



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
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Operations Memo 2013-08
February 20, 2013

To: Department of Transitional Assistance Staff

From:  Stephanie Brown, Assistant Commissioner for Policy, Program and External Relations

Re: SNAP: Replacement of Food Lost Due to Winter Storm (Nemo)

Overview

Winter storm Nemo passed through New England on February 8 and 9, bringing significant damage to a number of communities. SNAP policy at 106 CMR 364.900 allows for the replacement of food destroyed by household misfortune such as loss of electricity or fire.

Because a large number of households concentrated in certain areas of the state, lost electricity due to the winter storm, the Department requested and received a waiver from the USDA. This waiver allows for the mass replacement of lost benefits via BEACON without the client having to report food loss and complete the usually required *Statement of Loss/Request for Replacement Food Due to a Household Disaster or Misfortune* form (SNAP-9B) which is Attachment A. In addition, the Department has received a waiver of the reporting deadline for replacement benefits.

Purpose of Memo

This Field Operations Memo:

- describes the replacement of lost benefits under the waiver;
 - discusses the extension of the reporting deadline for replacement benefits under Nemo;
 - reminds case managers of procedures for replacements under regular household misfortune rules;
 - discusses replacement for clients after automatic replacement has been received;
 - provides clarifying information about third party verification or collateral contact for households; and
 - transmits stakeholder information.
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**Replacement of
Lost Benefits
Based Under
Waiver**

USDA has granted the Department a waiver that allows the mass replacement of SNAP benefits for existing SNAP households with grantees whose SSNs end in 0, 1, 2, 3 or 4 and who reside in certain cities and towns in Barnstable, Bristol, Norfolk and Plymouth counties. The replacement amount will be 40 percent of the household's February 2013 SNAP benefit. See Attachment B for a list of designated cities and towns. This waiver allows the Department to automatically replace the benefits without the client being required to request and verify a loss of food.

Households in the affected areas that requested and already received replacement benefits via the SNAP 9B were excluded from the automatic mass replacements granted under the USDA waiver. Active SNAP households at zero benefits also were not included.

MIS:

- will identify all SNAP households eligible for replacement SNAP benefits by city or town;
- will calculate the amount of the benefits to be restored;
- issue replacement benefits which will be available in the client's EBT account on Thursday by 11 am;
- will send a notice (Attachment C) this week to affected households; and
- will annotate the BEACON Narrative tab with the statement "FNS waiver, replacement benefits issued due to 2/9/13 winter storm Nemo."

Households with grantees whose SSNs end in 5, 6, 7, 8 or 9 may apply for replacement benefits but must meet the requirements outlined at 106 CMR 364.900 and in the Household Misfortune Replacement section of this memo.

IMPORTANT: If a client applies for replacement benefits on Wednesday, February 20, 2013, and the client resides in one of the cities or towns listed on Attachment B, the case manager must tell the client that the replacement benefit will be automatically issued to their EBT account by 11 am on Thursday, February 21.

**Extension of
Application
Deadline**

Typically, households must begin the replacement benefit application process within 10 days of the loss. However, DTA has applied to USDA for an extension of this reporting deadline for outages associated with Nemo. This extension has been granted. **Households must report their loss associated with this storm by the end of the day on Friday, March 1, 2013.** After the household applies for replacement benefits, the household must meet the requirements and verification process outlined in the Replacement of SNAP benefits under Regular Household Misfortune section of this memo.

Exception: Households that reside in one of the waiver-approved cities and towns do not require verification by a third party or collateral contact.

**Replacement
of SNAP Benefits
Under Regular
Household
Misfortune Rules**

Case managers in TAOs serving areas not identified on the designated list may also receive requests for replacement benefits, as isolated power outages may have occurred that resulted in loss of perishable food. These requests are to be handled in accordance with current Household Misfortune rules and procedures, as described in this section of the memo.

SNAP policy allows for replacement of food lost during a household misfortune, such as a fire, flood, loss of electricity or other disaster. Replacement is limited to the value of the food lost, not to exceed the total monthly benefit amount. For example, loss of food due to a fire most likely means that the entire monthly SNAP benefit must be replaced, while other situations, such as a loss of electricity, may result in only a portion of the benefit (e.g., perishable food) being replaced.

Requirements

When food purchased with SNAP benefits is destroyed in a household misfortune or disaster, the household will be eligible for replacement of the actual value of the loss, not to exceed one month's allotment if:

- the loss is reported within 10 days of the incident;
- the household misfortune is verified; and
- the SNAP-9B is completed and submitted to DTA within 10 days of the report of the loss.
- No replacement should be approved without a signed SNAP-9B on file.

Processing Replacement Applications

To process a request for replacement, the case manager must:

- ensure the client has completed and signed the SNAP-9B form;
 - ensure the client has reviewed and understands the penalty warnings contained on the SNAP-9B form;
 - issue the replacement benefits in the Related Benefits page using the reason FSP Household Disaster if the client is eligible for household misfortune replacement benefits;
 - annotate the BEACON Narrative tab with the action taken; and
 - file the SNAP-9B and any further documentation in the case record.
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**Replacement
of SNAP Benefits
Under Regular
Household
Misfortune Rules
(Continued)**

Verification

The loss of food due to household misfortune also requires verification by a third party, such as the Red Cross, fire department, utility company or by collateral contact. At this time, if case managers cannot effectively contact the Red Cross, utility company or fire department, the client can be asked to provide a collateral contact (i.e., a person outside of the household) for the verification. DTA staff must contact this person and if the information is verified, note next to the appropriate box on the SNAP-9B and place the form in the case the record.

Households must verify their outage through collateral contacts following current procedures. A power outage valid for replacement benefits is defined as an outage that lasts four hours or more.

**Replacements
After Automatic
Replacement**

If a household that has received the automatic replacement claims to have lost food in excess of the 40 percent issued, case managers must:

- have the client complete and sign the SNAP-9B form.
- issue additional replacement benefits, if eligible via the Related Benefits window – FSP Household Disaster selection. The household is only entitled to receive the difference between the requested amount and the 40 percent replacement amount. Total replacement benefits cannot exceed the SNAP benefit received by the household for February 2013.
- If not eligible, deny the request using the NFL-9 form; and
- annotate the BEACON Narrative tab with the action taken.

Note: Since this household resides in one of the waiver-approved cities and towns, verification by a third party or collateral contact is not required.

**Important
Information
About
Third Party
Verification**

The only households exempt from third party verification or collateral contact are households who reside in one of the cities or towns listed on attachment B. Disregard any prior information to the contrary that communicated a waiver of this rule for persons living in Barnstable, Bristol, Dukes, Nantucket, Norfolk and Plymouth counties. The only households exempt from this rule going forward are households residing in cities or towns listed on Attachment B.

**Stakeholder
Information**

The Household Misfortune Benefits Update (Attachment D) was prepared for DTA stakeholders. This will help them communicate with the people they serve, some of whom may be our clients. It is for informational purposes only.

**Other
Considerations**

There is a pending regulation change to 106 CMR 364.900 (C) that removes the restriction on the number of replacements a household may receive. The federal regulation is already finalized so for purposes of SNAP, no limit on the number of replacements shall be placed on the replacement of food purchased with SNAP benefits which was destroyed in a household misfortune.

Questions

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



Commonwealth of Massachusetts
Department of Transitional Assistance

**Statement of Loss/Request for Replacement Food
Due to a Household Disaster or Misfortune**

I, _____, SSN _____ - _____ - _____
(Print Full Name)
EBT Card # _____

of _____
(Street, City, State, Zip Code)

am in need of replacement food because food I purchased with my Supplemental Nutrition Assistance Program (SNAP) benefits, in the amount of \$ _____, was destroyed in a household disaster/misfortune.

The household disaster/misfortune that occurred on ____/____/____ was: (Explain)
(Date)

I can be contacted at (_____) _____ - _____
(Telephone Number)

The information I have given in this statement is correct and true.

I understand that if I intentionally made a false or misleading statement about the destruction of my food purchased with SNAP benefits, I may be charged with perjury or subject to an Intentional Program Violation. If I am found to have committed an Intentional Program Violation, I will be ineligible for SNAP benefits for 12 months for the first violation, 24 months for the second violation, and permanently for the third violation.

_____ / ____ / ____
Head of Household Signature Date

_____ / ____ / ____
Witness Signature Date

The occurrence of the household disaster/misfortune outlined above was confirmed by:

- Home Visit on ____/____/____
Date
- Collateral Contact with _____ on ____/____/____
Name Date
- Documentation from _____ on ____/____/____
Community Agency Date

_____ / ____ / ____
Case Manager Date

Cities and Towns Receiving Automated Replacement SNAP Benefits

| |
|------------------|
| BRIDGEWATER |
| BROCKTON |
| CARVER |
| COHASSET |
| DENNIS |
| DUXBURY |
| EAST BRIDGEWATER |
| EASTHAM |
| FALL RIVER |
| FREETOWN |
| HALIFAX |
| HANOVER |
| HANSON |
| KINGSTON |
| MARSHFIELD |
| MASHPEE |
| NORWELL |
| PEMBROKE |
| PLYMOUTH |
| PLYMPTON |
| PROVINCETOWN |
| QUINCY |
| REHOBOTH |
| ROCHESTER |
| SANDWICH |
| SCITUATE |
| SEEKONK |
| SWANSEA |
| TRURO |
| WAREHAM |
| WELLFLEET |
| WESTPORT |
| WHITMAN |

310 State Street CAN 710
Springfield, MA 01105

Important Notice - Read Carefully
Este Mensaje Es Importante – Lea Cuidadosamente

Massachusetts Department of Transitional Assistance

Mary Jones
101 Main St.
Springfield, MA 01105

Agency ID: 9999999
Springfield State TAO - DTA

02/21/2013

Dear Mary Jones:

Because you live in an area that was severely affected by the winter storm on February 8, 2013, and may have lost food in a power outage, the Department has issued you emergency replacement Supplementary Nutrition Assistance Program (SNAP) food benefits (formerly Food Stamps) in the amount of \$90.00 on 02/21/2013. This is provided pursuant to a United States Department of Agriculture waiver. This benefit is available to you now.

Because you have already received these emergency SNAP food benefits, you do not need to contact your case manager about them.

If you disagree with the amount of your SNAP benefits, you have the right to a fair hearing. The back side of this notice contains important information about your hearing rights. To request a hearing, complete the back side of this notice.

If you have any questions about this letter, please call 508-999-9999 and ask for your case manager, Mary Smith.



**Winter Storm Nemo Assistance
SNAP Household Misfortune Replacement Benefits –
Update**

February 20, 2013

Dear Community Partner:

Winter storm Nemo passed through New England on February 8 and 9, bringing significant damage to a number of communities. High snow fall combined with significant wind conditions has caused widespread power outages across much of the Massachusetts coast. *Households receiving SNAP may apply to the Department of Transitional Assistance (DTA) for, or may automatically receive, SNAP “replacement benefits” due to household misfortune.*

SNAP Automatic Mass Replacement Benefits [NEW!]

DTA applied to USDA and received a waiver to provide “automatic mass replacement benefits” to some households living in 33 south coastal areas (see list attached) with power outages that affected more than half the population. For clients whose SNAP benefits were issued between February 1 and February 7, 2013 that live in these cities and towns, DTA will automatically replace 40% of their February SNAP benefits.

Benefits will be available to these households automatically by Thursday, February 21. DTA will issue notices to these household notifying them of the automatic replacement benefits.

Note that if these households have already applied for and received replacement benefits, they are not eligible for automatic mass replacement benefits.

SNAP Replacement Benefits

Affected households who receive SNAP benefits may request replacement of food lost due to household misfortune, such as an extended power outage of at least four hours, a flood, or an equipment failure (such as a refrigerator or freezer). Replacement is limited to the value of the food lost or damaged, not to exceed the total monthly SNAP benefit amount the household received.

If households that receive automatic mass replacement benefits lost food valuing more than 40% of the monthly SNAP benefit, they may apply for additional replacement benefits, not to exceed their total monthly SNAP benefit amount for February 2013.

Application Deadline [NEW!]

Typically, households must begin the replacement benefit application process within 10 days of the loss. However, DTA has applied to USDA for an extension of this deadline for outages associated with Nemo. This extension has been granted. ***Households must report their loss associated with this storm by the end of the day on Friday, March 1, 2013.*** Note that they must then return a signed and completed statement of loss within 10 days of reporting the food loss.

Process for Applying

Households living in the 33 cities and town that will receive automatic mass replacement benefits do not need to apply. These benefits will be applied to their SNAP account automatically by Thursday, February 21.

SNAP households that do not live in one of these 33 cities and town must apply for replacement benefits. To receive replacement benefits:

- Because of the USDA reporting extension, clients must report the loss of food by phone, in person or in writing to DTA within **20 days** of the loss. We estimate that for most households, the loss would have occurred on February 8 or 9; therefore, **they should apply by Friday, March 1.** [NEW!]
- Return a signed and completed *Statement of Loss/Request for Replacement Food Due to a Household Disaster or Misfortune* (SNAP-9B) form (attached) to the local DTA office within 10 days of reporting the loss. Note: If the tenth day falls on a weekend or holiday, and the statement is received the next business day, DTA will consider the request to be timely.
- Provide verification of the household misfortune. [NEW!]
 - All households, except those in the 33 cities and town, must provide a verification of the household misfortune by a third party. Examples of third parties who can provide verification include the Red Cross, utility company, fire department or by a person outside of the household.
 - However, if the household lives in one of the 33 coastal counties that DTA has verified had significant power outages and will receive automatic mass replacement benefits, DTA will not require third party verification. Instead, households can simply submit the SNAP 9-B form (attached). The list of communities follows.
 - [NEW!] Note that by reviewing utility companies' outage reports, DTA has determined that there were only enough sustained and significant power outages in the 33 cities and towns to warrant a waiver of the third party verification. Therefore, households living in other towns in the south coastal counties must provide verification.

By City and Town, Households That Will Receive Automatic Mass Replacement Benefits and Are Exempt from the Requirement of Third Party Verifications

| | | | |
|------------------|------------|--------------|-----------|
| Bridgewater | Freetown | Plymouth | Swansea |
| Brockton | Halifax | Plympton | Truro |
| Carver | Hanover | Provincetown | Wareham |
| Cohasset | Hanson | Quincy | Wellfleet |
| Dennis | Kingston | Rehoboth | Westport |
| Duxbury | Marshfield | Rochester | Whitman |
| East Bridgewater | Mashpee | Sandwich | |
| Eastham | Norwell | Scituate | |
| Fall River | Pembroke | Seekonk | |