



Food and
Nutrition
Service

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DATE: January 17, 2024

SUBJECT: Reporting Expectations for the Certifications Section of the FNS-366B: Questions and Answers

TO: All SNAP State Agencies
All Regions

This guidance clarifies reporting expectations for the Certifications Section (Section C; lines 3-6b) of the Program and Budget Summary Statement, Part B - Program Activity Statement (FNS-366B). This guidance replaces the previously issued guidance entitled Clarifications for Reporting on the Certification Section of the FNS-366B, dated January 11, 2017.

The Certifications Section of the FNS-366B is used to track the number of initial and recertification applications approved or denied by the State agency in the specified reporting quarter, as well as the number of applications that were approved overdue by 1 to 90 or more days. The FNS-366B is one of three ways in which the Food and Nutrition Service (FNS) monitors State timeliness and can be an early indication of States with emerging backlog problems.

FNS is reissuing this memo to address questions regarding completion of the FNS-366B Certification Section—for example, on the treatment of applications filed within 30 days of the end of a certification period. Additionally, FNS revised the FNS-366B in 2023 to add a separate field for States to report on expedited services at recertification. Accordingly, FNS is using this opportunity to clarify and affirm the treatment of applications filed within 30 days of the end of a certification period as well as to clarify the definition of “overdue” for recertification applications.

All certification actions occurring in the specified reporting quarter should continue to be aggregated on the FNS-366B and reported to FNS within 1 month of the end of the reporting quarter.

States are expected to follow the guidance in this memo no later than fiscal year (FY) 2024, quarter one submission. States should also continue to refer to the [Form Instructions](#) when completing the FNS-366B.

For instructions on how FNS measures initial application processing timeliness (APT) and recertification application processing timeliness (RAPT) for Quality Control (QC), please refer to the [Form FNS 380-1](#) Instructions.

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State agencies with questions should contact their respective Regional Office representatives.

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Enclosure

FNS-366B Certifications Question and Answer Memorandum

The following question and answers pertain to the Certification Section of the FNS-366B (section C; lines 3-6b). These Q&As supersede the guidance issued January 11, 2017.

A. General

1. What is considered an overdue approval for the purpose of the FNS-366B?

For the purposes of the certification section on the FNS-366B, an overdue initial or recertification application is based on the decision to approve in relation to the date of application without regard for the availability of benefits.

Initial Applications

An initial application is considered overdue if the decision to approve the case is made more than 30 days from the date of application. Initial expedited applications are considered overdue if a decision to approve the case is made more than 7 days from the date of application.

Recertification Applications

- A recertification application received by the 15th day of the last month of the expiring certification period is considered overdue if the decision to approve is made after the end of the certification period.
- For a recertification application received between the 16th and last day of the last month of the expiring certification period, refer to State policy to determine the definition of overdue.
- An application received within 30 days of the end of the certification period is an application for recertification and is considered overdue if the decision to approve is made more than 30 days from the date of application or the decision to approve expedited services is made more than 7 days from the date of application. See question 12 for more information.

FNS recognizes that the definition of “overdue” as used for the FNS-366B differs from that used for application processing timeliness (APT) and recertification application processing timeliness (RAPT) in Quality Control (QC). See question 14 for a greater discussion of the differences between overdue applications on the FNS-366B and untimely processed applications in QC.

2. Are the day ranges in columns (d) - (g) referring to processing days or the number of days an approval is overdue?

The day ranges in columns (d) - (g) refer to the number of days an approval is overdue. Count applications in columns (d) - (g) if a decision to approve is made beyond the timely application processing standards stated in question 1. Do not count overdue applications in columns (d) - (g) based on the total number of processing days. Only count applications in columns (d) - (g) based on the number of days the application was overdue when approved.

For instance, if a regular initial application is approved 36 days after the date of application, then this application is 6 days overdue. Record the application in line 3, column (d) because 6 days falls in between 1-30 days overdue.

3. Does a State need to include overdue approved applications on the FNS-366B if the reason the approvals are overdue is because of a client-caused error?

Yes. All approved applications that are overdue are counted in columns (d) - (g) even if the reason the application was overdue is because of a client caused error.

4. How should expedited applications be counted on the FNS-366B?

Count expedited initial applications with all initial applications in line 3 and also separated out on their own and counted in line 6a. Likewise, count expedited recertification applications with all recertification applications in line 4 and also separated out on their own and counted in line 6b. Expedited applications will only be counted once in the "Total" row (line 5), as the "Total" row is a sum of lines 3 and 4 above it.

B. Initial Certification

5. How should an initial application that was pended and later approved be counted on the FNS-366B?

Count initial applications that are pended, including pending for missing verification, on the FNS-366B when a decision is made on the application (i.e. approve or deny in columns (a) and (b)) in accordance with processing standards in 7 CFR 273.2(g). Also count these applications in columns (d) - (g) if they were approved, and the number of days from the date of application to the date of approval exceeding the timeframe for timely application processing (i.e. 30 days for regular applications and 7 days for expedited applications).

6. How should an initial application be counted on the FNS-366B if the application was denied because the client failed to take a required action, but the client then takes the required action within 60 days of the date of application? For these households, there will be two certification actions on the same application in the same quarter.

The State should report the latest action in the reporting quarter on the FNS-366B (e.g. approvals). The State should not count the initial action on the FNS-366B (e.g. the denials). If the application was approved overdue (i.e. 30 days for regular applications and 7 days for expedited applications), record the number of days overdue in the appropriate column (line 3, columns (d)-(g)).

- 7. The regulations 7 CFR 273.10(a)(3) allow for a special handling of applications where the household is not eligible for benefits in the application month but will be eligible for benefits in the subsequent month because of anticipated changes in household circumstances. These households are to be denied benefits for the application month but approved for benefits in the subsequent month using the same application. How should a State count a household on the FNS-366B that is processed in accordance with 7 CFR 273.10(a)(3)?**

The State should report the latest action in the reporting quarter on the FNS-366B (e.g. approvals). The State should not count the initial action on the FNS-366B (e.g. the denials).

States shall only count these applications in columns (d) - (g) if the decision to approve the application is made more than 30 days from the date of application. For instance, an application is submitted May 2. On May 7 a decision is made to deny the application for the application month (May), but to approve the application for the subsequent month (June). Benefits are issued June 14. Even though benefits were issued more than 30 days from the date of application, for the purposes of the FNS-366B, this application would be counted as timely since the decision to approve the application was made within 30 days of the date of application.

- 8. How should an initial application be counted on the FNS-366B if the application was denied, but later re-opened after a fair hearing determined the application had been improperly denied? How should these applications be treated if the initial denial and later re-opening occurred in the same reporting quarter, or in two different reporting quarters?**

If the two actions on the application occurred in the same reporting period, the State should report the latest action on the FNS-366B (e.g. approvals). The State should not count the initial action on the FNS-366B (e.g. the denials). If the two actions occurred in different reporting periods, record each separate action in their respective reporting quarter (e.g. denied in the first quarter; approved in the second quarter). If the eventual approval decision was overdue (i.e. 30 days for regular applications and 7 days for expedited applications), record the number of days overdue in the appropriate column (line 3, columns (d)-(g)).

C. Recertification

- 9. How should an application be counted on the FNS-366B if the application was denied because the client missed the interview, but then approved when the client completed the interview before the end of their certification period? For these households, there will be two certification actions on the same application in the same quarter.**

The State should report the latest action in the reporting quarter on the FNS-366B (e.g. approvals). If the application was approved overdue (see question 1), record the number of days overdue in the appropriate column (line 4, columns (d) - (g)).

10. How should an application be counted on the FNS-366B if the application was denied because the client failed to take a recertification action (e.g. failed to turn in verification documentation), but then approved when the client took the required action? For these households, there will be two certification actions on the same application in the same quarter.

The State should report the latest action in the reporting quarter on the FNS-366B (e.g. approvals). If the application was approved overdue (see question 1), record the number of days overdue in the appropriate column (line 4, columns (d) - (g)).

11. How should an application be counted on the FNS-366B if the application was denied in one quarter because the client failed to take a recertification action, but approved in the second quarter when the client took the required action? For instance, if an application is due for recertification in December and the client fails to take a required action, then the application is denied in December. In January (the start of a new quarter) the client takes the required action, so the application reopens, and the client is recertified. The State would have already reported in the first quarter that the recertification was denied, should the State then record in the second quarter that the application was approved for recertification?

The State should report both actions on the FNS-366B in the respective quarters (e.g. denied in the first quarter and approved in the second quarter). The Food and Nutrition Service (FNS) understands that this will result in some double counting of applications; however, FNS is balancing this concern with the need to find a solution that is also administratively efficient. If the application was approved overdue (see question 1), record the number of days overdue in the appropriate column (line 4, columns (d) - (g)).

12. How should a recertification application be counted on the FNS-366B if the application is filed within 30 days from the end of the certification period?

The answer to this question first requires a review of conflicting regulations about how to treat a recertification application filed within 30 days from the end of the certification period. Regulations at 7 CFR 273.14(e)(3) state “If a household files an application within 30 days after the end of the certification period, the application shall be considered an application for recertification...”. However, regulations at 7 CFR 273.10(a)(2) states “If a household, other than a migrant or seasonal farmworker household, submits an application after the household's certification period has expired, that application shall be considered an initial application...”

The regulation at 7 CFR 273.14(e)(3) was issued as part of a final rule in November 2000, but this rule failed to update the regulation at 7 CFR 273.10(a)(2).

The Recertification Toolkit released June 2018, pages 9-10, clarified that States should count an application received within 30 days of the end of the certification period as a recertification, not an initial application. Count the application in line 4. If the application was approved overdue (see question 1), record the number of days overdue in the appropriate column (line 4, columns (d) - (g)). Also count the application in line 6b if approved for expedited services. If approved overdue for expedited services, record the number of days overdue in the appropriate column (line 6b, columns (d) - (g)).

13. If a State has a reinstatement waiver, how should households whose certification was reinstated be counted on the FNS-366B?

The reinstatement waiver is used to reinstate households in SNAP during their certification period. For instance, if a household fails to respond to a Request for Contact (RFC), the household's case will be closed. However, in a State with the waiver, if the household responds within 30 days (or less, if the State specifies a shorter reinstatement period in their waiver) and provides the needed information, the household can be reinstated without a new application. Since this action occurs during a certification period and there is not a new application, this situation would not be captured on the FNS-366B. Any reinstatements that occur as a result of the reinstatement waiver during the certification period (i.e. not during the recertification process) shall not be counted on the FNS-366B as an approval, denial, or overdue application.

D. Quality Control reviews of timeliness

14. How does data entered on the FNS-366B differ from the data collected during a QC review of timeliness?

The APT and RAPT rates calculated from data collected during QC reviews differs from the data counted on the FNS-366B in several ways:

- The data used to calculate the APT and RAPT rates are from a sample of cases, so it is possible to drop certain cases if they do not meet inclusion criteria. For instance, the APT rate does not include applications that are pended for missing verification; however, as noted above these applications are included on the FNS-366B. The data recorded on the FNS-366B is meant to represent the entire universe of applications processed in a quarter, and so, to the greatest extent possible, FNS does not want States to drop applications from the FNS-366B.
- The data used to calculate the APT and RAPT rates come from case file reviews where reviewers are able to capture many application processing details. These same factors may not be available when collating data for all applications processed in a given quarter from the State eligibility system as is needed for the FNS-366B.

- An initial application is considered to have been untimely processed for QC if the household does not have an opportunity to participate 30 days from the date of application (or 7 days for an expedited application). While a recertification application is considered to have been untimely processed for QC if benefits are not available by the household's normal issuance date. For the FNS-366B, an overdue initial or recertification application is based on the decision to approve in relation to the date of application without regard for the availability of benefits. See question 1 for the FNS-366B definition of overdue for initial and recertification applications.
- Data on the FNS-366B is a general tool used to monitor State performance.