

Part 5 Proving Continuing Eligibility

65 How long will you get food stamps before you have to reapply?

Once DTA decides you are eligible for food stamps, it will approve or “certify” you for a certain number of months. This is called your certification period. There are different rules for different groups:

- If you are receiving Bay State CAP food stamps, see **Question 4**, you will be certified for three years.
- If your household’s only source of income is cash public assistance for all members, you should be certified for 12 months. 106 C.M.R. § 365.140. DTA may assign you a shorter certification period if you receive time-limited TAFDC that is scheduled to end before the 12 months are up.
- Households whose members are all elderly or disabled and have stable income (such as SSI or Social Security), are certified up to 24 months. 106 C.M.R. § 364.700(B).
- Most other households with income (or any history of income) and all homeless households are certified for 6 months. See **Question 67**. 106 C.M.R. § 366.110(C).

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- Households with income from self-employment or subject to work rules for childless adults, see **Question 33**, may be certified for shorter periods. 106 C.M.R. § 364.710.

When your certification period ends, your food stamps will stop unless you reapply or “recertify.” DTA must send you a notice with a recertification form giving you a chance to recertify before your certification period ends. If you recertify 15 days or more before the end of your certification period, DTA must make sure your food stamps continue on the usual schedule without interruption. If your deadline to recertify is after the end of your current certification period, you will get food stamps for the full month once you are recertified, not just a portion of the month. 106 C.M.R. §§ 366.300-366.340.

66 When do you have to report changes?

There are different reporting rules for different households.

- Some households only have to report every six months unless their income goes over the gross income limit for the household. This is called semi-annual reporting. See **Question 67**.
- Some TAFDC households have to report every month. This is called monthly reporting. The report information is used to calculate their food stamps. See **Question 68**.
- Most households that have left TAFDC continue to receive food stamps and don’t have to report at all for the first five months. This is called the Transitional Benefits Alternative. See **Question 69**.
- Bay State CAP households must follow SSI reporting rules and report changes to Social Security within ten days after the end of the month in which the change happens. See **Question 4**.
- If you are not on semi-annual reporting, monthly reporting, the Transitional Benefits Alternative, or Bay State CAP you have to report changes that affect food stamps within ten days after you learn about the change. This is called change reporting. See **Question 70**.

67 What is semi-annual reporting?

Most homeless households and households with income (or a history of income) where no member is receiving cash assistance or disabled or elderly are assigned to semi-annual reporting. If you are assigned to semi-annual reporting, you only need to report changes in income, expenses or household members every six months. The one exception to this rule is that you must report *during the six-month period* if your income, including income of anyone who moves into your household, goes over the gross income limit for your household. 106 C.M.R. § 366.110 (C). See **Appendix B, Charts 2 and 3** for the gross income limits by household size. If you qualify for semi-annual reporting, DTA will send you a notice explaining the rule and what level income you must report.

Although you do not have to report changes that do not put your income over the gross income limit when you are on semi-annual reporting, you may get more food stamps if you voluntarily report a decrease in income, increase in household size, or possible change in deductible expenses. If you are not sure whether a change will increase your food stamps, it is better to report. DTA will not reduce your food stamps unless the change puts your income over the gross income limit.

Before your six months ends, DTA will send you a form to recertify (reapply) for food stamps. You must fill out the form with current information and send it back to keep your food stamp benefits. You should be able to do this by mail or phone.

You will not qualify for semi-annual reporting if:

- One of your household members is on TAFDC and must submit monthly income reports (see **Question 68**) or is getting TAFDC under a time-limit extension.
- Your household is currently getting benefits under the Transitional Benefits Alternative (TBA). See **Question 69**. You should be put on semi-annual reporting at the end of your TBA period.
- Someone in your household is age 18 to 50 and subject to the work requirements for able-bodied childless individuals. See **Question 33**.

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- You are elderly or disabled with no earned income and have a 24 month certification period or you have self-employment income or you have never had any income and you are not homeless. See **Question 70**.

68 What is monthly reporting?

If you are a TAFDC recipient and someone in your household has income from a job or worked in the past two months, you may have to turn in a report form every month to keep getting cash and food stamp benefits. 106 C.M.R. §§ 366.110(D), 702.900-702.980. Your monthly food stamp and TAFDC benefits are then calculated based on the income reported on these forms. There is no monthly reporting in food stamps if you are not getting TAFDC.

DTA mails these forms directly to you. They have to be filled out exactly and turned in within 20 days of when they were mailed to you for you to keep getting your benefits on time. Be sure to ask for help if you do not understand the forms.

On monthly reporting, DTA adds up exactly how much income you got from sources other than TAFDC during a period called the “budget month.” The budget month is a four- or five-week period (starting on a Sunday and ending on a Saturday) two months before your payment month. DTA then uses the income reported for the budget month, plus your TAFDC in the payment month, to determine your food stamps in the payment month. The payment month is two months later than the budget month. 106 C.M.R. §§ 366.110(D), 702.900-702.980.

If you get an extra TAFDC payment (for example, to correct an underpayment), DTA will use the extra payment to figure your food stamps for the month after you get the extra payment.

69 What are “TBA” benefits and reporting rules for former TAFDC recipients?

Households where every member was getting TAFDC benefits and the TAFDC benefits stopped may get food stamps for five months and do not have to report at all during the five months. This is called the Transitional Benefits Alternative or TBA. See 106 C.M.R. § 365.190

Under TBA, a family that loses TAFDC—due to earnings, voluntary case closing or most reasons other than a TAFDC program sanction—will automatically get 5 months of food stamps. The amount of food stamps you get will be calculated using *only* the income you had in the month your TAFDC benefits stopped, *excluding your TAFDC cash grant*. DTA will also *not count new income* you receive after your TAFDC case closes, such as new earnings or child support.

Example: Susan Stroe receives \$433 monthly in TAFDC for herself and her two children, plus \$300 in Social Security Survivors Benefits. The family food stamps are \$330 a month. Ms. Stroe starts working at a job that pays \$800 a month and asks DTA to close her TAFDC case. Under TBA, DTA recalculates Ms. Stroe’s food stamp benefits counting only the \$200/month in Social Security Survivors Benefits. DTA excludes the terminated TAFDC income and excludes the new income from her new job. Her family food stamps will be \$393 a month for five months

You are *not* required to report any changes in your household during this five month period. However, if you do report a change that could increase your benefits (such as loss of income or the addition of a household member), DTA is required to act on that change and recertify your food stamps to the higher amount. See 106 C.M.R. § 366.110(B).

Once the five-month TBA period ends, DTA will switch your household to semi-annual reporting. See **Question 67**.

70 When do you have to report changes if you are on change reporting?

Households not on semi-annual reporting, monthly reporting, the Transitional Benefits Alternative or Bay State CAP have to report changes that affect food stamps within ten days of the date the change becomes known to the household. This includes changes in income (of more than \$25 per month); changes in source of income; and changes in shelter costs, household composition, and child support payments. 106 C.M.R. § 366.110(A). You only have to report these changes if they might affect your eligibility (if you are not sure, it is safer to report).

If you are on change reporting, you can report a change by mailing or faxing a change report form or other letter, telephoning your DTA worker or going to DTA. Be sure to keep a copy of what you send and make a note about any telephone call or meeting. If you fail to report a change that would result in a decrease in benefits, you may face overissuance and fraud charges. See **Part 7**.

Bay State CAP households have to report changes that would affect their SSI to Social Security no later than ten days after the end of the month in which the change occurred. Changes that must be reported to Social Security include changes in income or resources, a change of address, and a change in marital status or living arrangement.

Note: You can leave Massachusetts on a visit or vacation without losing food stamp eligibility as long as you plan to return to Massachusetts. See DTA Transitions, April 2003, p. 2. See **Question 59** on using your Benefit Access card while you are in another state.

71 Will your benefits continue if you stop getting cash welfare or SSI?

Your food stamps should not stop when you stop getting cash welfare or SSI. If everyone in your household was receiving TAFDC, you may qualify for the Transitional Benefits Alternative. See **Question 69**. If

someone in your household stops getting EAEDC or SSI or you do not qualify for the Transitional Benefits Alternative,

- DTA will recertify your food stamps based on the new circumstances if it has enough information, *or*,
- DTA will send you a notice closing your food stamp case the month after the month of the notice, and will tell you that you need to recertify (reapply) for food stamps. 106 C.M.R. § 365.170(B), (C). The notice DTA sends you must also say that if you recertify (reapply) 15 days before your benefits stop, your benefits will continue without interruption. You may be able to recertify by mail. You may be subject to different work rules if you are no longer receiving cash assistance. See **Question 35**.

Advocacy Reminder:

- ✓ If your food stamps stop for some reason (maybe you did not recertify on time), you can reapply at any time.

72 Can you get supplemental food stamps if your income drops or if a new member comes into your household?

If your net food stamp income after deductions drops to zero, you are eligible for supplemental food stamps in the same month you report the change. 106 C.M.R. § 366.120(A)(1).

If you report a new household member or a change in income of \$50 or more, DTA must adjust your food stamps effective with the first allotment you are due ten days after you reported the change. If you report the change after the 20th of the month and it is too late in that month to increase the next month's allotment, DTA must authorize supplemental food stamps so that you get the increase by the tenth day of the following month or on your normal issuance date, whichever is later. 106 C.M.R. § 366.120(A)(2).

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If you receive TAFDC and are on monthly reporting and your income from any source other than TAFDC stops, the income from the terminated source should not be counted in figuring your food stamps. If you report the change fewer than ten days before you are supposed to get your next food stamp allotment, DTA may count the income in figuring your regular allotment that month, but must issue you extra food stamps for that month. 106 C.M.R. § 366.110(D).

Advocacy Reminders:

- ✓ Even if you are on semi-annual reporting or the Transitional Benefits Alternative and do not have to report, you should report changes that might increase your food stamps.
- ✓ Remember that if you are on TAFDC monthly reporting and your income drops you can also get a supplemental TAFDC payment to bring your TAFDC grant in the payment month up to what it should have been. 106 C.M.R. § 702.980.