

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

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 | INFORMATIONAL LETTER |  
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TRANSMITTAL: 01 INF-10

DIVISION: Temporary Assistance

TO: Commissioners of  
 Social Services

DATE: April 2, 2001

SUBJECT: Clarification of Food Stamp Denials When an  
 Eligibility Interview Is Missed

SUGGESTED

DISTRIBUTION: Food Stamp Staff  
 Temporary Assistance Staff  
 Staff Development Coordinators  
 CAP Coordinators

CONTACT PERSON: DTA Eastern Team at 1-800-343-8859, ext. 3-1469

ATTACHMENTS: None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		387.7	7CFR 273.2(g)(3)	FSSB IV-E- 4 Sect 5B	GIS Message 91 IM/DC043
				FSSB IV-H- 1.1	WMS Coord Ltr 2/26/01

The purpose of this Informational Letter is to clarify local district responsibilities when denying an application for Food Stamps (FS) due to a missed eligibility interview.

Background

A face-to-face eligibility interview is required with each applicant or authorized representative to establish eligibility for FS, unless the in-person interview is waived because the applicant is elderly, disabled or unable to appear at the local district office and no authorized representative is available, or because the applicant is an SSI live-alone.

Federal FS regulations require that if an eligibility interview is missed, the interview shall be rescheduled without requiring the household to provide good cause for failing to appear. In the event the household does not appear for the rescheduled interview, the local district need not initiate any action to schedule further interviews unless specifically requested to do so by the household.

In 1991, New York State (NYS) requested two waivers from USDA:

\_ one to allow denial of a FS application after ten days from the date a household is requested to provide missing verification, if the household fails to provide the requested verification; and

\_ one to allow immediate denial of a FS application without automatically rescheduling a second eligibility interview when the applicant missed the initial interview and did not contact the district to reschedule.

Both waivers were subsequently approved by USDA with certain limitations. It has since been OTDA policy to deny food stamp applications after ten days following an unmet request for verification, or immediately for failure to show for the initial certification interview.

Recent federal clarification has revealed that the waiver of the automatic second interview scheduling requirement does NOT include the authority to deny FS applications prior to the 30th day from the application date. The United States Department of Agriculture has directed NYS to immediately cease early denials for failure to keep the certification interview appointment. The waiver policy relating to requested verification is not affected and districts may continue early denials for failure to provide requested verification.

Implications

Local districts must allow 30 days from the application date before denying the application of a household that has failed to appear for an interview and has not contacted the local district to reschedule the missed interview. After this 30 day period, the household must file a new application if it wishes to participate in the program.

Local districts must develop procedures to ensure that no food stamp application is denied prior to the 30th day from the application date for failure to appear for an eligibility interview. For a Temporary Assistance/Food Stamp (TA/FS) applicant who misses the joint eligibility interview, the FS application must be held for 30 days from the date of application. For TA, however, when an eligibility interview is missed without good cause, districts may deny the TA case immediately without scheduling another interview. When the TA application is denied the applicant must be informed that the FS notice will be provided separately. Districts must establish procedures to track TA/FS applicants who fail to appear for an interview, and provide separate notice of FS denial 30 days after the application date. Local district procedures must be made available for review upon request.

Districts also are reminded that when a client is determined eligible for FS benefits under expedited processing standards, the "Action Taken on Your Food Stamp Case" notice must be sent. The notice must contain the certification period, benefit amount, and eligibility documentation still outstanding. This notice also contains language informing the applicant that no further benefits can be issued until pended verification is submitted and that eligibility or benefit amount changes resulting from this verification will be made without further notice. No further notice is required to close the case if the district determines that the household failed to complete the required actions.

Systems Implications

Upstate: WMS has implemented edits to preclude early denial transactions for interview no-shows. Data entry of denials and generation of corresponding CNS notices cannot be done prior to the 30th day after the date of application.

New York City: WMS is developing system support to preclude early FS denial transactions for interview no-shows. Information regarding these systems changes will be provided under separate cover.

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Patricia A. Stevens  
Deputy Commissioner  
Division of Temporary Assistance