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2000 DETERMINING FOOD STAMP ELIGIBILITY

2010 DEFINITIONS

For food stamp purposes a distinction is made between PA and non-PA households.

2011 PA AND NON-PA HOUSEHOLDS

A.) Public Assistance Households (PA)
1.) Those in which all members are TANF recipients.

NOTE: Some persons are TANF recipients but do not get a warrant.

2.) Certain categorical eligible households [households where all members receive TANF, Tribal TANF, households where one member receives child care assistance, households whose TANF case has been closed or diverted within the last 12 months, and households whose Tribal TANF case has closed within the last three months].

B.) Non-PA Households (NA)
1.) All others not classified as PA, including households with members receiving medical assistance only.

2012 ELDERLY OR DISABLED

For food stamp purposes an "elderly or disabled member" means a member of a household who meet the:

A.) Definition of Elderly:

Individuals 60 years of age and older are defined as elderly. This includes people who are 59 years old when they apply but who will become 60 on or before the last day of the month of application.

B.) Definition of Disabled:

Individuals who meets one of the following criteria:

- Eligible to receive or receiving SSI benefits, including presumptive SSI payments, or eligible under SSI 1619 B criteria
  - SDX or SVES verifies SSI benefits and individual must be receiving SSI benefit or approved to receive SSI benefits.
  - 1619B status is verified on the MEDX screen on the SDX when MED ELIG displays C ELIG and PAYMENT STATUS displays N01-NON-PAY.

- Receives SS disability or blindness payments.
  - Verified via BNDX or SVES.

- Receives a disability retirement benefit from a local, state, or federal government agency and the disability is considered permanent according to criteria listed in Section 2013 below.

- Receives federally or State-administered supplemental benefits provided the eligibility to receive the benefits is based on the SSI disability or blindness criteria. (South Dakota does not have disability based State general assistance benefits however someone moving to South Dakota may have received this benefit from another State.)

FS 2012, Elderly or Disabled, continued

- Receives a disability annuity payment under the Railroad Retirement Act of 1974 and is
  - Is determined disabled under SSI criteria; or
  - Is eligible to receive Medicare by the Railroad Retirement Board.

- Receives disability related medical assistance provided that the assistance is based upon disability or blindness criteria which are at least as stringent as those used under Title XVI of the Social Security Act. The disability based SD Medical Programs meeting the criteria are listed below. Eligibility for these programs is determined on the SS09 system:

  - DCP: Disabled Children's Program, 22 or 32
  - OTH: LTC assistance for hospitals 22 or 32
  - WPA or QUADS: Assistance Daily Living Services, 22 or 32
  - DAC: Disabled Adult Children, 22 or 32
  - PIC: Pickle, 22 or 32
  - MAWD: Working Disabled, 22 or 32
  - WSE: ASA Waiver Program, 16
  - DWW: Disabled Widow(er), 22 or 32
  - FSW: Family Support Waiver, 22 or 32
  - WSD: Waiver for Developmentally Disabled, 37 or 38

- Receives federally or State-administered supplemental benefits under Section 212(a) of P.L. 93-66.

- Veterans who receive VA benefits because they are rated a 100% service-connected or non-service connected disability or who, according to the VA, need regular aid and attendance or are permanently housebound.

- Surviving spouses of deceased veterans who meet one of the following criteria according to the VA:
  - need regular aid and attendance,
  - permanently housebound, or
  - receive or have been approved for benefits from the VA because of the veteran's death and could be considered permanently disabled for Social Security purposes. (Section 2013 defines Social Security's criteria for permanent disability.)

- Surviving children (any age) of a deceased veteran who the VA:
  - has determined are permanently incapable of self-support, or
  - has been approved for benefits because of the veteran's death and could be considered permanently disabled for Social Security purposes. (See Section 2013.)

2013 SOCIAL SECURITY'S CRITERIA FOR DISABILITY

Any of the following 11 conditions determine, according to SSA, if a recipient is disabled:

- Permanent loss of use of both hands, both feet, or one hand and one foot.

- Amputation of leg at hip.

- Amputation of leg or foot because of diabetes mellitus or peripheral vascular diseases.

FS 2013, Social Security's Criteria for Disability, continued:

- Total deafness, not correctable by surgery or hearing aid.
- Statutory blindness, unless caused by cataracts or detached retina.
- IQ 59 or less, established after the person becomes 16 years old.
- Spinal cord or nerve root lesions resulting in paraplegia or quadriplegia.
- Multiple sclerosis in which there is damage to the nervous system caused by scattered areas of inflammation. The inflammation recurs and has progressed to varied interference with the function of the nervous system, including severe muscle weakness, paralysis, and vision and speech defects.
- Muscular dystrophy with irreversible wasting of the muscles, impairing the ability to use the arms or legs.
- Impaired renal function caused by chronic renal disease, resulting in severely reduced function which may require dialysis or kidney transplant.
- Amputation of a limb of a person at least 55 years old.

Some of these conditions are obvious and Benefits Specialists can determine their existence by observation. Others may require the opinion of a physician.

Note: Many of the people who would have one of the 11 conditions might already receive SSI or Social Security blindness or disability payments, or their disability is obvious (such as amputation of leg at hip). For example, a veteran's surviving spouse who also receives SSI already qualifies as disabled under Section 2012. Benefits Specialists need not additionally prove Social Security permanent disability to classify the person as one of those receiving special treatment.

2014 SPECIAL PROVISIONS FOR ELDERLY OR DISABLED HOUSEHOLDS

Households containing an elderly or disabled person receive special treatment. The special provisions are:

- Separate household status - elderly individuals (and their spouses) who cannot prepare their own meals because they suffer from disabilities may be a separate household even if living and eating with others. Review Section 2231.A (7) for specifics.
- Non-citizen eligibility - elderly non-citizens who were lawfully residing in the US on 08-22-96, and continue to be lawful residents. Disabled individuals who are lawfully residing in the US. (Section 3220 L.)
- Income tests - households with elderly or disabled members are exempt from the gross income test.
- Medical deduction - Elderly or disabled members who have medical bills that exceed $35 a month are entitled to a medical deduction. Note: The $35 disregard is for the household, not the individual. All allowed medical expenses must be added together to determine if they are over $35.
- Excess shelter - households with elderly or disabled members receive an excess shelter deduction for the full monthly amount that exceeds 50% of the household's monthly income after the allowed deductions.

FS 2014, Special Provisions for Elderly or Disabled Households, continued:

- Exemption from monthly reporting - if all adult household members are elderly or disabled and have no earned income, the household is exempt from monthly reporting.

- Resources - The resource limit is $3000 instead of $2000 if the household contains at least one elderly or disabled member. The resource limit is $2000 if the only elderly or disabled member in the household is disqualified (Section 5530).

2015 VERIFICATION

An elderly or disabled person who wants to claim separate household status must provide the information needed to determine if the person is elderly or disabled.

2016 SSI HOUSEHOLDS

Supplemental Security Income (SSI) is:

A.) Federal payments made under Title XVI of the Social Security Act, as amended, to the aged, blind, and disabled.

B.) Federally administered optional supplementary payments under Section 1616(a) of that Act, or

C.) Federally administered mandatory supplementary payments made under Subsection 212(a) of Public Law 93-66.

2020 HOMELESS INDIVIDUALS

Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is:

A.) A homeless shelter or welfare hotel;

B.) A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized;

C.) A temporary accommodation in the residence of another individual if the accommodation is for no more than 90 days; or

D.) A place not designed for, or ordinarily used, as a regular sleeping accommodation for human beings (a hallway, a bus station, a lobby, or similar places.

2100 THE APPLICATION PROCESS

The application process includes filing and completing an application, an interview, and an eligibility determination or redetermination. Eligibility determination includes verification and documentation.

Households with special needs such as but not limited to households with elderly or disabled members, households in remote rural areas, homeless individuals, households with adult members not proficient in English, or households with earned income (working households), must be allowed the opportunity to file an application and complete the application process without undue hardship on them. If an individual states he/she is unable to come to the office during normal working hours, and the request is reasonable, alternate application and interview processes must be determined. Alternate procedures could include the use of a knowledgeable authorized representative, mailed in application, telephone interview, a prescheduled home visit, making appointments before 8:00 a.m., over the noon hour, or after 5:00 p.m., arranging for interpreters to be available at the scheduled interview time, etc. Timely, accurate, and fair service to all applicants and participants in the Food Stamp Program is required.

No later than 30 days following the date an application is filed, the household must be given an opportunity to participate. Expedited service shall be available to households in immediate need if the household meets the qualifications outlined in Section 2700. Benefits must be provided retroactively to the first day of application for households who have completed the application process and been determined eligible.

A resident of a public institution jointly applying for SSI and food stamp benefits prior to his/her release from the institution (Section 2214) shall receive benefits no later than 30 days following the date of release from the institution.

2200 FILING AN APPLICATION

2210 THE APPLICATION FORM

The application form is understandable to applicants and easy to complete. Each application form contains a description in understandable terms in prominent and bold face lettering of the civil and criminal provisions and penalties for violations of the Food Stamp Act of 1977.

The DSS-EA-301, Economic Assistance Application, notifies applicants that when they apply for assistance they will be asked to list social security numbers for all household members on the application form. The numbers will be used for computer processing, cross matching with other agencies, verification of household circumstances to ensure the accuracy and reliability of the information provided, and to monitor compliance with program regulations and for program management. The information may also be disclosed to Federal and State agencies for official examination and to law enforcement officials for the purpose of apprehending persons fleeing to avoid the law. If an overpayment claim arises against the household, the information on the application, including all SSNs, may be referred to Federal and State agencies, as well as private claim collection agencies for claim collection action. Any person who refuses to apply for or refuses to provide a social security number will not be eligible for benefits, however the individual may be required to answer questions and submit verifications about his/her income/resources, etc. This information could affect eligibility and/or benefit level of the household. Any Social Security number provided will be used and disclosed in the same manner as SSNs of eligible household members.

Section 2210, The Application Form, continued:

In addition, all applicants must list the citizenship status for all household members who are requesting assistance, including a statement signed by an adult household member attesting, under penalty of perjury, to the citizenship or alien status for all household members. The signature on the DSS-EA-301, Economic Assistance Application, attests to the status for all household members. If the citizenship question on the form is not answered, that individual is ineligible to receive food stamp benefits. The individual will, however, be required to answer questions and submit verifications about his/her income, resources, etc. This information could affect eligibility and benefit level of the household. In the absence of an adult in the household, the applicant may sign for non-adults.

Questions on the DSS-EA-301 must be answered reporting if any household member has been convicted of receiving duplicate benefits, is a fleeing felon or a probation/parole violator, or has been convicted of trafficking benefits for weapons or drugs, or selling/purchasing food stamp benefits in excess of $499.

2211 HOW APPLICATIONS CAN BE FILED

Applications can be filed in person, or by an authorized representative at a food stamp office, by mail, or by fax.

2212 MAILING APPLICATIONS TO HOUSEHOLDS

If an individual contacts DSS by telephone, but does not wish to come to the office to file the application that same day and instead prefers receiving an application through the mail, DSS shall mail an application form on the same day the written request or telephone call is received. The individual must be informed of the right to same day filing and that benefits are calculated from the date the application is filed.

When an application form is received in the mail, enter the application on ACCESS and send a DSS-EA-300, Verification Checklist, identifying the information needed and the scheduled appointment time and date. If the application form is received in a county other than the household's resident county, the DSS-EA-300 must ask the individual to call the Benefits Specialist if he/she prefers the interview to be handled in the office closest to his/her residence. If the individual requests that the resident county handles the application process, tell the individual that he/she will be contacted from that office with a new appointment time and date. Also give the contact information for that office. Then contact the Supervisor in the resident county for transfer information and alert him/her that a pending application will be sent and an appointment needs to be made. Fax or mail the application to the resident county that same day, if possible, or if not, then the next working day.

2213 WHEN APPLICATIONS CAN BE FILED

The time limit for providing benefits is calculated from the date the application is filed. Each household has the right to file an application on the same day it contacts, during office hours, any DSS office.
FS 2213, When Applications Can Be Filed, continued:

If an applicant goes to an office in a county he/she does not reside in, the office shall follow requirements noted below and offer an opportunity to

FS 2213, When Applications Can Be Filed, continued:

If an applicant goes to an office in a county he/she does not reside in, the office shall follow requirements noted below and offer an opportunity to complete the application and interview at that time. If the individual declines, he/she must be asked to complete page one so the application date is set. The individual must also be asked where he/she wants the application to be processed. If it is the office he/she is applying in, make an appointment and give him/her the rest of the application and the DSS-EA-300, Verification Checklist. If the individual wants the resident county office to process the application, provide the office contact information and that he/she will be contacted with an appointment time and place, along with a verification checklist. Also give the contact information for that office. Then contact the Supervisor in the resident county for transfer information and alert him/her that a pending application will be sent and an appointment needs to be made. Fax or mail the application to the resident county that same day, if possible, or if not, then the next working day.

An exception to this rule exists when a resident of a public institution jointly applies for SSI and Food Stamp benefits prior to his/her release from the institution (Section 2214) in which case the application processing period begins when the individual is released from institution.

2214 RIGHT TO SAME-DAY FILING

Individuals must be advised of their right to file an application form on the same day they contact DSS during office hours and that he/she does not have to be interviewed before filing the application form as long as the form contains the applicant's name, address, and signature of a responsible household member or the authorized representative (page one of the DSS-EA-301). He/she should also be told that benefits start the date the first page of the application form is received. If the initial contact is by phone, encourage the individual to come to the office that day. If the individual is in the office, DSS must ask that he/she complete the first page of the application form. The individual may decline to complete page one if he/she chooses.

DSS shall document the date the application was filed by recording on the application the date it was received by the Food Stamp Office. The DSS-EA-301, Economic Assistance Application, also advises households of their right to file an application on the same day they initially contact the food stamp office. DSS shall also provide an application form to anyone requesting one. These requirements also apply to households applying for TANF under procedures found in Section 2920.

When a resident of an institution is jointly applying for SSI and food stamp benefits prior to leaving the institution, the filing date of the application is the date of release of the applicant from the institution. Social Security is responsible to notify DSS when the individual is released from the institution to start the application processing period.

2215 APPLICATIONS BY FOOD STAMP BENEFITS SPECIALISTS AND SUPERVISORS

To avoid conflict of interest and to ensure privacy, employees' cases are handled by their Supervisor. Case files and manual narratives are kept by the supervisor. Narratives are not completed on ACCESS.

2216 COMPLETION OF THE APPLICATION FORM

The Benefits Specialist must ensure that all required items on the DSS-EA-301 are completed before approving benefits. Some individuals may require help in completing the form. Such help may be provided by a volunteer, a DSS clerical employee or by the Benefits Specialist during the interview. Any portion of the form completed by a person other than the customer should be initialed by that person.

2217 REFUSAL TO COOPERATE

Refusal to cooperate means that the household is able to cooperate but clearly demonstrates it will not take required steps to complete the application process. This does not include cases of carelessness or inability on the part of the household. For example, the application should be denied immediately if the household refuses to be interviewed but not because it failed to keep a scheduled appointment. Reasonable assistance in completing the application or in making verifications should be given to the household before denial for refusal to cooperate. If there is any question as to whether the household has merely failed to cooperate, as opposed to refused to cooperate, the household must not be denied at that point.

The household will be determined ineligible if it refuses to cooperate in any later case review. This includes reviews resulting from reported changes, eligibility redeterminations or program evaluations such as program audits. A household's refusal to cooperate must be thoroughly documented in the case record. DSS shall not determine the household to be ineligible when a person outside of the household fails to cooperate with a request for verification. Non-household members are not considered individuals outside of the household.

2217 A REFUSAL TO COOPERATE WITH QUALITY CONTROL (QC)

Refusal to cooperate with a Quality Control review results in case closure. Quality Control staff send notification if a household member has refused to cooperate with a QC review. The QC disqualification period last 125 days (February 2) following the end of the federal fiscal year (10/1 - 09/30), or until the individual cooperates, whichever is first. The disqualification follows the individual who refuses to cooperate with QC.

- To start a QC disqualification, update the MEMS panel of the individual listed in the QC ACCESS mail message in the field called "QC Disq":
  - **QC REV MONTH**: Enter the review month provided by QC.
  - **START DATE**: Enter the next benefit month from the email date that allows 10 day adverse action notice.
  - **CURE DATE**: February 2nd is automatically displayed with the appropriate year. The individual is not eligible until February 3. The appropriate year is calculated by ACCESS based on the entry EABS makes in the QC review month.

- The household with the disqualified individual is ineligible and the case is closed. If the disqualified individual later applies for SNAP, the application is denied until the disqualified individual cooperates with QC or the disqualification period has ended.

- If the disqualified individual leaves the household, the penalty follows him/her and the remaining household members can reapply for SNAP. If the disqualified individual moves to another household and is purchasing and preparing with that household, that household becomes ineligible unless the disqualified individual cooperates with QC, moves out, or the disqualification period ends.

- QC will send ACCESS mail if the individual starts cooperating. When the household including the previously disqualified member reapplies, update the Cure Date on the MEMS panel to the cooperation date identified by QC to cure the disqualification.

  Example 1: QC is reviewing Jan's case for October 2011. On 12-15, QC sent an ACCESS email message that Jan refused to cooperate. On the MEMS panel, enter the QC review month of October 2011 and the start date of January 2012 to provide 10 day adverse action notice. The cure date will automatically display as 2/2/13 after the case has gone through background. Ineligibility should be approved and the case remains ineligible until February 3, 2013 unless Jan cooperates with QC.

Section 2217 A Refusal to Cooperate with Quality Control continued:

On April 2, 2012, Sue reports that Jan has moved into her household and is purchasing and preparing with her. Jan's MEMS panel reflects that she still has not cooperated with QC. Sue's case will be determined ineligible for May. Close Sue's case for May 2012. The case remains ineligible until February 3, 2013 unless Jan moves out or cooperates with QC before then.

Example 2: QC is reviewing Janie's SNAP case for March 2012. QC sends ACCESS mail on May 22 stating Janie's 19 year old daughter Becky has refused to cooperate. Enter the QC review month as March 2012 and the start date as July 2012 to provide 10 day adverse action notice. The cure date will automatically display as 2/2/13 after the case goes through background. The case remains ineligible until February 3, 2013 unless Becky cooperates with QC or moves to another household before that date.

On June 5, 2012, Janie reports that Becky has moved out of her household and provides Becky's new address. If Janie's case has not been closed for July, a left date should be entered on Becky's MEMB panel and eligibility determined. If Janie's case was closed, it should be reinstated so a left date can be entered on Becky's MEMB panel so eligibility can be determined. If Janie had not reported Becky moved out of her household until July 2nd or later, a new application is required and benefits will be prorated.

On June 5, 2012, Becky files an application for SNAP benefits. She has not cooperated with QC so the disqualification period has not ended. Deny the application because Becky must cooperate with QC or the disqualification period must end before she is eligible.

2218 VOLUNTARY WITHDRAWAL OF APPLICATIONS

The household may voluntarily withdraw its application at any time prior to approval of benefits. Voluntary withdrawal means the household, on its own initiative has contacted the Food Stamp Office, either orally or in writing, and requested that its application not be processed any further. Documentation should consist of who made the request, when the request was made and the reason for the request, if given. The household shall be advised of its right to reapply at any time subsequent to a withdrawal. The application form is kept for quality control and audit purposes.

2219 HANDLING APPLICATIONS FOR TANF AND SSI HOUSEHOLDS

To facilitate their participation in the program, households in which all members are applying for Temporary Assistance for Needy Families (TANF) or SSI shall be allowed to apply for food stamp benefits at the same time they apply for TANF or SSI. However, eligibility and benefit levels shall be based solely on food stamp eligibility criteria and the household shall be certified in accordance with notice and procedural requirements of the Food Stamp regulations. Applicants and recipients must be informed that food stamp requirements are different than TANF or SSI, and that Food Stamp rules, regulations, and time frames will apply in determining food stamp eligibility and benefits. Special procedures for taking and processing food stamp applications for these households are provided in Section 2900.

2220 SCREENING FOR DESTITUTE AND EXPEDITED SERVICE

The application procedure must identify households eligible for expedited service at the time households request assistance. For example, a receptionist, volunteer, or other employee shall be responsible for screening applications as they are filed or screening individuals as they come in to apply. Section 2700 explains expedited service and destitute households.

2230 HOUSEHOLD DETERMINATION

The following explains who is and who is not included in the household.

2231 WHO MAY APPLY

A.) A household may be composed of any of the following individuals or groups of individuals:

1.) An individual living alone. Also, a group of people who live together and customarily purchase food and prepare meals together for home consumption.

2.) An individual or group of people, who, while living with others, customarily purchase food and prepare meals for home consumption separate from the others.

3.) An individual or group of individuals who are blind or disabled residents of an authorized group living arrangement, and who meet the definition of disabled under Section 2012(B) of this manual.

4.) An individual narcotic addict or alcoholic, and their children, residing for the purpose of regular participation in a drug or alcohol treatment program at a facility or treatment center authorized to accept food stamp benefits.

5.) A resident(s) in a public or private non-profit residential facility that serves battered women and children. DSS considers persons temporarily living in shelters for battered women and children individual household units if they apply for and receive food stamp benefits.

6.) A resident(s) in a non-profit center for the homeless.

7.) An individual 60 years of age or older (and their spouses) who cannot prepare their own meals because they suffer from disabilities considered permanent under the Social Security Act (SSA) or some other permanent physical or mental nondisease-related disabilities, may be a separate household even if living and eating with others. This rule is limited for those cases where the countable income of the individuals with whom the disabled elderly person resides (excluding the income or his/her spouse) does not exceed 165 percent of the poverty line. (See Section 4113 for 165% income amounts.)

The key factor in determining whether or not a disability would qualify a household for separate status under this rule is inability to purchase and prepare meals. In most cases someone with a disability considered permanent under the SSA can be assumed to be incapable of purchasing and preparing meals.

The following impairments constitute permanent disability for the Social Security Act disability purposes:

(a) Permanent loss of use of both hands, both feet, or one hand and one foot.

(b) Amputation of leg at hip,

(c) Amputation of leg or foot because of diabetes mellitus or peripheral vascular diseases.

(d) Total deafness, not correctable by surgery or hearing aid.

FS 2231(A)(7), Who May Apply, continued:

(e) Statutory blindness, except if due to cataracts or detached retina.

(f) IQ 59 or less, established after attaining age 16.

(g) Spinal cord or nerve root lesions resulting in paraplegia or quadriplegia.

(h) Multiple sclerosis in which there is damage of the nervous system because of scattered areas of inflammation which recurs and has progressed to varied interference with the function of the nervous system, including severe muscle weakness, paralysis, and vision and speech defects.

(i) Muscular dystrophy with irreversible wasting of the muscles with a significant effect on the ability to use the arms and/or legs.

(j) Impaired renal function due to chronic renal disease (documented by persistent adverse objective findings) resulting in severely reduced function which may require dialysis or kidney transplant.

(k) Amputation of a limb, current age 55 or older.

If it is obvious that the applicant cannot purchase and prepare his/her own meals as easily as a nondisabled person, separate household status may be granted. However, when the inability to purchase and prepare meals is not obvious, request a doctor's statement indicating that the person is unable to purchase and prepare their own meals.

8.) Residents of public institutions who apply for SSI prior to their release from an institution under the Social Security Administration's Prerelease program for the Institutionalized (42 U.S.C. 1383 (j))

B.) The following people cannot be certified separately if they live together:

1.) Parents and children under age 22 (natural, adopted, or step).

2.) Children under age 18 who are under the parental control of an adult household member who is not their parent. Foster children may be excluded household members if the household so designates. [Section 2231.F)]

3.) Spouses. A spouse is either of two individuals who would be defined as married to each other under State law, or who live together and hold themselves out to the community as husband and wife by representing themselves as such to relatives, friends or trades people.

C.) Non-household members include the following individuals who reside with the household but cannot be considered household members when determining the household's eligibility allotment. Non-household members who are otherwise eligible may participate as separate households.

1.) Roomers - Individuals to whom a household furnishes lodging, but not meals, for compensation.

FS 2231(C), Who May Apply, continued:

allowed separate household status. (In other words, the individual requiring the service cannot move into the attendant's residence for this provision to apply.)

3.) Others - Other individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with them. For example, if the applicant household shares living quarters with another family to save on rent, but does not purchase and prepare food together with that family, the other family members are not members of the applicant household.

Children 22 and older who reside with their parents and do not customarily purchase food and prepare meals with their parents would be considered non-household members in their parent's food stamp household.

D.) Excluded or disqualified household members may not participate as separate households during their period of exclusion. Excluded household members include:

1.) Ineligible alien - Individuals who do not meet the citizenship or qualifying alien status and/or the eligible alien criteria identified in Section 3200.

2.) SSN Disqualified - Individuals disqualified for failure to provide a social security number.

3.) Work Registration activities or E & T non-compliance - Individuals disqualified for failure to comply with Work Registration activities, E & T, voluntary quit or reducing hours of employment.

4.) Intentional program violation disqualified - Individuals disqualified for intentional program violation.

5.) Citizenship/Alien Status Signature - Individuals disqualified for failure to attest to their citizenship or alien status by failing to complete the citizenship status on the member panel on the DSS-EA-301.

6.) Duplicate Benefits - Individuals disqualified for fraudulently receiving duplicate benefits. To be disqualified for 10 years, the individual must be found to have made a fraudulent statement with respect to the identity and place of residence that allowed an individual to received multiple food stamp benefits simultaneously.

7.) Trafficking - Individuals convicted of trading benefits for weapons, ammunition, explosives, or drugs or buying/selling benefits in excess of $499.

8.) Fleeing Felons/Parole/Probation Violators - Individuals disqualified for fleeing a felony or violating parole/probation.

9.) Disqualification for failure to comply with public assistance requirements - Individuals disqualified for failure to comply with TANF program requirements.

10.) Non-exempt able-bodied adults without dependents (ABAWD) who have received their time limited benefits and are not meeting the work requirements.

FS 2231, Who May Apply, continued:

E.) The following cannot be considered members of any household and are ineligible for food stamp benefits.

1.) Residents of boarding houses, or individuals (boarders) who live with others and pay the others for meals in a reasonable amount as specified in Section 2240. In no event shall boarder status be granted to those individuals or groups of individuals discussed in Section 2231(B).

2.) Institutional residents who receive more than half of their meals each day from the institution as part of the institution's normal services. This does not apply to residents of homeless shelters.

Neither residents of federally subsidized housing for the elderly built under Section 202 of the Housing Act of 1959 or Section 236 of the National Housing Act nor persons described in A(3),(4), or (5) above, are considered institutional residents.

3.) Students who are required to meet special eligibility criteria but fail to do so.

4.) Individuals who are detained in Federal, State, or local penal, correctional or other detention institutions for more than 30 days. Prison matches are completed after application and recertification and if a match occurs, the information must be followed up on, and appropriate action taken.

NOTE: Additional information about students, disqualified persons (including ineligible aliens), ABAWD, treatment centers, group living arrangements, battered women centers, and homeless shelters is found in Section 5000 in this manual.

F.) The household has the option to include or exclude foster care children or adults as household members. (Refer to Section 4121 D for information on considering Foster Care payments.)

G.) Households are disqualified if a household member refuses to cooperate with a Quality Control reviewer. The disqualification period continues until the member cooperates but no later than 125 days after the end of the federal fiscal year the review was completed for. The federal fiscal year is October - September thus the QC disqualification period ends February 1, 2013 for QC reviews completed for benefits months October 2011 - September 2012; February 2, 2014 for October 2012 - September 2014, etc. The disqualification period remains with the household member who refused to cooperate so if the household member moves into a new household, that household then becomes ineligible.

2232 HOUSEHOLD CONCEPT

A household is defined as persons living together who usually purchase and prepare food together. Individuals may be certified separately if they share living quarters with the household but who do not customarily purchase and prepare food with the household as long as the individual(s) do not meet the criteria outlined in FS 2231 (B).

This category also includes live-in attendants who reside with a household to provide medical, housekeeping, child care, or other similar personal services whether or not they receive meals in the household in which they live.
FS 2232 Household Concept, continued:

FS 2232 Household Concept, continued:

Individuals may be certified separately if they are filing an application as a separate household while living with others they depend on for support only if their intention is to purchase and prepare their own food separate from the others when they get their food stamp benefits [except for those persons listed in Section 2231 (B)]. Examples illustrating household concept are listed below:

A.) Mr. Jones filed an application as a separate household on September 19. On August 20, he had lost his only income so moved in with a friend. Mr. Jones states that if he is eligible, upon receipt of his food stamp benefits he will begin purchasing and preparing his own food. He may be certified as a separate household.

B.) A spouse who is an interstate truck driver, and who has no separate residence may not claim separate household status even though meals are consumed away from home.

An individual may not be certified to participate in more than one Food Stamp household in the same month unless the individual meets the battered woman requirements under Section 5313.

Under no circumstances may an individual receive Food Stamps and commodities (through the Food Distribution Program on Indian Reservations [FDPIR] in the same month. If an individual applies for the Food Stamp Program the same month they have already received commodities or Food Stamps with another household, their application must be denied for that month. If the applicant did not receive Food Stamps or commodities in the application month but resides with a household that did, the applicant is allowed to have separate household status for one month, if otherwise eligible. The situation must be resolved by the second month. When it is established that an individual received Food Stamps and commodities in the same month, a claim is filed only if the household was certified for commodities first because the household was never entitled to Food Stamps. If the household was certified for Food Stamps first, then no claim is needed because the household was legally entitled to their stamps (it is commodities that were erroneously received).

The income and resources of non-members are not counted in determining the household's food stamp allotment. When the earned income of one or more household members and the earned income of a non-household member are combined into one wage, only the portion due the household member(s) is counted as earned income. If the household's portion cannot be separated from the non-member's portion, prorate the earned income among all those it was intended to cover and count the household's prorated share as earned income. Consider cash payments from non-members as household income. When deductible expenses are shared by members and non-members, only the amount paid by the household can be budgeted; however, if the household's portion cannot be separated from the non-member's payment, deduct the household's prorated share.

2233 PARENTAL CONTROL (CHILD UNDER 18)

A child under age 18 is considered under parental control of an adult household member if any adult household member is the child's legal guardian, managing conservator, or has legal custody of the child. The parental control test is not applied to a legally assigned foster child.

If none of these persons is a household member, consider the child under parental control of a member if:

A.) Verification from the child's parent, guardian or conservator outside the household shows that the child is under a member's control; or
B.) The household states that a member controls the child; or
C.) The child is dependent upon the adult member for financial support.

FS 2233, Parental Control (child under 18), continued:

NOTE: The fact the minor child may or may not have a spouse or children does not change the financial dependency requirement.

2234 HEAD OF HOUSEHOLD

The head of household is the person in whose name application is made for participation in the program, and normally is the person who is the household's primary source of income.

The Benefits Specialist may designate the head of household or permit the household to do so. The Benefits Specialist should suggest persons serving as TANF case name be considered as the head of household. Do not impose additional requirements based on the classification of head of household, such as requiring that the head of household, rather than another responsible adult member of the household, appear at the certification office to make application for benefits. In the event that the head of household is unable to file the application, the spouse, another responsible household member, or an authorized representative may apply for the household.

2240 BOARDERS

Boarders are ineligible to participate in the Food Stamp Program independent of the household providing the board. At the household's request, they may participate as members of the household providing the boarder services to them.

2241 DEFINITION

Boarders are individuals to whom a household furnishes lodging and meals (with the restrictions in Section 2243 below), and who pay a reasonable monthly payment for meals. Boarder status shall not include persons paying less than a reasonable monthly payment for meals as defined in Section 2242. A person who is furnished both meals and lodging by the household, but is paying less than a reasonable amount, is a household member. When the amount paid for meals can be distinguished from the amount paid for lodging, only the amount paid for meals is evaluated to determine if the payment is reasonable. If the amount paid for meals is inseparable from that paid for lodging, the total payment is evaluated. The reasonable monthly payment for meals must be paid in cash.

2242 A REASONABLE MONTHLY PAYMENT

A reasonable monthly payment shall be one of the following:

A.) More than two meals daily. Boarders whose board arrangement is for more than two meals a day shall pay an amount equal to or exceeding the full monthly allotment for the appropriate size of the boarder household; or,

B.) Two or less meals daily. Boarders whose board arrangement is for two meals or less each day shall pay an amount which equals or exceeds two-thirds of the full monthly allotment for the appropriate size of the boarder household.

2243 WHO CANNOT BE CONSIDERED A BOARDER

Boarder status shall not be extended to any of the following:

A.) A spouse of a member of the household; and

B.) Children under 18 years of age if under the parental control of a member of the household; and

C.) Parents who reside with their natural, adopted, or step children if the child is under 22 years of age; and

Section 2243, Who Cannot be Considered a Boarder, continued:

D.) Children, under age 22, if residing with their parents; and
E.) Individuals paying less than a reasonable monthly payment in Section 2242 for meals alone. Individuals furnished both meals and lodging by a household, but paying less than a reasonable monthly payment are considered members of that household.

2244 BOARDING HOUSES

Residents of commercial boarding houses are not eligible for benefits. The proprietor's household may participate, separate and apart from the residents, if otherwise eligible.

A boarding house is defined as either of the following:
A.) An establishment licensed as a commercial enterprise and offering meals and lodging for compensation.
B.) In communities which have no licensing requirements, a commercial establishment offering meals and lodging with the intent to make a profit.

In either case, the number of residents has no effect on whether the establishment is or is not a boarding house.

2245 INCOME AND RESOURCES

None of the income or resources of boarders and who are not members of the household providing the boarder services shall be considered available to such household. However, the amount of the payment that a boarder gives to a household is treated as self-employment income (Section 4413).

2300 AUTHORIZED REPRESENTATIVE (A/Rs)

2310 PURPOSE

There may be instances when the head of the household or the spouse cannot apply for the household. In such instances, another responsible adult household member may apply or an adult non-household member may be designated as the authorized representative for that purpose.

2320 DEFINITION

The head of household, spouse, or other responsible adult household member can choose an authorized representative (A/R). A/Rs may complete the application process, report changes, and use benefits on behalf of the household only with the household's knowledge and consent. To apply or report changes, the A/R must know about the household's circumstances. The head of household, spouse, or other responsible adult household member must appoint the A/R in writing if the A/R is completing the application process or using the EBT card to purchase food for the household.

Children under 18 may be named as an authorized representative by the head of household, spouse, or other responsible adult household member but only for the ability to use the EBT card to purchase food for the household. Household members under the age of 18 may not sign the application form, unless he/she is emancipated and applying for benefits on his/her own.

Persons excluded because of an IPV, or non-members living with the household, may not serve as A/R. Exceptions are made when there is no other adult reasonably able to be A/R or when that person is the only adult living with the household.

Except for drug addict/alcohol treatment centers or group living facilities acting as A/R, the household is liable for any overissuance because of wrong information the A/R gives DSS.

Section 2320, Definition, continued:

Only the head of household or spouse may choose an emergency authorized representative (EAR).

2330 A/R APPLYING

The head of the household, spouse, or another responsible adult member usually applies, with the exception of group living facilities and alcohol/drug treatment centers. If the head of household, spouse or another responsible adult member cannot complete the application process because of employment, health, transportation, or similar reasons, he/she may choose an adult who is not a household member as an A/R to allow him/her to apply on behalf of the household. The head of the household or spouse should complete or review the application, if possible, even though another adult member, or the A/R is actually interviewed. The responsible adult household member or the A/R may also give any information necessary to register the household members for work who must meet work registration requirement. Group living facilities and alcohol/drug treatment centers staff are required to be the authorized representative for their residents. The residents are not allowed to apply on their own behalf, unless they move into independent living.

2340 WHO CAN BE AN AUTHORIZED REPRESENTATIVE

When the head of household or the spouse cannot make application, another responsible adult household member may apply or an adult, nonhousehold member may be designated as the A/R for the purpose. Adults who are nonhousehold members may be designated as A/Rs for certification purposes only if they:

A.) Are designated in writing by the head of the household, or the spouse, or another responsible member of the household. This designation must contain the name and address of the designated person, the signature of the member making the designation, and the date of the designation. If the designation is being made by a member who cannot sign, his/her mark must be witnessed. The witness' signature, address, and the date of witnessing must all appear on the designation. The witness must be a person other than the A/R. A separate written statement filed in the casefolder meets this requirement.

B.) Are sufficiently aware of relevant household circumstances. The A/R must co-sign and should date the application.

C.) Are appointed as authorized representative by the group living facility or drug/alcohol treatment center's director.

In the event the only adult member of a household is classified as a nonhousehold member, that person may be designated as the A/R for the minor household members.

2350 WHO CANNOT BE AN AUTHORIZED REPRESENTATIVE

The following individuals may not be designated as A/R:

A.) DSS employees who are involved in the certification process and retailers that are authorized by FNS to participate in the Food Stamp Program may not act as A/Rs without the specific written approval of the designated DSS official, such as the local food stamp supervisor, after a determination has been made that no one else is available to serve.

B.) Individuals disqualified for intentional program violation shall not act as A/Rs during the period of disqualification, unless a disqualified individual is the only adult member of the household able to act on its behalf and it has been determined that no one else is available to serve. The Benefits Specialist shall separately determine whether these individuals are needed to apply on behalf of the household, to receive the EBT card, and to use the card for the purchase of food for the household.

Section 2350, Who Cannot Be an Authorized Representative, continued:

For example, the household may have an A/R receive the EBT card and complete the application, but not be able to find anyone to purchase food regularly with the card. If no one can be located to serve as an A/R to purchase food regularly with the card, the disqualified member shall be allowed to do so.

2360 AUTHORIZED REPRESENTATIVES FOR OBTAINING BENEFITS AND PURCHASING FOOD

Any A/R shall be identified on the ALTR panel on ACCESS. The A/R for the EBT card may be the same individual designated to make application for the household or may be another individual. The A/R may use the card to purchase food for the household's consumption, provided the A/R has the household's EBT card and PIN number with the full knowledge and consent of the household. Even if a household member (the head of the household, spouse, or other adult member) is able to make application and obtain the EBT card, they should be encouraged to name an A/R for obtaining food in case of illness or other circumstances which might result in an inability to obtain food.

2370 EMERGENCY AUTHORIZED REPRESENTATIVE (EAR)

The household may also designate an emergency A/R at a later date. An EAR is appointed to obtain food for the household with the EBT card. The emergency A/R can obtain food on those occasions when, due to unforeseen circumstances, neither a household member nor the A/R is able to do so.

2371 EMERGENCY AUTHORIZED DESIGNATION USED ONLY ONCE

During the interview, the household must be advised of the availability of emergency A/R procedures and how to designate an emergency A/R. This is important because each such designation can be used only once. The household will have to contact their Benefits Specialist in order to designate its emergency A/R.

Whenever the household uses an emergency A/R, it should immediately be reported. The Benefits Specialist should check for possible use of the designation at each subsequent certification.

2372 DESIGNATION OF AN EMERGENCY AUTHORIZED REPRESENTATIVE

The household must call the Benefits Specialist to designate an emergency A/R. The head of the household or spouse may designate an emergency A/R. The following information must be obtained:

A.) Signature of the member making the designation and date;

B.) Signature of the EAR obtained in the presence of the household;

2380 TREATMENT CENTERS AND GROUP LIVING FACILITIES

Narcotic addicts or alcoholics who regularly participate in a drug or alcohol treatment program on a resident basis and residents of group living facilities who meet the definition of disabled under Section 2012 of this manual may elect to participate in the program.

A.) Residents of group living arrangements or drug or alcohol treatment centers shall apply and be certified for program participation through the use of an A/R who shall be an employee of and designated by the private nonprofit organization or institution that is administering the treatment and rehabilitation program or the group living facility. The center shall receive the EBT card, designate the PIN number, and use the card to obtain food prepared by and/or served to the resident.

The authorized representative may either receive and use the EBT card for food prepared by and/or served to the eligible resident or allow the eligible resident to receive the EBT card and use all or any portion of the allotment on his/her own behalf.

The EBT card may be used by the facility to purchase food for meals served either communally or individually; or used to purchase and prepare food for the individual resident; and/or used to purchase meals prepared and served by the group living arrangement, if the facility is an authorized FNS retailer.

2390 AUTHORIZED REPRESENTATIVE DISQUALIFICATIONS

If evidence has been obtained that an A/R has misrepresented a household's circumstances and has knowingly provided false information pertaining to the household, or has made improper use of the EBT card, the Benefits Specialist can disqualify that A/R from being an A/R for up to one year.

Before disqualifying the A/R, written notification must be provided to the affected household(s) and the A/R 30 days prior to the date of disqualification. The notice must include:

a) the proposed action;

b) the reason for the proposed action;

c) the household's right to request a fair hearing;

d) the telephone number of the office; and,

e) the person to contact for more information.

This provision is not applicable in the case of drug and alcohol treatment centers and those group homes which act as A/Rs for their residents.

2400 INTERVIEWING HOUSEHOLDS

2410 STANDARDS FOR OFFICE INTERVIEWS

All applicant households, including expedited and those submitting applications by mail, shall have face-to-face interviews in a food stamp office or other mutually acceptable location, unless the requirements of Section 2430 are met. The interviews shall be conducted by qualified staff prior to initial certification. The individual interviewed may be the head of household, spouse, any other responsible adult member of the household, or an authorized representative. The client may bring any person he/she chooses to the interview.

Interviews are also required for non monthly reporting households for recertification but the interview is conducted via the telephone unless the household does not have a telephone, requests a face-to-face interview, or the Benefits Specialist determines that a face-to-face interview is appropriate. A appropriate example is if the household's situation is unclear and a face-to-face interview is needed to resolve the issues.

Interviews are not required for monthly reporting households during the recertification process unless the household requests an interview or the Benefits Specialist determines that an interview is appropriate.

The Benefits Specialist shall not simply review the information that appears on the application, but shall explore and resolve with the household unclear and incomplete information. In addition, the household shall be fully advised of their rights and responsibilities during the interview, including an explanation of the appropriate application processing standard and the household's responsibility to report changes. The interviewer must advise households that are also applying for or receiving TANF benefits that time limits and other TANF requirements do not apply to the receipt of food stamp benefits (other than the TANF carryover disqualification policy). During this discussion, the individual must also be notified that if TANF eligibility stops, the household may still qualify for food stamp benefits. The interview shall be conducted as an official and confidential discussion of household circumstances. The applicant's right to privacy must be protected during the interview. The limits of the interview may not go beyond household circumstances directly related to determination of eligibility or benefit level. Facilities shall be adequate to preserve the privacy and confidentiality of the interview.

2420 SCHEDULING THE INTERVIEW

All applicants must have a specified date and time for interviews, if they are not able to be interviewed when they first come to the office. Scheduling of the interview should take into consideration the needs of the household as much as possible - for example, working individuals should not be scheduled during their working hours but should be scheduled during their days off, lunch times, break times, or before or after their employment hours. DSS shall schedule all interviews as promptly as possible, and must allow the household at least 10 days to provide requested verifications before the end of the 30 day processing time. The interview must also be conducted and benefits approved to ensure that eligible households receive an opportunity to participate within 30 days following the date the application is filed.

If the interview is scheduled at a location other than the office, both the Benefits Specialist and client must agree to the location. If the location is the individual's residence, the individual must agree to the home visit, and the interview time must be approved by the individual prior to the visit. If there is no agreement to an alternative interview site, the interview must be conducted at the certification office.

Section 2420, Scheduling the Interview continued:

Households may not be required to report to an office interview other than for applications and recertifications. Benefits Specialists may ask the individual to come to the office but cannot require them to do so. Telephone interviews, however, may continue to be conducted whenever necessary. (EBT card/pin issuance office visits are not considered an interview thus there is no change in EBT requirements.)

2430 WAIVED FACE-TO-FACE INTERVIEW

Interviews are not required for residents of small group living facilities or monthly reporting households at recertification. Interviews are required for all other households. Face-to-face interviews are required for all applications unless the household meets hardship conditions and alternate locations (home visits, other location than the DSS office) are not appropriate or available. If a face-to-face interview for applicants is not possible, then a telephone interview must be conducted.

Hardship conditions include, but are not limited to:

1.) None of the adult household members can come to the office or meet at a mutually acceptable location because of illness, transportation difficulties, care of a disabled household member, prolonged severe weather, or work or training hours are the same as the Benefits Specialists and alternate interview hours could not be arranged. Prudent worker judgment is required to determine hardship reasons. (Example: Household resides in a remote location and can't afford to drive to the office, and a home visit is not acceptable, hardship should be granted and a telephone interview conducted.) The household should be asked if they can appoint an authorized representative who is knowledgeable about the household's circumstances. If so the authorized representative could come to the office for the interview.

2.) Telephone interviews should also be conducted for residents in shelters for battered women if the residents are in danger if they leave the shelter, and it is not acceptable for DSS and the applicant to meet at the shelter.

After waiving a face-to-face interview, thoroughly document in the narrative the reason for granting the request. If a waiver is denied, it must also be thoroughly documented.

Waiver of the face-to-face interview does not exempt the household from the verification requirements or other program requirements. Nor does a waived face-to-face interview affect the length of certification period. Special procedures may also be used to permit the household to provide verification and thus obtain its benefits in a timely manner, such as substituting a collateral contact in cases where documentary verification would normally be provided.

Telephone interviews are conducted for non-monthly reporting households during the recertification process unless the household requests a face-to-face, or the Benefits Specialist determines a face-to-face interview is appropriate.

As a last resort, interviews may be conducted through the mail but that is <u>only</u> if the household meets hardship conditions and cannot appoint a knowledgeable authorized representative to complete the interview process.

2440 MISSED APPOINTMENTS

If an application has been filed and a household fails to appear for the first scheduled application interview, the Benefits Specialist shall notify the household of the missed interview and of the household's responsibility to reschedule. The notice must be sent within 1 working day of the missed appointment. If an application (or page one) has not been filed, no further DSS action is required.

For households who miss the first scheduled interview appointment, and contact our office for a second interview, we must schedule a second interview. The second interview should be made, if possible, to allow the household at least 10 days to provide requested verifications before the end of the 30 day processing time frame. The household need not show good cause for missing the first appointment. If the appointment is rescheduled within the 30 days from the application date, and all application requirements are met, benefits are prorated from the date of application.

If the applicant does not schedule a second appointment within the 30 day application processing time, the application should be denied on the 30th day following the application filing date. If the 30th day falls on a week-end or a holiday, the notice shall be sent on the next working day following the 30th day.

Example: Mrs. Jones filed an application on 12-1 but failed to keep her initial appointment. A notice of missed appointment was sent. She did not contact our office for a second appointment. Her application must be denied on December 31, and she would be required to file a new application if she wants to receive benefits.

Section 2631 defines application processing time frames for households who contact the office after the 30th day but prior to 60 days after the original application date.

2450 CONDUCT OF INTERVIEW

2451 GOALS

The interview is the primary contact between the Benefits Specialist and the customer, and as such, is an important source of information, both for DSS (about the customer's situation) and for the customer (about the program and his responsibilities).

The goal of the interview is to obtain the most accurate possible case information for use as the basis for determining the client's eligibility for food stamps. The goal includes the establishment of a cooperative relationship with the customer as a context for continuing exchange of information as continued eligibility must be determined when the customer's situation changes.

2452 TECHNIQUES

Interviewing techniques helpful in obtaining the best possible information for establishing eligibility must go beyond the completion of forms and listing of client's rights and responsibilities. The Benefits Specialist must approach the interview prepared to question and listen beyond the client's initial verbal responses. The Benefits Specialist needs to be aware of his/her own attitudes and those of the client which may block the sharing of accurate case information. The Benefits Specialist also needs to be prepared to remove or reduce the interference of such attitudes through honest, non-judgmental statements and responses.

2453 PREPARATION

To lead an interview toward its objective, plan the interview and study the available information before hand. Sources of information include a completed, current application form; earlier case records; and the Benefits' Specialist own knowledge of program requirements. These, if applied to client information, will identify gaps in information and areas needing verification. Questions should encourage the client to talk about gaps and inconsistencies.

2454 TONE

The tone of the interview should be business-like and from the outset should be directed toward the objectives established in the preparation stage. A brief explanation of the purpose of the interview should be presented in simple, non-threatening language. It is important to establish rapport with the client to gain a cooperative atmosphere in which the client will more readily share necessary information.

2455 CONTENT

The interview is an official and confidential discussion of household circumstances with the applicant. It is intended to furnish the applicant with program information, and the Benefits Specialist with facts needed to make a firm and reasonable eligibility decision.

In all instances, the household's right to privacy must be respected. Information contained in the application and, previous applications, is used as the basis for the interview. The interviewer must not simply review the information contained in the application form, but must explore and resolve with the household any unclear and incomplete information.

During the interview, be sure the applicant understands each step of the certification process; the reason for asking certain questions; the confidentiality of information; and the client's rights and responsibilities, including the responsibility of reporting changes and program procedures and processing standards.

2456 CLOSING

The interview may be concluded when:

A.) All the factual information which reasonably can be expected has been obtained.

B.) Plans for obtaining additional verifications have been made.

C.) The Benefits Specialist is confident that the client knows his rights and responsibilities.

D.) The client understands how to complete and file a monthly report (EA-214) is applicable.

E.) The client has been given information about other appropriate social service programs.

If the client is eligible or potentially eligible, the manner of notification and payment should be explained. The procedure for requesting a fair hearing should also be discussed.

2500 MONTH OF APPLICATION-DETERMINATION OF ELIGIBILITY AND BENEFIT LEVELS

A household's eligibility shall be determined for the month of application by considering the household's circumstances for the entire month of application even when the certification decision may not be made until the following month. This rule does not apply to households that delay completing their application past the end of the allowed processing period.

Households applying for initial benefits after the 15th of the month who have completed the application and provided all required verification within 30 days of the date of application and have been determined eligible to receive benefits for the initial month of application and the next subsequent month, shall receive their prorated allotment for the initial month of application and their first full month's allotment at the same time.

Households applying after the 15th of the month determined ineligible to receive benefits for the initial month of application or the next subsequent month or households with missing or postponed verification shall have their applications processed according to normal processing procedures.

Households consisting of residents of a public institution who apply jointly for SSI and Food Stamp benefits prior to release from that public institution will have their eligibility determined for the month in which the household was released from the institution.

A household's benefit level for the initial month of certification will be based on the day of the month it applies for benefits. A household shall receive benefits prorated from the day of application to the end of the month unless the household consists of residents who jointly applied for SSI and Food Stamp benefits prior to release from a public institution. Benefits for such households shall be based on the date of release from the institution to the end of the month. The term "initial month" means either:

A. The first month for which the household is certified for participation in the Food Stamp Program following any period of time during which the household was not certified for participation provided the household does not have an application pending which was submitted prior to expiration of the certification period. Consequently, if a household reapplies any time after the last day of their certification period, then benefits will be prorated.

   EXCEPTION: When a household is certified in the month prior in another state and applies in South Dakota, proration of benefits will occur.

B. Migrant and seasonal farmworker households' initial month means the first month for which the household is certified for participation in the Food Stamp Program following any period of more than 30 days during which the household was not certified for participation.

The following examples explain how to apply this policy:

1. Household is certified through end of October, reapplies November 7. If the household is eligible, benefits will be prorated for the period of November 7 through November 30.

2. Household's certification period ends January 31 and the household submits application for recertification on that day. In this case, even though the recertification may not be approved until mid-February, there is no gap between certification periods. Therefore benefits would not be prorated.

FS 2500, Month of Application, Determination of Eligibility & Benefits, con't:

3. Household's case closed January 31. On February 5th a reapplication is submitted. Household benefits will be prorated for February 5-28. [Proration only occurs for reapplication, not reinstatements. Reinstatements are defined in Section 2850.]

2510 FORMULA FOR PRORATING INITIAL MONTH BENEFITS

DSS shall use a standard 30 day calendar month. A household applying on the 31st of a month will be treated as though it applied on the 30th of the month.

The formula for prorating initial month's benefits shall be:

$$\text{full month's benefits} \times \frac{(31 - \text{date of application})}{30} = \text{allotment}$$

After determining the allotment, benefits shall be rounded down to the nearest whole dollar. If the computation results in an allotment of less than $10, then no issuance shall be made for the initial month.

2511 EXPEDITED HOUSEHOLDS AT INITIAL MONTH

Households applying for initial benefits after the 15th of the month under expedited service provisions who have completed all application forms, interview, submitted identity verification, and been determined to be eligible to receive benefits for the initial month of application and the next subsequent month shall receive their prorated allotment for the initial month and their first full month's allotment at the same time. *

2512 APPLICATION FOR RECERTIFICATION

Eligibility and the level of benefits for recertifications shall be determined based on circumstances anticipated for the certification period starting the month following the expiration of the current certification period. The household must provide all required information and verifications within 30 days after the recertification application is submitted. If not, the application should be denied. If the 30th day falls on a non-work day, the processing period ends on the next working day after the 30th day. If an application for recertification is received after the certification period expired, the application and benefits for that month are prorated in accordance with Section 2510.

2513 ANTICIPATED CHANGES

Because of anticipated changes, a household may be eligible for the month of application, but ineligible for the following month. In this event, the household would be eligible for benefits for the month of application even though ineligible for the following month. Similarly, a household may be ineligible for the month of application, but eligible for the following month due to anticipated changes.

Even though denied the month of application, the household shall be approved the following month without being required to complete another application.

FS, Anticipated Changes, continued:

The Benefits Specialist should in most cases establish a certification period for the longest possible time during which changes in household circumstances can be reasonably anticipated. The household's allotment will vary from month to month within the certification period according to those changes anticipated at the time of certification, unless the household chooses to average its income and/or deductions.

> For example: The household may be able to reasonably anticipate the receipt of social security income beginning the fourth month of a six-month certification period. The household should be informed in writing that its allotment will change in the fourth month, and list the new allotment. Notice of adverse action will not be necessary in this case because the household will be notified of the change in advance.

Changes which cannot be reasonably anticipated as to date and amount must be handled as changes occurring after certification.

2514 VARYING ALLOTMENTS

The household's allotment might vary from month to month during the certification period. This can occur in the month of application, if the household applies after the first of the month because of allotment proration. It can also occur in any month because of anticipated changes that are taken into account at certification.

2600 PROCESSING TIME LIMITS FOR ELIGIBILITY DETERMINATION

Eligibility determination means processing an application for food stamp benefits from a household not currently certified.

2610 APPROVED APPLICATIONS

Households applying for initial benefits after the 15th of the month who have completed the application, interview, and provided all required verification within 30 days of the date of application and have been determined eligible to receive benefits for the initial month of application and the next subsequent month, shall receive their prorated allotment for the initial month of application and their first full month's allotment at the same time.

Households applying after the 15th of the month determined ineligible to receive benefits for the initial month of application or the next subsequent month or households with missing or postponed verification shall have their applications processed according to normal processing procedures. If the application is expedited, missing or postponed verifications may be waived for two months, rather than one (Section 2790 B) for applications taken after the 15th.

An eligible household which completes the eligibility determination process must have an opportunity to participate as soon as possible, but not later than 30 days following the date the application was filed. When the 30th day falls on a non-workday, the processing period ends on the last previous workday. The first day of the 30-day period is the day after the application is filed. The time limits for processing applications for small group home residents is outlined in Section 5313. The time limits for providing expedited service are discussed in Section 2720.

FS 2610, Approved Applications, continued:

Residents of public institutions who apply jointly for SSI and Food Stamp benefits prior to release from the institution must be provided on opportunity to participate as soon as possible but not later than 30 days from the date of release of the applicant from the institution.

2611 DENIED APPLICATIONS

Households found ineligible must be sent a denial notice as soon as ineligibility is determined but not later than the 30th day following the date of application. If the 30th day falls on a week-end or a holiday, the notice shall be sent on the next working day following the 30th day.

To deny a case for non-cooperation before the 30 day time period runs out, the household must refuse to submit required verification or information, not just fail to cooperate. If the household does not refuse to submit the information, they must be allowed the entire 30 day processing time prior to denial of their application for non-cooperation. (Section 2217)

2612 OPPORTUNITY TO PARTICIPATE

An opportunity to participate means providing an eligible household with an appointment for card issuance, PIN selection, and training at least one day prior to the date benefits must be available. The household must be able to transact benefits on or before the processing period expires.

> For Example: An opportunity to participate has not been provided when the card issuance/training session is scheduled on the 30th day, since the card would not become active until the next morning.

Whenever a household fails to attend an EBT card issuance/training session prior to eligibility being determined, the household should be notified that benefits are available but card issuance/training must occur before the household will be able to access those benefits.

Whenever an eligibility determination is unavoidably delayed until the last day of the processing period, EBT State Office staff should be contacted to administratively add food stamp benefits immediately to a household's existing EBT account. In order to utilize this administrative function, the household must have been previously issued an EBT card.

2620 DELAYS IN PROCESSING

When it is not possible to determine eligibility and provide an eligible household an opportunity to participate by the end of the application processing period, the Benefits Specialist must first determine the cause for the delay.

2630 DELAY CAUSED BY HOUSEHOLD

Households which fail to provide necessary information or to otherwise complete the application process must be issued a notice of denial on the last day of the prescribed processing period. This policy is intended to allow the household the maximum possible time to establish its eligibility and receive benefits. It does not apply to households who have actively refused to cooperate in the application process.

FS 2603, Delays Caused by Household, continued:

Case file documentation of denial for delays caused by the household must include an explanation that:

A.) The Benefits Specialist offered, or attempted to offer, reasonable assistance in completing the application form. *

B.) If a member has not registered for employment as required, the Benefits Specialist informed the household of the need to register for work and allowed at least 10 calendar days for the member to register or otherwise go to work. *

C.) When verification is incomplete, the household must be provided with a statement of required verification (EA-300) and assistance is offered to the household in obtaining required verification. The household must be allowed at least 10 calendar days to provide the verification.

D.) For missed interviews, a notice of missed appointment is sent with a request that the household reschedule the appointment as described in Section 2440.

When the household postpones the rescheduled interview, or when the interview cannot be rescheduled until after the 20th day, the household must appear for the interview and complete the application process by the 30th day; if it does not do so, the delay is the fault of the household. Likewise, if the rescheduled interview is postponed at the household's request until after the 30th day, the household is at fault for the delay. If the household misses both interviews and requests a third, any delay is the fault of the household.

If these conditions have not been met, DSS is at fault and the case must be held open as described in Section 2640.

2631 APPLICATIONS REOPENED

If, by the end of the processing period, further action can't be completed on the application and the delay is the fault of the household (identified in 2630, A-D), a notice of denial must be issued on the 30th day following the application file date (or the next working day). The household loses its rights to benefits for the month of application.

If the household takes the required action after denial, but no more than 60 days following the date the application was filed, the Benefits Specialist must reopen the original application. The household will not be required to file a new application to obtain benefits. The household is however, required to report changes which have occurred since the application was filed, preferably by updating the application on file. *

If the household was at fault for the delay in the first 30-day period, but is found to be eligible during the second 30-day period and no DSS fault exists, benefits shall be provided only from the date the application was reopened. The household is not entitled to benefits for the month of application when the delay was the household's fault. *

2640 DELAY CAUSED BY DSS

When DSS fails to process an application within the required time limit, immediate corrective action must be taken. The application will not be denied and the household must be notified by the end of the 30-day period that its application is still being considered. This notice also must inform the household if any action by the household is needed. Form EA-309, Notice of Action, or SPEC C NOTC is used for this purpose. *

If the household is determined eligible during the second 30-day period, it is entitled to benefits beginning with the day of application. If however, the household is found to be ineligible, the application is denied.

2641 DELAYS BEYOND 60 DAYS

If DSS is at fault for not completing the application process within 60 days of the application date, the Benefits Specialist must take action as follows: *

A.) When the case file is otherwise complete, continue to process the application until an eligibility decision is made. However, the household must complete a new application form to determine entitlement to benefits beyond the original 60-day period. If the household is determined eligible, the household must receive benefits beginning with the original date of application. *

B.) When the case file is not complete enough to make an eligibility decision, deny the application and notify the household it must reapply if it wishes to receive benefits. The household is advised of possible restoration of lost benefits because of DSS delay. Such benefits would be calculated beginning with the date of application. If the delay was the household's fault in the initial 30-day period, and DSS is at fault in the second 30-day period, benefits begin the month following the month of application. *

C.) If the delay was the fault of DSS during the first 30-day period, but the fault of the household during the second 30 days, the application must be denied, and the household is not entitled to restored benefits for either period. The household must be advised that it must reapply if it wishes to obtain benefits.

If an eligible household's benefits have been delayed 60 days or less from the application date, benefits will be issued beginning with the period of application. Benefits delayed more than 60 days from the application date must be returned to the household through the restoration of lost benefits process.

2650 WRITTEN NOTICE

The household should receive a notice as soon as a determination is made, but not later than the 30th day following the application file date, unless the 30th day falls on a week-end or holiday, then the notice must be sent on the next working date following the 30th day. *

2651 NOTICE OF ELIGIBILITY

When an application is approved, ACCESS will automatically send out a notice of approval. A DSS-EA-309, Notice of Eligibility, may also be used to notify the household of the decision. Through these notices, the household is informed of the length of the certification period, the amount of benefits it will receive (including prorated benefits for the month of application), and how they were computed, and any variations in the level of benefits because of anticipated changes in household circumstances. The notice also includes the telephone number of the Food Stamp office where collect calls will be accepted for households outside the local calling area.

When a verification is postponed, the Form DSS-EA-309 or SPEC C NOTC must be completed to explain that postponed verifications must be provided by the household and must specify when the verification must be provided.

2652 NOTICE OF DENIAL

When an application is denied, ACCESS will automatically send out a notice of denial. Form EA-309 may also be used to notify the household of the denial. These notices inform the household why its application was denied; the effective date of the denial; the right of appeal, and free legal representation, if available. The notice also includes the telephone number of the Food Stamp office where collect calls will be accepted for households outside the local calling area. If the denial resulted from the household's failure to complete the application process, the notice will also explain what the household needs to do in order to reactivate its application.

2653 NOTICE OF PENDING STATUS

Form DSS-EA-300 is used to notify the household that its application is held pending because action by DSS or the applicant is needed to complete the application process. The DSS-EA-300 should be sent listing required verifications, the appointment date, and the 30 day processing time whenever page one of the application or the entire application has been received, and an appointment has not been scheduled.

The pending notice should be given to the household at the close of the interview whenever the application is held pending during the initial 30-day period and some action by the applicant or by DSS is needed to complete the case. *

For Example: If verification is lacking, Form EA-300 should be given to the applicant when the verification is first requested to specify what action is needed and the date by which the applicant must take the required action. An EA-300 should also be given at the close of the interview when the applicant has given all necessary information, but the Benefits Specialist has not finished the necessary paperwork to complete the case. *

In addition, a DSS-EA-309 or SPEC C NOTC must be sent to the household at the end of the initial 30-day period when the household's application has not been acted upon within the 30-day time limit because of DSS delay. The notice must clearly specify the reason for the delay and that the application has not been completed and is being processed. If, in addition to the delay caused by DSS, the household also needs to take some action, the notice must specify what action is needed and the application will be denied if the household fails to take the needed action within 60 days of the application date. *

2654 NOTICE OF RECERTIFICATION

Households who have filed an application by the 15th of the last month of their certification period must be provided with either a notice of eligibility or a notice of denial as discussed in Section 2651 and 2652 by the end of the current certification period. Households that have received a notice of expiration as discussed at the time of certification (households certified one or two months) and have timely reapplied, shall be provided with either a notice of eligibility or a notice of denial not later than 30 days after the date the household had an opportunity to obtain its last allotment. The notice also includes the telephone number of the Food Stamp office where collect calls will be accepted for households outside the local calling area.

Households who do not timely reapply (application filed between the 16th - 31st of their certification period) shall receive either a notice of eligibility or a notice of denial not later than 30 days after the date the application is filed. If the 30th day falls on a weekend or holiday, the notice shall be sent on the next working day following the 30th day.

2655 LENGTH OF CERTIFICATION PERIODS

For households not required to monthly report, assign the longest certification periods possible based on the predictability of the household's circumstances. The maximum certification period for any non-monthly reporting household is 12 months. Households required to monthly report and not residing on Indian Reservation land must be certified for no less than six months or no greater than 12 months. Households required to monthly report and residing on Indian Reservation land must be certified for 24 months. Non-monthly reporting households receiving a child support deduction who have not established a regular history of child support payments must be certified for 3 months. Homeless households should be certified 3 months. Households with ABAWDS may be assigned 3 month certification periods (or 4 months if the household was issued prorated benefits the application month).

It is recommended that the majority of food stamp households be assigned 12 month certification periods if they are not residing on reservation land and they are not required to have smaller certification periods. The most common exceptions to the rule are listed below:

MONTHLY REPORTING CASES:

.. Households residing on Indian Reservation land must be certified for 24 months.

.. Households who are not residing on Indian Reservation land shall have the certification period for a TANF household expire the same month as the next scheduled TANF periodic review, but not to exceed 12 months.

NON-MONTHLY REPORTING CASES:

.. A three month certification period must be assigned to households with a child support exclusion who do not have a regular history of paying child support for at least three months. Once the regular history is established, a longer certification period may be assigned.

.. A three month certification period may be assigned if the predictability of the household's circumstances cannot be established. For example, to establish a homeless household's temporary residency or pattern of shelter costs, a three month certification period could be utilized.

FS 2655, Length of Certification Period, Non-Monthly HH, continued:

.. A one or two month certification may be established if a household cannot reasonably predict what the circumstances will be in the future or when it will have frequent or major changes in income or household status. Migrant households are often included in this category.

.. Able-bodied adults without dependents (ABAWD) should be assigned a three or four month certification period to track their eligibility if they are not employed 20 hours a week or meeting work requirements.

.. If a self-employment business has been in operation for a short time and there is not enough data to make a reasonable projection for the annualized income, the certification period may be shortened until the business has been in operation long enough to base a more accurate projection of income. *

2700 EXPEDITED SERVICE

ACCESS determines eligibility for expedited service. The following households are entitled to expedited service:

A.) Households with less than $150 countable gross monthly income provided their countable liquid resources (i.e., cash on hand, checking or savings accounts, etc.) do not exceed $100. If the household is entitled to a child support exclusion or a farm loss, the child support and/or farm loss must be excluded from gross income before the expedited countable gross monthly income is determined.

To determine if the household meets the expedited gross monthly income test, ACCESS totals the prospective fields of JINC, BUSI, RBIN, and UNEA and then deducts legally obligated child support and any farm loss. If the countable total gross income is less than $150, ACCESS then totals the amount of liquid resource panels (CASH, BANK, IVST). If that resource amount does not exceed $100, the household will be determined eligible for expedited service.

B.) Migrant or seasonal farmwork households that meet the criteria for destitute as defined in Section 4420 and whose liquid resources do not exceed $100.

The Benefits Specialist makes the decision of whether a migrant or seasonal farmwork household meets the definition of destitute. If the household meets the definition of destitute, the "Migrant Indicator" on the STAT panel should be completed with a "Y". When the "Migrant Indicator" is completed with a "Y" code, ACCESS then totals the countable amounts on liquid resource panels (CASH, BANK, IVST). If the liquid resource amount does not exceed $100, ACCESS will determine the household eligible for expedited service.

C.) Eligible households whose combined countable monthly gross income and liquid resources are less than their monthly rent/mortgage plus the appropriate utility standard. Remember that child support payments and any farm losses are excluded from gross income to arrive at the countable income determination.

ACCESS calculates the households' rent, lot rent, and/or mortgage amount with the household's utility standard amount. If that amount is greater than the household's monthly gross income and liquid resource total, expedited benefits are required.

2700 - Expedited Service continued

If the household pays heat, cooling, or receives LIEAP assistance, an "H", "C" or "L" must be entered in the "Use Code" field on the UTIL panel and an "S" in the "Option" field. ACCESS will add the current Standard Utility Allowance (SUA) amount to the prospective amount of rent/mortgage/lot rent to obtain a shelter expense.

If the household has two non heat and cooling utilities, an "E", "W", "S", "G", "F", and/or "P" must be entered in the "Use Code" field on the UTIL panel and an "L" in the "Option" field. ACCESS will add the current Limited Utility Allowance (LUA) amount to the prospective amount of rent/mortgage/lot rent to obtain a shelter expense.

If the household has one non heat and cooling utility that is not a telephone expense, an "E", "W", "S", "G", or "F" must be entered in the "Use Code" field on the UTIL panel and an "O" in the "Option" field. ACCESS will add the current One Utility Allowance (OUA) amount to the prospective amount of rent/mortgage/lot rent to obtain a shelter expense.

If the household has telephone as the only utility expense, a "P", must be entered in the "Use Code" field on the UTIL panel and a "P" in the "Option" field. ACCESS will add the current Telephone Utility Allowance amount to the prospective amount of rent, mortgage and/or lot rent to obtain a shelter expense.

The total countable gross income (JINC, BUSI, RBIN, UNEA) will be added to the liquid resource amount (CASH, BANK, IVST) to obtain an income amount. If the shelter expense is greater than the income amount, ACCESS will determine the case eligible for expedited service.

Incoming applications, and requests for applications, must be screened for indications that the household meets one of the above criteria. Information on expedited service should be provided to all households who request assistance. Households requesting, but not entitled to, expedited service must be certified under normal procedures. Households entitled to expedited services but who fail to provide verification of their identity within the 7 day processing time must be certified under normal procedures. Households entitled to expedited services but who fail to complete an interview within the 7 day processing time must be certified under normal procedures.

There is no limit to the number of times a household can be certified under expedited procedures as long as prior to each expedited certification the household either completes the verification requirements that were postponed at the last expedited certification, or was certified under normal processing standards since the last expedited certification.

2710 PRESCREENING

Whenever clerical staff (or whomever is designated), prescreens incoming applications or handles requests for applications, the following items may indicate that the household is eligible for expedited services:

A.) The household indicates verbally or on the application form that it has no income and liquid resources.

B.) The household has countable income, but it is less than $150 and liquid resources are less than $100.

FS 2710, Prescreening, continued:

C.) The household claims expenses which exceed its countable income.

D.) The household indicates they are migrant or seasonal farmworkers.

2720 SPECIAL PROCESSING TIME LIMIT

Households who are determined eligible for expedited services (except as specified in Section 2721), must have their benefits available in their EBT account no later than the 7th calendar day following the date of application. The fact that a weekend or a holiday may be included in the 7 calendar days does not lengthen processing time frames. *

Households entitled to expedited service who applied after the 15th of the month, provided identity verification, completed the application form, completed an interview, and been determined eligible for the first and second months must have both months' benefits no later than the 7th calendar day following the date of application. *

2721 DRUG/ALCOHOL TREATMENTS/SMALL GROUP HOMES/PRE-RELEASE APPLICANTS

For eligible residents of drug addict and alcohol rehabilitation centers and residents of small group homes who are entitled to expedited service, the EBT account must be activated no later than the 7th calendar day following the date of application.

For a resident of a public institution who applies for SSI and Food Stamp benefits prior to his/her release from the institution, and who is entitled to expedited service, the filing date of the application is the date of release from the institution. Benefits must be available no later than seven calendar days from the date of release from the institution.

2722 SHELTERS FOR BATTERED WOMEN AND CHILDREN

For eligible residents of shelters for battered women and children, Section 2720 procedures must be followed. *

2730 WAIVER OF OFFICE INTERVIEW

If a household is entitled to expedited service, an interview (office, telephone, etc.) must be made available within 7 days following the application date. If the applicant doesn't complete the interview within 7 days following the application date, the applicant loses his/her rights to expedited services and the application follows normal processing time frames and regulations (30 days, required verifications, etc.)

The application must be completed before benefits can be issued to the household. If the household filed an incomplete application and is being interviewed at home, the application must be completed during the home visit. If the interview is by telephone, the application must be completed by the Benefits Specialist during the interview and mailed the same day to the household for signature. Mailing time is not calculated in the expedited service time frames. *

FS 2730, Waiver of Office Interview, continued:

Mailing time shall only include the days the application is in the mail to and from the household and the days the application is in the household's possession pending signature and mailing.

2740 LATE DETERMINATIONS

The expedited service time standard is calculated from the date of discovering the household's entitlement to expedited processing when:

A.) Prescreening fails to identify a household which is entitled to expedited service and this entitlement is not discovered until later.

B.) The household submits its application by mail, but it is not complete In this instance, the household's potential eligibility for expedited service cannot be confirmed until the application is complete.

If verification of identity or the interview is not completed within 7 days following the application date, the household is no longer eligible for expedited services and must follow normal food stamp application processing rules.

2750 POSTPONED VERIFICATION

If necessary to meet the expedited time limit, verifications (other than identity) must be postponed. The identity of the person making application must be verified in all cases. Also the household's residence must be verified whenever possible. Readily available documentary evidence or a collateral contact must be used for these verifications, evidence, or collateral contacts. Any reasonable documentation must be accepted for this purpose. For example, a driver's license, work or school ID card, voter registration card, birth certification, or any similar document may be accepted. If there is ID verification in the case file, new ID verification is not required.

NOTE: If an A/R applies on behalf of a household, verification of the A/Rs identity is mandatory, along with verification of the identity of the head of household. Refer to Section 6000 for additional verification procedures.

All reasonable efforts must be made to verify household income (including the lack of income), liquid resources, legally obligated child support payments, and all other required factors within the expedited time limit, using readily available documentary evidence or collateral contacts. However, benefits shall not be delayed beyond the delivery standards prescribed in Section 2720, solely because these eligibility factors have not been verified.

It is important to make all reasonable efforts to verify income and liquid resources with the appropriate time standards since income and liquid resources are criteria for entitlement to expedited service. If legally obligated child support payments are used in the eligibility or benefit determination level, verification should be obtained with reasonable efforts also.

If required verifications (other than identity) were postponed to meet the expedited time frames, the verification must be completed prior to approving the next month's benefits for all applications taken before the 16th of the month. If the application is taken the 16th of the month or later, the verification may be postponed until the end of the second month.

FS 2750, Postponed Verification, continued:

Obtain as much verification as possible during the application process. Do not unreasonably delay the expedited approval for further verification if it is unlikely the additional verification can be completed within the time limit. *

2760 SOCIAL SECURITY NUMBERS

Households entitled to expedited service must be asked to furnish or apply for a social security number for household members that wish to apply for benefits but shall not be required to do so until after they have received their first allotment, if their application date is prior to the 16th of the month. If they apply the 16th of the month or later, they may postpone furnishing or applying for a social security number until the end of the second month. Those households unable to provide SSNs or who do not have one until after the postponed time frame has elapsed shall be handled in accordance with Section 3700.

2770 WORK REGISTRATION

At a minimum, the applicant for expedited benefits shall be required to register for work unless exempt or unless the household has designated an authorized representative to apply on its behalf. The Benefits Specialist may attempt to register other household members but shall postpone it if it cannot be accomplished within expedited time frames. Registration may be attempted by requesting the applicant to complete work registration forms for other household members. For example, the Benefits Specialist may complete work registration for those members by telephone or other suitable means. * * *

However, expedited benefits must not be delayed if work registration of the other members or verification or questionable exemptions from registration cannot be accomplished within the time limit.

2780 STATEMENT OF CITIZENSHIP OR ALIEN STATUS

The member panels on the DSS-EA-301, Economic Assistance Application, should have citizen status marked for all household members. If it is not marked, the Benefits Specialist should request this information during the interview, and if possible have the applicant mark the status. If the applicant is unable to mark the status, the Benefits Specialist may mark it, initial, and date the change. Documentation is also essential. Additionally the application must be signed. The citizenship statement is completed when both of these steps are completed. If a household member is listed as a non-citizen, and the applicant states the individual meets one of the non-citizen requirements, verification of the individual's INS documentation may be postponed for the expedited month (or two months for combined allotments). Document what the applicant reports and how the non-citizen(s) meet eligibility requirements. If the individual is determined not eligible when the INS documentation is received, the household is responsible for any overissuance.

2790 CERTIFICATION PERIOD/POSTPONED VERIFICATION

Households certified on an expedited basis who have provided all necessary verification will be assigned a normal certification period.

If the household is eligible for expedited service, but verification or interview has been postponed, the following procedures apply:

FS 2790, Certification Period/Postponed Verifications, continued:

A.) Applications taken on or before the 15th of the month:

If required verifications (other than identity) had to be postponed to meet the expedited 7 day time frame, the household must be notified via the DSS-EA-309 or SPEC C NOTC that benefits for the month following the month of application will not be issued until the postponed verification is completed. They also must be notified that if the verification results in changes in the household's eligibility or benefits, the change will be made without advance notice.

Upon receipt of the postponed verification, make any necessary adjustments so that benefits are issued within seven working days from the date the verification was received, or the household's normal issuance date of the second month, whichever is later.

When a household fails to provide the postponed verification within 30 days from the date of application, the application must be denied. If the household completes the verifications after denial and still wants to receive benefits for that month, a new application is required.

B.) Applications taken on or after the 16th of the month:

If required verifications (other than identity) had to be postponed to meet the expedited 7 day time frame, the household must be notified via the DSS-EA-309 or SPEC C NOTC that benefits for the third month of participation (third month following the month of application) will not be issued until the postponed verification is completed. They also must be notified that if the verification results in changes in the household's eligibility or benefits, the change will be made without advance notice. If the household is monthly reporting, they must also provide the monthly report form for the second month (verifications may be postponed).

Upon receipt of the postponed verification with the household, the worker must make any necessary adjustments so that benefits are issued within seven working days from the date the verification was received, or the household's normal issuance date of the third month, whichever is later.

When a household fails to provide the postponed verification within the first two months, the household's benefits will terminate. If the household completes the verifications after benefit termination and still wants to receive benefits for that month, a new application is required.

1.) Migrant households applying after the 15th of a month and which are assigned certification periods of longer than one month, must be notified in writing that they must provide postponed verification from sources within the State before the third month's benefits can be issued and must provide all verification from out-of-state sources before being issued benefits for the third month. This notice must also advise the household that if verification results in changes in the household's eligibility or benefit level, the CW will act on these changes without a notice of adverse action.

There is no limit to the number of times a household can be certified under expedited procedures as long as the postponed verifications have been completed before the next certification or the household has been certified under normal procedures, whichever comes first.

If the household fails to verify identity or complete an interview within the 7 days following the application date, the household is not entitled to expedited benefits and all normal processing rules and time frames are followed.

2800 CHANGES

When changes occur within the certification period which affect a household's eligibility or allotment, action must be taken. Household and agency responsibilities are outlined below.

Monthly reporting and non-reporting households have different reporting changes. The following sections apply to all households, unless specifically identified otherwise.

2810 REPORTING REQUIREMENTS

When a household's reporting requirements change, see Section 5903.

An applying household must report all changes related to its food stamp eligibility and benefits at the certification interview, including changes that occurred between filing the application and the interview. Within 10 days of the date of the notice of approval, the household must report changes which occur after the interview but before the date of the notice.

Small Group Living Arrangement facilities must report if a resident changes residences or if he/she moves out of their facility. The change must be reported within 10 days of the date the change occurred. Small group living facility households are exempt from monthly reporting and change reporting.

Monthly reporting households are required to report changes in household circumstances on their monthly report form. No other reporting requirements may be imposed. (Section 5900)

Certified non-monthly reporting households are required to report the following changes within 10 days of the date the change becomes known to the household; or if the change is an income change, within 10 days of the receipt of the first payment with the change:

A.) Changes in source of income, if income stops, the amount of gross earned income (not self-employment) changes by more than $100; or there is a substantial change in self-employment income; or the amount of gross monthly unearned income changes by more than $50.00, except changes in TANF grants. Since the State has prior knowledge of TANF changes, action must be taken to monitor and act on those changes; *

- The change must be reported within 10 days from the date that the household receives the first payment attributable to the change; or when the self-employment business experiences a substantial change in the business.

- The $50 and $100 threshold should be measured against the last reported change that the client is required to report.

  EXAMPLE: Client certified in May and only income reported is VA at $200. In July, client's VA increased to $220 and client did not report it. In September, VA again increased to $245. This was not reported and is not required to be reported because $245 is only $45 more than the last reported amount of $200.

B.) All changes in household composition, such as the addition or loss of a household member, and any resulting change in shelter costs based on change in household composition;

C.) Changes in residence and the resulting change in shelter costs;

FS 2281, Reporting Responsibilities, continued:

D.) Ownership of a licensed vehicle not fully excludable under Section 3460.1;

E.) When cash on hand, stocks, bonds, and money in a bank account or savings institution reach or exceed a total of $2,000 or more (or $3,000 or more for a household with an elderly or disabled member);

F.) Child support changes in legal obligation or amount legally obligated to pay.

NO ADDITIONAL REPORTING REQUIREMENTS MAY BE IMPOSED OTHER THAN (A) -- (F) FOR NON-MONTHLY REPORTING HOUSEHOLDS.

The requirement to report changes in gross monthly earned income of more than $100 and gross monthly unearned income of more than $50 applies to changes in total household income, not to changes in each individual household member's income. Changes may be reported by mail, phone, fax, in person, or through someone acting in the household's behalf.

2811 CHANGE REPORT FORM (EA-310) (EA-214)

Households not monthly reporting shall be provided a postage paid envelope along with Client's Notice of Change to Agency, EA-310, for reporting changes in Section 2810.

The EA-310 shall be provided to newly certified households at the time of certification, at recertification if the household needs a new form, and a new form shall be sent to the household whenever a change report form is returned by the household.

Households subject to monthly reporting shall be provided with the EA-214, Monthly Report form. Hand-issue the EA-214 if approval of benefits is completed after the date State issued monthly reports are ran. *

Both forms include the telephone number of the food stamp office where collect calls will be accepted for households outside the local calling area.

2820 BENEFITS SPECIALIST RESPONSIBILITIES *

Take prompt action on all changes reported verbally or in writing to determine if the change affects the household's eligibility or allotment. Even if there is no change in the allotment: *

A.) Document the change in casefile;
B.) Provide the household with another change report form; and,
C.) Notify the household that the report form was received.

If the change affects the household's eligibility or allotment, a notice must be sent to the household informing the household of the increase or decrease. For increases, the Benefits Specialist shall advise the household of any additional verification requirements. *

Document the date a change is reported which is the date the change report form is received or the change is reported by phone or personal visit. Restoration of lost benefits is provided to any household if DSS fails to take action on a change which increases benefits when the household timely reported the change. *

2820.1 ELIGIBILITY OR BENEFIT AMOUNT UNKNOWN BASED ON REPORTED CHANGE

MONTHLY REPORTING HOUSEHOLDS:

Instructions for determining eligibility or benefit amounts for monthly reporting households are outlined in section 5900.

NON-MONTHLY REPORTING HOUSEHOLDS:

If the household reports a change that requires the household to monthly report, follow section 5900.

If the household fails to submit verification of the reported change and the household's eligibility or benefit level cannot be determined without verification, the Benefits Specialist must pursue clarification and verification of household circumstances using the following procedures:

A. Within 10 days, issue a written Verification Request, EA-308 or Spec C Notc:

   i. Advise the household of the verification they must provide or the actions they must take to clarify their circumstances; and

   ii. Allow the household 10 days to provide the information and/or verification. (the 10 day count starts the day the notice is mailed); and

   iii. Inform the household of the potential effective date of case closure if they do not timely respond.

   iv. If the requested information is received within the 10 days, act on the change in accordance with normal change processing time frames.

B. If the household does not respond within 10 days, send a notice of closure following the 10 day adverse action time frames.

C. If the household returns the required verification before the month of closure, the case may be reinstated. If the verification is anytime in the month of closure, or thereafter, a new application will be required.

   i. Example: A household reports a new household member on June 5 but fails to verify his/her income. Verification request is sent June 6 [within 10 days of the reported change] requesting verification be submitted by June 16. If the client does not submit the required verification by June 16, the case is closed for July with a notice sent no later than June 20th following the 10 day adverse action time frames.

   ii. Example: A household reports a new household member on June 15 but fails to verify his/her income. Verification request is sent on June 15 requesting verification by June 25. If the form is not returned by June 25, the case will be closed for August adhering to the 10 day adverse action time frames.

2821 INCREASE IN BENEFITS - NON-MONTHLY REPORTING HOUSEHOLDS

2821.1 NORMAL PROCESSING OF INCREASES

For changes which result in an increase in a household's benefits, other than changes described in Section 2821.2, make the change effective not later than the first allotment issued 10 days after the date the change was reported provided the verification requirements in Section 2821.3 are satisfied. *

NOTE: Even though regular issuance is the 10th of the month, the allotment is issued for the entire month; therefore, the first allotment is defined as the first of the month. Example: June regular allotment equals June 1.)

> For example, a $30 decrease in income reported on the 15th of May would increase the household's June allotment if the verification was provided. If the same decrease (and verification) was reported on May 28th, and the household's normal issuance cycle was June 1, the household's allotment would be increased for July.

2821.2 EXPEDITED PROCESSING OF SPECIAL CHANGES - ALL HOUSEHOLDS

The following procedures apply to changes which result in an increase in a household's benefits due to:

A.) The addition of a new household member who is not a member of another certified household; or,

B.) For non-monthly reporting households, a decrease of $50 or more in the household's gross monthly income.

C.) For MRRB households, when deductible expenses are verified within the 10 day cure period as explained in Section 5962.

The change shall be made effective the month following the month in which the change was reported provided the verification was received within 10 days as per Section 2821.3. If the verification was not received within 10 days, the change must be made the month following the month the verification was received. The household must be provided an opportunity to obtain the increase in benefits by the 10th of the following month, or the household's normal issuance cycle in that month, whichever is later. Therefore, if the change is reported after the 20th of the month and verification is received by the 30th, the following month's allotment must include the increase or a supplementary benefit must be provided by the 10th of the following month. *

> For example, a non-monthly reporting household reporting and verifying a $100 decrease in income at any time during May would have its June allotment increased. If the household reported and verified the change after May cutoff but prior to June 1, issue a supplementary benefit for the amount of the increase by June 10. *

DSS failure to increase benefits as provided in this section and in Section 2821.1 will result in restored benefit entitlement.

2821.3 VERIFICATION FOR INCREASE IN BENEFITS - NON-MONTHLY REPORTING HOUSEHOLDS

Reported changes which result in an increase in a household's benefits must be verified as required by Chapter 6000 before taking action on these changes. Monthly reporting households are subject to verification requirements outlined in Section 5950. Send a notice to the household within 10 days of the reported change to request verification of the reported change. Allow the household 10 days from the request date to submit verification. If the household provides the verification within this period, take action on the changes within the time frames specified in Section 2821.1. Time frames run from the date the change was reported, not the date the verification was received, provided the verification was received within the 10 day time frame. If the verification was not received within the 10 day time frame, no action is taken on the change until the verification is provided and DSS has 10 days from the date the verification is received to make the change.

A.) If eligibility and benefit level is determined based on the reported change, a notice is sent within 10 days of the reported change requesting verification be submitted within 10 days. The notice advises the household that the increase in benefits cannot be acted upon until the verification is received.

1.) Example: Non-monthly reporting household reports decrease in income May 10. Notice sent May 11 requesting verification by May 21 and informing the household benefits will not increase until verification is received.

i.) If the verification is received by May 21, June issuance is increased.

a. If qualifications in Section 2821.2 are met, the benefits must be increased for the next month after the change was reported. (Supplemental benefit if necessary).

ii.) If the verification is received May 23, July issuance must be increased.

a. If qualifications in Section 2821.2 are met, the benefits must be increased for the next month after the verification was received (supplemental benefit, if necessary).

iii) If the verification is not submitted, the increase is not budgeted and the verification must be submitted by the next recertification.

B.) If the household refuses to submit the verification, the case should close the month following the adverse action notice.

1.) The household must refuse to submit the verification, not fail to submit the verification.

2822 DECREASE IN BENEFITS

2822.1 PROCESSING DECREASES - NON-MONTHLY REPORTING HOUSEHOLDS

If the household's benefit level decreases or the household becomes ineligible as a result of the change, issue a notice of adverse action within 10 days of the date the change was reported unless one of the exemptions to the notice of adverse action in Section 6401 applies. The decrease in the benefit level shall be made effective not later than the allotment for the month following the month in which the notice of adverse action has expired, provided a fair hearing and continuation of benefits have not been requested. When a notice of adverse action is not used due to one of the exemptions (6401 and 6410), the decrease shall be made effective no later than the month following the change. Verification which is required must be obtained prior to recertification.

FS 2822.1, Processing Decreases, Non-Monthly Reporting, continued:

A.) If the eligibility and benefit level is determined based on the reported change, a notice is sent within 10 days of the reported change requesting verification within 10 days and informing them their benefits will be decreased based on the reported change. The decrease in benefits must also be approved on ACCESS for the month following expiration of the adverse action notice. *

1.) Example: Household reports increase in income May 10. Notice sent May 11 requesting verification by May 23 and informing the household their benefits will decrease based on the reported amount. The reported amount should be entered on ACCESS and decreased benefits approved for June. If there is a change between the reported and verified amounts, the following time frames are used:

i.) If the verification is received by May 23, the verified amount is used for June issuance.

ii.) If the verification is received May 25, the verified amount is not entered until the July issuance since the reported amount had been entered for June issuance and the Benefits Specialist had ten days from the date of the verification to act (if time permits, the verified amount may be used for June issuance). *

iii) If the verification is not submitted, verification must be submitted by the next recertification and the reported amount continues to be used to decrease benefits.

For Example: Non-monthly reporting household income increased $50 in March, benefits were reduced based on household's statement, but the increase has not been verified by the time of recertification in June. In this situation, the current income must be fully verified before the recertification is approved.

B.) If the household refuses to submit the verification, the case should close the month following the adverse action notice.

1.) The household must refuse to submit the verification, not fail to submit the verification.

2823 CHANGE IN ELIGIBILITY TEST

When circumstances change and the household becomes subject to a different income test, apply the new test at the next certification, recertification, adjustment of benefits, or change in the length of the certification period. *

For Example: A household was certified based on meeting the gross income eligibility test. During the certification period, a member reaches his 60th birthday and the household is now entitled to the net income test. If there is no accompanying change affecting benefits or certification period, delay applying the net income test. However, if there is an accompanying change (for instance, in the medical deduction), immediately apply the new test to the household.

2824 FAILURE TO REPORT CHANGES

If DSS discovers that the household failed to report a change as required, and as a result, received benefits to which it was not entitled, a claim must be filed against the household. If the discovery is made within the certification period, the household is entitled to a notice of adverse action if its benefits are reduced or terminated. A household shall not be held liable for a claim because of a change in household circumstances which it is not required to report. Individuals cannot be disqualified for failing to report a change, unless the individual is disqualified in accordance with intentional program violation disqualification procedures.

2825 MASS CHANGES

Certain changes are initiated by the State or federal government which may affect the entire caseload or large portions of the caseload. These changes include adjustments to the income eligibility standards; adjustments to the shelter deduction; dependent care deduction; periodic adjustments to the Thrifty Food Plan and standard deduction; adjustments to the utility standard; periodic cost of living adjustments to social security, SSI, and other federal benefits; periodic adjustments to TANF; and other changes in the eligibility criteria based on legislative or regulatory action.

2826 DSS INITIATED CHANGES

There are certain changes initiated by DSS over which the household has no control. These changes generally result from changes in a State or federal law or regulation. Examples include:

A.) Mass changes in TANF payments.
B.) Adjustments to the utility standard amount.

2826.1 ADJUSTMENTS TO ELIGIBILITY STANDARDS, ALLOTMENTS, DEDUCTIONS AND UTILITY STANDARDS

These adjustments affect all or a major portion of the caseload and must occur at a specific point in time for all households. Individual notices of adverse action are not required for these "mass changes". See Section 6400.

2826.2 MASS CHANGES IN TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

When overall adjustments in TANF grants are known at least 30 days in advance, adjustments should be made effective the same month that the grant becomes effective. For monthly reporting households, food stamp adjustments should be made following retrospective budgeting procedures. Individual notice of adverse action is not required in such instances.

2826.3 MASS CHANGES IN FEDERAL BENEFITS

Non-monthly reporting households are not responsible for reporting cost-of-living increases (COLA) received in Social Security and SSI payments where information on COLA's is readily available and is applicable to all or a majority of those program beneficiaries. Instead, the household's food stamp benefit is automatically adjusted for the February benefit month each year.

Section 2826.3, Mass Changes in Federal Benefits continued

For monthly reporting households, mass changes in Federal benefits must be reported on the appropriate monthly report form. Benefits Specialists shall handle such information provided on the monthly report form in accordance with normal procedures.

ACCESS automatically updates annual COLA increases if the individual is identified on BENDEX files.

2830 RECERTIFICATION

A recertification is an application for continuing and uninterrupted food stamp benefits from a currently certified household, provided the application is submitted in a timely manner. An application from a currently certified household which was not timely is handled under procedures described in Section 2835.

2831 RECERTIFICATION NOTICE (EA-306)

The DSS-EA-306, Continuing Your Food Stamps, is used to notify currently certified households their current certification period is expiring and the date of their interview (if one is required) which is necessary to receive continued uninterrupted benefits.

Each certified household must be provided with a recertification notice just prior to or at the start of the last month of the certification period, and must receive the notice as follows:

A.) No earlier than 15 days prior to the beginning of the last month of the expiring certification period, and;

B.) No later than the first day of the last month of the expiring certification period.

It is unnecessary to provide a recertification notice if a notice of adverse action to terminate benefits is provided prior to the end of a certification period.

If the household's certification period is for one month or if the household was certified for two months during the month following the month of application, the recertification notice is provided at the time of certification.

For Example: A household certified for January through June must receive its recertification notice no earlier than May 15 and no later than June 1. A household certified June 5 for June and July must receive its recertification notice no earlier than June 15 and no later than July 1.

2832 TIMELY REAPPLICATIONS

Households provided a recertification notice at the time of certification must have 15 days from the date the notice is received to file a timely application for recertification. All other households who submit identifiable applications by the 15th day of the last month of the certification period shall be considered to have made a timely application for recertification. Use the postmark on the recertification notice plus two days mailing time to determine if adequate time has been permitted. In cases of dispute, the household may demonstrate the notice was not received timely.

The EABS shall act on timely applications for recertification to provide uninterrupted benefits to eligible households.

2833 INTERVIEW

Telephone interviews are required for non-monthly reporting households. Face-to-face interviews are required if the household requests one, or if the Benefits Specialist determines that an interview is necessary for questionable or complicated situations.

An interview is not required for monthly reporting households unless the household requests an interview or the Benefits Specialist determines that an interview is necessary for questionable or complicated situations.

Interviews may not be required prior to the last month of the current certification period. An interview may be scheduled prior to the last month of the expiring certification period or prior to the date the household makes timely reapplication, but the household cannot be denied for missing or refusing an early interview. When a household fails to appear for an early interview, reschedule the interview on or after the date the timely application was filed, if an interview is required.

If a household misses their first scheduled recertification interview, and didn't submit a recertification application (DSS-EA-301), no further action has to be taken. It is the household's responsibility to reapply and they failed to do so. If, however, the application form (301) was submitted, and they did not attend the scheduled interview, a notice of missed interview (DSS-EA-333) or ACCESS notice must be sent. The household's application will not be denied at that point unless it has refused to cooperate.

If subsequently contacted by the household, attempt to schedule a second appointment within the processing time frames for recertifications. If, because of factors such as lead time, it is not possible to schedule the appointment so the household receives uninterrupted benefits, or the household fails to contact the certification office regarding a second appointment, the application for redetermination must be denied on the last work day of the appropriate processing period (See Section 2842). The household would be required to file a new application for continued participation.

2834 OPPORTUNITY TO PARTICIPATE

The Benefits Specialist must take action on timely reapplications and provide eligible households with an opportunity to participate within the following time limits.

A.) Households given their recertification notice at the time of the last certification will be notified of the eligibility decision and, if eligible, have an opportunity to participate within 30 calendar days of their last opportunity to participate. This provision is intended to ensure that an eligible household can receive benefits on or before the same date in succeeding months and that no months are omitted.

B.) Households submitting their application by the 15th of the last month of the current certification period must be notified of the eligibility decision by the end of that month. If the end of the month falls on a nonwork day, the notice must be provided by the last previous work day. Eligible households must have an opportunity to participate by their normal issuance cycle in the following month.

2835 HOUSEHOLD DELAY

A household who fails to submit a timely application for recertification, complete a required interview scheduled after the household filed its timely application for recertification, or to submit any missing verification within 10 days from request, loses its right to uninterrupted benefits. Households refusing to provide required information shall be denied 30 days after the date the application is filed.

Any application not submitted in a timely manner (filed between the 16th and the last day of the current certification period) shall be treated as an application for initial certification as described in Section 2600 (i.e., 30 day processing). For applications received within 30 days after the certification period expires, previously verified income, shelter expense or medical expenses need not be verified if the source has not changed and the amount has not changed.

2840 WRITTEN NOTICES

2841 ELIGIBILITY

Households who have filed timely applications for redetermination by the 15th of the last month of their certification period and who are eligible must be provided a notice by the end of their current certification period.

Households given an DSS-EA-306, Recertification Notice, at the time of certification and who have timely reapplied and been found eligible must be given a notice of case action not later than 30 days after the date of the household's opportunity to obtain its last allotment.

2842 DENIAL

Households who have filed timely applications for redetermination by the 15th of the last month of their certification period who are subsequently found to be ineligible must be provided a notice by the end of their current certification period.

Households given an DSS-EA-306, Recertification Notice, at the time of certification and who have timely reapplied but are subsequently found ineligible, must be given a notice of action not later than 30 days after the date of the household's initial opportunity to obtain its last allotment.

2843 PENDING

Form DSS-EA-300, Verification Checklist, is used as a pending notice for recertification when some action by the Benefits Specialist or the client is necessary to complete the application process within time frames discussed in Section 2834. The form should state the reason the case is pended; what action, if any, needs to be taken by the household; and the date by which the action must have occurred. Failure by the household to take the required action by the date indicated on the notice will result in denial.

DSS-EA-300 or an automated notice may also be used to schedule a second appointment for households who have missed their first scheduled appointment after reapplying in a timely manner.

2850 REINSTATEMENT

There are five reasons under current policy that permit benefits to be reinstated:

1.) When a late report is filed complete within the issuance month;

2.) When a case was closed, and the household timely requests continued benefits (Section 7160);

3.) When the case was improperly closed (agency error);

4.) When a case was closed prospectively and the reason for the prospective closure does not occur. For example, a household reports a household member will be starting a new job May 1st and his/her prospective wages cause prospective ineligibility. The household contacts DSS May 6th to advise that the job did not materialize. Once this is verified, the case should be reinstated. The case may be reinstated only if the client contacts DSS during the month for which they were prospectively closed.

5.) When a household has been suspended for one month.

Benefits Specialists who need to reinstate a case for appropriate reasons other than failure to file or the first month after a suspend month, must request the reinstatement through supervisory staff. After agreeing that the case is eligible for a reinstate, the supervisor then completes the reinstate on ACCESS.

2900 CATEGORICAL ELIGIBILITY

Any household [except those listed below under A-C] in which all members receive or are authorized to receive SSI and/or TANF/Tribal TANF shall be considered categorically eligible for food stamp benefits because of their status as SSI and/or TANF recipients unless the entire household is institutionalized, a household member is disqualified for intentional program violation (IPV), or the head of household is disqualified for any reason from receiving SNAP. Residents of public institutions who apply jointly for SSI and Food Stamp benefits prior to their release from the institution shall only be considered categorically eligible once SSI eligibility is determined <u>and</u> the individual is released from the institution.

If the household meets one of the definitions listed below, the household is entitled to categorical eligibility unless a household member is disqualified for IPV or the head of household is disqualified [section FS 2900, A-C].

1.) All household members receive or authorized to receive Supplemental Security benefits (SSI); or
2.) All household members receive or authorized to receive TANF or Tribal TANF benefits; or
3.) All household members receive or authorized to receive TANF, Tribal TANF, or SSI benefits; or
4.) TANF/SSI/Tribal TANF recipients whose benefits are suspended or recouped; or
5.) TANF/SSI/Tribal TANF eligibles who receive no grant because the benefit is under $10.00; or
6.) The household has one member receiving or authorized to receive Child Care Services (CCS) benefits; or
7.) A formal TANF application was diverted within the last 12 months [201 was signed]; or
8.) The TANF case closed within the last 12 months; or
9.) The Tribal TANF case closed within the last 3 months.

FS 2900, Categorical Eligibility, continued:

Recipients who are only eligible for Title XIX (Medicaid) benefits are not categorically eligible unless their Title XIX eligibility is because their SSI is suspended or being recouped.

Under no circumstances shall any household be considered categorically eligible if:

A.) Any member is disqualified for an intentional program violation;

B.) The head of household is disqualified because the individual failed to comply with work registration or E & T requirements (which includes voluntarily quitting a job or reducing employment hours without good cause).

C.) The head of household is disqualified because he/she is a fleeing felon or parole/probation violator, was convicted of receiving duplicate benefits after 09-23-97, was convicted of trading benefits for weapons, ammunition, explosives, or drugs, or buying/selling benefits in excess of $499 after 09-23-97.

The household may be categorically eligible if they contain non-household members (ineligible students, ineligible aliens, able-bodied adults without dependents [ABAWDS] who are ineligible because of time limits). Categorical eligibility shall be thoroughly documented in the case file.

Categorically eligible households may not be denied benefits because their income and/or resources are over food stamp maximum amounts. Therefore, the $2000/$3000 resource test and maximum gross/net income tests are automatically passed for categorically eligible households. All other eligibility criteria must be met.

If any of the following factors are questionable, verify that the household:

I.) Contains only SSI recipients; or recipients receiving or authorized to receive benefits identified under 1- 7 above; or

II.) Meets the definition of a household (Section 2230); or

III.) Includes all persons who purchase and prepare food together in one food stamp household regardless of whether or not they are separate units for TANF, SSI, or CCS purposes; or

IV.) Includes no persons who have been disqualified for IPV, work registration or E & T (includes voluntary quit/reduction of hours), or any of the reasons identified under Section 2900 C).

Postpone denying a potentially categorically eligible household until the 30th day to allow potential TANF, SSI, Tribal TANF, or Child Care Services (CCS) benefit approval. If within 30 days following the denial date, the household notifies DSS or DSS becomes aware of, approval of TANF, SSI, Tribal TANF or Child Care Services which makes them categorically eligible, benefits shall be paid using the original application and any other information which has become available since that time.

FS 2900, Categorical Eligibility, continued:

The application shall be updated by mail or telephone contact with the household. The household shall not be required to be reinterviewed. If the household provides changes in information or if any information obtained differs from original information provided by the household, DSS shall arrange for the household or its authorized representative to initial all changes, resign and redate the updated application and provide the necessary verification.

2910 SSI JOINT PROCESSING

This section contains the requirements and policies which are unique to pure SSI households subject to joint processing of SSI and food stamp applications.

Supplemental Security Income (SSI) is defined as Federal SSI payments made under Title XVI of the Social Security Act, Federally administered optional supplementary payments under Section 1616 of that Act, or Federally administered mandatory supplementary payments made under Subsection 212 (a) of Public Law 93-66.

Pure SSI households are defined as households in which all members are applying for or participating in the SSI Program. Pure SSI households who do not have an active food stamp case or who do not have an application pending, have the option to apply for food stamp benefits at either the local Social Security Administration (SSA) office or the local food stamp office unless they are a resident of a public institution. Pure SSI households transacting business at the SSA office will have filing options explained to them by the SSA worker.

2911 INITIAL APPLICATION FILED AT THE SSA OFFICE

SSA will accept and complete food stamp applications received at local SSA offices and SSA contact stations from pure SSI households during the interview for SSI. SSA will also complete joint SSI and Food Stamp applications for residents of public institutions. Other households contacting SSA but who do not qualify for SSI/Food Stamp joint processing will be referred to the correct food stamp office to file their applications and are subject to normal processing procedures.

For pure SSI households whose applications are accepted by SSA, the completed application, a transmittal sheet and any verification available at the time of the SSI interview will be forwarded to the designated food stamp office within one federal working day after receipt of the signed application. SSA is responsible for obtaining and forwarding only those verifications available at the time of the SSI interview.

The Benefits Specialist shall make an eligibility determination and issue benefits to eligible SSI households within 30 days following the date the application was received by SSA. Upon receipt, screen all applications received from SSA. Expedited processing time standards begin on the date the local food stamp office receives the application.

The Benefits Specialist shall make an eligibility determination and issue Food Stamp benefits to a resident of a public institution who applies jointly for SSI and Food Stamp benefits within 30 days following the date of the applicant's release from the institution if they have been approved for SSI. Expedited timeframes also begin on the date of release from the institution. SSA shall provide notification when the applicant is released from the institution. If for any reason notification of the applicant's release is not timely provided, benefits shall be restored back to the date of release from the institution.

FS 2911, Initial Application Filed at the SSA Office, continued:

Application and documentation sent by SSA to the wrong food stamp office must be forwarded to the correct office within one working day of their receipt.

Individuals entitled to excess medical deductions, child support exclusion, and the uncapped shelter expense shall receive such expense when computing restored benefits for the period for which they are authorized to receive SSI benefits, the date of the original food stamp application, or December 23, 1985, whichever is later.

2912 PURE SSI HOUSEHOLD CONTACT

Households in which all members are applying for or participating in SSI will not be required to see a Benefits Specialist or have an additional interview. No further contact may be made with the household in order to obtain information for certification unless:

- the application is improperly completed
- mandatory verification is missing
- certain information on the application is questionable. *

In no event will the applicant be required to appear at the food stamp office to finalize eligibility determination. If further contact is required, it must be made by home visit, telephone, or mail. Such contacts do not constitute a second interview for food stamp purposes.

2913 VERIFICATION

The Benefits Specialist shall ensure that information required for eligibility determination, such as income disregarded by SSI, is verified prior to certification. However, households entitled to expedited services shall be processed in accordance with Section 2720. *

SSI payments may be verified through SVES, SDX, BENDEX, or by the household. Wages may not be verified through BENDEX.

Households have the opportunity to provide verification from another source if all necessary information is not available on SVES, SDX, or BENDEX if SVES/SDX/BENDEX information is contradictory to other household information.

The following factors are accepted for food stamp eligibility without further verification if the household is categorically eligible:

1.) Resources

2.) Gross and net income

3.) Social Security numbers of the household members

4.) Sponsored alien information

5.) Residency

2914 WORK REGISTRATION

Members of pure SSI households who have applied for SSI and food stamp benefits at the SSA office are not subject to the work registration requirement until:

A.) They are determined eligible for SSI and thereby become exempt from work registration, or

B.) They are determined ineligible for SSI. If SSI benefits are denied, a determination of the client's work registration status must be made at the next recertification.

2915 CERTIFICATION PERIODS

Pure SSI households whose applications were jointly processed through the SSA office may be certified for up to 12 months, or 24 months if residing on reservation land and required to monthly report.

Initial food stamp certification periods for jointly processed households should be limited to one or two months beyond the month of application, unless the amount and date of receipt of SSI benefits can be anticipated.

2916 RECERTIFICATION NOTICE

SSI households must receive a recertification notice:

A.) No earlier than 15 days before the beginning of the last month of the expiring certification period, and

B.) No later than the first day of the last month of the expiring certification period.

In addition, when a certification period of more than two months is assigned based on anticipation of SSI income and the SSI application is later denied, the Benefits Specialist must send a notice of expiration if the client's food stamp eligibility or benefit levels might be affected. The notice must explain that: *

A.) The certification period will expire at the end of the month after the month in which the notice was sent;

B.) The certification period is expiring because changes in the household's circumstances may affect food stamp eligibility or benefit levels;

C.) The recipient must reapply if he wants to continue to receive food stamp benefits and;

D.) The recipient may be entitled to a waiver of the office interview.

2917 CHANGES

Recipients whose applications have been jointly processed are subject to the same requirements for reporting changes as other food stamp recipients and must have reported changes processed in accordance with Section 2800. In addition, Benefits Specialists may query SVES, SDX on ACCESS at anytime in the application process, and thereafter. SVES and SDX gives information on whether SSI eligibility was granted or denied; the amount of SSI benefits the client will receive if eligible and the date benefits begin, along with other miscellaneous information. IEVS "hits" will also alert staff if an individual has started receiving SSI and no corresponding UNEA panel is on ACCESS. *

FS 2917, Changes, continued:

Within 10 days of learning the results of the SSI determination through SVES or SDX, information reported by the household, or any other source, the Benefits Specialist must take action as specified in Section 2800. *

2918 REDETERMINATIONS

Households in which all members are applying for or are recipients of SSI must be allowed to file timely application for recertification at SSA. SSA will accept and forward the completed application, a transmittal, and any available verification to the designated food stamp office and will write "Recertification" in red at the top to alert DSS that the application is not an initial request. *

SSI households filing timely reapplications at the SSA office must not be required to appear for an interview at the food stamp office, although an out-of-office interview may be held if necessary.

Categorical eligibility shall be assumed at recertification in the absence of a timely SSI redetermination. If the household is later terminated from SSI, normal processing of the case is followed.

2919 RESTORATION OF LOST BENEFITS

The Benefits Specialist must restore benefits lost because of an error by DSS or SSA through joint processing. Errors include but are not limited to, loss of an applicant's application after it was filed with SSA. Lost benefits are restored according to Section 7200. *

2920 JOINT TANF/FOOD STAMP PROCESSING

Sections 2920 - 2925 relate solely to TANF households and include both initial application and recertifications.

Households in which all members are either applying for or receiving TANF must be allowed to apply for food stamp benefits at the same time they apply for TANF. Procedures must be in place at each local office to ensure Food Stamp applications (page one at a minimum) are offered and completed at the initial TANF applicant contact. Food stamp eligibility and benefit levels shall be based solely on food stamp eligibility criteria. Remember that any household in which all members receive TANF, Tribal TANF, and/or SSI benefits shall be considered income and resource eligible for food stamp benefits because of their TANF status in accordance with Section 2900.

2921 SINGLE INTERVIEW

A single interview at initial application should be conducted for both TANF and Food Stamp purposes. TANF households must not be required to see a different Benefits Specialist or otherwise be subjected to two interview requirements to obtain benefits of both programs, unless the TANF applicant is applying for TANF through Job Services' office. *

2922 VERIFICATION

The following factors are accepted for food stamp eligibility without further verification:

1.) Resources

2.) Gross and net income

3.) Social Security numbers of the household members

4.) Sponsored alien information

5.) Residency

Income not counted by TANF must be verified. Households entitled to expedited services shall be processed in accordance with Section 2720.

2923 NOTICES OF ELIGIBILITY/DENIAL/PENDING

PA households must be provided with notices of eligibility, denial, and delay in accordance with the same procedures as non-PA households as contained in Section 2600 and for recertification in Section 2654.

2924 ELIGIBILITY DETERMINATIONS

2924.1 APPLICATION PROCESSING

PA food stamp applications must be processed in accordance with timeliness and processing procedures discussed in Section 2600 for non-PA eligibility determinations and Sections 2720 and 4420 for households qualifying for expedited service.

2924.2 PA CERTIFICATION PERIODS

Unless the household is required to have a specific certification period [resides on Indian Reservation land and is monthly reporting - 24 months; is non-monthly reporting and receives a child support exclusion - 3 or 6 months; or is temporarily living in the home of another and is classified homeless - 3 months], the normal food stamp certification of a PA household must expire the same month as the next scheduled TANF periodic review. Regulations require the certification period not exceed 12 months for those households. If a PA household has not had its PA redetermination by the end of the 11th month following its initial certification or last recertification, send the household a Recertification Notice (EA-306) and recertify in accordance with Section 2830. Certification periods for TANF households are determined as follows: *

2924.3 WHEN TANF GRANT AMOUNT AND RECEIPT DATE ARE CERTAIN

When the amount and date of receipt of the initial TANF warrant can be anticipated, but the warrant will not be received until a subsequent month, assign a normal PA certification period based on the anticipated TANF review date. Vary the household's food stamp benefits according to expected receipt of the TANF warrant and specify the variations on the household's notice of eligibility (EA-309 or SPEC C NOTC). Portions of initial TANF warrants intended to cover retroactively a previous month are considered lump-sum payments and disregarded from income in the month of receipt.

2924.4 WHEN TANF GRANT AMOUNT AND RECEIPT DATE ARE UNCERTAIN

When it is reasonably certain that the household will be certified for TANF but the amount or receipt date of the TANF warrant cannot be reasonably anticipated, assign a normal PA certification period based on the anticipated TANF review date (unless required to have a specific recertification period for FS - Section 2924.2). Receipt of the initial TANF warrant must be handled as a change in circumstances. A notice of adverse action is not required if receipt of the grant reduces or terminates the household's food stamp benefits provided the household was notified in advance on the notice of eligibility that it's benefits may be reduced or terminated when the grant is received.

2924.5 WHEN TANF ELIGIBILITY IS UNCERTAIN

When TANF eligibility is uncertain, the Benefits Specialist must certify the household for NA benefits and assign an appropriate NA certification period as described in Section 6300. The EA-309 or SPEC C NOTC sent to the household must explain that food stamp benefits may be reduced or terminated if TANF is granted.

If TANF is subsequently granted, and the household is a PA household, adjust the case. Unless otherwise required, the certification period must be adjusted to expire the same month as the next scheduled TANF review month, not to exceed one year. The notice (EA-309 or SPEC C NOTC) sent to the household to inform them of their change in allotment, must also list the new certification period.

The NA certification cannot be extended if it has already expired prior to the TANF decision. Therefore, the household must reapply for food stamps at which time the certification dates should be coincided with the next TANF review month if possible.

2924.6 DENIAL OF TANF APPLICATION

Households whose TANF applications are denied are not required to file a new application for food stamp benefits. Instead, food stamp eligibility for these households must be determined or continued on the basis of the original application filed jointly for TANF and food stamp purposes and from any other documented information obtained subsequent to the application which may have been used in the TANF determination and which is relevant to food stamp eligibility or level of benefits. An appropriate NA certification period must be determined.

2924.7 RECERTIFICATION NOTICE

All currently certified households must receive a Recertification Notice (EA-306) before their food stamp certification period ends, as described in Section 2831.

It is not necessary to send an EA-306 to a PA household if food stamp eligibility has been redetermined, in conjunction with the TANF periodic review, before the first day of the last month of the expiring food stamp certification period. In the event that the eligibility decision is not reached until late in the prescribed period, care must be taken to ensure the notice reaches the household within the time limit. If the household is not recertified for food stamps benefits, proper notice of expiration must be provided before the food stamp denial is allowed to become effective.

2924.8 RECERTIFICATIONS

At recertification, categorical eligibility shall be assumed in the absence of a timely TANF redetermination. If the household is later terminated from TANF, normal processing of the case is followed.

When a household subject to monthly reporting has been jointly certified for TANF and food stamp benefits, its food stamp certification period will normally end the same month as the next TANF periodic review unless the household resides on Indian Reservation land. This means that the TANF review will be completed at the same time as the food stamp certification period. If the household is eligible, establish a new food stamp certification period, and also make any changes in the expiring certification period which are required by the TANF determination. If the household is subject to monthly reporting and resides on Indian Reservation land, they must be certified for 24 months regardless of the TANF redetermination time frame.

If the household is ineligible for TANF as a result of the periodic review, action on the food stamp case should be taken in accordance with procedures for handling PA changes as described below.

2925 PA CHANGES

Whenever a change results in the termination of TANF benefits for a non-monthly reporting PA household within it's Food Stamp certification period, and DSS does not have sufficient information to determine how the change effects the Food Stamp benefit level (such as the return of an absent parent) DSS shall not terminate the household's benefits but shall instead take the following action:

A. Where a TANF notice of Adverse Action has been sent, DSS shall wait until the household's notice of adverse action period expires or until the household requests a fair hearing, whichever occurs first. If the household requests a fair hearing and its TANF benefits are continued pending the appeal, the Food Stamp benefits shall also be continued.

B. If a TANF notice of Adverse Action is not required, or the household decides not to request a fair hearing and continuation of its TANF benefits, DSS shall send the household a request for information following procedures outlined in Section 2820.1.

2925.1 HOUSEHOLD RESPONSIBILITIES

PA households have the same reporting requirements as any other food stamp household. PA households which report a change in circumstances to the PA worker are considered to have reported the change for food stamp purposes.

2930 PRISONER RE-ENTRY APPLICANTS

Individuals who are incarcerated in state correctional facilities may apply for SNAP benefits up to two weeks before their scheduled release from the facility, with assistance from Department of Corrections (DOC) case managers.

DOC case managers will not submit applications for individuals being released to another temporary correctional facility where they will not be SNAP eligible (example CTP, CPR, etc.), alcohol/drug treatment center, or moving in with a spouse/child.

Even though the application forms, verifications, and interview may be completed prior to the individual's release, the application date is the prisoner's release date.

> Example: Individual is scheduled for release June 18th. The application was processed on June 5th (301 received, interview completed, etc.). The date entered on the APPL panel is June 18th and benefits are not approved until the 18th, when the individual is released.

The application will be identified on ACCESS on the APPL panel by entering a "P" in the RSN (reason) code. Entering the "P" allows for entry of a later application date, and also provides statistical data that is needed for the federal waiver process.

The SNAP case will remain with the designated DSS EABS until all required information and verifications are processed.

> Example: Expedited application received May 4. Residency verification is not available before the individual's May 10 release. The residency verification is required before June benefits are approved. The verification is received May 24 and benefits approved for June on May 25. The case is then transferred to the appropriate county. (If the release date was after the 15th of the month (combined allotment), the case w ould not be transferred to the appropriate county until the postponed verifications were processed for July.)

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