

GENERAL INFORMATION SYSTEM
Center for Employment & Economic Supports

December 4, 2012

Page: 1

TO: Subscribers

SUGGESTED DISTRIBUTION: Commissioners, TA Directors, SNAP Directors, Employment Coordinators, Staff Development Coordinators, WMS Coordinators, Fair Hearing Staff

FROM: Phyllis Morris, Acting Deputy Commissioner, Center for Employment and Economic Supports

SUBJECT: Temporary Suspension of Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Sanctions

EFFECTIVE DATE: December 14, 2012

CONTACT PERSON: Employment Services Advisor or Employment and Advancement Services Bureau at (518) 486-6106

The purpose of this General Information System (GIS) notice is to inform social services districts (SSDs) of a temporary suspension in the issuance of Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) sanction notices and the imposition of SNAP E&T sanctions.

During the temporary suspension, SSDs must ensure that SNAP related sanction notices (both CNS and manual) are not issued and that workers do not impose SNAP E&T sanctions. Individuals may continue to be engaged in SNAP E&T activities, but SSDs must not take negative action for failure to comply during this suspension.

The temporary suspension of SNAP E&T sanctions does NOT affect the engagement, conciliation or sanction process used for public assistance (PA) work requirements, as explained below.

A temporary suspension of SNAP E&T sanction notices is necessary pending changes in procedure and potential changes in notice language to comply with federal SNAP E&T regulations. More specifically, federal SNAP E&T regulations require that the sanction notices inform the individual that he/she has the opportunity to avoid the SNAP E&T sanction by demonstrating compliance with SNAP E&T activities before the effective date of the sanction.

The Office of Temporary and Disability Assistance (OTDA) submitted a waiver request to the United States Department of Agriculture (USDA) on July 13, 2012, that if approved, will resolve the notice issues through the creation of a SNAP "reengagement" process. Approval of the waiver submitted to USDA would permit OTDA to comply with this federal requirement in a manner that reduces the administrative complexities associated with a reengagement process. SSDs will receive further instruction about the need to establish a reengagement process for SNAP in the near future with the specific requirement dependent upon waiver approval from USDA.

GENERAL INFORMATION SYSTEM
Center for Employment & Economic Supports

December 4, 2012

Page: 2

OTDA is temporarily suspending the issuance of SNAP E&T sanction notices and the corresponding SNAP E&T sanction. Therefore, SSDs must not take any negative action against individuals who fail to comply with SNAP E&T requirements effective December 14, 2012 and until further notice. **It is not necessary for SSDs to track noncompliance during the suspension period. SNAP E&T sanctions will only be imposed for noncompliance that occurs after the termination of this suspension period and after a new “reengagement” process has been implemented. No action may be taken for any noncompliance that has occurred during the temporary suspension period; even after the new process has been implemented.** OTDA anticipates that the temporary suspension of SNAP work requirements may continue for up to 90 days.

Public Assistance Work Requirements: SSDs should continue to follow current procedures for assessing adult PA applicants and recipients and to engage nonexempt individuals in PA work requirements consistent with the individual’s employment assessment and plan. This process includes the offer of conciliation to allow individuals who have failed to comply with PA work requirements the opportunity to provide good cause for failure to comply or to claim and document an exemption from PA work requirements. If after the conciliation process, it is found that an individual willfully and without good cause failed to comply with PA employment requirements, the appropriate PA only sanction notice should be issued and the sanction should be imposed, consistent with 18 NYCRR §385.12. However, due to the suspension of SNAP E&T sanctions, actions that would otherwise result in both a PA and SNAP employment sanction will need to be limited to only the imposition of a PA sanction.

Budgeting of PA employment sanctions during the temporary suspension of SNAP E&T sanctions:

Rest of State SSDs: Workers should enter the PA employment sanction on the Automated Budgeting and Eligibility Logic (ABEL) via the “PSP” field for individuals who are legally responsible for other members of the PA assistance unit (see 09-ADM-09 for information on the process to be used if the individual to be sanctioned for noncompliance with PA employment requirements is not legally responsible for other members of the PA assistance unit). The “PSF” field on ABEL, which would otherwise be used when the individual is being sanctioned for noncompliance with both PA and SNAP E&T requirements, must not be used during the temporary suspension of SNAP E&T sanctions.

New York City: On WMS NSBL06 Screen of the individual to be sanctioned for PA, workers should enter “SN” on the PA status field (PA STS), and let the SNAP status field (FS STS) remain unchanged. Workers should also enter Income Source Codes (INC SRC) 46 or 47 to indicate the sanction type.

Supplemental Nutrition Assistance Program: Effective December 14, 2012 and until otherwise notified by OTDA, SSDs must implement changes to suspend the issuance of SNAP E&T sanction notices and must not impose sanctions for individuals who fail to comply with SNAP work requirements. This includes manual SNAP E&T sanction

GENERAL INFORMATION SYSTEM
Center for Employment & Economic Supports

December 4, 2012

Page: 3

notices. The Welfare Management System (WMS) and Client Notice System (CNS) SNAP Individual Reason Codes related to failure to comply with a SNAP work requirement will be temporarily invalidated by OTDA effective December 14, 2012 and must not be used. Please see further information in the Systems section of this GIS below.

Systems Implications:

The SNAP WMS and CNS Reason Codes related to failure to comply with SNAP E&T requirements will be disabled effective December 14, 2012. Beginning on December 14, 2012, the following codes must not be used in either CNS or WMS for purposes of imposing SNAP E&T sanctions:

N31, N32, N33, N41, N42, N43, WE1, WE2 and WE3.

Rest of State SSDs: The above codes are Individual Reason Codes only.

New York City: The above codes are valid at the Case Level (for households of one) and at the Individual Level (for households greater than one).

Note: Use of these codes for a SNAP reason will result in an error which will prevent the CNS notice from being issued and an unsuccessful WMS transaction, which will impact the imposition of PA employment sanctions which are processed in the same WMS transaction until the error is resolved. Therefore, SSDs must ensure that workers are immediately notified of the temporary suspension of SNAP E&T sanctions and instructed not to impose any SNAP E&T sanctions effective December 14, 2012 and until further direction from OTDA.

Additionally, SSDs must not issue manual sanction notices to process an employment sanction for failure to comply with SNAP E&T requirements.