

ARKANSAS REGISTER

Transmittal Sheet

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For Office
Use Only:

Effective Date _____ Code Number _____

Name of Agency Department of Human Services

Department Division of County Operations

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Statutory Authority for Promulgating Rules 7 CFR 273.11 (c)(3)(i)(A) - (G) by the Food and Nutrition Act of 2008

Rule Title: Gross Income Pretest

Intended Effective Date
(Check One)

- Emergency (ACA 25-15-204)
- 30 Days After Filing (ACA 25-15-204)
- Other 2/01/14
(Must be more than 30 days after filing date.)

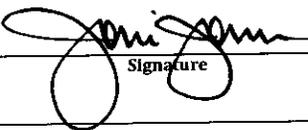
	Date
Legal Notice Published	<u>Nov 7, 2013</u>
Final Date for Public Comment	<u>Dec 6, 2013</u>
Reviewed by Legislatice Council	_____
Adopted by State Agency	<u>Feb 1, 2014</u>

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)
 Linda Greer, Assistant Director, OPPD linda.greer@arkansas.gov Dec 9, 2013

Contact Person E-mail Address Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)



Signature

Phone Number E-mail Address

DLO Director

Title

12/13/13

Date

SNAP CERTIFICATION MANUAL – SECTION 1000

1600 Process 4 – Determining Household Composition

1610 Declaration of Household Members

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SNAP Manual 12/01/00

The county office worker will carefully review the household members listed on the application.

If the actual presence of any declared member is questionable, verification of household composition will be requested. Verification of household composition is normally accomplished through collateral contact. See the Glossary, definition of "Collateral Contact."

1620 Evaluating Eligibility of Members

SNAP Manual 01/01/14

The county office worker will evaluate each household member listed on the application to determine if that member is eligible to participate in the Supplemental Nutrition Assistance Program. The categories of individuals who are not eligible to participate in the Supplemental Nutrition Assistance Program are listed below.

1. Ineligible Aliens-Undocumented aliens - See SNAP 1621 for details regarding qualified aliens.



Note: Ineligible-Undocumented aliens are those who are unable or unwilling to verify immigration status.

2. Certain Students Enrolled in an Institution of Post Secondary Education - See SNAP 1622.2 for an explanation of which students are ineligible to participate in the program.
3. Disqualified Individuals - This includes people disqualified for any of the following reasons:
 - a. An intentional program violation (IPV) as defined in SNAP 15410
 - b. Failure to comply with the social security number (SSN) requirement as explained in SNAP 2100
 - c. Failure or refusal to comply with the work registration requirements explained in SNAP 3400
 - d. Noncompliance with the Workfare requirement explained in SNAP 3700
 - e. Having committed a certain type of drug-related felony as explained in SNAP 1622.20
 - f. Being currently classified as a fleeing felon as explained in SNAP 1622.10
4. Boarders - See SNAP 1624 for an explanation of boarder policy.
5. Residents of Institutions - See SNAP 1800 for a definition of an institution and the exceptions to this rule.

SNAP CERTIFICATION MANUAL – SECTION 1000

1600 Process 4 – Determining Household Composition

1621 Citizenship Status

016.20

1621.5.3 Secondary Verification Procedures

SNAP Manual 04/01/03

THIS SECTION HAS BEEN DELETED AS OF 10/01/04

1621.5.4 Action on Responses from SAVE

SNAP Manual 10/01/97

If the response from SAVE indicates the individual is eligible, the DCO county worker will document this information in the case record. No additional information is required.

If the response from SAVE indicates the individual is ineligible, the worker will take the appropriate action to remove the individual from the case unless all household members are ineligible aliens. If all household members are ineligible aliens, the case will be closed. [SNAP 1621.6](#) contains instructions for handling the income and resources of ineligible aliens.

An advance notice of adverse action will be provided before the required action is taken. The notice will advise the household of the action to be taken and why this action is being taken.

1621.6 Handling the Resources and Income of Ineligible Aliens

SNAP Manual 01/01/14

The resources of ineligible aliens will be counted in their entirety when the household's eligibility is determined.

Households with an ineligible alien who is undocumented (i.e., unable or unwilling to verify immigration status), as described in [SNAP 1620](#), must meet the gross income pretest to participate in SNAP. Determine the undocumented alien's gross countable income as instructed in [SNAP 7500](#). If the household exceeds the income standard for their household size, deny the application. If the household meets the income standard for their household size, all but a pro rata share of the undocumented alien's income will be counted in the SNAP budget.

The gross income pretest does not apply to households with ineligible documented aliens. The income for ineligible aliens will be prorated across all household members including the ineligible aliens when determining the eligibility.

All but a pro rata share of the alien's income will be counted in the SNAP budget. The following actions will be taken to calculate the pro rata share of income:

1. Determine the alien's gross countable income as instructed in [SNAP 7500](#).
2. Enter the full gross income amount to the automated system.

SNAP CERTIFICATION MANUAL – SECTION 1000

1600 Process 4 – Determining Household Composition

1621 Citizenship Status

3. Divide the gross income evenly among all household members including the ineligible alien. (For example, assuming the gross income amount is \$500 and there are five members including the ineligible alien, the calculation would be - $\$500 / 5 = \100 prorated amount.)
4. Multiply the number of eligible members by the prorated amount to determine the amount to be counted in the budget. (For example, if there are four eligible members and the prorated amount is \$100, the calculation would be - $\$100 \times 4 = \400 to be counted in the budget.)
5. Enter the amount to be counted in the budget. Enter earned income in the earned income fields and allow the 20% earned income deduction. Enter other income in the appropriate unearned income field.

Medical expenses incurred by an ineligible alien who is age 60 or older and/or an individual with a disability are not allowable. Expenses such as shelter costs, dependent care costs and child support payments will be allowed in their entirety unless the ineligible alien incurs part or all of the expense. If the ineligible alien incurs part or all of any expense, the expense will be prorated or divided evenly among all household members including the ineligible alien. Then, the number of eligible household members will be multiplied by the amount of the pro rata share. Each expense will be prorated individually.

If the household has elected to use the utility standard and the ineligible alien incurs part or all of the expense entitling the household to the standard, the standard will be prorated in the same manner as the other allowable expenses.

Uncapped shelter costs will not be allowed if the disqualified member is the only age 60 or older and/or an individual with a disability household member. Even if the household does remain entitled to uncapped shelter costs, prorated shelter costs must be used to determine the full shelter deduction.

Ineligible aliens are not included when eligibility or SNAP benefit amount is determined.

1621.7 Sponsored Aliens

SNAP Manual 04/01/03

Most immigrants who enter the U.S. must have a sponsor – someone who signs an affidavit promising to provide enough financial support to maintain the immigrant at or above 125 percent of the Federal poverty line. (This will be 100 percent for active duty military.) Legal immigrants who enter the country under the provisions of immigration law other than the