

## **Advising Seniors and Persons with Disabilities Who May Need Help Using SNAP EBT Benefits**

Since February 2014, the Department of Transitional Assistance (DTA) has been sending letters to some SNAP (food stamp) recipients telling them they have unused SNAP benefits they may lose.<sup>i</sup>

**SNAP recipients have the right to save up their SNAP benefits to do a larger food shop.** SNAP is a program for immediate food needs, as well as a “supplemental” nutrition assistance program for low income persons. SNAP also helps people qualify for utility discounts and “Lifeline” phone services (and helps families get free school meals for kids), even if they receive a small monthly SNAP benefit.

Federal SNAP law says states can put SNAP benefits “off-line” if a SNAP recipient has not spent any SNAP benefits in the EBT account *for 6 months in a row.*<sup>ii</sup> DTA must put them back within 48 hours if a recipient contacts her case worker. MLRI is concerned DTA may not be following the federal rules and is putting SNAP offline – even if the recipient has used some of her SNAP within the past 6 months. Many recipients are confused or report they cannot reach their DTA workers to get their SNAP benefits restored. And DTA workers say they do not know how much EBT must be spent to stop the off-line notices. Federal SNAP law also says states must take away or “expunge” benefits of SNAP recipients who have accumulated *more than 12 months-worth* of un-used EBT benefits – but it is not clear if DTA is following that federal rule correctly.<sup>iii</sup>

Unused SNAP may be a signal that a recipient needs help with food shopping. Taking SNAP benefits away is not always the right solution! Please track these SNAP off-line and expungement problems.

### **Tips for clients who may have received DTA notices about unused “off-line” or “expunged” SNAP benefits:**

1. **Did your client receive a *SNAP Off-line Notice* or a *SNAP Expungement Notice* from DTA?** For “off-line” benefits notices, call the DTA worker listed and request the SNAP benefits to put back on the EBT card. DTA must restore the benefits *within 48 hours* of the request. Note - if your client used her EBT card for food shopping during the past 6 months, DTA putting the benefits “off-line” may be incorrect. If your client received an “expungement” notice about un-used benefits – contact a Legal Services advocate. The recipient may wish to appeal this action if DTA made a mistake. Remind your clients that saving up their SNAP is not fraud, assure them that they have done nothing wrong!
2. **Does the client know how much SNAP is on his or her EBT card?** Call the Customer Service number on the back of the EBT card (1- 800-997-2555) and follow the prompts to check the EBT balance.
3. **Did the client lose his or her EBT card or forget the PIN?** A SNAP recipient can either call his or her DTA worker or visit a local DTA office to report the lost card and get a new EBT card. Recipients can also “re-PIN” their EBT card any time by calling the Customer Service number of the back of the EBT card (1- 800-997-2555). Follow the prompts to re-PIN the card.

Continued ....

4. **Does the client need a ride to a grocery store?** Most Massachusetts cities and towns have Councils on Aging (COAs) that provides free or reduced fee van services to grocery stores, doctor appointments and other trips. Call the local COA to find out how to get rides to and from grocery stores. Here's links for the COAs in Massachusetts at: <http://www.mcoaonline.com/> and at: <http://www.mass.gov/elders/service-orgs-advocates/coa/>
5. **Does the client need someone to use the SNAP EBT card to go food shopping for them?**
- Anyone in a SNAP recipient's household can use the EBT card to food shop - even if not named on the card. Family members often help SNAP recipients with food shopping.
  - SNAP recipients can ask a trusted neighbor, friend or person at a local agency to become an "authorized representative." This person can sign up for a second EBT card for the same SNAP EBT account. Or, the authorized representative can offer to manage the SNAP benefits completely. The person who agrees to be the authorized representative must fill out a special DTA "Authorized Representative" form (this form does ask for the helper's name, date of birth and SSN). Remember, SNAP recipients do not need to give up their EBT card or control of their SNAP benefits unless they choose to do so. Be sure the DTA worker knows the client's wishes.
  - SNAP recipients can contact a local Senior Services agency to find out about personal care attendants or home makers who can do food shopping, cooking and other personal care. Persons who are elderly and disabled and receive MassHealth (Medicaid) or Medicare may be eligible for free or reduced fee home-based services. Be sure to ask how the care attendant can help with food shopping for SNAP recipients who may not own vehicles. Here's a link for Area Agencies on Aging (or ASAPs) in Massachusetts: [http://www.seniorconnection.org/aaa\\_asap.htm](http://www.seniorconnection.org/aaa_asap.htm)
6. **Does the client need legal help?** If it appears that DTA wrongly took away a recipient's SNAP benefits or DTA refused to give them back, SNAP recipients can ask a DTA Supervisor or Office Manager to review this decision. SNAP recipients can also ask for a fair hearing. Legal Services may be able to help. For information on local Legal Services, go to: <http://www.masslegalservices.org/findlegalaid>

Produced by the Massachusetts Law Reform Institute, [www.mlri.org](http://www.mlri.org) August 2014

---

<sup>i</sup> Policy implemented in February 2014 via [DTA Operations Memo 2014-8](#) and DTA [Operations Memo 2014-9](#) implemented these EBT off-line and expungement changes. DTA memos include sample DTA notices.

<sup>ii</sup> Federal SNAP law (7 USC 2016(h)(12) (B)) permits states to store benefits "off line" if the recipient "has not accessed the account after 6 months." This law means there no (zero) EBT food purchases made for 6 months. Note also that DTA must notify the recipient in advance, and restore the off-line EBT benefits within 48 hours of a recipient request.

<sup>iii</sup> Federal SNAP law (7 USC 2016(h)(12)(C)) directs states to "expunge" (take away) SNAP benefits that have not been accessed by a household after a period of 12 months. For example, if a recipient receives \$50/month SNAP and has accumulated \$650 in SNAP as of August (13 months x \$50/mo), DTA can legally "expunge" or take away \$50 (one month's worth) of un-used SNAP in August, and so forth. This expungement should only start when the recipient has not accessed over 12 cumulative months-worth of his or her SNAP benefits.