The Research Packet For

THE SNAP TASK FORCE

Meeting of July, 2017

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I. UNITED STATES DEPARTMENT OF AGRICULTURE

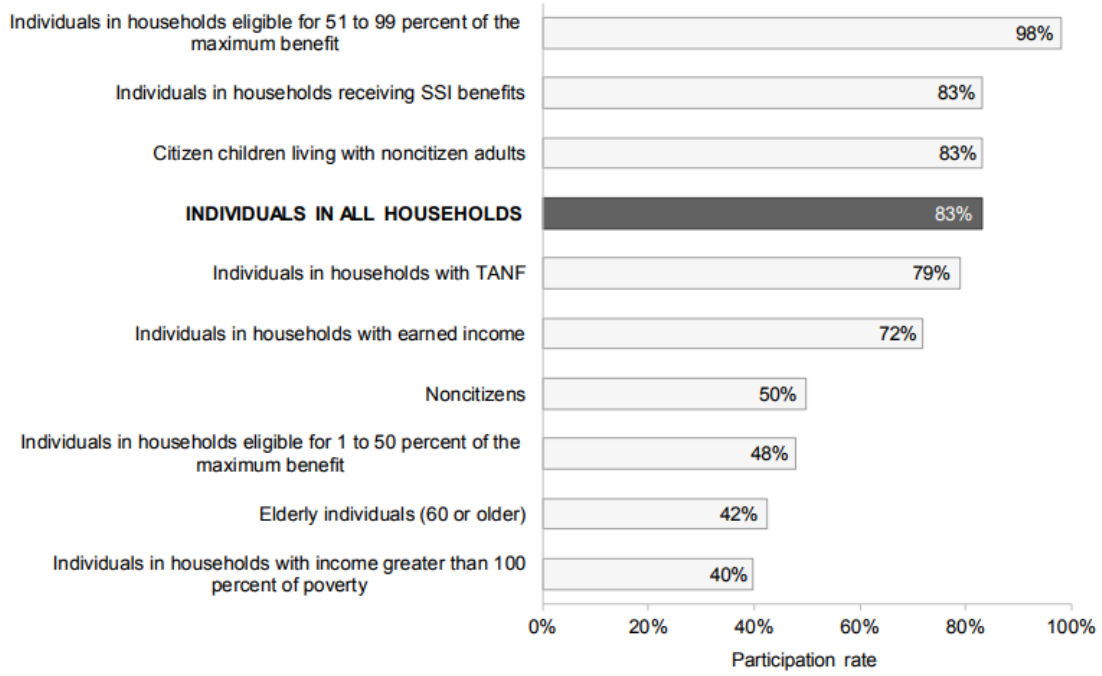
1. TRENDS IN USDA SNAP PARTICIPATION RATES: FY 2010 TO FY 2015, JUNE 30, 2017

<https://www.fns.usda.gov/snap/trends-usda-supplemental-nutrition-assistance-program-participation-rates-fiscal-year-2010-fiscal>

This USDA report presents SNAP participation rate trends from Fiscal Year 2015, as well as the preceding five fiscal years. The agency reports that 50 million individuals were eligible for SNAP in 2015, and nearly 42 million (83 percent) received benefits in that year. This participation rate is unchanged from the previous fiscal year, but represents an 11 percentage point increase in participation from 2010.

Participation rates were higher among children, those eligible for the maximum benefit, and households with incomes below the poverty line. Meanwhile, participation was lowest among the elderly (42 percent) and households above the poverty line (40 percent). Only 28 percent of those eligible for the minimum benefit ($16) participated in SNAP. However, participation has increased among all subgroups over the past five fiscal years, with the exception of TANF recipients.

Figure 1. Individual participation rate estimates by subgroup, FY 2015



Sources: FY 2015 SNAP Program Operations and SNAP QC data, and 2015 and 2016 CPS ASEC data.

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2. *STATE AGENCY REQUIREMENTS FOR REQUIRED AND MISSING VERIFICATION FROM REGULAR INITIAL APPLICATIONS, JUNE 28, 2017*

<https://www.fns.usda.gov/snap/state-agency-requirements-required-and-missing-verification-regular-initial-applications>

FNS has issued a memo to state agencies in response to inquiries about how agencies are required to inform households about required and missing documentation for an initial application. The policy described in this memo does not apply to those eligible for expedited benefits.

> USDA FNS advises states to review the agency's 2014 Guide to Improving Notices of Adverse Action for guidance on developing documentation notices, along with examples. This guide is available at <https://www.fns.usda.gov/sites/default/files/snap/FNS-Notice-Improvement-Guidance.pdf>

State agencies must inform households about required and missing verification at the time of initial application via a Notice of Required Verification. The notice must explain, in clear and simple language, the types of documents required, examples of each, and the time period the documents should cover. It must also inform the household of the agency's responsibility to assist the household in obtaining requested documents.

After sending an initial notice, a household that fails to comply with the documentation request must be issued a follow-up request for missing documents, and be given at least 10 days to return those documents. If a processing delay was the fault of the State agency, 10 days should be given even if it would extend past the 30-day application processing period. However, if the delay was caused by the household, the household loses entitlement to benefits in the month of application, and state agencies have the option to deny or pend the case. However, the case should be reopened and processed if the household returns the documents within 10 days.

3. *SNAP: CHANGES TO THE MARTINEZ FLEEING FELON TEST AFTER THE BARRY V. LYON DECISION, JUNE 28, 2017*

<https://www.fns.usda.gov/snap/fr-062917>

This memo amends SNAP policy in regards to the treatment of fleeing felons in light of a decision in the *Barry V. Lyon* case on August 25, 2016. SNAP regulations allow State agencies to use either a four-part test or the "Martinez test" to establish fleeing felon status.

> The Barry V. Lyon case held that a Michigan SNAP recipient's benefits should not be terminated simply by matching the recipient's name to a computer-generated list showing an outstanding arrest warrant. The court held that, in addition to the warrant, "law enforcement must also inform the state agency that it is actively seeking apprehension of the SNAP recipient."

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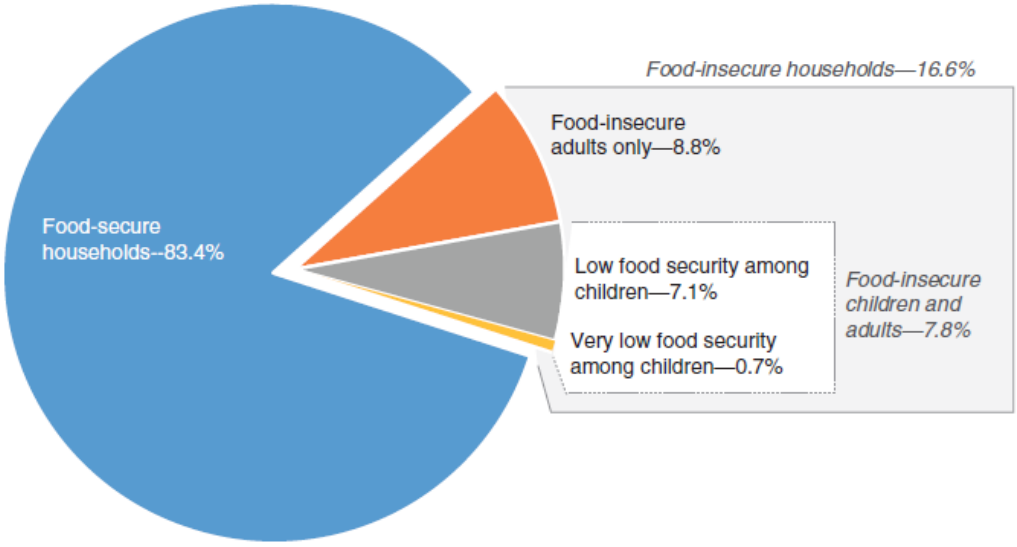
The current Martinez test sets out that an individual is a fleeing felon "if a law enforcement officer acting in official capacity presents to the State agency an outstanding felony arrest warrant" conforming to National Crime Information Center codes[1]. FNS has added an interim rule requiring State agencies to establish an "actively seeking" requirement to the Martinez test. To that end, "law enforcement must both present a valid felony arrest warrant and inform the State agency of its intent to apprehend the individual." Mere existence of a warrant is insufficient to establish fleeing felon status.

4. *USDA ECONOMIC RESEARCH SERVICE: CHILDREN'S FOOD SECURITY AND USDA CHILD NUTRITION PROGRAMS, JUNE 2017*

<https://www.ers.usda.gov/webdocs/publications/84003/eib-174.pdf?v=42905>

This report provides updated statistics on food security among school-age children (ages 5-17) for 2014 and 2015, while showing how school meal and child nutrition programs have affected child food security and diets. In 2015, 16.6 percent of households with children (6.5 million households) were food insecure at some point during the year. This figure is lower than the 2009 peak of 21.3 percent, but remains higher than pre-recession levels of 15.8 percent. These households were more likely to participate in USDA's child nutrition programs offering healthy meals at school, summer sites, and after-school settings. Participation in child nutrition programs is associated with lower rates of food insecurity, as well as improved diet quality and academic performance.

Figure 1
U.S. households with children by food security status of adults and children, 2015



Source: USDA, Economic Research Service using data from U.S. Department of Commerce, U.S. Census Bureau, 2015 Current Population Survey Food Security Supplement.

[1] "Escape," "Flight to Avoid," and "Flight-Escape"

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II. NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

1. GENERAL INFORMATION SYSTEM 17 TA/DC028: SNAP OVERPAYMENT CLAIMS DATE OF DISCOVERY POLICY REMINDER, JUNE 28, 2017

<https://otda.ny.gov/policy/gis/2017/17DC028.pdf>

This message reminds local districts about current policy about applying a "Date of Discovery" when establishing a SNAP overpayment claim. The Date of Discovery "is the date that the district becomes aware that there is discrepant information that may have affected the amount of the benefit the household should have received (and, perhaps, should be receiving currently." It is used to determine the start date of a claim, and the length of the claim establishment period. This date must be as soon as possible after the district learns of the information, but can take into consideration time for processing and screening the information. A period of time is not permitted for verification, as this is part of the claims establishment process.

> OTDA's policy on establishing and collecting SNAP overissuance claims is fully described in 04-ADM-01: <https://otda.ny.gov/policy/directives/2004/ADM/04_ADM-01.pdf>

2. INFORMATIONAL LETTER 17-INF-10: REVISIONS OF LDSS-4903, LDSS-4904, AND LDSS-4906, JUNE 15, 2017

<https://otda.ny.gov/policy/directives/2017/INF/17-INF-10.pdf>

OTDA has updated three forms used by district attorneys' offices and other authorized entities to notify recipients of the consequences should they voluntarily sign a Disqualification Consent Agreement. This agreement is issued when a SNAP recipient has been accused of committing an Intentional Program Violation (IPV), admits to committing an IPV, and waives their rights to an administrative hearing. The three forms are as follows:

- LDSS-4903: Disqualification Consent Agreement **(Appendix A)**
- LDSS-4904: Notice of Consequences of Consenting to a Disqualification Consent Agreement **(Appendix B)**
- LDSS-4906: Notice to Advise Individuals on a Court Record of Disqualification Provisions **(Appendix C)**

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3. *NEW YORK STATE SNAP PARTICIPATION AND BENEFIT VALUE IN APRIL 2017*

<https://otda.ny.gov/resources/caseload/2017/2017-04-stats.pdf>

According to the latest data from OTDA, SNAP participation across New York State decreased from March 2017 to April 2017. The number of persons and households, all showed a decrease of about one percentage point. In addition, benefits issued to households dropped by nearly two percentage points. In New York City, 1,669,824 individuals received $242,222,261 in SNAP benefits. The average benefit received in NYC was $256.73 in April, nearly one percent lower than the average benefit of $259.20 in March.

	PERSONS			HOUSEHOLDS			BENEFITS		
	MARCH 2017	APRIL 2017	PERCENT CHANGE	MARCH 2017	APRIL 2017	PERCENT CHANGE	MARCH 2017	APRIL 2017	PERCENT CHANGE
New York State	2,927,021	2,900,177	-0.92%	1,619,731	1,605,867	-0.86%	$402,632,605	$395,743,812	-1.71%
New York City	1,682,786	1,669,824	-0.77%	950,491	943,483	-0.74%	$246,369,501	$242,222,261	-1.68%
Rest of State	1,244,235	1,230.353	-1.12%	669,240	662,384	-1.02%	$156,263,104	$153,521,551	-1.75%

	AVERAGE HOUSEHOLD SIZE			AVERAGE BENEFITS PER HOUSEHOLD		
	MARCH 2017	APRIL 2017	PERCENT CHANGE	MARCH 2017	APRIL 2017	PERCENT CHANGE
New York State	1.807	1.806	-0.06%	$248.58	$246.44	-0.86%
New York City	1.770	1.770	-0.03%	$259.20	$256.73	-0.95%
Rest of State	1.859	1.857	-0.09%	$233.49	$231.77	-0.74%

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III. NEW YORK CITY HUMAN RESOURCES ADMINISTRATION

1. POLICY BULLETINS AND DIRECTIVES

➢ *POLICY BULLETIN #17-63-OPE: INTRODUCTION OF THE RENAMED, REVISED, AND REFORMATTED "FOR YOUR RECORDS: DOCUMENTS WE RECEIVED FROM YOU" (EXP-76R) FORM, JUNE 29, 2017*

The "Documentation Receipt" has been renamed, revised, and reformatted into a new form titled "For Your Records: Documents We Received From You" (EXP-76R). The EXP-76R serves as evidence that documents were received, and verifies the date documents were indexed to the client's case record. It must be issued to SNAP applicants/participants who submit documents to HRA, even if the documents were not specifically requested via a notice such as the FIA-1146. See **Appendix D** for a sample copy.

> HRA staff are reminded that submitted documents must be accepted, scanned, and indexed, even if those documents do not meet an eligibility factor or were not requested.

➢ *POLICY BULLETIN #17-58-OPE: SCHEDULES FOR JULY – DECEMBER 2017, JUNE 21, 2017*

HRA has updated its semi-annual schedules, including the EBT Pick-up Schedule, to reflect dates from July 2017 through December 2017. A separate schedule, the NCA SNAP Toe Digit Deadline Schedule July – December 2017, advises HRA staff with the date by which changes regarding SNAP cases must be submitted based on the client's Toe Digit. **Appendix E** and **F** provides samples of both schedules.

➢ *POLICY BULLETIN #17-59-SYS: SNAP POS RELEASE NOTES VERSION 11.2, JUNE 15, 2017*

The latest version of the Paperless Office System (POS) migrated to production on June 19, 2017, and includes the following updates:

- The time frame for submission of recertification through a community-based organization (CBO) via POS has been extended until "the second to the last day of the recertification period."
  - A CBO liaison designated as an authorized representative can complete an interview on the participant's behalf until the 10th day of the final certification month.
  - After the 10th day, the CBO can still submit the LDSS-4826, but the following message will appear:

> "Upon completing the CBO recertification submission the client must be interviewed via On-Demand by calling 718-SNAP-NOW. Please select OK to proceed with the CBO SNAP Recertification activity."

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- if a CBO attempts to access a case in POS in the last two days of the certification period or later, the following message will appear:

> The client's authorization period is about to expire or has expired. This client must be interviewed by a SNAP worker at a SNAP site or via On Demand by Calling 718-SNAP-NOW. Before calling the On-Demand line, please submit the recertification application via Access – HRA.

- The EXP-76R (Documentation Receipt) has now been renamed to "For Your Records: Documents We Received From You"

IV. Reports and Notable Items from Other Sources

1. REPORTS FROM FOOD RESEARCH AND ACTION CENTER (FRAC):

➢ *SNAP OVER-THE-YEAR PARTICIPATION DOWN NEARLY TWO MILLION PEOPLE IN APRIL 2017, THE LOWEST LEVEL IN OVER SIX YEARS*
<http://frac.org/research/resource-library/snap-monthly-data-2017>

According to the Food Research and Action Center (FRAC), SNAP participation decreased by 361,917 persons nationally from March 2017 to April 2017, the last month in which data is available. FRAC attributes the over-the-month decrease to improved economic conditions, coupled with SNAP time limits pushing some jobless adults off of SNAP. Eight of ten states with the highest declines in SNAP participation either had no time limit waivers, or only partial area waivers. Over the same time period, New York State's SNAP participation decreased by less than one percentage point. Meanwhile, over-the-year SNAP participation decreased by 1,954,144 people nationally, and by 26,844 in New York State.

	April 2016	March 2017	April 2017	% Change April 2016 to April 2017	% Change March 2017 to April 2017
New York	2,961,955	2,927,021	2,900,177	-2.1%	-0.9%
Nationwide	43,570,377	41,978,150	41,616,233	-4.5%	-0.9%

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2. *FREEDOM CAUCUS "WELFARE REFORM" BILL WOULD INCREASE POVERTY AND HARDSHIP WITHOUT HELPING PEOPLE SUCCEED IN THE LABOR MARKET – CENTER FOR BUDGET AND POLICY PRIORITIES*

<https://www.cbpp.org/research/poverty-and-inequality/freedom-caucus-welfare-reform-bill-would-increase-poverty-and>

Several members of the House Freedom Caucus, along with Senators Ted Cruz and Mike Lee, have introduced legislation intended to emphasize work activities by implementing additional work requirements and programs for SNAP and TANF recipients, particularly families with children and Able-Bodied Adults Without Dependents (ABAWDS). The Center for Budget Policy Priorities argues that the bill, titled the Welfare Reform and Upward Mobility Act, would "impose unrealistic, expensive, unfunded requirements" on states, leading many state agencies to throw families and children off of SNAP/TANF in order to avoid fiscal sanctions.

Under the bill, ABAWDs would be limited to one month of SNAP participation unless they meet ABAWD work requirements. Furthermore, states would no longer be able to claim waivers in areas of high unemployment, and would be afforded less individual exemptions for select populations like veterans and part-time employees. Though states would be required offer training, job search, or unpaid work opportunities, no additional funding would be given towards this purpose. The CBPP highlights the fact that many ABAWDs have challenges entering the workforce, particularly those with physical/mental health conditions or a lack of education/skills.

The bill would also impose new work requirements for families with children modeled after TANF work requirements, requiring SNAP parents to work 25 hours a week (20 if the child is under 6 years old). States that fail to engage a set percentage of families in work activities would lose a portion of their SNAP funding proportional to the percentage of families that did not participate. The CBPP claims that work programs will largely be ineffective for parents, pointing out that most unemployed/underemployed SNAP parents are already connected to the workforce. Therefore, they are more likely to find work on their own rather than through a work program.

3. *IS A GROWING MIDDLE CLASS GOOD FOR THE POOR? SOCIAL POLICY IN A TIME OF GLOBALIZATION – BROOKINGS INSTIUTION*

<https://www.brookings.edu/research/is-a-growing-middle-class-good-for-the-poor-social-policy-in-a-time-of-globalization/>

Despite an extensive body of research on the rise of the middle class over the past 150 years, little is known about how the growth of the middle class has affected those in poverty. This working paper explores how a growing middle class and social spending have influenced extreme poverty, using a data set of early- and late-industrializing countries between 1870 and the present.

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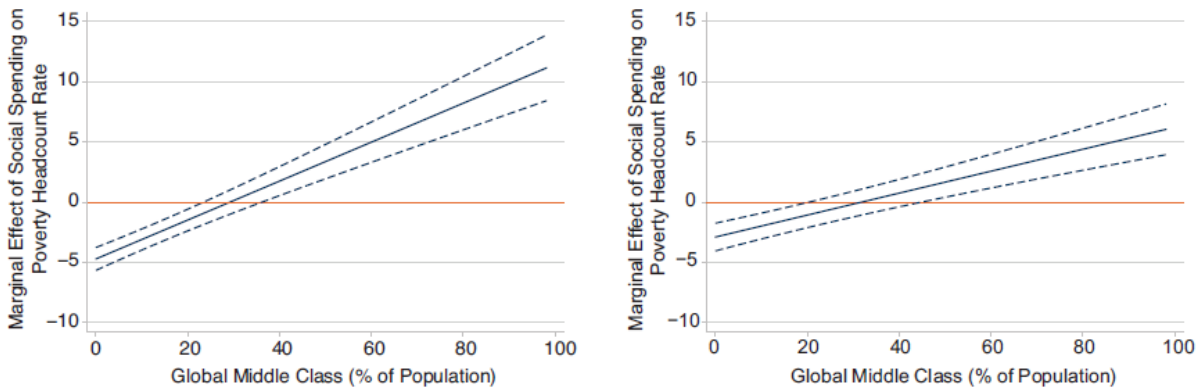
Historically, social protections against poverty and economic shocks have helped ally the middle class and the working poor. The authors find that poverty is reduced as the middle class expands, as more social spending is devoted towards health, education, and welfare. However, this leaves less funding for "social insurance" services targeted towards the poor. The middle class is more likely to support social assistance programs in which they have a stake. Although universal programs are more costly than programs targeted to the poor, they may help rebuild an alliance between the middle class and poor families, which can help to sustainably reduce extreme poverty worldwide.

Figure 3. Middle-Class Size and Social Spending, Interactive Effects



Note: 95% confidence intervals

V. Hunger and Poverty in the Media

1. LOCAL NEWS

- *"UPDATE ON CUOMO'S SOUTH BRONX POVERTY PLAN," CITY LIMITS, JUNE 20, 2017* <http://citylimits.org/2017/06/20/video-update-on-cuomos-south-bronx-poverty-plan/>

  The Empire Poverty Reduction Initiative (ESPRI) in is a $25 million plan aimed at addressing poverty and expanding opportunity in targeted communities across New York State. The Bronx, which currently has a poverty rate of 30 percent, is the only New York City community included in this initiative. In addition, the average family residing in the Bronx with children makes about $25,000 a year.

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The Children's Aid Society is coordinating ESPRI efforts in the Bronx, and currently holding sessions with residents to gain a better understanding of the issues they face. The article quotes residents who point to a lack of affordable housing and resources, as well as a need for services that encourage parents to get more involved with their children. The organization hopes to develop a plan to tackle these issues by the end of the summer.

- *"SEN. GILLIBRAND VISITS OLEAN FARMERS' MARKET, ATTACKS TRUMP BUDGET'S PROPOSED FOOD STAMP CUTS," OLEAN TIMES HERALD, JULY 9, 2017*
  <http://www.oleantimesherald.com/news/sen-gillibrand-visits-olean-farmers-market-attacks-trump-budget-s/article_14d91d72-6453-11e7-9c80-bb26af519038.html>

  During a visit to a Western New York farmers' market, Senator Kristen Gillibrand spoke out against $190 million in SNAP cuts proposed by the Trump administration. A portion of these cuts are accomplished by limiting waivers for Able-Bodied Adults without Dependents. Gillibrand noted that 3 million New York State residents come from hardworking families, but still need SNAP to keep food on the table due to low wages. SNAP also supports local farmers and retailers by expanding their customer base, encouraging people to buy locally-produced, healthy foods.

2. NATIONAL

- *"THE COLLEGE STUDENTS WHO ARE STARVING IN SILENCE," PACIFIC STANDARD, JULY 6, 2017*
  <https://psmag.com/education/college-students-starving-in-silence>

  A recent report by the Wisconsin HOPE Lab finds that up two-thirds of college students are food insecure. Additional research finds that students who go hungry are more likely to face stress, have lower grade point averages, and are almost 10 percent less likely to graduate. The article cites a lack of visibility as the biggest barrier to addressing hunger on campus. Though some students may joke about being poor and hungry, few admit to skipping meals.

  The article highlights the efforts of colleges in California in addressing hunger on their campuses. For example, California State University has opened food pantries, helps students enroll in assistance programs, and offers farmers' market vouchers and complimentary dining hall meals to students experiencing food and housing insecurity. Furthermore, the school provides staff that can provide personal support to help students succeed.

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- *"HOW WOULD TRUMP'S FOOD STAMP CUTS HURT AMERICANS? LET US COUNT THE WAYS," THE MODERN FARMER, JULY 13, 2017*
  <http://modernfarmer.com/2017/07/trump-snap-benefit-cuts/>

  42 million Americans stand to see their SNAP benefits cut or eliminated entirely should the Trump administration's proposal to cut the program by $193.3 billion go through. This article highlights individuals who could be impacted by the reduction to SNAP. A majority of SNAP recipients represent vulnerable populations, such as children, elderly, and individuals with a disability. In addition, many SNAP recipients are in the workforce, but their income is too low to afford food. The cuts would not only affect current recipients, but local governments forced to shoulder some of the burden of funding SNAP under the Trump administration's proposal. In addition, SNAP's role as an economic stimulus farmers, grocers, and local retailers would be weakened.

3. INTERNATIONAL

- *"DRIVE TO GET CHILDREN BACK TO SCHOOL FAILING WORLDWIDE," THE GUARDIAN, JUNE 21, 2017*
  <https://www.eater.com/2017/5/9/15592340/barack-obama-president-sam-kass-food-policy>

  264 million children missed out on an education in 2015, and 9 percent of all primary school age children lack access to a schooling place, according to a recent UNESCO report. The organization reports that children from the poorest 20 percent of families are eight times less likely to go school compared to the richest 20 percent of families.
  The organization estimates that with just two more years of schooling, 60 million people could avoid poverty. Furthermore, global poverty could be cut in half if all adults completed secondary education. However, the reality is that out-of-school rates have remained consistent over the years due to a lack of infrastructure, unsafe learning environments, as well as a lack of educators, materials, and support from parents. UNESCO calls on governments to not only reduce schooling costs, but also provide incentives such as scholarships and cash transfers to encourage school attendance.

- *"AT FOOD TRADING 'CHOKEPOINTS', CLIMATE CHANGE COULD DISRUPT SUPPLIES – REPORT," REUTERS, JUNE 27, 2017*
  <https://www.reuters.com/article/global-food-trade-idUSL8N1JN2JN>

  Almost 25 percent of the world's food supply is traded internationally through key ports, straits, and roads. These chokepoints are at a greater risk of disruptions due to climate change, which could increase food prices and limit supplies, according to a report by British think tank Chatham House. Infrastructure at junctures like the US Gulf Coast, Panama/Suez Canals and the Turkish straits are aging and may not be well-equipped to cope with a natural disaster.

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Approximately 2.8 million people depend on the corn, wheat, rice and soybean moved through international borders, half of which goes through at least one of 14 inland routes around the world. Chatham House's report calls on governments to not only invest infrastructure, but also diversify their food production and stocks.

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APPENDIX A

LDSS-4903 (Rev. 5/17) New York State Office of Temporary and Disability Assistance

DISQUALIFICATION CONSENT AGREEMENT

The undersigned individual(s) understand and agree that:

1. I or a member of my family, or household (SNAP) have been suspected and accused of committing an intentional program violation (IPV) by making a false or misleading statement or committing an act intended to mislead, misrepresent, conceal or withhold facts concerning my or my family's or household's eligibility for Public Assistance, and/or household's eligibility for the Supplemental Nutrition Assistance Program (SNAP) benefits.

2. I have received notification of the consequences of consenting to this Disqualification Consent Agreement (DCA) and certify that I understand the consequences of consenting to this DCA.

3. I am suspected and accused of committing one or more IPVs as follows:

   Public Assistance - Resulting in an overpayment in the amount of $_____

   SNAP Benefits - Resulting in an over-issuance amount valued at $_____

4. I agree to repay to social services officials the amounts received as overpayments or the value of amounts received as over-issuances of SNAP benefits as follows:

   _____

   _____

   _____

5. If I choose to sign this agreement, I will be disqualified from and ineligible for participation in assistance programs as follows:

   PUBLIC ASSISTANCE

   - For 6 months because this was the first time that I committed a public assistance-IPV and I wrongfully received an amount less than $1,000.
   - For 12 months because this was the second time that I committed a public assistance-IPV, or I wrongfully received between $1,000 and $3,900.
   - For 18 months because this was the third time that I committed a public assistance-IPV, or I wrongfully received an amount over $3,900.
   - For 5 years because I have committed three or more previous public assistance-IPV's.

   If I am not eligible for public assistance from which I am disqualified at the time the disqualification period is to begin, the period will be postponed until I become eligible for such benefits.

   SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

   - For **12 months** because this was the first time you committed a SNAP-IPV; or
   - For **24 months** because this was the second time you committed a SNAP-IPV; or

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- For **24 months** because this was your first SNAP-IPV and it was 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** because you were found to have made a fraudulent statement about who you are or where you live in order to get multiple SNAP benefits simultaneously.

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

Permanently because:

- This was your first SNAP-IPV and based on a court finding of having used or received SNAP benefits in a transaction involving the sale of firearms, ammunition, or explosives; or
- This was your first SNAP-IPV and based on a court conviction for trafficking SNAP benefits for a combined amount of $500 or more. (Trafficking include the illegal use, transfer, acquisition, alteration or possession of SNAP authorization cards or access devices); or
- This was your second SNAP-IPV, and 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

This was the third time that you committed a SNAP-IPV; or

For _____ months because this is the penalty ordered by the court. This is your ____ SNAP-IPV.

- Other (Enter) _____

  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.

6. The remaining members of your assistance unit will be held responsible for repayment of the overpayment and/or overissuance stated in the DCA, unless you already made the identified repayment.

7. Further prosecution by social services officials of you regarding the IPVs described in this DCA will be deferred pending the performance of the terms of this Agreement and the charges will be withdrawn and/or dismissed upon complete performance of the terms of this Agreement

For Individual(s) to be disqualified:

Date_____ Signature_____

Date_____ Signature_____

For a Public Assistance-IPV if the individual(s) (is) (are) not the caretaker relative:

Date_____ Signature_____
Caretaker Relative

For a SNAP-IPV if the individual(s) (is) (are) not the head of household:

Date_____ Signature_____

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APPENDIX B

LDSS-4904 (Rev. 5/17) New York State Office of Temporary and Disability Assistance

Date:

To:

NOTICE OF CONSEQUENCES OF CONSENTING TO A DISQUALIFICATION CONSENT AGREEMENT

Pursuant to 18 NYCRR 359.4(b) (Part I)

PLEASE TAKE NOTICE that:

- You or a member of your family, or household (SNAP) have been suspected and accused of committing an intentional program violation (IPV) by making a false or misleading statement or committing an act intended to mislead, misrepresent, conceal or withhold facts concerning your eligibility or your family's or household's eligibility for Public Assistance and/or the household's eligibility for Supplemental Nutrition Assistance Program (SNAP) benefits.
- When a social services official believes that there are facts that warrant civil or criminal prosecution for such an IPV, the official must refer a case involving an IPV to the appropriate District Attorney (DA) or other prosecutor.
- A DA or other prosecutor who accepts a case referred by a social services official may choose to settle a referred case by permitting the accused individual, a caretaker relative or a head of household to sign a Disqualification Consent Agreement (DCA) instead of seeking a criminal conviction of the accused individual.
- Pursuant to an agreement with the DA or other appropriate prosecutor(s), you must be given notification of the consequences of signing a DCA before you can be given an opportunity to enter into such an agreement. If the DA or other prosecutor has requested social services officials to assist in obtaining a DCA from you, you must be provided with this notification at least ten (10) days before signing a DCA and you must be provided with an opportunity to consult with and be represented by a lawyer or other representative.
- A copy of the DCA you may or may not choose to sign must accompany this notification and this copy of the DCA must set forth the specific penalties and consequences that will occur if you sign this agreement. If you choose to sign this agreement, you will be disqualified from and unable to be eligible for participation in public assistance as follows:

PUBLIC ASSISTANCE

[ ] for 6 months because this was the first time you committed a public assistance-IPV and you wrongfully received an amount less than $1,000.
[ ] for 12 months because this was the second time that you committed a public assistance-IPV, or you wrongfully received between $1,000 and $3,900.
[ ] for 18 months because this was the third time you committed a public assistance-IPV, or you wrongfully received over $3,900.
[ ] for 5 years because you have committed three or more previous public assistance-IPV's.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

[ ] For **12 months** because this was the first time you committed a SNAP-IPV; or
[ ] For **24 months** because this was the second time you committed a SNAP-IPV; or
[ ] For **24 months** because this was your first SNAP-IPV and it was 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** because you were found to have made a fraudulent statement about who you are or where you live in order to get multiple SNAP benefits simultaneously.

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

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Permanently because:

[ ] This was your first SNAP-IPV and based on a court finding of having used or received SNAP benefits in a transaction involving the sale of firearms, ammunition, or explosives; or

[ ] This was your first SNAP-IPV and based on a court conviction for trafficking SNAP benefits for a combined amount of $500 or more. (Trafficking include the illegal use, transfer, acquisition, alteration or possession of SNAP authorization cards or access devices); or

[ ] This was your second SNAP-IPV, and 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

[ ] This was the third time that you committed a SNAP-IPV; or

For _____ months because of this is the penalty ordered by the court. This is your ____ SNAP-IPV.

[ ] Other (Enter):

- Your eligibility for other assistance programs, such as Medical Assistance, Child Care Assistance, Emergency Assistance or other Social Services assistance or services, may be affected if you must be eligible for public assistance in order to receive the particular assistance or services.
- If you are not getting public assistance now, your disqualification penalty will begin the next time you apply 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 sign the DCA, you also will be held responsible for repaying the stated amounts of any overpayments of assistance paid to you, or the over-issuance value of any SNAP benefits issued to you. This repayment amount should be the amount of assistance received by you which is more than the amounts of assistance that you should have received. If there are other members of your family or household that will remain eligible for assistance during any period when you will not be eligible, those remaining members of the assistance unit will be held responsible for repayment of the overpayment and/or over-issuance stated in the DCA unless you already make the identified repayment.
- If you choose not to sign this DCA, the DA or other prosecutor may choose to continue the criminal prosecution of your case or the case may be returned to social services officials for consideration of administrative prosecution by means of an administrative disqualification hearing as described in social services regulations in 18 NYCRR 359.7.
- If you choose to sign this DCA or would like to discuss the consequences of signing this Agreement, on or before the below stated time, you must contact:

  Name: _____

  Place: _____

  Telephone: _____

  Date/Time: _____

- If you do not contact or appear before the named person or do not contact a social services official in charge of this matter, it will be assumed that you have chosen not to sign a DCA and any pending investigations or prosecutions will be resumed.
- We encourage you to consult with a lawyer before signing the agreement. The Local Legal Services Office in your area is:

  _____

  _____

  _____ call: _____

  The Local Public Defender is:

  _____

  _____

  _____ call: _____

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APPENDIX C

LDSS-4906 (Rev. 5/17) New York State Office of Temporary and Disability Assistance

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.

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APPENDIX D

ATTACHMENT A

EXP-76R (page 1 of 2) LLF
Rev. 11/16/16

Date Entered Into Case Record : 06/12/2017
Case Number:
Case Name: DOE JOHN
Center Name: Job Center

For Your Records: Documents We Received From You

This receipt contains a list of documents that we received for your case. If it is not a correct or complete list, please call (718) 557-1399. Otherwise no action is needed from you.

The list of documents below may not be sufficient to verify certain eligibility factors. We will let you know if we need more documents.

SAMPLE

Document Received	Document Received for
Birth or Hospital Certificate	John Doe
Landlord Letter	Jane Doe
Miscellaneous	Baby Doe

MORE DOCUMENTS MAY BE LISTED ON THE NEXT PAGE

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ATTACHMENT A
EXP-76R (page 2 of 2) LLF
Rev. 11/16/16

Human Resources Administration
Family Independence Administration

Document Received	Document Received for
U.S. Passport	John Doe

SAMPLE

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APPENDIX E

Form EBT-52
Rev. 7/1/17

NYC Human Resources Administration Department of Social Services | Family Independence Administration

EBT Pick-up Schedule
July - December 2017

Toe Digit	July CA & SNAP		August CA & SNAP		September CA & SNAP		October CA & SNAP		November CA & SNAP		December CA & SNAP	
	7A	7B	8A	8B	9A	9B	10A	10B	11A	11B	12A	12B
0	7/1	7/17	8/1	8/16	9/1	9/16	10/2	10/16	11/1	11/16	12/1	12/16
1	7/3	7/18	8/2	8/17	9/2	9/18	10/3	10/17	11/2	11/17	12/2	12/18
2	7/5	7/19	8/3	8/18	9/5	9/19	10/4	10/18	11/3	11/18	12/4	12/19
3	7/6	7/20	8/4	8/19	9/6	9/20	10/5	10/19	11/4	11/20	12/5	12/20
4	7/7	7/21	8/5	8/21	9/7	9/21	10/6	10/20	11/6	11/21	12/6	12/21
5	7/8	7/22	8/7	8/22	9/8	9/22	10/7	10/21	11/8	11/22	12/7	12/22
6	7/10	7/24	8/8	8/23	9/9	9/23	10/10	10/23	11/9	11/24	12/8	12/23
7	7/11	7/25	8/9	8/24	9/11	9/25	10/11	10/24	11/11	11/25	12/9	12/26
8	7/12	7/26	8/10	8/25	9/12	9/26	10/12	10/25	11/13	11/27	12/11	12/27
9	7/13	7/27	8/11	8/26	9/13	9/27	10/13	10/26	11/14	11/28	12/12	12/28

SAMPLE

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Form W-203E
Rev. 7/1/17

NYC Human Resources Administration Department of Social Services | Family Independence Administration

APPENDIX F

NCA SNAP Toe Digit Deadline Schedule
July-December 2017

DIGIT	July	August	September	October	November	December
0	6/21	7/25	8/22	9/19	10/25	11/21
1	6/22	7/26	8/23	9/20	10/26	11/22
2	6/23	7/27	8/24	9/21	10/27	11/28
3	6/24	7/28	8/25	9/22	10/28	11/28
4	6/27	7/29	8/26	9/23	10/28	11/29
5	6/28	8/1	8/29	9/26	10/31	11/30
6	6/29	8/2	8/30	9/27	11/1	12/1
7	6/30	8/3	8/31	9/28	11/2	12/1
8	7/1	8/4	9/1	9/29	11/3	12/2
9	7/5	8/5	9/2	9/30	11/4	12/5

SAMPLE

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FOOD BANK FOR NEW YORK CITY
2017

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