



Food and
Nutrition
Service

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MAY 29 2014

SUBJECT: Best Practices in Developing Effective Supplemental Nutrition Assistance Program Client Notices

TO: All Regional Directors
Supplemental Nutrition Assistance Program

The purpose of this memorandum is to provide Regional Offices and State agencies with information that can help them examine and revise client notices of denial and termination to improve Supplemental Nutrition Assistance Program (SNAP) customer service and program access. In addition to improved service to SNAP households, adherence to these best practices may also result in reduced errors associated with the quality control (QC) review of Case and Procedural Error Rate (CAPER) cases.

Background

Beginning in Fiscal Year (FY) 2012, the review of negative cases, now referred to as CAPER cases, was expanded. One significant area of this expanded effort was a review of denial and adverse action notices. Based upon FY 2012 and FY 2013 cases completed to-date, almost 25 percent of State agency CAPER error rates are traceable to problems with notices. The main notice related problems are (1) no notice being sent, (2) incorrect information in the notice, (3) unclear notices, and (4) incomplete notices. A previous review of State agency notices revealed that notices vary significantly from State to State in the amount of detail and information provided.

The Food and Nutrition Service (FNS) has undertaken a review of State notices to develop a series of recommendations and best practices regarding notices. In an effort to provide complete information to clients, some States have created very detailed notices. In certain specific cases, States have expanded the content of their notices in response to lawsuits. However, in general, FNS has found that simpler notices are less susceptible to error and easier to understand, promoting both good customer service and potentially reducing error rates. Based on our findings, we believe the majority of clients will be able to understand basic, clear notices and be more satisfied with them.

Below is a summary of notice requirements and best practices that we believe will serve to enhance customer service and reduce unnecessary case actions and appeals due to unclear information.

Notice Requirements

Per 7 CFR 273.13(a)(2), all Notices of Adverse Action (NOAAs) are required to explain in easily understandable language:

- The proposed action;
- The reason for the proposed action;
- The household's right to request a fair hearing;
- The telephone number of the SNAP office (toll-free number or a number where collect calls will be accepted for households outside the local calling area);
- If possible, the name of the person to contact for additional information;
- The availability of continued benefits;
- The liability of the household for any over issuances received while awaiting a fair hearing if the hearing official's decision is adverse to the household; and
- If there is an individual or organization available that provides free legal representation information for the household on the availability of the service.

Additional SNAP regulatory requirements regarding notices, including notices of denial, can be found at 7 CFR 273.10(g).

Recommendations and Best Practices

FNS has identified a variety of recommendations and best practices for State notices. (Note: We recognize that in some cases States are held to a settlement agreement which may dictate some of the notice content.)

States should:

- Enter case specific information (not codes), so that clients understand how the notice applies to their individual case and household circumstances.
- Write notices in plain language. Generally, language is easiest to understand when written at, or below, a 6th grade reading level.
- List the proposed action at the beginning of the notice, if possible. By placing the most important information first, clients can easily determine why they are receiving a notice.
- Provide fully translated notices when applicable. Notices that have been partially translated, or not translated at all, do not provide clients with limited English proficiency with a full and accurate picture of the action taken on their case and the reason for that action.
- Include a language line for translation services in a variety of languages.

States should not include:

- State or Federal regulatory citations. Providing citations without offering an explanation does not help clients understand the reason for the negative action on their case. In addition, citations can be mistyped easily, which may result in an error if the case is pulled for QC review.
- A list of potential reasons for the denial or termination without specifying which reason applies to the household's case. For example stating that the household is over the gross income limit or the net income limit may be confusing to clients, as it does not specify which limit the client has exceeded. It would be better to either state that the client is over the SNAP income limit or to specify which limit the client has exceeded.
- The detailed calculation for the income eligibility test. Listing the entire calculation is error-prone and, given the complicated nature of the formula and number of steps involved, may make the notice more difficult for the client to understand.
- Pre-populated items in notices. Using codes or general terms to populate a standard notice increases errors and decreases a client's ability to understand the notice.
- P.O. Boxes as contact addresses for local offices.

Regional Offices (ROs) Opportunities to Work with States to Improve Notices

- Review notices for clarity and discuss with State.
- Review the State instructions to State workers regarding notices.
- Review system procedures that ensure that notices are sent timely.
- Disseminate information, specifically issues with notices, should be disseminated to both State QC and State program staff.
- Facilitate communication between State QC and State program staff. ROs should coordinate meetings, which will include staff from both QC and policy divisions/branches who will work together to develop corrective actions related to notices.
- Help States identify corrective actions and the potential for redesigning notices as appropriate.
- Encourage States to reach out to and work with advocacy groups in any redesign efforts.
- Ask States for corrective action plans as appropriate (this may involve some reprogramming and redesign of notices).

Additional Guidance

As part of our efforts to provide ongoing technical assistance on client notices, FNS has entered into a contract to provide recommendations for the development and modification of State notices of denial and termination for SNAP. The vendor is conducting an in-depth analysis of client notices, using a comprehensive evaluation tool developed in conjunction with FNS, and examples of notices from each State. They will use that analysis to develop comprehensive guidance and additional best practices. FNS intends this guidance to assist States in performing a self-assessment of their notices, equipping them with the tools they need to design notices that meet both legal requirements and client needs.

We look forward to sharing this additional guidance with you and working together to support our State partners in their continuing efforts to improve SNAP administration. If you have any questions, please contact Elizabeth Weber at elizabeth.weber@fns.usda.gov.



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