

DSS-4357EL

WGIUPD

GENERAL INFORMATION SYSTEM

01/24/01

DIVISION: Temporary Assistance

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TO: Commissioners; IM Directors; FS Directors; WMS Coordinators;
CAP Coordinators

FROM: Patricia A. Stevens, Deputy Commissioner, Division of Temporary
Assistance

SUBJECT: Updated-Food Stamp SUA Standards for March 1, 2001

EFFECTIVE DATE: March 1, 2001

CONTACT PERSON: FS Questions - Regional Representatives: Western Region
(518)473-0332; Central Region (518)474-9344; Eastern
Region (518)473-1469. MRB/A Upstate Questions - Don
Evensen (518)474-9109. Region VI (212)383-1658.
MRB/A NYC Questions - Stephen Cohen (212)383-2426.

The USDA has notified us that the FS Maximum Excess Shelter Deduction is increasing to \$340.

As of March 1, 2001, the Food Stamp standards are as follows:

Standard Deduction:	\$134	(no change)
Maximum Excess Shelter Deduction:	\$340	
Homeless Shelter Deduction:	\$143	(no change)

Please note that the Standard and Homeless Shelter deductions remain the same as last year.

Additionally, the USDA has afforded New York the opportunity to re-evaluate the SUA standards that have been in effect since October 1, 2000. With consideration of more recent energy costs, it has been determined that the FS SUA amounts need adjustment. Effective March 1, 2001 the following SUA amounts will be used.

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Standard Utility Allowances

	<u>Heating/Air Conditioning</u>	<u>Other Utility</u>
New York City	\$546	\$248
Nassau & Suffolk County	\$494	\$226
Rest of State	\$451	\$220
Telephone SUA for all Counties -	\$33	

Please note that all of the above standard utility allowances except the Telephone, have changed from the standards in effect for October 1, 2000. The new Food Stamp tables shown above were migrated to production upstate on January 15, 2001 and are used for budgets with a "from date" of March 1, 2001 or later. As detailed in Upstate ABEL Transmittal 01-1, Action #1 "Explanation of the FS SUA MRB/A", the final phases of a Mass Rebudget / Authorization for this change are being run for upstate districts on the weekends of January 20th & 27th, 2001.

In New York City, the new amounts will be migrated to production on February 17, 2001 and will be used in a MRB/A for active cases on the weekend of February 16-17, 2001.

No INF or ADM will be issued regarding this change. (A copy of the mass notice sent to recipients is attached.) If the notice does not print properly and a hard copy is needed, please contact your regional team and a hard copy will be faxed to you.

NOTICE OF INTENT TO CHANGE FOOD STAMPS
MARCH '01/UPSTATE

Case Number:
Loc. Off./Unit/Worker:

General Telephone No. for
Questions or Help:

Dear Food Stamp Recipient:

This is to inform you that there will be changes to some items used to figure the amount of food stamps a household gets. These changes are as a result of changes in Federal law, and adjustments to home heating cost information. These changes may increase the amount of food stamps you get. The changes will take place beginning with your March 2001 Food Stamps.

The Food Stamp Maximum Excess Shelter Deduction is increasing to \$340.

Some of the Standard Utility Allowances (SUA) have changed. Compare the new and old SUA amounts below:

	<u>NEW</u>	<u>OLD</u>
<u>Heat/Air Conditioning SUA</u> (If you pay for heat or air conditioning, receive or reasonably expect to receive HEAP)	\$	\$
<u>Utility SUA</u> (If you don't pay for heat or air conditioning, and don't receive or reasonably expect to receive HEAP, but do pay for other energy costs)	\$	\$
<u>Telephone SUA</u> (If you only pay for a telephone)	\$ 33	\$ 33 (unchanged)

The Regulations which allow us to do this are 18 NYCRR 387.10, 387.12 and 387.15.

YOU HAVE THE RIGHT TO APPEAL THIS DECISION. READ BELOW ON HOW TO APPEAL THIS DECISION.

RIGHT TO A CONFERENCE: You may have a conference to review these actions. If you want a conference, you should ask for one as soon as possible after you receive your benefit. At the conference, if we discover that we made a wrong decision or if, because of information you provide, we determine to change our decision, we will take corrective action and give you a new notice. You may ask for a conference by calling us at the number on the top of this notice or by sending a written request to us at the address listed at the top of this notice. This number is used only for asking for a conference. **It is not the way you request a fair hearing.** If you ask for a conference you are still entitled to a fair hearing. Even if you ask for a conference, you will still have only 90 days from the date your March benefits become available to request a fair hearing. Read below for fair hearing information.

RIGHT TO A FAIR HEARING: If you believe that the above action is wrong, you may request a State fair hearing by:

(1) **Telephoning:** (Please have this notice with you when you call)

OR

(2) **Writing:** By sending a copy of **BOTH SIDES** of this notice **completed**, to the Office of Administrative Hearings, Office of Temporary and Disability Assistance, PO Box 1930, Albany, New York 12201. Please keep a copy for yourself.

I want a fair hearing. The Agency's action is wrong because: _____

Print Name of Client: _____

Signature of Client: _____ Date: _____

Client Address: _____

Client Phone Number: _____ County: _____

Case Number: _____

YOU HAVE 90 DAYS FROM THE DATE YOUR MARCH 2001 FOOD STAMP BENEFITS BECOME AVAILABLE TO REQUEST A FAIR HEARING.

The date your March Food Stamps become available is the date you can access your March food stamp benefits with your plastic ID card.

If you request a fair hearing the State will send you a notice informing you of the time and place of the hearing. You have the right to be represented by legal counsel, a relative, a friend or other person or to represent yourself. At the hearing you, your attorney or other representative will have the opportunity to present written and oral evidence to demonstrate why the action should not be taken, as well as an opportunity to question any persons who appear at the hearing. Also, you have a right to bring witnesses to speak in your favor. You should bring to the hearing any documents such as this notice, paystubs, receipts, medical bills, heating bills, medical verification, letters, etc., that may be helpful in presenting your case.

Legal Assistance: If you need free legal assistance, you may be able to obtain such assistance by contacting your local Legal Aid Society or other legal advocate group. You may locate the nearest Legal Aid Society or advocate group by checking your Yellow Pages under "Lawyers" or by calling the number indicated on the top of the front of this notice.

Access to Records/Information: You have the right to review your case record. Upon your request, you have the right to free copies of documents which we will present into evidence at the fair hearing. Also, upon request, you have the right to free copies of other documents from your case record which you need for your fair hearing. To request such documents or to find out how you may review your case record call the number indicated on the top of the front of this notice.

If you want additional information about your case, how to request a fair hearing, how to gain access to your case file and/or additional copies of documents, you may call the number indicated on the top of the front of this notice or write us at the address listed at the top of the front of this notice.