

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
June 5, 2013**

IM 5171

TO: County Social Service Directors
Economic Assistance Policy Regional Representatives
Economic Assistance Policy Quality Control Reviewers

FROM: Carol Cartledge, Director, Economic Assistance Policy

SUBJECT: Failure to comply with Work Registration Requirements

PROGRAMS:

EFFECTIVE: SNAP

RETENTION: Until Manualized

SECTIONS

AFFECTED: **430-05-20-50-20-15 - Delays in Processing**
430-05-35-20-20 – Delays in Processing
430-05-35-30-30 – Processing a Review When no Interview is required

Changes are being made to the SNAP Policy manual to correct policy concerning situations when the client fails to sign the SFN 385 at review and or application.

1. 430-05-20-50-20-15 – Delays in Processing. This policy section was changed to correct policy for Delays Caused by the Household.

Delays Caused by the Household

If a household has failed to complete any part of the application process within the initial 30 - day period, ~~the delay is the fault of the household if the worker must deny the application using the appropriate notice. However~~ the worker ~~took must have taken~~ the following actions: ~~before a delay is caused by the household:~~

1. Failure to Complete the Application Form: The worker must have offered, or attempted to offer, assistance in completion of the application form.
2. Failure of Household Member(s) to Register for Work: The worker must have informed the household of the need to complete SFN 385 - Affidavit for SNAP Stamp Work Requirements or SFN 353 - Affidavit for BEST Registrants and given the household at least 10 days from the date of notification to register household members.
3. Failure to Provide Required Verification: The worker must have:
 - a. Provided the household with a statement of required verification, **and**
 - b. Offered to assist the household in obtaining required verification, **and**
 - c. Allowed the household at least 10 days from the date of request to provide the missing verification.

If it is determined the delay is the fault of the household, the worker must deny the application using the appropriate notice.

Exception: If an individual in the household fails to comply with work registration requirements, the individual is disqualified and the remaining household members are otherwise eligible, the application can be approved with the noncomplying individual's participation as DW.

4. For households that have failed to appear for an interview, the worker must have sent the F018 – Notice of Missed Interview. If the household failed to schedule a second interview or a subsequent interview is postponed at the household's request or cannot be rescheduled until after the 20th day but before the 30th day, the household must appear for the interview, bring verification and register members for work by the 30th day; otherwise the delay is the fault of the household.

If the household fails to appear for the interview **or** bring verification ~~or register members for work by the 30th day~~, the application must be denied. If the required action is taken after the 30th day but before the 60th day following the date of application, the same application form is used and registered as a new application. The

application date is the date required action was completed as benefits are prorated from that date.

5. If the household has failed to appear for the first interview and a subsequent interview is postponed at the household's request until after the 30th day following the date of the application, the delay is the fault of the household.

The application must be denied on the 30th day. If the household appears for the interview after the 30th day but before the 60th day following the date of application, the same application form is used and registered as a new application. The application date is the date required action was completed as benefits are prorated from that date.

If the household takes the required action within 60 days following the date of application, the household will receive benefits for the second 30 days only. The same application form is used and registered as a new application. The application date is the date required action was completed as benefits are prorated from that date.

2. 430-05-35-20-20 – Delays in Processing. This policy section was changed to correct policy for Delays Caused by the Household.

Delays Caused by the Household

If a household has failed to complete any part of the review process within 30-days of receipt of the ~~application review, the delay is the fault of the household if the worker must deny the application for review using the appropriate notice. However, the worker took must have taken the following actions: before a delay is caused by the household:~~

1. Failure to Complete the Application for Review: The worker must have offered, or attempted to offer, assistance in completion of the form.
2. Failure of Household Member(s) to Register for Work: The worker must have informed the household of the need to complete SFN 385 – Affidavit for Work Requirements or SFN 353 - Affidavit for BEST Registrants and given the household at least 10 days from the date of notification to register household members

3. Failure to Provide Required Verification: The worker must have:
- a. Provided the household with a statement of required verification;
and
 - b. Offered to assist the household in obtaining required verification;
and
 - c. Allowed the household at least 10 days from the date of request to provide the missing verification.

If it is determined the delay is the fault of the household, the worker must deny the review using the appropriate notice.

Exception: If an individual in the household fails to comply with work registration requirements, the individual is disqualified and the remaining household members are otherwise eligible, the review can be approved with the noncomplying individual's participation as DW.

4. For households that have failed to appear for an interview, the worker must have sent the F018 - Notice of Missed Interview. If the household failed to schedule a second interview or a subsequent interview is postponed at the household's request or cannot be rescheduled until after the 20th day but before the 30th day, the household must appear for the interview, bring verification and register members for work by the 30th day; otherwise the delay is the fault of the household.

If the household fails to appear for the interview or bring verification ~~or register members for work by the 30th day~~, the review must be denied. If the required action is taken after the 30th day but before the end of the month following the last month of the review period, the same Application for Review form is used and registered as a new application. The application date is the date required action was completed as benefits are prorated from that date.

5. If the household failed to appear for the first interview and a subsequent interview is postponed at the household's request until after the 30th day following the date of application for review, the delay is the fault of the household.

3.430-05-35-30-30 – Processing a Review When no Interview is required.
This policy section was updated to reflect changes concerning the SFN 385.

When a household files an application for review and there is no interview required, the worker must document the date the application for review was filed by recording the date it was received by the county. The worker must then examine and explore each section of the application for review.

1. If the application for review is incomplete or mandatory verifications were not provided, the worker must register the application for review and return a copy of the incomplete application to the household highlighting the areas not completed.

If the application for review is not signed, the application for review cannot be registered. The original application for review must be returned to the household for signature.

The application for review is considered complete when:

- The household answers all questions that are appropriate and provides all requested information.
 - Signed by a responsible member of the household or authorized representative.
 - Mandatory verifications including verification of a full month's earned and unearned income from the base month or processing month if available is included. If a pay stub is missing, year to date totals can be used to calculate the income.
 - The SFN 385 – Affidavit for SNAP Work Requirements or SFN 353 - Affidavit for BEST Registrants is complete for all household members required to work register.
2. Send the F301 – Additional Information notice to the household. The notice must indicate that the application for review is being returned for completion, if not complete, and to request mandatory verifications not provided with the application for review. Mandatory verifications include a full month's earned and unearned income from the base month or month of review.

3. If the completed application for review is not returned, the worker must send the F201 – Failure to Provide Information notice to the household no later than 30 days following the date the application for review was filed. If the 30th day falls on a weekend or holiday, the application for review must be denied on the next working day following the 30th day.

Exception: If an individual in the household fails to comply with work registration requirements, the individual is disqualified and the remaining household members are otherwise eligible, the review can be approved with the noncomplying individual's participation as DW.

Any Questions please contact your Regional Representative.