

1012 CERTIFICATION PROCEDURES

1012.05 ACTIONS ON ELIGIBLE HOUSEHOLDS

REV:01/1988

A household's monthly allotment and the prorated initial month allotment are based on the Thrifty Food Plan (See Section 1038.40) for the household's size according to the household's net monthly income. All eligible one and two person households receive a minimum monthly allotment of \$10. If the calculation of benefits, in accordance with Section 1010, for an initial month results in an allotment of less than \$10 for the household, no benefits are issued to the household for the initial month.

1012.05.05 Verification of Actual Utility Costs

REV:04/2005

1012.05.05 Verification of Actual Utility Costs REV:04/2005

If the household's actual utility expenses cannot be verified before the thirty days allowed to process the application, the agency representative should use the SUA, provided the household is entitled to use the SUA. (Refer to 1008.20.25) If the household claims expenses for an unoccupied home, the agency representative must verify the household's actual utility expenses for the unoccupied home and must use the standard utility allowance if the household incurs expenses for heating or cooling.

1012.05.10 Verification of Other Deductible Expenses

REV:04/2005

1012.05.10 Verification of Other Deductible Expenses

REV:04/2005

If a deductible expense must be verified and obtaining the verification may delay the household's certification, the representative advises the household that the household's eligibility and benefit level can be determined without providing a deduction for the claimed but unverified expense.

Shelter costs would be computed without including the questionable and/or unverified components. The SUA is used if the household is entitled to claim it.

If the expense cannot be verified within thirty days of the date of application, the agency representative must determine the household's eligibility and benefit level without providing a deduction for the unverified expense. If the household subsequently provides the missing

verification, the agency representative redetermines the household's benefits and provides increased benefits, if any, in accordance with the timeliness standards in Section 1018.05.10 on reported changes.

The household is entitled to the restoration of benefits as a result of the disallowance of the expense only if the expense could not be verified within the 30-day processing standard because the agency representative failed to allow the household sufficient time, as discussed in Section 1012.35.10 to verify the expense. If the household would be ineligible unless the expense is allowed, the household's application is handled as provided in Section 1012.05.10.

1012.10 ESTABLISHING CERTIFICATION PERIODS

REV:01/1988

Definite periods of time are established within which households are eligible to receive benefits. At the expiration of each certification period, entitlement to food stamp benefits ends.

Further eligibility is established only upon a recertification based upon a newly completed application, an interview, and such verification as is required. Under no circumstances are benefits continued beyond the end of a certification period without a redetermination of eligibility.

1012.10.05 Conformance with Calendar Months

REV:01/1997

Certification periods conform to calendar months. At initial application, the first month in the certification period is generally the month of application, even if the household's eligibility is not determined until a subsequent month. For example, if a household files an application in January and the application is not processed until February, and it is assigned a six (6) month certification period, that period is January through June. Upon recertification, the certification period begins with the month following the last month of the previous certification period.

1012.10.10 Variable Benefit Level

REV:01/1988

As a result of anticipated changes, a household's benefit level for the month of application may differ from its entitlement in subsequent months. The agency representative establishes a certification period for the longest period possible over which the household's circumstances can be reasonably anticipated. The household's allotment may vary month to month within the certification period to reflect changes anticipated at the time of certification, unless the household elects the averaging techniques in 1008.

1012.10.15 Length of Certification Periods

REV:07/2009

Change reporters as defined in Section 1018.10.15 are assigned the following certification periods:

- * Unemployable households in which all members are elderly or disabled - twenty-four (24) months.
- * Households with members who are migrant or seasonal workers - Up to twelve (12) months.

Households subject to Simplified Reporting are assigned twelve (12) month certification periods.

1012.10.15.30 Unemployable Households

REV:07/1995

Households consisting entirely of unemployable or elderly persons with very stable unearned income are certified for 24 months provided other household circumstances are expected to remain stable. Such households must be comprised of members who are disabled as defined in Sec. 1010.30.05 or over 60 years of age.

Examples of such households are those composed of Social Security recipients, SSI recipients, and persons who receive pensions or disability payments.

1012.20 PROVIDING NOTICES OF ELIGIBILITY

REV:01/2002

Every applicant household found eligible must be provided a written notice of eligibility as soon as a determination is made but no later than thirty (30) days after the date of initial application. See Section 1002.65 for information on the thirty (30) day processing standard.

The notice informs the household of the amount of the allotment, the beginning and ending date of the certification period, the right to a hearing and the availability of free legal representation. Also included in the notice is a reminder of the household's obligation to report changes in circumstances and of the need to reapply for continued participation at the end of the certification period.

1012.20.05 Notice in Cases of Recertification

REV:01/1984

The agency representative must provide households that have filed an application by the 15th of the last month of their certification period with either a notice of eligibility or a notice of denial by the end of the current certification period.

The agency representative must provide households that have received a notice of expiration at the time of certification and have timely reapplied with either a notice of eligibility or a notice of denial not

later than 30 days after the date the household had an opportunity to obtain its last allotment.

1012.25 NOTICES TO INELIGIBLE HOUSEHOLDS

REV:01/2002

Each household denied eligibility must be provided a written notice of denial explaining:

- * The basis for the denial;
- * The household's right to request a hearing;
- * The telephone number of the Food Stamp Office;
- * The name of a person to contact for additional information;
and,
- * The availability of free legal services.

1012.25.05 Potential Categorically Eligible Households

REV:01/2002

A household that is potentially categorically eligible to receive food stamps (Section 1016.40) but whose NPA food stamp application is denied, must be informed to tell the agency if the household is approved to receive FIP and/or SSI benefits.

1012.25.10 Household-Caused or Agency-Caused Delays

REV:11/1986

A notice either of denial or of pending status is provided for applications which are delayed in processing, depending upon the cause of the delay. These are discussed in Sections 01012.35 through 01012.35.10.

1012.30 DENYING AN APPLICATION AT THE END OF 30 DAYS

REV:08/2009

If the household has failed to avail itself for a scheduled interview as discussed in Section 1002.55.10.10 and has made no subsequent contact with the agency to express interest in pursuing the application, the household is denied and sent a notice of denial on the 30th day following the date of application. The household must file a new application if it wishes to participate in the program.

1012.30.05 DENYING APPLICATION AT END OF 10 DAYS

REV:10/2005

For a case in which an interview was conducted, the application may be denied prior to the 30th day from the date of application.

In this instance the application may be denied on the 10th day following the date of request for verification if:

- o At the time of the intake interview, , the agency representative provided the household with a list of the missing required verification necessary to determine eligibility for the Food Stamp Program; and,
- o The agency informed the household in writing by means of an RDOC of the ten (10) day requirement for submission of missing verification; and,
- o The agency representative notified the household in writing of the date by which any missing verification must be provided; and,
- o The agency representative offered assistance to the household in obtaining verification as required in Section 1002.60.35; and,
- o The household failed to provide the requested verification within the 10-day time frame .

1012.35 DELAYED ELIGIBILITY DETERMINATIONS

REV:10/2005

If the agency representative cannot make an eligibility determination within 30 days from the date of application or 10 days from the written request for documentation and cannot deny the household as provided in section 1012.25.10, the cause of delay is determined and the actions discussed below are taken.

The term "fault" is used only to determine entitlement to lost benefits.

1012.35.05 Household Caused Delay

REV:08/2009

A delay is considered the fault of the household if the household has failed to complete the application process even though the agency representative has taken all the action that is required to assist the household. The agency representative must take the actions below, and the household not take the counterpart actions for a delay to be caused by the household:

- o For households that have failed to complete the application form, the agency representative must

have offered, or attempted to offer, assistance in its completion.

- O If one or more members of the household have failed to register for work as required in Section 1004.25, the agency representative must have informed the household of the need to register for work and given the household at least ten (10) days from the date of notification to register the members.
- O In cases where verification is incomplete, the agency representative must have provided the household with a written statement of required verification and offered to assist the household in obtaining the required verification. Further, the agency representative must have allowed the household sufficient time to provide the missing verification; sufficient time is at least ten (10) days from the date of the agency representative's initial request for the particular verification that was missing.
- O For households that have failed to participate in an interview, the household must have attempted to reschedule the initial interview within thirty (30) days of the date the application was filed. However, if the household has failed to participate in the first interview and a subsequent interview is postponed at household's request or cannot otherwise be rescheduled after the 20th day but before the 30th day following the date the application was filed, the household must participate in the interview, bring verification, and register members for work by the 30th day; otherwise the delay shall be the fault of the household. If the household has failed to participate in the first interview and a subsequent interview is postponed at the household's request until after the 30th day following the date the application was filed, the delay shall be the fault of the household. If the household has missed both scheduled interviews and requests another interview, any delay shall be the fault of the household.

1012.35.10 Agency Caused Delay

REV:08/2009

A delay is the fault of the agency if it failed to take any of the following actions:

- * For households that have failed to complete the application form, the agency representative must have offered, or attempted to offer, assistance in its completion.

- * If one or more members of the household have failed to register for work as required in Section 1004.25, the agency representative must have informed the household of the need to register for work and given the household at least 10 days from the date of notification to register the members.
- * In cases where verification is incomplete, the agency representative must have provided assistance when required in Section 1002.60 and allowed the household sufficient time to provide the missing verification. Sufficient time is at least 10 days from the date of the agency representative's initial request for the particular verification that was missing.
- * For households that have failed to participate in an interview, the household must have attempted to reschedule the initial interview within 30 days of the date the application was filed. However, if the household has failed to participate in the first interview and a subsequent interview is postponed at the household's request or can not otherwise be rescheduled until after the 20th day but before the 30th day following the application date, the household must participate in the interview, provide verification, and register members for work by the 30th day; otherwise, the delay shall be the fault of the household. If the household has failed to participate in the first interview and a subsequent interview is postponed at the household's request until after the 30th day following the application date, the delay shall be the fault of the household. If the household has missed both scheduled interviews and requests another interview, any delay shall be the fault of the household.
- * Further, the fault may be the agency's if the household met its obligations in a timely manner but the agency failed to complete the application process promptly.
- * If the agency representative fails to provide required assistance or fails to give the household sufficient time, the fault is then the agency's. Agency-caused delays include but are not limited to these situations.

1012.40 ACTION TAKEN IF THE HOUSEHOLD CAUSES DELAY

REV:10/2005

If by the 30th day, the agency representative cannot take further action on the application due to household fault, the household loses its entitlement to benefits for the month of application.

The agency representative shall hold the application pending for only ten (10) days following the date of the initial written request for the particular verification that was missing.

If the application is denied, and the household provides the missing verification within thirty (30) days of the application date, the agency determines benefits from the date of application.

If the application is denied, but the household provides the missing verification within the second thirty (30) day time period from the date of application, the agency determines benefits from the date on which the household provided the missing verification.

1012.40.05 Notification - Household Caused Delays

REV:10/2005

The agency representative sends the household a notice of denial at the end of ten (10) days following the date of the initial request for the particular verification for household caused delays.

No further action by the agency representative is required after the notice of denial is sent if the household fails to provide the necessary verification by the 30th day following the date of the initial request for the particular verification that was missing.

1012.40.10 Reopening the Case

REV:03/1979

If a household takes the required action within 60 days of the date the application was filed, the agency representative reopens the case without requiring a new application.

1012.40.15 Notice of Pending Status

REV:03/1979

If the application is to be held pending because some action by the agency representative is necessary to complete the application process, as described in 1012.35 - 1012.35.10, the agency representative provides the household with a written notice which informs the household that its application has not been completed and is being processed.

If some action by the household is also needed to complete the application process, the notice must also explain what action the household must take and that its application will be denied if the household fails to take the required action within 60 days of the date the application was filed. Include on the notice the date by which the household must provide the missing verification if the application is held pending. This is only until 30 days following the date verification was initially requested.

1012.40.20 Benefits to Households At Fault For Delay

REV:03/1979

If the household was at fault for the delay in the first 30-day period, but is found to be eligible during the second 30-day period, the agency provides benefits only from the month following the month of application. The household is not entitled to benefits for the month of application when the delay was the fault of the household.

1012.45 AGENCY CAUSES DELAY IN INITIAL 30 DAYS

REV:03/1979

Whenever a delay in the initial 30 day period is the fault of the agency, the agency representative must take immediate corrective action. A notice of pending status must be sent. A notice of denial cannot be sent for agency caused delays.

The agency representative must not deny the application if s/he caused the delay, but instead notifies the household by the 30th day after the application was filed that its application is being held pending. The agency representative shall also notify the household of any action it must take to complete the application process. If verification is lacking, the agency representative has the option of holding the application pending for only 30 days following the date of the initial request for the particular verification that was missing.

Action Taken When Agency Causes Delay

If the household is found to be eligible during the second 30-day period, the household is entitled to benefits retroactive to the month of application. If, however, the household is found to be ineligible, the agency representative must deny the application.

1012.50 DELAYS BEYOND 60 DAYS-AGENCY CAUSED DELAY

REV:03/1979

If the agency is at fault for not completing the application process by the end of the second 30-day period, and the case file is otherwise complete, the agency representative continues to process the original application until an eligibility determination is reached.

Agency Caused Initial Delay

If the household is determined eligible, and the agency was at fault for the delay in the initial 30 days, the household receives benefits retroactive to the month of application.

If, however, the household was at fault for the initial delay, the amount of benefits lost would be calculated from the month following the month of application.

Agency Caused Delay - Information Incomplete

If the agency is at fault for not completing the application process by the end of the second 30-day period, but the case file is not complete

enough to reach an eligibility determination, the agency representative may continue to process the original application, or deny the case and notify the household to file a new application.

If the case is denied, the household must be advised of its possible entitlement to benefits lost as a result of agency caused delays in accordance with Section 1020.

Agency Caused Both Delays

If the agency was also at fault for the delay in the initial 30 days, the amount of benefits lost would be calculated from the month of application.

1012.55 HOUSEHOLD CAUSED DELAYS BEYOND 60 DAYS

REV:03/1979

If the initial delay was the household's fault, the household receives benefits retroactive only to the month following the month of application. The agency representative may use the original application to determine the household's eligibility in the months following the 60-day period, or it may require the household to file a new application.

Household Caused 2nd Delay

If the verification is not received by the 30th day following the date of the initial request for a particular verification that was missing, the agency representative immediately closes the application. A notice of denial need not be sent if the notice of pending status informed the household that it would have to file a new application if verification was not received within 30 days of the initial request.

The household is not entitled to any lost benefits, even if the delay in the initial 30 days was the fault of the agency.