

May 10, 2024

GENERAL LETTER NO. 7-C-123

ISSUED BY: Bureau of Financial, Food, and Work Supports
Division of Community Access

SUBJECT: Employees' Manual, Title 7, Chapter C, ***SNAP Nonfinancial Eligibility***,
Contents 1 and 2, 3, 10, 15, 16-18, 27, revised.

Summary

This chapter is revised to

- Provide guidance on NAC lookups for duplicate assistance
- Update how Comm. 390 is issued
- Update requirements for notifying households of their work requirements on desk RREDS

Effective Date

Upon receipt.

Material Superseded

Remove the following pages from Employees' Manual, Title 7, Chapter C, and destroy them:

<u>Page</u>	<u>Date</u>
Contents 1 and 2	November 3, 2023
3	September 23, 2022
10	November 3, 2023
15	September 23, 2022
16-18	July 7, 2023
27	November 3, 2023

Additional Information

Refer questions about this general letter to your area income maintenance administrator.

Overview	I
Household Composition.....	I
Mandatory Household Members	I
Spouses	I
Parents and Children.....	I
Children Under Parental Control.....	2
People Who Purchase and Prepare Food Together	2
Nonmandatory Members.....	3
Ineligible Members.....	3
Elderly Members Who Are Disabled.....	4
Children Under Joint Custody.....	5
Family-Life Homes	5
Foster and Pre-Adoptive Children	6
Independent Living.....	6
Subsidized Guardianship.....	6
Categorical Eligibility.....	7
FIP and SSI Households	7
General Assistance (GA) Households	8
Combination FIP or SSI and GA Households	9
Households Eligible for the Promoting Healthy Marriage Program	9
Eligibility Factors Met by Categorical Eligibility	11
Categorical Eligibility Based on Receipt of FIP, SSI, or GA.....	11
Categorical Eligibility Based Only on the PHMP.....	11
Categorical Eligibility Following Ineligibility Due to Lottery or Gambling Winnings	12
Processing Delay for Categorical Eligibility Determination.....	12
Reactivating the Application.....	12
Zero-Benefit Cases.....	13
Reporting Requirements for Categorically Eligible Households	13
Review of Categorical Eligibility	13
Claims	13
Citizenship and Alien Status.....	14
Cooperation.....	14
Cooperation With Quality Control.....	15
Duplicate Assistance.....	15
Investigations.....	16
SNAP Trafficking.....	17
Residency.....	18
Residents of Institutions.....	18

	<u>Page</u>
Social Security Numbers	20
Persons Under Seven Months Old.....	20
Persons Seven Months Old or Older.....	20
Obtaining a Social Security Number.....	21
Verifying a Social Security Number.....	21
Good Cause for Not Supplying a Social Security Number.....	21
Failure to Give or Apply for a Social Security Number.....	22
 Strikers	 22
 Work Registration	 24
Exemptions From Work Registration.....	24
Work Registration Process.....	27
Changing From Exempt to MWR.....	27
Changing From MWR to Exempt.....	27
Work Requirements for MWRs.....	28
Verifying a Claim of Good Cause for Not Complying.....	28
Determining if Employment Is Suitable.....	29
Voluntary Quit.....	30
Reduction in Work Effort.....	31
Disqualification for MWR Work Violations.....	31
Disqualification Periods.....	32
Applying a Disqualification.....	32
Ending a Disqualification.....	33

Accept the household's statement regarding eating arrangements and document it in the case file.

Nonmandatory Members

Legal reference: 7 CFR 273.1(b)

Policy: "Nonmandatory members" are people who are not mandatory household members, as described above. They include:

- Roomers to whom the household provides lodging, but not meals, for compensation.
- Live-in attendants who provide medical care, housekeeping, child care, or other similar personal services. Live-in attendants can be separate households even if they buy, fix, and eat their food with the person for whom they are providing care.
- Other people who live with the household, but who do not routinely buy and fix their food with the household.

Procedure: Do not include nonmandatory members when determining the SNAP household's size, eligibility, or amount of benefits. (See [7-E, Nonmandatory Members' Income](#) for instructions.) If eligible, nonmandatory members can receive SNAP as a separate household.

Ineligible Members

Legal reference: 7 CFR 273.1(b)(7)

Policy: "Ineligible members" are people who would normally get SNAP with other members of the household but are not included because they are ineligible to participate for some reason. Ineligible members **cannot** participate in SNAP as separate households. The following people are ineligible household members:

- Ineligible aliens. See [Citizenship and Alien Status](#) in this chapter, and [7-I, Households with Alien Members](#).
- Ineligible students. See [7-I, Students](#).
- People who are disqualified for failing to provide a social security number. See [Social Security Numbers](#).
- People who are disqualified for failing to respond to a NAC match. See [7-I, NAC Match Disqualifications](#).
- People who are disqualified for intentional program violation. See [7-J, Intentional Program Violation](#).
- Mandatory work registrants who are disqualified for not complying with work requirements. See [Work Registration](#).
- Ineligible adults who are not disabled and don't have dependents (ABAWDs). See [7-I, Able-Bodied Adults Without Dependents \(ABAWDs\)](#).

If you manually issue an NOD to approve SNAP, include language about approval of the PHMP if eligible. Households who would like more information about a healthy marriage may request to have a copy of Comm. 390.

Whenever SNAP eligibility is recalculated in the ABC system, eligibility for the PHMP is automatically redetermined. If SNAP eligibility ends, eligibility for the PHMP will be terminated.

Comment:

1. Household A applies for SNAP. The two-member household has monthly gross countable SNAP income of \$2,200 and meets all nonfinancial eligibility criteria. Because the household's income is within 160% of the federal poverty guidelines and the benefit amount would be greater than zero, the household is categorically eligible based on the PHMP.
2. Household B, which consists of three eligible members and an ineligible alien who has income, applies for SNAP. The household's countable monthly SNAP income after proration is \$2,750, which is within 160% of federal poverty guidelines for a household of three.

The household meets all nonfinancial eligibility criteria. If the household's benefit amount would be greater than zero, the household is categorically eligible based on the PHMP.

If you enter an IPV disqualification, the ABC system cancels the PHMP. Because the household's resources become countable when you impose the disqualification, review the case file and enter the household's countable resources on ABC.

Household C applies for SNAP and lists countable resources of \$4300. The household meets income and other criteria to be PHMP-eligible. Because the household is PHMP-eligible, resources are not considered and SNAP is approved.

A household member is later disqualified due to an IPV. The household is no longer categorically eligible. The worker reviews the case file and enters \$4300 countable resources on the ABC system to determine the C household's continued SNAP eligibility.

Cooperation With Quality Control

Legal reference: 7 CFR 273.2(d)(2)

Policy: A household is ineligible if a member refuses to cooperate in any review of its eligibility done by quality control. The period of ineligibility is:

- 115 days from the end of the review period for reviews by state quality control staff **or**
- Seven months from the end of the review period for reviews by federal quality control staff.

The annual review period ends on September 30 of each year.

Procedure: A household terminated for refusal to cooperate with a quality control reviewer may reapply. If the noncooperating person is still a member of the household, do not determine the household eligible until **either**:

- The household cooperates with the quality control reviewer by attending an interview and providing required verification, or
- The period of ineligibility is over.

If the noncooperating person moves to a new household, the ineligibility applies to the new household.

Comment: Ineligibility due to noncooperation with quality control is not treated like a sanction or disqualification. Follow instructions in [14-B\(5\), Closing Case for Non-Cooperation With QC](#).

Duplicate Assistance

Legal reference: 7 CFR 273.3, 87 FR 59633

Policy: A person can receive SNAP in only one household at a time. EXCEPTIONS: Residents of shelters for battered women and children who get SNAP as a member of the same household as the batterer may get duplicate SNAP.

It is **not** duplicate assistance when:

- A person moves from one household to another, **and**
- The person's benefits on the previous case are subject to a claim because they were issued in error, and
- The person is added to the new household for the same month.

National Accuracy Clearinghouse (NAC):

NAC is a mandatory look-up at application, RRED, and the addition of a new household member. NAC is used to check for duplicate SNAP assistance. If a NAC match is found, you must verify that the matched individual's SNAP benefits closed in the other state.

Send an RFI to the household to obtain verification that their SNAP benefits closed in the other state. Use the appropriate "NAC Match" selection so the household understands this request is based on a data match we received.

RFI language explains that if we don't hear from the household, the matched individual(s) will be removed from SNAP. If the household doesn't respond, cancel the household member(s) identified on the NAC match using the corresponding "you did not respond to the notice of match results" reason code (individual or case reason). Don't cancel the entire case unless the individual(s) from the NAC match is/are the only household member(s), in which case it would be appropriate for the case to be closed.

See [7-I](#) for additional details and for information about how to treat the income, resources, and deductions of these matched household members.

Note: NAC matches received during the certification period that were initiated by another state are treated differently than the matches initiated by Iowa at application, recertification, and when adding a household member. For more information on how to treat NAC matches initiated by another state, see [7-G](#).

NAC information can only be used for preventing duplicate participation in SNAP. The information cannot be used for other purposes or programs.

Investigations

Legal reference: 481 IAC 72.1(10A), 72.2(10A), 72.4(10A)

Policy: The purpose of an investigation is to prevent households from fraudulently receiving benefits or determine if households previously received benefits incorrectly. HHS contracts with the Iowa Department of Inspections, Appeals, and Licensing (DIAL) to conduct investigations.

Complete investigations on applicant, participant, or past recipient households, as explained below:

- Application/Recertification investigations occur at the time of application or recertification, and include applications to add a member to an ongoing household. Complete these investigations before an eligibility determination to prevent households from receiving benefits to which they are not entitled.
- Ongoing/Closed investigations occur on a household that is currently participating or has received benefits in the past. These are initiated if HHS believes the household may have provided incorrect or incomplete information that led to the receipt of benefits to which the household were not entitled. Use these findings to determine whether the household's current benefit level needs to be adjusted or past benefits are subject to overpayment.

It is important to remember that DIAL does not determine eligibility. DIAL investigates and provides their findings, but HHS is responsible for using that information to determine eligibility based on policy.

Procedure: Before referring a case for investigation, take a prudent-person approach to the information the client gives you. Allow the household an opportunity to explain the situation or resolve any questionable information. If you still find the information to be questionable, refer the case to DIAL using form 470-5130, *DHS Investigative Referral to DIA*.

Once the referral is received, DIAL will conduct an investigation. It is the responsibility of the investigator to gather information and state the findings. DIAL will close the investigation and provide a written investigative report with the findings to HHS within the following timeframes:

- For application investigations, within 10 working days.

- For ongoing investigations, within 90 working days.

Because application investigations are done before making a benefit determination, there is a shorter timeframe to ensure HHS is able to meet processing standards. This means application investigations may not be as thorough as ongoing investigations. If a more thorough investigation is warranted, the case should be re-referred as an ongoing investigation after the application is processed.

Any time you still have questionable information or may be missing something, regardless of if it is an application or ongoing investigation, re-refer the case to DIAL for a more complete investigation. Re-referring the case may be done in one of two ways:

- Complete a new referral form 470-5130, *DHS Investigative Referral to DIA*. If you do this, be sure to note that a recent investigation was completed along with the name of the investigator, so that DIAL can assign it to the appropriate investigator.
- Contact the investigator directly and explain what information is still needed. Although a closed investigation cannot be reopened, DIAL will open a new investigation to get the additional information based on the re-referral.

It is important to make sure you get a complete report with all of your questions resolved. If the case goes to appeal or an intentional program violation (IPV) is pursued, you must have complete evidence to support your actions. At your request, the DIAL investigator will attend appeal or IPV hearings and testify to the information gathered. It is strongly recommended that you request the investigator's presence any time you have a hearing based on evidence provided.

After an investigative report is sent to HHS, it is the responsibility of the worker to consider the information in the report to help determine eligibility and establish any appropriate overpayments based on policy. HHS also uses this information to determine whether to pursue an IPV, as explained in [7-1](#). The evidence in the findings of the investigative report is considered verified information.

Once HHS has determined how the findings of the report affect the case, take any necessary action. Within 30 days of taking these actions, HHS is responsible for completing form 470-5129, *DHS Investigative Referral Follow-Up to DIA*, to inform DIAL of the outcome of the findings. This completes the process.

Comment: Once DIAL provides an investigative report to HHS, DIAL considers the case to be closed.

SNAP Trafficking

Policy: "Trafficking" means buying or selling of electronic benefit transfer (EBT) cards. This includes trading benefits for firearms, ammunition, explosives, controlled substances or anything other than eligible food. Trafficking is an intentional program violation.

Procedure: Refer complaints of SNAP trafficking to DIAL using form 470-5130, *DHS Investigative Referral to DIA*. However, these types of IPVs are handled by DIAL and have different procedures once the referral is done.

When DIAL is finished with a trafficking investigation, a copy of the investigative report and evidence is uploaded into the Worker Information System Exchange (WISE). HHS does not take any other action

unless DIAL has a founded trafficking IPV and a sanction needs to be imposed.

Residency

Legal reference: 7 CFR 273.3

Policy: Verify that a household is living in Iowa. EXCEPTIONS: People are exempt from the residency verification requirement if they are:

- Homeless,
- Migrant farm workers, or
- New arrivals to Iowa.

Procedure: Accept any document or collateral contact that reasonably proves the applicant's residency. This could include documents used to verify other information, such as rent payments, mortgage payments, and utility expenses. Do not verify residence again unless it becomes questionable.

Comment: The household does not need to be living in a fixed residence to be living in Iowa. For example, if a person lives in a car or at a campsite, the person still meets the residency requirements. The household does not need to plan on living in Iowa permanently, but a person who is just on vacation does not meet the residency requirement.

Residents of Institutions

Legal reference: 7 CFR 273.1(b), 273.11(e), (f), 271.2

Policy: People who live in institutions that furnish meals are not eligible for SNAP, with the following exceptions:

- 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.
- People who are eligible as described under [7-A, Meal Providers That Accept SNAP](#).

Comment: People are ineligible if they live in an institution that serves them over 50% of three meals a day as part of the institution's normal services.

Dormitory students are not eligible for SNAP when the institution serves them a majority of their meals. Dormitory students who purchase a plan that does not serve a majority of their meals or don't purchase a meal plan can receive SNAP if otherwise eligible.

People who are hospital patients for a full calendar month are not eligible for SNAP.

People who are in jail or prison for more than 30 days are not eligible for SNAP. The Department may become aware of this when:

- An automated match is made and reported on the *Prisoner Match Report, S470X438-A*,
- The household reports it, or
- A third party or any other source reports it.

Work Registration Process

Legal reference: 7 CFR 273.7(c)

Policy: By signing the application or recertification form, a SNAP applicant or recipient is considered to be registered for work. However, work requirements apply only to mandatory work registrants (MWRs) in the household.

Procedure: When a household has one or more members who are MWRs, give or mail to the person who is interviewed a copy of form 470-2255 or 470-2255(S), *SNAP Work Rules*. Document that the form was given to the household.

Explain to the person who attends the interview:

- What work requirements are,
- The rights and responsibilities of MWRs, and
- The penalties for failing to comply with [Work Requirements for MWRs](#).

For desk RREDs, you must attempt to contact the household two times to explain their work requirements. You must document these attempts in WISE.

See [Changing from Exempt to MWR](#) for the process to register new MWR members who join certified households.

The work registration status of a household member may change during the certification period. When a change is reported that may affect mandatory work registration status of a household member, see the policies [Changing From Exempt to MWR](#) and [Changing From MWR to Exempt](#). These policies provide the process to change the mandatory work registration status of certified household members.

Changing From Exempt to MWR

Legal reference: CFR 273.7(b)

When a household reports a change in circumstances that results in a member losing an exemption from mandatory work registration, mail or give form 470-2255 or 470-2255(S), *SNAP Work Rules*, right away to the person who lost the exemption. Also issue the form to any new member joining the household.

Make the system entry to show the person's mandatory work registration status.

Changing From MWR to Exempt

Legal reference: 441 IAC 65.28(5)

When a change is reported during the household's certification period that indicates a person has become exempt from work registration, act on the change.

- If verification is **not** necessary in order to allow the exemption, make the system entry right away to change the person to exempt.