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**United States
Department of
Agriculture**

Food and
Nutrition
Service

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Alexandria, VA
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SUBJECT: Questions and Answers on Online Applications

TO: Regional Directors
Supplemental Nutrition Assistance Program
All Regions

This memorandum provides questions and answers about State online application compliance with Supplemental Nutrition Assistance Program (SNAP) regulations. The attachment gives clarification about compliance issues emphasized in the Online Application Review Results and Action Items memorandum issued December 17, 2010.

State online applications can increase program access by providing more flexibility for households interested in applying for SNAP. The intent of the review was to identify and resolve regulatory compliance issues present in many online applications that create barriers for applicants. We hope this memo addresses questions State agencies may have as they work to correct application deficiencies following the stipulations of the online application memo.

We thank you for your efforts to improve program access by working with your States to bring their applications in to compliance with SNAP regulations.

If you have any additional questions, please contact Stephanie Davis at Stephanie.Davis@fns.usda.gov.

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Director
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Attachment

AN EQUAL OPPORTUNITY

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Questions and Answers

Question 1: Can States require a client to provide an e-mail address when applying online?

Answer: No, States cannot require a client to provide an e-mail address when applying online. As States are increasingly interested in communicating with clients by e-mail, it may be advantageous for them to ask applicants to provide an e-mail address. At this time, most clients still receive SNAP related notices by traditional mail. While some clients do have the option to receive electronic notices, it is not a requirement and for that reason, it would not be appropriate to require them to obtain an e-mail address to initiate an application. A mandatory e-mail imposes an additional condition of eligibility. Therefore, it is important that it is clear on the application that providing an email address is optional.

Question 2: Can information required on the application form be posted on the State's website in order to satisfy this requirement?

Answer: No, having the information on the State's website is not a substitute for having it on the application. However, clearly labeled buttons within the application that link directly to the subject information would also fulfill this requirement. As State web sites can and often do contain a great deal of information about many services, a specific sentence about required notices could easily be missed by the client once they begin the application process. Including required information on the application or providing a clearly labeled link to the material on the application ensures that clients are provided with the facts they need to make informed decisions during the application process.

Question 3: What non-discrimination statement is acceptable to use on the online application?

Answer: There are two approved non-discrimination statements; one for use in SNAP only applications and a second for use with joint applications for SNAP and other public assistance programs administered by the Department of Health and Human Services. The wording for these statements is in FNS Handbook 113-1(Civil Rights Compliance and Enforcement – Nutrition Programs and Activities). State agencies should use the appropriate statement in this handbook or any subsequent guidance received by FNS concerning the proper non-discrimination statement.

Please note that these non-discrimination statements are subject to change as the FNS Office of Civil Rights has indicated that USDA Departmental Policy staff is currently reviewing and updating the non-discrimination policy statement that includes the filing address, contact phone numbers and Federal Relay Service number.

Question 4: For online applications, what meets the definition of “on or near the 1st page” of the application?

Answer: FNS considers the first screen after clicking the link to launch the online application to be the first page of the application. Since instructions are necessary for online applications, it is acceptable if there are a minimal number of screens providing instructions after the client launches the application but prior to fields and information that SNAP regulations require to be on the first page of the application, like name, address and signature.

Question 5: When does FNS expect States to correct all online application deficiencies?

Answer: FNS has given States 90 days from the date the revised online application memo was issued to either correct deficiencies in their online applications or to submit a corrective action plan that includes a timeline and details on how they plan to correct application deficiencies. Corrective action plans will be approved by FNS regional offices. While FNS is aware that in some situations the difficulty of changing the State system may require more time than in other States, it is imperative to conform to the regulations as expeditiously as possible. In some cases where changes to the system cannot be made easily, it may necessary to provide an interim solution that addresses application shortcomings.

Question 6: Does the State application or website need to indicate what sort of verification documents may be required?

Answer: Regulations at 7CFR 273.2(c)(5) state that “The State agency shall provide each household at the time of application for certification and recertification with a notice that informs the household of the verification requirements the household must meet as part of the application process.” State agencies must inform clients of verification requirements at the time of application. However, a State agency is not required to have this information on the application. The State agency may provide a notice to applicants after the applicant completes the application or provide the information on its website. A notice after the applicant completes the application or on the State’s website that the applicant will see before beginning the application would also be acceptable.

Question 7: Must each page of a State's web application provide a button to allow submittal of the application at any point of completion? Or would it be sufficient to only have a submit button at the beginning of the application (where the client enters name, address and signature)?

Answer: A State agency must provide the clients with an opportunity to submit an application at any point after providing their name, address and signature, the minimum information required to submit an application pursuant Section 11 (e)(2)(B)(iii) of the Food and Nutrition Act of 2008. State online applications cannot require clients who choose to continue with the application after providing name, address and signature to answer additional questions and must clearly give clients the ability to submit the application with as much or as little additional information as they choose to provide.

Question 8: Can a State require two signatures - one signature on or near the front page to begin the application process and one elsewhere to attest to information on the application or can only one signature be required?

Answer: Yes, a State can require two signatures on its application. Regulations at 273.2(b)(1)(iv) require that applications include a place on the front page of the application where the applicant can write his/her name, address and signature and regulations at 273.2(b)(1)(iii) require that applications include a statement to be signed by one adult household member which certifies, under penalty of perjury, the truth of the information contained in the application, including the information concerning citizenship and alien status of the members applying for benefits. There is no provision in SNAP regulations that would prohibit an application from requiring separate signatures to meet these regulatory requirements. Past guidance issued by FNS regarding paper applications has established that States can allow clients to file a brief application with minimal information to set a filing date and then require the client to sign a statement attesting to additional information provided during the client's certification/recertification interview in order to complete the application form.