



FAMILY INDEPENDENCE ADMINISTRATION


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POLICY BULLETIN #13-24-ELI

NOTICE TO INDIVIDUALS CURRENTLY SERVING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EMPLOYMENT AND TRAINING (SNAP E&T) SANCTIONS

Date: March 25, 2013	Subtopic(s): Employment
<p> This procedure can now be accessed on the FIAweb.</p> <p>See PB #12-117-EMP for information concerning the temporary suspension of SNAP Employment and Training sanctions. The moratorium on implementation of these sanctions will remain in effect until the Office of Temporary and Disability Assistance (OTDA) provides notification of its ending.</p>	<p>The purpose of this policy bulletin is to inform Non Cash Assistance (NCA) Supplemental Nutrition Assistance Program (SNAP) Center staff and Job Center staff about updates to the temporary suspension of current SNAP Employment and Training sanctions.</p> <p>Due to the temporary suspension, staff must not attempt to process any SNAP Employment and Training (SNAP E&T) sanctions and must not issue any manual notices for failure to comply with SNAP E& T work rules. This includes sanctions that would have been processed on either the suffix or individual level of a SNAP case.</p> <p>The Office of Temporary and Disability Assistance (OTDA) has mailed a notice to the households of individuals currently in sanction status, who were sanctioned as of December 14, 2012, whose durational period has not expired, informing them about what they must do to re-apply for or re-establish eligibility for SNAP benefits (see Attachment A).</p> <p>If an individual who was issued a SNAP employment related sanction before implementation of the December 14, 2012 temporary suspension, contacts a Job Center or NCA SNAP center before or after the expiration of his/her durational (2, 4 or 6 month) sanction and reapplies or requests to be added back to the SNAP budget, he/she must be given the opportunity to re-apply or re-establish eligibility for SNAP benefits regardless of there durational sanction period, if otherwise eligible.</p> <p>Note: Retroactive benefits will be issued by OTDA to those individuals whose sanctions are lifted. Job Center and NCA SNAP Center staff are <u>not</u> to issue retroactive benefits.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

NCA/SNAP Centers

Workers must follow the directions provided below in order to determine the eligibility of sanctioned individuals to have their SNAP benefits restored.

SNAP sanction *has not* expired on a single person's closed case

The applicant must complete the **LDSS-4826** and comply with all eligibility requirements. The worker must evaluate the individual's eligibility for SNAP benefits. If the applicant is determined eligible to receive SNAP benefits, the worker must **AC** (accept) the case using opening code **Y46** (Employment Unit Approved Override) in order to override the sanction and delete the sanction history. If ineligible for SNAP, worker must reject (**RJ**) the application. The durational sanction history must still be deleted using the **LDSS-4962** (Infraction Deletion Data Entry Form).

SNAP sanction *has not* expired on a multi-person active case

The worker must evaluate the individual's eligibility for SNAP benefits. If the applicant is determined eligible to receive SNAP benefits, the worker must **AC** the line by using opening code **LZ** (FS: Override) in order to override the sanction and delete the sanction history. If ineligible, the worker should **CL** (closed) the line. The durational sanction history must still be deleted using the **LDSS-4962**.

Note: If the Able-Bodied Adults Without Dependents (ABAWD) Work Requirement Compliance Tracking Calendar appears when the worker attempts to process the case acceptance in the SNAP application interview, the worker must follow the ABAWD re-establishment of eligibility process described in PD #13-05-ELI.

Job Centers

Workers must follow the directions provided below in order to determine the eligibility of sanctioned individuals to have their SNAP benefits restored.

CA Single person

Sanction for CA *has not* expired and the sanction for SNAP *has not* expired

The applicant must complete the **LDSS-2921** (CA application) and

comply with all eligibility requirements. The worker must evaluate the individual's eligibility for SNAP benefits. The worker must **RJ** the individual for **CA** and a Separate Determination for SNAP benefits must be performed. If the person is eligible to receive SNAP benefits, the worker must **AC** the SNAP case using opening code **Y46** in order to override the sanction and delete the sanction history. If ineligible for SNAP, the worker must **RJ** the individual's line and still delete the durational SNAP sanction history using the **LDSS-4962**.

Sanction for CA case *has expired* and the sanction for SNAP *has not expired*

See PB #11-24-OPE
Creating Manual Food
Stamp Separate
Determination Case
when a Cash Assistance
Application is Closed or
Rejected

The applicant must complete the **LDSS-2921** (CA application), if they are not already active for CA, and must comply with all eligibility requirements. If the person is eligible to receive CA, the worker must **AC** the CA case by using opening code **Y67**. If the person is eligible to receive SNAP benefits, the worker must **AC** the SNAP case using opening code **Y46** in order to override the sanction and delete the sanction history. If the individual is ineligible to receive CA/SNAP, the worker must **RJ** the individual's line and still delete the durational SNAP sanction history using the **LDSS-4962**. If the CA case is open, the worker must still delete the durational SNAP sanction history using the **LDSS-4962**.

CA Multi Person

Sanction for CA *has not expired* and the sanction for SNAP *has not expired*

The worker must evaluate the individual's eligibility for SNAP benefits. If the individual is determined eligible to receive SNAP benefits, the worker must leave the CA portion of the case in **SN** status and **AC** the individual's line for SNAP using opening code **LZ** in order to override the sanction and delete the sanction history. If the individual is ineligible for SNAP, the worker must **CL** the individual's line and still delete the durational SNAP sanction history for the individual using the **LDSS-4962**.

Sanction for CA *has expired* and the sanction for SNAP *has not expired*

The worker must evaluate the individual's eligibility for SNAP benefits. If the individual is determined eligible to receive SNAP benefits, the worker must **AC** the individual's line for SNAP using opening code **LZ** in order to override the sanction and delete the sanction history. If ineligible for SNAP, the worker must **CL** the

individual's line and still delete the durational SNAP sanction history using the **LDSS-4962**.

Effective Immediately

References:


GIS 12 TA/DC035
GIS 13 TA/DC005
GIS 13 TA/DC011

Related Items:

[PD #10-22-SYS](#)
[PD #11-12-OPE](#)
[PD #13-05-ELI](#)

Attachment:

Attachment A You May Be Able To Begin SNAP (Food Stamp) Benefits (English and Spanish)

 Please use Print on Demand to obtain copies of forms.

ATTACHMENT A

NYS OTDA
TYRONE A. UNIT - 11C
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-001

New York State
Office of Temporary
and Disability Assistance



Case Number: _____

Notice Date: MM/DD/YYYY _____

YOU MAY BE ABLE TO BEGIN RECEIVING SNAP (Food Stamp) BENEFITS THIS NOTICE TELLS YOU WHAT YOU CAN DO TO END YOUR SNAP SANCTION

Why Am I Getting This Notice?

Sometime last year, you were sent a notice informing you that your Supplemental Nutrition Assistance Program (SNAP) benefit was being reduced or stopped because you or someone in your household did not comply with SNAP work requirements. SNAP is the new name of the food stamp program. This notice is to tell you that you may begin to receive SNAP benefits again, even if your sanction has not ended, if you contact the social services office and reestablish your eligibility for SNAP benefits.

The reason for this change is that you may be part of a group that received a notice that did not include certain language to inform you that you could have avoided the reduction in benefits by complying with the SNAP work requirement. You and others in this group are receiving this notice based on claims made in a class action lawsuit called Richard "C" v. Berlin.

Do I Have to Do Anything?

Yes, if you want to receive SNAP benefits. To begin receiving SNAP benefits again, you must contact your social services district office to ask for information on how to re-establish your eligibility for SNAP benefits. Any changes in your household circumstances or budget will be considered in re-determining your eligibility for SNAP benefits. You may be expected to look for a job or participate in other work related activities.

This notice applies to SNAP benefits and does not affect any public assistance sanction you or someone in your household may have received.

NUMERO DE CASO:

Fecha del aviso: day de month de 2013

**USTED PODRÍA COMENZAR A RECIBIR BENEFICIOS DE SNAP (cupones para alimentos)
ESTE AVISO LE INFORMA SOBRE QUÉ PUEDE HACER PARA TERMINAR SU SANCIÓN DE SNAP**

¿Por qué recibo este aviso?

En algún momento en el transcurso del año pasado, a usted se le envió un aviso informándole que su beneficio del Programa de Asistencia Nutricional Suplementaria (SNAP) había sido reducido o suspendido, debido a que usted o un miembro de su grupo familiar no cumplió con los requisitos de empleo de SNAP. SNAP es el nuevo nombre del Programa de Cupones para Alimentos. Este aviso es para notificarle que usted podría comenzar a recibir beneficios de SNAP nuevamente, aunque su sanción todavía no haya terminado, si se comunica con la oficina de servicios sociales y comienza nuevamente a satisfacer los requisitos para recibir beneficios de SNAP.

El motivo de esta medida es que usted podría ser miembro de un grupo que recibió un aviso que no incluyó cierto lenguaje para informarle que usted podía haber evitado la reducción de beneficios al cumplir con el requisito de empleo de SNAP. Usted y otros miembros de este grupo reciben este aviso en base a reclamaciones en la demanda colectiva conocida como Richard "C" v. Berlin.

¿Tengo que hacer algo?

Sí, si desea recibir beneficios de SNAP. Si desea comenzar a recibir beneficios de SNAP de nuevo, tiene que comunicarse con la oficina de servicios sociales del distrito y obtener información sobre cómo restablecer su habilitación para recibir beneficios de SNAP. Todo cambio en las circunstancias de su hogar o en su presupuesto se tomará en cuenta con motivo de determinar de nuevo su habilitación para recibir beneficios de SNAP. Se espera que usted busque un empleo o que participe en otras actividades relacionadas con el empleo.

Este aviso tiene que ver con los beneficios de SNAP y no afecta ninguna sanción de asistencia pública que usted o alguno de los miembros de su hogar haya recibido.