



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance

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Commissioner

Operations Memo 2014-5
January 30, 2014

To: Department of Transitional Assistance Staff

From: *LC* Lydia Conley, Acting Assistant Commissioner for Policy, Program and External Relations

Re: **SNAP: Revised Paper Applications, Recertification and Annual Reporting Forms**

Overview

The Department has updated the paper versions of both the SNAP Benefits Application (hereafter called Regular App) and the Simplified SNAP Application for Elderly Applicants (hereafter called Elderly App). This is based on a USDA Food and Nutrition Service (FNS) evaluation of the Department's SNAP applications and because of new agency initiatives, including Electronic Document Management. Many of the additions can be found in the Rights, Responsibilities and Penalties notice. Additionally, this Operations Memo informs TAO staff about updates to four SNAP forms: the Recertification Form, the Elderly Disabled Recertification Form, the Annual Report and the Interim Report.

All changes made to paper versions of the application forms have also been made to downloadable versions on DTA's website. Updates to the Spanish and Portuguese language versions of the applications have been made and versions in additional languages are forthcoming. The revised applications will be available from Policy Online in the Online Forms folder and from DTA's website during the first week of February. Offices will be notified prior to the distribution of the paper applications.

Revised Rights, Responsibilities and Penalties Notice

To comply with federal requirements, a number of edits were made to the Rights, Responsibilities and Penalties Notice. These include but are not limited to:

- Information provided subject to verification – new paragraph 2;
- Right to claim medical expenses for a deduction - new paragraph 6;
- Equifax Workforce Solutions providing wage information – starting with paragraph 9;
- Expansion of the new SNAP trafficking definition, located in the SNAP Penalty Warning section, to include:
 - demonstrated intent to sell SNAP benefits or an EBT card online or in person;
 - paying for food purchased on credit;
 - buying products with SNAP benefits with the intent to discard the contents and return containers for cash; and
- New non-discrimination statement provided by the USDA.

Client Signature

The Notice of Rights, Responsibilities and Penalties requires a client signature. Because the Department only requires one signature from a SNAP applicant, the client signature on the revised paper applications and on the revised recertification and Annual Reporting forms can be found only at the end of this notice.

Please see Attachment A for a copy of the revised Notice of Rights, Responsibilities and Penalties.

Revised SNAP Application Cover Page

The cover page on the SNAP Applications has been revised to include the address for the Electronic Document Management Center (EDMC) in Taunton. These mailed applications will be scanned, indexed and electronically routed to the appropriate TAO.

Checkboxes were added to the expedited questions on the cover page of the Regular App. This is an opportunity for the client to self-attest to an immediate need for SNAP benefits, so the EDMC can flag the application for the TAO. It is **not** verified information.

Checkboxes were also added to the expedited questions on the Elderly App, and those questions remain as the last item on Page 2 of the application questions.

Other items were added to the cover pages of both SNAP applications. Please familiarize yourself with the content of both the Regular App and the Elderly App, which are available in Policy Online in the Online Forms folder.

Additional Questions on Application Forms

Both paper SNAP applications now request an email address, if available. Case managers are not permitted to communicate with clients via email, as email is not secure. However, email addresses will be needed for those clients who later choose to participate in eNotification.

Elderly Application

The question “Have you received or do you think you will receive Fuel Assistance benefits?” was added to the Elderly App, to align the application with the Regular App.

SNAP Recertification, Annual Report and Interim Report Form Changes

Four SNAP forms have been changed. All TAO addresses were removed, and replaced by the EDMC address in Taunton. Additionally, the revised Rights, Responsibilities and Penalties notice has been added to all four forms. The four forms are:

- SNAP Recertification Form;
- SNAP Elderly Disabled Recertification Form;
- SNAP Annual Report Form; and
- SNAP Interim Report Form.

Recertification Form

The notice that accompanies the SNAP Recertification Form has minor language changes.

Elderly Disabled Recertification Form

The SNAP Elderly/Disabled Recertification Form has new formatting at the end of Current Household Information. In Section 9, the “Change” checkbox has been moved to the last sentence, while the **“No Changes” checkbox has been moved to the center of the page.**

A client signature is no longer required on this page. The client will sign the end of the Rights, Responsibilities and Penalties notice; therefore, case managers must look at the last page of the entire document for the client signature.

Two sections of information have been removed from the Elderly/Disabled Recertification form: the SNAP Penalty Warning and the SNAP Privacy Act. The complete Penalty Warning is included in the Rights, Responsibilities and Penalties notice. The SNAP Privacy Act is included in the most recent version of the SNAP Brochure issued in August 2013.

Annual Report Form

There are a few additions to the notice that accompanies the Annual Report Form, some language changes to the checklist at the end of the form, and deletions of material included in the revised Rights, Responsibilities and Penalties notice.

Interim Report

The notice accompanying the Interim Report has several formatting changes.

Please note changes in Additional Information at the end of Current Household Information. The “No Changes” checkbox has been moved up on the page, and a signature is no longer required on this page.

The SNAP Penalty Warning and the SNAP Privacy Act have been moved. The SNAP Privacy Act is included in the most recent version of the SNAP Brochure (August 2013 revision). The complete SNAP Penalty Warning is included in the Rights, Responsibilities and Penalties notice that has been added at the end of the Interim Report. The only required client signature is at the end of the notice.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline.

Attachment A

NOTICE OF RIGHTS, RESPONSIBILITIES AND PENALTIES (PLEASE READ CAREFULLY)

I certify under penalty of perjury that I have read, or have had read to me, the information in this application and my answers to the questions in this application and such answers are true and complete to the best of my knowledge. I also certify under penalty of perjury that my answers on any supplement I may complete in the future will be true and complete to the best of my knowledge. I understand that giving false or misleading statements or misrepresenting, hiding or withholding facts, either orally or in writing, to establish eligibility for SNAP is fraud, an Intentional Program Violation (IPV), and is punishable by civil and criminal penalties.

I understand that the information I provide with my application will be subject to verification by Federal, State and local officials, to determine if such information is true; if any information is false, SNAP benefits may be denied, and I may be subject to criminal prosecution for knowingly providing false information.

I understand that the Department of Transitional Assistance (DTA) administers SNAP, and that DTA has 30 days from the date of application to process the application. I understand that I must report to DTA any changes in my household income, assets, address, living arrangement, family size, employment or any other changes to my household that may affect our eligibility. I understand that I must report these changes to DTA in person, in writing or by phone **within 10 days of the change** unless I am allowed by DTA to report changes under the SNAP Annual Reporting rules or Transitional Benefits Alternative (TBA) rules.

I understand that I have a right to speak to a supervisor, if I am determined ineligible for expedited SNAP benefits and I disagree, or if I am determined eligible for expedited service but do not receive my SNAP benefits by the seventh calendar day after the date I applied for SNAP.

I understand that if I choose to report child or other dependent care expenses, rent/mortgage, other shelter or utility expenses, I may receive a higher SNAP benefit. Also I understand that if I pay child support to a non-household member I can report and provide proof to DTA for this expense. If I do not report or verify the above-listed expenses(s), it could mean that I will receive less SNAP benefits each month and will be seen as my statement that the household does not want to receive a deduction for the unreported or unverified expense(s).

Likewise I understand that, if I am 60 years or older or if I am disabled and I pay for medical expenses, I can report and verify these expenses to DTA. This may make me eligible for an income deduction and increase my SNAP benefits.

I understand that by signing below, all household members between the ages of 16 and 59 are automatically work registered and enrolled in the SNAP Employment and Training Program (SNAP/E&T). The automatic SNAP/E&T enrollment allows household members to easily access SNAP/E&T services. Nonexempt household members will be notified of work requirements, have exemptions and penalties for noncompliance explained and be referred to an employment activity, if appropriate.

By signing this form, I give permission to DTA to verify and investigate the information I have given that relates to my eligibility for assistance. I give permission to DTA to get any records or data and to verify information given on this application with other agencies, including federal and state agencies, local housing authorities, out-of-state welfare departments, financial institutions and from Equifax Workforce Solutions that provides wage information to DTA. I also give permission to these agencies to give to DTA information about my household that concerns my SNAP benefits.

The Department may deny, stop or lower your benefits based on information in the report from Equifax Workforce Solutions, a consumer reporting agency. I have the right to a free copy of my report from Equifax if I request it within 60 days of the Department's decision. I have the right to question the accuracy or completeness of the information in my report. I may contact Equifax at: Equifax Workforce Solutions, 11432 Lackland Road, St. Louis, MO 63146, 1-800-996-7566 (toll free).

Prior to being approved for benefits, immigration status may be verified through the United States Citizenship and Immigration Services (USCIS), formerly known as INS. I understand that DTA may submit information from my SNAP application to USCIS, and that any information received from USCIS may affect my household's eligibility and amount of benefits.

I understand that by signing below I also give permission to DTA to share information about me and my dependents under age 19 with the Department of Elementary and Secondary Education (ESE) so that my dependents are automatically certified for school breakfast and lunch programs. I also give permission to DTA to share information about me, my dependents under age 5 and anyone pregnant in my household with the Department of Public Health (DPH) so that these individuals are referred to the Women, Infants and Children (WIC) Program for nutrition services.

I understand that by signing below I authorize the DTA and the Massachusetts Executive Office of Health and Human Services to share information about my eligibility for public assistance benefits with electric distribution companies, gas distribution companies and eligible telecommunications carriers pursuant to confidentiality agreements executed by these companies for the sole purpose of certifying my eligibility for discount utility service rates. I also authorize DTA to share my information with the Department of Housing and Community Development (DHCD) for the purpose of enrolling me in the Heat & Eat Program.

I understand that I will receive a copy of the "Your Right to Know" brochure and the SNAP Program brochure, that I must read or have them read to me and that I must understand their contents and my rights and responsibilities. If I have any questions about the brochures or any of this information, I will ask my case manager. I can also call Recipient Services at 1-800-445-6604 if I have trouble reading or understanding any of this information.

I also swear that all members of my SNAP household requesting SNAP benefits are either U.S. citizens or non-citizens in satisfactory immigration status.

Right to Register to Vote

I understand I have the right to register to vote at DTA. I understand that DTA will help me fill out the voter registration application form if I want help and that I am allowed to fill out the voter registration application form in private.

I understand that applying to register or declining to register to vote will not affect the amount of assistance I get from DTA.

SNAP Penalty Warning

I understand that if I or any member of my SNAP household breaks any of the rules on purpose, that person can be prohibited from receiving SNAP for one year to permanently, fined up to \$250,000, imprisoned up to 20 years or both. S/he may also be subject to prosecution under other applicable Federal and State laws. S/he may also be prohibited from receiving SNAP for an additional 18 months if court ordered. These rules are:

- Do not give false information or hide information to get SNAP benefits.
- Do not trade or sell SNAP benefits.
- Do not alter EBT cards to get SNAP benefits you are not entitled to receive.
- Do not use SNAP benefits to buy ineligible items, such as alcoholic drinks and tobacco.
- Do not use someone else's SNAP benefits or EBT card, unless you are an authorized representative.

I also understand the following penalties:

- Individuals who commit a **cash program** Intentional Program Violation (IPV) that is confirmed in an Administrative Disqualification Hearing (ADH), will be barred from SNAP for the same period the individual is barred from cash assistance.
- Individuals who make a fraudulent statement or representation about their identity or place of residence to receive multiple SNAP benefits *simultaneously* will be barred from SNAP for **ten years**.
- Individuals who trade (buy or sell) SNAP benefits for a controlled substance/illegal drug(s), will be barred from SNAP for a period of **two years** for the first finding, and **permanently** for the second finding.
- Individuals who trade (buy or sell) SNAP benefits for firearms, ammunition or explosives, will be barred from SNAP **permanently**.

- Individuals who trade (buy or sell) SNAP benefits having a value of \$500 or more, will be barred from SNAP *permanently*.
- The State may pursue an IPV against an individual who makes an offer to sell SNAP benefits or an EBT card online or in person.
- Individuals who are fleeing to avoid prosecution, custody or confinement after conviction for a felony, or are violating a condition of probation or parole, are *ineligible* to participate in SNAP.
- Individuals who fail to comply without good cause with SNAP Work Requirements will be disqualified from SNAP for a period of *three months* for the first finding, *six months* for the second finding and *twelve months* for the third finding. If the individual found to have failed to comply for a third time is the head of the SNAP household, the *entire* household shall be ineligible to participate in SNAP for a period of *six months*.
- Paying for food purchased on credit is not allowed and can result in disqualification from SNAP.
- Individuals may not purchase products with SNAP benefits with the intent to discard the contents and return containers for cash.

Right to an Interpreter

I understand that I have a right to an interpreter provided by DTA if no adult in my SNAP household is able to speak or understand English. I also understand that I can get an interpreter for any DTA fair hearing or bring one of my own. If I need an interpreter for a hearing, I must call the Division of Hearings at least one week before the hearing date.

Nondiscrimination Statement

The U.S. Department of Agriculture prohibits discrimination against its customers, employees and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal and, where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish or call the State Information Hotline Numbers (click the link for a list of hotline numbers by State), found online at http://www.fns.usda.gov/snap/contact_info/hotlines.htm

USDA is an equal opportunity provider and employer.

Massachusetts law also prohibits discrimination, including discrimination based on ancestry. To file a complaint in Massachusetts contact:

Massachusetts Commission Against Discrimination, One Ashburton Place, Sixth Floor, Room 601, Boston, MA 02108; Phone: (617) 994-6000; TTY: (617) 994-6196.



APPLICANT'S SIGNATURE: By signing this application, I hereby certify under penalty of perjury that I have read (or have had read to me) and I understand and agree to the "Rights and Responsibilities," and the answers in this application and any additional documents I provide to the Department in the future are accurate and complete to the best of my knowledge. I have read the SNAP Penalty Warning in my primary language, have had it read to me or have had it interpreted for me. I also certify that all members of my SNAP household requesting SNAP benefits are either U.S. citizens or noncitizens in satisfactory immigration status.

Applicant Signature: _____

Date: ____ / ____ / ____