STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

DEPARTMENT OF SOCIAL SERVICES
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July 16, 1982

ALL-COUNTY INFORMATION NOTICE I- 85-82

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FOOD STAMP ELIGIBILITY AND BENEFIT LEVEL DETERMINATIONS FOR MILITARY PERSONNEL

REFERENCE:

The correct method of determining food stamp eligibility and benefit level for military personnel has been a continuing County Welfare Department concern. Following are questions and answers which provide eligibility workers with guidance in this area:

1. Are there any circumstances in which military personnel would be considered residents of an institution?

   Answer: Yes. Since single military personnel who live on base receive food and lodging from the military, they are considered ineligible residents of an institution (M.S. 63-402.4). Military personnel with families living on base would not normally receive food from the military and therefore, would not be considered residents of an institution.

2. Is the Basic Allowance for Quarter (BAQ), received by some military personnel for shelter expenses, considered income? If it is, should it be treated as earned or unearned income?

   Answer: BAQ is paid to military personnel because of the nature of their employment. Therefore, these monies, when paid directly to the applicant household, are considered earned income for food stamp purposes. By and large, BAQ is paid to military personnel who live off base. However, some on-base military personnel also receive BAQ.

   The amount of BAQ is noted on the "Leave and Earnings Statement" (LES) in the "Entitlements" (ENT) section. This amount is considered earned income to the extent that it exceeds any BAQ deduction amount indicated in the "Deductions" (DED) section of the LES. Such deductions are made against BAQ received by some on-base families living in military housing.

Since these applicant households are receiving a direct cash payment for only the amount exceeding the BAQ deduction and the housing is being provided by a household member's employer, the value of the housing provided cannot be considered income per M.S. 63-502.2(a) and M.S. 63-502.2(a)(3)(A) respectively.

3. Are military personnel entitled to a shelter deduction?

   Answer: Military applicant households are entitled to a shelter deduction if they incur shelter expenses. Most on-base applicant households will not be entitled to a shelter deduction because shelter is provided by the military and, therefore, no shelter expenses are incurred by the household.

4. Is the Basic Allowance for Subsistence (BAS), received by some military personnel for food expenses, considered income? If it is, should it be treated as earned or unearned income?

   Answer: BAS, like BAQ, is paid to military personnel because of the nature of their employment. Therefore, BAS payments are treated as earned income to the extent they are paid directly to the applicant household. BAS is also noted on the LES in the "Entitlements" section. By and large, BAS is received by military personnel who live off base. However, military personnel who live on bases without adequate dining facilities may also receive BAS.

5. Are there any other payments designated under the "Entitlement" section of the LES? If so, how are they treated for food stamp purposes?

   Answer: Yes. All monthly income appears on the LES in the "Entitlement" section. Any monies noted in this section are considered earned income to the extent that they are paid directly to the applicant household except the Clothing Maintenance Allowance (CMA). The CMA is a reimbursement for money spent on uniforms. Therefore, this payment is excluded from consideration as income to the extent that it does not exceed actual expenses (M.S. 63-502.2(e)). The amount which exceeds actual expenses is unearned income for food stamp purposes.

6. Are there any exceptions to the method of calculating income from entitlements or the classification of those entitlements as earned or unearned income?

   Answer: No. All of the military entitlements are to be treated as discussed in this letter regardless of the branch of the military or the base at which the military applicant is stationed.

However, there are instances when retroactive payments for an entitlement are received in a lump-sum. Such payments are considered a resource in the month received (M.S. 63-501.11).

If you have any further questions, please contact your Food Stamp Program Operations Consultant.

Sincerely,

Kyle S. McKinsey

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Deputy Director
Welfare Program Operations