

### **Thriving Providers Project Benefits Protection Toolkit**







| MPACT KD Strategic Advocacy CHARITABLE & Consulting

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### **About The Thriving Providers Project**

The <u>Thriving Providers Project (TPP)</u> is a demonstration project that uses guaranteed income strategies with home-based child care providers to inform policy reforms to early childhood payment and compensation approaches.

The Thriving Providers Project works with regional partners to provide ongoing direct cash transfers (DCT) to family, friend and neighbor (FFN) caregivers and newly licensed family child care (FCC) home providers to understand the degree to which stabilizing the economic well-being of providers improves the availability and quality of care for children and families. Project outcomes and learning will inform a policy approach to shift how we fund child care services to one that: values the contributions of home-based child care (HBCC) providers, adequately compensates their unique program model, and recognizes that children thrive when the adults who care for them do as well.

### **About Home Grown**

Home Grown is a national collaborative of funders committed to improving the quality of and access to home-based child care (HBCC). Home Grown launched the TPP in 2022 after seeing the success of direct cash transfers in the <a href="HBCC Emergency Fund">HBCC Emergency Fund</a> in helping home-based providers survive the pandemic. Home Grown is committed to creating sustainable pathways for HBCC providers to earn a living wage, recognizing that economic instability is an underlying issue impacting the availability and quality of child care.

### **Acknowledgements**

This toolkit was developed in collaboration with <u>Impact Charitable</u> and Home Grown. It was authored by Kimberly Drew, KD Strategic Advocacy & Consulting and Jourdan McGinn, <u>Impact Charitable</u>.

The toolkit was last updated in June 2025 by Kimberly Drew: It reflects current policy and learnings from TPP pilots launched across the country over the past few years.

This toolkit builds on prior benefits protection work and the expertise of many people working within the guaranteed income field. Special thanks to Alexandra Patterson and Natalie Renew, Home Grown; Amy Friedlander, Opportunities Exchange; Erica Wright, Income Movement; and Jennifer Kellett, Humanity Forward Foundation for your contributions to this project. It also built upon the work led by Chapin Hall, the San Francisco Office of Financial Empowerment and the

Abundant Birth Project, Income Movement, and the Guaranteed Income Community of Practice whose extensive work on this issue informed much of this toolkit.

The Benefits Protection Toolkit was developed to support Thriving Providers Project administrators in planning and designing direct cash transfer (DCT) programs that minimize the reduction and/or loss of public benefits for people receiving cash through the project. While this toolkit was developed specifically for the Thriving Providers Project, the analysis and recommendations can be applicable for other DCTs and guaranteed income pilots. It is our hope that the toolkit will contribute to the growing body of policy research and tools available for pilot administrators across the country.

### How to Use the Toolkit

This toolkit is a step-by-step guide to develop and integrate a benefits protection strategy into your direct cash transfer (DCT) program design. The steps are intended to be followed in the order they appear, but the toolkit also offers prompts to skip steps when they are not applicable. It is recommended this toolkit be used at the early stages of the program design process for any new pilot or program, as the timelines to protect benefits can be long, and the mitigation strategies can also include changes to the program design. The earlier pilot and program administrators begin thinking about the benefits cliff and protection strategies, the more effective they can be.

This toolkit includes a set of customizable templates, letters, and other tools which should be downloaded and modified for your pilot and local context. This toolkit should be used alongside consultations with the communities directly impacted, who themselves deeply understand the complexity of navigating the benefits system, and other community stakeholders in the local context.

### **Definitions**

**Benefit (or Public Benefit):** Includes a wide variety of government programs that provide financial and other assistance to individuals and families. Commonly used benefit programs include Supplemental Nutrition Assistance Program (SNAP), Medicaid, Supplemental Security Income (SSI), and HUD housing assistance (such as public housing or Housing Choice Vouchers).

**Direct Cash Transfer (DCT):** A broader category of programs that offers cash assistance directly to an individual or household

**Guaranteed Income:** A type of cash transfer program that provides continuous unconditional cash transfers to individuals or households. This differs from typical social safety net policies by providing a steady, predictable stream of cash to participants to spend however they see fit without limitations. Guaranteed income policies and their variants, including basic income, citizen dividends, partial basic income, and universal basic income, have minimal or no eligibility requirements. A guaranteed income may or may not meet basic needs.

**Hold Harmless Fund:** A fund used to reimburse participants for benefits lost as a result of enrollment in a DCT

**Waivers/Exemptions:** A special policy or program administration tool whereby public benefits administrators may be able to change program rules to test a program improvement or innovation. DCT or guaranteed income pilot administrators have sought waivers or exemptions as a strategy to limit benefits loss or impact for participants.

### Protecting and Mitigating Benefits Loss for Participants

Direct cash transfer (DCT) programs, also known as guaranteed income pilots, help people by giving them money in the form of direct cash payments. Many people who participate in these programs also get public benefits based on their income and resources. If a person's income increases, they may lose some or all of their benefits, which is called a "benefits cliff." In order to best meet the goals of any DCT program, every effort should be made to ensure that DCTs are supplementing, not supplanting, public benefits. An important way to mitigate unintended negative consequences is to anticipate where DCTs may result in public benefits reduction or loss for participants and develop a plan to address it.

There has been some success in mitigating benefits loss for DCT and guaranteed income pilots through advocacy with local and state agencies. Sometimes DCT programs can ask the agency that runs the benefits program to exclude the income from DCTs when they determine benefits eligibility (often called "exemptions"). Direct advocacy with state agencies takes a significant amount of lead time and requires the support of local leaders and policy decision-makers, so it is not always feasible.

If advocacy and exemptions are not possible due to limited time, capacity, or other reasons, there are other ways to help protect DCT program participants against the "benefits cliff." Some common strategies include benefits counseling, adjusting eligibility criteria, and establishing hold harmless funds. Organizations should develop a localized benefits protection strategy as part of the project plan and design phase to see what makes the most sense in their area.

The following is a set of steps and best practices developed by experts in the field to assist pilots in the process of developing a benefits protection strategy for pilot participants.<sup>2</sup> While this may serve as a guide, each strategy will have to be modified for the organization's pilot and local context.

## Step 1: Assess the most common benefits your participants utilize.

Talk with your stakeholders, advisory committee, and child care providers directly to determine which public benefits your participants are most likely to access. Additionally, look for locally

<sup>&</sup>lt;sup>1</sup> Assets or resources are money as well as something that a person owns and can turn into cash. Examples of resources are savings in a bank account, stocks, bonds, vehicles, or other property.

<sup>&</sup>lt;sup>2</sup> Modified from Protecting Benefits for Pilot Participant developed by Income Movement

available data, reports, or surveys that may have this information. Finding out what benefits are most important and utilized by the providers likely to participate is an important way to prioritize a benefits protection strategy that is most responsive to the participants the pilot will be serving.

To determine how much time you dedicate to mitigating the decrease or loss of public benefits for participants and which mitigation strategies you employ, a manager or project team may analyze:

- What percent of your target population currently accesses public benefits?
- Of those who access benefits, which type of public benefits do they access?

## Step 2: Determine if payments meet the IRS definition of non-taxable income.

Some benefits exclude non-taxable income when determining eligibility. DCTs could be designated as non-taxable if they meet the <u>IRS gift definition</u> or the <u>general welfare exclusion</u>. Under current federal tax law, however, there is no express guidance from the IRS stating that DCTs can categorically be excluded from income.<sup>3</sup> Nor does the IRS provide individual rulings on the gift definition, so determining whether or not your pilot is structured in such a way where the DCT meets the gift definition is something you will want to do with legal counsel. When in doubt about any related tax responsibilities, DCT programs should seek professional tax guidance and include disclaimers advising DCT recipients to seek professional tax advice for case-specific tax counseling.

For DCTs that are privately funded, steps may be taken when designing the program to align the payments with the IRS gift definition. For publicly funded DCTs, a different set of program design decisions apply and steps may be taken to align with the IRS general welfare exclusion.

### Key considerations for meeting the IRS gift definition:4

Unconditional cash transfer - In order for a cash transfer to be considered a gift, it may not
be conditioned on any performance or action of the recipient and individuals should have
no restrictions on how they spend the money. So, the research component of the pilot
must be voluntary and the DCT must not be contingent on participation in the research or

<sup>&</sup>lt;sup>3</sup> For more information see <u>Group Advises on Treatment of Direct Cash Transfer Payments</u> in Tax Notes (March 1, 2024).

<sup>&</sup>lt;sup>4</sup> For complete definition see (26 U.S.C. § 102 (Gifts and Inheritance)) and consult IRS FAQ on gift taxes.

any other activities (i.e. attending trainings, etc.). Ideally, organizations distributing payments should not be involved in reviewing research consent forms or conducting surveys. To be most prudent, organizations should endeavor to limit contact between the distributing entity and participants other than to administer the program, unless the individual experiences a payment or some other technical issue.

• Program structure - If your pilot includes a research or evaluation component alongside the cash assistance, the organization or entity providing the DCT should be different from the research entity. When a charitable nonprofit provides unconditional cash to a person with low-income in furtherance of its charitable purposes, those DCTs are made out of "detached and disinterested generosity." The intent of the DCT has to very clearly be disinterested. This means that there is no follow up on or restrictions on how the person uses the funds and no stake in any outcomes that may result from the funds. For example, if a person gives money to a musical group because they want the band to become successful, this is not a gift by IRS standards because it is not disinterested in regards to outcomes.

Many existing DCT programs and guaranteed income pilots structure payments as gifts to protect certain benefits. In these cases, program administrators do not need to issue 1099s and participants do not need to report payments when filing taxes. There is an <u>annual gift tax</u> <u>exclusion amount</u> which applies to the giver of the gift. Notably, if a tax-exempt nonprofit is the gift giver, the gift tax exclusion amount effectively does not apply. Currently, gifts are capped at \$19,000 per year, and the amount adjusts annually for inflation.

### Key considerations for aligning programs with the IRS general welfare exclusion:

- Payments must be made from government funds.
- DCT programs must be for the promotion of the general welfare based on individual, family or household need
- Payments must not be compensation for services.

For programs that are funded from both public and private non-governmental sources, both the gift definition and the general welfare exclusion may apply and all of the above mentioned considerations and program design choices are relevant to ensure payments remain non-taxable.

Note: Referring to DCTs as gifts and/or referring to the general welfare exclusion in communications with participants is an important way to reinforce that the payments are non-taxable and to strengthen this benefits protection strategy.

## Step 3: Use the Pilot Public Benefits Matrix to assess risk and benefits impact.

### **Pilot Public Benefits Matrix**

Determine which benefits identified in Step 1 are at high risk of being impacted or lost as a result of participation in your pilot using the <u>Benefits Matrix</u>. Risk level is defined in consideration of both the difficulty to get back on a benefit if it is lost and the ability to cover the benefit reduced or lost with cash received. For example, Section 8: Public Housing and Housing Choice Vouchers are an example of a benefit considered high risk because if the benefit is lost the difficulty to get back on the program could be significant. In many areas, Section 8 waiting lists are extremely long or even closed to new applicants. In addition, individuals may not be able to afford to maintain their housing without support from this program.

# Step 4: Determine if you will pursue benefits waivers/exemptions or policy change or if you will use other mitigation strategies within your pilot.

Securing waivers or exemptions or changing policy is one of the best ways to prevent benefits impact for pilot participants. But pursuing benefits waivers/exemptions or policy change could require six months or more and may not be possible in some states. Seeking waivers/exemptions will require administrative advocacy and seeking policy change may require administrative or legislative advocacy. If you do not have significant lead time and a dedicated staff to pursue policy change, then you should consider focusing on an alternate strategy that is less time and resource intensive. These alternative strategies may include adjusting eligibility criteria, adjusting the amount or frequency of the DCT, establishing a hold harmless fund, or providing benefits counseling or education.

Sit with your team to determine your capacity and proposed approach. Factors you may want to consider are:

☐ Is there a defined pathway to secure an exemption for a DCT or guaranteed
income pilot in your city or state that has been used by other organizations?
☐ Do you have at least six months before your pilot launches?
☐ Do you have experience working with local or state government officials?
☐ Do you have a basic understanding of eligibility rules, procedures, and
stakeholders working in the respective benefits offices OR do you have a partner
organization that has this expertise that is willing to collaborate?

If you answered yes to all of the above questions, you may want to consider pursuing waivers, exemptions, or policy change. If you answered no to any of the above questions, you may want to consider alternative strategies in your program.

Alternate benefits mitigation strategies may include:

- Limiting or <u>adjusting eligibility criteria</u> to exclude DCT participants that will be disproportionately impacted
- 2. Adjusting the amount or frequency of DCT to mitigate risk
- 3. Establishing a hold harmless fund
- 4. Providing <u>benefits counseling or education</u> to help people make informed decisions about pilot participation.

If you want to pursue waivers, exemptions, or policy change, proceed to <u>Step 5</u>.

If you do not want to pursue waivers, exemptions, or policy change and want to consider other strategies to mitigate the impact, proceed to <a href="Step 10">Step 10</a>.

### Step 5: Conduct a landscape analysis.

If you are seeking waivers or exemptions from administering entities or otherwise seeking policy change to exempt income from DCT programs, one of the first steps is to find out what protections may already be in place within your state or municipality. In some states, guaranteed income pilots have been successful in securing waivers/exemptions or identifying other local benefits protection mechanisms that may be relevant to and/or replicable for your pilot. Better understanding the successes and challenges other pilots in your area have encountered is an important component to your landscape analysis.

- Connect with pilot(s) in your city, state, or those focused on similar demographics to
  understand best practices and possibly get introduced to agency contacts. Local
  community-based organizations that counsel individuals and do public benefits advocacy
  could assist with making those connections, too.
  - Using the <u>Guaranteed Income Community of Practice</u> (GICP) listserv is a great way to connect with other pilots.
  - ❖ Use the <u>Pilot Tracker</u> to identify pilot outreach.
- Understand the political landscape for benefits in your region and state. Identify elected
  officials or people in positions of power who may be open to working on this issue with
  you. In some states, getting an agency to issue policy guidance or granting a waiver to
  protect public benefits for your participants will not be possible because there is not
  enough political support for guaranteed income pilots. In those instances, a pilot may
  decide to <a href="skip to Step 9">skip to Step 9</a> and spend more time on developing alternate benefits mitigation
  strategies.

The Pilot <u>Benefits Matrix</u> can help provide more information about pathways to seek waivers or other benefits protection mechanisms with administering entities for benefits with risk as well as considerations for benefits counseling.

## Step 6: Identify the entity administering benefits and find a point of contact.

The public entities that administer benefits vary by state, so verifying appropriate contacts with community partners and local benefits experts is key. Often it is best to start the conversation with a person within the agency with decision-making authority; that may be the head of a

particular program or state agency or policy staff. Identifying if advisory committee members or other partners have existing relationships and would be able to initiate the conversation, make a connection, or otherwise influence the agency's willingness to employ available benefits protection policy flexibilities is one way to leverage those contacts. Bridging connections between people with deep benefits knowledge, people with power and influence, and people with past experience protecting benefits for pilots can increase success while building your plan of action.

## Step 7: Build a plan of action. Get clear about what you are asking an administering entity to do.

- Tip: If possible, reference the specific policy or regulations that have worked for other pilots when speaking to administering entities.
- While you should be specific in your reference to regulations, keep your terms general, avoiding words like "waiver," "exclusion," etc. These terms can mean different things across regions and states, as well as across benefits and administering agencies.
- A plan of action includes: targeted administering-entity contact, a specific ask of administering entity, understanding of political landscape, and which elected official(s) you plan to target, if necessary.

State administrators may be reluctant to work with your pilot to implement benefits protection mechanisms if there is no political support or buy-in for DCTs or guaranteed income pilots in the region or if they have never been approached for their support before. Administrators may be unfamiliar with the mechanisms other states and pilots have used to protect benefits so being as specific as possible in referencing the regulation or mechanism is important. You may also offer to connect state administrators in your state with administrators in other states that have issued policy guidance and supported implementation of successful benefits protection strategies.

### Step 8: Seek feedback on your plan of action.

Reconnect with other pilots or community-based organizations and partners that you engaged at the start of this process to get feedback on your plan of action. Continue to engage and consult with your local team of key stakeholders and project advisors. Connect with other Thriving

Providers Project sites for shared learning. Refine approach as needed. Invite partners to join you in outreach or continued advocacy with state agencies.

Reminder: Utilizing the <u>Guaranteed Income Community of Practice</u> (GICP) listserv is a great way to connect with other pilots and get feedback. Members of the GICP have been able to learn from and build on each other's success on benefits protection.

## Step 9: Execute your plan: Begin outreach process.

**NOTE:** This process may take significant time and require frequent follow ups.

Especially if you are the first pilot to launch in your particular area, state administrators may not be familiar with DCT programs nor the benefits protection mechanisms available. Even in instances where you are working to secure benefits protection for one of the benefits where there is a well documented protection mechanism and exhibited success in other states, the state agency will still need significant time to review, evaluate internally, and take action. In order for state agencies to take action, they will need to know relevant information about the pilot, including funding sources, start and end date of the pilot, amount and frequency of payments, etc.

Note: The contacts and relationships you develop within benefits administering agencies throughout this process may provide essential support in troubleshooting and navigating benefits hurdles for participants once the pilot is launched.

## Step 10: Determine what alternative mitigation strategies are best for your pilot.

To help reduce the impact of the benefits cliff and/or ensure individuals in your pilot are aware of any potential benefits cliff, consider the following actions:

### Establish a Hold Harmless Fund

A hold harmless fund provides funding to reimburse participants for benefits lost as a result of pilot enrollment. Hold harmless funds may be available for some pilots but may be cost-prohibitive for others and the administration of such funds come with some significant

challenges. There are two notable examples of hold harmless funds that have been used to mitigate benefits loss resulting from DCTs.

- 1.) Alaska's permanent fund dividend (PFD), an annual direct cash benefit to Alaskan residents funded through Alaska's mineral resources revenue uses a <u>hold harmless fund</u> to mitigate the loss of SNAP benefits and impact of SSI overpayments as a result of receipt of the PFD.<sup>5</sup>
- 2.) Stockton Economic Empowerment Demonstration (SEED), the nation's first mayor-led guaranteed income pilot in the U.S., implemented a hold harmless fund to cover the loss of federal housing subsidies as a result of DCT receipt in part modeled after the PFD hold harmless fund.

Hold harmless funds do come with significant challenges, which should be considered while determining if the benefits mitigation strategy is right for your pilot. The following are a few key considerations:

- Will you base your hold harmless fund on actual benefits loss or will you provide a flat amount for benefits lost?
- What verification will you require to determine if a benefits loss occurred and whether a loss was due to the DCT? How will you collect that information?
- Are you able to determine the value of the lost benefit? For certain benefits, such as SNAP or TANF, the cash value of the benefit may be clear. With other benefits it may be nearly impossible to quantify the loss.
  - For example, the loss of housing or Medicaid, particularly for folks with complex health needs, may be irreplaceable with cash.
  - Other changes in a person's life may have also combined with the DCT payments to impact benefits. For example, if a participant starts working, it may be difficult to parse out what loss is attributed to increased earnings from work and what was due to the payments.
- Is your hold harmless fund large enough to ensure that all participants experiencing benefits loss are equally compensated? Do you have a plan for if there are higher than expected payouts from your hold harmless fund?
- If you are providing additional cash payments to mitigate benefits loss, will payments from a hold harmless fund trigger other benefits cliffs?

<sup>&</sup>lt;sup>5</sup> For more details see <a href="http://dpaweb.hss.state.ak.us/manuals/apa/433/433-3\_permanent\_fund\_dividend.htm">http://dpaweb.hss.state.ak.us/manuals/apa/433/433-3\_permanent\_fund\_dividend.htm</a>.

• What is the appropriate timing? When do you deliver hold harmless fund payments to participants? In the first month after they receive the cash transfer? On a rolling basis?

### **Adjust Eligibility Criteria**

A pilot could make a decision to adjust eligibility criteria to exclude people who receive certain benefits from participation in their pilot, particularly benefits such as SSI or Section 8 Housing Vouchers that may be deemed high risk (where there is both a high likelihood that it will be impacted or lost and re-enrollment in the benefit after loss is extremely difficult). Any decision to adjust eligibility criteria should be done with stakeholder input and careful consideration to avoid paternalism.

### Adjust Disbursement Duration, Frequency, or Cash Amount<sup>6</sup>

In some instances, adjustments may be made to how much cash is distributed or how it is delivered – lump sums vs. periodic payments may be treated differently for the purposes of certain benefits eligibility. For example, states have flexibility in determining eligibility requirements for Temporary Assistance for Needy Families (TANF) and many states do not consider lump sum gift payments as countable income in determining eligibility and benefit amounts. Other states partially exclude lump sum gifts or exempt them from asset tests when they are spent in the month they are received.<sup>7</sup>

Pilots could alternatively consider adjusting the amounts that do not push participants over a "benefits cliff" or exceed a particular program asset or income limit.

## Step 11: Develop a benefits education approach for your pilot.

### **Benefits Counseling or Education**

Benefits counseling or education is an important strategy to make sure that participants are well-informed about potential benefits impact before they make the decision to enroll in the pilot. Due to the complexity and highly technical nature of benefits eligibility criteria, it is impossible to account for all possible benefits interaction and impact scenarios. The goal of benefits education

<sup>&</sup>lt;sup>6</sup> To learn more about how distribution frequency is considered for the purposes of determining eligibility for other public benefits see Table 3 on page 41 of <u>Maximizing the impact of direct cash transfers to young people: A policy toolkit</u>. (Berger Gonzalez, S, Morton, M., & Farrell, A. (2022). Chicago, IL: Chapin Hall at the University of Chicago)

<sup>&</sup>lt;sup>7</sup> For more state specific information see the Welfare Rules Database.

should be to provide information and tools to participants that assist them in making the best possible decision for themselves and their families, and to direct them to specific resources needed.

Take into account dignity of risk: The notion that everyone has the right to make their own choices and decisions even when those decisions may lead to harm or negative outcomes. Trust and choice is a core component to a DCT program and it should be foundational to a benefits education approach. Every individual circumstance is different and all people will not make the same decisions for themselves and their families faced with a similar set of options. Some participants may choose to receive a decrease in benefits or forgo benefits like SNAP in favor of cash while others may choose to not participate in the program at all if participation results in the loss of a benefit like SSI or a Section 8 Housing Voucher.

### **Key Components to Benefits Education Session**

Benefits education should be incorporated into a one-on-one or group session with each participant prior to enrollment. It is important that benefits education happens as early as possible in the process, such as at application, so participants can decide to not apply if benefits are impacted and so that applicants have time before they are selected to engage in further conversations about their benefits to fully understand the potential impact. A benefits education session can provide support to pilot participants as they navigate the complexity of their benefits eligibility and seek to understand the benefits impact and potential loss that may be caused by the receipt of the DCT. Information about benefits impact should be shared at the application stage, and an intensive benefit education session should be offered when applicants learn that they have been selected to participate and prior to enrollment/signing the consent form.

• Review Benefits Guide - Pilots have worked with licensed clinical social workers, pro-bono attorneys or other benefits counselors in their community to plan and facilitate benefits education sessions. Sessions should include a disclaimer stating that the information provided is not legal or tax advice. If working with an outside agency, you may need to secure consent to share participant information and/or submit a referral. During a benefits education session, potential participants should receive a Benefits Guide with a comprehensive list of benefits that may be impacted and information about any mechanisms that may protect benefits (such as the IRS gift or general welfare exclusion designation or other waivers obtained). Staff should refrain from offering counsel or

- advice but may consider providing referrals to attorneys, tax experts, or benefits administering agencies if participants would like more information or guidance related to benefits impact.
- Use Tool to Estimate Benefits Loss Staff conducting benefits education sessions may
  use the Benefits Loss Calculator (powered by the Policy Rules Database) with participants
  at risk of experiencing benefits loss or significant benefit reductions to estimate the value
  of the DCT after accounting for net benefit loss. Note: The Benefits Loss Calculator is one
  of a variety of tools available that can help participants better understand potential
  benefits impact. For more options, see the Tools section of the Appendix.
- Allow for Participant Choice Once all benefits and potential impact are discussed,
  participants should make the choice whether or not they would like to enroll in the pilot.
  All participants should sign a consent form prior to enrollment that includes
  acknowledgement of potential benefit impact or loss and that any protections put in place
  by the pilot for the DCT payments do not apply to other income changes (ex: If a
  participant's income goes up for another reason such as increased work hours their
  benefits can still change).
- Provide Participants with an <u>Enrollment Letter</u> Although certain benefits may be protected by way of the IRS gift or general welfare exclusion designation or through other waivers or exemptions secured, participants may still be at risk of having benefits impacted in error through benefits redetermination processes or through the misapplication of policy by a caseworker. This is an important risk to highlight to participants as there could be benefit interruptions or additional paperwork they will need to file to appeal incorrect decisions. Providing a letter to each participant acknowledging their enrollment in the program, stating the amount and duration of the DCTs, and confirming that the DCT meets the IRS gift definition or general welfare exclusion and is therefore non-taxable income is an important way to safeguard against benefits loss. You could also include information about any exemptions or policy put into place to protect against benefits loss or reductions. Some state departments issue informational memoranda or subregulatory policy guidance which confirms benefit protections. Participants may use the enrollment letter or policy guidance as supporting documentation during the benefits application or redetermination processes or provide it upon request or as needed to advocate on their own behalf with a caseworker. It is best practice for pilots to maintain a copy of any email communications or formal documentation confirming exemptions to help support participants' benefit appeals.

You may consider other <u>Benefits Counseling Approaches</u> and weigh the risks and advantages to each to determine what strategy or set of strategies works best for your organization and pilot participants. Careful consideration should be made regarding organizational risk and liability.

Summary of Benefits Counseling Resources:		
Cus	stomizable <u>Benefits Guide</u>	
Enr	rollment Letter	
Cor	nsent Form Example (with Benefits Impact Clause)	
<u>Ber</u>	nefits Loss Calculator	
Too	ols for Assessing Benefits Cliff Impact	

## **Appendix - Benefits Protection Resources & Tools**

#### Resources

(Please note: Policy changes rapidly so some information here, particularly information in older resources may no longer be accurate.)

- Unlocking Access: Mitigating Benefits Loss to Improve Cash Transfer Programs for SSI
  Recipients (Sheida Isabel Elmi and Kimberly Drew, July 2025)
  This report examines current challenges of including SSI participants in direct cash
  programs; details takeaways from a working group meeting with Social Security
  Administration (SSA) representatives; and explores opportunities to remove barriers to
  including SSI recipients in cash programs that can provide needed financial support.
- MAKING EVERY DOLLAR COUNT: A Closer Look at Benefits Protection Strategies Implemented by Guaranteed Income Pilots in Illinois. (Kimberly Drew, July 2024, University of Chicago's Inclusive Economy Lab) This brief seeks to document the benefits protection strategies employed by two Illinois-based guaranteed income pilots, Every Dollar Counts (aka OpenResearch's Unconditional Cash Transfer Study) and the Chicago Resilient Communities Pilot.
- Maximizing the impact of direct cash transfers to young people: A policy toolkit. (Berger Gonzalez, S, Morton, M., & Farrell, A. (2022). Chicago, IL: Chapin Hall at the University of Chicago)
  - A toolkit created by Chapin Hall in collaboration with national policy experts, practitioners and young adults with lived experience of homelessness where tax, public benefits, and educational aid implications for young people participating in DCT programs are laid out in one place. The toolkit includes well-researched, vetted, and user-friendly resources developed and reviewed by subject matter experts. Collaborators also identified strategies to mitigate adverse effects on young people, in order to maximize the positive effects of the DCT on young people's well-being and investments in their personal goals.
- Guaranteed Income: States Lead the Way in Relmagining the Social Safety Net (Shriver Center on Poverty Law & Economic Security Project, April 2022)
   This report seeks to arm state-level advocates and policymakers with information regarding the choice points in program design and the positive impacts shown by existing research. Special considerations for states, including options for guaranteed

income implementation, interactions with existing public benefits programs, opportunities for public funding, and promoting racial equity, are also covered.

- The Benefits Cliff and Guaranteed Income (Guaranteed Income Community of Practice,
  June 2021)
   This brief provides a high-level overview of strategies to mitigate the loss of benefits
  during participation in guaranteed income pilot programs while strengthening the social
  safety net.
- Protecting Benefits in Guaranteed Income Pilots: Lessons Learned from the Abundant Birth Project (San Francisco Office of Financial Empowerment, Bay Area Regional Health Inequities Initiative, Expecting Justice, November 2021)

  This brief offers lessons learned about how to protect recipient benefits, particularly in California, through the lens of the Abundant Birth Project (ABP), a pilot program aimed at reducing birth health disparities and improving birth outcomes for Black and Pacific Islander pregnant women in San Francisco by providing \$1,000 per month for six months during pregnancy and six months postpartum. This brief places particular focus on strategies to obtain waivers that will exempt guaranteed income cash transfers from income eligibility determinations in various public benefits.
- Mitigating loss of health insurance and means tested benefits in an unconditional cash transfer experiment: Implementation lessons from Stockton's guaranteed income pilot (Amy Castro, Stacia Martin, Sukhi Samra and Meagan Cusack, August 11, 2020)
   Published article outlining lessons learned about protecting and mitigating the loss of benefits of participants of the Stockton Economic Empowerment Demonstration (SEED). Highlights include:
  - Cash transfers, universal basic income, and guaranteed income have re-emerged as potential solutions to income volatility.
  - Methods used in Stockton's guaranteed income experiment, are testing how GI
    can exist alongside existing safety net benefits.
  - A multi-tiered approach to mitigating potential means tested benefits loss is both effective and ethically sound.
- Compiled Research: Public Benefits and Guaranteed Income (December 2021)
   Slide deck outlining initial research completed by the Guaranteed Income Community of Practice Federal Benefits Protection Working Group to better understand impact of guaranteed income on public benefits and policy levers to mitigate impact.
- Income Movement's Pilot Support Workshop Series

- Workshop Recording: <u>Protecting Benefits While Distributing Cash</u>
- Protecting Benefits for Pilot Participants (one pager created by Income Movement)
  A one-pager which outlines a suggested set of steps to protect benefits for guaranteed income pilot or DCT program participants. Steps are discussed in further detail in <a href="Protecting Benefits While Distributing Cash">Protecting Benefits While Distributing Cash</a> workshop. Note: This toolkit incorporates a modified version of these steps.

### **Tools**

### • Benefits Loss Calculator

A tool originally developed by the Federal Reserve Bank of Atlanta and powered by the Policy Rules Database that shows which social safety net programs are affected by guaranteed income. The tool calculates the net value of guaranteed income after the loss of government assistance is taken into account. The tool may be used to educate potential pilot participants, inform policymakers or inform program design. A free version of the tool is available. Customized dashboards and benefit counseling support are available for a fee.

- Ellie Terry (Federal Reserve Bank of Atlanta) presents to the Colorado Benefits Cliff
   Working Group December 14, 2022
  - Presentation Recording
  - Presentation Slides: <u>Benefits Counseling in Guaranteed Income Settings</u>:
     <u>An amazing (and free!) tool</u>
- Benefit Cliffs Calculator (National Center for Children in Poverty)
   The Benefit Cliffs Calculator is a tool to help case managers and public benefit recipients prepare for benefit cliffs (i.e., declines in benefits due to an increase in earnings). It compares the net resources and benefits available to families under different employment scenarios. The tool, last updated in August 2021, is currently available in four jurisdictions: Allegheny County, PA, New Hampshire, Maine and The District of Columbia.
- Benefits Cliff Coaching Program (Leap Fund)
   Leap Fund's Benefits Cliff Coaching Program trains organizations with tools and resources to identify benefits cliffs and benefits eligibility, and facilitate benefits cliffs.
- PolicyEngine
   A free online tool that allows users to enter their household information to compute their

net income after taxes and benefits under current law. Additionally, PolicyEngine US lets users adjust hundreds of policy parameters governing federal and state tax and benefit programs.

### o <u>Disability Benefits 101</u> (DB101)

DB101 helps people with disabilities and service providers understand the connections between work and benefits. DB101 provides tools to help folks make informed choices about work including:

- Information: Learn about benefits programs and rules around work. Get answers to frequently asked questions. Find out how to avoid common pitfalls.
- Estimators: Get results tailored just for you that help you plan and set goals for work. Get tips for success for your individual situation.
- Expert Help: Find answers to your questions. Connect to community resources.
   Get help understanding your next steps.

### o Benefit Kitchen

Offers a number of tools including a benefits screener app to help folks determine if they are eligible for 18 federal, state, and local benefit programs.