State Supplemental Personal Needs Allowance" provided to SSI recipients without other income in residential health care facilities. SSI recipients residing in medical facilities receive \$5 in Federally-administered State Supplementation and, if they reside in a facility licensed by the Department of Health, an additional \$20 in State-administered direct SSPNA payments.

6 The MA-Only personal needs allowance is the amount of the client's own income that he or she retains for personal needs while in chronic care status.

7 Since these programs are not Title XIX certified, an SSI recipient in a privately operated free-standing Alcoholism Facility would receive SSI at the "living alone" rate provided to SSI recipients in the community. An MA-Only recipient would be budgeted as though he or she were temporarily absent from his or her residence.

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