

FOOD STAMP PROGRAM REQUEST FOR REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the FS 24 for your records. For counties asking for policy interpretations, submit the question directly to a FRAT representative via e-mail. For other organizations (e.g., Quality Control, Administrative Law Judges), submit questions directly to the Food Stamp Policy Implementation Unit or Employment and Special Projects Unit representative via e-mail.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Immediate Need/Emergency Services <input type="checkbox"/> Other:	5. DATE OF REQUEST: 12-22-2009 (L. Torres by phone) NEED RESPONSE BY: ASAP
2. REQUESTOR NAME: Nancy Wise, Senior Analyst	6. COUNTY/ORGANIZATION: Imperial County Dept. of Social Services
3. PHONE NO.: (760) 337-7469	7. SUBJECT: Use of recalculated grants, O/I U/I determinations
4. REGULATION CITE(S): 63-509 (e) (1)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACL 03-18 Pages 44 & 57, ACIN 10-04 ACIN 16-05 & ACL 03-18 p. 74 ACL 09-41

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

ACL 03-18 pages 44 & 57 as well as ACIN 10-04 state to use the recalculated grant amounts on voluntary mid-quarter recipient reports and household member O/Ps and O/Is. The FS MPP 63-509 (e) (1) sites a specific example to use the recalculated CW grant for "current and remaining months in the quarter" on voluntary mid quarter reports.

ACIN 16-05 p. 12 states that using the recalculated grant is incorrect when computing an O/I or an U/I. It goes further to say that page 74 of ACL 03-18 states that no O/I or U/I can be assessed when actual income differs from the reasonably anticipated income.

ACL 09-41 On this ACL question #6 example #2 states that we use the recalculated grant (grant + supplement)

~~QUESTION: Is it correct to use a recalculated grant amount in the food stamp budget on a mid-quarter voluntary recipient report that~~

10. REQUESTOR'S PROPOSED ANSWER:

Per ACIN 16-05 the actual grant received should be used.

Only the original grant issued should be used as it was known to the county Any supplements issued could not be reasonably anticipated.

It would also seem to be incorrect to use a recalculated grant amount when adding a household member with income that should have been added previously to the case. (this would produce a lesser grant amount than the HH actually received.)

11. FRAT RESPONSE TO COUNTY QUESTION:

12. STATE POLICY RESPONSE (FSPIU USE ONLY):

FOR FRAT USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY: TA	DATE FORWARDED TO STATE:
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