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TO: Local District Commissioners; IM Directors; FS Directors;  
MA Directors; Staff Development Coordinators  
FROM: Patricia A. Stevens, Deputy Commissioner, Division of Temporary  
Assistance  
SUBJECT: Food Stamp Proration of Benefits/Verification After 30 Days  
from Application  
  
EFFECTIVE DATE: Immediately  
CONTACT PERSON: Regional Team Representative

We have recently received clarification of a change in policy as provided in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) from the United States Department of Agriculture (USDA) regarding breaks in certification periods and proration of benefits for those cases which fail to provide requested verification. The USDA had granted New York State a waiver to deny a FS application prior to the 30th day after application if the household fails to provide requested verification within 10 days.

Previous Policy: Approval of the waiver required that benefits should only be prorated if there was a break in participation of more than one month. This condition was consistent with provisions of the Mickey Leland Act. If an ongoing household provided missing verification up to one month after the end of the client's certification period, the local district was required to reopen the case and provide benefits from the end of the certification period.

New Policy: The Personal Responsibility and Work Reconciliation Act of 1996 (see 96 ADM-83) amended the Food Stamp Act to provide that, except for migrant and seasonal farmworker households, benefits shall be prorated if there is any break in certification. Therefore, benefits must be prorated if a household (other than seasonal/migrant farmworker) provides verification more than 30 days from the date of application for recertification.

Example: A household's certification period is due to end on August 31st. A household submits their recertification application on August 15th and is requested in writing by the district to submit verification of a changed circumstance on that date. The household does not submit verification until September 17th. The district would only accept the

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application, if otherwise eligible, and provide benefits from September 17th, the date the documentation was submitted. Conversely, had the household submitted the documentation by September 14th, the household would be eligible for benefits from September 1st, as they had submitted the documentation within thirty days from the original application for recertification.

This policy of proration is effective immediately. Any questions regarding this policy should be directed to the Temporary Assistance regional office representative for your district. An Administrative Directive will follow.