

**256J.28 FOOD STAMP OR FOOD SUPPORT ASSISTANCE.**

Subdivision 1. **Expedited issuance of food stamp assistance.** The following households are entitled to expedited issuance of food stamp assistance:

(1) households with less than \$150 in monthly gross income provided their liquid assets do not exceed \$100;

(2) migrant or seasonal farm worker households who are destitute as defined in Code of Federal Regulations, title 7, subtitle B, chapter 2, subchapter C, part 273, section 273.10, paragraph (e)(3), provided their liquid assets do not exceed \$100; and

(3) eligible households whose combined monthly gross income and liquid resources are less than the household's monthly rent or mortgage and utilities.

For any month an individual receives expedited Food Stamp Program benefits, the individual is not eligible for the MFIP food portion of assistance.

Subd. 2. **Food stamps for household members not in the assistance unit.** (a) For household members who purchase and prepare food with the MFIP assistance unit but are not part of the assistance unit, the county agency must determine a separate food stamp benefit based on regulations agreed upon with the United States Department of Agriculture.

(b) Fair hearing requirements for persons who receive food stamps under this subdivision are governed by section 256.045, and Code of Federal Regulations, title 7, subtitle B, chapter II, part 273, section 273.15.

Subd. 3. **Income disregard: food assistance portion of assistance payment.** The portion of the MFIP assistance payment that is designated by the commissioner as the food assistance portion of the assistance payment must be disregarded as income in the following programs:

- (1) housing subsidy programs;
- (2) low-income home energy assistance program;
- (3) Supplemental Security Income, when determining interim assistance amount; and
- (4) other programs that do not count food stamps as income.

For the purposes of this subdivision, the food assistance portion of the assistance payment means a predetermined portion of the MFIP assistance payment that may be received in point-of-purchase sites or as food stamps. The predetermined portion of the assistance payment will vary by family profile, which is based on family size.

Subd. 4. [Repealed, 1998 c 407 art 6 s 118]

Subd. 5. **Food stamps for persons residing in a battered woman's shelter.** Members of an MFIP assistance unit residing in a battered woman's shelter may receive food stamps or the food portion twice in a month if the unit that initially received the food stamps or food portion included the alleged abuser.

**History:** 1997 c 85 art 1 s 17; 1998 c 407 art 6 s 56-58; 1Sp2001 c 9 art 10 s 66