

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
November 27, 2017**

IM 5323

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

FROM: Michele Gee, Director, Economic Assistance

SUBJECT: SNAP Policy Changes

PROGRAMS: Supplemental Nutrition Assistance Program (SNAP)

EFFECTIVE: Immediately

**SECTIONS
AFFECTED:** **State Responsibilities 430-05-05-20-05**
Applications 430-05-20-15
Asset Exclusions 430-05-45-35
**Unclear or Insufficient Information to Make a Benefit
Determination 430-05-67-15-20**

The Food and Nutrition Service (FNS) released the final rules for SNAP: Eligibility, Certification and Employment and Training Provisions of the Food, Conservation, and Energy act of 2008. As a result of these rules, SNAP policy has been updated.

State Responsibilities 430-05-05-20-05

Death and Prisoner Match

The State Office conducts matching on a daily basis with the Social Security Administration to identify individuals who are deceased or in prison.

The county will be advised by state policy staff of any matches that are unclear or require action on the part of the worker.

If the information from the match is unclear the county must send notice F421 – Request for Information – Match Results to the household. The

household must be allowed 10 days from the mailing date of F421 to respond and to clarify its circumstances.

The notice must include the name of the individual identified in the match, why the match was unclear, and the required verifications.

If the household does not respond to notice F421 or fails to provide sufficient information to clarify its circumstances, the county must remove the individual identified in the match from the household, advance notice is required.

If the household responds to notice F421, simplified reporting rules apply. The county must notify the state SNAP office with the results of the client's clarification(s) and the results must be included in the case narrative.

Application 430-05-20-15

An SFN 405 - Application for Assistance is considered incomplete if it contains only the applicant's name, address (residential or mailing) and signature of a responsible household member or authorized representative. The household must be advised that it does not have to be interviewed before filing the application and may file an incomplete application form. The incomplete application must be registered, the pending notice sent and the interview scheduled.

If the household files an application without an address (residential or mailing), it is not an application. The county must file the application and note on the form that it is not considered an application.

If a household provides a residential address but does not provide a mailing address and the applicant is not able to get their mail at their residence, General Delivery must be used. The worker must explain to the household that they may not get information necessary to keep their case open. If mail is returned with an unknown address, the case, if otherwise eligible, would continue until review.

Section 1 of the SFN 405 – Application for Assistance can be filed and is used to screen applicants for expedited service. If the household files section 1, it must be registered as an application and an interview scheduled. The remainder of the application with signature on the last page, an interview and all mandatory verifications are required to process the application.

Exception:

For households entitled to expedited service, all mandatory verifications with the exception of identity must be postponed in order to meet the expedited processing standard.

The date of application is the date the county receives a signed SFN 405 – Application for Assistance, provided the application was submitted during normal county business hours. When an application is submitted after normal county business hours, on a weekend, or on a North Dakota Department of Human Service holiday, the application is considered received the next business day. The county must document the date an application is filed by recording the date it was received on the application. The processing timeframe begins the day following the date of application.

For residents of institutions who apply prior to release, the date of application is the date of the release.

~~If an applicant completes an application online at a county social service office, the county is not required to print a copy and provide it to the household unless the household requests a copy of the application.~~

The county must offer to provide copies of SNAP applications completed by households regardless of the method by which the application was submitted. The copy may be provided in paper or electronic format, unless the household requests the copy in electronic format, in which case, the county must provide the copy in electronic format.

The county must display signs indicating a household can request a paper copy of their online application near application kiosks.

An individual's signature on the application attests to providing full information and to understanding the reporting requirements of the program.

If a household has a pending application and files a second application the application date of the first application is used along with any additional

information reported and verified from the second application to determine eligibility. Documentation on the second application must clearly state there already is a pending application for SNAP.

Asset Exclusions 430-05-45-35

The following list of assets are the only assets that are excluded for all household members including ineligible aliens and disqualified individuals.

6. **One** bona fide funeral agreement and one financial instrument, including interest accrued, per household member. ~~up to \$1500. The value of a funeral agreement in excess of \$1500 is counted.~~

Example:

~~An individual established a funeral agreement some years ago for \$1000. Interest to date on this agreement is \$600, making the agreement value \$1,600. \$1,500 is excluded and the remaining \$100 is counted towards the household asset limit.~~

A funeral agreement must be in the form of a written formal contract between a household member and the funeral home/director. Funds designated for burial services/merchandise must be identifiable, accessible to the household and not commingled with other funds.

This provision applies to only formal agreements for funeral and burial expenses such as burial contracts, burial trusts, or other funeral arrangements with licensed funeral directors and does **not** apply to other assets (e.g., passbook bank accounts, savings, and cash surrender value of life insurance policies).

Examples:

- a. An individual designates \$2000 in a certificate of deposit (CD) payable on death to a funeral home and the bank retains the CD. ~~Of the \$2000, \$1500 is excluded and \$500 is counted toward the asset limit.~~ If this individual dissolves the agreement with the funeral home, the CD becomes a countable asset for SNAP purposes.

- b. An individual sets up a savings account at a savings and loan in the amount of \$2000 and designates this money for funeral services. The savings and loan puts the money in a funeral trust account. ~~Of the \$2000, \$1500 is excluded and \$500 is counted toward the household asset limit.~~ If the individual dissolves the agreement with the funeral home, the account becomes a countable asset for SNAP purposes.

Unclear or Insufficient Information to Make a Benefit Determination 430-05-67-15-20

~~Whenever~~ If a worker receives unclear or insufficient information from a household ~~from a household~~ and the worker is unable to determine the effect on the benefit, the worker must pursue clarification and verification of household circumstances if the change occurred within 60 days of the current month of participation using the following procedures:

1. The worker must send Notice - F419 "Request for Verification" to the household clearly advising the household of the verification it must provide or the actions it must take to clarify its circumstances. The household must be allowed 10 days from the mailing date of F419 to respond and to clarify its circumstances either by telephone or by correspondence.
2. If the household responds and provides sufficient verification within the 10-day period and it results in an increase in benefits, the worker must act on the reported change within 10 days and send the household the appropriate notice.
3. If the household fails to provide verification within the 10-day period, the previously verified amount of the reported change is used and the benefit stays the same.

If there is no previously verified amount (i.e. household reports paying rent and previously had not), no change is made and the benefit stays the same.

If a worker receives unclear or insufficient information that is older than 60 days of the current month of participation, the worker must not act on this information or request verification until the next review unless the information should have been reported at the time of application or review.

Examples:

1. 20 year old single individual is approved for SNAP and informed to report if her income exceeds the 130% GIL for a household size of one. During the review period, the 20 year old moved in with mom. The 20 year old must include mom's income in determining if her income exceeds the 130% GIL for a household size of one.

The 20 year old reports the move the same month she moves to the worker. The worker must send the F419 for the information needed to add mom to the 20 year olds case. If the household responds, mom is added to the 20 year olds case. The worker must then send the F741 – Household Over Gross Income Limit and Eligible- Reporting Requirement (Ongoing Case) or F742 – Household Under Gross Income Limit Reporting Requirement (Ongoing Case), whichever is appropriate, informing the household of their new reporting requirement based on the increased household size.

If the household fails to respond, the case continues until review.

2. Boyfriend and girlfriend living in the same home apply for SNAP and are determined to be separate households and were approved for benefits. Since separate household status was established at the time of application, they do not need to include each other's income in determining if their income exceeds the 130% GIL.

During the review period, girlfriend reports they were married. The report was made the same month they were married. The worker must send the F419 for the information needed to add boyfriend to girlfriend's case. If the household responds, the boyfriend is added to the girlfriend's case after allowing for advance notice to close the boyfriend's case. The worker must then send the F741 or F742, whichever is appropriate, informing the household of their new reporting requirement based on the increased household size.

If the household fails to respond, the cases continue until whichever household is required to complete the first review.

3. A household applies and is approved for SNAP in April. In August, the household reports they received a pay raise which began in May. This new income increase did not cause the household to exceed the GIL for their household size. The F419 must not be sent to the household.
 4. A household applies and is approved for SNAP in June. In September, the household reports a new address but does not provide any updated expenses. The F419 must not be sent to the household.
4. If the household provides the verification at a later date and the change results in an increase in benefits, benefits are increased the month after receipt of the verification.

Example:

If a household reports an ongoing decrease in income on October 15, the worker must send notice F419 to the household. If the household does not respond within 10 day of the mailing date, the reported and unverified change is not acted on when determining eligibility and level of benefits for November. The benefit stays the same.

On November 16, the household provides verification of the previously reported and unverified ongoing decrease in income. When determining eligibility and level of benefits for December, the verified change is made as it results in an increase in benefits.

5. If the household responds and provides sufficient information/verification or provides sufficient information/verification at a later date and the change results in a decrease in benefits, the change must not be acted on until review.

Exception:

If the change meets the criteria to reduce benefits, the change must be acted on within 10 days from the date the change was reported and a 10 day advance notice must be sent. If the change is reported in writing and signed by the household, a 10 day advance notice is not required. Adequate notice is required.

Example:

Ongoing SNAP/MA case. Client is paid twice a month and provides only one pay stub from the base month or provides a pay stub from the base month and one pay stub from the processing month. Year to date totals can be used. The worker sends notice F419 requesting additional information, because we cannot determine the effect on the benefit. If the household provides the second pay stub from the base month, the worker must determine if base month income results in an increase or decrease in benefits. If base month income results in an increase in benefits, the income must be used. If base month income results in a decrease in benefits, the income is not used. The previously verified amount of income is used.

If the household fails to provide the second pay stub from the base month, the previously verified amount of income is used.

If you have any questions, please contact your Regional Representative.