



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

DATE: December 19, 2017

SUBJECT: Revised Non-Merit System Personnel Guidance for Call Centers

TO: All Regional Directors
Supplemental Nutrition Assistance Program

As part of the U.S. Department of Agriculture's (USDA's) effort to increase cooperation with States to improve customer service, I would like to inform you about new flexibilities within the Supplemental Nutrition Assistance Program (SNAP) to assist in streamlining program administration within call centers. As you know, many States are moving toward greater integration among human service programs and are looking for better ways to merge their operations across programs to improve administrative efficiency and customer service. USDA's Food and Nutrition Service (FNS) supports these innovative approaches.

SNAP is unique among Federal programs in that the law requires States to use merit system personnel to certify applicant households. Specifically, the Food and Nutrition Act of 2008, as amended, and SNAP regulations require SNAP certification interviews and eligibility determinations to be conducted by State merit system personnel. FNS guidance released in recent years has further clarified the specific functions reserved for merit and non-merit system personnel. For instance, previous guidance has permitted States to use contractor staff, with FNS approval, for a limited set of functions related to SNAP participant contact like providing applicants or participants with general program information, office locations and referrals.

Consistent with USDA's efforts to increase State flexibility within the bounds of the law, FNS is expanding allowable activities for States seeking to use non-merit system personnel in call centers. With FNS approval, States may now use non-merit personnel to provide basic case-specific information that is readily available in the system to a SNAP applicant or participant, such as application or case status, benefit issuance date, and status of submitted verifications. States have indicated this flexibility will provide improved customer service, reduce applicant and participant wait times, decrease workload on merit personnel staff, and allow for better coordination across multiple human service programs.

Accordingly, we are issuing a revised SNAP Call Center Support Policy, a copy of which is attached to this document. Please note that States must continue to request FNS approval to use non-merit system personnel in any of the indicated capacities. As before, States have the flexibility to use contractor staff for activities that do not involve SNAP participant contact, such as data entry and scanning without requesting FNS approval.

USDA is an Equal Opportunity Provider, Employer and Lender

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

All Regional Directors
Page 2

Please note that, as before, contractor staff will not be allowed to alter a SNAP applicant or participant's case status or make any case changes, regardless if the contractor is working in a call center or in some other role. In addition, the SNAP interview and eligibility determination remain a merit system personnel responsibility, consistent with statute and regulation.

FNS would also like to remind States that, under the recently implemented Major Changes Rule at 7 CFR 272.15, the implementation of a call center or changes in the use of merit system personnel are considered by FNS to be a major change in program design. Pursuant to the rule, States are to inform FNS of an anticipated major change 120 days prior to its implementation.

FNS looks forward to reviewing any requests from States and working to ensure that our programs are run in the most efficient manner while maintaining a high level of customer service for SNAP households. Regional Offices should contact Mary Rose Conroy (maryrose.conroy@fns.usda.gov) with any questions about this memorandum.

Sincerely,

/s/ original signed

Lizbeth Silbermann
Program Development Division
Supplemental Nutrition Assistance Program

Attachment

Policy Statement for Call or Contact Centers

Policy Statement for Call or Contact Centers

Current statute and Federal regulations restrict Supplemental Nutrition Assistant Program (SNAP) certification interviews and final decision on eligibility determination to State merit system personnel. Recent Federal guidance further restricts tasks that involve any substantive client contact to merit system personnel. States may seek approval from FNS to use vendor/private staff to interact with SNAP applicants or participants in a limited capacity (see chart below). States who use non-merit system personnel to interact with SNAP applicants or participants without required FNS approval may risk losing Federal funding to support State SNAP operations.

SNAP intake and certification functions

Merit System Personnel Only

The following functions are reserved for State merit system personnel only

- Interviews
- Determining Eligibility Screening for Eligibility
- Handling Client Appeals Regarding Case Eligibility/Benefits
- Handling Client Complaints Regarding Case Eligibility/Benefits
- Providing Application Assistance
- Pursuing Missing Information
- Answer client questions about missing information
- Recording Client Information or Accepting Reported Changes (that requires client contact)

Vendor/Private Staff with Approval

The following functions are reserved for merit system personnel but may be performed by vendor/private staff with prior FNS approval. Approval is on a case-by-case basis.

- Handling Complaints (Non-case specific)
 - "Wait time is too long"
 - "I want a new case worker"
- Taking Requests to replace Forms or Letters
- Providing General Information such as
 - Office Location
 - Contact Details
 - How to Receive an Application
- Providing General Program Information
- Provide Locations and Referrals

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

- Responding to Requests for Blank Applications
- Scheduling and Rescheduling of Appointments
- Provide the following read-only information from the system:
 - Case Status
 - Application Status
 - Receipt of Documentation
 - Benefit amount and date
 - Case denial reason

Vendor/Private Staff

*The following functions can be performed by non-merit system personnel and **do not** require FNS approval*

- Data Entry (that does not require client contact)
- Document Scanning
- Data Matching (that does not include follow-up with SNAP applicants or participants)
- Ancillary Support (i.e. building security, maintenance, technology support)

Seeking FNS Approval to use Vendor/Private Staff to Interact with SNAP Applicants or Participants

On a case-by-case basis, FNS may approve a State's request to use vendor/private staff to interact with SNAP applicants or participants in a call or contact center. To seek FNS approval, State's must submit a formal request in writing to their FNS Regional Office. The State's request should include answers to the following questions*.

- Identify and describe, in detail, the specific function(s) vendor/private staff will perform.
- Provide the rationale/justification for hiring vendor/private staff instead of merit system.
- How many vendor/private staff will be working on the SNAP?
- Will the use of vendor/private staff result in a reduction in the number of merit staff working on the SNAP?
- Describe, if applicable, the mechanism by which client calls will be transferred from the vendor call center to merit system personnel if case specific questions arise. Describe measures the State will take to ensure customer service (e.g. call consistency) is maintained.
- Through what organizational structure will the vendor/private staff be employed (i.e. State, temporary staffing agency, contractor, etc.)?
- How long does the State expect to use the vendor/private staff?
- What level of expertise and/or training will the vendor/private staff have?
- Describe State oversight and supervision the vendor/private staff will receive. What metrics will the State use to monitor vendor/private staff performance? If performance of the vendor/private staff is less than satisfactory, what action(s) can the State take?

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

- What risks to customer service or SNAP program performance does the proposed use of vendor/private staffs create?
- How will the vendor/private staff be funded?

As each State's purpose for using vendor/private staff varies, additional information will likely be requested by the Regional Office after the initial formal request is submitted by the State.

Please note that the implementation of a call center, as well as any change in the functions or responsibilities currently assigned to State agency merit personnel, is considered a major change under 7 CFR 272.15. States are required to submit a Major Changes Notification at least 120 days prior to implementing a major change. FNS will review the submission and, if the change is considered to be a major change under the rule, respond with the State's necessary reporting requirements.

**These questions are subject to change*