



Department of Human Resources
 311 West Saratoga Street
 Baltimore MD 21201

FIA ACTION TRANSMITTAL

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
 DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
 FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

FROM: CHARLES E. HENRY, EXECUTIVE DIRECTOR

**RE: CERTIFICATION PERIODS, ENDING A CERTIFICATION PERIOD
 EARLY AND LENGTHENING A CERTIFICATION PERIOD**

PROGRAM AFFECTED: FOOD STAMP PROGRAM

ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS

SUMMARY

This Action Transmittal is one of several that we will issue about the recently published Food Stamp regulation changes. The revised rules change how we assign certification periods and how we shorten certification periods. It also permits us to extend certification periods.

CURRENT AND ONGOING POLICY

The local department certifies a household for a definite period of time. We currently assign the longest certification possible, consistent with the household's circumstances. For typically unstable situations, which include households with recent work history, zero net income, expenses that exceed income and earned income, we assign a 4-month certification period.

The first month of the certification period is the first month for which the household is eligible to participate.

The certification period cannot exceed 12 months except that the local department may certify up to 24 months households in which all adult members are elderly or disabled. If a household is certified for 24 months, the local department must have at least one contact with the household every 12 months.

OBSOLETE POLICY

Once a certification period is assigned it cannot be lengthened without a recertification, which includes a new application and face-to-face interview.

If it is necessary to shorten a certification period, the local department was required to send a notice of expiration to notify the household that the certification period was ending and that it had to reapply if it wanted to continue to receive benefits.

NEW POLICY

➤ Certification Period Length

In general, current policy about assigning the length of the certification still applies. You will soon receive information about a change that affects households that include a member with earned income.

The new federal regulations issued guidelines for certification length as follows:

- ◆ The case manager should assign households a certification period of at least 6 months unless the household's circumstances are unstable or the household contains an able-bodied adult without dependents that is subject to the special work requirements (ABAWD).
- ◆ Households with unstable circumstances, such as households with zero net income and households with an ABAWD should be assigned a certification period consistent with its circumstances, but generally no shorter than 3 months.
- ◆ Households may be assigned 1- or 2-month certification periods when it appears likely that the household will become ineligible for food stamps in the near future.

➤ Shortening a Certification Period

The case manager **cannot** end a household's certification period earlier than its assigned termination date unless:

- ◆ The local department receives information that the household has become ineligible, or
- ◆ The household has not complied with a request for clarification of unclear information.

Loss of public assistance or a change in employment status is not, by itself, adequate reason for shortening the certification period.

The case manager must act on the information according to change reporting requirements in section 420 of the Food Stamp Manual.

Note: The local department can shorten a 24-month certification period when a household's situation changes and it is no longer entitled to a 24-month certification period. For example, a household with 2 elderly members was assigned a 24-month certification period. Their son joins the household. He purchases and prepares food with them. This household is no longer entitled to a certification period longer than 12 months. The case manager must send the household a notice of adverse action.

➤ **Unclear Information**

During the certification period, the case manager may get information about changes in a household's circumstances but cannot readily determine the effect of the change on the household's food stamp benefits. This could be information from a third party, from an automated match, or from the household itself.

◆ Use the following procedure to get clarification of the household's situation:

1. Issue a written request for clarification (RFC), which:
 - (a) Clearly tells the household of the verification it must provide or the actions it needs to take to clarify its circumstances;
 - (b) Gives the recipient at least 10 days to respond and to provide the requested information; and
 - (c) Clearly states the consequences if the household fails to respond to the RFC.
2. The RFC can be either the 1052 or the CARES letter for requesting information.
3. If the household does not respond to the RFC, or does respond but refuses to provide sufficient information to clarify its circumstances, the case manager will issue a notice of adverse action and close the case for failure to provide information.
4. When the household responds to the RFC and provides sufficient information, the case manager must act on the new information.

➤ **Public Assistance Households (Temporary Cash Assistance, Transitional Emergency, Medical and Housing Assistance, Public Assistance to Adults)**

- ◆ The local department cannot terminate a household's food stamps solely because it has terminated the household's public assistance (PA) benefit. The case manager must make a separate determination that the household does not satisfy the food stamp requirements. The following procedures apply when public assistance is terminated:
 1. If a change in household circumstances requires a reduction or termination in the public assistance payment and the case manager has enough information to determine how the change affects the household's food stamps, the case manager must take the following actions:
 - (a) If the change requires a reduction or termination of food stamp benefits, issue a single notice of adverse action for PA and food stamp actions.
 - (b) If the household requests a fair hearing within 10 days, continue benefits in the amount authorized immediately prior to sending the notice unless the household has indicated it does not wish to receive benefits pending appeal.
 2. If the household's food stamp benefits will increase because of the reduction or termination of public assistance benefits:
 - (a) The case manager must issue the public assistance notice of adverse action, but must not take any action to increase the food stamp benefits until the household decides whether to appeal the PA adverse action.
 - (b) If the household appeals the PA adverse action and the PA is continued, the household's food stamps benefits must continue at the previous level.
 - (c) If the household does not appeal, the case manager must make the change according to regular change reporting procedures (Food Stamp Manual 420).
 3. When a change results in a termination of a household's PA benefit within the certification period, and the case manager does not have enough information to determine how the change affects the food stamp benefits:
 - (a) The case manager must issue a request for clarification at the same time that it sends the PA notice of adverse action.
 - (b) Before taking further action, the case manager will wait until after the PA notice of adverse action period expires or until the household requests an administrative hearing, whichever occurs first.
 - (c) If the household requests a hearing and elects to have PA continued pending appeal, the case manager must continue the household's food stamps at the same level.

- (d) If the household does not request a hearing and continuation of its food stamp benefits, the case manager must follow the procedures for unclear information and send notice of adverse action.
4. If the situation does not require PA notice of adverse action, the case manager will issue a request for clarification and follow the procedures for unclear information.

➤ **Lengthening a Certification Period**

1. The case manager may lengthen a household's certification period once it is established, as long as the total months do not exceed 24 months for households in which all adult members are elderly or disabled, or 12 months for all other households.
2. If the case manager lengthens the certification period, the household must be informed of the new certification end date with a notice that includes the same information as a notice of eligibility.

Example: Mr. A was assigned a 4-month certification period because of a deficit budget. In the second month of the certification, he received an award letter about his SSI eligibility. Since he was no longer in an unstable situation, the case manager extended his certification period for another 8 months.

ACTION DUE

This policy is effective June 1, 2001 for new application and recertifications.

INQUIRIES

Please direct policy questions to Kay Finegan at (410) 767-7939.

cc: FIA Management Staff
Constituent Services
OIM Help Desk
CIS Testing Facility

CARES ACTION REQUIRED

Shortening a Certification Period

For Applications:

- Process case as usual,
- Select Option **Q** to finalize,
- Enter **Y** on **ELIG** screen in the **Confirm** field,
- Press **ENTER** to display **FSFI** screen,
- Enter **Y** in the **Bnft Confirm** field,
- Enter the shortened certification period in the **Redet End Date** field,
- Press **ENTER** to display **APP2** screen,
- **ELIG** screen re-displays if there are pending application months that have not been confirmed,
- **APP2** displays when all of the months have been confirmed,
- Review the data on the screen,
- Type **Y** in the **Finalize** field,
- Press **ENTER** to confirm the information and commit the eligibility determination and benefit calculation data and result to the CARES database.

For Active Cases:

- Select Option **R** from the **AMEN** screen,
- Fast path to the **MISC** screen,
- Enter **Y** in the **Calc Elig** field,
- Fast path to the **ELIG** screen,
- Enter **Y** in the **Confirm** field,
- Press **ENTER** to display the **FSFI** screen,
- Enter **Y** in the **Bnft Confirm** field,
- Enter the shortened certification period in the **Redet End Date** field,
- Press **ENTER** to display the **DONE** screen,
- Press **ENTER** to commit.

Lengthening a Certification Period

For Applications:

- Process and finalize case as usual,
- Immediately following finalization, select Option **N** from the **AMEN** screen to initiate a redet,
- Select Option **R** to complete the redetermination,
- Fast path to the **MISC** screen,
- Enter **Y** in the **Calc Elig** and **Redet Complete** fields,
- Fast path to **ELIG** screen,
- Enter **Y** in the **Confirm** field,
- Press **ENTER** to display the **FSFI** screen,
- Enter **Y** in the **Bnft Confirm** field,
- Extend the certification period as appropriate in the **Redet End Date** field.

For Active Cases:

- Select Option **N** from the **AMEN** screen to initiate a redet,
- Select Option **R** to complete the redetermination,
- Fast path to the **MISC** screen,
- Enter **Y** in the **Calc Elig** and **Redet Complete** fields,
- Fast path to **ELIG** screen,
- Enter **Y** in the **Confirm** field,
- Press **ENTER** to display the **FSFI** screen,
- Enter **Y** in the **Bnft Confirm** field,
- Extend the certification period as appropriate in the **Redet End Date** field.