921 KAR 3:090. Simplified Assistance for the Elderly Program or "SAFE"

Section 1. Definitions. (1) "Regular SNAP benefits" means SNAP benefits received in accordance with the procedures specified in:

(a) 921 KAR 3:020, Financial Requirements;

(b) 921 KAR 3:025, Technical Requirements;

(c) 921 KAR 3:030, Application Process; and

(d) 921 KAR 3:035, Certification Process.

(2) "Shelter costs" means monthly rent or mortgage expenses as stated by the applicant.

(3) "Simplified Assistance for the Elderly" or "SAFE" means an optional SNAP program for SSI participants who are age sixty (60) or older.

(4) "State Data Exchange" or "SDX" means files administered by the Social Security Administration that provide states with eligibility and demographic data relating to SSI applicants and participants.

Section 2. SAFE Program Procedures. Unless a different procedure or process for a SNAP requirement is specified in this administrative regulation, all SNAP requirements specified in 921 KAR Chapter 3 shall apply to SAFE, including the process for:

(1) A fair hearing;

(2) An administrative disqualification hearing;

(3) An appeal;

(4) A disqualification;

(5) A claim and collection of a claim; and

(6) EBT issuance.

Section 3. Eligibility for SAFE. (1) An individual may qualify for SAFE benefits if the individual:

(a) Is a Kentucky resident;

(b) Is:

1. A current SSI recipient; or

2. SSI eligible, but SSI benefits are currently suspended;

(c) Is age sixty (60) or older;

(d) Is not institutionalized;

(e) Is:

1. Single, widowed, divorced, or separated; or

2. Married and living with a spouse who meets the criteria specified in (a) through (f) of this subsection; and

(f) Purchases and prepares food separately from another individual who shares the same residence, but is not a member of the applicant's household as defined in 921 KAR 3:010.

(2) The cabinet shall use SDX to verify an applicant's marital and institutional status.

(3) If a household member does not meet the criteria listed in subsection (1) of this section, the household:

(a) Shall not be eligible for SAFE; and

(b) May apply for regular SNAP benefits in accordance in 921 KAR 3:030.

(4) An individual who meets the criteria of subsection (1) of this section may apply for

regular SNAP benefits instead of SAFE benefits.

(5) An individual shall not receive SAFE benefits and regular SNAP benefits at the same time.

Section 4. SAFE Application Process. (1) Through use of the SDX files, the cabinet shall:

(a) Identify SSI participants who are potentially eligible for SAFE; and

(b) Mail each identified SSI household:

1.a. A SF-1, Simplified Assistance for the Elderly (SAFE) Application, 7/15; or

b. On or after December 28, 2015, a SF-1, 12/15; and

2. A return envelope.

(2) A SAFE application shall be considered filed if the SF-1 is:

(a) Signed; and

(b) Received at the Department for Community Based Services, Division of Family Support.

(3) In accordance with 7 C.F.R. 273.2(g), the cabinet shall provide an eligible household an opportunity to participate within thirty (30) days of the date the application is filed.

Section 5. SAFE Certification Process. (1) The cabinet shall process a SAFE application without requiring an interview.

(2) Information necessary to certify a SAFE application shall be obtained from SDX with the exception of the information provided by the applicant on the SF-1 or the SF-2, Simplified Assistance for the Elderly (SAFE) Recertification Form.

(3) The cabinet shall certify an eligible household for SAFE benefits for up to thirty-six (36) months.

(4) In accordance with 7 C.F.R. 273.10(g), the cabinet shall send an applicant a notice upon certification or denial.

(5) In the month preceding the last month of the household's certification period, the

cabinet shall send a SAFE household:

(a) A SF-2, 11/14; or

(b) On or after December 28, 2015, a SF-2, 12/15.

Section 6. SAFE Benefits. (1) The cabinet shall provide a SAFE household a standard monthly benefit amount approved by the U.S. Department of Agriculture's Food and Nutrition Service and listed in the SF-1.

(2) The standard SAFE benefit amounts shall be based on:

(a) Shelter costs;

(b) Household size; and

(c) The average benefits received by a similar household in the regular SNAP.

Section 7. Changes in Household Circumstances. (1) A household receiving SAFE benefits shall not be required to report any changes during the certification period.

(2) The cabinet shall process changes in household circumstances based on information received from SDX.

(3) If information voluntarily reported by the household is contradictory to SDX data, the cabinet shall not act upon the information unless the information is a change in a household member's:

(a) Name;

(b) Date of birth; or

(c) Address.

(4) Unless a change in household circumstance results in a change in benefits, the cabinet shall not provide a SAFE household with notification of a change being made in household circumstances.

Section 8. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "SF-1, Simplified Assistance for the Elderly (SAFE) Application", 7/15;

(b) "SF-1, Simplified Assistance for the Elderly (SAFE) Application", 12/15;

(c) "SF-2, Simplified Assistance for the Elderly (SAFE) Recertification Form", 11/14; and

(d) "SF-2, Simplified Assistance for the Elderly (SAFE) Recertification Form", 12/15.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department for Community Based Services, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m. (33 Ky.R. 1766; 2332; eff. 3-9-2007; 35 Ky.R. 1947; 2078; 2302 eff. 3-11-2009; 38 Ky.R. 416; eff. 10-19-2011; 39 Ky.R. 2218; 40 Ky.R. 21; eff. 7-17-2013; 40 Ky.R. 1373; 1740; eff. 2-19-2014; 41 Ky.R. 647; eff. 11-19-2014; 42 Ky.R. 624; eff. 11-18-2015.)

NOTATION

RELATES TO: 7 C.F.R. 273.1, 273.2, 273.9, 273.10, 273.12, 273.14

STATUTORY AUTHORITY: KRS 194A.050(1), 7 C.F.R. 271.4

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary of the Cabinet for Health and Family Services to promulgate administrative regulations necessary to implement programs mandated by federal law or to qualify for the receipt of federal funds and necessary to cooperate with other state and federal agencies for the proper administration of the cabinet and its programs. 7 C.F.R. 271.4 delegates the administration of the Supplemental Nutrition Assistance Program (SNAP) to the state agency. This administrative regulation establishes requirements for the Simplified Assistance for the Elderly Program (SAFE), a demonstration project administered by the cabinet to improve access to SNAP for elderly and disabled individuals.

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