

(d) Households reporting one-time only medical expenses during their certification period may elect to have a one-time deduction or to have the expense averaged over the remaining months of their certification period. Averaging would begin the month the change becomes effective.

1. For a household certified for 24 months that has a one-time medical expense, the CWAs shall use the following procedure. In averaging any one-time medical expense incurred by a household during the first 12 months, the case worker shall give the household the option of deducting the expense for one month, averaging the expense over the remainder of the first 12 months in the certification period, or averaging the expense over the remaining months in the certification period. One-time expenses reported after the 12th of the month of the certification period will be deducted in one month or averaged over the remaining months in the certification period, at the household's option.

New Rule, R.1998 d.498, effective October 5, 1998.

See: 30 N.J.R. 1928(a), 30 N.J.R. 3669(b).

Former N.J.A.C. 10:87-6.15, Calculating net and gross income and benefit levels, recodified to N.J.A.C. 10:87-6.16.

Amended by R.2004 d.181, effective May 17, 2004.

See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

In (b)1, amended the N.J.A.C reference; added (d).

10:87-6.16 Calculating net and gross income and benefit levels

(a) The procedures below shall be used to calculate net and gross income and benefit levels.

(b) To determine a household's net monthly income, the CWA shall follow steps (b)1 through 10 below. To determine a household's total gross income, the CWA shall add, after rounding (according to procedures at (c)1 below), each individual's monthly earned and unearned income(s). This total, minus income exclusions (see N.J.A.C. 10:87-5.9), provides the sum total gross monthly income figure which shall be used to determine the household's eligibility in accordance with (d)1 or 2 below.

1. Step 1: Add the gross monthly income earned by all household members minus earned income exclusions (see N.J.A.C. 10:87-5.9) to determine the household's total gross earned income. Net losses from the self-employment income of a farmer shall be offset in accordance with N.J.A.C. 10:87-7.3(a).

2. Step 2: Multiply the total gross monthly earned income by 80 percent to determine the net monthly earned income.

3. Step 3: Add to net monthly earned income, the total monthly unearned income of all household members, minus income exclusions (see N.J.A.C. 10:87-5.9).

4. Step 4: Subtract the standard deduction (see N.J.A.C. 10:87-12.1(a)).

5. Step 5: If the household is entitled to an excess medical deduction as provided at N.J.A.C. 10:87-5.10(a)3, determine if total medical expenses exceed \$35.00. If so, subtract the amount that exceeds \$35.00.

6. Step 6: Subtract monthly dependent care expenses, if any, up to the maximum amount allowed for each dependent for whom the household renders payment.

7. Step 7: If the household is entitled to a child support deduction as provided at N.J.A.C. 10:87-5.10(a)5, subtract the amount.

8. Step 8: Total the allowable shelter expenses to determine shelter costs. Subtract 50 percent of the household's monthly net income (after all the above deductions have been subtracted) from the total shelter costs. The remaining amount, if any, is the excess shelter cost. If there is no excess shelter cost, the net monthly income has been determined. If there is excess shelter cost, compute the shelter deduction in Step 9.

9. Step 9: Subtract the excess shelter cost up to the maximum (unless the household is entitled to the full amount of its excess shelter expenses) from the household's monthly net income after all other applicable deductions. The maximum amount allowed for shelter (for those households subject to a shelter maximum) is the maximum in N.J.A.C. 10:87-12.1(b). Households not subject to a capped shelter expense shall have the full amount exceeding 50 percent of their net income subtracted. The household's net monthly income now has been determined.

(c) The CWA shall, when calculating NJ SNAP gross income and benefit levels, round down those income and deduction amounts ending in \$.01 through \$.49 and round-up those ending in \$.50 through \$.99 to the nearest dollar. The CWA shall use the rounding procedure for both the work allowance and shelter cost deductions.

1. The CWA shall round the following, up and down:
 - i. Self-employment income;
 - ii. Earned income;
 - iii. Public Assistance benefits;
 - iv. Supplemental Security Income benefits;
 - v. Retirement Survivors Disability Insurance benefits;
 - vi. Unemployment/workers compensation;
 - vii. General Assistance benefits;
 - viii. Other unearned income;
 - ix. Dependent care payments;
 - x. Child support payments;
 - xi. Medical expenses; and

xii. Total shelter costs.

(d) Except for migrant, seasonal farm worker and homeless households considered destitute at N.J.A.C. 10:87-6.17, the following eligibility and benefit determinations shall apply:

1. Households which contain an elderly or disabled member (as defined at N.J.A.C. 10:87-2.34) shall have the household's net income, as calculated in (b) above, compared to the monthly income eligibility standard for the appropriate household size at N.J.A.C. 10:87-12.3 to determine eligibility for the month.

2. Households that do not contain an elderly or disabled member shall have their gross monthly income compared to the monthly income eligibility standards at N.J.A.C. 10:87-12.4, for the appropriate household size and shall have their net monthly income, as calculated in (b) above, compared to the monthly income eligibility standard for the appropriate household size at N.J.A.C. 10:87-12.3 to determine eligibility for the month.

3. After eligibility has been determined in accordance with (d)1 or 2 above, the CWA shall use the household's net monthly NJ SNAP income to determine the amount of the household's benefits in accordance with N.J.A.C. 10:87-12.6.

i. If the allotment for an initial month is less than \$10.00, or prorated to less than \$10.00 in accordance with N.J.A.C. 10:87-6.2(c), no benefits shall be issued to the household for the initial month.

ii. Except during an initial month, all eligible one- and two-person households shall receive a minimum monthly allotment of \$16.00.

Amended by R.1979 d.459, effective January 1, 1980.
See: 12 N.J.R. 40(c).

(a)1: Added v; renumbered v-vii as v-viii; added language covering uncapped shelter expenses and clarified language.

Amended on an emergency basis, R.1981 d.398, effective September 30, 1981 (operative October 1, 1981), expired November 30, 1981.

See: 13 N.J.R. 769(a).

Readopted, R.1981 d.517, effective December 31, 1981.

See: 13 N.J.R. 769(a), 14 N.J.R. 103(a).

Section substantially corrected.

Amended by R.1983 d.72, effective February 28, 1983.

See: 15 N.J.R. 97(a), 15 N.J.R. 444(a).

Originally filed as an emergency adoption (R.1982 d.503) on December 30, 1982. Changes upon readoption were precipitated by emergency adoption (R.1983 d.38) filed on January 31, 1983. Readopted as R.1983 d.72. Language has been added pertaining to eligibility standards for households with no elderly or disabled members, and to clarify the determination of gross monthly income.

Amended by R.1989 d.121, effective February 21, 1989.

See: 20 N.J.R. 2689(a), 21 N.J.R. 511(b).

Substantially amended and recodified.

Amended by R.1990 d.437, effective September 4, 1990.

See: 22 N.J.R. 1670(a), 22 N.J.R. 2715(a).

In (b)4 and (b)8, revised N.J.A.C. citations.

Recodified from N.J.A.C. 10:87-6.15 and amended by R.1998 d.498, effective October 5, 1998.

See: 30 N.J.R. 1928(a), 30 N.J.R. 3669(b).

In (b), inserted new 7 and 8, recodified former 7 and 8 as 9 and 10, and made corresponding internal reference changes. Former N.J.A.C. 10:87-6.16, Destitute households, recodified to N.J.A.C. 10:87-6.17.

Amended by R.2004 d.181, effective May 17, 2004.

See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

Rewrote the section.

Amended by R.2007 d.129, effective May 7, 2007.

See: 38 N.J.R. 4374(a), 39 N.J.R. 1719(a).

In (d)1, inserted an end parenthesis following the first N.J.A.C. reference.

Amended by R.2012 d.031, effective February 6, 2012 (operative March 7, 2012).

See: 43 N.J.R. 2114(a), 44 N.J.R. 241(a).

Deleted former (b)8; recodified former (b)9 and (b)10 as (b)8 and (b)9; in (b)8, substituted "8: Total" for "9: Except for household claiming the homeless shelter allowance, total" and "9" for "10" at the end; in (b)9, substituted "9" for "10"; in the introductory paragraph of (c) and in (d)3, substituted "NJ SNAP" for "food stamp"; in the introductory paragraph of (d), deleted a comma following "worker", and in (d)3ii, substituted "\$16.00" for "\$10.00 and all eligible households with three or more members entitled to \$1.00, \$3.00 and \$5.00 allotments shall have their allotments rounded to \$2.00, \$4.00 and \$6.00, respectively".

10:87-6.17 Destitute households

Migrant or seasonal farmworker households may have little or no income at the time of application and may be in need of immediate food assistance, even though they receive income at some other time during the month of application. The following procedures shall be used to determine when migrant or seasonal farmworker households in these circumstances may be considered destitute and, therefore, entitled to expedited service and special income calculation procedures. Destitute households shall have their eligibility determined by computing either their gross or net income, as appropriate, and comparing either the gross or net income to the corresponding income eligibility standard. Households other than migrant or seasonal farmworker households shall not be considered destitute.

As amended on an emergency basis, R.1981 d.398, effective September 30, 1981 (operative October 1, 1981) expired November 30, 1981.

See: 13 N.J.R. 769(a).

Readopted, R.1981 d.517, effective December 31, 1981.

See: 13 N.J.R. 769(a), 14 N.J.R. 103(a).

"Destitute . . . eligibility standard" added.

As amended, R.1983 d.121, effective April 24, 1983.

See: 15 N.J.R. 247(a), 15 N.J.R. 625(b).

Originally adopted as an Emergency Rule, R.1983 d.38, effective January 31, 1983. The amendment was pursuant to the Omnibus Budget Reconciliation Act of 1982 (P.L. 97-253) and the Food Stamp and Commodity Distribution Amendments of 1981 (P.L. 97-98, Title 13).

Recodified from N.J.A.C. 10:87-6.16 by R.1998 d.498, effective October 5, 1998.

See: 30 N.J.R. 1928(a), 30 N.J.R. 3669(b).

Former N.J.A.C. 10:87-6.17, Destitute households with income from a terminated source, recodified to N.J.A.C. 10:87-6.18.

10:87-6.18 Destitute households with income from a terminated source

(a) Migrant or seasonal farmworker households whose only income for the month of application was received prior to the date of application, and was from a terminated source, shall be considered destitute households and shall be provided expedited service.