



**NEW YORK STATE**  
**OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE**  
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 ALBANY, NY 12243-0001  
**Andrew M. Cuomo**  
*Governor*

**Administrative Directive**

**Section 1**

<b>Transmittal:</b>	13-ADM-04
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office :</b>	Center for Employment and Economics Supports Supplemental Nutrition Assistance Program (SNAP)
<b>Date:</b>	April 17, 2013
<b>Subject:</b>	SNAP Reactivation Waiver
<b>Suggested Distribution:</b>	SNAP Directors Temporary Assistance (TA) Directors Staff Development Coordinators Fair Hearing Staff
<b>Contact Person(s):</b>	SNAP Bureau 1-800-343-8859 x31469
<b>Attachments:</b>	
<b>Attachment Available On – Line:</b>	<input type="checkbox"/>

**Filing References**

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18 NYCRR 387.7, 18 NYCRR 387.8	7 CFR 273.2(c), 7 CFR 273.2(e)		

## Section 2

### I. Summary

New York State Office of Temporary and Disability Assistance (OTDA) has been granted a waiver of 7 CFR 273.2(c) by the Food and Nutrition Service (FNS). The waiver allows a Social Service District (SSD) to reinstate the eligibility of affected Supplemental Nutrition Assistance Program (SNAP) households **without** requiring the household to file a new SNAP application and to complete an eligibility interview if a household provides whatever missing information or verification is necessary to re-establish eligibility within 30 days of the effective date of termination of eligibility.

This does not affect the current policy regarding the reactivation of Temporary Assistance (TA) and TA-SNAP cases within 30 days. For further information on the TA reactivation policy see 18 NYCRR §§ 350.4 (a) (5) and (b) and 08-INF-09.

**This waiver does not apply** to non-compliance with SNAP Employment and Training (E&T) requirements that result in case closure. See the note in Section IV below for further information regarding compliance and non-compliance with SNAP E&T requirements.

### II. Purpose

The purpose of this waiver is to ease program administration and reduce the administrative burden for SSD staff, while also reducing the burden on households. This waiver also establishes an approved process for case reactivation similar to that which currently exists for TA cases.

### III. Background

Under federal SNAP application processing requirements at 7 CFR 273.2(c) and under state regulations at 18 NYCRR 387.8, a household not currently participating in the program must file an application for benefits. This requirement applies to all applicants not currently receiving benefits, including those that have recently lost their eligibility as the result of failing to comply with a program requirement.

In the interest of providing administrative relief and more efficient program access, USDA has made this reactivation waiver generally available to the states upon application for the waiver. As noted above, under this waiver, SSDs are allowed to reinstate the eligibility of affected SNAP households, **without** requiring the household to either file a new SNAP application or complete an eligibility interview, if a household provides whatever missing information or verification is necessary to re-establish eligibility within 30 days of the effective date of termination of eligibility. A common situation for which the case reactivation may be used is when a household's SNAP case has been closed for failure to submit or complete a periodic report and subsequently fulfills that requirement after the SNAP case has been closed.

It is important to note that households looking to re-establish eligibility for SNAP retain the right to file an application, if they so choose, in order to re-establish eligibility. In other words, they cannot be required to choose reactivation if they prefer to file an application and to be interviewed.

#### IV. Program Implications

Effective May 1, 2013 SSDs shall reinstate SNAP benefits during the certification period, if the household re-establishes eligibility by reporting and verifying a change in circumstances or by complying with an unfulfilled program requirement within 30 days of the date the SNAP case closed. The household would not be required to submit a new SNAP application for benefits, or required to complete an eligibility interview in order to re-establish eligibility. Under the waiver, when a client complies with a requirement and provides information and/or verification needed to re-establish eligibility, the SSD eligibility worker will prorate benefits from date of compliance without conducting an eligibility interview. The reason(s) for the case closure must be fully resolved prior to reopening the case. Reactivations are not re-applications and therefore consideration for expedited processing is not a requirement under this waiver.

As noted in Section III above, if a household chooses to file a new application for SNAP, the household is not eligible for reactivation, and the application must be processed under standard SNAP application processing rules.

**(Note:** As indicated in GIS 12TA/DC035, and updated under GIS 13 TA/DC011, SNAP Employment and Training (E&T) sanctions have been temporarily suspended effective December 14, 2012 and will remain suspended until SSDs are notified by OTDA. The waiver described in this ADM does not apply to non-compliance with SNAP E&T activities which result in case closure. An individual whose SNAP benefits have been discontinued (case closed) because of a SNAP E&T sanction would not be able to reactivate the case and restore his/her eligibility for SNAP benefits by demonstrating compliance within 30 days of the case closing. Once the temporary suspension has been lifted, the individual will be required to serve the minimum durational sanction period in addition to demonstrating compliance with SNAP E&T requirements as assigned by the SSD (see 09 ADM-20), unless the individual documents that he/she has become exempt from SNAP work requirements in accordance with 18 NYCRR §385.3 and is otherwise determined eligible for SNAP benefits.)

#### V. Required Action

Effective May 1, 2013 SSDs shall reinstate SNAP benefits during the certification period, within 30 days of the date of closing, if the household reports and verifies a change in circumstances or complies with an unfulfilled program requirement after the SNAP case closed. The following conditions must be met for the case to be reinstated:

- The household must report and verify all changes in circumstances that occurred following the effective date of the most recent closing of the household's SNAP case;
- The household must provide any outstanding information that may have resulted in the most recent closing of the household's SNAP case;
- The household must fulfill these requirements within 30 days of the case closing;
- The household must be eligible for SNAP benefits during the reinstatement month and during the remaining months of the certification period;
- The household's case must be in closed status; and

- If the household resides in a SSD outside of New York City (NYC), it should have at least 3 full months remaining in the certification period following the date of compliance with all other requirements for reactivation. If the household resides in NYC, it should have at least 4 full months remaining in the certification period following the date of compliance with all other requirements for reactivation. This criterion is necessary due to the systemic requirements for generating timely recertification notices and scheduling and completing recertification interviews. In most instances, within the last 3 months (4 months in NYC) of the original certification period, it would be more beneficial for both the household and the local district for the household to file a new application.

**(Note:** OTDA reserves the right to permit exceptions to this last requirement and permit reactivation during the last three or four months of the certification period if the case circumstances merit exception.)

Provided the conditions above have been met the SSD shall issue benefits for the initial month of reinstated eligibility prorated from the date the household took the required action to reestablish eligibility.

To maximize the value of this waiver to both the local SSDs and to households eligible to benefit from the waiver, re-activations should be processed and benefits issued as quickly as possible once the conditions necessary for reinstatement have been met. At the very latest, if the terms for reinstatement are met more than 10 days before the end of the calendar month, the reinstatement should be processed so that benefits are available no later than the household's normal SNAP benefit issuance date for the following month. If the terms for reinstatement are met less than 10 days before the end of the calendar month, the reinstatement should be processed so that benefits are available no later than either the household's normal SNAP benefit issuance date for the following month, or by the tenth day of the following month, whichever date is later.

## **VI. Upstate Systems Implications**

Upstate Welfare Management System (WMS) SNAP Case Level Reason Codes 'A30 – SNAP Approval: Same Benefit Each Month, 'A31 – SNAP Approval: Two Different Benefit Amounts in the Certification Period, 'A32 – SNAP Approval: 1<sup>st</sup> Month Pro-rated – Applied Before the 16<sup>th</sup>, and 'A33 - SNAP Approval: 1<sup>st</sup> Month Pro-rated – Applied After the 15<sup>th</sup> will now be valid for (11) Reactivation transactions and will produce notices through CNS.

WMS allows for reactivation transactions for up to 30 days after the certification end (case closing) date. For those SNAP households that meet the conditions for reactivation, but the action cannot be completed until more than 30 days after the certification end date, the case will need to be re-registered in WMS and processed as a new application. Since the household is not required to file a new application, it is important for audit purposes that the case record document:

- The date of the household's compliance with the reactivation requirements;
- That the application registration is being done in order to complete a reactivation; and
- The reason for the processing of the reactivation more than 30 days following the date of closing.

## VII. NYC Systems Implications

A new WMS Case Level Reason Code A60-Reactivation Waiver Code-Case Closed Less Than 30 Days- is valid for Eligibility or Eligibility Error Correction transactions on SNAP only cases. Notices will be created through CNS.

This code will be used to reactivate a SNAP case that fulfills the requirements for reactivation that has been closed for less than 30 days and has at least four months remaining in the original certification period. Although the household does not have to reapply, a new application must be registered and linked back to the original case number. This is necessary to retain the original recertification schedule.

If a SNAP household meets the conditions for reactivation, but the action cannot be completed until more than 30 days after the certification end date, the case will need to be re-registered in WMS and processed as a new application. Since the household is not required to file a new application, it is important for audit purposes that the case record contains the following documentation:

- The date of the household's compliance with reactivation requirements;
- That the application registration is being done in order to complete a reactivation; and
- The reason for the processing of the reactivation more than 30 days following the date of closing.

A new application must be filed if a household provides missing information or complies with eligibility requirements 30 or more days after the certification end date.

### Effective Date

**May 1, 2013**

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### Issued By

**Name:** Phyllis Morris

**Title:** Deputy Commissioner

**Division/Office:** Center for Employment and Economic Supports