

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
January 17, 2013**

AMENDED IM 5144

TO: County Social Service Directors
Economic Assistance Policy Regional Representatives
Economic Assistance Policy Quality Control Reviewers

FROM: Carol Cartledge, Director, Economic Assistance Policy

SUBJECT: Income from Spirit Lake Nation and Sisseton-Wahpeton
Oyate Lake Traverse Reservation

PROGRAMS: TANF, SNAP, LIHEAP, CCAP, Medicaid and Healthy Steps

EFFECTIVE: Upon Receipt

RETENTION: Until Manualized

**SECTIONS
AFFECTED:**

TANF: 400-19-55-20-15 – Countable Unearned
Income Types
400-19-55-25 – Disregard of Certain Income
400-19-55-10-20-10 – Recurring Lump-sum
Payments

SNAP: 430-05-50-20-10 – Unearned Income

Medicaid: 510-05-85-15 – Unearned Income

Healthy Steps: 510-07-40-20 – Unearned Income

This IM is being amended to change the SNAP policy directive for the Sisseton-Wahpeton Oyate Lake Traverse Reservation Food Distribution Program monthly food coupon payment based on a directive from the national office. Amendments are indicated in bold and underlined text.

Recently, information has been received from the Spirit Lake Nation and Sisseton-Wahpeton Oyate Lake Traverse Reservation regarding payments being issued to enrolled members. Information regarding the payments and

treatment of the payments for each program is as follows:

Spirit Lake Nation Payments for Grades

Information was received from Benson County through the Regional Representative that individuals attending college are given a payment for their grades and an incentive for being enrolled in college. These monies are paid in the form of currency and are from Tribal Funds, not Federal Funds.

- Individuals are being provided payments for grades at the end of each semester as follows: \$100 for every 'A', \$75 for every 'B', \$50 for every 'C' and \$25 for every 'D'.
- In addition, they are provided a \$600 incentive (full-time and \$300 incentive (part-time) when they attend school, ½ being paid when they start in the fall and the other ½ paid in spring when they finish.

TANF

TANF policy states 'all aid extended to students by way of scholarships, grants, loans, stipends and awards by federal, state, tribal, civic, fraternal, and alumni sources to pursue training or education, either an undergraduate or graduate-level goal, is disregarded.

Since the individual must be attending college to receive these funds, this income will be disregarded.

SNAP

SNAP policy at 430-05-30-40-20 – Treatment of Income for students indicates for both eligible and ineligible students, financial aid and educational funds such as work study, assistantships, fellowships, internships or stipends are excluded. Since the Spirit Lake Payments for Grades requires individuals to be attending college, this is considered educational funds and excluded for SNAP.

LIHEAP

Per LIHEAP policy, 415-25-05-30, Income Not Counted, all educational loans, grants, scholarships, wages earned under the Federal Work Study Program, regular contributions from parents or any other income made available on condition that the recipient continues as a bona fide higher education student are disregarded as income.

CCAP

CCAP policy at 400-28-65-15, Disregard of Certain Income – Education loans, financial aid, scholarships, stipends (such as ones through United Tribes Technical College) and funds from the John H. Chafee Foster Care

Independence Program) or grants from all sources; whether for undergraduate or graduate student, fellowship or gift or portion of a gift used to pay the costs of caretaker's tuition and fees at any educational institution, vocational rehabilitation payments. The Spirit Lake Nation Payments for Grades is disregarded as income for CCAP as participation in education is required to receive the funds.

Medicaid, Healthy Steps and BCAP

Medicaid/Healthy Steps policy will consider this as a countable nonrecurring lump sum. Since Medicaid/Healthy Steps prospectively budgets, we may not know when they receive it so may not count it in ongoing cases. Medicaid would count it whenever we know about it, such as when we process new applications/reviews, go back to correct or change a month and add a person to a prior month.

Sisseton-Wahpeton Oyate Lake Traverse Reservation Food Distribution Program

The Sisseton-Wahpeton Oyate Lake Traverse Reservation has a Food Distribution Program in which they provide funds to individuals ages 55 and older to assist with purchasing food.

- Individuals age 55 – 64 receive a \$100 and individuals age 65 and older receive \$150 per month food coupon. These coupons can be used at only certain stores in the area.
- In addition, the Casino provides individuals with a dinner and a \$100 coupon to cash in at the casino on a quarterly basis, in March, June, September and December.

TANF

The monthly food coupon will be disregarded as income for TANF as it is considered Complementary Program Assistance that does not duplicate the purpose of the TANF grant.

The quarterly casino cash is considered unearned income and treated as a recurring lump sum payment, prorated over the period it is intended to cover.

SNAP

The monthly food coupon is excluded as income based on federal directive. Any cases in which this was counted as income will need

to be reworked and underpayments issued based on policy at 430-05-90 – Underpayments.

The recurring quarterly casino cash must be prorated over the period of time intended to cover and the monthly amount counted as unearned income.

~~For SNAP, since the income is recurring, the income is countable. The monthly food coupon must be prospectively counted as unearned income. The quarterly casino cash must be prorated over the period of time intended to cover and the monthly amount counted as unearned income.~~

LIHEAP

Annual, periodic, or one-time payments received from any source between the previous June 1 and the following May 31 are counted as other income per policy at 415-25-05-20-20, Other Income.

CCAP

The monthly coupon is disregarded income for CCAP. Policy at 400-28-65-15, Disregard of Certain Income will be updated to reflect this in the future Manual Letter.

The quarterly casino cash is considered recurring income and is countable and prorated over the period of time the payment is intended to cover.

Medicaid, Healthy Steps and BCAP

The monthly food coupon will be disregarded as income for Medicaid/Healthy Steps.

The quarterly casino cash is considered unearned income and treated as a recurring lump sum payment, prorated over the period it is intended to cover.

If you have any questions, please contact your Regional Representative.