



STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL

Claudette J. Beaulieu, Deputy Commissioner

July 2, 2012
Effective Date

POLICY TRANSMITTAL NO.: UP-12-05

SUBJECT: Technical eligibility criteria for felons, fleeing felons and probation or parole violators

This transmittal adds technical eligibility requirements to the State Supplement and SAGA cash programs. An individual who (1) is convicted of a crime that is a felony and who has not completed the sentence imposed by the court, is not satisfactorily serving a period of probation, or has not completed a court ordered substance abuse treatment program; (2) fleeing to avoid prosecution for either a crime or an attempt to commit a crime; (3) fleeing to avoid custody or confinement after conviction of a crime; or (4) is in violation of their terms of probation or parole, is ineligible for SNAP, TFA, SAGA or State Supplement benefits. Additionally, clarification was made to the technical eligibility criteria applicable to individuals who are felons, fleeing felons, probation or parole violators and apply for TFA, and SNAP programs.

INSTRUCTIONS FOR UPDATING THE UPM:

Remove and Recycle

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**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 7-2-12

Transmittal: UP-12-05

3050

Section:
 Technical Eligibility Requirements

Type:
 POLICY

Chapter:
 Felony Status

Program: AABD
 SNAP

Subject:
 Non-Financial Eligibility Requirements

3050 An individual who is convicted or charged with a crime that is a felony is only eligible to receive State Supplement or SNAP benefits when certain conditions are met. This chapter describes when these individuals are eligible and when they are not.

This chapter addresses felony status as it pertains to eligibility requirements. For treatment of income and assets of individuals ineligible due to felony status, refer to section 4000, Treatment of Income and section 5000, Treatment of Assets.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 7-2-12

Transmittal: UP-12-05

3050.05

Section:
 Technical Eligibility Requirements

Type:
 POLICY

Chapter:
 Felony Status

Program: **SNAP**

Subject:
 Convicted Drug Felons

- 3050.05 A. A person who has been convicted of any drug-related felony under federal or state law after August 22, 1996, is disqualified from SNAP until such person:
1. Completes a sentence imposed by a court related to such conviction;
 2. commences satisfactorily serving a sentence of a period of probation related to such conviction; or
 3. completes or is in the process of completing a sentence imposed by a court related to such conviction that consists of mandatory participation in a substance abuse treatment program or mandatory participation in a substance abuse testing program
- B. For purposes of this section, a drug-related felony means a felony that has as an element the possession, use or distribution of a controlled substance, as such term is defined in 21 USC 802.

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Date: 7-2-12

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3050.10

Section:

Technical Eligibility Requirement

Type:

POLICY

Chapter:

| **Felony Status**

Program: SNAP

Subject:

Fleeing Felons and Parole and Probation Violators

3050.10 A. Fleeing Felons

| An individual fleeing to avoid prosecution or custody for a crime, or an attempt to commit a crime, that would be classified as a felony is not eligible for SNAP.

B. Parole and Probation Violators

| An individual violating a condition of probation or parole under state or federal law is not eligible for SNAP.

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Date: 7-2-12

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3050.15

Section:
Technical Eligibility Requirement

Type:
POLICY

Chapter:
Non-Financial Eligibility Requirements

Program: AABD

Subject:
Fleeing Felons and Parole and Probation Violators

3050.15 A. Fleeing Felons

1. An individual fleeing to avoid prosecution for a crime, or attempt to commit a crime, that is a felony or punishable by death or imprisonment for a term of one year or more is not eligible for State Supplement.
2. An individual fleeing to avoid custody or confinement after conviction of a crime that is a felony or punishable by death or imprisonment for a term of one year or more is not eligible for State Supplement.
3. The prohibitions set forth in subdivisions 1 and 2 of the subsection do not apply if:
 - a. A court of competent jurisdiction has:
 1. Found the individual not guilty of the criminal offense;
 2. dismissed the charges related to the criminal offense;
 3. vacated the warrant for arrest of the individual for the criminal offense; or
 4. issued any similar exonerating order; or
 - b. the individual was erroneously implicated in connection with the criminal offense by reason of identity fraud.
4. The commissioner may, for good cause shown based on mitigating circumstances, treat an individual referenced in subdivision 1. or 2. of this subsection as eligible if the offense was nonviolent and not drug-related.

B. Parole and Probation Violators

1. An individual who is in violation of a condition of probation or parole imposed under state or federal law is ineligible for State Supplement.
2. The commissioner may, for good cause shown based on mitigating circumstances, treat an individual referenced in subdivision 1. of this subsection as eligible if the action that resulted in the violation of a condition of probation or parole was nonviolent and not drug-related.

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 7-2-12	Transmittal: UP-12-05	8080.30
Section: Special Programs		Type: POLICY
Chapter: State-Administered General Assistance		Program: SCA SMA
Subject: Technical Eligibility Requirements		

8080.30 A. General Principles

Except as stated in this chapter, the technical eligibility requirements related to citizenship status, residency, concurrent assistance, felony and striker status are the same as in the TFA program. There are no technical eligibility requirements regarding student status or voluntary quit. In addition, there are rules regarding institutional status. (Cross Reference UPM Section: 3000)

B. Citizenship and Non-Citizen Status

The rules regarding citizenship and non-citizen status are as follows:

1. The SCA rules are identical to the TFA rules found at 8540.40.
2. For SMA, citizenship and non-citizen requirements are met if individuals would meet these requirements under either the SMANC program (Cross Reference: 8016) or the MA program (Cross Reference: 3005.08), except that there is no eligibility for persons who do not meet the requirements and who have an emergency medical condition. In addition, citizenship and special identity verification requirements do not apply. (Cross Reference: 1599.05 and 3099.04)

C. In-State Residence

1. The TFA residency requirements apply to the SAGA program, except that, in addition, an individual who maintains a domicile in another state is considered to be a resident of that state. (Cross Reference: 8540.45)
2. An individual who is temporarily absent from the state is considered to have abandoned Connecticut residency when he or she:
 - a. Establishes a residence in that state, even if he or she continues to maintain a Connecticut residence and/or intends to return to Connecticut; or
 - b. has been granted any public benefits in the other state.
3. There is neither a durational residency requirement nor a requirement that an individual reside in a permanent dwelling or have a fixed mailing address. (Cross Reference: 8540.45)

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Section:

Special Programs

Type:

POLICY

Chapter:

State-Administered General Assistance

Program:

**SCA
SMA**

Subject:

Technical Eligibility Requirements

8080.30 D. Institutional Status

1. An individual who is a resident of an institution may be eligible for cash or medical assistance, subject to the institutional requirements for AABD/MA found at 3015.05. In addition, in the SAGA program:
 - a. an applicant is ineligible for SCA if he or she is a resident of a general hospital;
 - b. a recipient is eligible for SCA if he or she is a resident of a general Hospital, provided he or she is expected to return home within 90 days of the admission date;
 - c. a resident of a long-term care facility is ineligible for SCA when the facility is:
 - (1) a skilled nursing facility; or
 - (2) an intermediate care facility.
 - d. a resident of a rated boarding home where he or she is receiving treatment for alcohol and/or substance abuse is ineligible for SCA for dates of stay on and after August 1, 1997.
2. There is no technical eligibility requirement regarding institutional status for SAGA families. Eligibility factors regarding an institutionalized family assistance unit member are found in Assistance Unit Composition (Cross Reference: 2000 and 8080.20) and Categorical Eligibility Requirements (Cross Reference: 2500 and 8080.25).

E. Concurrent Assistance

1. An individual may receive SCA concurrently with any of the following:
 - a. Food Stamps;
 - b. Medicaid;
 - c. SMANC;
 - d. CADAP;
 - e. ConnPace;

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Section:
Special Programs

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POLICY

Chapter:
State-Administered General Assistance

Program: SCA
SMA

Subject:
Technical Eligibility Requirements

- 8080.30 E. 1. Concurrent Assistance (continued)
- f. SLMB;
 - g. QMB;
 - h. CEAP;
 - i. Essential services;
 - j. Child Care Certificate benefits;
 - k. Social Security Retirement and/or survivor benefits (provided the individual is not also disabled);
 - l. cash benefits issued by another state, subject to the rules governing residency and treatment of income. (Cross Reference: 5000 and 8080.50)
2. An individual may not receive SCA concurrently with any of the following:
- a. TFA;
 - b. RCA;
 - c. AABD;
 - d. SSI;
 - e. SSDI;
 - f. SCA as a member of more than one assistance unit;
3. An individual may receive SMA concurrently with any of the following:
- a. QMB;
 - b. SLMB;
 - c. medical assistance from another state, subject to the rules governing residency.

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POLICY

Chapter:

State-Administered General Assistance

Program:

**SCA
SMA**

Subject:

Technical Eligibility Requirements

8080.30 E. Concurrent Assistance (continued)

4. An individual may not receive SMA concurrently with any of the following:
 - a. Medicaid;
 - b. SMANC;
 - c. SMA as a member of more than one assistance unit;
 - d. SMA under more than one coverage group;
 - e. CADAP;
 - f. ConnPace;
 - g. SSI;
 - h. SSDI.
5. There is no technical eligibility requirement concerning the fraudulent receipt of assistance in two or more states. (Cross Reference: 8540.50 and 8080.70)

F. Felony Status

The SCA rules regarding felony status are identical to the TFA rules found at 8540.20

G. Strikers

The technical eligibility requirements regarding strikers are identical to the TFA rules found at 8540.55 except that the following rules govern an individual's striker status:

1. When the striker is a birth or adoptive parent or stepparent who lives in the home, the assistance unit is ineligible for SCA. The striker need not be a member of the assistance unit.
2. When the striker is a non-parent caretaker, only the striker is ineligible for SCA.

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Chapter:

State-Administered General Assistance

Program: SMA

Subject:

Technical Eligibility Requirements

8080.30 G. Strikers (continued)

3. When the striker lives with his or her spouse, neither the striker nor the spouse is eligible for SCA.
4. When the striker is an adult child in a family assistance unit, only the striker is ineligible for SCA.

I H. Transfers of Assets – SAGA Medical Assistance

1. Applicants for SAGA medical assistance who assign, transfer or dispose of property for less than fair market value during the three month period prior to the month of application are ineligible for assistance.
2. Any assignment, transfer or other disposition of property, on the part of the transferor, shall be presumed to have been made for the purpose of establishing eligibility unless such person provides convincing evidence to establish that the transaction was exclusively for some other purpose.
3. The number of months of ineligibility due to such disposition shall be determined by dividing the fair market value of such property, less any consideration received in exchange for its disposition, by five hundred dollars.
4. The period of ineligibility shall begin in the month in which the person would be otherwise eligible for SAGA medical assistance.

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8540.20

Section:

Jobs First

Type:

POLICY

Chapter:

Non-Financial Eligibility Requirements

Program:

TFA

Subject:

Convicted Drug Felons, Fleeing Felons, and Probation and Parole Violators

8540.20 A. Convicted Drug Felons

1. An individual who has been convicted of any drug-related felony under federal or state law after August 22, 1996, is disqualified from TFA until the individual meets any of the following requirements:
 - a. such individual has completed a sentence imposed by any court of competent jurisdiction;
 - b. such individual is satisfactorily serving a sentence of probation; or
 - c. such individual is in the process of completing, or has completed, a court sentence of mandatory participation in a substance abuse treatment or testing program.
2. For purposes of this section, a drug-related felony means a felony that has as an element the possession, sale or distribution of a controlled substance, as such term is defined in 21 USC 802.

B. Fleeing Felons

1. Individuals who are fleeing to avoid prosecution for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which they are fleeing are disqualified from TFA.
2. Individuals who are fleeing to avoid custody or confinement after conviction of a crime which is a felony under the laws of the place from which they are fleeing are disqualified from TFA.
3. The disqualifications established in this subsection shall not be applied to any individual beginning in the month after the President of the United States pardons the offense that led to the prosecution or conviction of such individual.

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Section:

Jobs First

Type:

POLICY

Chapter:

Non-Financial Eligibility Requirements

Program:

TFA

Subject:

Convicted Drug Felons, Fleeing Felons, and Probation and Parole Violators

8540.20 C. Parole and Probation Violators

1. If a parole officer, probation officer or court of competent jurisdiction determines that an individual is in violation of a condition of probation or parole imposed under state or federal law, such individual shall be disqualified from TFA.
2. The disqualification established in this subsection shall not be applied to any individual beginning the month after the President of the United States pardons the offense that led to the imposition of probation or parole or such individual.

D. Income and Assets of a Disqualified Parent

The needs of the disqualified parent are not considered in the determination of eligibility or the calculation of benefits for the remaining members of the assistance unit. However, assets and income are deemed from a disqualified drug-related felon, fleeing felon or parole or probation violator who is a parent of an eligible child on TFA. (Cross reference: 8550.20 and 8560.15)