

MEMO '08-09

TO: Community Based Organizations

FROM: Dawn Secor, Food Stamp Specialist

DATE: May 20, 2009

RE: Expansion of Categorical Eligibility for Families with Out-of-pocket Dependent Care Costs

Below is a link to 09-ADM-06 announcing the March 1 expansion of the income eligibility guidelines for households with out of pocket child and dependent care expenses from 130% of the poverty level to 200%. This expansion means that more families will be potentially eligible to participate in the Food Stamp Program. This change also provides community agencies with a new outreach opportunity to share information about food stamps to families with dependent care costs.

To view the ADM go to:

<http://www.otda.state.ny.us/main/directives/2009/ADM/09-ADM-06.pdf>

Effective March 1, 2009:

1. Household with out-of-pocket child/dependent care expenses will be considered categorically eligible for the FSP if their gross income is at or below 200% of poverty.
2. Households with out-of-pocket child/dependent care expenses that do not include an elderly or disabled member and who have incomes above 200% of poverty will not be eligible for the FSP.
3. Households with out-of-pocket child/dependent care expenses that include a member who has been disqualified from the Food Stamp Program due to an Intentional Program Violation (IPV) or other sanction will **NOT** be considered categorically eligible. These households can still qualify for food stamps, but they will instead need to meet the 130% Gross Income Test (GIT) and their resources will be counted.

What this means in terms of your work with households applying for FSP:

1. Starting March 1, you now use the 200% of poverty guidelines when determining the gross income for households that incur child/dependent care costs and meet the guidelines above. See chart on next page.

Family Size	200% of Poverty Monthly GROSS Income <i>10/1/08 – 9/30/09</i>
1	\$1,733
2	\$2,333
3	\$2,933
4	\$3,533
5	\$4,133
6	\$4,733
7	\$5,333
8	\$5,933
Each Additional Person	+ \$600

What “counts as a child/dependent care expense:

1. All out-of-pocket expenses that a household incurs for the care of a child under 18 or a disabled adult so that they may work. This includes co-payments if the household receives a child care subsidy.
2. Households can also deduct costs for out-of-school activities. For children under 18 out-of-school activities include any supervised before and after school programs like school vacation camps, summer camps, YMCA and Boys/Girls Club fees.

Other things to note:

1. Effective Oct. 1, 2008 the full amount of out-of-pocket child/dependent care expenses paid by a food stamp eligible household can be deducted.
2. For more information about Categorical Eligibility see pgs. 27-29 and Appendix J of our January 2009 Prescreening Guide. This guide is available on our website at www.nutritionconsortium.org.

Outreach material:

A copy of an outreach brochure created by Empire Justice Center concerning this expansion of eligibility for families with child care expenses is attached. Please feel free to share this brochure with your network of agencies and with the families that you encounter that may have out-of-pocket child care expenses.

If you have any questions about this memo, or any other food-stamp related question, please contact Dawn Secor at (518) 436-8757, ext. 12, or Dawn.Secor@nutritionconsortium.org.