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Field Operations Memo 2007-26
May 15, 2007

To: Transitional Assistance Office Staff
From:  John Augeri, Assistant Commissioner for Field Operations
Re: Food Stamp Calculation for Legal Permanent Residents
Who Do Not Provide Sponsor Deeming Information

Background

In the past, when a sponsored noncitizen failed to provide sponsor deeming information, the Department counted the noncitizen's income and assets in their entirety toward the remaining eligible members of the FS AU in accordance with 106 CMR 365.520(A).

Due to a recent clarification from USDA, the Department is now able to extend the more favorable food stamp calculation at 106 CMR 365.520(B) to noncitizens who do not provide sponsor deeming information.

Effective immediately, noncitizens who provide their noncitizen status information **but who do not provide sponsor deeming information** will be processed in accordance with the procedures outlined in this memo.

Purpose

This Field Operations Memo:

- issues procedures for processing Legal Permanent Residents (LPRs) who have resided in the U.S. as a qualified noncitizen for five years but who do not provide sponsor deeming information; and
- describes a report that identifies AUs requiring AU Manager review to determine whether or not FS benefits need to be recalculated for the next cyclical period.

The report will be emailed separately to the appropriate TAOs.

LPRs Who Do Not Provide Sponsor Deeming Information

When an LPR applies for Food Stamp benefits and does not provide sponsor deeming information, the LPR is ineligible for Food Stamp benefits, but food stamp eligibility is calculated for the remaining members of the AU in accordance with food stamp regulations at 106 CMR 365.520(B). To process Food Stamp benefits for such AUs, the AU Manager must do the following:

On the Apply for Assistance window:

- select *No* in the Applying field for the ineligible noncitizen; and

On the AU Mandatory/Responsible window:

- select *Yes* in the Mandatory Inclusion field.
- enter the Inclusion Reason of *Deemor*; and
- enter the Responsibility of *Noncitizen Disqualified*.

Note: If you selected *Yes* in the applying field in error, then you must go to the AU Composition Results window.

On the AU Composition Results window:

- highlight and select the appropriate ineligible LPR;
- select the Reason Category of *Program Rules*; and
- select the AP's Ineligibility Reason of *Ineligible Noncitizen*.

On the Work Requirements window:

- enter *No* in the Work Program Required field;
- enter *Noncitizen Disqualified* as the Required Status Reason;
- enter *No* in the FS ET Required field; and
- enter *Noncitizen Disqualified* as the Required Status Reason.

On the Noncitizen window:

- enter the AP's noncitizen information, including their INS Designation;
- fill in all other required noncitizen fields; i.e., Status, U.S. Entry Date, Section Reference, 40 Quarters Claimed, Alien Registration No., as Appropriate; and
- in the Legal FS Disqualified Field answer *Yes* to the prompt question *Is this person a legal noncitizen who is ineligible to participate in the Federal Food Stamp Program?*

On the Interview Wrap-up window, after all verifications are returned:

- select the noncitizen-related items to be authorized;
 - perform an EBC calculation; and
 - click on Authorization.
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LPRs Who Do Not Provide Sponsor Deeming Information (Continued)

On the BEACON Narratives tab:

- annotate the BEACON Narrative as follows: *Did not provide sponsor information; calculation applied per Field Operations Memo 2007-26.*
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Report of AUs Requiring Review

A report entitled “2007-26 Noncitizen Disqualified LPRs” lists LPRs ineligible to receive Food Stamp benefits and whose Legal FS Disqualified Indicator is set to *No*. The report identifies TAO Number, TAO Name, CAN, AU SSN, AU Name, AP SSN, AP Name, and will be e-mailed to the following TAOs: Boston Family Housing, Brockton, Dorchester, Fall River, Fitchburg, Lawrence, Lowell, Malden, Newmarket Square, Revere, Springfield/Liberty and Taunton.

Each AU Manager must conduct a desk review to determine whether or not the AU contains an LPR who was disqualified because of failure to provide sponsor deeming information. The noncitizen that caused the AU to require review is identified on the report under AP SSN, AP Name. If it is determined that the AU contains an LPR who was disqualified because of failure to provide sponsor deeming information, the AU’s Food Stamp benefits must be recalculated in accordance with the procedures below. The AU Manager must:

On the AU Composition Results Window:

- highlight and select the appropriate ineligible LPR;
- select the Reason Category of Program Rules; and
- select the Reason of *Ineligible Noncitizen*.

On the Noncitizen window

- in the Legal FS Disqualified field, answer *Yes* to the prompt question (Is this person a legal noncitizen who is ineligible to participate in the Federal Food Stamp Program?).

On the Interview Wrap-up window:

- select the noncitizen-related items to be authorized;
- perform an EBC calculation; and
- click on Authorization.

On the BEACON Narratives tab:

- annotate the BEACON Narrative as follows: *Did not provide sponsor information; calculation applied per Field Operations Memo 2007-26.*
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**AU Manager
Activities for
AUs Requiring
Review –
(Continued)**

AU Manager desk reviews must be completed and an annotated copy of the report submitted to your supervisor by the close of business on Friday, June 1, 2007.

Remember: Mixed households containing AU members who are eligible for FS benefits and LPRs ineligible for FS benefits due to being in an LPR status for less than 5 years **will continue** to have their FS benefits calculated in a accordance with 106 CMR 365.520 (B). There are no procedural changes for these mixed households.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline at 617-348-8478.
