

# Part 1

## Application and Proofs

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

You have many options. You can apply for food stamps/SNAP benefits in person, by mail or fax, 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](http://www.mass.gov/dta).

You can:

- Apply *in person* at your local DTA office that serves your city or town.
- File an *on-line* application through the Internet, see **Question 2**.
- *Mail or fax* a paper application. You can get a paper application at your local DTA office or call 800-249-2007 and ask that the application form be mailed to you. You can also print out the longer paper form (including translated forms in Spanish and Portuguese) by going to the following website: [www.mass.gov/dta](http://www.mass.gov/dta). A copy of the short two-page application for seniors is included in **Appendix E**.
- File an application *through your local Social Security office (SSA)* if everyone in your household is applying for or gets SSI. 106 C.M.R. §§ 361.110, 361.190. See **Question 3**.

#### **NO wrong door!**

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

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### Cash assistance applications

Your application for TAFDC (Transitional Aid to Families with Dependent Children) or EAEDC cash assistance (Emergency Assistance for Elderly, Disabled and Children) is also 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 ultimately denied. 106 C.M.R. § 365.120(A)(1), (A)(2).

### Same-day filing

DTA has to let you file your application the same day you first ask to apply. 106 C.M.R. § 361.130. If you go to the local DTA office and ask for a food stamp/SNAP application, the office must give it to you and allow you to submit it the same day. 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. 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.

If you are approved, 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.

### ***Advocacy Reminders:***

- ✓ Don't delay applying just because you don't have all the proofs. You can apply now and bring in the proofs. See **Questions 7** and **8** for more information about what proofs you need.
- ✓ 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. If you fax your application or proofs, be sure to keep a copy of the fax receipt. Also be sure to keep the original 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](http://www.eac.gov/files/voter/nvra_update.pdf).

***Additional Policy Guidance on FS/SNAP Applications:*** •

Simplified two-page food stamp/SNAP application available for seniors. F.O. Memo 2008-38 (July 10, 2008) • Electronic signatures now used for Virtual Gateway applications. F.O. Memo 2007-32 (June 29, 2007) • 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 it contains the applicant’s name, address and signature. The application need not be fully completed to be accepted by DTA. F.O. Memo 2006-53 (Nov.17, 2006), F.O. Memo 2005-16 (March 28, 2005).

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## 2

### Can I apply through the Internet?

*Yes!* You can apply for your own food stamp/SNAP benefits on-line, through the **Virtual Gateway** at [www.mass.gov/dta](http://www.mass.gov/dta). This is also called a “web application.” When you get to this page, look for “Apply for food stamps/SNAP.” A Virtual Gateway or web application is an *electronic application* for benefits. All the information you provide is electronically sent to DTA to start the application process. Unlike MassHealth, you do not need to go through a social services agency or health care provider to file a web application. You can do this yourself—in your home, at a library, at your place of work! But you should also remember, filing an application *is just the first step* in getting benefits.

When you first file a web application, you will find 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 the web application. You will be asked to create a password in case you do not finish the application and want to go back at later to finish it.

#### **Signing the application**

When you apply on-line, you give DTA an electronic signature. You do *not* need to sign a paper form if you completed a Virtual Gateway application. Your electronic signature is an agreement that that the information you have and will provide is truthful and accurate, that you will report changes timely, and that you understand your rights, responsibilities and penalties for not following the rules. During the interview your worker will go over these rights and responsibilities too. See **Question 6**.

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A food stamp/SNAP application filed on the Virtual Gateway is considered filed if received before 5 PM, or the next business day if after 5 p.m. or a weekend. After the application is filed, a DTA worker is supposed to contact you within 2 business days to screen you for *expedited* or emergency benefits (see **Question 9**) and to schedule an interview. If DTA cannot reach you, within 2 days of receiving the application DTA is supposed to mail you a notice with an interview date.

### Next steps after filing the web application

Filing a web—or paper—application is only the *first step*. You still need to have an interview with a DTA worker *and* to send in proofs. See **Questions 6 and 7**. The interview with the DTA worker is usually done by phone unless you want an interview in person, or DTA has a good reason to require you to go the office. The interview is required because DTA must gather information beyond the application form, and tell you which proofs you need to send in. Whether or not DTA reaches you immediately to do an interview, you will receive a plastic EBT card in the mail. Your EBT card will not have any benefits on it until you are approved for benefits. DTA sends the EBT card early in the process so you can use your food stamp/SNAP benefits as soon as you are approved.

### Checking the status of your application

DTA has created a “My Accounts Page” to allow households to check on the status of a food stamp/SNAP web application, as well as TAFDC and EAEDC status. Through the MAP, a household can find out about the status of his/her application, amount of benefits, date the next benefits will be issued, name and contact of case manager and information on notices sent to the household in the past 90 days.

***Additional Policy Guidance on Web Applications:*** • Special SNAP Web Units established in Boston and Springfield areas for centralized handling of SNAP applications filed on-line. DTA Transitions, December 2009, p. 1 • My Accounts Page (MAP) rollout with instructions on how to access. F.O. Memo 2010-6 (January 20, 2010) • Expansion of Virtual Gateway statewide for food stamp/SNAP benefits with public access. FS/SNAP application is considered received same day if it arrives before 5 PM. If DTA has a paper/walk-in application still pending, web application will be denied. F.O. Memo 2007-63 (Nov. 28, 2007) • Electronic signatures now used for Virtual Gateway applications; separate paper signature cannot be required. F.O. Memo 2007-32 (June 29, 2007) • Initial DTA roll-out of Virtual Gateway for providers. F.O. Memo 2004-32 (Aug. 9, 2004) • See also USDA survey of on-line SNAP applications with processing functions as of June 2009:  
[http://www.fns.usda.gov/FSP/applicant\\_recipients/state\\_systems.pdf](http://www.fns.usda.gov/FSP/applicant_recipients/state_systems.pdf).

# 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 or is applying for SSI. 7 U.S.C. § 2020(I)(1). Federal law also says that SSA should offer an application form to Social Security (RSDI) recipients. 7 U.S.C. § 2020(J). 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. They also do not take FS/SNAP applications if you live with other persons not applying for or receiving SSI benefits.

For regular food stamp/SNAP applications, the SSA office has a simple one-page application form created by DTA. An SSA claims a representative should offer to 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, you should apply for food stamp/SNAP benefits by going to the local DTA office or applying on-line. 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 on Applications through SSA:*** •

The Social Security Administration provides detailed instructions to SSA Claims Representatives on their 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>.

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## 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.

### How Bay State CAP works

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 be 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*
- 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.

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, 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.

### Bay State CAP is easier but may be less benefits

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.

Sometimes the benefits are higher than regular food stamp/SNAP benefits, and sometimes lower. If you have high shelter and/or medical deductions, regular food stamp/SNAP benefits are usually more than Bay State CAP. MLRI's Food Stamp calculator, available in the Benefits section at [www.masslegalservices.org](http://www.masslegalservices.org), will calculate both Bay State CAP and regular food stamp/SNAP benefits to see which is more.

***Additional Policy Guidance on Bay State CAP:*** • Initial roll-out of Bay State CAP, worker instructions, client brochure and notices, one-page application form for regular food stamp/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; <http://www.ssa.gov/> accessed through: <https://secure.ssa.gov/apps10/poms.nsf/aboutpoms>.

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### Can someone else apply for me?

**Yes.** You can always ask a family member, friend, or human services agency to help you fill out an application, on paper or on the Internet.

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Helping agencies, family members or 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 and receive notices and recertification forms on your behalf, but you can get the EBT card yourself. Or you can choose to have your authorized representative also receive the EBT card and buy food for you. 106 C.M.R. §§ 361.300, 361.310. (An “authorized representative” is different from an individual or agency that helps you fill out a paper or web application.) In most cases, 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 choose to have an authorized representative buy food for you, this person’s name must be on your EBT card (called “Bay State Access”) to buy your groceries. See **Question 62**. 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 are eligible for food stamp/SNAP benefits as a one person household even though you live with others. 106 C.M.R. § 361.240(B). Many group homes are run by the Department of Mental Health (DMH) and the Department of Mental Retardation (DMR) where state agency staff assist with these applications and providing DTA the proofs for eligibility. You can apply for your own food stamp/SNAP benefits or the group home may decide to be your authorized representative. 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 will allow you to apply and spend the benefits. 106 C.M.R. §365.620(B).

### ***Additional Policy Guidance on Authorized Representatives:*** •

- 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)
- Detailed guidance on eligibility of DMR and DMH group home

residents including the process for applying, designating an authorized representative, level of authorized rep's authority to transact benefits. F.O. Memo 2000-10, Q. 4 (Feb. 20, 2009), F.O. Memo 2004-41 (Oct. 8, 2004) and F.O. Memo 2004-15 (April 2, 2004) • See also BEACON User's Guide, Ch. IV-A, p. 7. Instructions to workers to include in BEACON file the name of any persons listed as an emergency contact for applicants.

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

DTA is required to interview for *all* food stamp/SNAP applicants. 106 C.M.R. § 361.500. The interview should be conducted by phone unless you request an in-person interview, or unless DTA has a good reason to require you to come to the office in person.

DTA also schedules an interview for most case reviews (recertifications). 106 C.M.R. § 366.320(B). However, in September 2009, DTA received permission from USDA to waive the interview for elder or disabled households who have no earned income and who submit a timely recertification form with verifications. See **Question 70** for more information on waived interviews in these situations.

### Scheduling the interview

DTA is supposed to try to contact you by telephone within *two* days of the day that your application received to screen you for emergency benefits (see **Question 9**), and schedule an interview. If a social services agency helped you fill out a paper or on-line application and is listed on the application as an authorized helping agency or emergency contact, 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 by telephone. 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.

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### What happens during the interview

During the interview, the DTA worker is supposed to confirm the information you gave on your application, discuss any information other government databases, and tell you what proofs or verifications you need to provide. If you are subject to a work requirement, the worker will discuss this with you. During the interview, the worker will also explain your rights and responsibilities.

If you need emergency (expedited) food stamp/SNAP benefits, the worker should screen you on the first contact (in person or by phone), even if he or she cannot do a full interview at the same time. See **Question 9**.

In addition to the worker asking you for information, the interview is a chance for you to ask questions about the food stamp/SNAP 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 that the information you provide is private and not shared outside DTA unless you give written permission. 106 C.M.R. §§ 361.550, 360.300. If you need help getting verification or you need to know the different types of documents that are acceptable, you have a right to ask the worker at any time including during the 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 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 on Interviews:*** • Elimination of face-to-face interview unless requested by household or required due to questionable information. F.O. Memo 2009-63 (Nov. 6, 2009) and F.O. Memo 2009-63A (Nov. 23, 2009) • Elimination of interview at recertification for elderly or disabled households. F.O. Memo 2009-64 (Nov. 6, 2009) and F.O. Memo 2009-64A, Nov. 23, 2009) • Clients who cannot be reached by phone should be sent a BEACON-generated appointment letter. Transitions Quality Corner, April, 2009 • Worker must screen for expedited benefits eligibility at first contact with client. F.O. Memo 2006-30 (July 10, 2006) • If mail-in application does not contain a phone number for client, schedule in-office interview. Transitions Hotline Q&A, September 2006 • DTA must send notice of missed interview (NOMI) if

applicant does not show at first interview. Applicant does not need to establish “good cause” to get rescheduled interview. Worker should contact helping agency listed on application if unable to reach client. F.O. Memo 2007-16 (March 15, 2007).

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## What proofs (verifications) do I need?

During your interview, the DTA worker should tell you what proofs you need give or mail you a list of what you need. 106 C.M.R. §§ 361.550, 361.600. You will receive a computer-generated *verification checklist* that tells you the specific proofs and alternate proofs you can provide. DTA should not ask you for proofs you already provided with your application. If you are eligible for expedited benefits, you only need to provide proof of your identity. See **Question 9**.

If you do not have everything, give DTA copies of what you do have. You do not need to provide original documents. If you 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 and don't mail original documents. If you bring documents to DTA, be sure DTA gives you a receipt, makes copies, and gives you back your originals. If you send a fax, keep a copy of the fax receipt. 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 (self-declaration) as proof, 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.

### Required proofs

- 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 unless their identity is questionable, but you do need to provide their social security numbers. 106 C.M.R. § 361.610(G).

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- Proof of *where you live*—for example, a lease, rent release, bank statement, 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 to the area, you are homeless or you are a migrant worker. 106 C.M.R. § 362.120.
- Proof of your *earned 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.
- Proof of *unearned income* can include a copy of a benefit or award letter, copy of a check or payment, direct deposit. DTA can also check certain government data bases (like the Social Security Administration SDX system, or Unemployment Assistance) for information on some types of unearned income.
- 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 they’re elder/disabled households with income over 200% poverty level. See **Question 42**.
- Proof of *immigration status* of anyone in your household who is not a U.S. citizen and who wishes to 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 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

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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 or an official document, but you do have to give DTA 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.

### Optional proofs

For certain deductions, DTA will ask for proofs. If you do not provide these proofs, your benefits cannot be denied. But the amount of your 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, canceled 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 *dependent 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 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, canceled 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

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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, driver's 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 **Question 53**. 106 C.M.R. § 361.610(D).

### ***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.
- ✓ Missing wage information and date of termination from work can often be verified through an internet-based employee verification system, called “The Work Number.” 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
- ✓ 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 help.

***Additional Policy Guidance on Scope of Verifications:*** • 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 as 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 versus 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 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 reapplication. 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 and 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 to workers on handling of returned mail. Worker must try to reach client by phone and additional mail before any negative action taken on case. Client need not provide additional proofs of residence if he/she states s/he 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).

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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

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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**

Under some circumstances, DTA can ask for additional proofs if DTA determines the information or documents you provided is “questionable.” 106 C.M.R. § 361.620. “Questionable” means the 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. 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

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 (for a total of 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 and met the eligibility requirements. You do *not* need to sign a new application. If you think DTA is taking too long to reopen your case, contact an advocate.

If you get a notice telling you that your food stamp/SNAP application was denied for lack of proofs—DTA will reopen your application if you get the missing proofs to DTA within this second 30-day period.

### Reopening an application denied more than 30 days ago

Suppose DTA denied your application and for some reason you did not get the missing proofs in during the second 30-day period following the denial. You should first file a new application for benefits so you can get on food stamps/SNAP quickly. But you *also* have the right to appeal the denial notice to get back benefits to the date you first applied. If you file an appeal within 90 days of the date of the notice *and* bring the missing proofs to the hearing, the hearings officer is required by law to accept these proofs under the *de novo* review rules and approve benefits, assuming you were otherwise eligible. 106 C.M.R. § 343.500(A). You do not need to have a good cause reason for failing to provide the proofs initially. You simply have a right to present the missing proofs at or before the hearing and claim the back benefits. See **Question 82**.

### ***Advocacy Reminders:***

- ✓ 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 hearings officer must accept the proofs under special “de novo” appeal rules. See **Part 6** on Appeal Rights. You should both reapply for benefits *and* consider filing an appeal for the back benefits.

***Additional Policy Guidance on Verifications:*** • Detailed guidance to workers on “negative case errors” instructing workers that food stamp case can

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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, p. 9 • Case denied for failure to provide verification must be *reopened* if missing verification is received within 60 days of date of initial application. Worker cannot require household to file a new application. Worker *cannot deny* FS/SNAP application for lack of verification of an income deduction (i.e., shelter costs, medical expenses, child support paid), but household may get lower benefit without verification. F.O. Memo 2006-20 (April 21, 2006) • DTA confirms USDA guidance that original documents are not required. Photocopies and faxed documents are acceptable. Transitions Hotline Q&A, June 2005 • Workers should assist with obtaining verifications for clients having difficulties, should inform clients of alternate verifications, and must not deny an application for failure to provide optional verifications for a deduction. Transitions FYI, June 2005 • Workers cannot limit verifications 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 reports no changes in semi-annual report (e.g., no changes in household composition, shelter costs, etc.) is not required to re-verify eligibility factors that have not changed. Transitions Hotline Q&A (Nov. 2005), F.O. Memo 2007-39 (July 13, 2007) • If client is having difficulty getting verification from third party, DTA worker must offer to assist through collateral contact. F.O. Memo 2005-49 (Oct. 3, 2005).

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# 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*

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- your rent (or mortgage) plus the utilities (using the Standard Utility Allowance for your household) 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.

If you meet one of these criteria, you only need to provide proof of identity (who you are) to get your first month of benefits. If you do not 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 (SSN) is also sufficient proof of identity if DTA is able to confirm it through the State Verification and Exchange System (SVES). To get food stamp/SNAP benefits for more than one month, you will have to provide proofs of all the other eligibility factors. 106 C.M.R. § 365.850(B). See **Question 7**.

Expedited food stamps/SNAP are *not extra* benefits—they are just a way to get you your first month's benefits faster. The *amount* you get in expedited food stamp/SNAP benefits is based on the income you received or anticipate receiving in the month of application, even if the income is from a terminated source, such as the last paycheck from your former employer. 106 C.M.R. § 365.840. Regular ongoing food stamp/SNAP benefits do not count income from a terminated source.

### ***Advocacy Reminder:***

- ✓ If you need expedited food stamps/SNAP right away, it may be best to apply in person at the local DTA office. 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. If you go to the DTA office in person, you must be screened that same day. If you cannot go to DTA, be sure to give enough phone numbers on your application for DTA to reach you (including helping agencies that can reach you).

***Additional Policy Guidance on Expedited Benefits:*** • Even though asset test is eliminated for most “categorically eligible” households under 200% FPL, to qualify for expedited, the household must report amount of *liquid assets* to qualify for expedited. Transitions Hotline Q&A, July 2008 • Expedited benefits should not 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 • See

also BEACON User's Guide, Ch. IV-A, pp. 9-10, on DTA workers screening for expedited and calculation of income in month of application.

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## 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**.

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## 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 a 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 call 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.

***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 law also 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](http://www.lep.gov) and [www.usdoj.gov/crt/cor](http://www.usdoj.gov/crt/cor).
- ✓ For food stamp/SNAP information in 35 languages, see [www.fns.usda.gov/fsp/outreach/translations.htm](http://www.fns.usda.gov/fsp/outreach/translations.htm).

***Additional Policy Guidance on Interpreter Requirements: •***

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 bilingual staff is not available. No need for supervisory sign-off to access language line, and workers should use three-way calling with phone clients (not require them to come in). DTA cannot turn a client away or tell them to come back due to a 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).

# 12

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

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 on ADA:* • 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 2009-7 (Feb. 12, 2009).

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## 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.

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

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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. As of this writing (January 2010), DTA is upgrading the current BEACON system with more changes, and will likely have a new BEACON User's Guide or other instructions that will be important for advocates.

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**.