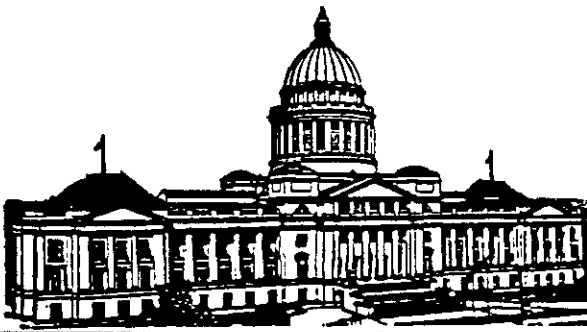


ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 10/23/98 Code Number 016.20.98--032

Name of Agency Department of Human Services

Department Division of County Operations

Contact Person Roy D. Kindle, Jr. Phone 682-8251

Statutory Authority for Promulgating Rules P.L. 104-193 The Personal Responsibility and Work Opportunity Reconciliation Act 1996

FSC 98-18

Date

Intended Effective Date

Legal Notice Published 9-14-98

☐ Emergency

Final Date for Public Comment 10-13-98

☒ 10 Days After Filing

Filed With Legislative Council 9-14-98

☐ Other

Reviewed by Legislative Council

Adopted by State Agency 11-1-98

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

[Signature]
Signature

682-8375

Phone Number

Director

Title

8/26/98
Date

FILED
ARK. REGISTER DIV.
98 OCT 13 PM 3:48
BY [Signature]
SECRETARY OF STATE
STATE OF ARKANSAS

MANUAL TRANSMITTAL

Arkansas Department of Human Services

Division of County Operations

☐ Policy ☐ Form ☒ Directive Issuance Number FSC 98-18

Food Stamp Certification Manual Issuance Date 11/01/98

From: Ruth Whitney
Director Expiration Date Until Superseded

Subj: Handling Special TEA Payments in the Food Stamp Program

This directive provides instructions for handling TEA Diversion Payments, Employment Bonuses and Extended Support Services Transportation Benefit payments in the Food Stamp Program.

DIVERSION ASSISTANCE -- Diversion Assistance is a one-time payment to or on behalf of the family that will resolve a financial problem so that the adult can maintain and/or obtain employment. Diversion Assistance is available to an adult only once during his or her lifetime. See TEA 2010 for additional information.

In the Food Stamp Program, Diversion Assistance payments will be excluded as a nonrecurring lump sum payment. See FSC 4950 for instructions on handling lump sum payments.

EMPLOYMENT BONUS -- An Employment Bonus cash payment will be made to any family who becomes ineligible for TEA cash assistance due to employment or who requests the TEA case be closed due to employment, unless the family has already received an Employment Bonus within the preceding twelve months. The amount of the bonus payment will be equal to the amount of the last regular TEA cash payment. See TEA 5130 for additional information.

In both the regular Food Stamp Program and the Simplified Food Stamp Program, Employment Bonuses payments will be counted as unearned income in the food stamp budget in the month received.

EXTENDED SUPPORT TRANSPORTATION PAYMENTS -- When a TEA case closes due to employment, the family is automatically eligible to receive two months of Extended Support Transportation payments in the amount of \$200 each month. These payments are intended to help the family meet transportation costs in the first two months following termination of TEA cash assistance. See TEA 5140 for additional information.

In both the regular Food Stamp Program and the Simplified Food Stamp Program, Extended Support Transportation benefit payments will be excluded as a reimbursement for a job-related expense to the extent that these payments do not exceed actual job-related expenses for transportation costs.

DIRECTIVE

TEA Issues Related to the Food Stamp Program

Page 2

***Example** A household member receives an Extended Support Transportation payment in the amount of \$200. The member's transportation expenses total \$150. \$50 will be shown as unearned income in the food stamp budget.*

Transportation costs may include the expenses of purchasing, repairing or maintaining a car. Transportation costs may also include payments made for public or private transportation to the employment site. Transportation costs will be verified to the extent that it is practical to do so. For example, a household may be able to verify the costs of repairing a car or purchasing tires. However, they may not be able to furnish receipts for gas. In that case, the county office worker may use the current State reimbursement rate of \$.28 per mile times the round trip mileage to the work site to determine the cost of transportation to work.

Inquiries to Betty Helmbeck, Food Stamp Section, (501) 682-8284

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

DEPARTMENT/AGENCY HUMAN SERVICES

DIVISION COUNTY OPERATIONS

DIVISION DIRECTOR RUTH WHITNEY

CONTACT PERSON Roy D. Kindle, Jr.

ADDRESS Donaghey Plaza South, P.O. Box 1437, Slot 1241, Little Rock, AR 72203-1437

PHONE NO 682-8251

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire attached to the front of two (2) copies of your proposed rule and mail or deliver to:

Donna K. Davis
Subcommittee on Administrative Rules and Regulations
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

1. What is the short title of this rule?
FSC 98-18

2. What is the subject of the proposed rule?
Food Stamp Certification Manual – Instructions for Handling Special TEA Payments in the Food Stamp Program.

3. Is this rule required to comply with federal statute or regulations? XX YES NO
If yes, please provide the federal regulation and/or the statute citation.
The Food Stamp Act of 1977, as amended.

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? XX YES NO

If yes, what is the effective date of the emergency rule? _____

When does the rule expire? _____

Will this emergency rule be promulgated under the regular provisions of the Administrative Procedure Act? YES NO

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STATE OF ARKANSAS
SECRETARY OF STATE

DEPARTMENT HUMAN SERVICES

DIVISION COUNTY OPERATIONS

PERSON COMPLETING THIS STATEMENT Betty Helmbeck

TELEPHONE NO. 682-8284 FAX NO. 682-1469

FINANCIAL IMPACT STATEMENT

To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE FSC 98-18

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? YES XX NO
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
These changes should not result in any significant change in Program expenditures.
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation.

1997-98 Fiscal Year

General Revenue \$	<u>0</u>
Federal Funds \$	<u>Unknown</u>
Cash Funds \$	<u>0</u>
Special Revenue \$	<u>0</u>
Other \$	<u>Unknown</u>
Total \$	<u>0</u>

1998-99 Fiscal Year

General Revenue \$	<u>0</u>
Federal Funds \$	<u>Unknown</u>
Cash Funds \$	<u>0</u>
Special Revenue \$	<u>0</u>
Other \$	<u>Unknown</u>
Total \$	<u>0</u>

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation?

1997-98 Fiscal Year \$ 0

1998-99 Fiscal Year \$ 0

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

1997-98 Fiscal Year \$ 0

1998-99 Fiscal Year \$ 0

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STATE OF ARIZONA

5. Is this a new rule? YES XX NO

Does this repeal an existing rule? YES XX NO

Is this an amendment to an existing rule? XX YES NO

Is this an amendment to an existing rule? If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes.

This directive provides instructions for handling special TEA payments in the Food Stamp Program. Diversion Assistance payments will be excluded entirely. Employment bonus payments will be counted as income. Extended Support Transportation payments will be excluded as a reimbursement. In the Food Stamp Program, reimbursements are excluded only to the extent that the funds are actually used for the expense the reimbursement is intended to cover.

6. What state law grants the authority for this proposed rule? If codified, please give Arkansas Code citation.

NA

7. What is the purpose of this proposed rule? Why is it necessary?

These policy changes are needed to insure the FCS policy is in compliance with clarifications provided by the Department of Agriculture, Food and Nutrition Service.

8. Will a public hearing be held on this proposed rule? YES XX NO

9. When does the public comment period end?

October 13, 1998

10. What is the proposed effective date of this proposed rule?

November 1, 1998

11. Do you expect this rule to be controversial?

 YES XX NO

If yes, please explain.

12. Please give the names of persons, groups, or organizations which you expect to comment on these rules. Please provide their position (for or against) if known.

NAME	GROUP/ORGANIZATION	ADDRESS
David Manley Attorney at Law	Legal Services of Arkansas	209 West Capitol, Suite 36 Little Rock, AR 72203

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

July 28, 1995

**DEPARTMENT OF HUMAN SERVICES
DIVISION OF COUNTY OPERATIONS
AMENDING LEGISLATIVE REGULATION
ARKANSAS LEGISLATIVE COUNCIL**


NUMBER AND TITLE: FSC 98-18, Handling Special TEA Payments in the Food Stamp Program

PROPOSED EFFECTIVE DATE: *November 1, 1998*

STATUTORY AUTHORITY: The Food Stamp Act of 1977 as amended by The Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

NECESSITY AND FUNCTION: This directive provides instructions for handling special TEA payments in the Food Stamp Program.

PAGES FILED: A total of 3 pages were filed.



Roy D. Kindle, Jr.
Assistant Director
Office of Program Planning and Development

PROMULGATION DATE: *October 23, 1998*

CONTACT PERSON: **Roy D. Kindle, Jr.**
Assistant Director
Office of Program Planning and Development
P.O. Box 1437, Slot 1220
Little Rock, AR 72203-1437

(501) 682-8251

NOTICE OF RULE MAKING

Pursuant to the Food Stamp Act of 1977, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Division of County Operation is issuing instructions for handling special TEA payments in the Food Stamp Program.

Copies of the revised policy may be obtained by writing to the Division of County Operations, Attention: Food Stamp Policy Section, P. O. Box 1437, Slot 1241, Little Rock, AR 72203-1437. All comments must be submitted within 30 days of the date of publication of this notice. If you need any material in a different format, such as large print, contact our Americans With Disabilities Act Coordinator at 682-8920 (Voice) or 682-8933 (TDD). The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and operates, manages and delivers services without regard to political affiliation, religion, disability, age, veteran status, sex, race, color or national origin.



Ruth Whitney
Director
Division of County Operations

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SECRETARY OF STATE
STATE OF ARKANSAS
BY _____