

Manual Revision Memorandum

ISD-MR 13-15

TO: ISD Employees
FROM:  Ted Roth, Director, Income Support Division
RE: HSR Vol. 36 No. 13 Employment and Training Final Rule
DATE: June 14, 2013

This Manual Revision is being sent in coordination with HSR Vol. 36 No. 13 Employment and Training. The Department has promulgated these final regulations to implement a mandatory Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) work program.

Effective June 1, 2013, SNAP recipients between the ages of 18 and 50 are mandatory to participate in the SNAP E&T work program, unless they are exempt. Ongoing SNAP recipients will become mandatory for the SNAP E&T work program at their next recertification.

All amendments made to policy sections in this MR are effective June 1, 2012.

Instructions

Food Stamp Program Manual

Delete

8.139.410 Pages 7 - 16

Replace

8.139.410 Pages 7 - 17

Attachments E&T Training Guide
 E&T Q&A

Questions & Answers
SNAP E & T Training Packet June 2013

EXEMPTION

Q1: What age group is mandatory for the E&T Program?

A1: SNAP recipients age 18 through 50.

Q2: What age groups are exempt from the E&T Program simply based on age?

A2: 17 years of age or younger and 51 years of age and older.

Q3: On the exemption for a child under the age of 18 in the household, if there are 2 parents and they have 3 kids all under age of 18, are both parents exempt? Or does having the three children under age 18 only exempt one parent?

A3: The exemption applies to all adult members in the SNAP household regardless of the number of children. In the situation described, both parents are exempt.

Q4: If an 18 year old is still in school are they exempt?

A4: Yes, as stated in the regulation at 8.139.410.12D(2)(k) NMAC, an 18 year old enrolled states "*a student who is eligible to participate in the SNAP program, and who is enrolled at least half time in any recognized school, high school, training program, or institution of higher education; this exemption remains in effect during normal periods of class attendance, vacations, and recess, unless the student graduates, is suspended or expelled, drops out, or does not intend to register for the next normal school term (excluding summer session).*"

Q5: Is there any exemption for those living on Indian reservations?

A5: Not at this time.

Q6: Which counties are exempted from E&T requirements based on having an unemployment rate in excess of 10%?

A6: The two counties with an unemployment rate greater than 10% are Luna County and Mora County. Individuals who are residing in those two counties are exempt from E&T requirements. The average percentage rate is based on a three month average of the rates provided by the Department of Workforce Solutions.

Q7: Our training packet is showing that to be exempt from the E&T requirements, the person must be working 30 hours per week. The FSP003 is showing to be exempt, the person must only work 30 hours per month. Which is correct?

A7: 30 hours per week – FSP003 and FSPSP003 have been updated to indicate the 30 hours per week and were re-posted to the ISD Forms Drive on May 31, 2013.

Q8: On slide 20, it states that they regain eligibility after they become exempt. Do they have to wait out the three months or do we change it immediately on ISD2?

A8: If an individual becomes exempt during the disqualification period, then the disqualification can be lifted immediately. (8.139.410.12L(6) NMAC)

Q9: For the exemption of Pregnant women, does it matter what trimester they are in or does it have to be the 3rd trimester?

A9: No, it does not matter what trimester she is in.

Q10: If a participant is applying for SSI/SSA or GA and has a pending application, but not receiving would they be mandatory or exempt?

A10: Yes, the participant is exempt per regulation:

8.139.410(D)(2)(b) an individual who is physically or mentally unfit for employment; if physical or mental unfitness is claimed but not evident, verification is required; verification may consist of receipt of temporary or permanent disability benefits issued by government or private sources, or a statement from a physician or licensed or certified psychologist;

8.139.410(D)(2)(l) states that if "a household member who has made application for SSI and SNAP benefits at the social security administration, and whose application for SNAP benefits has been received by HSD, and who is determined eligible for SNAP benefits, shall be exempt from work registration until an SSI determination is made; a household member who is determined ineligible for SSI shall have the exemption from E & T work requirements evaluated at the time of the denial of SSI."

Q11: Are undocumented noncitizens exempt from E&T?

A11: Individuals who are ineligible to receive SNAP due to citizenship, disqualification for non-compliance, IPV or student status are not considered mandatory for compliance with the SNAP E&T work requirements, because they are not eligible for assistance.

Q12: If a participant is going to turn 51 before the 90 days to complete the E&T process is up, can we go ahead and give them the exemption?

A12: No. Exemption for age is only applicable at initial application or recertification.

Q13: Are Doctor's notes acceptable as verification of being unfit - allowing a participant to qualify for an exemption?

A13: Yes. Regulation at 8.139.410.12(D)(2)(c) NMAC states: "Individuals exempt from registration: The following individuals are exempt from the work registration requirement: "an individual who is physically or mentally unfit for employment; if physical or mental unfitness is claimed but not evident, verification is required; verification may consist of receipt of temporary or

permanent disability benefits issued by government or private sources, or a statement from a physician or licensed or certified psychologist.”

Q14: If exemption is required for disability and the disability is evident, do we give the exemption? If it is not evident, do we issue a HUMAD for medical?

A14: Yes, give the exemption if the disability is evident and send a HUMAD for medical if it is not evident.

Q15: Is there only one dependent care exemption per household?

A15: No, both parents can receive dependent care exemption for a child under age 18.

FORMS

Q1: Will we be getting a revised FSP 003 with correct ages, etc. that's easy to print and easy to read?

A1: The FSP003 has the correct ages and is available on the ISD Forms drive to print.

Q2: Would it be possible to enter the appropriate policy in the FSP 282? Also, when will the updated form be available on the forms drive?

A2: Yes, FSP282 has the current policy. All of the forms are available on the ISD Forms Drive.

Q3: Can you explain the process with FSP003 for Telephone Interview? Does the participant have to return a signed copy of FSP003? Do all mandatory members have to sign FSP003? Also see Q4.

A3: The worker goes over FSP003 and indicates that he or she went over the information via phone with the participant by checking the “via telephone” box at the bottom of the form. FSP003 has been updated to include the “via telephone” box. Neither the participant nor the other mandatory members have to sign the FSP003 if the interview was conducted on the phone. Please review GI 09-28-Signature on Forms_UPDATED - attached.

Q4: On the form it states that participant must sign, but on the form it has a phone signature. For phone interviews do we mail a copy to participant and request they bring it back to our office signed?

A4: If it is on the telephone, the worker checks the “via telephone” check box and the participant does not need to sign (and neither do the other mandatory members). We do mail the form to the participant but only for their own record, not to be returned to us.

Q5: Must ISD staff issue FSP003 and DWP001 at application/interview?

A5: Yes both forms must be issued by ISD staff. However, only the DWP001 is forwarded to NMW Service Provider for mandatory or volunteer participants.

Q6: If we do a phone interview, do we issue a HUMAD for the forms for the applicant and all other mandatory persons in the household?

A6: No, you document that the paperwork was done telephonically by checking the box at the bottom of the form that says the interview was conducted "via telephone." This covers the signature(s) for the participant and for all household members. You do need to send a copy of the forms to the participant for their own record.

DISQUALIFICATIONS

Q1: If an individual is disqualified, will their income continue to count toward the household income?

A1: Yes, as stated in regulation 8.139.410(L)(3) NMAC, "All the income and resources of an individual disqualified for noncompliance with work requirements will be counted to determine the household's income and resource maximum levels, and benefit amount (see also Subsection C of 8.139.520.10 NMAC).

Q2: If we issue a FAP 282 for a TANF participant due to non-compliance, do we issue a FSP 282 for SNAP as well since the only reason the participant is exempt for SNAP is because they are expected to comply with TANF work requirements?

A2: No. A TANF recipient will be exempt from SNAP E&T as long as they are receiving a monthly TANF payment.

CODING

Q1: A question came up regarding applications that are dropped off and are eligible for expedite. How should we code these since the interviews are not conducted at that time? The interview may take a couple of days before it is completed. Should we use the best available information on the application to determine if they are mandatory? What about exemptions?

A1: For E&T purposes, when an application is dropped off, expedited and pending an interview, the case can be coded as mandatory and changed after the interview is conducted to the appropriate code.

Q2: If we have a participant who is sanctioned for non-compliance and they reapply for SNAP, will the system auto-deny the case based off the non-compliance code or will we have to manually deny the case? If we manually deny, what code should we use? This also is with the assumption the case should be denied based off the non-compliance. Correct?

A2: If an individual has not complied within their disqualification period, is not exempt, and re-applies for SNAP, the system will deny the individual on the code "249 - Employment training, and work registration and intentional program violation or work disqualified." Any time a case terminates, please follow IPP-12-04 "Correct ISD2 Coding for Manual Case Denial or Closure" to ensure the proper notice is sent (attached).

SELF-EMPLOYED

Q1: If a person's employment is PRN (as needed basis), are they mandatory?

A1: If the recipient's average weekly hours are less than 30 hours per week with their current employment, then they would not be exempt, unless they meet another exemption.

Q2: If someone is self-employed and their monthly earnings equals 0.0 after deductions are they meeting the work requirement for E& T purposes?

A2: The monthly earnings prior to the deductions are utilized to determine if the individual is eligible for the exemption.

OTHER

Q1: In the past, rural areas only had to complete 12 contacts and not 24. Is this a possibility?

A1: No. 24 contacts are the minimum requirement through FNS.

Q2: Does the field worker walk the participant over to NMW Service Provider?

A2: Yes, ISD can walk over a mandatory SNAP E & T Participant to the NMW Service Provider but it is not necessary. The other option is to drop off a copy of the DWP001 in the provider's mailbox. The local NMW staff will forward all referrals to the NMW SNAP Team.



New Mexico Human Services Department

Bill Richardson, Governor
Pamela S. Hyde, J.D., Secretary

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INCOME SUPPORT DIVISION INTRADEPARTMENTAL MEMORANDUM

ISD-GI-09-28 UPDATED
DATE: June 11, 2009

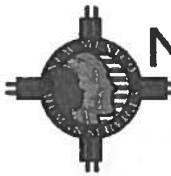
TO: All ISD
FROM: Helen Nelson, Deputy Director
Income Support Division
RE: Signature on HSD Forms

Income Support Division (ISD) is increasingly conducting applicant interviews by telephone through "hardship provisions" allowed by USDA-FNS or through a FNS waiver of the face-to-face interview at time of recertification for SNAP (ISD-IPP 08-02 and ISD-MR 08-06). ISD has encountered many instances where the client has been interviewed via telephone and further documentation is necessary or the client's signature on various forms is required in order to determine eligibility.

Effective immediately county offices should not delay processing cases when waiting for signatory proof from the client, with the exception of the application for assistance. All forms are being updated to include the appropriate statement regarding signatory authority. In the interim, caseworkers completing these phone interviews must document in the "client/applicant/participant signature" portion of every form that "program requirements and information explained via telephone" and the caseworker must sign the form (see example below). All forms should still be mailed to the applicant/recipient.

Applicant Signature	Caseworker	Telephone Number
Program requirements/info. explained via phone	Karmela Martinez	8277274

If you have questions regarding this memorandum please contact Karmela Martinez at 505.827.7274 or karmela.martinez@state.nm.us.



New Mexico Human Services Department

Susana Martinez, Governor
Sidonie Squier, Secretary

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ISSUED ELECTRONICALLY

INTER-DEPARTMENTAL MEMORANDUM

ISD- IPP – 12-04

DATE: March 14, 2012

TO: All ISD Employees

FROM: Ted Roth, Acting Director
Income Support Division

RE: Correct ISD2 Coding for Manual Case Denial or Case Closures

This IPP is a reminder to staff of the correct procedures for caseworkers to manually enter a case denial or case closure on ISD2.

This procedure must be followed to ensure that all categories of eligibility are correctly coded so that the Notices of Adverse Actions (Negative Action) include the correct denial/closure code and correct New Mexico Administrative Codes (NMAC) citations.

IMPORTANT NOTE: In order for ISD2 to generate the correct denial/closure code on the Notices of Adverse Action (Negative Actions) all codes on the “--NF” (i.e. FSNF, FANF, and MANF).” When denying or closing **an entire case**, the proper status and reason codes for the closure must be entered into the “STATUS” **and** “REASON” fields on the left side of the “--NF” screen. Coding each individual member may result in an insufficient notice being issued to the household.

Example: A household requests closure of their SNAP case. The caseworker shall enter the valid value of “T” in the “STATUS” field and the reason code “571” in the “REASON” field on the “--NF” screen of ISD2. This coding will automatically change the coding for each individual in the case to valid value “T” with reason code “571”. In this case the household will receive a notice informing them their SNAP case has been closed because you have requested closure. (See example of correct coding on second page)

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INQUIRY      *** F S  N O N - F I N A N C I A L ***      039 SNF 01
Mnth: 0412   *** E L I G I B I L I T Y ***                FSEL
Enter the Case Closure/Denial Code Here  FIRMED:
CASE-ID:                                           GEO:   ADMIN:   SUPV: 03 EW: 08
NON ABAWDS
STATUS: T REASONS: 571      STATUS-DATE: 030712      APPEAL-IND:
APPL-DATE: 020111  S M DATE: 020111  END-DATE: 033112  LOCK-OUT:
RELATED-CASES:
---- CLIENT NAMES --  REL  ST-IN  RSN  STATUS  APPL  START  END  LOCK-OUT
SSN  FIRST LAST      BG  CASE  CD  DATE   DATE  DATE  DATE  DATE  TP
M    T    571 030712  0111 020111 033112
S    M    T    571 030712  020111 020111 033112

These codes must match for case closure
or denials

VERIF-REMARKS: SANDRA 030712

"ENTER" KEY = CONTINUE  "PF3" = CANCEL
"PF4" = SKIP/HOLD      "PF5" = PAGE BACKWARD
END

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If ISD Field Staff have questions regarding the IPP, please contact Kristen Ortiz at 505-827-7233 or by e-mail at kristenr.ortiz@state.nm.us.