



## General Information System (GIS) Message

### Section 1

<b>Transmittal:</b>	24DC064 Upstate and New York City
<b>Date:</b>	September 27, 2024
<b>To:</b>	Subscribers
<b>Suggested Distribution:</b>	Commissioners, SNAP Directors, TA Directors, CAP Coordinators, Staff Development Coordinators, Fraud Directors, Fair Hearing Staff, WMS Coordinators
<b>From:</b>	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
<b>Subject:</b>	Extended Federal Authority to Issue SNAP Replacement Benefits, and updates to Temporary Assistance (TA) Replacement Benefits, for Benefits Stolen via Electronic Means Such as Skimming, Cloning, Phishing or Other Fraudulent Methods
<b>Effective Date:</b>	October 1, 2024
<b>Contact Information:</b>	SNAP Policy Bureau at (518) 473-1469 or <a href="mailto:SNAPBureau@otda.ny.gov">SNAPBureau@otda.ny.gov</a> ; Temporary Assistance Bureau (518) 474-9344 or <a href="mailto:tabureau@otda.ny.gov">tabureau@otda.ny.gov</a>
<b>Attachments:</b>	N/A

### Section 2

The purpose of this GIS is to provide social services districts with interim guidance on changes to the policy for replacement of certain stolen Supplemental Nutrition Assistance Program (SNAP) benefits as originally established by [23-ADM-07](#). The federal authority to replace electronically stolen SNAP benefits was originally set to expire on September 30, 2024, and has been extended. The federal [Continuing Appropriations and Extensions Act, 2025](#) extends the authority for replacing stolen SNAP benefits through **December 20, 2024**, without any further changes to the policy or requirements.

In addition, this GIS message reminds districts of provisions of New York State Social Services Law (SSL) § 152-D, which impacts the replacement of Public Assistance (PA) Cash Benefits beginning October 1, 2024, as outlined in [23-ADM-07](#).

## Background

The federal Consolidated Appropriations Act, 2023 included provisions to allow for the replacement of SNAP benefits that were stolen through electronic means such as skimming, cloning, third party misrepresentation, or other similar fraudulent methods like phishing. This replacement authority allowed for the replacement of SNAP benefits stolen between October 1, 2022, and September 30, 2024. On September 25, 2024, Congress passed a Continuing Resolution to temporarily extend this authority to December 20, 2024 as described above.

New York State Social Services Law § 152-D provides authority for districts to replace PA cash benefits that were stolen through electronic means such as skimming, cloning, third party misrepresentation or other similar fraudulent methods like phishing. Individuals could receive up to two replacements each federal fiscal year (FFY) between January 1, 2022, and September 30, 2024 and one replacement each FFY beginning October 1, 2024.

## Program Implications

### SNAP

Districts must continue to consider claims for replacement of stolen SNAP benefits with a **date of theft on or before December 20, 2024** using the claim review and approval guidance established by [23-ADM-07](#). The form to request replacement for stolen SNAP and/or PA Benefits ([LDSS-5215](#)) has not changed and remains available online via the [OTDA EBT Scam Alert](#) webpage.

As a reminder, applications for replacement of stolen SNAP benefits must be submitted within thirty (30) days from the date the household discovered that the benefits were stolen, consistent with New York State's federally approved plan. For example, if SNAP benefits are stolen on September 28, 2024, and the household discovers the theft on October 15, 2024, they have until November 14, 2024, to submit an application (LDSS-5215) for replacement.

When issuing SNAP replacement benefits (ROS Pay Type Q7; NYC Pay Type RC or RD), the *Payment Date* is determined by the **date the replacement payment is issued**, not the date of theft, nor the date of application for replacement. The *Payment Date* must be equal to the current FFY in which the payment is being issued. For any SNAP replacement benefit issued on or after October 1, 2024, the *Payment Date* should be equal to "Payment From: 10/1/24 – Payment To: 9/30/25".

As noted in 23-ADM-07, households may receive up to two SNAP benefit replacements (due to scam-related benefit theft) in each FFY, which runs October 1 through September 30. Households will continue to be eligible for up to two SNAP benefit replacements per FFY. Consideration of this limit should be made based on the FFY in which the household's replacement benefit is issued (i.e., *Payment Date*). For example, if benefits were stolen on September 28, 2024, the household filed a claim on October 15, 2024, and the district issued a replacement benefit on October 20, 2024, that replacement would count toward the FFY 2024-25 two-replacement limit.

Districts will be provided with updated guidance as the December 20, 2024 expiration date approaches.

## *Public Assistance*

New York State Social Services Law § 152-D allowed New York State (NYS) to replace PA cash benefits that were stolen through electronic means such as EBT card skimming, cloning, third party misrepresentation, or other similar fraudulent methods like phishing (scam-related benefit theft). The authorizing legislation, however, limited the amount and frequency of the replacement benefits. Individuals may receive two PA cash replacement benefits per FFY between January 1, 2022 and September 30, 2024. However, § 152-D(4)(b)(ii) provides that starting October 1, 2024, **only one** replacement benefit may be issued in each FFY.

When counting the maximum number of PA cash replacement benefits issued per FFY, the determination is made by the **date** the replacement benefit is **issued** to the household. For example, a replacement application (LDSS-5215) is submitted on November 2, 2024, stating that a PA cash benefit was stolen on September 7, 2024. The worker authorizes the replacement benefit on November 7, 2024, using the Payment Date of 10/1/24-9/30/25, which is the current FFY. This replacement would qualify as the one PA cash replacement benefit this individual is eligible for in FFY 2024-25.

As a reminder, upon receipt of the LDSS-5215 (or local equivalent), districts must review the application, make a replacement eligibility determination, and provide appropriate notice to the household within thirty (30) calendar days. The district must issue replacement PA cash benefits within five (5) business days **AFTER** the district has verified PA cash benefits were stolen and eligible for replacement.

## **Reporting**

Districts should continue to collect data on all processed applications, including denials, and submit required data elements quarterly via the existing SNAP and PA reporting procedures.

## **Additional Information & Assistance**

The original guidance on the replacement procedure for SNAP and PA cash benefits can be found in [23-ADM-07](#). Public information on the updated expiration date for SNAP replacement benefits, as well as the PA replacement benefit limit will be posted to the [OTDA EBT Scam Alert](#) webpage.

Please contact your TA Bureau liaison for Public Assistance related questions or concerns, and your SNAP Bureau liaison for any SNAP related concerns.