

# Introduction

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Food stamp/SNAP benefits are federal assistance to families to help them buy food. In October of 2008, Congress changed the federal name from “Food Stamps” to “Supplemental Nutrition Assistance Program” or SNAP. States have the choice to call the name SNAP or use another name. For purposes of this Guide, we will use *both* names.

Most grocery stores, supermarkets, and co-ops in Massachusetts accept food stamps/SNAP electronic benefit transfer (EBT) cards. In Massachusetts, there is no asset test for most food stamp/SNAP applicants. Most people who meet the federal income limits can get food stamp/SNAP benefits. Unlike some other federal programs, you do not have to have children or be disabled to get benefits. You can also qualify for food stamps/SNAP even if your cash welfare ended because of a time limit, your income exceed the cash benefit level or for other reasons. Food Stamps/SNAP is a critical program in difficult economic times. All low-income individuals and families should be encouraged to apply.

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## About the Food Stamp/SNAP Program

Congress created the Food Stamp Program in 1964 to reduce hunger by increasing the food-buying power of low-income households.

The federal government pays 100 percent of the cost of these benefits and provides states with reimbursement for half of the administrative costs (DTA workers, computers, training, office costs). Massachusetts now leverages close to \$1 billion each for direct nutrition assistance to needy households in the Commonwealth.

Food stamps/SNAP are the first line of defense against hunger and create significant economic stimulus, especially in critical economic times, providing revenues to local grocers and retailers selling food products. However, it is widely acknowledged that food stamp/SNAP benefits are too low to cover all of a household’s food needs. The benefit amount is based on a “Thrifty Food Plan” concept that does not reflect the actual cost of today’s food prices. It also presumes that a part of a household’s monthly income is available to buy a portion of the food, even when that is not true for families with high shelter costs. Advocacy to screen and ensure that households on SNAP maximize deductions to receive every dollar to which they are entitled is an important part of anti-hunger work.

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In 1996, the Personal Responsibility and Work Opportunity Reconciliation Act (Public Law 104-193) included provisions restricting eligibility in many federal programs including Food Stamps, including the elimination of most safety net benefits for many legally present immigrants. From 1997 to August of 2002 – Massachusetts provided state funded food stamps to needy legal immigrants ineligible under federal restrictions. These state benefits expired in August 2002, leaving many without nutrition benefits.

The federal Farm Bill of 2002 (Public Law 107-171, May 13, 2002) restored some of the cuts in the program including Food Stamp/SNAP benefits for some of the legal immigrants cut in 1996 – legal immigrants with severe disabilities, legal immigrant children, legal immigrants who have had status five years or more. The 2008 Federal Farm Bill (Public Law 110-246) made additional improvements to the program including indexing the standard income deduction to inflation, uncapping the child care deduction, treating tax deferred retirement and educational accounts as non-countable as well as changing the name to SNAP.

The 2009 American Recovery and Reconciliation Act (Public Law 111-5, February 17, 2009) provided a 13.6% increase in the food stamp/SNAP benefits and suspended the work requirements for childless individuals due to the economy. For a concise description of the legislative history of this program, go to: <http://www.fns.usda.gov/snap/rules/Legislation/about.htm>

In Massachusetts, the Department of Transitional Assistance (DTA) administers the food stamp/SNAP program. Over the past few years, DTA has elected a number of federal options and pursued a number of waivers and demonstration projects to increase participation and allowable deductions in the program. The number of food stamp/SNAP participants has risen from 230,000 in September of 2000 (the worst participation rate in the entire United States) to 790,000 in October of 2010. Since July of 2003, the food stamp/SNAP caseload has increased by 308% - one of the highest increases in the United States. In December 2010, Massachusetts was ranked 8<sup>th</sup> in the nation under the Participation Access Index (PAI) – which compares the number of SNAP participants over 2010 to the number of residents in each state under 125% of the federal poverty level.

DTA has worked with advocates to remove administrative barriers for households seeking food stamps/SNAP. Recent policy changes during 2010 include: allowing self-declaration of shelter costs, expanding student eligibility for community college students, creating a My Accounts Page to access case information, creating a pre-filled recertification form, waiving the interview for certain elder and disabled households at recertification and more.

### Sources of Law:

DTA must administer the program in accordance with the federal regulations issued by the United States Department of Agriculture (USDA) and any waivers or demonstration projects approved by USDA. The federal regulations are printed in Title 7 of the Code of Federal Regulations (7 C.F.R. § 271 et seq.). USDA publishes proposed, interim and final rules at the following link: <http://www.fns.usda.gov/snap/rules/Regulations/default.htm#final> You can also find USDA's policy memos (that often interpret sections of the federal regulations) and program updates at: [http://www.fns.usda.gov/snap/whats\\_new.htm](http://www.fns.usda.gov/snap/whats_new.htm)

DTA issues its own food stamp/SNAP regulations. The DTA food stamp/SNAP regulations are printed in Chapter 106 of the Code of Massachusetts Regulations (106 C.M.R. §§ 360 and following). You can find the regulations at DTA's website at <http://www.mass.gov/dta/regulations> You can also find state agency regulations through the Mass. Trial Court Law Library website: <http://www.lawlib.state.ma.us/source/mass/cmr/106cmr.html>. Local DTA offices should also have paper copies of the DTA regulations available to the public. A detailed index to DTA's food stamp/SNAP regulations, created by MLRI, can be found in **Appendix F**.

DTA also issues instructions to DTA offices that give more detail on the eligibility rules and how to calculate benefits. These instructions are contained in Field Operation Memos ( F.O. Memos), in DTA's "Transitions" newsletter, or in a DTA computer systems manual known as the BEACON User's Guide. The DTA policy instructions are still not posted on DTA's public website, but the public has a right to inspect them at local DTA offices. MLRI also posts these DTA documents on the Massachusetts Legal Services website, at [www.masslegalservices.org/cat/242](http://www.masslegalservices.org/cat/242).

### Stay informed, get involved!

The Massachusetts Law Reform Institute coordinates the *Food SNAP Improvement Coalition*. This is a coalition of anti-hunger agencies, health providers, faith based organizations, community organizing groups, Legal Services advocates, DTA state agency and USDA Regional representatives. Formed in 2000, the Coalition tracks and tackles state and federal food stamp policies that affect Massachusetts households. Coalition members advocate on behalf of low-income households to improve the eligibility rules, remove access barriers, and increase the benefit amounts.

The Coalition holds monthly meetings where members share information on important food stamp/SNAP state and federal changes, track implementation issues and solutions to access barriers.

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If you would like to receive email updates on food stamp/SNAP program policy changes, announcements of Coalition meetings or training announcements and other anti-hunger alerts, please contact Pat Baker of the Mass. Law Reform Institute: [pbaker@mlri.org](mailto:pbaker@mlri.org).

To get legal advice and representation on your individual case, contact your local Legal Services office. You can find the name and contact information for the Legal Services office in your community by going to: [www.masslegalhelp.org](http://www.masslegalhelp.org).

## National Food Stamp/SNAP Resources

The following national organizations and USDA provide a wealth of important information on the food stamp/SNAP program history, policy and statistical data, as well as other nutrition programs. Many also provide email alerts and policy updates to community partners.

Food Research Action Center: [www.frac.org](http://www.frac.org)

Center for Budget and Policy Priorities: [www.cbpp.org](http://www.cbpp.org)

Feeding America: [www.feedingamerica.org](http://www.feedingamerica.org)

USDA Food and Nutrition Service SNAP web page:  
<http://www.fns.usda.gov/snap/>