

CENTRAL WEST JUSTICE CENTER

An affiliate of Community Legal Aid

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April 10, 2015

The Honorable Charlie Baker
Governor of Massachusetts
Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

Kurt Messner
Acting Administrator
Food and Nutrition Service New England Region, USDA
10 Causeway Street
Boston, MA 02222

Mary Lou Sudders
Secretary
Executive Office of Health and Human Services
One Ashburton Place
11th Floor
Boston, MA 02108

Dear Governor Baker, Administrator Messner, and Secretary Sudders:

I am writing to express our concern with the dramatic decline of recipients of Supplemental Nutrition Assistance Program (SNAP) benefits in Massachusetts within the last year. In 2014, the Department of Transitional Assistance (DTA) rushed to implement its new business model design which has led to thousands of erroneous case closures and denials of SNAP benefits for residents, most of whom are in fact eligible for these benefits. As a community based legal aid organization serving low-income and elderly residents in Central and Western Massachusetts, we are receiving numerous calls from our clients and are troubled that their rights to access and keep their SNAP benefits are being violated.

We were happy to hear that Massachusetts' Executive Office of Health and Human Services (EOHHS) recently suspended DTA's automatic wage matches notices and are requiring a worker's review, but there are many more barriers that residents are facing. SNAP families:

- cannot reach DTA workers when they call the statewide assistance line;
- are turned away from their local DTA offices when they go there to seek help;
- are asked for an excessive number of out-of-date verifications;
- submit documents that DTA then loses or does not properly index to the case record.

Recertification and interim reporting paperwork is not processed by DTA and DTA continues to make erroneous and unfiltered wage matches that lead to automatic, unjustified application denials and case closings. Sadly, these barriers have led to an almost nine percent drop in SNAP participation in Massachusetts since December 2013 even though our unemployment rate has declined by only 1 percent. During this period, Massachusetts has lost over \$115 million dollars in federal money that is needed to fund a program that is the nation's first line of defense against hunger.

We are on the front lines working with clients who cannot understand why their applications were denied or why their SNAP cases were closed. I would like to share with you three stories of legal services clients in Central Massachusetts who have been negatively impacted by these policies and practices.

- 1) Mary is a single mother of two children and works 15 hours a week at an assisted living facility. She and her children live in the Greater Worcester area and rely heavily upon their SNAP benefits. DTA sent her a recertification form in November 2014, which she promptly completely and mailed back before the end of November. For the entire month of December Mary did not receive any notices or calls from DTA telling her that further action was required. In January, Mary attempted to use her EBT card at a local grocery store and discovered that there were no benefits on her EBT card. Her SNAP case had been closed because DTA failed to take any action on her recertification paperwork. Mary contacted us and we immediately challenged DTA's decision to close her case. DTA agreed to reopen her case but refused to give her back the benefits she lost in January even though the delay had been caused by DTA. We then contacted the Assistant Director at the local DTA office and she finally instructed the caseworker to restore Mary's January benefits. We are concerned that DTA may be depriving clients of benefits whenever they delay processing a SNAP case.
- 2) John lives in the Northbridge area and was laid off from his job. His only source of income is unemployment benefits amounting to less than \$300 a month. He applied for SNAP benefits in January 2015 and submitted all essential documents to DTA. In early February 2015, DTA sent him a notice requesting his proof of address even though he had already provided this information. Within two days of receiving the notice, he resubmitted his proof of address. John then called the statewide assistance line and a worker told him that DTA had all the documents it needed and that a supervisor would review his case and approve his benefits. Within a week, when he had not heard from the supervisor, he sent a follow-up letter to DTA requesting that someone get back to him and once again submitted his proof of address. In early March 2015,

DTA sent two notices, one denying John SNAP benefits and another stating that the documents he sent in could not be used because his case had been denied for over 30 days, which was untrue. John tried several times to contact DTA but could not reach anyone. Our office is currently working with John to appeal the denial. He has been unable to afford food and has been depending upon friends to feed him.

- 3) Ruth lives in Northern Worcester County. She is an elder and has serious disabilities that require daily assistance from caregivers. Ruth is home bound and cannot get around without assistance from her caregivers. She sent DTA her recertification promptly in early March, and it was added to her case record on March 2. She did not get any notices about any issues or next steps. Ruth had no SNAP benefits on her card on Saturday, April 4, 2015. Her caregiver had to leave a full cart of food at the grocery store and return home empty handed. Ruth observes Passover and only had matzo to eat over the weekend. She scrounged up eight dollars on Monday to give to her caregiver to buy bananas and potatoes to supplement the matzo. DTA had automatically closed her case because her recertification documents, received over a month earlier, had not been looked at by a worker or acted on. Ruth contacted the assistance line for help reopening her case but was cut off before she could confirm whether the problem was resolved. After repeatedly calling and failing to connect due to high call volume, Ruth reached a legal aid office. Advocates in that office were able to reach the local DTA office and got Ruth's case reopened. Ruth suffered a great deal of stress about losing her SNAP benefits and was fearful of the impact that loss would have on her health.

These are only a few of the stories regarding the impact of DTA's new business model on SNAP recipients and applicants in Central Massachusetts. There are many more residents that have simply given up because they do not know what else they can do and the system has proven just too burdensome to navigate. As advocates, our office has also had difficulty in reaching workers and obtaining information and in one instance, a DTA employee answering the statewide assistance line hung up on an advocate with a valid release from the SNAP participant indicating that the release was insufficient to allow the advocate to obtain information on the client's behalf. We urge you to investigate and address DTA's improper denial and termination of SNAP benefits. We would be happy to provide you with additional examples and be a resource to the Administration in recommending policy changes.

Sincerely,



Leticia Medina-Richman
Managing Attorney