

DEPARTMENT OF HUMAN RESOURCES INCOME MAINTENANCE ADMINISTRATION W. Saratoga Street timore, Maryland 21201	IMA ACTION TRANSMITTAL
ISSUANCE DATE: 7-25-96	EFFECTIVE DATE: UPON RECEIPT CONTROL NUMBER: OPA #96-37 REVISED

TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR INCOME MAINTENANCE
INCOME MAINTENANCE SUPERVISORS/ELIGIBILITY STAFF

FROM: KEVIN MAHON, EXECUTIVE DIRECTOR, IMA 

RE: UPDATE OF FOOD STAMP MANUAL SECTION 403

PROGRAMS AFFECTED: FOOD STAMPS

ORIGINATING OFFICE: OFFICE OF POLICY ADMINISTRATION

BACKGROUND:

Action Transmittal IMA OPA #96-37, issued April 30, 1996, advised of the USDA Food and Consumer Service (FCS) request to update the Client Rights and Responsibilities Section of the Food Stamp Manual.

FSC has reviewed the Action Transmittal and based on that review, an amendment to include additional information is necessary. This revised IMA OPA Action Transmittal replaces and obsoletes IMA OPA #96-37.

ACTION REQUIRED:

Attached are the revised manual pages to replace existing pages in section 403 of the Food Stamp Manual.

Essentially, the changes are as follows:

1. The name and address of the current FCS Regional Civil Rights Director has been included.
2. At the request of FCS, the word "handicap" has been changed to "disability".
3. An office title (the Office of Policy Administration) and program name (TEMHA) have been updated.
4. The requirement for households to report changes in medical expenses has been deleted.
5. Specific information regarding when to disclose information to a prosecutor has been added.



REF: 7CFR	Section Title	Section
	CLIENT RIGHTS AND RESPONSIBILITIES	403

GENERAL
 INFORMATION:
 (Con'd)

403.6 o Right to
 Non-
 Discrimina-
 tion

In order to publicize this policy, all certification and issuance offices must prominently display the FCS non-discrimination poster, "And Justice For All", which can be requested from the Director, Office of Policy Administration, DHR/IMA.

403.7 o Discrimina-
 tion
 Complaints

An individual who believes he has been discriminated against for the above reasons has the right to file a written complaint. A worker or other DHR employee to whom the complaint is made shall advise him within 10 days of the complaint of this right and to whom to address the complaint and the information required to facilitate the investigation. The complaint should be sent to the:

Director, Equal Opportunity Office
 Department of Human Resources
 311 W. Saratoga Street
 Baltimore, Maryland 21201

and

Ellen E. Shannon,
 Regional Civil Rights Director
 USDA, Food and Consumer Services
 Mercer Corporate Park
 300 Corporate Boulevard
 Robbinsville, New Jersey 08691-1598

The complaint must be filed within 180 days of the alleged discrimination unless filing time is extended by the Regional Director. The complaint should contain as follows:

1. The name, address and telephone number or other means of contacting the person alleging discrimination.
2. The location and name of the organization or office which is accused of discriminatory practices.
3. The nature of the incident, action, or the aspect of program administration that led the person to allege discrimination.



REF. 7CFR

Section Title

CLIENT RIGHTS AND RESPONSIBILITIES

Section

403

Page

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403.1 PURPOSE:

This section describes the general rights and responsibilities of applicants for and recipients of food stamp benefits. They have been brought together in this section, as they should be generally discussed with the household during the application process.

GENERAL INFORMATION:

403.2 o Rights Under the Privacy Act of 1974

The household must be informed of its rights under the Privacy Act of 1974 whenever personal information or Social Security numbers are requested. These rights are:

- . The legal basis for the request and whether it is voluntary or mandatory to give the information.
- . The uses which may be made of the information.
- . To whom the information may be disclosed outside the U.S. Department of Agriculture.
- . The effects of not providing all or part of the information.

NOTE: Even though personal information must be furnished voluntarily, the worker has the right to deny or terminate food stamp benefits if the information withheld is required for verification purposes and no alternate means of verification is available.

403.3 o Confidentiality

Information obtained from households for Food Stamp purposes may be generally released to persons directly connected with the administration or enforcement of the following programs:

- . Food Stamps
- . Aid to Families With Dependent Children (AFDC)
- . Medicaid (MA)
- . Supplemental Security Income (SSI)
- . Transitional Emergency, Medical, and Housing Assistance (TEMHA), or
- . Any other federal or federally-aided, means tested assistance programs.

ACTION REQUIRED OF:

All Local Departments

ACTION DUE:

Immediately upon receipt of this transmittal.

Attachments

DHR Executive Staff
IMA Management Staff
Arnold Dixon



1977 CFR

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403.9 ○ Supervisory
 Conference
 Fair
 Hearing

Any applicant, recipient or person acting responsibly for him has the right to request a supervisory conference or fair hearing. This may be requested whenever a client is dissatisfied with any action, failure to act, or delay by the local department.

403.10 ○ Responsibility
 of the House-
 hold to
 Cooperate

The household has the responsibility to cooperate with the local department to determine eligibility, review its eligibility due to reported changes or recertification, and during quality control reviews. The household may be denied or terminated from the program for refusal to cooperate.

For a determination of refusal to be made, the household must be able to cooperate, but clearly demonstrate that it will not take actions that it can take and that are required. For example, to be denied for refusal to cooperate, a household must refuse to be interviewed and not merely fail to appear for the interview. If there is any doubt regarding whether the household has refused to cooperate rather than merely failed to cooperate, the household can not be denied for this reason.

403.11 ○ Responsibility
 to Report
 Changes

Households must report the following changes within 10 days of the date the change becomes known to the household.

- All changes in the source of income or in the amount of gross monthly income of more than \$25, except changes in the AFDC or TEMHA grant.
- All changes in household composition (addition or loss of a household member).
- Changes in residence and the resulting change in shelter costs.
- When cash on hand, stocks, bonds and more in a bank account or savings institution reach or exceed a total of \$2,000 or \$3,000 for an elderly household.