Chapter 10
Determining Household Eligibility and Benefit Level

1000 Month of Application for All Households

A. Determination of Eligibility and Benefit Levels

A household’s eligibility shall be determined for the month of application by considering the household’s circumstances for the entire calendar month of application.

1. Households who are not in certification the month of application shall be the month in which the household filed its application.

2. Households who are in certification and apply for recertification in the last month of their certification have their eligibility determined for the first month following the end of the certification period.

Applicant household consisting of residents of a public institution who apply jointly for SSI and food assistance prior to their release from the public institution will have their eligibility determined for the month in which the applicant household is released from the institution.

Proration of Benefits
Benefits for an initial month of certification shall be prorated based on the day of the month the household applies through the end of the month. An initial month means the first month for which a household is certified for participation following at least one day’s break in certification. Households who reapply in the month following the end of their certification period shall be entitled to a prorated allotment except for migrant and seasonal farm worker households.

Migrant and seasonal farm workers shall receive the full allotment for the month of application when the household has participated in the food stamp program within 30 days prior to the date of application. If the benefit amount for the prior month was $0 due to recoupment or other reasons, but the household was certified and eligible for the program, the household is considered to have participated.

Once a household moves from a project area in which it is currently certified, eligibility for the food stamp program terminates and must be reestablished by application in the new project area. A household currently certified in another state, who applies in Alabama and is entitled to expedited service, and for whom nonparticipation in the other state cannot be established within the expedited time frame, shall be allowed to sign a statement avowing that it did not and will not participate in the other state in the month of application.

The proration of benefits is automated. If proration results in an allotment of less than $10, no issuance shall be made for an initial or beginning month to any household, including one and two person households and categorically eligible households.

B. Application for Recertification

See Chapter 14 for processing applications for recertification.

Eligibility for recertification for all households shall be determined based on circumstances anticipated for the certification period starting the month following the expiration of the current
certification period. The level of benefits for recertification shall be based on the same anticipated circumstances.

If an application for recertification is submitted in the month after the household’s certification period has expired, benefits for that month shall be prorated.

If a household submits an application for recertification prior to the end of its certification period but is found ineligible for the first month following the end of the certification period then the first month of any subsequent participation shall be considered an initial month. The same application shall be used in this situation (see C. below) and proration would not be applicable if the household were approved within the appropriate processing standard.

If a household submits an application for recertification prior to the end of its certification period and is found eligible for the first month following the end of the certification period, then that month shall not be an initial month.

Timely Application for One or Two Month Certifications
Any household which receives the notice of expiration at the time of certification as discussed in Section 1401 shall not be subject to proration for the first month of their new certification period if the deadline for filing an application for recertification falls after the end of their current certification period. However, such households found ineligible for the first month following the end of the certification shall have the first month of any subsequent participation considered an initial month.

Verification Provided After the Certification Period
For all households for which the timeframe for providing verification falls after the end of the household’s current certification period the household shall not be subject to proration for the first month following the end of its current certification period if it has provided the missing verification and is otherwise eligible.

C. Anticipated Changes

Because of anticipated changes, a household may be eligible for the month of application, but ineligible in the subsequent month. The household shall be entitled to benefits for the month of application even if the processing of its application results in the benefits being issued in the subsequent month.

Also, a household may be ineligible for the month of application (see Section 1000A), but eligible in the subsequent month due to anticipated changes in circumstances. Even though denied for the month of application the household does not have to reapply in the subsequent month. The same application shall be used for the denial for the month of application and the determination of eligibility for subsequent months within the timeliness standards.

D. Changes in Allotment Levels

As a result of anticipating changes the household’s allotment for the month of application may differ from its allotment in subsequent months. The county department shall give all food assistance households a twelve-month certification period. However, the household’s allotment shall vary from month to month within the certification period to reflect changes anticipated at the time of certification, unless the household elects the averaging techniques in Section 1002C.
1001 Determining Resources for Prospectively Budgeted Households

Available resources at the time the household is interviewed shall be used to determine the household’s eligibility. Future resources for which the month and amount of anticipated receipt are known shall be used in determining the household’s continued eligibility at the time of certification. (Example: an award letter from the Social Security Administration stating the amount of a retroactive lump-sum payment and the date it is to be issued.)

1002 Determining Income for Prospectively Budgeted Households

For the purpose of determining the eligibility and benefit level for prospectively budgeted households, the county department shall budget income in accordance with the following procedures. Additional procedures specific to simplified reporting households are found in Chapter 17.

A. Anticipating Income

The county department shall take into account the income already received by the household during the certification period and any anticipated income the household and the county department are reasonably certain will be received during the remainder of the certification period. If the amount of income that will be received, or when it will be received, is uncertain, that portion of the household’s income that is uncertain shall not be counted. For example, a household anticipating income from a new source, such as recently applied for public assistance benefits, may be uncertain as to the timing and amount of the initial payment. These moneys shall not be anticipated unless there is reasonable certainty concerning the month in which the payment will be received and in what amount. If the exact amount of the income is not known, that portion of it which can be anticipated with reasonable certainty shall be considered as income.

Income received during the past 30 days should be used as an indicator of the income that is and will be available to the household during the certification period. However, this income should not be used if changes have occurred or can be anticipated. Under no circumstances should the worker automatically attribute to the household amounts of any past income without discussion with the household.

If the household states the income in the past 30 days is representative of the normal fluctuations in income and the total monthly income is relatively stable (although the income may vary within the month) then it is appropriate to use this income to anticipate the income for the certification period. Use of a month’s income to anticipate the monthly income to show in the food stamp budget does not constitute averaging, even if it involves the determination of income received more often than monthly which is then converted to monthly income using the appropriate conversion factor.

If income fluctuates to the extent that a 30-day period alone cannot provide an accurate indication of anticipated income, the worker and household may determine that a longer period of past time will more accurately represent the anticipated fluctuations in future income. If income fluctuates from month to month over a period of time, income averaging may be a more accurate method to use to determine the monthly income to budget. See Section 1002C for the policies concerning income averaging.
The household must be advised to report changes in gross monthly income as required in Chapter 17.

**B. Income Only in Month Received**

Income anticipated during the certification period shall be counted as income only in the month it is expected to be received, unless the income is averaged in accordance with Section 1002 C.

1. Nonrecurring lump-sum payments shall be counted as a resource starting in the month received and shall not be counted as income.

2. Wages held at the request of the employee shall be considered income to the household in the month the wages would otherwise have been paid by the employer. However, wages held by the employer, as a general practice, even if in violation of law, shall not be counted as income to the household unless the household anticipates that it will ask for and receive an advance, or that it will receive income from wages that were previously held by the employer as a general practice and that were, therefore, not previously counted as income.

3. Advances on wages shall count as income in the month received only if reasonably anticipated.

Income received monthly or semi-monthly (twice a month, not every two weeks) is counted in the month it is intended to cover rather than the month in which it is received when an extra check is received in one month because of changes in pay dates or mailing cycles for reasons such as weekends or holidays.

**C. Income Averaging**

Income averaging is appropriate for any source of income that fluctuates from month to month so that anticipation based on recent past income cannot accurately reflect the appropriate income to show in the food stamp budget. Examples of income that may be averaged include fluctuating child support, FA income that fluctuates due to receipt of child support or wages, SSI that fluctuates due to wages or combinations of UCB and wages.

It is the worker’s decision to use income averaging when fluctuations in income make anticipation inappropriate. Income averaging may not be used for destitute households as defined in Section 1004C, as averaging would result in assigning to the month of application income from future periods not available to the destitute household for its current food needs.

A minimum of two months of income must be used to determine an average. If two months of income does not accurately reflect the fluctuations in income, a longer period of time may be used to arrive at an average.

Workers should take care in determining the amount of income to budget, particularly in the instance of fluctuating child support income. If income information is available for the time period that corresponds with the intended certification period, this average may more accurately reflect the fluctuations that occur, and therefore be a more appropriate average. If the last 12 months of income is available, this may also be used to average income that fluctuates greatly over a year’s time. Income received more frequently than monthly must be converted to a monthly amount using the appropriate conversion factors of 4.3 for income received weekly, 2.15 for biweekly income, and 2 for income received on a semi-monthly basis.

Income which has been averaged must be recalculated at recertification or at a report of changes that cause an increase in the allotment. At certification the household must be advised of the
averaged amount of income budgeted, as this becomes the basis upon which changes in income must be reported in accordance with the policy in Chapter 17.

Households which by contract or self-employment derive their annual income in a period of time shorter than one year shall have that income averaged over a 12-month period provided the income from the contract is not received on an hourly or piecework basis. These households may include school employees, share croppers, farmers, and other self-employed households.

The procedures for anticipating and averaging self-employment income are given in Section 1100. The above provisions for averaging income from contract or self-employment do not apply to migrant or seasonal farm work income.

1003 Determining Deductions for All Households

Deductible deductions include only certain dependent care, shelter, and medical expenses as described in Chapter 9.

A. Disallowed Expenses

An expense covered by an excluded reimbursement or vendor payment, except an energy assistance vendor payment made under the Low Income Home Energy Assistance Program (LIHEAP) shall not be deductible. For example the portion of rent covered by excluded vendor payments shall not be calculated as part of the household’s shelter cost.

Utility expenses which are reimbursed or paid by an excluded payment, including HUD and FmHA utility payments shall not be deductible. Households are entitled to use either the SUA or BUA (as appropriate) or actual costs in excess of the excluded payments.

That portion of an allowable medical expense which is not reimbursable shall be included as part of the household’s medical expenses. Households entitled to the medical deduction shall have the non-reimbursable portion considered at the time the amount of reimbursement is received or can otherwise be verified.

Expenses shall only be deductible if the service is provided by someone outside of the household and the household makes a money payment for the service. For example, dependent care deduction shall not be allowed if another household member provides the care, or compensation for the care that is provided in the form of an in-kind benefit such as food.

B. Billed Expenses

Except as provided in Section 1003 D; a deduction shall be allowed only in the month the expense is billed or otherwise becomes due, regardless of when the household intends to pay the expense.

1. A particular expense may only be deducted once in prospectively budgeted households. Amounts carried forward from past billing periods are not deductible, even if included with the most recent billing and paid by the household. For example, rent which is due each month shall be included in the household’s shelter costs, even if the household has not yet paid the expense.
2. An on-going medical expense, such as prescription drugs or attendant care, is to be budgeted at the point it is reported and verified. A deduction cannot be given for any ongoing medical expense incurred in a prior billing period. When an ongoing medical expense is reported and verified the medical deduction will be recalculated to include this expense.

3. Medical expenses billed on a monthly basis because of contract or agreement shall have only the monthly payment bill budgeted as a medical deduction rather than averaging the entire non-reimbursed expense.

C. Averaging Expenses

Households may elect to have fluctuating expenses averaged. Using the procedures for averaging fluctuating income, a minimum of two months expenses shall be used to determine a monthly average. Households may also elect to have expenses which are billed less often than monthly averaged forward over the interval between scheduled billings, or, if there is no scheduled interval, averaged forward over the period the expense is intended to cover. For example a household receives a single bill in February which covers a 3-month supply of fuel oil. The bill may be averaged over February, March and April.

The household may also elect to have one-time only expenses averaged over the entire certification period in which they are billed. Households reporting one-time only medical expenses during their certification period may elect to have a one-time deduction or to have the expense averaged over the remaining months of their certification period. Averaging would begin the month the change would become effective.

D. Anticipating Expenses

The county department shall calculate a household’s expenses based on the expenses the household expects to be billed for during the certification period.

Anticipation of the expense shall be based on the most recent month’s bills, unless the household is reasonably certain a change will occur. The exception is that a household’s monthly medical deduction for the certification period shall be based on the information reported and verified by the household, and any anticipated changes in the medical expenses that can be reasonably expected to occur during the certification period based on the available information about the recipient’s medical condition, public or private insurance coverage and current verified medical expenses.

If a household reports an allowable one time medical expense at the time of certification, but cannot provide verification at that time, and the amount cannot be reasonably anticipated, the household shall have the non-reimbursable portion of the expense considered at the time the expense or the reimbursement is reported and verified.

E. Conversion of Deductions

Deductions which are billed weekly or biweekly may be converted to a monthly amount by multiplying an average weekly amount by 4.3 or an average biweekly amount by 2.15.

F. Energy Assistance Payments

Except for payments made under the Low Income Energy Assistance Act (LIHEAA) and other Federal energy assistance payments excluded in Section 902.2, the county department shall
prorate energy assistance payments provided over the entire heating or cooling season the payment is intended to cover.

G. Entitlement to Medical Deductions and Uncapped Shelter Expenses

Individuals entitled to the excess medical deduction and the uncapped shelter expense shall receive such deductions, if they incur such expenses, for the period for which they are determined to be elderly or disabled.

1. Such individuals who are entitled to restored benefits shall have their benefits restored using these special deductions if they have such expenses.

2. Medical expenses incurred prior to the month in which the individual turned 60 or began receiving qualifying disability benefits shall not be considered as allowable medical costs.

3. A deduction may be allowed for paid or unpaid medical expenses provided such expenses are reported within the certification period in which they are incurred.

One-time medical expenses incurred or reported too late to be budgeted in the current certification period shall be allowed in the new certification period either as a one-time deduction in the first month of the new certification period or prorated over the entire certification period. This includes such expenses previously incurred and reported at the recertification interview or expenses incurred after the recertification interview and reported sometime during the new certification period.

1004 Calculating Net Income and Benefit Levels

Although the calculation of net income and benefit level is automated, the following policies and procedures are provided.

A. Calculating Net Income

1. Add the gross monthly income earned by all household members and the total monthly unearned income of all household members, minus income exclusions, to determine the household’s total gross income.

   Net losses from the self-employment income of a farmer shall be offset in accordance with Section 1100.

2. Multiply the total gross monthly earned income by 20% and subtract that amount from the total gross income.

3. Subtract the standard deduction.

4. If the household is entitled to an excess medical deduction, the medical expenses in excess of $35 shall be subtracted.

5. Subtract actual monthly dependent care expenses.

6. Subtract legally obligated child support payments.
7. Compute the household’s shelter expenses as follows, to determine if the household will receive an excess shelter deduction:

a) Total allowable shelter costs.

b) Subtract from the total shelter costs 50% of the household’s monthly income left after step (6) above.

c) The remaining amount, if any, is the excess shelter cost.

8. If there is no excess shelter cost, the net monthly income shall be the amount of income remaining after step 6 above.

9. If there is an excess shelter cost subtract this cost up to the maximum amount allowed from the household’s monthly income after all other applicable deductions for households which are not entitled to an uncapped shelter deduction. The remainder is the net monthly income.

10. If there is an excess shelter cost, subtract this cost from the household’s monthly income after all other applicable deductions for households entitled to uncapped shelter expenses. The remainder is the household’s net monthly income.

Rounding
Round down to the nearest dollar calculations that end in 1 through 49 cents.
Round up to the nearest dollar calculations that end in 50 through 99 cents.

For all households keep the cents and do not round for individual shelter costs and individual medical expenses.

For all households round the total of all medical expenses.

For all households round each monthly amount of income.

B. Eligibility and Benefits

Households which contain elderly or disabled members (as defined in the Glossary) shall have their net income as calculated in Section 1004 A above, compared to the net monthly income eligibility standards for the appropriate household size to determine eligibility. If the household contains a member who is fifty-nine years old on the date of application, but will become sixty before the end of the month of application (as defined in Section 1000) the household’s eligibility shall be determined in accordance with the above paragraph.

In addition to meeting the net income eligibility standards, households which do not contain an elderly or disabled member shall have their gross income, as calculated in Section 1004 A above, compared to the gross monthly income standards defined for the appropriate household size to determine eligibility for the month.

For households considered destitute in accordance with Section 1004 C, see Section 1004 C for the computing of gross and net income and compare, as appropriate, the gross and/or net income to the corresponding income eligibility standard for the appropriate household size.

Except for initial months as defined in Section 1000 A in which proration is a factor, and the provision precluding issuances of less than $10 in an initial month (see paragraph below), the
household’s monthly allotment shall be equal to the Thrifty Food Plan for the household’s size reduced by 30% of the household’s net monthly income.

Allotment of Less than $10 in an Initial Month
When the calculation of benefits for an initial month yields an allotment of less than $10 no benefits shall be issued to the household for the initial month.

Except during an initial month all eligible one and two person households in which Broad Based Categorical Eligibility has been conferred shall receive the minimum monthly allotment equal to the minimum benefit.

Certification
For those eligible households who are entitled to no benefits in the initial month of application due to proration or an allotment less than $10, but are entitled to benefits in subsequent months, the county department shall certify the household beginning with the month of application.

Households who are eligible but entitled to no benefits on an ongoing basis (except for categorically eligible households) shall be denied benefits.

C. Destitute Households

Migrant or seasonal farm worker households may have little or no income at the time of application and may be in need of immediate food assistance, even though they receive income at some other time during the month of application. Households other than migrant or seasonal farm worker households shall not be classified as destitute.

Determining a Destitute Household
The following procedures shall be used to determine when migrant or seasonal farm worker households in these circumstances may be considered destitute and, therefore, entitled to expedited service and special income calculation procedures.

1. Households whose only income for the month of application was received prior to the date of application, and was from a terminated source, shall be considered destitute households and shall be provided expedited service.

2. If income is received on a monthly or more frequent basis, it shall be considered as coming from a terminated source if it will not be received again from the same source during the balance of the month of application or during the following month.

3. If income is normally received less often than monthly the non-receipt of income from the same source in the balance of the month of application or in the following month is inappropriate to determine whether or not the income is terminated. For example, if income is received on a quarterly basis (e.g., on January 1, April 1, July 1, and October 1), and the household applies in mid-January, the income should not be considered as coming from a terminated source merely because no further payments will be received in the balance of January or in February. The test for whether or not this household’s income is terminated is whether the income is anticipated to be received in April. For households who normally receive income less often than monthly, the income shall be considered as coming from a terminated source if it will not be received in the month in which the next payment would normally be received.

4. Households whose only income for the month of application is from a new source shall be considered destitute and shall be provided expedited service if income of more than $25 from the new source will not be received by the 10th calendar day after the date of application.
Income which is normally received on a monthly or more frequent basis shall be considered to be from a new source if income of more than $25 has not been received from that source within 30 days prior to the date the application was filed.

If income is normally received less often than monthly, it shall be considered to be from a new source if income of more than $25 was not received within the last normal interval between payments. For example, a household applies in early January and is expecting to be paid every 3 months, starting in late January, the income shall be considered to be from a new source if no income of more than $25 was received from the source during October or since that time.

5. Households may receive both income from a terminated source prior to the date of application, and income from a new source after the date of application, and still be considered destitute if they receive no other income in the month of application and income of more than $25 from the new source will not be received by the 10th day after the date of application.

**Determining Eligibility and Benefits for Destitute Households**

Destitute households shall have their eligibility and level of benefits calculated for the month of application by considering only income which is received between the first of the month and the date of application. Any income from a new source that is anticipated after the day of application shall be disregarded.

**Special Instructions for Travel Advances**

Some employers provide travel advances to cover the travel costs of new employees who must journey to the location of their new employment. To the extent that these payments are excluded as reimbursements receipt of travel advances will not affect the determination of when a household is destitute. However, if the travel advance is by written contract, an advance of wages that will be subtracted from wages later earned by the employee, rather than a reimbursement the wage advance shall count as income.

The receipt of a wage advance for travel costs of a new employee shall not affect the determination of whether subsequent payments from the employer are from a new source of income, nor whether a household shall be considered destitute. For example, if a household applies on May 10, has received a $50 advance for travel from its new employer on May 1 which by written contract is an advance on wages, but will not receive any other wages from the employer until May 30 the household shall be considered destitute. The May 30 payment shall be disregarded, but the wage advance received prior to the date of application shall be counted as income.

**Changing Jobs**

A household member who changes jobs but continues to work for the same employer shall be considered as still receiving income from the same source. A migrant farm workers source of income shall be considered to be the grower for whom the migrant is working at a particular point in time, and not the crew chief. A migrant who travels with the same crew chief but moves from one grower to another shall be considered to have moved from a terminated income source to a new source.

The above procedures shall apply at initial application and at recertification, but only for the first month of each certification period. At recertification, income from a new source shall be disregarded in the first month of the new certification period if income of more than $25 will not be received from this new source by the 10th calendar day after the date of the household’s normal issuance cycle.

**1005 Certification Periods**
The county department shall establish a definite period of time within which a household shall be eligible to receive benefits. At the expiration of each certification period entitlement to food stamp benefits ends. Further eligibility must be established only upon a recertification based upon a newly completed application, an interview, and verification as required in Section 206. Under no circumstances shall benefits be continued beyond the end of a certification period without a new determination of eligibility.

Certification Periods Shall Conform to Calendar Months

At initial application the first month in the certification period shall generally be the month of application even if the household’s eligibility is not determined until a subsequent month. For example, if the household files an application in January and the application is not processed until February a 12-month certification period would include January through December.

Upon recertification the certification period will begin with the month following the last month of the previous certification period.

Guidelines for Establishing the Length of Certification Periods

Households must be assigned the longest certification period possible based on the predictability of the household’s circumstances.

1. Households may be assigned one or two month certification periods when it appears likely the household will become ineligible for food assistance in the near future.

2. Households subject to simplified reporting at certification should be assigned a certification period of 12 months. This includes but is not limited to ABAWDS, migrant/seasonal farm workers, homeless, residents of drug and alcoholic treatment centers, and students.

3. Households with stable income, particularly households with elderly or disabled adult members, should be certified for 12 months if other household circumstances are expected to remain stable.

4. Households in which all members are included in a single FA grant should be certified for up to 12 months. The certification period should be aligned to end with the FA review month when possible.

5. Households with all members coded with a work registration code “J” should be assigned a certification period of 4 months.

1006 Certification Notices to Households

Applicant households must be provided one of the following written notices as soon as a determination of eligibility is made, but no later than 30 days after the date of initial application.

A. Notice of Eligibility

If an application is approved an automated Notice of Action will be sent to the household. The notice will provide the amount of the allotment, beginning and ending dates of the certification period, retroactive benefits and regular monthly allotment. The household must also be advised of variations in the benefit level based on changes anticipated at the time of certification.
Both the automated and manual Notices of Action are required to advise the household of its right to a fair hearing, the telephone number of the food stamp office, and if possible, the name of the person to contact for additional information. If there is an individual or organization available that provides free legal representation, the notice shall also advise the household of the availability of the service.

**Expedited Service Cases**
In cases where a household’s application is approved on an expedited basis without verification, a manual Notice of Action must be sent explaining that the household must provide the verification which was waived.

If a certification period longer than one month (or longer than two months if the household receives a combined allotment) has been assigned, the notice shall also explain the special conditions as stated in Section 208 and the consequences of failure to provide the postponed verification.

**Other Households**
For households provided a Notice of Expiration at the time of certification, as required in Section 1401, the Notice of Eligibility may be combined with the Notice of Expiration or separate notices may be sent.

**B. Notice of Denial**

If the application is denied, the household will be provided with an automated notice explaining the basis of the denial, the household’s right to request a fair hearing, the telephone number of the food assistance office, and if possible, the name of the person to contact for additional information. If there is an individual or organization available that provides free legal representation, the notice shall also advise the household of the availability of the service.

A household which is potentially categorically eligible but whose food assistance is denied shall be asked to inform the State agency if it is approved to receive PA and/or SSI benefits.

When a delay in processing on the 30th day was caused by the household’s failure to take action to complete the application process, as provided in Section 207, a manual Notice of Denial shall also explain the following:

1. The action that the household must take to reactivate the application.

2. That the case will be reopened without a new application if action is taken within 30 days of the date the Notice of Denial was mailed.

3. That the household must submit a new application if, at the end of the next 30-day period, the household has not taken the needed action and wishes to participate in the program.

**C. Notice of Pending Status**

If the application is held pending on the 30th day because of a delay in processing caused by the county department (or State agency) as noted in Section 207, the household shall be sent a Notice of Denial/Pending Status on the 30th day explaining the cause for the delay.

As the issuance of the Notice of Denial/Pending Status on the 30th day is notification to the household on the 30th day the status of their application, the application shall be considered a delinquent application.
D. Application for Recertification

See Chapter 14 for timeliness standards for issuance of approval or denial notices.

E. Identification (ID) Cards

The county department will issue each certified household an identification card as proof of food assistance program eligibility. Under certain conditions, counties have the option of using the EBT card as the household’s identification card. These conditions are:

1. The county must continue to maintain a supply of the identification cards (PSD-BFS-832). The security relating to these cards must continue to be observed.

2. Homeless households who receive their mail at the food assistance office must continue to be given an ID card.

3. Households whose benefits are converted to stamps must be issued an ID card.

4. The county must be consistent in either giving or not giving households (other than those specified) an ID card.

All ID cards shall be issued in the name of a household member who is authorized to receive the household’s issuance.