TABLE OF CONTENTS

PROGRAM VIOLATIONS/SANCTIONS

910 INTENTIONAL PROGRAM VIOLATION (IPV) (toc)

910.1 IPV Definition (toc)

An IPV occurs when a recipient intentionally:

- makes a false or misleading statement, or misrepresents, conceals, withholds information, or submits a falsified document;
- commits any other action to mislead, misrepresent, conceal or withhold facts;
- attempts to obtain, increase or continue public assistance benefits for themselves or others to which they would otherwise not be entitled;
- fails to comply with reporting requirements as set forth in Eligibility and Payments (E&P) manual section (MS) B-600;
- alters any voucher or check to increase its value or duplicates any voucher or check to receive benefits they were not entitled to receive;
- does not use or does not return training funds in a manner consistent with the training agreement;
- commits any act that constitutes a violation of SNAP, SNAP regulations, or any State statute for using, presenting, transferring, acquiring, receiving, possessing or trafficking of SNAP benefits or EBT cards.

The actions listed above do not have to result in a claim to uphold the definition of an IPV. If there is the potential for incorrect benefits to be issued, an IPV may exist.

A program violation is presumed to be intentional when the accused individual:

- had knowledge of the information withheld or misrepresented;
- failed to report or clarify the information withheld or misrepresented during contact with Division of Social Services (DSS) or contracted staff, either in person, by mail, by phone, FAX, online submission (Internet) or e-mail;
- has demonstrated the ability to report or clarify required information in the past;
- has a history of previous program violations and/or client caused claims; or
- signed and/or initialed a DSS document acknowledging their reporting requirements and obligations and the penalty for hiding or giving false information.

The following acts are examples of an IPV, but are not all inclusive:

- Concealing or misrepresenting – one's identity, Social Security Number (SSN), employment information or self-employment, paternity information or pregnancy information, marital status, household resources, the number of persons living in the home earned or unearned income, child care information, assets, residency, household expenses, non-custodial parent (NCP) information, citizenship, a household member's temporary absence from the home, receipt of public or government assistance, criminal information, school attendance of children and minor parents, child support issues, medical expenses, separate food units, medical conditions of persons living in the home, lump sum disbursements, winnings, fleeing felon status, subsidized housing, prior IPV's or any other information specifically addressed on the public assistance application.

- Altering, forging, duplicating or transferring of DSS vouchers, forms, checks, affidavits, or any other documents submitted to DSS;
- Misuse or unauthorized presentation, transfer, acquisition, receipt or possession of TANF and/or Supplemental Nutrition Assistance Program (SNAP) EBT cards or benefits, vouchers, checks, warrants or affidavits.

910.2 Disqualification Penalties for IPV (toc)

Accused individuals who are found to have committed an IPV, by a court of appropriate jurisdiction, or have signed a disqualification consent agreement, are ineligible for any program benefits for:

A pro rata reduction of the ongoing benefit for:

- First Violation **12 months**
- Second Violation **24 months**
- NEON (training funds) **60 months**
- Residence /ID **120 months**
- Third or Subsequent Violation **Permanently**

A NEON IPV disqualification applies to the TANF program.

If a participant is found to have committed any IPVs due to misuse of NEON training funds, their household will be disqualified from TANF for 60 months.

Note: See E&P MS A-814.5.1.3 for the definition of misuse of funds. IPV disqualified individual's ineligible for TANF are eligible for Medicaid benefits, if otherwise determined eligible

- First Violation **12 months**
- Second Violation **24 months**
- Residence /ID **120 months**
- Third or Subsequent Violation **Permanently**

911 DETERMINING IPV DISQUALIFICATION OCCURRENCES (toc)

When one or more IPVs are discovered, each occurrence must be separated by an administrative disqualification order or signed and approved Administrative Disqualification/Penalty Waiver or criminal court Judgment of Conviction (JOC) before the next level of penalties may be pursued. Occurrences are separated in the following manner:

1ST Violation	Program violations occurring from the date of the accused individual's birth until the date of disqualification (date of the Hearing Officer's notification letter) order or date of signed and approved waiver (date signed by designated Investigations and Recovery (I&R) staff) or date of the JOC, regardless of the number of violations committed in between.

2nd Violation	Program violations occurring after the approval date of the initial signed waiver until the date of a subsequent signed and I&R approved waiver or after being found guilty of a first violation until the date of a subsequent disqualification order or JOC, regardless of the number of violations committed in between.

3rd or Subsequent Violation	Program violations occurring after the approval date of the second signed waiver until the date of a subsequent signed and I&R approved waiver or after being found guilty of a second violation until the date of a subsequent disqualification order or JOC, regardless of the number of violations committed in between.

911.1 Identification of IPVs (toc)

IPVs may be identified through a variety of means. The violation **does not** have to be discovered through an investigation or omission by the accused individual and does not have to include the incorrect payment of benefits. As defined in E&P MS B-910, the mere **attempt** to acquire benefits incorrectly may be reason enough to pursue disqualification penalties.

Substantiation of a violation may be accomplished through, but is not limited to, collateral contacts, automated interfaces, case investigations or eligibility interviews.

912 REFERRAL PROCEDURES FOR SUSPECTED IPV (toc)

If an IPV is found or suspected, a DSS employee or staff contracted by the Division may initiate an investigation referral. Any subsequent IPV processes will be handled by designated I&R staff only.

913 IPV METHODS (toc)

There are three separate methods by which an accused individual may be penalized for an IPV:

1. Acknowledgment and voluntary acceptance of the penalties by the accused, via a signed IPV Waiver; or
2. By formal order of the DSS hearings officer after conclusion of the administrative penalty/disqualification hearing process; or
3. By conviction in a criminal court for any offense related to violation of any program administered by DSS.

914 IPV DISQUALIFICATION HEARINGS (toc)

914.1 Consolidation of Administrative Disqualification Hearings (toc)

Disqualification hearings for TANF and SNAP may be combined into a single hearing if the factual issues arise out of the same or related circumstances and the household received prior notice the hearings will be combined.

Combining hearings permits presentation of issues at a common hearing time. However, an individual request for Administrative Disqualification/Penalty Waiver, Form 6021 AF, must be completed for each accused individual and for each program.

If combined, a separate file must be established for each case, and separate presentations must occur for each program. This permits individual rulings for each separate program violation.

914.2 Pre-Hearing Resolutions (toc)

IPV issues may be resolved without a hearing or prior to a scheduled date of hearing:

- If the accused individual signs the “Waiver of Right to Administrative Disqualification Hearing” section of Form 6021-AF; or
- DSS formally withdraws their request for a disqualification hearing.

The IPV disqualification waiver may also be used to address accused individual’s program violations without prior submittal of the 6021-AF to the Hearing Unit. This permits the accused individual’s acceptance of IPV disqualification penalties without the formality of the actual hearing.

Signed IPV disqualification waivers are forwarded immediately to the designated I&R staff for review and approval signature. After approval, I&R staff will prepare and send a copy of the waiver and Notice of Imposition of Penalties to the accused individual and the appropriate case manager advising of DSS’s intent to impose disqualification penalties.

If a signed waiver is obtained, penalties shall not be imposed until the case manager has received notification from I&R staff. Once disqualification data is entered in the system by I&R staff, the appropriate case manager will be notified to complete the imposition of penalty.

No further administrative appeal procedure exists after an accused individual waives his/her right to an administrative disqualification hearing and a disqualification penalty has been imposed. The accused individual, however, is entitled to seek relief in a court having appropriate jurisdiction.

914.3 IPV Hearings Process (toc)

Administrative Disqualification Hearings and Pre-hearing resolutions are set forth in DSS’s Administrative Manual (AM), section 3103.

On the hearing date, the employee that initiated the IPV action (See E&P MS B 913) must be available to witness if necessary. I&R will represent the DSS and present the case to the hearing officer. See E&P MS B-1000 for procedures related to individuals contesting an actions other than IPV.

914.4 IPV Disqualification Outcomes (toc)

Issues sent to the hearing office are resolved on a case-by-case basis. Only written decisions issued by the hearing officer, or state or federal courts are enforceable. The formal written decision order may:

- Deny or approve the request for a hearing; or
- Deny or approve the request for a disqualification based on a hearing; or
- Approve, with modification of the penalties.

"Reconsideration of Hearing Decision" is in DSS's AM 3102.15.

Accused individuals that disagree with the decision of the hearing officer may appeal their case to district court within ninety (90) days of the date of the hearing officer's decision.

915 IMPOSING IPV DISQUALIFICATION PENALTIES/REPAYMENT OBLIGATIONS (toc)

Disqualification penalties are imposed differently for open and closed cases.

For open cases, disqualification penalties are imposed against the next benefit issuance which the case manager can administratively address after receipt of a signed and approved waiver or an administrative hearing officer's decision or criminal court JOC and I&R notification to impose penalties. Penalties will continue for the ordered period of time or in accordance with the disqualification periods specified in B-910.2. Worker inability to affect benefits because of computer program restrictions does not negate the case manager's ability to impose the full disqualification period.

For closed cases, the penalties will be imposed immediately following receipt of a signed and approved waiver or a hearing officer's disqualification order or criminal court JOC and I&R notification to impose penalties. Individuals remain ineligible for program participation for the entire disqualification period.

If case managers experience difficulty in coding the disqualification penalty, they are encouraged to seek the assistance of the Help Desk, I&R Unit supervisor, or the I&R Program Specialist.

- If the case manager fails to apply penalties within specified time frames, only the remaining months of the disqualification may be imposed, (unless permanently ineligible for participation).

  Note: Timely action is required when the case manager has the clear and present authority to impose penalties.

- If the disqualification is associated with the incorrect payment of benefits, the case manager must also initiate action to have the claim re-classified as an IPV. This action will facilitate an increased benefit reduction percentage and greater Division retention.

915.1 Count of Disqualified Months Toward Time Limits (toc)

When an accused individual has been found to have committed an IPV, disqualified months will count against both the state and federal time limits.

The disqualified member must still continue to meet NEON requirements, unless exempt.

915.2 Budgeting Ongoing Eligibility for Disqualified Members (toc)

To determine the need and amount of TANF and SNAP benefits, consider all income and resources of an accused individual required to be in the assistance unit/household, whether or not they are subject to disqualification penalties. Their income and resources are considered available to the assistance unit/household.

915.3 Repayment Obligation of Household Members (toc)

All TANF household members (including children) and adult SNAP household members, disqualified or not, remain responsible for claim repayment both during and after the disqualification period, until recoupment is complete.

Example: If the legal parent or needy caregiver on a TANF case is disqualified, the repayment will be taken from any ongoing benefit containing any TANF recipient members that were in the household during the period of time of the program violation.

920 IPV DISQUALIFICATION INFORMATION SYSTEMS (toc)

920.1 Nevada's Central Repository for Program Disqualification Information (toc)

All Nevada hearing decisions, criminal court JOC and signed and approved disqualification waivers are transmitted to the Central Office I&R Unit for maintenance and storage. This information is available for use by all DSS staff. Its primary purpose is to provide documentary evidence of why a disqualification penalty was imposed and substantiate previous disqualification occurrences.

Before completion or submittal of Form 6021-AF, Administrative Disqualification/Penalty Waiver, staff must contact the Central Office I&R Unit to obtain information about prior occurrences. See E&P MS B-912

920.2 National Electronic Disqualified Recipient Subsystem (DRS) (toc)

The Hearings Unit forwards all TANF disqualification records to Central Office.

National SNAP Disqualification Information Access: The Food and Nutrition Service (FNS) operates a National Electronic Disqualification Recipient System (EDRS) which maintains data for accused individuals found to have committed a SNAP violation within participating states.

Reporting Disqualification: When an accused individual is disqualified from program participation through a criminal court order, administrative disqualification hearing or voluntary waiver, the disqualification will be reported by I&R in the Central Office to the FNS via the EDRS

930 SANCTIONS (toc)

931 DEFINITION (toc)

TANF: Effective December 15, 2003, a sanction is a penalty imposed which terminates a household's TANF cash benefits when the household has failed to comply with work requirements (i.e., attend orientation, participation with assessments, training and work activities) or the terms of the Personal Responsibility Plan (PRP). The head of household is responsible for ensuring the compliance of all other household members.

SNAP: A sanction occurs when an accused individual fails to cooperate with work requirements. The accused individual is ineligible to receive SNAP during the sanction period, but the remaining household members do not lose eligibility

932 NON-COOPERATION WITH EMPLOYMENT and SUPPORTIVE SERVICES (toc)

TANF: Effective 10/01/2008, non-cooperation with the household's established Personal Responsibility Plan (PRP) will result in a three (3) month sit-out against all members of the household for TANF.

Refer to E&P MS A-827.2 – Action for Non-Compliance and E&P MS A-827.3 – Issuance Process of a Notice of Non-Compliance.

If the household or any member of the household reapplies during the three-month period, their request for TANF assistance will be denied.

If a NEON mandatory individual in a sit-out joins another TANF household, the household s/he joins will be ineligible (considering adverse action) until the sit-out period ends.

If a non-NEON mandatory individual/child who was a member of a household with a sit-out joins another TANF household, and is a required member, the child is considered an

SNAP: If an accused individual fails to cooperate with SNAP work requirements, a sanction will be imposed against the accused individual's SNAP benefits, as appropriate.

- **First violation** - ineligible for one month and until compliance.
- **Second violation** - ineligible for three months and until compliance.
- **Third and subsequent violations** - ineligible for six months and until compliance.

The computer system will monitor the first, second and subsequent occurrences and prevent eligibility until the period ends ineligible member until the sit-out ends. Once the sit-out period ends, the child(ren) must be added to the existing TANF case as an eligible member.

933 PERSONAL RESPONSIBILITY PLAN (PRP) (toc)

If the household fails to cooperate with any of the provisions of the PRP, a sanction will be imposed against the household's TANF benefit. These terms may include, but are not limited to, participation in NEON, employment retention assistance, vocational testing/training, education, domestic violence referrals, drug/alcohol testing and treatment, mental health treatment, counseling, parenting classes, mentoring programs, immunizations.

Exception: Although the PRP includes a provision for ensuring school attendance for children ages 7 to 11 under the Immunization/School attendance section, failure to cooperate with this statement is a non-sanctionable offense, except when the child is a minor parent. A minor parent's failure to meet school requirements is a sanctionable offense.

For NEON mandatory participants who fail to comply with work requirements or the terms of their PRP, refer to E&P MS A-800.

A sanction is NOT imposed:

- when the head of household is not an eligible member of the assistance unit (NNCT, SSI or ineligible non-citizen);
- against a NEON exempt household; or
- against a household maintaining employment at the participation standard level.

940 INELIGIBILITY FOR FAILURE TO MEET PROGRAM REQUIREMENTS (toc)

941 INELIGIBLE CATEGORIES/PERIODS (toc)

941.1 Fleeing Felons (toc)

Applicants or recipients are not eligible to participate in TANF or SNAP for any period of time during which:

A. they are wanted by law enforcement for any action associated with a crime which is classified as a felony; or
B. wanted by law enforcement for questioning about a crime which is classified as a felony

Case managers will use information disclosed on the application/redetermination/recertification or other program report forms or verified by law enforcement to identify individuals affected by this ineligible category.

Note: Although the agency must take action on known information which could affect a household's SNAP benefits, it may delay taking such action if law enforcement officials request a delay of action because it could interfere with the investigation or apprehension of a fleeing felon. Refer any such requests directly to the I&R supervisor or I&R specialist for review and approval of the request. I&R will advise the case manager of any decision to delay a disqualification. The case manager must future action the case for a 30-day follow up. An eligibility action to disqualify the individual may be taken upon notification from I&R that the delay request has been lifted.

941.1.1 Ineligible Period for Fleeing Felons (toc)

Individuals are not eligible to receive TANF or SNAP benefits during any period of time they are classified as fleeing felons. Once the accused individual has been determined ineligible under this category, the accused individual must provide verification they are no longer wanted by law enforcement before eligibility may be restored.

941.2 Parole or Probation Violators (toc)

Applicants or recipients are not eligible to participate in TANF or SNAP for any period of time during which they are violating a condition of their parole or probation when associated with a felony crime.

Case managers will use information disclosed on the application or verified by the Division of Parole & Probation to determine ineligibility.

941.2.1 Ineligible Period for Parole or Probation Violators (toc)

Individuals are not eligible to receive TANF or SNAP benefits during the time they are in violation of parole or probation conditions. Once ineligibility is determined, the applicant or recipient must provide verification from the Division of Parole & Probation they are currently meeting all conditions of their parole or probation before they may regain eligibility.

941.3 Misrepresentation of Identity or Residence (toc)

Accused individuals who are found to have committed an IPV either through an administrative disqualification hearing, a criminal court JOC or have signed a disqualification consent agreement, are ineligible for program benefits for:

- 120 months for accused individuals who misrepresent their place of residence or identity in an attempt to receive benefits simultaneously from one or more entities.

Note: The act of fraud is complete when the fraudulent statement is made. Therefore, the accused individual does not have to actually receive multiple benefits to be disqualified.

Example:

Residence – The accused individual is receiving SNAP benefits in California, moves to Nevada without requesting their benefits be terminated in California and fails to disclose they received SNAP benefits in California.

Identity – The accused individual applies for benefits under one identity and SSN and submits another application for benefits under another identity and SSN.

941.3.1 Ineligible Period for Misrepresentation of Identity or Residence (toc)

TANF	SNAP
Accused individuals found through a signed and approved Administrative Disqualification / Penalty Waiver, administrative hearing or federal or state court of having made a fraudulent statement or representation with respect to their identity or place of residence to receive TANF from one or more entities simultaneously, are ineligible for 120 months	Accused individuals found through a signed and approved Administrative Disqualification/Penalty Waiver, an administrative hearing or federal or state court of having made a fraudulent statement or representation, with respect to their identity or place of residence to receive multiple SNAP benefits simultaneously, are ineligible for 120 months

941.4 Accused Individual Convicted of SNAP Trafficking (toc)

TANF	SNAP
	Accused individuals convicted of knowingly using, transferring, acquiring, altering or possessing coupons, authorization cards or access devices in any manner contrary to the Food Stamp Act/regulations involving $500 or more are ineligible to participate in SNAP

941.4.1 Ineligible Period for Accused Individual Convicted of SNAP Trafficking (toc)

TANF	SNAP
	Ineligible for two years: • First finding of trading a controlled substance for benefits.

Ineligible permanently:
- Second finding of trading a controlled substance for benefits or;
- first finding of trading firearms, ammunition, or explosives for benefits; or
- First finding or trafficking SNAP benefits having a value of $500 or more.

941.5 Minor Parent Without Approved Living Arrangement (toc)

Unmarried minor parents (under age 18) who do not live with a parent, guardian, other adult relative or in an approved adult supervised setting are not eligible to participate in the TANF program unless exempt for good cause

941.5.1 Ineligible Period for Minor Parent Without Approved Living Arrangement (toc)

A minor child who is expected to be absent from the household for 45 or more consecutive days and does not meet an exception (see E&P MS A 326.1) is ineligible to participate in the TANF program. A newborn that has not entered the home due to continued hospitalization from birth, having not been medically released from the hospital, is not considered an absent child.

A parent/caretaker relative who fails to report such absence by the end of the five-day period it becomes clear the child will be absent for longer than the specified allowable time period is ineligible to participate in the TANF program

941.6 Absence of Minor Child for Significant Period (toc)

A minor child who is expected to be absent from the household for 45 or more consecutive days and does not meet an exception (see E&P MS A-326.1) is ineligible to participate in the TANF program. A newborn that has not entered the home due to continued hospitalization from birth, having not been medically released from the hospital, is not considered an absent child.

A parent/caretaker relative **who fails to report** such absence by the end of the five-day period it becomes clear the child will be absent for longer than the specified allowable time period is ineligible to participate in the TANF program

941.6.1 Ineligible Period for Absence of Minor Child for Significant Period (toc)

TANF	SNAP
Minor children absent longer than the specified period are ineligible to receive TANF benefits. The disqualification for a parent/ caretaker who fails to report such absence by the end of the five-day period will be determined through the IPV process. Note: Remove the ineligible child(ren) as soon as administratively possible. If the only eligible child has left the home or was never in the home, the case must be terminated. The IPV process will still be followed.	Unreported changes are pursued for IPV and/or a claim

941.7 Non-Cooperation with Social Security Number Requirements (toc)

Each household/assistance unit member or persons requesting assistance for themselves must provide a Social Security number or apply for a Social Security Number at a Social Security office. A person seeking benefits on behalf of children in their care must provide the children's Social Security numbers or meet enumeration requirements to receive assistance. If an individual fails to comply, or voluntarily chooses not to provide an enumeration:

TANF	SNAP
Terminate or deny assistance.	If a household member has refused or failed without good cause to provide or apply for an SSN, then that **individual** shall be ineligible to participate in SNAP.

Always evaluate the circumstances for "good cause" or "religious beliefs" as reasons for not providing or pursuing enumeration (see E&P MS A-1300).

Note: Undocumented non-citizens are not required to obtain or provide a Social Security number, as the Social Security Administration may not issue one to these individuals. Refer to E&P MS A-1300 for newborn enumeration rules for SNAP and TANF.

941.7.1 Ineligible Period for Non-Cooperation with Social Security Number Requirements (toc)

If the individual refuses to comply with Social Security Number requirements, terminate or deny TANF.

Note: If the individual is pursuing but unable to obtain the information necessary to obtain an SSN for an assistance unit member, only the person who does not meet the SSN requirements is ineligible. This is not considered a non-cooperation issue. See E&P MS A-1300.

Only the individual for whom the household has refused or failed without good cause to provide or apply for an SSN shall be ineligible in the SNAP household. These individuals are considered excluded household members. The exclusion continues until proof of an SSN or good cause has been provided.

Note: Households/household members who have sent for the needed verifications but have not yet received them are considered to be cooperating. These households/individual members may receive SNAP for two or more months. See E&P MS A-1300

941.8 Minor Parent Failing to Meet Educational Requirement (toc)

A minor parent/minor parent head of the household is ineligible to participate in the TANF program unless enrolled in and attending full time an elementary or secondary school, vocational or technical school equivalent to a secondary school, or an approved alternative education program (includes GED programs).

941.8.1 Ineligible Period for Minor Parent Failing to Meet Educational Requirement (toc)

A minor parent/minor parent head of the household who fails to meet the educational requirement is ineligible to receive TANF benefits. Terminate or deny assistance.

941.9 Certain Felony Convictions (toc)

Individuals who are not in compliance with the terms of their sentence, parole or probation after being convicted of certain violent and severe felonies **after** February 7, 2014, will be ineligible to receive SNAP benefits. See E&P MS B-423 for disqualifications.

Note: The remaining household members may participate if eligible.

941.9.1 Ineligible Period for Certain Felony Convictions (toc)

Household members who are not meeting the conditions of sentencing, parole or probation will remain ineligible for SNAP until compliant.

950 SUBSTANTIAL LOTTERY AND/OR GAMBLING WINNINGS (toc)

Substantial Lottery or Gambling Winnings (SLGW) are any cash prize won in a single event (game) that meets or exceeds the current maximum allowable resource limit for an elderly or disabled household. This limit applies to winnings reported by all certified SNAP households, including those subjects to status-change reporting, categorically eligible (CE) and expanded categorical eligibility (ECE).

Active SNAP households must report the receipt of SLGW within 10 days of receipt, regardless of their approved reporting requirements. Upon notification, the household shall lose eligibility for benefits immediately. The reporting requirement applies even if the household immediately spends or loses all or a substantial portion of the winnings and the remaining winnings are below the resource limit for elderly and disabled households.

For multiple winnings reported, each Lottery or Gambling win must be evaluated separately and compared to the current resource limit. If no single win meets or exceeds the current resource limit, the winnings are not considered Substantial Lottery or Gambling Winnings and must instead be evaluated as a lump sum or resource.

When winnings are shared among multiple individuals, only the portion allocated to the SNAP household member(s) is considered.

Note: SLGW received prior to an initial application will not result in a disqualification, evaluate as income in the month of application but before application submission or as a resource if received in the prior calendar month.

Verbal attestation of SLGW will be accepted and considered verification upon receipt, unless the information is questionable.

950.1 Regaining Eligibility (toc)

Following SNAP case closure due to SLGW, a household may reapply at any time. Upon reapplication, the household will not be certified as categorically eligible (CE) or expanded categorical eligible (ECE) until determined eligible under non-categorial eligibility rules. Non-categorically eligible households must meet all standard income limits, including the 130% percent gross income limit and the 100% percent net income limit and resources must be verified and compared to the current resource limit for the household ($4,500 elderly/disabled, $3,500 non-elderly/disabled).

If, at the time of reapplication, the household composition differs from the composition at the time the SLGW disqualification was imposed, the household will be considered a new household and may be evaluated for categorical eligibility (CE) or expanded categorical eligibility (ECE) if all other eligibility criteria are met. Staff must document any changes in household composition in the case record and obtain verification of household composition if questionable.

Non-categorical eligibility due to SLGW applies only when:

- the household is approved for SNAP for the first time following the loss of eligibility due to Substantial Lottery or Gambling Winnings; and
- the household composition remains unchanged from the time the winnings were reported.

960 BUDGETING STEPS INCLUDING DISQUALIFICATIONS CLAIMS (toc)

TANF Budgeting Steps

First Step - Maximum grant is established based on number of eligible members in the household (see TANF Needs Standard Chart in E&P MS C-141);

Second Step - Subtract earned income (after all applicable work expenses and/or disregards and/or childcare expenses have been deducted);

Third Step - Total all net earned income with countable unearned income and subtract this amount from the payment need standard based on the number of TANF household members eligible to be included for assistance. The result of this step is the **net grant**.

FINAL NET GRANT

Fourth Step - Subtract any claim from the net grant.

Claims

Claim deductions are calculated by adding together:

SNAP Budgeting Steps

Once household members' income and expense data is entered into the computer, the system will calculate the correct allotment based on household size, income and any **applicable** shelter expenses, utility allowance, phone or medical expenses.

Note: SNAP budgeting is done by the computer except for **claims** which require recomputing the allotment for each month in question.

Steps: Apply the gross income test in both the eligibility and allotment determination, unless policy specifies otherwise.

Compare countable gross income to the maximum gross monthly income allowable by household size, except for 1) households containing an elderly or disabled member; and 2) categorically eligible cases. If the household does not pass the gross income test, deny/ terminate benefits.

1. Add all gross earned income.
2. Multiply by 80% for net earned. Do not allow the 20% for claims resulting from non-reporting of earnings.

1. Gross earned income (include income which is otherwise disregarded in calculating the grant);
2. Unearned income; and
3. Net grant amount.
   Multiply the total by 10% (20% if claim). (See I&R MS 506.1) The end result is the claim amount to be deducted from the net grant amount.

Fifth Step – For an IPV disqualification, subtract the "needs" (pro rata share) for each disqualified household member.

Note: Disqualification penalties may be assessed against more than one person in a grant.

If all persons on a case are disqualified, the case will not close automatically. The worker must close the case.

1. Add all unearned income to net earnings.
2. Subtract the standard deduction, allowable dependent care and verified court ordered child support payments. The result is the adjusted income. If **elderly/disabled**, also subtract medical expenses less the $35 deductible to reach the adjusted income.
3. Subtract allowable shelter expense
   - Total monthly shelter expenses
   - Multiply adjusted income by 50%
   - Subtract remainder of adjusted income from shelter expense
4. Subtract the lesser of actual expenses or fixed max expense from the adjusted income for net income. If **elderly/disabled**, subtract the actual expense from adjusted income for net income.
5. To determine allotment value
   - Use allotment tables in E&P MS C-220

     or
   - Multiply net income by .3 (30%) and subtract unrounded product (2 decimal places) from the maximum allotment for the household size.

Claims (see I&R MS 506.2)

Claims deductions are determined by multiplying the monthly allotment:

a. by 10% for agency and client claims; OR
b. by 20% for IPV and Fraud claims

960 BUDGETING STEPS (Con't.) (toc)

TANF BUDGETING EXAMPLES With Claims/Sanction

Family of 3 - Gross grant = $383 - Earned income = $200/mo. There is no unearned income.

Example: 1. Intake Case:

Compare total household earned/unearned income to the 130% of Poverty. If eligible, deduct $90/20% work expense, childcare expenses and add unearned income (if applicable).

Compare this net income to the 100% Need Standard for the month of application. If the net income is less than the 100% Need Standard, the appropriate earned income disregard will be effective the first grant month. Subtract any unearned income from the payment allowance amount to determine the amount of the cash grant.

First Through Third Month With Earnings & 100% Earned Income Disregard Applied

$383 maximum grant
– $ 0 earned income - 100% disregard
$383 net grant amount

Fourth Through Sixth Month with Earnings and 85% Earned Income Disregard Applied

Without Child Care	With Child Care
$383 maximum grant – $ 30 earned income – 85% disregard $353 net grant amount	$200 gross earned income – $170 85% disregard – $ 30 child care $ 0 net earned income $383 maximum grant – $ 0 net earned income $383 net grant amount

Seventh through Ninth Month with Earnings and 75% Earned Income Disregard Applied

Without Child Care	With Child Care
$383 maximum grant – $ 50 earned income – 75% disregard $333 net grant amount	$200 gross earned income – $150 75% disregard – $ 30 child care $ 20 net earned income $383 maximum grant – $ 20 net earned income $363 net grant amount

Tenth through Twelfth Month with Earnings and 65% Earned Income Disregard Applied

Without Child Care	With Child Care
$383 maximum grant – $ 70 earned income – 65% disregard $313 net grant amount	$200 gross earned income – $130 75% disregard – $ 30 child care $ 40 net earned income $383 maximum grant – $ 40 net earned income $343 net grant amount

Example: 2. Ongoing Cases:

If a member of an ongoing case with no earnings begins receiving earned income, they are eligible to receive the earned income disregards (if not previously exhausted) without applying the income tests, using timely reporting criteria.

If a new member with income is added to a household with disregards in place, apply the earned income disregard to the new member's earnings the month they come into the home. Do not compare their income to either the 130% of Poverty or 100% Need Standard.

Use the examples listed above for determination of the final payment based on the corresponding disregard level.

Example: 3. Ongoing Case With 3 Persons - Claim

$383 maximum grant
-$ 0 earned income - counted due to 100% disregard
($200/mo. earnings)
-$ 0 no unearned income to add
$383 net grant

- Manual Claim (CL) Computation - Round Down at each step (10% or 20% if IPV overpayment)

Step 1. $383 net grant x 10% ($38.30) = $38
Step 2. $200 gross income x 10% = $20
Step 3. Claim Deduction = $58

Step 4. $383 net grant
-$ 58 subtract CL deduction
$325 grant amount after CL

Example:

4. Ongoing Case with 3 Persons -- Disqualification

   Calculate the IPV disqualification amount.

   $383 net grant
   $127 pro rata share ($383/3) = $127 is disqualification amount

   If this same household had two IPV disqualified individuals, the pro rata share would be 2/3 of the net grant ($255).

970 RESERVED (toc)

980 RESERVED (toc)

990 RESERVED (toc)

991 MISUSE OF BENEFITS (toc)

.

The USDA is notified of:

- violations by retail grocery stores on the redemption of SNAP. (**Examples:** allowing unauthorized purchases and accepting benefits for previous purchases.)
- misuse of SNAP by authorized representatives of drug or alcohol treatment centers and group living arrangements certified by the USDA as a retailer.
- Investigations & Recovery staff will notify the Office of the Inspector General of:
  - suspected misuse of benefits by program participants; and
  - SNAP security violations by postal employees or issuance personnel

992 Forms Used for PVs (toc)

- Form 6021, Request for Administrative Disqualification Hearing
- Form 6029, Request for Administrative Disqualification Adjudication/Hearing

993 RESERVED (toc)