

Legal Information

You Have the Right to Appeal which is a request for a hearing about a decision you disagree with made by the Iowa Department of Health and Human Services (HHS). [441 Iowa Administrative Code Chapter 7] You can appeal in person, by phone, or in writing for SNAP, Child Care Assistance (CCA), Family Investment Program (FIP) or Medicaid. To appeal in writing, you must do one of the following:

- Complete an appeal electronically at <https://hhs.iowa.gov/programs/appeals>, or
- Write a letter telling us why you think a decision is wrong, or
- Fill out an **Appeal and Request for Hearing** form. You can get this form at your county HHS office.

Mail your appeal to HHS, Appeals Bureau, 321 E. 12th St., Des Moines, IA 50319. If you need help filing an appeal, ask your county HHS office. You can represent yourself or you can have someone else act on your behalf. Iowa Legal Aid provides free civil legal assistance. Their phone number is (800) 532-1275.

How long do I have to appeal? For SNAP or Medicaid, you have 90 calendar days from the date of a decision to file an appeal. For all other programs, you must file an appeal within 30 calendar days of the date of a decision or before the date a decision goes into effect. If you file an appeal more than 30 but less than 90 calendar days from the date of a decision, you must tell us why your appeal is late. If you have a good reason for filing your appeal late, we will decide if you can get a hearing. If you file an appeal 90 days after the date of a decision, we cannot give you a hearing.

Can I keep getting benefits when my appeal is pending? You may keep your benefits until an appeal is final or through the end of your certification period if you file an appeal within 10 calendar days of the date the notice is received. A notice is considered to be received 5 calendar days after the date on the notice. FIP, CCA, and Medicaid benefits can also continue if an appeal is filed before the date a decision is in effect. Benefits you get while your appeal is pending may have to be paid back if the HHS action is correct.

How will I know if I get a hearing? You will get a hearing notice that tells you the date and time a phone hearing is scheduled. You will get a letter telling you if you do not get a hearing. It will also explain what you can do if you disagree with the decision to not give you a hearing.

You Will Not Be Discriminated Against - It is the policy of HHS to provide equal treatment in employment and provision of services to applicants, employees and clients without regard to race, color, national origin, sex, sexual orientation, religion, age, disability, political belief or veteran status. If you feel HHS has discriminated against or harassed you, please send a letter detailing your complaint to: HHS, Bureau of Human Resources, 321 E. 12th St., Des Moines, IA 50319 or via email inclusion@hhs.iowa.gov

In accordance with federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications

Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, [AD-3027](#), found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: USDA Food and Nutrition Service, 1320 Braddock Place, Room 334 Alexandria, VA 22314; or
2. Email: FNSCIVILRIGHTSCOMPLAINTS@usda.gov

SNAP, FIP, and RCA - We Check What You Tell Us

The information you give us may be checked by federal, state, and local officials to make sure it is true. Things we might check are any listed person's: social security number, job and pay, bank account amount, amounts received from other sources like Social Security or unemployment, and alien status. If any information you give us is not correct, we may deny your application.

We may check records from other states to see if any person in your household can get benefits in Iowa. This may be because a person was disqualified from a program in another state.

We check and use computer systems like the state Income and Eligibility Verification System. If something you told us is different from what the computer system tells us, we will check to find out what is correct. We might check your information by contacting your employer, your bank, or other people. Such information may affect your household's eligibility and level of benefits.

Things You Need to Know

- HHS may give your answers to law enforcement to catch persons fleeing to avoid the law.
- The Quality Control unit or Investigations unit may review your case. They may contact other people or organizations to get proof of your information. By signing this application, you give permission to release confidential information to the Quality Control unit or Investigations unit. You must cooperate with Quality Control and Investigations to keep your FIP benefits. You must cooperate with Quality Control to keep your SNAP benefits.
- We will use the information you give us to determine the assistance you are eligible to receive.
- You will have to pay back any benefits you got or that was paid to a third party on your behalf for which you were not eligible.
- Section 1128B of the Social Security Act provides federal penalties for fraudulent acts and false reporting in connection with these programs.
- Anyone who gets, tries to get, or helps any other person get assistance to which they are not entitled, is guilty of violating the laws of the state of Iowa. This includes, but is not limited to, Iowa Code Chapters 239B, 243, 249, and 249A.
- Your expenses may be used to figure the amount of assistance you get. You may have expenses included in your benefit calculation by reporting and giving proof of your expenses. If you do not report or give proof of your expenses, you choose not to claim the expense. You can report and give proof later, and the expense can be used for future months.

You Also Have the Right to

- Have someone help you complete the application.
- Have all of your questions answered.
- Get information about programs you applied for and any other HHS programs you may be able to get.
- Be sent a notice if you are eligible and when your benefits change or stop.
- Have information about you and your family kept private.

To Report a Change - Email IMCSC@hhs.iowa.gov or call 1-877-347-5678 Monday – Friday, excluding state holidays

SNAP Only - Follow these Rules of the SNAP Program:

- **Don't** hide or give wrong information on purpose to get SNAP benefits.
- **Don't** use SNAP benefits to buy non-food items like alcohol or tobacco.
- **Don't** trade, sell, or give away SNAP benefits.
- **Don't** use someone else's SNAP benefits for yourself.
- **Don't** purchase a product with SNAP benefits that has a container requiring a return deposit with the intent of obtaining cash by intentionally discarding the product and intentionally returning the container for the deposit amount.
- **Don't** buy food on credit and attempt to pay for it with SNAP.
- **Don't** buy a product with SNAP benefits so you can get cash or something other than eligible food by reselling that product.
- **Don't** fail to report if your household goes over its income limit.
- If you get SNAP, your worker will tell you what your household's income limit is. If your household's income goes over your limit, or if anyone in your household receives lottery or gambling winnings of \$4,500 or more in any month, you must tell us by the 10th day of the next month. If you don't tell us on time, you might have to pay back the benefits.

Penalties of the SNAP Program. Anyone who breaks the above rules:

- **May not get SNAP benefits for one year for the first time, two years for the second time, and forever for the third time;**
- **May be fined up to \$250,000 or jailed up to 20 years or both; and may also be subject to prosecution under other applicable Federal and State laws.**
- **May be kept off SNAP for an additional 18 months, if court ordered.**
- **If a court finds you guilty of trading SNAP benefits for firearms, ammunition, or explosives, you will lose benefits forever.**
- **If a court finds you guilty of buying, selling, or trading more than \$500 in SNAP benefits, you will lose benefits forever.**
- **If a court finds you guilty of trading SNAP benefits for controlled substances, you will lose benefits for two years the first time and forever the second time.**
- **You will not get SNAP for 10 years if you are found guilty of getting or trying to get SNAP in more than one household at a time. This penalty happens if you give wrong information about who you are or where you live.**

Giving wrong information on purpose may result in us taking legal action against you, either criminal or civil. It might also mean we reduce your benefits or take money back from you.

Things You Need to Know

- If you have a SNAP overpayment, HHS will give your answers to federal and state agencies as well as private claims collection agencies, to collect the overpayment.
- The SNAP office may contact other people or organizations to get proof of your information.
- The application filing date is different if your household is in an institution and applying for SNAP and Supplemental Security Income at the same time. In this case, the filing date is the date of release from the institution.
- For information regarding services provided for Healthy Marriages contact your local office.
- You may not be denied SNAP benefits just because you were denied benefits from other programs. SNAP applications will not be delayed due to requirements of other programs you may apply for.
- By having signed this application, you agree that all members of your household will register for work and follow all of the work and training rules.
- To see what employment and training opportunities are available, please visit:
 - SNAP Employment & Training (E&T) Program either by phone (515) 281-3131 or online at: <https://hhs.iowa.gov/programs/programs-and-services/job-training>
 - Your local IowaWorks Center at <https://www.iowaworkforcedevelopment.gov/contact>

- United Way – 211
- The collection of information on the application, including the SSN of each household member, is authorized under the Food and Nutrition Act of 2008 (formerly the Food Stamp Act of 1977), as amended, 7 U.S.C. 2011-2036. The information will be used to determine whether your household is eligible or continues to be eligible to participate in the SNAP program. We will verify this information through computer matching programs. This information will be used to monitor compliance with program regulations and for program management.
- A household consisting of only Supplemental Security Income (SSI) applicants or recipients is entitled to apply for SNAP recertification at a Social Security Administration office.

FIP or Refugee Cash Assistance (RCA) Only - Within 10 days of the date the change happens, you must tell HHS about changes, such as:

- Income, when it starts or stops, including getting an inheritance or a one-time payment of past due child support
- Resources or assets
- Someone moving in or out of your home
- Mailing or living address
- Receipt of an SSN
- Change of school attendance of a child

Additional Information

- If you receive FIP or Refugee Cash Assistance benefits, your SNAP may go down or stop.
- Unless exempt, all members of your household must cooperate with the Family Investment Agreement (FIA) you sign with PROMISE JOBS. Talk with your worker if you feel you have a reason not to cooperate. If you choose not to participate in your FIA, your FIP benefits will stop.
- You must cooperate with the Child Support Services. While you get FIP, you give up your rights to child support for the months you are on FIP. The state of Iowa will keep your child support to pay back the money you get from FIP.

Using Your FIP/RCA Electronic Access Card (EAC) or Your Debit Card to Access FIP/RCA Funds from Your Personal Bank Account - You cannot access your cash benefits with your EAC or personal debit card at a:

- Liquor store or any place that mainly sells liquor,
- Casino or other gambling or gaming establishment, or
- Business which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state (such as a strip club).

This includes these types of businesses located in Iowa, on tribal land, or in any other state. If HHS determines that you have accessed your cash benefits with your EAC or personal debit card at one of the above places you:

- Will have committed fraud,
- Have to repay the amount of cash accessed at the location, as well as any access fees, and
- Your family will not get cash benefits for three months with the first misuse and six months for each additional misuse.

By having signed this application, you agree that no member of your household will use the EAC or your personal debit card to access FIP/RCA funds at prohibited locations.

Additional Responsibilities - You must

- Apply for and accept any benefits that you may be able to get.
- Give us information and provide proof when we ask for it.
- Fill out review forms when you are asked to.

Penalty for Getting FIP in More Than One State

You will not get FIP for 10 years if you are found guilty of getting or trying to get FIP in more than one state at a time. This penalty happens if you give wrong information about where you live.