# *1002 APPLICATION PROCESS*

## 1002.05 INTRODUCTION

REV:01/2002

The application process begins with a request for an application form and is not completed until notification of the household's eligibility is sent. The date of application is considered to be the date a signed application is received by the agency.

The application process includes, but is not limited to, the following activities:

* Ensuring applications are available;
* Assisting a household in the completion of its application;
* Interviewing a member of the household or an authorized representative;
* Performing necessary collateral contacts and verifications; and
* Entering and maintaining a computer file through which food stamp benefits are issued.

The application process is completed promptly. A household must be given notification of eligibility or ineligibility no later than thirty (30) days after an application is filed. Expedited service is available to households in immediate need. (See Section 1016.10.) Benefits are prorated and provided retroactively to the date of application for households who have completed the application process and have been determined eligible.

### 1002.05.05 Withdrawing Applications

REV:07/1986

A household may voluntarily withdraw its application at any time prior to the determination of eligibility. The agency representative must document in the case file the reason for withdrawal, if any was stated by the household, and that contact was made with the household to confirm the withdrawal. The household must be advised of its right to reapply at any time subsequent to a withdrawal.

## 1002.10 FILING AN APPLICATION

REV:08/2001

Households wishing to participate in the program must file the Application for Assistance Part 1 (DHS-1), and the Statement of Need booklet, form DHS-2.

An application for the Food Stamp Program must be submitted for each household requesting food stamp assistance.

Since the time limit for providing benefits is calculated from the date the application is filed, each household has the right to file an application on the same day it contacts the food stamp office during working hours. The agency must document the date the application was filed by recording the date it was received by the Food Stamp Program or the FIP or GPA Programs on page four (4) of the DHS-1 or on the cover of the DHS-2.

Applications can be filed in person or by an authorized representative at a DHS Regional or District Office, by mail or by facsimile (fax).

If a household contacts the wrong office, either in person or by telephone, that office must give the household the address and telephone number of the appropriate office. If the household mails the application form to the wrong office, that office must date stamp the application as received and then forward the application on the same day it was received to the appropriate office for processing.

## 1002.10.05 Right to Same-day Filing

REV:11/2000

A household must be advised by the receptionist of its right to file an application on the same day. It must also be advised that it does not have to be interviewed before filing its application and that it may file an incomplete application form as long as the form contains the applicant's name, address, and the signature of either a responsible member of the household or the household's authorized representative. The household is encouraged to file the application form the same day the household or its representative contacts the office in person or by telephone and expresses interest in obtaining food stamp assistance. To assure all households are advised of their right to file an application on the same day they initially contact the Food Stamp office, signs must be posted in the certification office which explain that right. Information about same-day filing is included in the application packet. An application form must be given to anyone requesting it. Furthermore, application forms must be readily accessible to potentially eligible households.

## 1002.10.10 Mailing Applications to Households

REV:11/2000

If the household has contacted a Food Stamp office by telephone but is unable to come to the office to file the application that same day, or the household has requested food stamp assistance in writing, the application form is mailed to the household on the same day the written request or telephone call is received. If a household contacts the wrong certification office in the State, either in person or by telephone, that certification office must, in addition to making an application form available, give the household the address and telephone number of the appropriate office. If the household has mailed its application to the wrong office in the State, that office must date stamp the application as received and then forward the application to the appropriate office on the same day.

## 1002.10.12 The Application Interview

REV:08/2001

The Statement of Need (DHS-2) is the basic document used in the application process through which eligibility for the Food Stamp Program is determined. The Application for Assistance Part-1 (DHS-1), and the DHS-2 comprise the application for food stamps.

The Intake interview is scheduled by appointment or plan. The face-to-face interview can be waived in favor of a telephone interview (see Section 1002.55.10). The DHS-2 is reviewed with the applicant or adult representative of the household, and the appropriate information is verified through documentation supplied by the applicant, or if not supplied by the applicant, by obtaining the document or information. (See

Section 1002.60.35.) Items on the DHS-2 are signified as verified by the entry in red of a verification mark (V) and the documentary source in the verification area of each question.

The applicant is required to read, or have read to him/her, the information on the signature page of the DHS-2, and sign the form. The DHS-2 must be completed and signed by an adult representative of the household applying for food stamps certifying, under penalty of perjury, that the information contained in the application is true.

## 1002.10.15 Applications from FIP & GPA households

REV:08/2001

To facilitate participation in the program, households in which all members are applying for FIP and/or GPA are allowed to apply for food stamp benefits at the same time they apply for assistance. However, the household's food stamp eligibility and benefit level must be based solely on food stamp eligibility criteria and the household must be certified in accordance with notice and procedural requirements of the Food Stamp Program regulations. The interviewer must advise these household that FIP time limits and other requirements that apply to the receipt of FIP benefits do not apply to receipt of food stamp benefits and households which cease receiving FIP benefits because they have reached a time limit, have begun working, or for other reasons, may still qualify for food stamp benefits. Special procedures for receiving and processing food stamp applications from these households are provided in Section 1016.30.

A household with some FIP/GPA recipients, and some SSI recipients, is also certified under the joint application procedure. A household with some FIP/GPA recipients, and some who are not, is certified as a PA household and the case is handled by the agency representative in the FIP or GPA Program.

## 1002.10.20 Applications from SSI Households

REV:11/2000

SSI households may apply for, and participate in, the Food Stamp Program as PA households and the case is handled by the agency representative in the NPA Food Stamp Program. (See Section 1016.35 for SSI/FSP joint application processing.)

## 1002.10.25 Applications from RSDI Households

REV:09/1987

An applicant for, or recipient of, social security benefits under Title II of the Social Security Act should be informed at the SSA office of the availability of benefits under the Food Stamp Program and the availability of a Food Stamp Program application (DHS-2) at that SSA office.

Such applications must be filed at a food stamp office. The joint processing procedures for SSI households do not apply to households receiving social security benefits.

## 1002.10.30 Screening Households for Expedited Service

REV:09/1987

According to the local office plan, an agency representative is designated to screen the application form in order to identify households (as defined in Section 1016.10.) who are eligible for expedited service at the time the household requests food stamp benefits. These households are referred to the person on duty who handles emergencies.

## 1002.10.35 Screening for Duplicate Participation

REV:12/1994

At the time a household applies for food stamp benefits, the agency representative must check to determine that duplicate benefits are not issued to the household. This check is accomplished by utilizing the Person Search function (PERS) in INRHODES by Social Security Number and/or the name of each applicant household member.

The screening process prevents individuals from receiving food stamp benefits in more than one household or jurisdiction within the State.

After a household has been checked for duplicate participation, the agency representative must make an entry on the DHS-1 form on page 4.

## 1002.10.40 Persons Applying as Pre-Release Applicants

REV:01/2002

When a resident of a public institution applies for both SSI and food stamps under the SSA's Pre-release Program for the Institutionalized, the filing date of the Food Stamp Application is recorded as the date the applicant is released from the institution. Such applications are certified under the joint processing rules in Section 1016.40.

# 1002.15. GENERAL HOUSEHOLD DEFINITION

REV:01/1988

A household is composed of any of the following individuals or groups of individuals, provided they are not residents of an institution (except as otherwise specified in Section 1002.40), are not residents of a commercial boarding house, or are not boarders (except as otherwise specified in Section 1002.30):

1. An individual living alone;

2. An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others;

3. A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.

## 1002.15.05 Special Household Definition

REV:06/2001

Certain individuals living with others or groups of individuals living together must be considered as customarily purchasing food and preparing meals together, even if they do not do so.

Separate household status may NOT be granted to the following:

1. A spouse of a member of the household; or

2. Children under twenty-two (22) and living with their parents, even if married and living with a spouse, a child, or both; or

3. Children (other than foster children) under eighteen (18) years of age who live with and are under the parental control of an adult household member other than his or her parent(s). A child must be considered under parental control if he or she is financially or otherwise dependent on a member of the household.

## 1002.15.10 Elderly/Disabled Individuals

REV:07/1986

Although a group of individuals living together and purchasing and preparing meals together constitutes a single household under the provisions of the General Definition, an otherwise eligible member of such a household who is 60 years of age or older and who is unable to purchase and prepare meals because s/he suffers from a disability considered permanent under the Social Security Act or suffers from a nondisease-related, severe, permanent disability may be a separate household from the others based on the provisions of the Special Definition, provided that the income of the others with whom the individual resides (excluding the income of the spouse of the elderly and disabled individual) does not exceed 165% of the poverty line. (See Table III in Section 1038.25.)

For disability determinations which must be made relevant to this provision, the agency must use the SSA's most current list of disabilities as the initial step for verifying if an individual has a disability considered permanent under the Social Security Act. However, only an individual who suffers from such a disability and who is unable to purchase and prepare meals because of such disability is considered disabled for the purpose of this provision.

If it is obvious to the agency representative that the individual is unable to purchase and prepare meals because s/he suffers from a severe physical or mental disability, the individual is considered disabled for the purpose of this provision even if the disability is not specifically mentioned on the SSA list. If the disability is not obvious to the agency representative, s/he must verify the disability by requiring a statement from a physician or licensed or certified psychologist certifying that the individual (in the physician's/psychologist's opinion) is unable to purchase and prepare meals because s/he suffers from one of the non-obvious disabilities mentioned in the SSA list or is unable to purchase and prepare meals because s/he suffers from some other severe, permanent physical or mental disease or non- disease-related disability. The elderly and disabled individual (or his/her authorized representative) is responsible for obtaining the cooperation of the individuals with whom s/he resides in providing the necessary income information about the others to the agency for purpose of this provision.

## 1002.20 NONHOUSEHOLD MEMBERS

REV:07/1986

For the purposes of defining a household under the provisions of the General Definition, the following individuals are not included as members of the household, unless specifically included as a household member under the provisions of the Special Definition. If not included as a member of the household under the provisions of the Special Definition, such individuals must not be included as a member of the household for the purpose of determining household size, eligibility, or benefit level.

The income and resources of such individuals must be handled in accordance with the provisions of Section 1016.25. The following individuals (if otherwise eligible) may participate as separate households:

* Roomers

  Individuals to whom a household furnishes lodging, but not meals, for compensation.

* Live-in Attendants

  Individuals who reside with a household to provide medical, housekeeping, child care or similar personal services.

* Other Individuals

  Other individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with the household. For example, if the applicant household shares living quarters with another family to save on rent, but does not purchase and prepare food together with that family, the members of the other family are not members of the applicant household.

## 1002.25 INELIGIBLE HOUSEHOLD MEMBERS

REV:08/2004

Some household members are ineligible to receive program benefits under the provisions of the Food Stamp Act (such as certain aliens and certain students). Others may become ineligible for such reasons as being disqualified for committing an intentional program violation or refusing to comply with a regulatory requirement. These individuals must be included as members of the household for the purpose of defining a household under the provisions of the general and special definitions.

However, such individuals must not be included as eligible members of the household when determining the household's size for the purpose of comparing the household's monthly income with the income eligibility standard or assigning a benefit level.

The income and resources of such individuals must be handled in accordance with the provisions of Section 1016.20.05, as appropriate. Moreover, these individuals are not eligible to participate as separate households. Categories of ineligible individuals include:

* Ineligible Aliens

  Individuals who do not meet the citizenship or qualified alien status requirements of Section 1004.20 or the alien sponsorship requirements of Section 1014.55.

* Ineligible Students

  Individuals who do not meet the eligible student requirements of Section 1004.35.

* Noncompliance with Work Requirements

  Individuals who are disqualified for noncompliance with the work requirements found in Section 1004.25.

* Intentional Program Violation

  Individuals who are disqualified for an intentional program violation, as set forth in Section 1034.

* Social Security Number (SSN) Noncooperation

  Individuals who are disqualified for failure to provide or apply for an SSN, as set forth in Section 1004.40.

* Failure to Attest to Citizenship/Alienage Status

  Individuals who do not attest to their citizenship or alien status as set forth in Section 1004.20.

* Fleeing Felons

  Individuals who are fleeing to avoid prosecution, custody, or confinement after conviction, under the law of the place from which the individual is fleeing, for a crime or attempt to commit a crime that is a felony under the law of the place from which the individual is fleeing or which, in the case of New Jersey, is a high misdemeanor under the State of New Jersey; or violating a condition of probation or parole imposed under a Federal or State law.

## 1002.30 BOARDERS

REV:02/1989

Boarders are defined as individuals or groups of individuals residing with others and paying reasonable compensation to the others for lodging and meals. Boarders are ineligible to participate in the program independent of the household providing the board. They may participate as members of the household providing the boarder services to them at the household's request. For Food Stamp Program purposes, a foster child or foster care adult is considered a boarder. In no event, should boarder status be granted to those individuals or groups of individuals described in 1002.15.05., which includes children and siblings residing with elderly or disabled parents or siblings.

## 1002.30.05 Determining Who is a Boarder

REV:01/2002

The household within which a boarder resides (including the household of the proprietor of a boarding house) may participate in the program if that household meets all the eligibility requirements for program participation.

To determine if an individual is paying reasonable compensation for meals and lodging in making a determination of boarder status, only the amount paid for meals must be used, provided that the amount paid for meals is distinguishable from the amount paid for lodging. A reasonable monthly payment must be either:

* a boarder, whose board arrangement is for more than two meals a day, must pay an amount which equals or exceeds the Thrifty Food Plan for the appropriate size of the boarder household; or,

* a boarder, whose board arrangement is for two meals or less per day, must pay an amount which equals or exceeds two-thirds of the Thrifty Food Plan for the appropriate size of the boarder household.

An individual furnished both meals and lodging by a household, but paying compensation of less than a reasonable amount to the household for such service, is considered a member of the household providing the services.

## 1002.30.10 Consideration of Boarder's Income/Resources

REV:06/1987

None of the income or resources of individuals determined to be boarders and who are not members of the household providing the boarder services is considered available to such household.

However, the amount of the payment that a boarder gives to a household must be treated as self-employment income to that household. The procedures for handling self-employment income from boarders (other than such income received by a household that owns and operates a commercial boarding house) are set forth in Section 1016.15.50. The procedures for handling income from boarders by a household that owns and operates a commercial boarding household are set forth in Section 1016.15.10.

For program purposes, a boarding house is defined as a commercial establishment which offers meals and lodging for compensation with the intention of making a profit. Residents of such boarding houses are not eligible for program benefits. The number of boarders residing in a boarding house is not used to determine if a boarding house is a commercial enterprise. The household of the proprietor of a boarding house may participate in the program, separate and apart from the residents of the boarding house, if that household meets all of the eligibility requirements for program participation.

## 1002.35 DEFINITION OF HEAD OF HOUSEHOLD - GENERAL

REV:12/1994

When designating the head of the household in a household with an adult parent and children or an adult who has parental control over children, the household must

select an adult parent of children of any age living in the household, or an adult who has parental control over children under 18 years of age living in the household, provided that all adult members agree to the selection. These households may effect the selection at application, recertification, or whenever there is a change in household composition, but not when a previously-designated head of household has been sanctioned under Section 1004.25.35 or Section 1004.30.

If such a household fails to select a head of household, the agency representative shall designate the principal wage earner as the head of household. For households that do not consist of adult parents and children, or adults who have parental control of children living in the household, the worker will designate the head of household.

The head of household classification is not used to impose special requirements on the household such as requiring that the head of household, rather than another adult member of the household, appear at the office to make application for benefits. In the event that the head of the household or spouse is unable to file the application, another household member may apply for the household, or an adult nonhousehold member may be designated as the authorized representative for that purpose.

## 1002.35.05 Head of Household - Work Requirement

REV:11/2000

For purposes of failure to comply with the work requirements in Section 1004.25 and the voluntary quit provision in Section 1004.30, the head of the household is the adult parent of children or an adult who has parental control over children under 18 designated by and agreed upon by all adult members of the household.

If the household fails to select a head of household, the agency representative designates the principal wage earner as the head of household. The principal wage earner is the household member (including an ineligible member) who has the greatest amount of earned income in the two (2) months prior to the month of application or month of violation. This provision applies only if the employment involves 20 hours or more per week or provides earnings at least equivalent to the Federal minimum wage multiplied by 20 hours.

No person of any age living with a parent (or person fulfilling the role of parent) who is:

1. registered for work;

2. exempt from work registration because s/he is subject to and participating in a TANF/FIP employment plan or

3. receiving unemployment compensation; or

4. is employed or self-employed and working a minimum of 30 hours weekly or receiving weekly earnings equal to the Federal minimum wage multiplied by 30 hours

shall be considered the head of household unless s/he is an adult parent of children and the household elects to designate her/him as its head of household.

When a new person joins a household with an adult parent of children while either the household or an individual is disqualified for a work requirement or voluntary quit violation, and if the new person is selected by the household to be the head of

household as defined above, that new head of household status takes precedence over the status another member may have held.

## 1002.40 RESIDENTS OF INSTITUTIONS

REV:06/2006

1002.40 RESIDENTS OF INSTITUTIONS REV:03/2006

Individuals are considered residents of an institution when the facility provides them with the majority of their meals (over 50% of three meals daily) as part of the institution's normal services. Residents of institutions are not eligible for participation in the Food Stamp program.

Individuals who do not elect to receive the majority of their meals (over 50% of three meals daily) from the facility, such as an Assisted Living facility, would not be considered residents of an institution and would, therefore, be entitled to receive food stamp benefits if otherwise eligible.

### 1002.40.05 Exceptions to the Institution Rule

REV:08/1987

* Residents of federally subsidized housing for the elderly, built under either Section 202 of the Housing Act of 1959 or Section 236 of the National Housing Act.

* Narcotic addicts or alcoholics who, for the purpose of regular participation in a drug or alcohol treatment and rehabilitation program, reside at a facility or treatment center. (Refer to Section 1014.10.)

* Disabled or blind individuals who are residents of group living arrangements (as defined in Section 1000.10.20.) and who receive benefits under Title II or Title XVI of the Social Security Act.

* Women, or women with their children, temporarily residing in a shelter for battered women and children (as defined in 1000.10.25.) Such persons temporarily residing in shelters for battered women and children are considered individual households for the purposes of applying for, and participating in, the program.

* Residents of public or private non-profit shelters for homeless persons. (Refer to Section 1014.60.)

### 1002.40.10 Pre-Release Program Residents

REV:05/1989

Residents of public institutions who apply for SSI prior to their release from an institution under the Social Security Administration's Pre-release Program for the Institutionalized are permitted to apply for food stamp benefits at the same time they apply for SSI. These pre-release applicants are processed in accordance with the provisions in Section 1016.40.

## 1002.45 STRIKERS

REV:08/1987

Households with striking members are ineligible to participate in the program unless the household was eligible for benefits prior to the strike. (Refer to Section 1014.25.)

## 1002.50 AUTHORIZED REPRESENTATIVE

REV:06/1987

There may be cases when the head of the household or spouse cannot apply for the household. In such cases, another household member may apply or an adult, nonhousehold-member may be designated as the authorized representative.

### 1002.50.05 Definition

REV:11/2000

An authorized representative is a person designated by the head of the household or the spouse, or any other responsible member of the household, to act on behalf of the household in applying for program benefits, or using the food stamp benefits as discussed in 1002.50.25. A private, non-profit organization or institution or a publicly operated community mental health center conducting a drug addiction or alcoholic treatment and rehabilitation program must serve in this capacity, and a group living arrangement may or may not also serve in this capacity, as noted in 1002.50.35.

### 1002.50.10 Liability for Designation

REV:06/1987

It is important that the head of the household or the spouse prepare or review the application whenever possible, even though another household member or the authorized representative will actually be interviewed. In conjunction with these provisions, another household member, or the household's authorized representative, may complete work registration forms for those household members required to register for work. The agency representative must emphasize to the household that it will be held liable for any overissuance which results from erroneous information given by the authorized representative, except as provided in Section 1014.10.25.

### 1002.50.15 Who Can be an Authorized Representative

REV:06/1987

An authorized representative must be designated in writing by the head of the household, or the spouse, or another responsible member of the household; and, be an adult who is sufficiently aware of relevant household circumstances. In the event the only adult member of a household is classified as a non-household member, that person may be designated as the authorized representative for the minor household members.

## 1002.50.20 Who Cannot be an Authorized Representative

REV:11/2000

The following individuals may not serve as authorized representatives without prior approval as indicated below:

1. Agency employees who are involved in the certification and/or issuance processes and retailers who are authorized to transact food stamp benefits may not act as authorized representatives unless a determination has been made that no one else is available to serve, and either the Chief Casework Supervisor for the Food Stamp Program or a Regional Manager has provided specific written approval.

2. Individuals disqualified for fraud cannot act as authorized representatives during the period of disqualification, unless the disqualified individual is the only adult member of the household able to act on its behalf and the agency representative has determined that no one else is available to serve. The agency representative determines whether these individuals are permitted to apply on behalf of the household and/or to obtain and purchase goods with food stamp benefits. If the agency representative cannot locate anyone qualified to serve as an authorized representative to purchase goods with the food stamp benefits, the disqualified member is allowed to do so.

3. Where evidence has been obtained that an authorized representative has misrepresented a household's circumstances and has knowingly provided false information pertaining to the household, or has made improper use of the food stamp benefits, the authorized representative may be disqualified from participating in this capacity in the Food Stamp Program for up to one (1) year. The affected household(s) and the authorized representative is sent written notification thirty (30) days prior to the date of disqualification. The notification includes: the proposed action; the reason for the proposed action; the household's right to request a fair hearing; the office telephone number and the name of the person to contact for additional information.

Establishments which provide meals to the homeless may not act as authorized representatives for homeless food stamp recipients.

## 1002.50.25 To Obtain Benefits and Purchase Food

REV:11/2000

An authorized representative may be designated for obtaining food stamp benefits on behalf of the household. This designation is made at the time the application is completed. The authorized representative is issued an Electronic Benefit Transfer (EBT) card for access to food stamp benefits. (Details on the EBT card are in Section 1012.15)

## 1002.50.35 Treatment Centers and Group Homes

REV:04/1993

Narcotics addicts or alcoholics who regularly participate in a drug or alcoholic treatment program on a resident basis and blind or disabled (as defined in Section 1010.30.05) residents of group living arrangements may voluntarily request food stamps. See Section 1014.45 for procedural requirements.

### *1002.50.35.05 Drug Addict/Alcoholic Treatment Centers*

REV:11/2000

The residents of drug or alcoholic treatment centers apply and are certified for program participation through the use of an authorized representative who is an employee of, and designated by, a publicly operated community mental health center, or private non-profit organization or institution, that is administering the treatment and rehabilitation program. The center is the authorized representative for the eligible residents and utilizes the food stamp benefits for food prepared by and/or served to the eligible residents. As authorized representative, the treatment center is responsible for complying with the requirements set forth in Section 1014.10.15.

### *1002.50.35.10 Group Living Arrangements*

REV:11/2000

Residents of group living arrangements either apply and are certified through use of an authorized representative employed and designated by the group living arrangement or apply and are certified on their own behalf (or through an authorized representative of their own choice). The group living arrangement determines if any resident may apply for food stamps on his/her own behalf. The determination should be based on an assessment of the resident's physical and mental ability to handle his/her own affairs. The group living arrangement is encouraged to consult with any other agencies providing services to individual residents prior to a determination.

All of the residents of the group living arrangement do not have to be certified either through an authorized representative or individually in order for one or the other method to be used.

Applications are accepted for any individual applying as a one-person household or for any grouping of residents applying as a household. If a resident applies through the facility as the authorized representative, the group living arrangement may either receive and utilize the food stamp benefits for food prepared by and/or served to the eligible resident or allow the eligible resident to use all or any portion of the allotment. If a resident is certified on his/her own behalf, the food stamp benefits may be: returned to the facility to purchase food for meals served either communally or individually to eligible residents; used by the eligible resident to purchase and prepare food for private consumption; and/or to purchase meals prepared and served by the group living arrangement. In any case, the group living arrangement is responsible for complying with the requirements set forth in Section 1014.45. If the group living arrangement has its status as an authorized representative suspended by FNS, eligible residents applying on their own behalf are still able to participate.

## 1002.50.40 Documentation/Control

REV:11/2000

The agency representative insures that authorized representatives are properly designated. The name of the authorized representative is contained in the household's case file. Limits are not placed on the number of households an authorized representative may represent. In the event employers, such as those who employ migrant or seasonal farm workers, are designated as authorized representatives or that a single authorized representative has access to a large number of Electronic Benefit Transfer (EBT) cards and benefits, caution should be exercised to assure that: (1) the household has freely requested the assistance of the authorized representative; (2) the household's circumstances are correctly represented and the

household receives the correct amount of benefits; and (3) that the authorized representative is properly using the food stamp benefits. Whenever an agency representative suspects an authorized representative is improperly using the food stamp benefits, a report is made to the Chief Casework Supervisor for the Food Stamp Program or a Regional Manager for referral to the Administrator who then notifies FNS.

## 1002.55 INTERVIEWING HOUSEHOLDS-MONTH OF APPLICATION

REV:01/2002

The month of application for all households is the calendar month in which the household files its application. The agency representative determines a household's eligibility and benefit level during the month of application, based on the household's circumstances for the entire calendar month, even if the application is filed late in that calendar month.

### 1002.55.05 Standards for Face-to-Face Interviewing

REV:08/2001

All households, including those submitting applications by mail, must have (unless waived, see Section 1002.55.10) a face-to-face interview with a qualified agency representative in a food stamp office or other certification site prior to initial certification and subsequent recertification. Applicants (and recipients at recertification or for any other reason) who miss their first scheduled appointment, must be notified that they have missed a scheduled appointment and that rescheduling another interview appointment within the necessary time frame to insure an application can be acted upon within thirty (30) days or before the end of the certification period is the responsibility of the household. The individual interviewed may be the head of household, spouse, any other responsible member of the household, or an authorized representative who is an adult and who knows the household's circumstances. The applicant may bring any person s/he chooses to the interview. The interviewer should not simply review the information that appears on the application, but explore and resolve with the household unclear and incomplete information. In addition, the agency representative must fully advise households of their rights and responsibilities during the interview, including the appropriate application processing standard and the household's responsibility to report changes. The interview is conducted as an official and confidential discussion of household circumstances.

The applicant's right to privacy must be protected during the interview. Facilities should be adequate to preserve the privacy and confidentiality of the interview.

### 1002.55.10 Waiver of an Office Interview

REV:08/2001

The agency must notify all Food Stamp households (applicant and recipient) that the face-to-face interview can be waived in favor of a telephone interview upon request by any household.

The agency should waive the office interview on a case-by-case basis because of household hardship situations. Hardship conditions include, but are not limited to: illness, transportation difficulties, care of a household member, hardships due to residency in a rural area, prolonged severe weather, or work or training hours which

prevent the household from participating in an in-office interview. The agency must document the case file to show a waiver was granted because of hardship indicating the specific hardship as well as the period for which the waiver was granted.

The agency must grant a face-to-face interview to any household which requests one.

### *1002.55.10.05 Optional Waivers*

REV:05/1984

The agency representative may offer households for whom the office interview is waived the alternative of either a telephone interview or a home visit. However, home visits are used only if the time of the visit is scheduled in advance with the household.

### *1002.55.10.10 Verification for Out-of-Office Interviews*

REV:08/2001

Waiver of the face-to-face interview does not exempt the household from the verification requirements discussed in 1002.60, although special procedures may also be used to permit the household to provide verification and thus obtain its benefits in a timely manner, such as substituting a collateral contact in cases where documentary verification would normally be provided. Verifications may be faxed or e-mailed to the agency. If the agency is unable to open any attachment(s) to an e-mail(s), the attachment(s) is not considered to have been received by the agency. Waiver of a face-to-face interview does not affect the length of the household's certification period. The agency representative schedules face-to-face or out-of-office interviews as promptly as possible after the filing of an application in order to insure that an eligible household receives an opportunity to participate within thirty (30) days after the application is filed. If a household fails to appear for the first interview, the agency must notify the household that it missed the scheduled interview and that it is the responsibility of the household to schedule a second interview within thirty (30) days of the date of application. Notification must also be given when a household misses any scheduled appointment including a recertification appointment.

## 1002.55.15 Household Failure to Cooperate

REV:10/2005

1002.55.15 Household Failure to Cooperate REV: 10/2005

To determine eligibility, the application forms are completed and signed, the household or its authorized representative is interviewed, and certain information on the application is verified. If the household refuses to cooperate with the agency in completing this process, the application is denied at the time of refusal. For a determination of refusal to be made, the household must be able to cooperate, but clearly demonstrates that it will not take actions which it can take and which are required to complete the application process. For a decision of noncooperation to be made, the household must fail to submit the requested verification by the 10th day from which the information was requested. If there is any question as to whether the household has merely failed to cooperate, as opposed to refused to cooperate, the household is not denied until the 39th day from the date of the application.

The household is also determined ineligible if it refuses to cooperate in any subsequent review of its eligibility, including reviews generated by reported changes and application for recertification. Once denied or terminated for refusal to cooperate, the household may reapply but is not determined eligible until it cooperates.

The agency must not determine a household to be ineligible when a person outside of the household fails or refuses to cooperate with a request for verification. Individuals identified as non- household members under Section 1002.20 are not considered individuals outside the household.

## 1002.55.20 Household Failure to Cooperate with Q.C.

REV:05/1984

A household must be determined ineligible if it refuses to cooperate in any subsequent review of its eligibility as a part of a quality control (QC) review. If a household is terminated for refusal to cooperate with a QC reviewer (in accordance with QC procedures for notification to the household of the penalties for refusal to cooperate), the household may reapply but must not be determined eligible until it cooperates with the QC reviewers.

If the household, terminated for refusal to cooperate with a DHS QC reviewer, reapplies after 95 days from the end of the annual review period (which is the calendar year from October 1 to September 30), the household should not be determined ineligible for its refusal to cooperate with a QC reviewer during the completed review period, but must provide all required verification prior to certification.

For example, a household was reviewed in March and refused to cooperate with the DHS QC reviewer, the household would be ineligible, unless it cooperates, until 95 days after the end of the annual review period, or until January 3rd of the following year.

If a household, terminated for refusal to cooperate with a Federal QC reviewer, reapplies after seven months from the end of the annual review period, the household should not be determined ineligible, unless it cooperates, for its refusal to cooperate with a Federal QC reviewer during the completed review period, but must provide all necessary verification prior to certification.

For example, a household was reviewed in August and refused to cooperate with the Federal Q.C. reviewer. The household would be ineligible until seven (7) months after the end of the annual review period, or until May 1st of the following year.

If the household wants to cooperate with the Federal Q.C.

reviewer, the agency representative should contact the DHS Q.C.

Unit which will in turn inform the Federal Q.C. reviewer.

## 1002.60 VERIFICATION PROCEDURES

REV:12/1987

Verification is the use of third party information or documentation to establish the accuracy of statements on the application. This section sets forth the general requirements for verification of financial and non-financial eligibility factors.

Application of these requirements to each specific eligibility factor is discussed in the section of the Manual dealing with that particular eligibility factor.

Verifying Financial/Non-Financial Information

The agency representative must examine both financial and non - financial information provided by applicant households as part of the eligibility process. Financial information includes statements presented by the household on its resources, monthly income, and deductible expenses. Non-financial information includes residency in the project area, the composition of the household, its citizenship or alien status, the need for certain members to register for work, and verification of social security number(s) (SSN). Specific actions taken to verify these eligibility factors are explained in Section 1002 (non-financial criteria) and Sections 1003 and 1004 (financial criteria).

Verification of Medical Expenses

The total amount of any medical expenses (including the amount of reimbursements) in excess of $35 per month incurred by all household members who are elderly or disabled as defined in Section 1010.30.05., is verified prior to initial certification.

Verification of other factors, such as the determination of allowable medical expenses or the eligibility of the person incurring the cost, is required when questionable.

## 1002.60.05 Verification of Social Security Numbers

REV:12/1987

Each individual's social security number (SSN) reported to the agency by the household must be verified. However, certification of an otherwise eligible household must not be delayed solely to validate any member's SSN, even if the 30 - day processing period has not expired. As soon as all other steps necessary to certify a household are completed, except for verification of an SSN, the agency representative should certify the household.

## 1002.60.10 Verification of Questionable Information

REV:05/1983

The agency representative must verify, prior to certification of the household, all factors of eligibility which the agency representative determines are questionable and affect the household's eligibility and benefit level. Questionable information cannot be based on race, religion, ethnic background, or national origin. Groups such as migrant farmworkers or American Indians cannot be targeted for more intensive verification.

As a guideline, questionable information can be information that is:

* Inconsistent with statements made by the applicant or with other information on the application or previous

applications; or,
* Inconsistent with information received from another source.

## 1002.60.15 Documenting the Verification

REV:05/1983

Case records must be documented to support eligibility, ineligi- bility, and benefit level determinations. Documentation is in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination.

## 1002.60.20 Documentary Evidence

REV:05/1983

The agency representative uses documentary evidence as the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Examples of documentary evidence include wage stubs, rent receipts and utility bills.

Although documentary evidence is the primary source of verification, verification is not limited to a single document or source. Where information from another source contradicts statements made by the household, the household is immediately afforded the opportunity to resolve the discrepancy. Whenever documentary evidence is insufficient to make a firm determination of eligibility or benefit level, or cannot be obtained, the agency representative uses alternate sources of verification, such as collateral contact and home visits. In all cases, the method of verification is recorded in the case record.

Generally, the agency representative should rely on the household to provide the name of any collateral contact.

The household may request assistance in designating a collateral contact. However, the agency representative is not required to use a collateral contact designated by the household if the collateral contact cannot be expected to provide an accurate third-party verification. When the collateral contact designated by the household is unacceptable, the agency representative either will designate another collateral contact, ask the household to designate another collateral contact, or to provide an alternative form of verification, or substitute a home visit.

Once an acceptable collateral contact is designated, the agency representative is responsible for obtaining verification from the collateral contact.

## 1002.60.25 Collateral Contacts

REV:11/2000

A collateral contact is an oral confirmation of a household's circumstances by a person outside of the household. The collateral contact may be made either in person or over the telephone. The agency representative may select a collateral contact if the household fails to designate one or designates one unacceptable to the agency representative. Examples of acceptable collateral contacts include, but are not limited to, employers, landlords, social service agencies, migrant service agencies,

and neighbors of the household, who can be expected to provide accurate third-party verification.

If the agency representative designates a collateral contact, the agency representative must not make the contact without providing prior written or oral notice to the household. At the time of this notice, the agency representative must inform the household that it has the following options:

* Consent to the contact; or,

* Provide acceptable verification in another form; or,

* Withdraw its application.

If the household refuses to choose one of these options, its application must be denied in accordance with the normal procedures for failure to verify information under 1002.65.

Systems and records to which the agency representative has routine access are not considered collateral contacts and, therefore, need not be designated by the household. Examples of contacts in this category include the Beneficiary Data Exchange (BENDIX), the State Data Exchange (SDX), the State Verification Exchange System (SVES), Income and Eligibility Verification System (IEVS), and records of another agency where a routine access agreement exists (such as records from the State's unemployment compensation system).

## 1002.60.30 Home Visits

REV:05/1983

Home visits are used as verification only if documentary evidence cannot be obtained and the visit is scheduled in advance with the household.

## 1002.60.35 Responsibility for Providing Verification

REV:08/2001

The household has primary responsibility for providing documentary evidence to support its income statements and resolve any questionable information. The agency must assist the household in obtaining this verification, provided the household is cooperating with the agency as specified in Section 1002.55.15. Households may supply documentary evidence in person, through the mail, through e-mail, by facsimile (fax), or through an authorized representative. The agency must not require the household to present verification in person at the food stamp office. The agency representative accepts any reasonable documentary evidence provided by the household and is primarily concerned with how adequately the verification proves the statements on the application. If the household is unable to obtain the documentary evidence in a timely manner, or the agency representative can do so more expeditiously than the household, the agency representative offers assistance to the household in obtaining the documentary evidence. The agency is not required, however, to assist households in obtaining verification of shelter costs for an unoccupied home if verification would have to be obtained from sources outside of the project area.

## 1002.60.40 Verification of Reported Changes

REV:06/2004

Changes reported during the certification period are subject to the same verification procedures as apply at initial certification, except that the agency should not verify changes in earned income of less than one hundred dollars ($100.00) or unearned income of less than fifty dollars ($50.00), total medical expenses or actual utility expenses which are unchanged or have changed by $25.00 or less, unless the information is incomplete, inaccurate, inconsistent, or outdated.

### 1002.60.45 Verification After Initial Certification

REV: 08/2006

At recertification, the agency representative must verify any change in income if the source has changed. The agency representative must verify a change in unearned income if the amount has changed by more than fifty dollars ($50), or a change in monthly earned income, if the amount has changed by more than of one hundred dollars ($100) since it was last verified. Previously unreported medical expenses and total recurring medical expenses and actual utility expenses if the amounts have changed by more than twenty-five dollars ($25) shall also be verified at recertification.

A household eligible for the child support income exclusion must verify any changes in the legal obligation to pay child support, the obligated amount, and the amount of legally obligated child support a household member pays to a nonhousehold member.

The agency representative shall not verify unearned income claimed by households which are unchanged or have changed by less than fifty dollars ($50), actual utility expenses if the amount has changed by more than twenty-five dollars ($25) or earned income or total medical expenses which are unchanged or have changed by less than one hundred dollars ($100) or less, unless the information is incomplete, inaccurate, inconsistent, or outdated. Information is considered outdated if it has been six months or more since it was last verified.

The agency representative shall verify reportedly unchanged child support information only if the information is incomplete, inaccurate, inconsistent or outdated. Other information which has changed may be verified at recertification. Unchanged information shall not be verified unless the information is incomplete, inaccurate, inconsistent, or it has been six months or more since it was last verified.

## 1002.60.50 Verification After Non-Cooperation with Q.C.

REV:09/1987

The agency representative must verify all factors of eligibility for households who have been terminated for refusal to cooperate with the DHS QC reviewer, and who reapply after 95 days from the end of the annual review period. Also, the agency representative must verify all factors of eligibility for households who have been terminated for refusal to cooperate with a Federal QC reviewer, and who reapply after seven months from the end of the annual review period.

## 1002.65 TIMELINESS STANDARD

REV:05/1989

A household's eligibility is determined and eligible households are given an opportunity to participate, as defined below, as soon as possible, but in any event

no later than 30 calendar days after the household or its representative files the application.

For a resident of a public institution who applies for food stamp benefits prior to his/her release from the institution, the opportunity to participate must be provided as soon as possible, but not later than thirty (30) calendar days from the date the applicant is released from the institution.

Destitute households are certified on an expedited basis as described in Section 1016.10.

Section 1012.30 describes procedures to be followed if the timeliness standard is not met.

## 1002.65.05 Opportunity to Participate

REV:11/2000

An opportunity to participate consists of providing households with an Electronic Benefit Transfer (EBT) card and personal identification number (PIN) prior to, or at the time of, acceptance into the Food Stamp Program.