

Part 1 Application and Proofs

1. How do I apply for food stamp/SNAP benefits?

You can apply for food stamps/SNAP benefits in person, by faxing your application, by mail, or on-line. 106 C.M.R. § 361.140. For the address, telephone and fax number of the DTA office that serves your city or town, call 800-249-2007 or go to www.mass.gov/dta.

You can:

- Apply in person at your local DTA office,
- File an on-line application, see **Question 2**,
- Mail, fax or drop off a signed paper application at your local DTA office (copy the current forms in **Appendix E**, including a two page paper application for persons age 60 or over). You can also call 800-249-2007 and ask that the application form be mailed to you, or get the form, including translated forms in Spanish and Portuguese, at www.mass.gov/dta.
- File an application through your local Social Security (SSA) office if everyone in your household is applying for or gets SSI. 106 C.M.R. §§ 361.110, 361.190. See **Question 3**.

Part 1 ■ Application and Proofs

Your application for TAFDC cash assistance (Transitional Aid to Families with Dependent Children) or EAEDC cash assistance (Emergency Assistance for Elderly, Disabled and Children) is an automatic application for food stamp/SNAP benefits. 106 C.M.R. §§ 361.160. You do not have to file a separate food stamp/SNAP application or have a separate interview, even if your cash assistance application is denied. 106 C.M.R. § 365.120(A)(1), (A)(2).

If you go to the local DTA office and ask for a food stamp/SNAP application, the office must give it to you right away. If you ask DTA for an application by mail, DTA has to mail it to you the same day. 106 C.M.R. § 361.140. And DTA has to let you file your application the same day you first ask to apply. 106 C.M.R. § 361.130. You have the right to apply for benefits whether or not the DTA worker thinks you are eligible. 106 C.M.R. §§ 361.050-361.130. DTA cannot send you away or screen you out.

Be sure to turn in your application form right away. You will get food stamp/SNAP benefits back to the date DTA gets the *signed* application form if you are applying in person or by mail or fax. 106 C.M.R. § 361.080. Even if you cannot fill in all of the blanks, put down your name, address and phone number (if you have one), sign and date the form, and turn it in. You can give the rest of the information later. 106 C.M.R. §§ 361.100, 361.130.

Additional Policy Guidance: ● Simplified two page food stamp/SNAP application for seniors, F.O. Memo 2008-38 (July 10, 2008) ● Elimination of separate penalty/warning signature page (“blue form”), no need for second signature form, F.O. Memo 2006-53, (Nov.17, 2006) ● An application is considered “sufficient” for establishing a start date for benefits if contains the applicant’s name, address and signature. The application need not be fully completed to be accepted by DTA. F.O. Memo 2006-50 (July 10, 2006), F.O. Memo 2005 -16 (March 28, 2005).

Advocacy Reminders:

- ✓ If you happen to go a DTA office that does not serve your city or town, that office must still accept your application and send it to the correct

Part 1 ■ Application and Proofs

DTA office that serves the area where you live. 106 C.M.R. § 361.130. A local DTA office cannot refuse to accept your application just because they do not cover the town or city where you live.

- ✓ You may be able to get benefits faster if you bring in, mail or fax any proofs you have at the same time you file your application. See **Questions 7-8** for more information about what proofs you need. But don't delay applying just because you don't have all the proofs. You can apply now and bring in the proofs later.
- ✓ Never mail or give to DTA original documents (they can get lost). Send copies of documents in the mail. If you bring in documents, ask DTA to copy them and give you back all originals. Also, ask for a receipt. If you fax your application or proofs, be sure to keep a copy of the fax receipt. Also be sure to keep a copy of anything you mail.
- ✓ When you apply for food stamps/SNAP or other DTA benefits, your DTA worker must also tell you about your option to register to vote. The worker must offer to help you fill out a voter registration form if you wish to do so, and must send it to the local city or town registrar. 106 C.M.R. § 360.950. If you apply by mail or on-line, DTA must mail you a voter registration form. You can also download a copy of the National Voter Registration form at the following website:
http://www.eac.gov/files/voter/nvra_update.pdf

2. Can I apply through the Internet?

Yes. You can apply for your own food stamp/SNAP benefits on line, through the **Virtual Gateway**: www.mass.gov/dta. When you get to this page, look for “Apply for food stamps/SNAP.” You will first fill out a “screening form” that asks questions about your household, your income and expenses to determine potential eligibility. Then, if you wish to proceed, you can fill out an application (you will be asked to create a password in case you do not finish the application and want to go back).

Part 1 ■ Application and Proofs

You can also apply for on line with the help of local health care, food bank and human services providers who can help you apply for food stamp/SNAP benefits as well as MassHealth, WIC, or other benefits.

The Virtual Gateway is an *electronic application* for food stamp/SNAP benefits. All the information you provide will be electronically sent to DTA to start the application process. When you sign the application, you will also give DTA an *electronic signature*. This electronic signature is the same as a written signature. You do NOT need to sign another form if you completed a Virtual Gateway application. You will be signing a statement that you have and will continue to provide information truthfully and accurately; that you will report changes timely, and that you understand your rights, responsibilities and penalties for not following the rules.

When a food stamp/SNAP application is filed through the Virtual Gateway, if approved, the benefits will be back to the date it was received by DTA (the first business day if received before 5 p.m. that day, or the next business day if after 5 p.m. or a weekend). After the application is filed, DTA is supposed to contact you within 2 business days to screen you for expedited benefits (see **Question 9**) and to schedule an interview if the worker reaches you. Otherwise, DTA should mail you a notice with an interview date on the second day.

Just like filing a paper application, it is only the *first step* in applying for food stamp/SNAP benefits. Don't be discouraged, but it is important to remember that you will still need to have an interview with a DTA worker and to send in proofs. See **Questions 6 and 7**. You can do the interview either in person or by phone where they will ask more questions about you and your household members. You will also need to provide proofs (verifications) to prove you are eligible, and register for the employment and training programs unless exempt.

Additional Policy Guidance: ● Statewide availability of Virtual Gateway internet application for food stamp/SNAP benefits. Application is considered received that day if arrives electronically before 5 PM. If DTA has a pending paper/walk-in application still pending, Gateway application will be denied. F.O. Memo 2007-63 (Nov. 28, 2007) ● Electronic signature now used for Virtual Gateway applications. Workers cannot request a separate paper

signature for these applications. F.O. Memo 2007-32 (June 29, 2007). • Initial roll-out of Virtual Gateway for providers and processing requirements. F.O. Memo 2004-32 (Aug. 9, 2004).

3. Can I apply for food stamp/SNAP benefits at the local Social Security office?

The rules say that persons applying for Supplemental Security Income (SSI) and certain SSI recipients have a right to apply for food stamp/SNAP benefits at the Social Security Administration (SSA). 106 C.M.R. § § 361.190, 366.926 . Federal law requires SSA to take your application if every member of your household receives SSI or you (and others) are applying for SSI. 7 U.S.C. § 2020(I)(1). However, Social Security Offices tend to do this only when you are actually applying for SSI or when your SSI case is being redetermined (reviewed), and not when you contact them for other reasons.

For regular food stamp/SNAP applications, the SSA office has a simple one-page application form created by DTA. The SSA claims representative must help you fill out the food stamp/SNAP application and send it to the appropriate DTA office with any proofs you gave SSA. DTA may then contact you to get additional information if proofs are missing or information is unclear. 106 C.M.R. § 361.190.

Many SSI applicants and recipients also have the right to apply for an automatic benefit, called Bay State CAP, when applying for SSI or their SSI case is being reviewed. See **Question 4**.

If you need emergency food stamps/SNAP, it may be faster for you to get benefits if you go to the local DTA office. See **Question 9**. If your household includes members who are not applying for or receiving SSI benefits- you must also apply for food stamps/SNAP through the DTA.

Additional Policy Guidance: SSA has instructions to its staff of their affirmative obligation to offer to take food stamp/SNAP applications for SSI recipients. Policy Operations Manual: SSI 01801.010 Available at: <https://secure.ssa.gov/apps10/poms.nsf/aboutpoms>

4. What are Bay State CAP benefits and how can SSI recipients get them?

Bay State CAP is a “Consolidated Application Project” - a joint demonstration project of the Massachusetts DTA and the Social Security Administration (SSA) approved by USDA in 2005.

Bay State CAP is an easy way for many SSI applicants and recipients to get food stamp/SNAP benefits without going to DTA. When you apply for SSI or when your SSI benefits are redetermined by SSA, SSA is supposed to ask you if you want food stamp/SNAP benefits and then send this information to DTA electronically. DTA uses the information from your SSI application/ recertification to calculate your Bay State CAP benefits. 106 C.M.R. §366.910.

For SSA to take a Bay State CAP application, you must be either filing an application for SSI or an SSI recipient, and meet the following:

- Be 18 years old or older and unmarried (single, divorced, separated),
- Be living alone or living in a shared arrangement under SSI rules,
- Purchase and prepare food separately from others you live with,
- Not have any earnings in addition to your SSI income (once approved for Bay State CAP, you can stay on the program as long as you have earnings for less than three consecutive months), ***and***

Part 1 ■ Application and Proofs

- Not be permanently disqualified from the food stamp/SNAP program (for example, because of past fraud).

See 106 C.M.R. §§ 366.900-366.910.

Applying for Bay State CAP can be *easier* than applying for regular food stamps/SNAP for a couple of important reasons:

- SSA takes your application for benefits when you apply for SSI or your SSI case is redetermined. You don't have to go to DTA.
- You don't have to answer a lot of questions. SSA will ask you only *three* questions: “1) *Do you want food stamps?*, 2) *Do you purchase and prepare separately from others?*, 3) *What are your shelter costs?*”
- You don't have to provide any more proof than you already gave SSA.
- You don't have to recertify (reapply) for three years and you only have to report changes (if you moved or get a job) to SSA, not DTA.

While regular food stamp/SNAP benefits can be higher for SSI recipients who have high medical or shelter expenses, to get regular food stamp/SNAP benefits, you need to fill out an application, do an interview with a DTA worker and provide more proofs. MLRI's Food Stamp calculator available at www.masslegalservices.org will calculate both Bay State CAP and regular food stamp/SNAP benefits to see which is greater.

If you are applying for SSI benefits and your SSI will be approved within 30 days, SSA should take a Bay State CAP application. If your SSI case will take more than 30 days to process, (it often does), you may be better off applying for regular food stamp/SNAP benefits. You can apply for regular benefits at the Social Security office or DTA. See **Question 3**. But if you need emergency benefits (expedited service), you should apply at the DTA office. See **Question 9**. Once your SSI is approved, SSA should contact you and ask about food stamp/SNAP and Bay State CAP benefits.

Additional Policy Guidance: • Initial roll out of Bay State CAP, worker instructions, client brochure and notices, one-page application form for regular food stamps/SNAP application. F.O. Memo 2005-4 (Jan.14, 2005) and F.O. Memo 2005-33 (Aug. 2, 2005) • Bay State CAP outreach efforts to SSI recipients not on food stamps. F.O. Memo 2005-18 (April 15, 2005), F.O. Memo 2005-50 (Oct. 3, 2005) and F.O. Memo 2005-53 (Nov. 2, 2005) • Bay State CAP recertification process. F.O. Memo 2006-8 (Jan.19, 2006) • No closure of Bay State CAP case if SSI termination is less than 30 days, DTA reinstatement procedures. F.O. Memo 2007-23 (March 30, 2007) • SSA detailed guidance to SSA District Offices regarding Bay State CAP - SSI Policy Operations Manual, SI BOS01801.302 accessed through:
<https://secure.ssa.gov/apps10/poms.nsf/aboutpoms>

5. Can someone else apply for me?

Yes. You can always ask a family member, friend, human services agency to help you fill out an application, on paper or on the Internet. Helping agencies, family members and advocates can also accompany you to DTA and attend any interviews with you, with your permission.

You can also have someone you trust be your “authorized representative” to also apply for you directly (instead of just helping you apply), as well as receive notices and recertification forms on your behalf. Or you can choose to have your authorized representative actually receive the EBT card and buy food for you. 106 C.M.R. §§ 361.300, 361.310. An “authorized representative” is different from someone who assists an individual in filing the application. This is someone who can help you if you are unable or prefer to not receive the benefits and paperwork directly. However, DTA cannot force you to have an authorized representative if you do not want one. It is your choice. The authorized representative does not need to be a relative or formal guardian.

If you chose to have an authorized representative to buy food for you, this person’s name must be on your EBT card (called “Bay State Access”) to buy your groceries. If you want, you can have DTA issue two Bay State

Access cards—one for you and one for your authorized representative. An authorized representative has access to all your food stamp/SNAP benefits, so be sure you trust the person you pick. 106 C.M.R. §§ 361.300-361.370.

If you live in a group home for persons with disabilities, you may be able to apply for your own food stamp/SNAP benefits or the group home may decide to be your authorized representative. The group home staff are required to make this decision based on a determination of your “physical and mental ability to handle your own affairs.”106 C.M.R. § 365.620. See **Question 30**.

If you are a resident of an alcohol or drug treatment program, there is no choice and the program staff will be your authorized representative. 106 C.M.R. § 365.610. If you are living in a teen parent program, the program is given the authority to decide if it will be the authorized representative and receive the food stamp/SNAP benefits, or if it allow you to apply and spend the benefits. 106 C.M.R. §365.620(B).

Additional Policy Guidance: • Human services providers can be “authorized representatives” for the limited purpose of submitting an electronic application on the Virtual Gateway and to receive status updates on the application. F.O. Memo 2007-23 (June 29, 2007) • Residents of drug/alcohol treatment programs and teen parent programs are required to transfer their benefits to the program staff (through on-site POS terminals), who then purchase food for the residents. F.O. Memo 97-17 (March 14, 1997) • Process and forms for designating level of authorized representatives authority for disabled residents of licensed group homes. F.O. Memo 2004-41 (Oct. 8, 2004).

6. Does DTA have to interview me and what happens if I miss the interview?

DTA is required to interview all food stamp/SNAP applicants, *either in person or by phone*. 106 C.M.R. § 361.500. During this interview, the DTA worker is supposed to confirm the information on the application and possibly ask additional questions depending on your situation. The worker

Part 1 ■ Application and Proofs

should also tell you what proofs you need to get food stamps/SNAP, and explain your rights and responsibilities.

The interview is also a chance for you to ask questions about the program and other benefits you might be eligible to receive. DTA must ensure the interview is confidential (not in a public setting where others can hear) and the information you provide is private and not shared outside DTA without your written permission. 106 C.M.R. §§ 361.550, 360.300.

Here are important things you should know about the interview:

Scheduling an interview:

DTA is supposed to try to contact you by telephone within *two* days of the day that your application is filed, in person, on-line or received in the mail. The worker is supposed to screen you for eligibility for emergency benefits (see **Question 9**), to see if you are eligible for a telephone interview, and then schedule your phone or office interview. If a social services agency helped you fill out a paper or online application and are listed on the application as an authorized helping agency, DTA should contact the agency if unable to reach you.

If DTA has not reached you within two days, it should send you a *written notice* scheduling an interview, either in person or by telephone based on the information you put in the application including if you asked for a waiver of the face-to-face interview. This interview should take place within *seven* days of your application in order to screen you for expedited benefits. If you do not hear from DTA by phone or mail within five days of filing your application (or earlier if you need emergency benefits), call your local DTA office and ask to speak with a supervisor or the office director.

Waiver of face-to face interview:

DTA should offer a telephone interview instead of the in-office face-to-face interview whenever it would be a *hardship* for you to go to the office for an interview. 106 C.M.R. § 361.510(B).

Hardship includes, but is not limited to:

- Work or training hours which preclude a face-to-face interview,
- Illness and other health concerns,
- Being the primary caregiver of a household member,
- Prolonged severe weather, *or*
- Transportation costs or other transportation difficulties.

Elderly and disabled applicants or recipients automatically qualify for a telephone interview if they do not have an authorized representative or household member able to come to DTA. 106 C.M.R. § 361.510(A).

There is space on the application for you to ask for waiver of the face-to-face interview. Be sure to write down all the phone numbers where you can be reached and the best times of day to reach you. DTA workers are instructed to allow telephone interviews whenever possible. **Appendix C** has a sample statement you can include requesting a waiver of a face to face interview.

If you miss a scheduled interview:

If you miss an interview DTA scheduled for you (either in person or by phone), DTA is required to send you a *written notice*. The notice must say you missed an interview and you have the right to ask for another scheduled interview. 106 C.M.R. 361.500, 361.540. You do *not* need to have or show *good cause* for missing the first interview. However, it is up to you to contact DTA. If DTA does not hear from you within 30 days of

Part 1 ■ Application and Proofs

when you first applied, your food stamp/SNAP application will be denied. 106 C.M.R. § 361.700(B)(1). You still have the right to reapply for benefits and the denied application will not be held against you, but the date your benefits start will be the date of your new application.

Additional Policy Guidance: • DTA guidance directing workers to affirmatively offer waiver of face-to-face interview and broadly allow hardship waivers of in-person interviews. F.O. Memo 2002-16 (July 15, 2002) and 2004-12 (March 22, 2004) • Guidance on scheduling of interviews for walk-in, mail in and Virtual Gateway applicants. Worker must screen for expedited and face-to-face waiver at first contact with client. F.O. Memo 2006-30 (July 10, 2006) • If mail-in application not contain a phone number for client, schedule in-office interview. If application contains phone number but no hardship waiver, call client to screen for waiver and schedule phone interview if eligible. Transitions Hotline Q&A, September 2006 • DTA must sent notice of missed interview (NOMI) if applicant not show at first interview. No good cause reason needed to get rescheduling. DTA should also contact helping agency listed on application if unable to reach client. F.O. Memo 2007-16 (March 15, 2007) • If a household is also applying for cash assistance, the second missed interview triggers sending the NOMI because cash assistance cases get two scheduled interviews. Transitions FYI, June 2008.

7. What proofs (verifications) do I need?

The DTA worker who interviews you should tell you what proofs you need and should give or mail you a list of what you need. 106 C.M.R. §§ 361.550, 361.600. DTA will send you a computer-generated *verification checklist* that tells you the specific verifications you need for your household and the alternate proofs you can provide. DTA should not ask you for proofs you already provided with your application.

You will have to show proof of your eligibility before your benefits will be approved unless you are found eligible for expedited benefits. See **Question 9**. If you do not have everything, bring, mail or fax copies of what you do have. You do not need to provide original documents. If you

Part 1 ■ Application and Proofs

mail or fax documents, be sure to put your name and social security number on each document so it can be matched with your file. Also keep a copy of the fax receipt. If you bring documents to DTA, be sure DTA gives you a receipt, makes copies, and gives you back your originals. Be sure to keep a copy of anything you give to DTA.

DTA cannot limit proofs to any single type of document and cannot require verification from any particular person. In many cases, you can sign a sworn statement to prove something or give DTA permission to contact someone who can verify the information. 106 C.M.R. §§ 361.640, 361.650, 363.210(G). See **Question 8** for what you can do if you don't have all the proofs the worker says you need.

You will need the following proofs for your household:

- Proof of the identity of the *head* of household—for example, your birth certificate, driver's license, an I.D. for health benefits or other social service program, or wage stubs. If you don't have these, DTA can verify your identity through your SSN, or your DTA worker can make a phone call (collateral contact) to a third party who knows you. See **Question 8**. Only the identity of the head of the household (and the authorized representative, if any) needs to be verified. You do not need to verify the identity of children or other adults in the household, but you do need to provide their social security numbers. 106 C.M.R. § 361.610(G).
- Proof of where you live—for example, a statement from a landlord, a utility bill, a note from a neighbor, or a collateral contact (such as a telephone call by DTA to a neighbor) that shows where you live. 106 C.M.R. § 361.610(H). Your worker cannot require you to get the DTA "landlord verification form" signed. Any other proof of your residence is acceptable. See **Appendix C** for an alternative statement you can use with your landlord. If you have moved and you did not report the change of address to DTA, some of your mail may get returned. DTA should not close your case, however, without first attempting to contact you. Note, you do *not* need proof of residency if you just came

Part 1 ■ Application and Proofs

to the area, you are homeless or you are a migrant worker. 106 C.M.R. § 362.120.

- Proof of your earned and unearned income that counts in figuring your eligibility. 106 C.M.R. § 361.610(A). If you work, this would be copies of wage stubs (usually the last four pay weeks), direct deposit payments, or a statement from your employer of your earnings. Missing wage information and date of termination from work can often be verified through an internet-based employee verification system, called “The Work Number.” DTA must get your permission to contact “The Work Number” to confirm proof of your earnings. See **Question 8**. If DTA asks for proof of income from a job where you are no longer employed, this may not be required. They should only ask if you are subject to the voluntary quit rules (See **Question 39**) and only for work you left within the last 60 days prior to applying. Contact an advocate. For proof of unearned income, this includes a benefit or award letter, copy of a check or payment, direct deposit.
- Proof of business expenses if you are self-employed, for example the purchase of a computer, cosmetology equipment, tractor, truck, fishing boat or other equipment; rental fees if you drive a van or taxi; insurance costs; the cost of heating your office or part of your home used for your business etc. 106 C.M.R. § 365.940. See **Question 46**.
- If you are subject to the asset test, proof of your money in the bank, stocks and bonds, real estate, etc. 106 C.M.R. § 361.610(E). Most households do not need to prove assets unless under sanction or an elder/disabled households with income over 200% poverty level. See **Question 51**.
- Proof of immigration status of anyone in your household who is not a U.S. citizen and is seeking to also receive benefits with the rest of the household. 106 C.M.R. § 361.610(B). Proof includes a copy of your legal permanent resident “green card” (Form I-551) if you are an LPR, your work authorization documents (Form I-688), arrival departure (Form I-94), records of any other government proof or statement from an attorney that shows your immigration status. See **Question 21**. DTA will verify your status through the SAVE system. If you or

Part 1 ■ Application and Proofs

someone in your household does not meet the immigration status rules or chooses not to be included in the application, you do not need to verify immigration status. The other members can still get food stamp/SNAP benefits for themselves if otherwise eligible.

- The social security numbers (SSNs) of those persons in your household who are applying for food stamp/SNAP benefits. You do not need to have the SSN card, but you do have to report the number. DTA will verify the number through its computer system. If you are applying for benefits for yourself and do not have an SSN, you need proof that you have applied for one. If someone in your household does not meet the SSN requirement or does not provide his or her SSN, the other members of the household can still get benefits without including that person (but his or her income may be counted). 106 C.M.R. §§ 361.610(F), 362.500. See **Question 25**.
- Any information relevant to your eligibility that DTA thinks is “questionable.” 106 C.M.R. § 361.620. **Question 8** describes when information can be considered “questionable” by DTA.

You also have to verify other facts if you want to take advantage of certain income deductions and special rules. If you do not provide these proofs, your benefits should not be denied. But the amount of your food stamp/SNAP benefits will be calculated without these deductions. 106 C.M.R. § 364.450(D). The additional proofs include:

- Proof of your rent or mortgage/home-ownership expenses if you want to deduct these expenses in figuring out your benefits. Proof of rent includes a rent receipt, cancelled check, money order, tenancy lease, or a statement from your landlord. Proof of home-ownership expenses include your mortgage statement, home insurance, property tax, water and sewer bills. See **Question 57**. 106 C.M.R. §§ 361.610(K); 364.400(G). DTA cannot insist on a landlord verification if you have other proof of shelter costs.
- You can *self-declare* your child care expenses including what you pay for day care, after-school programs, summer programs, as well as transportation to and from the care. See **Question 55**. DTA can ask

Part 1 ■ Application and Proofs

for proof if what you claim appears questionable (for example, your expenses appear very high for your income). If you need to verify, proof may include a statement from your caregiver, cancelled checks or other proof of payment.

- Proof of disability-related benefits (cash or medical assistance) that can help you meet the special rules for disabled household members, such as a letter showing the benefit and disability determination. If you get SSI or DTA provides the benefit (such as EAEDC or TAFDC), you do not need proof. (Any household member who is age 60 or older does not need to verify disability to get the special deductions.) 106 C.M.R. § 361.610(I).
- Proof of what you pay in child support to children outside the household and proof of your legal obligations, such as a court order or legally enforceable agreement. See **Question 54**. 106 C.M.R. §§ 361.610(J), 364.400(E).
- Proof of your age if questionable (this is generally important for persons age 60 and over). Proof can include a birth certificate, drivers license, passport, baptismal record or other documents showing your age, or proof from another government agency that is providing you benefits or a service. 106 C.M.R. § 361.210.
- Out-of-pocket medical and custodial expenses of a disabled or elderly (60 or older) person in your household. See **Questions 53**. 106 C.M.R. § 361.610(D).

Additional Policy Guidance: ● If all mandatory verifications are received, DTA cannot deny benefits for lack of optional verification for income related deductions (shelter, medical, child support). DTA cannot insist on “preferred” verifications nor require verification of eligibility factors that have not changed (such proof of residence when there is no change of address). F.O. Memo 2007-39 (July 7, 2007) ● Computer-generated customized verification checklist (VC-1) should be used at all times vs paper verification checklists. F.O. Memo 2007-22 (March 29, 2007) ● Child care expenses can be self-declared, unless expenses claimed are questionable. F.O. Memo 2007-19 (March 15, 2007) ● SSN card should not be demanded as verification of the number - under any

Part 1 ■ Application and Proofs

circumstances. SSN is verified through a match with SSA. Transitions Hotline Q&A, July 2003. ● Child support obligation can be verified through the Department of Revenue, canceled check, wage or UC withholding statements. Transitions Hotline Q&A, May 2008. ● No benefits should be denied for lack of proof of identity if DTA can verify SSN through a match with SSA via the State Verification and Exchange System (SVES). Transitions FYI, May 2007 and F.O. Memo 2006-30 (July 10, 2006) ● Date of birth and SSN are permanent eligibility factors and need not be re-verified at re-application. F.O. Memo 2006-43 (Sept 26, 2006) ● Household need not verify U.S. citizenship unless information is questionable. Transitions Hotline Q&A, March 2006, May 2006 ● Verification of employment and wage information available through “The Work Number,” instructions to workers on how to access. F.O. Memo 2007-3 (Jan. 31, 2007) ● Detailed instructions on handling of returned mail. Worker must take specific steps to reach client by phone and additional mail before any negative action taken on case. No additional verifications needed if client reports he/she has not moved. F.O. Memo 2008-22 (April 30, 2007) ● Case cannot be closed for “whereabouts unknown” until specific steps by DTA are taken to try to contact the household first. F.O. Memo 2007-39 (July 31, 2007).

Advocacy Reminders:

- ✓ Proof of U.S. citizenship is not required unless DTA determines that your status is “questionable.” 106 C.M.R. § 362.210(A). The U.S. citizenship of a child should not be questionable just because his or her parent is foreign born.

 - ✓ If your employer uses The Work Number and gives you the employer code and a PIN number, you can use this system directly for your own employment information or you can ask your DTA worker to access this information and request that it be faxed to the DTA office (your worker will need your PIN) Ask your employer if he or she participates in The Work Number. Private employers register with The Work Number in order to allow employees and social services agencies who have client permission to get information on employees including work pay, date of start and termination of work and more. Employment information can be more timely than what the Department of Revenue reports to DTA
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8. What if I am having trouble getting all the proofs, or the proofs get to DTA late?

There are important DTA rules about verifications that you should know, especially if you are having trouble getting proofs or if you think DTA is asking for too many proofs:

Alternate proofs:

DTA must accept *any* documents that reasonably prove your eligibility. You do not have to give a specific kind of document or proof. 106 C.M.R. § 361.640. Some eligibility factors can be verified with your own sworn statement, such as U.S. citizenship and out-of-pocket child care expenses. DTA must accept your statement unless questionable. Other eligibility factors can be verified through a wide range of documents, such as your identity, where you live or how much you pay for shelter costs. DTA cannot demand a specific document.

Questionable information:

DTA can only ask for additional proofs if the information or documents you provide are “questionable.” 106 C.M.R. § 361.620. “Questionable” information is information inconsistent with other information on your application or reported to your worker. DTA must review the individual circumstances of a household before determining information is questionable. Your worker cannot make up a reason to reject the proofs you brought in. The worker must document in your case record the reasons for rejecting a proof. 106 C.M.R. § 361.660. If you think you have given DTA enough proof, or if you think your DTA worker is unreasonably requiring a specific type of proof, ask to speak to a supervisor or contact a legal advocate.

DTA worker assistance:

DTA workers are supposed to help you get any proofs you need if you tell DTA you are having difficulty getting them. For example, if you need a document from another state, your DTA worker must help you. If you need help getting proof of your disability or other proofs, your DTA worker must help you. You cannot be denied food stamps/SNAP just because you are having trouble getting proofs, but you can be denied if you refuse to cooperate with getting the proofs or refuse to be interviewed, or you do not meet the other eligibility rules. 106 C.M.R. §§ 361.400 and 361.650.

Third party “collateral contact” by DTA:

You can also give your worker permission to call other agencies or persons to verify information, such as an employer or landlord (this is called a “collateral contact”). 106 C.M.R. § 361.640(B). See also **Appendix C** for DTA’s collateral contact form. It is up to you to give your worker the names of people to contact, and to sign a collateral contact form giving DTA permission. Remember, this is voluntary. Also, DTA cannot require proof from a particular person if you can verify the information in a different way. Your privacy is important and must be respected. 106 C.M.R. § 360.400.

Reopening an application denied for lack of proofs:

If your food stamp/SNAP application was denied for lack of proofs—and you get the missing proofs to DTA within 60 days of when you first applied—DTA will reopen your application back to the date you first applied if the proofs show you are eligible.

Notice of pending status:

DTA is required to send you a notice of pending status. 106 C.M.R. § 361.930. The notice should list the specific proofs or verifications missing and tell you that you have another 30 days (60 days from the date you first applied) to bring in these proofs and have your case opened back to the date you first applied if you are otherwise eligible. You do *not* need to sign

Part 1 ■ Application and Proofs

a new application. If you think DTA is taking too long to reopen your case, contact an advocate.

Advocacy Reminder:

- ✓ DTA should not deny your case because the additional proofs that relate to deductions such as medical expenses or housing expenses are missing. Instead, DTA should calculate your food stamps/SNAP without the deductions. If you later give DTA proof of the deductions, the amount of your benefits should be recalculated.
- ✓ If DTA refuses to reopen your case after you bring in proofs, don't forget that you always have a right to file an appeal within 90 days of the date of the denial or termination notice. Under the fair hearing rules, the hearing officer must accept the proofs under special "de novo" appeal rules. See **Part 6** on Appeal Rights.

Additional Policy Guidance: • Detailed guidance on "negative case errors" instructing workers that food stamp case can never be denied for lack of verification of income deductions, that workers must check if verification is already in case record before asking for document, that client must be given sufficient time to provide verifications before denying case. F.O. Memo 2008-59 (Nov. 12, 2008) • Workers must help clients unable to get verifications for reasons beyond their control, including domestic violence situations. Transitions FYI, May 2008 • Case denied for failure to provide verification must be reopened if missing verification is received within 60 days of date of initial application, and DTA cannot require second application. DTA cannot deny benefits for lack of proof of optional income deductions (but household may get lower benefit). F.O. Memo 2006-20 (April 21, 2006) • DTA confirms USDA guidance that original documents cannot be required by DTA, copies and faxed documents are acceptable. Transitions Hotline Q&A, June 2005 • Although faxed documents acceptable, limited situations where originals can be requested if faxed verification questionable. Transitions FYI, November 2005 • Case workers must assist with obtaining verifications for clients having difficulties, must inform applicants and recipients of alternate verifications, and must not deny an application for failure to verify something that would result in an increase in benefits. Transitions FYI, June 2005 • Workers cannot limit proofs to any single type of document and cannot require verification from a specific person. DTA Transitions Hotline Q&A, August 2004, Transitions FYI, August

2005. ● Recipient who submits completed semi-annual report with no changes in her household or income is not required to re-verify eligibility factors that have not changed. If client is having difficulty getting verification from third party, DTA worker must offer to assist through collateral contact. DTA worker cannot require birth certificates to verify identity, a range of verifications are allowed. Transitions Hotline Q&A, November 2005 and F.O. Memo 2005-49 (Oct. 3, 2005).

9. Can I get emergency food stamp/SNAP benefits?

Yes. If your income and cash and savings are low enough, you can get emergency benefits. This is called “expedited service.” 106 C.M.R. § 365.800. It is DTA’s obligation to screen all households for expedited service. If you are eligible for expedited service, DTA must get you your benefits within seven (7) days after you apply and are screened for expedited.

You are eligible for expedited service (benefits in hand in 7 days) if:

- you have \$150 or less in gross income for the month and \$100 or less in cash and savings, *or*
- your rent (or mortgage) plus utilities are more than your combined gross monthly income and cash and savings, *or*
- you are a migrant household with \$100 or less in cash and savings. 106 C.M.R. §§ 365.810-365.830.

Expedited food stamps/SNAP are *not extra* benefits—they are just a way to get you your first month’s benefits faster.

If you are eligible for expedited service, proof of identity (ID) is the only thing you must show DTA to get your first month’s benefits. If you do not

Part 1 ■ Application and Proofs

have any ID, DTA has to call someone (such as a friend, relative, or agency worker) to check your identity. 106 C.M.R. § 365.830. Your social security number can also be enough proof of identity if DTA is able to confirm it through the State Verification and Exchange System (SVES). You will have to verify the other things listed in **Question 7** to continue to get food stamps/SNAP beyond the first month. 106 C.M.R. § 365.850(B).

If you need expedited food stamps/SNAP right away, you may want to apply in person if at all possible. DTA is supposed to contact you by phone and screen you for expedited, but sometimes that does not happen or you and DTA play phone tag without connecting. If you go to the DTA office in person, you must be screened that same day.

Additional Policy Guidance: • Even though asset test is eliminated for most “categorically eligible” households under 200% FPL, to qualify for expedited, the household must report and meet asset limit to qualify for expedited. Transitions Hotline Q&A, July 2008 • Expedited benefits should be denied for lack of proof of identity if DTA can verify SSN through State Verification and Exchange System (SVES). Transitions FYI, May 2007 • Worker should screen for expedited at time of first contact, in person or by phone. Date of contact is start date of 7-day period for expedited. F.O. Memo 2006-30 (July 10, 2006) • Instructions to speed up processing SNAP benefits for homeless applicants who are not otherwise expedited. F.O. Memo 2000-35 (Dec. 19, 2000) • Proof of non-citizen status is not required for expedited benefits, declaration of applicant is sufficient. Transitions Hotline Q&A, Dec. 1997.

10. How long does it take to get food stamp/SNAP benefits if I am not eligible for emergency benefits?

If you do not qualify for emergency benefits, DTA has to decide on your application and make sure you get your food stamp/SNAP benefits within 30 days after the day you apply. If you are eligible, the amount you get

should go back to the date you applied in most cases. 106 C.M.R. § 361.700(A).

If DTA cannot decide on your application within 30 days after the day you apply because some required proofs are missing, DTA will deny your application. If you give DTA the missing proofs within 60 days of applying, DTA must “reopen” your case. DTA cannot make you start a new application. See **Question 8**.

11. What if I do not speak English or I am deaf?

If English is not your primary language or you are deaf or hard of hearing, DTA must provide you with a bilingual DTA worker or an interpreter (in person or by telephone) if you want one. 106 C.M.R. § 360.510. If no bilingual staff person or DTA interpreter is available, the DTA office must use the Tele-language line to locate an interpreter, without delay.

If you are calling by phone, the worker or receptionist should do a three-way phone with you and the tele-language service to ensure you are able to communicate with DTA and received same services as all others.

Under federal law, DTA is required to send written notices and materials to you in your primary language if you do not speak English. DTA currently only translates its notices and forms into Spanish. If you do not receive a notice in your primary language, this could be a violation of federal food stamp/SNAP law. Contact an advocate.

Additional Policy Guidance: Reaffirms DTA obligations to meet its Title VI obligations to provide bilingual services to LEP clients with extensive guidance on use of interpreters. Workers must use Qwest Tele-language line if not bilingual staff available. No need for supervisory sign off to access language line and workers should use three-way calling with phone clients (not require

Part 1 ■ Application and Proofs

them to come in). DTA cannot turn client away or told to come back for lack of interpreters. Children under age 12 not allowed to interpret, older children only for setting up appointments; interpreter should be offered even if English speaking family member or friend accompanies client to DTA. F.O. Memo 2008-16 (April 1, 2008).

Advocacy Reminders:

- ✓ By federal law, DTA must provide you with an interpreter if you need one. DTA should not tell you to bring your own interpreter. See Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. DTA should not tell you to have a family member interpret for you. The 2008 Farm Bill codified the regulatory requirements in the food stamp statute. (See Section 4118, Public Law 110-246, June 18, 2008.)
- ✓ Federal food stamp also law requires DTA to have written materials in languages other than English if there are at least 100 households in the area served by the welfare office that speak that language. 7 C.F.R. § 272.4(b)(3). A written notice cutting or stopping your benefits is not valid if it is not in your primary language, you do not read English, and there are 100 or more households in the area served by the welfare office that speak your language.
- ✓ For more information on the federal and state government's duties to persons with limited English proficiency (LEP), see www.lep.gov and www.usdoj.gov/crt/cor.
- ✓ For food stamp/SNAP information in 35 languages see www.fns.usda.gov/fsp/outreach/translations.htm.

12. What if a disability makes it hard for me to apply, get proofs, or comply with the food stamp/SNAP rules?

Part 1 ■ Application and Proofs

The federal Americans with Disabilities Act (ADA) requires DTA to provide equal access to programs and services to qualified people with disabilities. 42 U.S.C. § 12132; see 106 C.M.R. §§ 360.250, 701.390.

Under the ADA you are a person with a disability if you have a physical or mental disability that substantially impairs a major life activity, such as learning, understanding, walking, working, breathing, or caring for yourself. A temporary health problem like a broken leg may not be a disability under the ADA. You can be disabled under the ADA even if you are not receiving any benefits on the basis of disability.

If a disability makes it hard for you to meet DTA rules or use DTA services, you can ask DTA to grant exceptions to the rules or modify the services. These are called “reasonable modifications” or “reasonable accommodations” under the ADA.

Example 1: Because of your disability, you need extra time or help getting information to DTA. DTA should give you the extra time or help.

Example 2: You have trouble reading because of a learning disability. DTA should explain its notices to you.

Example 3: Because of your disability, you should get a waiver of the face to face interview, and you should be able to communicate with your DTA worker through appropriate communication devices (e.g. a TTY, CART services or other devices).

If you need special help or an exception because of a disability, you can ask your worker, the local office director, or any member of the “Accommodation Team” in each DTA local office. DTA should then fill out a form called a “Request for an ADA Accommodation.” DTA may ask for a copy of medical records or other evidence of the disability or permission to contact a doctor or other professional who can verify your disability. You may also need to document the connection between the disability and the special help or exception you are requesting.

Additional Policy Guidance: • DTA has issued extensive guidance to the field on their obligations under the ADA and specific forms for clients to

request accommodation. You can request an accommodation *at any time* and not just at application or recertification. F.O. Memo 2008-35 (Aug. 13, 2008), F.O. Memo 2008-20 (May 12, 2008).

13. What are my rights if DTA denies my reasonable accommodation request?

The DTA local office should give you a written decision on your request for reasonable accommodation no later than 30 days from your request. If the local office denies your request in whole or in part, you can ask for DTA Central Office Accommodation Appeal Committee reconsideration by filling out the back of the form and giving it to your worker. The Committee has 10 days to make a decision on the reconsideration request. You can also file your request directly with the Committee if the local office does not decide your request in 30 days.

If the DTA Central Office Accommodation Appeal Committee denies your request for accommodation in whole or in part or does not make a decision in 10 days from your request for a decision, you can request a hearing by filling out the back of the form and sending it to the Division of Hearings.

Try to get a legal advocate to help you with your request for review and your appeal. See **Appendix G** for a list of legal services offices. See **Part 6** on appeal rights.

14. My worker always refers to “BEACON.” What is BEACON?

BEACON is DTA’s computer system. The DTA worker puts information about each client into BEACON. BEACON is programmed to decide eligibility and benefit amounts, create a list of proofs you need to give to

Part 1 ■ Application and Proofs

DTA, keep track of when you have to meet with your worker, and create notices to send to you about your benefits.

DTA workers follow instructions in the BEACON User's Guide to conduct interviews and put information into BEACON. Your local DTA office has a copy of the BEACON User's Guide and you have a right to look at it because it is a public document.

Sometimes BEACON makes mistakes because the worker did not give BEACON the right information. Sometimes BEACON makes mistakes because the computer program is wrong. Sometimes BEACON tells the worker to ask for information or proofs you should not have to give. BEACON is only a computer system. It does not set the rules or make policy. Your worker should not refuse to fix a problem because of BEACON. If you have any questions or problems with BEACON or you get notices from DTA you think are wrong, talk to your worker or your worker's supervisor. If the problem is not fixed right away, you should contact an advocate and appeal. See **Part 6**.