

DEPARTMENT OF HUMAN SERVICES FAMILY INVESTMENT ADMINISTRATION	FOOD SUPPLEMENT PROGRAM MANUAL	
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115.1 Definition

Categorical eligibility means that a household is considered eligible for Food Supplement Program (FSP) benefits based on its eligibility for a public assistance grant or service. Households in which all members receive or are authorized to receive Temporary Cash Assistance (TCA), a service or benefit funded by Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), Temporary Disability Assistance Program (TDAP), or Public Assistance to Adults (PAA) are categorically eligible. This includes a household with a mix of TCA, SSI, TDAP or PAA members or a household authorized to receive a TANF funded service.

NOTE: Categorically eligible households are not subject to the gross and net income test and do not have to meet resource limits. This means we do not verify vehicle or bank account ownership for the FSP.

115.2 Categorically Eligible Individuals and Households

Categorically eligible individuals and households include the following:

- A. Individuals who receive TCA, SSI, TDAP or PAA;
- B. Individuals who have been authorized but have not accessed TCA, SSI, TDAP or PAA;
- C. Individuals authorized to receive TCA, SSI, TDAP or PAA but who have not yet received the FSP benefit;
- D. Household members receiving TCA, SSI or PAA whose benefits are suspended or recouped; or
- E. TCA households that are not paid because the grant is less than \$10.
- F. Broad Based Categorical Eligibility
 1. To confer broad based categorical eligibility to FSP households, all households with income below 200 percent of federal poverty guidelines are authorized to use a non-cash Temporary Assistance for Needy Families (TANF) funded program.
 2. TANF funds were used to print the brochure, Family Planning, A Guide for You. This meets the criteria for broad based categorical eligibility. With broad based categorical eligibility, there is no requirement that there be minor children in the household. Give the customer the Family Planning brochure when the customer requests a copy. There is no requirement to give it to everyone.

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115.2 Categorically Eligible Individuals and Households (continued)

3. The following information is on the applications that are used for FSP:

Authorization to Receive Family Planning Information

If you want information, you can ask your case manager for a Family Planning Guide. You may also contact:

- 1-800-546-8900 if you need help in finding a provider for birth control or arranging prenatal care, or
- The Center for Maternal and Child Health at 410-767-6713 or <http://phpa.dhmh.maryland.gov/mch>

G. 200% of 2018 Monthly Federal Poverty Guidelines:

1	\$2024
2	2744
3	3464
4	4184
5	4904
6	5624
7	6344
8	7064

Each additional member is \$720

H. Examples:

1. Ms. A applies for assistance for herself and her two children, aged 10 and 12 because her earnings do not cover her bills. The local department enters the household's \$4,000 monthly income on CARES to determine FSP eligibility. The household is not categorically eligible because the household's income is greater than 200 percent of poverty for a household of three. CARES denies the FSP case because gross income exceeds the gross income limit.
2. Ms. B applies for assistance for herself and her son, aged 10. The case manager enters the household's \$1,850 monthly earned income and deductions on CARES. She is categorically eligible and was found to be eligible for the \$15 minimum benefit because the household size is two.
3. Mr. C applies for FSP benefits for himself, his wife and her two children because Ms. C had recently lost her job. The household's total gross income is \$2,500 earned income. The household is categorically eligible because the income is below 200 percent of the federal poverty level for a family size of 4.

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4. 115.2 Categorically Eligible Individuals and Households (continued)

- Mr. and Ms. C have \$10,000 in savings. They have high shelter costs and Mr. C pays child support for children outside the FSP benefit household. CARES determines that this household is eligible for an FSP benefit.
4. Mr. and Mrs. D apply for FSP benefits. In the home is their 20-year old son who must be included in the household because he is under age 22. The household has gross monthly income of \$3,700. This household is not categorically eligible (income over 200% of the poverty level) and their income exceeds the gross income test. CARES will deny the household's application.

115.3 Application Processing

- A. Local departments must notify households applying for public assistance that:
1. They have the right to apply for FSP benefits at the same time.
 2. The time limits or other requirements that apply to the receipt of TCA do not apply to the receipt of FSP benefits.
 3. Households that stop receiving TCA because they have reached the maximum time limit for receiving TCA, have begun working or for any other reason, may still be eligible for FSP benefits.
 4. Receiving FSP benefits has no bearing on any other program's time limits.
- B. If the local department attempts to discourage a household from applying for TCA (and request a WAG instead, for example), it shall make clear that that the requirements of applying for TCA do not apply to FSP benefits.
- C. In order to determine if a household is categorically eligible for FSP benefits, the local department may postpone (within the 30-day processing standard) the FSP eligibility determination if the household is not entitled to expedited service and appears to be categorically eligible.
- D. The local department must postpone denying a potentially categorically eligible household until the 30th day in case the household is determined eligible to receive TCA, SSI, TDAP or PAA benefits. Once the public assistance application is approved, the household is considered categorically eligible, provided no exceptions listed in "E" below are applicable.

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115.3 Application Processing (continued)

- E. A household is not categorically eligible and is subject to all FSP eligibility and benefit provisions if:
1. Any member is disqualified for an intentional program violation (IPV) in accordance with Section 480.4 (Intentional Program Violation Disqualification Determination) of this manual; or
 2. The head of household is disqualified for failure to comply with the work requirements in accordance with Section 130.11 (Failure to Comply with Work Registration Requirements) of this manual.
- F. In addition to 115.3 E listed above, a TDAP household is not categorically eligible and is subject to all FSP eligibility and FSP benefit provisions if:
1. The household refuses to cooperate in providing the local department the information necessary to make a FSP eligibility determination;
 2. The household is disqualified under the striker provisions in accordance with Section 101(Strikers) of this manual; or
 3. The individual has been disqualified for an IPV or for failure to apply for a social security number.
- G. If any of the following factors are questionable, verify that the household:
1. Contains only members that are recipients of TCA, a WAG, SSI, TDAP or PAA or is a household authorized to receive a TANF funded service or benefit as described in 115.2F;
 2. Meets the household composition definition as described in Section 100 of this manual;
 3. Includes all persons who purchase and prepare their meals together regardless of whether they are separate units for cash programs; and
 4. Includes no person who has been disqualified as described in paragraph 115.3E or F.
- H. If required, verify FSP eligibility factors, as described in Section 408.3 (Mandatory Verification at Application) of this manual, that are not verified for the program conferring categorical eligibility.

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115.3 Application Processing (continued)

- I. Do not include any person as a member of a categorically eligible FSP household if that person is:
 1. An ineligible immigrant as defined in Section 120 (Immigrants) of this manual;
 2. Ineligible under the student provision as described in Section 102 (Students) of this manual;
 3. Institutionalized in a non-exempt facility as defined in Section 100.63 of this manual;
 4. Ineligible because of failure to comply with a work requirement in accordance with Section 130.12 of this manual; or
 5. Ineligible because of a drug related felony offense.

- J. Eligibility factors that are accepted for FSP eligibility without the verification required in Section 408.3 because of categorical eligibility are:
 1. Resources
 2. Gross and net income limits
 3. Sponsored immigrant information
 4. Residency
 5. Social security number information

Reminders:

- **Do not verify the assets/resources of a categorically eligible household.**
- **Do not deny or terminate a categorically eligible household when the household fails to verify resources.**

- K. When a household files a joint public assistance/FSP application and is denied FSP benefits but is later determined eligible for TCA, TDAP or PAA, the case manager will Issue FSP benefits as described in section 115.3L of this manual. The case manager will also use any verification or information provided subsequent to the application.

The local department must be able to retrieve an original application when the application was initially denied but is subsequently authorized a FSP benefit or service conferring categorical eligibility. The case manager should annotate changes on the application and mail it to the household for a signature.

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115.3 Application Processing (continued)

NOTE: Do not re-interview the household. However, the local department may make mail or telephone contact with the household or its authorized representative to determine any changes in circumstances.

- L. The department will provide benefits from the date of the FSP application to any household determined eligible for TCA, TDAP or PAA that is categorically eligible within the 30-day processing standard. Prorate FSP benefits in accordance with Section 412 (Prorating Initial Allotment) of this manual.

A household that files a joint application that is found categorically eligible after being denied non-public assistance FSP benefits will have its FSP benefits for the initial month prorated from the date from which the public assistance benefits are payable, or the date of the original application, whichever is later.

Assume that the household is categorically eligible at recertification in the absence of a timely public assistance recertification.

- M. The local department will re-evaluate the original application either at the household's request or when the local department becomes aware of the household's public assistance or SSI eligibility.
- N. One and two person households that are categorically eligible are entitled to at least a \$16 per month allotment (plus the state supplement for participants over 62), except in an initial month. CARES will deny a categorically eligible household with three or more members that are not eligible for FSP benefits because of their income.
- O. The resources of any household member who receives or is authorized to receive TCA, SSI, TDAP, TANF funded benefit or service, or PAA are excluded.