

INTERPRETIVE MEMO

3SquaresVT Rule Interpretation

Procedural Instruction

This memo remains effective statewide until it is specifically superseded – either by a subsequent memo or by a contradictory rule with a later date.

Please file in your manual facing the page indicated below.

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This memo: is new Replaces one dated _____

Household Concept/Household Definition/Special Definition

QUESTION: How does the Supreme Court ruling on the Defense of Marriage Act change 3SVT household composition rules?

ANSWER: As of July 26, 2014, there is a change in how we determine mandatory household members for 3SVT: Same sex spouses must be considered married and part of the same household for 3SVT for eligibility purposes if their marriage is recognized in the 'jurisdiction' where the marriage was celebrated. To qualify, the couple needs to be legally married in Vermont or in another 'recognizing state'. A recognizing state is defined as a state that has legalized same sex marriage.

QUESTION: How do we treat individuals in a same sex marriage?

ANSWER: When determining household status and benefit levels, spouses who live together shall be treated as individuals who purchase and prepare their meals together even if they do not do so, i.e., they are mandatory members of the same 3SVT household.

QUESTION: What verification is required to document the same-sex marriage of a 3SVT household?

ANSWER: None. Household composition is only subject to verification if questionable.

QUESTION: Does this change how we treat civil unions?

ANSWER: Civil union designation from VT or civil union designation from another state does not qualify as married for 3SVT. This ruling does not affect civil union status.

*XBD.
P.D.*