



General Information System (GIS) Message

Section 1

Transmittal:	24DC017 Upstate and New York City
Date:	April 12, 2024
To:	Subscribers
Suggested Distribution:	SNAP Directors; TA Directors; CAP Coordinators; Staff Development Coordinators; TOP Coordinators
From:	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
Subject:	Waiver of Pandemic Related Supplemental Nutrition Assistance Program (SNAP) Overpayment Claims
Effective Date:	Immediately
Contact Information:	SNAP Policy Bureau at 518-473-1469 or SNAPbureau@otda.ny.gov
Attachments:	None

Section 2

Background

The purpose of this GIS is to advise social services districts (districts) about the availability of an administrative waiver for certain SNAP overissuances during the pandemic.

As a result of the challenges presented throughout the COVID-19 Public Health Emergency, OTDA received approval from the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) to waive the establishment of certain SNAP overissuances pursuant to 7 CFR 272.3(c)(1). OTDA requested this authority to help ease the administrative burden on districts and alleviate additional financial hardship on households impacted by the Public Health Emergency (PHE). This waiver will also facilitate the transition back to regular SNAP operations by allowing districts to rebalance priorities.

Program Implications

Districts should waive the **establishment** of claims resulting from pandemic related overissuances that occurred from March 1, 2020, through September 30, 2023. A pandemic related overissuance is a SNAP overpayment that:

- occurred during the Public Health Emergency (PHE) from March 13, 2020, through September 30, 2023;
- was the result of either an Inadvertent Household Error (IHE) or an Agency Error (AE); and
- was not related to an Intentional Program Violation (IPV) or discovered in a Quality Control (QC) review.

This waiver does not provide the authority to forgive established claims, and districts must continue to process and apply claims that have already been established, or were incurred prior to March 1, 2020, or after September 30, 2023. Any claim that has already been established through notification sent to the SNAP household must continue to be collected through either recoupment or direct payment per standard procedure. Guidance about terminating and writing off claims for pandemic related overissuances established during the federal public health emergency will be issued separately.

Required Action

Beginning immediately, districts should not establish claims for pandemic-related SNAP overpayments that occurred between March 1, 2020, and September 30, 2023, unless the overpayment is related to a properly adjudicated IPV or discovered in a QC review. Districts must calculate and report to their SNAP liaison at OTDA the estimated number and value of all pandemic related overissuances that are waived.