

NOTICE TO ADVISE INDIVIDUALS ON A COURT RECORD OF DISQUALIFICATION PROVISIONS

STATE OF NEW YORK (UNITED STATES DISTRICT COURT)
COURT COUNTY OF (DISTRICT OF NEW YORK)

People of the State of New York

v.

STATEMENT

for the

RECORD

STATEMENT

To Advise Individuals on the Record
Of Disqualification Provisions Contained in
Social Services Law Section 145-c and
Regulations at 18 NYCRR 359.9

If you or a member of your family, or household (SNAP) enter a plea of guilty, nolo contendere, or are convicted of making a false or misleading statement or committing an act intended to mislead, misrepresent, conceal or withhold facts concerning your eligibility or your household’s eligibility or continuing eligibility for Public Assistance and/or household’s eligibility for the Supplemental Nutrition Assistance Program (SNAP), or for purposes of increasing (or preventing a reduction) in the amount of such Public Assistance and/or SNAP benefits you may be determined to have committed an Intentional Program Violation (IPV) which may result in your being disqualified from participating in those assistance programs for a set duration of time depending upon the number of prior intentional program violations you have committed and the monetary amount of wrongful benefits received.

If you are determined to have committed a Public Assistance intentional program violation and it is for an amount less than \$1,000, you will be unable to receive Public Assistance for six months. If you are found to have committed a second intentional program violation or if you wrongly receive between \$1,000 and \$3,900, you will not be able to receive Public Assistance for twelve months. If you are determined to have committed a third intentional program violation or if you wrongly receive over \$3,900, you will not be able to receive Public Assistance for eighteen months. Any subsequent Public Assistance intentional program violation will result in you being disqualified from receiving Public Assistance for five years.

If you are determined to have committed an intentional program violation in SNAP, either through an administrative disqualification hearing, or by a court of appropriate jurisdiction, or if you have signed either a waiver of right to an administrative disqualification hearing or a disqualification consent agreement, you will be unable to receive SNAP benefits for **12 months** for the **first SNAP-IPV**; for **24 months** the **second SNAP-IPV**; for **24 months** for **first SNAP-IPV** based on a court finding of having used or received SNAP benefits in a transaction involving the sale of a controlled substance. (Illegal drugs or certain drugs for which a doctor’s prescription is required); or for **120 months** if found to have made a fraudulent statement about who you are or where you live in order to get multiple SNAP benefits simultaneously, unless permanently disqualified for third IPV.

Additionally, a court may bar you from participating in SNAP for an additional 18 months.

Any member of your household will be Permanently disqualified from receiving SNAP benefits if found guilty of committing a first SNAP-IPV based on a court finding of having used or received SNAP benefits in a transaction involving the sale of firearms, ammunition, explosives; a first SNAP-IPV based on a court conviction of trafficking in SNAP benefits for a combined amount of \$500 or more. (Trafficking includes the illegal use, transfer, acquisition, alteration or possession of SNAP authorization cards or access devices); a second SNAP-IPV that is based on a court finding of having used or received SNAP benefits in a transaction involving the sale of a controlled substance (Illegal drugs or certain drugs for which a doctor’s prescription is required); or a third SNAP-IPV.

If you are determined to have committed a Public Assistance intentional program violation, you may not be eligible for other assistance programs, such as Medical Assistance, Child Care Assistance, Emergency Assistance or other social services assistance or services.

If you are not getting Public Assistance now, your disqualification penalty will begin the next time you apply for and are determined eligible for assistance. For SNAP, the disqualification penalty will begin when it is imposed as set forth in the notice of disqualification, whether or not you are receiving SNAP benefits at the time. If you are determined to have committed an intentional program violation, you also will be responsible for repaying any overpayment of SNAP benefits issued to you. All other adult members of your household are also responsible for any overpayment that has not been repaid. Other members of your household who are in receipt of SNAP may have their benefits reduced to repay the claim.

This statement is offered on the record to satisfy the requirements of paragraph (5) of subdivision (d) of section 359.9 of title 18 of the State of New York Codes, Rules and Regulations.