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**Recommendations to the
Patrick/Murray Administration:**

**Key Initiatives to
Improve Nutrition in Massachusetts
through the Federally-Funded
Food Stamp Program**

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For the Food Stamp Improvement Coalition

BACKGROUND:

During the first half of this decade, Massachusetts suffered from one of the worst Food Stamp participation rates in the United States, ranking 50th and 51st in the country from 2000 through 2003. Massachusetts was 48th in overall participation in 2004, including 48th for working poor households.¹

Since February 2005, Massachusetts has made significant gains in food stamp program (FSP) participation largely attributable to the State's successful implementation of a USDA-approved initiative: the Bay State Combined Application Pilot, or "Bay State CAP."² *Between January 2005 and November 2006, the FSP caseload increased by 68,900 households, of which roughly 50,000 were Bay State CAP households.* Both DTA and the Boston Regional Social Security Administration are to be commended for this joint effort to reach so many SSI recipients. DTA also deserves credit for implementing a number of other policy recommendations of the FS Improvement Coalition;³ especially given the limitations in staff and resources under the Romney Administration.

Many factors contributed to the Commonwealth's low FSP participation during the past decade. These include DTA's aggressive implementation of 1995 welfare reform time limit and sanctions, coupled with a failure to ensure that families terminated from TAFDC continued their FSP benefits; excessive demands for multiple and duplicate verifications fueled by an obsession for an extremely low error rate; loss of documents at local DTA offices; reduction in clerical and case handling workforce; unnecessarily short FSP recertification periods; outdated DTA office phone systems; inadequate customer service practices; unwillingness by DTA to implement federal options to extend food stamps to unemployed individuals; low participation by eligible immigrant and limited English proficient households.

While recent improvements are impressive, based on caseload data of November 2006, there remain over 210,000 individuals living under 130% of the federal poverty level who are potentially eligible for federal FSP benefits but not receiving them. This represents a loss of \$200 million federal nutrition dollars annually to the Commonwealth.⁴

Core Recommendations to Improve Food Stamp Participation

I. Implement state policies, technology and staffing improvements to increase the approval rate of applications and enable front line staff to become *eligibility* - not *ineligibility* - workers.

This involves reducing FSP worker time needed to process cases by demanding fewer verifications and lengthening case review periods; properly screening for and implementing expedited food stamps; ensuring sufficient staff to manage caseload including clerical staff; aggressively implementing innovative technologies such as document imaging and call units that ensure access to documents and staff; establishing participation goals for each local office; providing training and give recognition for positive customer service; encouraging civic participation through creation of local Advisory Boards.

II. Implement policies and federal options that increase participation of under-served households, including low-wage and unemployed households, elders and persons with disability and immigrant-headed households. This includes electing federal options for unemployed persons, improving FSP screening through the Virtual Gateway; collaborating with sister agencies to reach recipients of Unemployment Insurance, subsidized child care, elder services; improving interpreter services to limited English proficient households; restoring state-funded benefits for legal immigrants.

III. Implement policies that increase monthly FSP benefits: This includes implementing

I. The Administration should implement policies, technology changes and expand staff with the goals of increasing the approval rate of FSP applications, enhancing customer service and encouraging valuable civic participation.

In 2005, over 44,800 new FSP applications were denied. Approximately 40,000 FSP applications were denied in 2006. According to DTA, the majority of these applications were denied for procedural reasons, not because the households were determined financially or categorically ineligible. DTA data confirms that over 60% of on-line FSP applications through the Virtual Gateway and Project Bread are denied even though most of these households are pre-screened by trained community partners. Aside from the two major caseload increases triggered by Bay State CAP outreach during July and November of 2006, the FSP caseload increased during 2006 only by 1,000 per month even though an average of 9,000 applications and re-applications are filed per month, raising questions on the approval rate for new applications and caseload turnover. Caseload growth for first two months of 2007 appears to have stopped.

In its February 1, 2006 Program Access Review, USDA Food and Nutrition Service confirmed the existence of numerous case handling problems throughout DTA local offices.⁵ Chronic lack of adequate file maintenance has also been a significant problem identified by the Office of the State Auditor.⁶ Massachusetts Law Reform Institute documented a range of access barriers identified by legal services and anti-hunger organizations in a report filed with USDA in November of 2005.⁷ In these reports and similar experiences reported by the Boston Medical Center's Medical-Legal Partnership and members of the Food Stamp Improvement Coalition, advocates found that local DTA offices often demand excessive verifications; lose documents that have been faxed or mailed; and suffer from a shortage of clerical staff to handle calls and paperwork. Many clients and advocates reported an inability to contact their caseworkers due to full voice mailboxes. In addition, a number of offices were found to "screen out" applicants before they file and show reluctance or outright hostility toward clients and community agencies who are assisting with FSP applications.

RECOMMENDATIONS

Change the culture and practice at DTA to that workers are truly *eligibility workers* - not *ineligibility workers* - by communicating a positive message of regard for the value and well-being of all DTA clients.

DTA should hold staff at all levels accountable for incorrect denials and should create positive incentives for achieving participation targets and pro-client customer service practices. We recommend the Patrick Murray Administration:

- A. *Deploy local office quality control staff to regularly screen FSP denials and terminations for "negative" case errors (inappropriate denials or terminations of benefits) and provide more vigilant supervision and training to those local offices where a high rate of negative case errors occurs.*⁸

- B. *Eliminate the use of “screeners” at local DTA offices whose function is to deflect FSP applications.* During 2006 DTA contracted with the Public Consulting Group (PCG) to analyze and make recommendations on streamlining the food stamp application and processing tasks. In its June 30th report, PCG actually commended DTA for using a “screener” in the Lawrence DTA office and applauded the screener for deflecting 20 - 30% of applicants based on a waiting room determination they were not eligible for food stamps.⁹ This practice, and PCG’s recommendation that DTA replicate it, is appalling. Anti-hunger groups in Merrimack Valley report that the Lawrence screener has often discouraged households from applying by relaying incomplete or erroneous information on immigrant rules, or the levels of proofs needed, work requirements for exempt persons and other incorrect eligibility information. Federal FSP regulations require states to “encourage households to file an application the same day the household contacts the office... and expresses interest in obtaining assistance or expresses concerns which indicate food insecurity.” 7 CFR 273.2(B)(2). DTA should use screeners only to determine which FSP applicants are in need of expedited benefits and which persons visiting the office need to see an intake vs ongoing worker. No one should ever be discouraged from applying.
- C. *Develop standard protocol and staff training that encourage positive customer service practices.* The North Shore DTA office was officially recognized as a 2006 USDA Hunger Champion due to its higher FSP participation rate and the local practices recognized by anti-hunger groups.¹⁰ North Shore office practices identified by the FS Improvement Coalition included the office’s emphasis on waiving face-face interviews where possible; an office requirement that staff quickly return client calls and schedule phone interviews; regularly checking and clearing out of voice mails; designated staff as “specialists” for complicated or new technology FSP applications; a full-time screening unit where all applications are screened the front door and expedited food stamps are issued to eligible households the same day the individual applies; a practice of avoiding denial of applications missing an optional verification (e.g. verification of a deduction versus verification of a mandatory eligibility factor) and regularly reminding workers of the scope of alternate verifications. During the Dukakis Administration, the Department of Public Welfare required each office to develop local protocols for enhanced customer service and grievance procedures.¹¹ To the best of our knowledge, this has not been replicated.

A number of states have also been cited by USDA with promising practices that have improved customer services. For example, Maine limits client waiting time in at local FSP offices to 20 minutes.¹² In Minnesota, some offices have staff using pagers which alert them to client arrivals, while other offices call clients to remind them in advance of scheduled appointments. Iowa does “poverty simulation” trainings to sensitize staff to client issues. A number of states, including Maine and Washington, issue regular communications from Central that emphasize the role of “eligibility workers,” and reward offices with improved customer service.¹³

Encourage customer service improvements and community civic engagement by implementing state law that requires the establishment of community and statewide advisory boards with representation by recipients and community members.

Chapter 18, Section 17 of the Massachusetts General Laws requires the Administration to establish local advisory boards for each DTA community service office. According to the statute, the purpose of these advisory boards is to:

advise the area director, the commissioner and the state advisory board *on the needs and resources of the area served*, on steps that should be taken to *increase the effectiveness of the transitional assistance program in the area*, the *quality of care and service given to the people of the area*, and the *working relationships between the public and voluntary agencies* working in the area; to review and make recommendations to the area director regarding the *annual plan and budget* for the transitional assistance program provided by the community service area with a view to its comprehensiveness and steps that may be taken to ensure the provisions, as practicable, of the *comprehensive program* set forth in section two; to advise on priorities in the development of program for the area;

As defined under the statute, these advisory boards should include recipients of the DTA administered programs as well as community representatives. The Romney Administration never encouraged the creation of new boards, nor did it nurture previously existing ones. To the best of our knowledge, only three Advisory Boards currently exist - one for the former Davis Square DTA office, Springfield Liberty Street DTA office and the Pittsfield DTA office.

We recommend the Patrick/Murray Administration:

- D. *Encourage the creation of local Advisory Boards for every DTA local office, including administrative support for scheduling meetings and minute-taking.* DTA or EOHHS should identify anti-poverty organizations in each community that can work with local DTA offices to develop local advisory boards and identify members, including recipients, to participate on these boards. The Administration is encouraged to host local community trainings or conferences for potential board members that address the function of local advisory boards, possibilities for action and provide sessions to ensure that DTA clients and low income members feel empowered to fully participate. Some possible activities local Boards could engage include: the development of local DTA customer service protocols (see Recommendation C. above); the selection of an office director; development of working relationships with local businesses that might provide job opportunities for DTA clients or local colleges and training programs to provide innovative education opportunities.
- E. *Provide community groups and local boards with DTA caseload data for all programs, including caseload data by zip code and other demographic factors (race, ethnicity, language spoken) to identify under-participating populations and evaluate potential barriers to participation.* This information may help identify which organizations and which geographic areas and client populations should have representation on the Boards. For example, MLRI recently evaluated FSP participation data by zip code for the City of

Boston and found that FSP participation was especially high (80%) in the immediate zip code area of the two Boston office locations, but dramatically lower (less than 30%) in a number of outlying areas such as in Allston and Brighton. This pattern of variable participation is repeated in many parts of the state where offices are difficult to reach.

Ensure DTA local offices are equipped with adequate staff and technology needed to manage a growing caseload.

Over the past few years, the number of front line DTA staff has decreased through attrition with minimal commitment by the Romney Administration to ensure sufficient staffing to meet the growing demand. Current FSP workers in Massachusetts carry a caseload of roughly 500 cases per worker, comparable to the caseload per FSP worker in our sister New England states.¹⁴ However, between FY02 and FY07, DTA local offices also *lost more than 41% of the clerical staff*, plummeting from 255 clerical to 144 full-time equivalent positions.¹⁵ Clerical staff functions include working with clusters of eligibility workers on file maintenance, inputting data on BEACON, front desk and phone reception. Lack of clerical support exacerbates the problems faced by front line workers attempting to manage dual paper/electronic case systems and conducting phone interviews with inadequate phone systems and staff support.

In the FY07 budget, the Massachusetts General Court provided DTA with \$1.4M¹⁶ to undertake two key initiatives to improve food stamp participation: development of Call Units, staffed by DTA workers, for the express purpose of conducting required FSP interviews; and development of document imaging centers to electronically track client documents. The General Court provided the FY07 funding in response to the overwhelming evidence from USDA, the Office of the State Auditor and anti-hunger advocates which confirmed significant infrastructure problems at local DTA offices and promising practices identified by the National Conference of State Legislatures.

We recommend the Patrick/Murray Administration:

- F. *Seek appropriations in the FY08 budget for front line and clerical staff sufficient to allow reasonable caseload levels among workers, including interpreter staff.*¹⁷ For FY08, the DTA worker union, SIEU, is seeking an additional 100 front line staff to handle the growing caseload. The Administration should evaluate the need for clerical staff as well.
- G. *Properly implement the FY07 budget line item language, 4400-1001 requiring DTA to create call units for initial FSP interviews.*¹⁸ The FSP intake call units should be staffed by DTA-trained employees,¹⁹ allow FSP applicants to call in during extended hours (before 9AM and/or after 5 PM for working households), and allow FSP applicants ready access to staff for the initial interview without having to pre-schedule an appointment time or wait on a DTA call.
- H. *Upgrade outdated telephone systems that prevent workers from performing basic communication functions.* DTA reports that many of its phone systems are outdated and not compatible with other DTA offices or new technology. Further, advocates report that local DTA office systems bar workers from calling clients who have cell phones with certain area

codes,²⁰ do not permit three-way calling needed to provide interpreters for limited English proficient clients, have limited capacity for voice messages and quickly fill up. DTA should be given the resources to upgrade its phone systems to allow for modern communication, allow for alternative ways that clients can report household changes, enable clients to get information on the status of their case, and permit access to a live staff person to schedule appointments, conduct an interview, or transact other business.²¹

- I. *Continue to develop document imaging capacity for both FSP and cash assistance cases, and explore interagency collaboration with Medicaid and the Department of Public Health.* DTA is currently in collaboration with key sister agencies to develop a document imaging model that will interface with BEACON. Promising technology developments are underway in a number of states including Utah, Washington State and New York.²² Given the costs associated with scanning, cataloging and preserving electronic documents, DTA should implement document imaging with concurrent policies that reduce the scope and frequency of documents requested as verification (see Recommendation Q).

<p>Implement practices to reduce the DTA worker time spent on each FSP case and the frequency of case reviews (re-certifications).</p>

Currently, thousands of current FSP cases are automatically closed by the BEACON computer system each month, only to be reopened by individual caseworker involvement in the following month or two. This “churning” is often attributable to a backlog in processing recertifications (essentially, re-applications for food stamps), which requires caseworkers to process newly submitted verifications and interview households by phone or in-person.²³ SEIU and DTA local assistant directors often report that workers do not have enough time to process recertification forms that have been submitted by FSP households or to complete required recertification interviews in a timely matter.

Federal FSP regulations authorize states to establish certification periods of up to 12 months for most households, 7 CFR 273.10(f) and 24 months for households consisting solely of elder and/or disabled members, 7 CFR 273.10(f)(1). Nonetheless, DTA offices tend to gravitate toward shorter certification periods. At a recent Coalition meeting, advocates reported that the Framingham DTA office insists on 3 month certification for an elder household with stable income, and imposes similarly short certification periods on other households.

In addition to frequent case re-certifications, DTA requires the majority of FSP cases to be on a “change reporting” requirement. Change reporting means the household must report all changes in its situation within 10 days of the date that the change occurs, which reporting often triggers additional verification requirements as well as telephone or in-person discussions and interviews.²⁴ Not infrequently, a reported change can result in the premature closing of a FSP case when the household and DTA are unable to connect by phone or in-person, or when the household is unable to supply verification quickly enough. This is particularly hard for low wage workers who cannot take time away from their jobs to track down verifications or easily meet with DTA.

The 2002 federal Farm Bill allows states to extend simplified reporting to virtually all food stamp

households, codified at 7 USC 201(C)(1). Under simplified reporting, households are not required to report every change. Instead, they must submit a short “periodic report” once every 6 months, with no interview required at that time. Further, the household is required to report on fewer eligibility factors. Other than that, households are only required to report at other times during their certification period if their income exceeds a gross income threshold, or if the work hours of certain household members dip below 20 hours per week. *According to DTA, of the 224,368 FSP active cases in January, only 20% of the FSP caseload were put on simplified reporting. Over 53% of the FSP caseload remains on change reporting.*²⁵

We recommend the Patrick/Murray Administration:

- J. *Extend certification periods to 12 months to reduce the number of times a FSP worker needs to review the case and interview the household.* By increasing the certification period to 12 months, DTA staff will only need to interview households once a year instead of twice a year, thereby *halving* the number of interviews required and freeing up time to process cases where interviews are required more expeditiously. It will also reduce the number of eligible households whose cases are closed for bureaucratic, rather than substantive, reasons.
- K. *Elect the federal option which allows states to conduct interviews with households once every 12 months, even if the certification periods are for less time.* Currently, the Department requires that an interview be held every time a case is recertified – an unnecessary burden on the Department and on households. Requiring interviews every 12 months instead of every 6 months would significantly decrease the amount of time that workers need to spend scheduling and conducting interviews, and allow them to promptly schedule and conduct the interviews that are federally mandated.
- L. *Extend certification periods to 24 months for households which comprise elder or disabled members.* With the exception of Bay State CAP and a subset of FSP households whose cases are maintained by the Centralized SSI unit, the BEACON system is programmed so that local DTA staff cannot establish 24 month certification periods for elder/disabled households. Many elders and persons with disability receive stable sources of income through VA benefits, retirement pensions, Title II Social Security, EAEDC cash assistance, alimony or other regular income sources. Numerous states, including the Washington State, Maryland, Minnesota and New York utilize a 24 month certification period with a 12 month interim contact with the household.²⁶
- M. *Take full advantage of the “simplified reporting” options under federal law to allow more households to continue on FSP benefits for longer time periods.* Simplified reporting vastly eases the reporting requirements for FSP households by reducing the number of times that a household must contact the local office during its certification period and decreasing the amount of paperwork it must submit. Simplified reporting reduces administrative burdens for the state and protects the state and low-income households from being charged with errors and overpayments. This recommendation will allow DTA workers to devote more resources to processing new applications, rather than processing relatively small adjustments to ongoing FSP households.

Fully implement expedited service provisions for all eligible food stamp households and explore federal options for providing emergency benefits without an interview.

FSP regulations address the plight of particularly vulnerable households who need benefits immediately: households whose shelter expenses exceed their income, who have monthly income of less than \$150 and assets of less than \$100, or who contain migrant farmworkers are entitled to obtain their benefits within 7 days rather than waiting for the regular 30 day application processing period to expire. 7 CFR 273.2(i)(1). DTA is required to screen all households, including those who are unable to apply in person at a local office, to determine if they are eligible for these “expedited” FSP benefits, and to issue them quickly so long as the household verifies its identity. Advocates report that many households who appear eligible for expedited FSP benefits do not get screened for expedited, and many that do still experience delays in getting their EBT cards.

- N. *Develop procedures which allow DTA to screen for eligibility for expedited service without relying on an interview.* Although an interview is required before a household can receive expedited FSP benefits, current DTA procedures require an oral conversation between a household and a worker before DTA identifies the household as potentially eligible for expedited benefits. If a household does not apply in-person for any reason, such as disability, work hours or lack of transportation to the local office, it may take a considerable amount of time before DTA and the household are able to talk so that DTA can even perform the initial screening. Improved screening, which incorporates expedited service criteria into the application itself, would allow DTA to identify households eligible for expedited service before they talk with them, so that DTA would know right from the start of the application process which households need to go on the faster track.
- O. *Develop procedures to ensure that households eligible for expedited FSP benefits get interviews immediately at the local office or through an on-demand call units.* As discussed above, a call center unit would make it easier for households and DTA staff to connect with each other to carry out the federally mandated interviews. This would be particularly beneficial for expedited service households, where time is of the essence.
- P. *Explore options to deliver “Express Stamps” to certain groups including households who may be eligible for expedited FSP benefits.* One reason that some eligible people may be reluctant to apply for FSP benefits is their concern about the complexity of the application process. Illinois has piloted an “Express Stamps” program whereby certain households can apply for FSP benefits at a social service provider, and be issued their initial FSP allotment that very same day.²⁷ It is hoped that households that obtain these Express Stamps will have an incentive to continue with the regular FSP application process, since they will have a tangible experience with the benefits of food stamp. Although the Illinois model is operated through food pantry providers, and DTA should certainly consider this, other community and state agency partners might also be part of a Massachusetts pilot (e.g., through senior feeding programs, through the Division of Unemployment Assistance for a pilot targeted to the newly unemployed). The overall goal of such a pilot would be to facilitate the

enrollment of eligible households whom DTA is not reaching through current application mechanisms.

Implement policies to reduce the verifications demanded of households and provide easier ways for households to get verifications to DTA.

As noted above, MLRI and the FS Improvement Coalition continue to document chronic problems where local DTA offices lose documents, request copies of verifications already provided, and demand verifications not required by state or federal regulations. Federal FSP regulations provide for a range of permissible verifications and discourages unnecessary and duplicate verifications requirements. 7 CFR 273.2(f)(4). Certain documents, such as a valid driver's license, may verify multiple eligibility factors of age, identity and address, but some DTA staff needlessly request separate documents for each eligibility factor.

Certain verifications are very intrusive to applicants, notably the pervasive "landlord verification form" which essentially requires the tenant to disclose to a landlord or roommate that he/she is applying for benefits.²⁸ FS Improvement Coalition members find this form to be one of the more troubling verification policies, causing clients to give up on the FSP application or recertification process. Local DTA office insistence on this document is particularly problematic when residence or shelter costs can be verified through a range of often readily available documents including utility bills, rent receipts, or cancelled checks. While document imaging will alleviate the problem of chronically lost documents, DTA should not clog the document imaging hubs with electronic copies of unnecessary or duplicate documents.

DTA has implemented a number of positive procedures to avoid denial of FSP benefits, including recent instructions to the field to reopen FSP denied applications when missing verifications are provided within 30 days after the denial notice.²⁹ However, additional steps are needed to reduce the demand for unnecessary verifications.

We recommend the Patrick/Murray Administration:

- Q. *Issue policy guidance that reduces the amount and frequency of verifications required in accordance with the FY07 budget directive.* Specifically, if a household is reapplying for FSP benefits and verifies identity, the household should not be required to verify eligibility factors or deductible expenses that were previously provided. For example, if a household has not moved and claims the same rent and utilities, DTA need not request reverification of these previously verified factors. DTA guidance does not comply with the budget directive.³⁰
- R. *Eliminate the "landlord verification" form and allow households to verify shelter costs, if questionable, through alternate verifications.* DTA should provide households with a list of verifications needed for proving residence and, if questionable, verification of shelter costs. DTA should immediately suspend use of the current landlord verification and shared household verification forms. For households who may prefer to get a written statement from a landlord, DTA could offer a simplified form for a tenant to use (removing intrusive

questions regarding the names of other tenants in the apartment). Further, this form should be optional and not considered a “preferred” form of verification.

- S. *Implement policy changes to allow households to self-declare deductible expenses as broadly as possible including out-of-pocket expenses for child care and certain medical expenses which are difficult to verify otherwise.* DTA field guidance allowing self-declaration of child care is currently underway. We urge DTA to make this a uniform policy with cash assistance as well and to work with the Department of Early Education and Care as well as child care advocates to promote client awareness of this deduction. See Recommendation NN below. As with child care, verification of certain medical expenses, notably client transportation to regular medical visits, over the counter medications and regular medical supplies should be allowed by self-declaration unless the amount claimed is questionable.
- T. *Provide all applicants with a self-addressed postage paid envelopes (SASE) in which to return verifications required for the FSP application.* Many Food Stamp program applicants and participants often find it difficult to figure out where to mail their verifications and who to address them to. DTA front-line staff members have told community partners that being able to provide such envelopes consistently would aid them in their management of paperwork, particularly given the limited clerical resources for filing and paper processing that now exists in many local offices. Other states, such as Iowa and Arkansas, currently provide their FSP applicants and participants with postage-paid return envelopes.³¹ Half of the of administrative costs of this initiative would be federally reimbursable and the time saved by workers in processing applications would be significant.³²

Create incentives for Virtual Gateway health care providers to screen households for food stamps and to send relevant verifications received to DTA.

Massachusetts implemented the Virtual Gateway program in November of 2004. Touted as a “single portal” for state services, one of the core goals of the Gateway was to provide public access through the internet to key state benefits and services without duplication or excess administrative barriers. As of January 1, 2007, EOHHS data shows that the Virtual Gateway received over 326,017 applications, of which 310,169 were for MassHealth. Only 1 percent (3,270) were FSP applications.³³

Health care providers who take MassHealth applications already ask for the bulk of information required for FSP benefits, such as the applicant’s name, date of birth and SSNs of the applicant and dependents, earned and unearned income amounts and source, the applicant’s residence, immigration status and signature. This initial information is more than enough to initiate a FSP application, as federal law permits an initial application to be filed with just an applicant’s name, address and signature. 7 CFR 273.2(b). However, the *quality and likelihood of success* of these FSP applications would be substantially enhanced if health care providers were compensated for the tasks of asking additional FSP-related questions unrelated to MassHealth, and providing clients with information on what happens next in the FSP process. Soliciting additional information would

be helpful especially for MassHealth applicants who may have household members required under federal FSP law to be part of the FSP household but are not part of the MassHealth household, notably children ages 18 to 22 and other household members who “purchase and prepare” food with the FSP household on a regular basis.

We recommend the Patrick/Murray Administration:

- U. *Form an interagency team of DTA and Office of MassHealth to examine the reasons for low FSP applications taken by MassHealth providers using the Gateway. This could include developing a pilot project with a selected MassHealth Gateway providers who would affirmatively screen for FSP benefits, ask questions about household members not part of the MassHealth application, transmit verifications received to DTA, and verbally explain to the household the additional steps in the FSP process (interview and verifications).*
- V. *Evaluate the cost of providing a financial incentive to all health care providers to elicit additional FSP-specific information from the household and transmit verifications collected for MassHealth to DTA.*
- W. *Issue guidelines requiring DTA staff to communicate regularly with community agencies who submit on-line Gateway applications for their clients. DTA should timely advise these agencies of the status of a client’s application and contact the community agency before denying the application. This is especially important if the DTA worker lacks a particular verification or cannot reach the household for the interview. Many community agencies may be able and willing to re-fax missing documents, contact the client and/or help reach the client to schedule an interview or three way call.*

II. Policy initiatives to increase participation among under-served communities.

Three core communities remain under-served in the Commonwealth’s food stamp program: Low wage and recently unemployed households, elders and persons with disabilities, and immigrant headed households with eligible family members.

Elect federal options and implement outreach initiatives to increase participation of low wage working families and unemployed households.

As noted above, Mathematica’s October 2006 report on FSP participation found Massachusetts had the 3rd worst participation amongst working households with *only 36% of eligible working poor households* participating in the program, compared with a national average participation for working households of 51%.³⁴ By way of comparison, Oregon, Tennessee and Missouri achieved 75% participation of working poor households. Recent caseload increases have involve the SSI recipient caseload which has gained significant access through the automated Bay State CAP program. Food Stamp Improvement Coalition members report that low-wage workers and recently unemployed workers are the most likely to be denied benefits for procedural reasons (lack of an

interview, lack of verification) and most discouraged to reapply following denial. Additionally, many self-employed households are discouraged from applying for food stamps due to the extensive verifications required for proving net income after business expenses.

Only 4,400 of the 236,000 FSP households in December were receiving Unemployment Insurance benefits, although thousands of UI households receive weekly amounts that appear to qualify them for benefits. Further, since implementation of the 1996 Welfare Reform restriction limiting FSP participation to three months for certain 18 - 50 year old adults without children, Massachusetts consistently refused to implement two federal policy options that would allow these unemployed adults without children (ABAWDS) to rejoin the FSP program without a cumbersome make-work requirements.

We recommend the Patrick/Murray Administration:

- X. *Continue new collaboration with the Department of Workforce Development to allow Unemployment Insurance applicants to apply for FSP benefits at the same time they file a UI claim.* Most UI claims are now filed in Massachusetts either by tele-claim or on-line. DTA and the Department of Workforce Development have begun discussions to enable UI claimants to request FSP benefits while filing for UI, especially UI claimants with dependent children. DUA data indicate that, as of November 2006, there were 64,825 UI active claimants, and 34,687 new and additional claims filed during that month.³⁵ In January of this year, MLRI recommended implementing a Massachusetts Unemployment Nutrition Assistance Program initiative whereby DTA and DUI collaborate on a joint UI/FSP application through the current State Data Exchange or a Virtual Gateway interface.³⁶
- Y. *Out-station DTA workers at career centers and within DUI Claims Offices to answer questions UI claimants may have about the FSP application process and to conduct phone or in-person interviews.* Out-stationing of DTA staff could be combined with the Unemployment Insurance initiative above.
- Z. *Pursue federal options to provide continued benefits beyond three months to adults age 18 - 50 without children.* According to Mathematica data, the population of “able-bodied without dependents” (ABAWDs) plummeted in Massachusetts from approximately 10,000 in 1996 to less than 2,000 after implementation of the federal FSP policy restricting FSP benefits to three months for most ABAWDs.³⁷ Massachusetts remains one of five states that has not pursued a USDA waiver from the three month FSP time limit based on Department of Labor designated labor surplus areas (LSA), 7 CFR 273.24(f)(3). Nor has Massachusetts taken full advantage of the federal policy allowing states to exempt additional ABAWDs from the time limit through the “15% exemption” policy. 7 CFR 273.24(g). Most recently, DTA staff finally expressed interest in pursuing these federal options. DTA should take immediate steps to secure USDA approval for the maximum LSA and couple this with a policy using the “15 % exemption” policy to extend FSP benefits to all otherwise eligible childless individuals.
- AA. *Adopt a standard business expenses deduction policy for self-employed households which would allow households to deduct 50% of gross income as business expenses, higher if*

actual expenses verified. Federal FSP regulations authorize state to use a standard amount from its TANF program, an amount approved by USDA or submit a proposal to USDA for a simplified self-employment deduction. 7 CFR 273.11(b)(3)(iv). Increasing numbers of families have at-home businesses such as child care or mail order, or other self-employment enterprises that involve substantial up front and ongoing expenditures. Current state regulations require FSP and cash assistance households to verify the business costs in detail. However, Indiana uses a standard self-employment expense deduction of 40% gross income, and Oregon allows 50% gross income.³⁸ We recommend that DTA adopt a standard business expense deduction and uniformly apply it to both cash assistance and FSP policy. A standard deduction, which allows households to claim higher actual expenses, is easier for FSP applicants and recipients to understand, easier for workers to implement, and substantially reduces the Department's exposure to quality control errors.

Explore FSP application simplification and outreach opportunities to increase participation of elders and persons with disabilities

DTA and the Boston Regional Social Security Administration deserve high praise for their collaboration on the Bay State CAP initiative. SSI applicants and recipients who meet the CAP criteria - receiving at least \$1 of SSI income, not living with a spouse, not having earnings - are automatically screened or sent periodic outreach mailings with EBT cards. Unfortunately Bay State CAP is not available to elder and disabled recipients of Social Security retirement or disability benefits, Veterans Administration benefits, retirement pensions, or other unearned income if they do not get an SSI payment. Nor does it help SSI recipients who live with spouses, or have earnings.

A 2006 study, the Elder Economic Security Standard for Massachusetts, found that elder individuals who live alone and elderly couples cannot make ends meet in Massachusetts with incomes at the federal poverty level or the average Social Security payment without subsidies for housing and health care. Persons age 65 and over comprise 13% of the state's population. The Report noted that high housing costs alone represent between 33 and 52 percent of total living expenses with health care costs the second largest expense.³⁹ A 2005 assessment of nutrition needs of elders in Plymouth County conducted by the South Shore Community Action Program in Plymouth County found that only 6% of its elders receiving Fuel Assistance benefits were receiving FSP benefits.⁴⁰ The South Shore CAP report stated that many were not aware of the program; others believed the benefit amount was too small.

National and Massachusetts studies confirm that low-income seniors and persons with disabilities often do not receive the nutrition they need to meet their medical needs. In the 2004 study of African American women in Boston, Brigham and Women's Hospital Connor's Center for Women's Health found that low-income women, especially elderly women "face significant challenges in stretching their income to cover the costs of their basic needs." and that affordability of food has a direct impact on health care and healthy eating.⁴¹ The study of Latino women in Jamaica Plain, conducted by the Connor's Center, found the same health and economic challenges.

Unlike the FSP rules for families with children and childless individuals, FSP applicants that contain an elder or disabled individual are not subject to the 130% FPL gross income test. Further,

an FSP household is allowed to claim shelter costs without a capped shelter deduction, and all medical costs above \$35/month against countable income. 7 CFR 273.10. Hence, outreach and screening of households at slightly higher income levels will still enable the individual to qualify for a meaningful benefit if all deductions are claimed.

We recommend the Patrick/Murray Administration:

- BB. *Collaborate with the Executive Office of Elder Affairs to develop a peer counseling and outreach program for seniors and persons with disabilities.* A number of states have found success in using peer counseling programs to work with elders and persons with disabilities reluctant to contact government agencies for benefits and/or who perceive FS benefits as a form of welfare. One state has successfully used the Retired Senior Volunteer Program (RSVP) for peer counseling and food stamp outreach.
- CC. *Outstation DTA staff to senior centers and other community sites to screen for food stamps and conduct the federally mandated interviews and simplify the application form.* Certain populations, especially seniors, may be more comfortable with face-face communication in familiar settings (like senior centers) versus DTA offices or phone interviews. For less mobile seniors and shut ins, DTA should also sufficiently staff designated staff trained to handle phone inquiries and interviews for this population. Further, DTA should simplify the FSP paper application to a one-page form and shift the bulk of the more detailed questions to the phone interview where the questions can be better explained⁴² A one-page FSP application form would increase the interest of community groups to help the senior get the initial application filed with required applicant signature.
- DD. *Implement policies recommended in this report including longer certification periods, screening for medical deductions and ensuring elder immigrants with disabilities qualify for benefits.* Recommendation L, re 24 month certification periods for elder/disabled households; Recommendation OO regarding medical deductions, and Recommendation FF regarding legally present elder immigrants with disabilities.

Implement policy options to increase participation of otherwise eligible immigrants and seek funding to restore the state-funded food stamp program.

U.S. Census data indicates 14.5 % of the Commonwealth's population is foreign born.⁴³ Non-citizens are almost twice as likely to be poor as citizens (22% compared with 12%).⁴⁴ The deep cuts in eligibility resulting from the 1996 Personal Responsibility and Work Opportunity Act disproportionately affected thousands of legal immigrants in Massachusetts. The *Children's Sentinel Nutrition Assessment Program*, a Boston-based medical research program, reported that in 2003 immigrant-headed families were more than twice as likely to suffer from household food insecurity than US citizen-headed families, with rates of 39% and 16% food insecure respectively.⁴⁵ Though this shows that immigrants are more likely to need food assistance, this population is one of the least likely to take advantage of the FSP benefits, with national participation rates of immigrant-headed households averaging only 39%. While 74% of all eligible children participate in the FS

program, only 47% of eligible U.S. citizen children living in immigrant-headed households receive benefits.⁴⁶

From 1997 through August 2002, Massachusetts created a state-funded food stamp program to meet the needs of legal immigrants denied benefits under the federal rules. Close to 7,500 legal immigrants were participating in June of 2002.⁴⁷ However, due to severe financial constraints in the state, the Massachusetts General Court sunset the state-funded program in August 2002 and its mandate expired in January 2003.⁴⁸ Just after the state-funded program tapered off, the Farm Bill restored federal food stamp coverage to roughly half of the state-funded legal immigrants over the course of a year. As a result, benefits were reinstated for over 4,000 immigrants in Massachusetts.⁴⁹ While the Farm Bill restored eligibility to many legal immigrants, especially legally present children, it did little to simplify the program for state agencies administering the benefits. Existing policies on non-citizen eligibility are confusing to FSP workers, non-profit outreach staff, and immigrant-headed households. Intrusive questions on sponsors and sponsor income, fear of being reported to federal officials, complex rules for households with members in different statuses have added to low participation. Coalition members find that well-intentioned FSP workers continue to incorrectly deny FSP applications and indicate an ongoing need for updated training and clearer guidance on the eligibility rules. Though the most recent Farm Bill restorations were made over four years ago, Massachusetts continues to struggle with the implementation of the food stamp immigrant eligibility regulations.

We recommend the Patrick/Murray Administration:

- EE. *Issue updated policy clarifications to maximize FSP participation of otherwise eligible legal immigrants.* There are a number of steps DTA could take to maximize eligibility for households and help FSP staff understand existing policy. The State of Washington has an excellent set of regulations, procedures and non-citizen Desk Guide which help staff thread the needed of difficult eligibility rules and are a model for DTA to consider.⁵⁰ Further, MLRI made numerous recommendations to DTA during 2005 and 2006 seeking changes in regulations and procedures to address non-citizen eligibility matters including clarification of FSP and TAFDC eligibility for Cuban/Haitian immigrants; updated policies on sponsor deeming and indigence exception; policy guidance using a favorable mixed household calculation for ineligible LPRs with eligible children. These policy recommendations should be reviewed and implemented.

- FF. *Allow elderly legal immigrants to verify disability through a medical certification from a licensed health care practitioner.* Under PRWORA and federal FSP regulations, a qualified legal immigrant is ineligible for benefits for five years unless he or she is a child, an LPR with 40 quarters countable work history, or an adult receiving a “disability-based benefit” where the disability criteria are as stringent as in the SSI program, 7 CFR 271.2. A number of elder legally present immigrants qualify for EAEDC cash assistance, MassHealth and/or Prescription Advantage due to age. They are not required to prove disability for these programs, and the state does not incur expensive disability evaluation. However, this poses a barrier for elder immigrants who are within 5 years of status but have no way to show disability for purposes of FSP benefits. MLRI has repeatedly recommended that DTA issue a policy change allowing elder legal immigrants to qualify a legal immigrant as disabled under the 5 year bar when they provide a written certification from a licensed health care provider

that their disability meets the SSI severity threshold. There are hundreds of elder legal immigrants receiving tiny EAEDC grants, but not FSP benefits, who would benefit from implementing this recommendation as well as other seniors receiving MassHealth.

- GG. *Seek funding in the FY08 budget to restore state-funded food stamps to legally present and battered immigrants ineligible for food stamps under federal law.* Due to the state's policy on favorable treatment of income for households with an eligible U.S. citizen or LPR child, the primary population affected by restoration of state FSP benefits would be elder and disabled individuals, as well as immigrant residing under color of law. State funding of food stamps for approximately 2,500 legal immigrants ineligible for federal benefits would cost between \$2 and \$3 million. If the Recommendation GG regarding verification of disability for elder non-citizens is implemented, the costs of the state funded benefit would be even lower.

Improve access to DTA services for limited English proficient households.

Over 18% of the Commonwealth's population spoke a language other than English at home as of the 2000 Census,⁵¹ and these households have experienced significant barriers to participation in the FSP. Executive Order 13166 confirmed the obligations of federal agencies under Title VI of the Civil Rights Act of 1964 to provide language appropriate language access services to individuals who participate or wish to participate in federal programs, including USDA and state agencies administering federal FSP benefits. 7 CFR 272.4(b). Currently, the Department only issues its written materials in English and Spanish; local offices do not routinely abide by LEP guidance, updated in 2005, requiring the use of interpreters for applicants and recipients whose primary language is not English.⁵² DTA reports significant underutilization of both the ATT language line and contracted interpreters. Further, many DTA offices do not allow for three-way phone calling to use an interpreter, and procedures issued for use of the ATT language lines discourage staff from accessing that service.

We recommend the Patrick/Murray Administration:

- HH. *In collaboration with the Massachusetts Office of Refugees and Immigrants, conduct a current assessment of the number of limited English proficiency households in each service area, as required by the federal food stamp regulations. 7 CFR 272.4(b)(6).* MLRI has provided DTA with an estimate of the number of income-eligible single-language minority households in its project areas, but this does not account for the influx of refugees and immigrants since 2000. MLRI urges DTA to perform an inventory of its current available resources, including existing bilingual/bicultural front-line staff and current use of language line services.
- II. *Seek funding to hire sufficient interpreter staff and/or establish contracts with community based organizations to provide culturally and linguistically appropriate interpreter services.* We acknowledge that the ATT language line is quite expensive and may not provide precise interpretation of the language used in DTA policy and procedures or in common use. DTA should focus on increasing the number of bilingual and interpreter staff available in offices

with significant numbers of limited English proficient clients.⁵³ Additionally, DTA should contract with community groups for qualified interpreter services, especially groups familiar with the issues and challenges faced by the immigrant community and are a trusted resource. The ATT language line should also be made available more easily to staff for back up when in-house or local services are not available. For FSP purposes, interpreter services are allowed as an administrative costs which for which states can receive partial federal funds.

- JJ. *Develop local office policies for effective use of interpreters and screening LEP clients for interpreter services.* Receptionists and front desk staff should receive regular training on office protocol for limited English proficient applicants. Maine and Washington State provide excellent models for ensuring interpreter services at intake and throughout the application process.⁵⁴ FSP workers should be regularly reminded of the requirements outlined in Field Operations Memo 2005-34, regarding access of the language line and appropriate use of interpreters. LEP signs and “I speak” palm cards should be prominently displayed in each office and DTA should survey offices regularly for compliance.
- KK. *Develop a plan to bring DTA materials into compliance with federal FSP regulations which requires written translation of commonly used forms and notices in major languages spoken by low income populations in the Commonwealth.* 7 CFR 272.4(b)(1). Washington State provides a model of effective policy for written translation.⁵⁵ California recently entered into a settlement agreement with the state Food Stamp agency, under which the agency shall translate Food Stamp forms and materials into eight languages in addition to the four languages in which it already issues these materials.⁵⁶ DTA should evaluate the status of the current written notices, forms and advisory materials to client and prioritize the materials that need to be translated into the top languages spoken by DTA applicants and recipients. BEACON should be modified to accept additional languages for computer generated notices. Translations should be consistent and seek an appropriate literacy level .

III. Policy Initiatives to Increase the Monthly Benefits to Eligible Households

According to USDA, the current average monthly FSP benefit in Massachusetts per household is \$154, the average monthly benefit per individual is \$81, the five states with the highest FSP participation rates pay an average of \$191/month per household.⁵⁷ National research confirms the importance of good nutrition on health and well being for both seniors and families with children.⁵⁸ A 2006 study by the BU School of Medicine, Department of Pediatrics found that children in households with food insecurity contributed greatly to adverse health outcomes of children, although participation in FSP benefits can reduce the risks.⁵⁹ A 2005 Massachusetts Hunger Assessment, conducted by RTI International and Project Bread found that “food insecurity had reached unprecedented levels in key Massachusetts communities” with food insecurity having doubled since an earlier study in 2003.⁶⁰ The FSP benefit package needs to be substantially increased. In its 2005 study of food costs in Boston, *The Real Co\$ of A Health Diet*, the Boston Medical Center Department of Pediatrics found that the maximum monthly benefit provided only 77% of the funds needed for a healthier diet in Boston under the revised USDA Food Pyramid.⁶¹

While the maximum FSP monthly benefit amount is established by Congress and beyond the control of the state Administration, there are a number of steps states the Administration can take to

enhance the benefit package up to the maximum level. DTA is currently collaborating with the Department of Housing and Community Development on a special “Heat and Eat” initiative recommended by the Coalition to provide fuel assistance benefits to low income households which will both increase food stamp benefits for eligible families, and provide access to phone and utility discounts. DTA and DHCD deserve applause for this implementing this recommendation. However, USDA case characteristics and quality control data indicate that Massachusetts FSP participants are not taking full advantage of other important income deductions and calculation options that will substantially increase monthly FSP benefits for many households.

We recommend the Patrick/Murray Administration:

- LL. *Elect a federal option to simplify the calculation of countable income to increase the monthly FSP benefit for households with weekly or bi-weekly income.* Federal FSP regulations allow states to use a 4 week income calculation month, versus a 4.333 week month. 7 CFR 273.10(C)(2). This reduced income calculation would trigger an increase food stamps for most working households. States such as Pennsylvania have elected this policy by relying on their TANF “conversion standards” calculated at this rate, which USDA allows for food stamp purposes.⁶²
- MM. *Require DTA to affirmatively screen households with minor children or disabled members for dependent care costs.* Recent DTA caseload data indicates that only 26% of FSP households with children under age 6 where all adults are coded as employed currently receive the dependent care deduction in the FSP calculation⁶³. This surprisingly low percentage is consistent with Quality Control case sampling data from FY 2004 showing that only 22% of working households with children (up to age 18) claimed the dependent care deduction, placing Massachusetts in 37th out of 50 states for the percentage of households who claim this deduction. DTA recently agreed to issue guidance directing staff to accept a self-declaration of child care expenses unless questionable. Since utilization of the child care deduction is so low in Massachusetts, and given the substantial increase in benefits that working households may realize, we encourage DTA to send targeted mailings to these households and affirmatively screen at FS application and recertification.
- NN. *Collaborate with the Department of Early Education and Child Care and child care organizations to conduct FSP outreach to currently receiving and wait-listed for income eligible (IECC).* Given the low rate of child care expenses claimed and the likelihood that many of the 19,000 families on the IECC wait list may not be receiving FSP benefits, DTA and DEEC should collaborate on a major outreach effort to ensure families file FSP applications if they so desire, and that current FSP households with children get all the deductions to which they are entitled.
- OO. *Require DTA to affirmatively screen for un-reimbursed medical expenses allowed as income deductions under the food stamp program.* Federal food stamp law allows persons with disabilities and persons age 60 years and older to claim un-reimbursed medical expenses as a deduction on income. 7 CFR 273.9(d)(3). This includes screening for applicant travel to medical visits, purchase of un-reimbursed medical supplies and over-the counter medications, non-traditional remedies, premiums and co-pays. FNS quality control data for

FFY 01 through FFY04 and found that utilization of the medical expense deduction in Massachusetts has been less than half the national average. FY04 utilization was 4.8% in Massachusetts, while the national average was 12.3%.⁶⁴ Further, for those who claimed the medical deduction, QC sample data indicate that the median amount of the medical deduction in Massachusetts was also substantially below the national average. DTA should formally issue field procedures and a screening form developed by the Food Stamp Improvement Coalition to enable workers to consistently screen for these expenses. DTA should issue pamphlets and simplified forms for current households to declare medical expenses. Further, DTA should implement policies to simplify verification of these expenses and/or provide direct assistance to contact providers for information.

NOTES:

1. Mathematica Policy Research, Inc., *Reaching Those In Need: State Food Stamp Participation Rates in 2004*, USDA, Food and Nutrition Service, October 2006. Reports for 2000, 2001, 2002, 2003 also available. <http://www.fns.usda.gov/oane/MENU/Published/FSP/FSPPartState.htm>

2. DTA shipped EBT cards to over 60,000 SSI recipients during two outreach phases in 2005. Over 70% utilized these card and were placed on Bay State CAP 36 months. Additional SSI applicants and recipients come through the SSA screening process. See DTA Field Operations Memo2005-5, October 3, 2005 and additional DTA materials.

3. In response to recommendations from the Coalition, DTA has issued policy guidance on a number of key FSP initiatives during the past few years including: revision of the paper FSP application form to remove unnecessary questions and to clarify mandatory verifications required for eligibility versus optional verifications for deductions, *Field Operations Memo 2005-16*; extensive policy guidance on eligibility of battered immigrants, *Field Operations Memo 2005-22*; updated instructions on DTA obligations to provide interpreters for limited English proficient households, *Field Operations Memo 2005-34*; instructions to FSP workers that denied FSP cases be reopened if denied for lack of verifications, *Field Operations Memo 2006-20*; processing guidelines for on-line and fax applications, *Field Operations Memo 2006-30*; results of USDA program Access Review, *Field Operations Memo 2006-33*; instructions eliminating the penalty/warnings "Blue Form," in effect a second application signature requirement, *Field Operations Memo 2006-53*; guidance to workers on how to use The Work Number system to verify employment or wages where applicants need help securing work-related information, *Field Operations Memo 2007-03*; and numerous Hotline questions and FYI on verification issues, flex credits, medical deductions, etc. DTA is currently implementing a recommendation to allow for electronic signatures for on-line applications, instructions to issue notice of missed interviews, and the H-EAT and EAT initiative with DHCD to provide special fuel assistance benefits for designated households.

4. DTA caseload data as of November 2006, February 2007 Facts and Figures Report, indicates an FSP caseload of 449,111 recipients. Mathematica report of October 2007 indicates an eligible FSP population of 659,000 individuals (who are under 130% FPL, even though Massachusetts provides FSP benefits to families with children under 200% FPL). Assuming the Massachusetts population size and poverty rate has not changed substantially, this leaves approximately 210,000 individuals not receiving FSP benefits. The average monthly benefit for individuals in Massachusetts is currently \$81/month or \$972/year.

5. USDA Food and Nutrition Service, *Food Stamp Program Access Review of the Department of Transitional Assistance*, completed November 8 - 17, 2005, Final report and findings issued by FNS Boston Region, February 1, 2006.

6. *Office of the State Auditor's Report on Information Technology Controls at the Department of Transitional Assistance*, Official Audit Report, June 1, 2005 <http://www.mass.gov/sao/dta200403104t.pdf>.

7. MLRI Report: Program Access Review, presented to the FNS Regional Office, November 8, 2005. Available from Mass Law Reform Institute. Report cited in *Boston Globe*, 12/31/2006.
8. According to DTA's February 2007 Facts and Figures report, www.state.ma.us/dta Massachusetts currently has a very low FSP quality control error rate of 3.9 %, which well below the national average. However, USDA sanctions states fiscally only where there is an error resulting from an overpayment of food stamps, but not under-payments. The Nutrition Title of the President's recommended changes to the 2007 Federal Farm Bill Re-authorization would establish a fiscal penalty on states for exceeding 50% of the national negative error rate for two consecutive years. USDA says this proposal is in response to a growing concern of inappropriately denied benefits. See www.usda.gov/ Citation - see page 93 of USDA report.
9. Public Consulting Group, *Food Stamp Process Review*, June 30, 2006. Available from DTA or Mass Law Reform Institute. Recommendation 1.2, page 23 of report.
10. USDA awarded the North Shore DTA office with a 2006 Hunger Champion award, nominated by the Food Stamp Improvement Coalition. The North Shore DTA office has had one of the highest rates of FSP participation and is recognized by community groups as having some of the best local offices practices and fewest complaints. <http://www.fns.usda.gov/fsp/outreach/coalition/champions.htm>
11. During 1988, then DPW Commissioner Atkins and Deputy Commissioner Jolie Bain Pillsbury required every local office to draft and share with community groups their local office procedures, including guidelines "to improve the quality of profession and compassionate services to clients." Each local DPW office developed individual guidelines in accordance with this mandate. To the best of our knowledge, no similar instructions have been issued since the end of the Dukakis Administration. Copies of the office procedures available through MLRI (and presumably DTA archives).
12. According to USDA's Promising Practices information, "The Portland, Bangor and Sanford DHHS Offices demonstrate a commitment to excellence in customer service by maintaining a policy of seeing clients within 20 minutes. Signs are posted that tell applicants/recipients to let the receptionist know if the time limit has passed but most clients are seen immediately. The Portland office has an average of 230 walk-ins daily, yet the 20-minute wait policy is maintained. Maine has one of the highest Food Stamp Program participation rates in the nation." <http://www.fns.usda.gov/fsp/outreach/promising/maine.htm>
13. According to USDA, the Stillwater local Food Stamp Program office in Minnesota's Washington County has introduced the use of pagers among eligibility staff, which receptionists may use when a worker's client arrives in the waiting area. This pager system has improved timeliness, and clients have become more cooperative knowing that their needs are being taken seriously. <http://www.fns.usda.gov/fsp/outreach/promising/Minnesota.htm>. In Iowa, the Des Moines County office participated in Service Excellence training for all Income Maintenance and Support staff in 2004, in which staff participated in a poverty simulation that illustrated about how customers feel when they need to apply for assistance. This emphasis on customer service reportedly contributed to a large caseload increase that year. <http://www.fns.usda.gov/fsp/outreach/promising/Quarter.htm>
14. FNS New England Regional Office FSP caseload data. Connecticut, Maine and Rhode Island currently have FSP caseloads of 500 to 600 per worker.
15. DTA TAO Clerical FTE Report, 1/31/2007 for March 2002 through January 6, 2007.
16. Chapter 139 of the Acts of 2007, Section 2, Line item 4400-1001.
17. SEIU budget request for FY08 budget DTA administrative funding is \$5M to provide an additional 100 full time eligibility workers.
18. The FY07 budget language, line item 4400-1001 requires DTA to "*expend \$700,000 to establish a unit staffed by department employees to respond to food stamp inquiries, and arrange for and conduct telephone interviews for*

initial food stamp applications;..” (Emphasis added). Since the fall of 2006, DTA has been developing a pilot call unit in the Brockton DTA office. However, the proposed call unit does not require staff to conduct FSP application interviews as required by the FY07 budget language.

19. Federal law requires all applicants for FSP benefits to be interviewed by a trained FSP worker to confirm eligibility information, identify verifications needed, and offer assistance. 7 CFR 273.2(e). DTA has the authority to waive face to face in-office interviews for applicants who must work, have a disability, lack transportation or child care or other hardships and, in fact, has issued extensive guidance waiving face to face interviews. Field Operations Memo2002-16. Privatized out-sourced call centers in Texas and Florida have been controversial and inappropriate. In April of 2006, the Texas Health and Human Services Commission made a decision to delay the next phase of a new system that uses privately run call centers to help people apply for food stamps, Medicaid, and TANF. The Center for Public Policy Priorities reported that the new system has been marked by technical difficulties, staffing shortages, and inadequate training of private call center staff. These problems have delayed services to clients, caused thousands of children to lose their food stamps, health insurance, and frustrated both clients. <http://www.cppp.org/research.php?aid=516> Similar concerns have been raised in Florida.

20. Local DTA office phones restrict workers from calling outside the immediate area codes. However, increasingly cell phone users are given cell phone numbers with area codes, such as area code 857 that the DTA phone system codes as long distance, thus prohibiting DTA workers from making an outgoing call.

21. Utah’s Central Region Eligibility Services Center (CRESC) provides a full access phone services where FSP applicants and recipients can reach a live staff person during business hours to provide case information, obtain change reports, complete re-certifications. www.jobs.utah.gov Description also available at <http://www.aphsa.org/Policy/Doc/Successful-Food-Stamp-Innovations.pdf>

22. See USDA Promising Practices, <http://www.fns.usda.gov/fsp/outreach/promising/>

23. As part of the recertification process, households must complete a recertification form, send this form to their local DTA office with additional verifications. Their caseworker must process it by entering information into BEACON system, and the household must be interviewed by their DTA caseworker (in person or by telephone). If any of these steps do not take place, the FSP case will close.. As a result, each month thousands of eligible households lose FSP benefits because of problems and delays related to the recertification process. Case reevaluation procedures are contained in the DTA document, *A User’s Guide: Transitional Assistance Programs and BEACON*.

24. Frequently, the reported change would only result in a small adjustment of FSP benefits (the payment of which does not affect the state coffers because the benefits themselves are fully federally funded); however, the reporting and adjustment process itself is costly to the state, both because the state pays for more than half of the administrative costs incurred and because time spent on reacting to changes is time taken away from helping new applicants obtain FSP benefits.

25. DTA Data Warehouse information for January 2007. Of the 224,368 FSP households, 20% were on simplified reporting (universal semi-annual reporting (USR)), 21% on Bay State CAP which provides 36 month certification periods, and 53% were on regular recertification which involves both change reporting but also full reporting at certification and interviews.

26. Maryland Department of Human Resources Family Investment Administration. Food Stamp Manual Sec. 410.1.D. Available at http://www.dhr.state.md.us/stamp/manual/410_cert.pdf
Minnesota Department of Human Services. Combined Manual, ML 135.009.03. Available at http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_FILE&RevisionSelectionMethod=LatestReleased&Render=Primary&allowInterrupt=1&noSaveAs=1&dDocName=dhs_id_048174 New York Office of Temporary and Disability Assistance. Food Stamp Source Book 14.3(b)(4). <http://www.otda.state.ny.us/otda/fs/FSSB.pdf>.

27. DHS summary for Express Stamps: http://www.dhs.state.il.us/ts/cfsmm/onenet.aspx?item=26333#a_toc1

28. DTA last revised the “landlord verification” and “share housing verification” forms in 2000, Field Operations Memo 2000-03. However, the scope of personal information sought on these forms, coupled with a strong worker “preference” for these forms to the exclusion of most alternative verifications, has discouraged many FSP applicants.

29. *Field Operations Memo 2005-34* instructs workers that denied FSP cases be reopened if denied for lack of verifications and the missing verifications are provided within 60 days of the original application.

30. In September 2006, in response to the FY07 budget language directing DTA to reduce the scope of verifications, DTA issued Field Operations Memo 2006-43 instructing workers on the scope of “permanent verifications” which need not be re-verified. However the policy memo narrowly defines the eligibility factors considered permanently verified to just two: a household member’s SSN and date of birth. The FY07 budget language, line item 4400-1001, requires “*that the department shall not require food stamp applicants to provide re-verification of eligibility factors previously verified and not subject to change;...*” Hence, if an FSP household has previously verified his or her residence, shelter costs, immigration status or other eligibility factors and - there is no reasonable basis for anticipating a change - the Department should not require re-verification of these factors. Field Operations Memo 2006-43 does not adequately address the requirements of the budget language.

31. The Iowa Department of Human Services instructs its workers to provide a postage-paid return envelope in almost all of its Food Stamp program applicant and participant correspondences (e.g., initial verifications, recertification, change reporting, notice regarding acceptance of other benefits) in order to ensure return to the county office. The Arkansas Department of Health and Human Services instructs its workers to provide postage-paid return envelopes to the applicant or participant for the initial return of verifications and change reporting.

32. The United States Postal Service provides various Business Reply Mail plans. See <http://pe.usps.com/cpim/ftp/manuals/qsg300/q507a.pdf>. If the Department were to enroll in the High-Volume BRM plan, aside from the up-front costs, it would only be an additional 11 cents per envelope plus first-class postage costs in order to put into practice the use of postage-paid return envelopes. This is a relatively small administrative cost, which would be 50 percent federally reimbursed, and be more than offset by the time saved by DTA workers and the increased amount of federal food stamp dollars brought into the state by higher approval rates.

33. Some Gateway providers have claimed that individuals seeking MassHealth are too concerned with their health care needs to want to apply for food stamps. While that may be true for families in the emergency rooms, we suspect the more likely reason is that administrative staff in health care settings are more focused on getting insurance or MassHealth coverage pinned down than asking about nutritional needs of households

34. See Mathematica Policy Research, Inc., *Reaching Those In Need: State Food Stamp Participation Rates in 2004*, USDA, Food and Nutrition Service, October 2006, available at: <http://www.fns.usda.gov/oane/MENU/Published/FSP/FSPPartState.htm>

35. Mass. Department of Workforce Development, Division of Unemployment Assistance, Economic Research Department. Profile of Massachusetts Unemployment Insurance Claimants, November 2006.

36. MLRI has recommended having UI Claims Representatives screen these households for FSP benefits and, if the UI claimant wishes to pursue it, the claimant data and verifications should be provided to DTA (such as residence, non-citizen status, income, SSN) be electronically provided to DTA to initiate the FSP application. Experience of many community groups and Legal Services programs is that recently unemployed households with children tend to be the least likely to receive food stamps and often most likely to be eligible for a high amount, depending on their UI benefit amount.

37. See Stavrianos, M., Nixon, L. *The Effect of Welfare Reform on Able-Bodied Food Stamp Participants*, Mathematica Policy Research, Inc., July 23, 1998. Available at: www.fns.usda.gov

38. California Department of Social Services. Food Stamp Manual 63-503.413. Available at <http://www.dss.cahwnet.gov/getinfo/pdf/fsman6.pdf>. “To determine the net gross income of the applicant or recipient, the individual shall choose either the actual costs of producing self-employment income or a standard deduction of 40 percent of gross earned income;”
Oregon: Department of Human Services. Family Services Manual: Food Stamp Program F-18. Available at <http://dhsmanuals.hr.state.or.us/EligManual/FMPRO?-db=ELGMANL.fp5&-token=&-format=EMnlFrame.htm&Page+ID=06-TOC&Chapter=Food+Stamp+Program&Section=Table+Of+Contents&Revision=Release+43:++10/01/06&-find>
“Clients who are self-employed and have allowable costs (CA C.2) of doing business, get a 50% exclusion off the gross income.”
39. Russell, L. H., Bruce E., Cohahan, J., *Elder Economic Security Initiative: The Elder Economic Security Standard for Massachusetts*. Gerontology Institute, University of Massachusetts. 2006
40. South Shore Community Action Council, Inc, *Elderly Nutrition Needs Assessment, Greater Plymouth, Massachusetts*, August 2005.
41. See Johnson, P., Fulp, R., Wilson, R., Schuetz, B. and Orton, P., *Barriers to Eating a Heart Healthy Diet In a Low Income African American Community, A Special Report of the Healthy Heart Initiative*, Connors Center for Women's Health and Gender Biology, Brigham and Women's Hospital, 2004. See Johnson P, Fulp R, Wilson R, Schuetz B, Orton, P;
<http://www.brighamandwomens.org/connorscenter/cardiovascular/Documents/HHPolicyBrief.pdf>
42. DTA issued a one-page FSP application for Social Security Administration Claims Reps to use when taking a regular FSP application from SSI applicants and recipients. See DTA Field Operations Memo 2005. DTA could in fact develop a similar one-page paper application for non-SSI recipients which would allow community groups who may not be able to access the Virtual Gateway or operate in more informal settings to take the initial application and secure an applicant signature.
43. U.S. Census Bureau. 2005, American Community Survey.
44. 2005 Census Bureau published tables based on the Annual Social and Economic Supplement to the Current Population Survey.
45. Capps, R. Fix, M. The Health and Well-Being of Young Children of Immigrants, 2004. See also “Summary of C-SNAP Findings on Immigrant Families” C-SNAP. October 4, 2004.
<http://dcc2.bumc.bu.edu/csnapublic/Immigrant%20Data%20Summary%209-04.pdf>
46. Gigliotti, Katherine. “Food Stamp Access for Immigrants: How States Have Implemented the 2002 Farm Bill Restorations.” National Conference of State Legislatures. August, 2004. www.ncsl.org
47. Facts and Figures Report: June 2002.” *Department of Transitional Assistance*. June 2002.
http://www.masslegalservices.org/docs/DTA_FFR_20020601.pdf
48. FY 2003 State Budget, Chapter 184 of the Acts of 2002, section 2 line item 4404-1000.
- ⁴⁹ Capps, R. Koralek R. Lotspeich K. Fix M., HolocombP., and Reardon Anderson, J. *Assessing Implementation of the 2002 Farm Bill's Legal Immigrant Food Stamp Restorations: The Final Report to the United State Department of Agriculture Food and Nutrition Service.* TheUrban Institute, Washington, D.C. November 2004.
50. Washington State Department of Social and Health Services, Eligibility A-Z Manual, Citizenship and Alien Status Chapter, WAC 388-424 <http://www1.dshs.wa.gov/esa/eazmanual/Sections/Citizenship.htm> The DSHS manual also includes a desk guide with copies of sample immigrant documents and USCIS codes.

51. U.S Census Bureau. Census 2000 Summary File 3 - Massachusetts. Available at <http://factfinder.census.gov>.
52. See Field Operations Memo 2005-34 (August 1, 2005). Available at <http://www.masslegalservices.org/cat/2449>.
53. The Maine Department of Health and Human Services has contracted with community agencies near its certification offices and requests certified interpreters from these agencies for scheduled appointments. The Maine DHHS and Washington's Department of Social and Health Services also provide block-time interpreters in offices serving a large population of a single-language minority. The Portland DHHS office has a Somali interpreter every Tuesday, and DSHS offices in Seattle and Olympia secure 4-8 hour blocks of interpreters from agencies in their certification areas. Information from telephone conversation with Donald Comeau, Program Administrator, Portland DHHS, February 5, 2007 (207-822-2072); telephone conversation with Jason Reed, Seattle DSHS, February 6, 2007 (360-725-4896).
54. The Maine Department of Health and Human Services has developed office procedures to improve Food Stamp access for LEP applicants as soon as they enter the office. Receptionists establish the language spoken using "I speak" cards available at the front desk, and DSHS has also considered providing front-line staff with cards in several languages, which explain to clients that they may wait in the waiting area and that worker will assist them shortly. DHHS also offers mandatory training for all office staff – both receptionists and eligibility workers – on language access and procedures for limited-English applicants. Information from telephone conversation with Donald Comeau, Program Administrator, Portland DHHS, February 5, 2007 (207-822-2072).
55. The Washington Department of Social and Health Services provides its application in several languages and translates all Department letters and notices into a client's primary language. The Automated Client Eligibility System (ACES) supports eight languages – Cambodian, Korean, Russian, Vietnamese, Chinese, Laotian, Spanish, and Somali – allowing workers to automatically issue all letters and notices in these languages. Applicants who speak one of these supported languages receive all of their written correspondence from DSHS in their language. For clients who do not speak an ACES-supported language, DSHS has each notice and letter translated into the client's primary language through a contracted provider. WAC 388-271-0010. Available at <http://www1.dshs.wa.gov/esa/eazmanual/Sections/LEP.htm>.
56. Vu, et al v. Mitchell, et al., Case No.CPF-04-504362, December 8, 2006. Under the settlement agreement, the California agency will prepare these translations on a specific timetable according to each form's designation as high, moderate, or low priority. Currently 69 forms have been identified for translation. In addition, each year for the term of the agreement, the state will estimate the language needs of the low-income population – both participating and non-participating – in the Food Stamp program, as required by federal Food Stamp law. If the estimate requires translation of materials into other languages, the state will prepare these additional translations.
57. FNS Program Data, as of January 25, 2007, FSP Average Monthly Program Benefit by State, for Households and Individuals. available at: <http://www.fns.usda.gov/pd/fsavgben.htm>
58. Cody, Scott and James Ohls. *Reaching Out: Nutrition Assistance for the Elderly*. Evaluation of USDA Elder Demonstration Models. Vol. 1. Mathematica Policy Research, Inc. March 2005. See also *Older Americans 2004: Key Indicators of Well-Being*. Federal Interagency Forum on Aging-Related Statistics. Washington, DC: U.S. Government Printing Office.
59. Cook, J.T., et al. Child Food Insecurity Increases Risks Posed by Household Food Insecurity to Young Children's Health. *J Nutr.* 2006 Apr;136(4):1073-6. Abstract available: <http://dcc2.bumc.bu.edu/csnappublic/publications-abstracts.htm>
60. *Massachusetts Hunger Assessment II*, RTI International 2006; Project Bread, *Status Report on Hunger in Massachusetts 2006*, available at www.projectbread.org See also Nord, M, Andrews, M and Carlson, S. *Household Food Security in the United States, 2005*. Washington D.C. US Department of Agriculture Food and Nutrition Services, 2006.

61. Neault N, Cook JT, Morris V, Frank DA. *The Real Cost of a Healthy Diet: Healthful Foods Are Out of Reach for Low-Income Families in Boston, Massachusetts*. August 2005 by the Boston Medical Center Department of Pediatrics. Available at: http://dcc2.bumc.bu.edu/csnappublic/HealthyDiet_Aug2005.pdf

62. In accordance with the federal FSP policy option, Pennsylvania regulations direct staff: “At application and for ongoing benefits, the CAO will convert income and expenses to a monthly amount if the income is received or the expense is billed on either a weekly or bi-weekly basis and is expected to continue for the whole month. Use the 4.0 multiplier.” <http://www.dpw.state.pa.us/oimpolicymanuals/manuals/bop/fs/567/>

63. DTA data of January 2007 indicates that of roughly 18,700 FSP households with a child under the age of six and in which all adult household members are working, only 3,800 or 26% were recorded as claiming the dependent care deduction. The bulk of these households were non-public assistance (NPA) households.

64.FNS quality control data, FY00 to FY04.