



Food and
Nutrition
Service

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Center

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SUBJECT: State Agency Requirements for Required and Missing Verification for Regular Initial Applications

DATE: June 28, 2017

TO: Regional Directors
Supplemental Nutrition Assistance Program
All Regions

The Food and Nutrition Service (FNS) has received several inquiries about how State agencies are required to inform households about required and missing verification and how this interacts with other Supplemental Nutrition Assistance Program (SNAP) requirements, including whether a State may close a case on the 30th day following application. This memorandum describes how State agencies should inform households about required and missing verification at the time of initial application. Please note this memo only applies to initial applications that are subject to the regular 30-day processing requirements, not those eligible for expedited service.

Notice of Required Verification

At the time of initial application, State agencies are required under 7 CFR 273.2(c)(5) to provide households with a Notice of Required Verification that describes the SNAP verification requirements. The Notice of Required Verification informs households, in clear and simple language, of the verification requirements the household must meet as part of the application process, including examples of the types of documents the household should provide and an explanation of the time period the documents should cover. Additionally, the notice must inform the household of the State agency's responsibility to assist the household in obtaining required verification.

States can choose to use a universal notice that outlines all accepted types of verification or a specific notice that outlines which pieces of information are required. The 2014 Guide to Improving Notices of Adverse Action, available on the FNS website and PartnerWeb, has a sample universal Notice of Required Verification. FNS recommends that State agencies review the Guide and determine whether they wish to develop a similar general notice or a notice that reflects specific household circumstances. FNS expects State agencies to inform their respective FNS Regional Offices of the choices States have made in how they provide the Notice of Required Verification to households.

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Request for Particular Missing Verification

After a State agency issues a Notice of Required Verification, if a household fails to provide all verification necessary for an eligibility determination, the State agency is required under section 273.2(h)(1)(i)(C) to request the particular verification that is still missing and to give the household at least 10 days to provide the specific missing verification. While a State agency has flexibility in how it requests this information, a best practice would be to provide households with a written notice that lists each missing document that the State agency needs to verify the household's circumstances, the amount of time an applicant has to provide the information, where to send the information, and the consequences of not providing the verification timely.

It is important to note that even if a State agency provided a household with a specific, tailored Notice of Required Verification at the time of application, the State agency is still required to request particular missing verification if the household has not provided all verification necessary for eligibility to be determined. Furthermore, the State agency must allow the household 10 days from the date the request is made to provide the particular missing verification.

Action on Cases on 30th Day after Application Filing

Confusion has arisen over whether a State may deny an application on the 30th day following application, even if 10 days have not passed since the State requested missing verification from the household.

In the case of a State agency-caused processing delay, the State must allow the household 10 days from the date of the request to provide the specified missing verification, regardless of whether the 10 days will occur within or extend beyond the 30-day application processing standard. Under section 273.2(h)(3)(i), the State agency shall not deny the application on the 30th day in these situations but must take immediate corrective action and pend the application. In the case of missing verification, the State agency also has the option of pending the application for only 30 days from the date of the request.

In the case of a household-caused processing delay, section 273.2(h)(2)(A) allows the State to either send the household a notice of denial or a notice of pending status on the 30th day after the application is filed. Again, the State agency may choose to pend the application for only 30 days from the date of the request for the specific missing verification. Even if the State closes the case in the 30-day period following the initial 30 days, the State must reopen and process the case if the household takes the required action (e.g., provides the necessary verification). FNS strongly recommends that State agencies pend applications in cases of household-caused delay if the household has not had 10 days from the date of the request for specific missing verification before the end of the 30-day application processing standard. FNS is concerned that some delays identified as household-caused could be partially attributed to the State agency, such as failing to schedule an interview in a timely manner.

Regardless of who is at fault for a delay, a State agency must make every effort to ensure that the household has sufficient time to provide particular missing verification and offer to assist the household in obtaining the verification, while also giving the household the opportunity to participate in SNAP within 30 days of the date the application was filed, per section 273.2(g)(1). However, when a delay is household-caused and the State is not at fault, the household loses its entitlement to benefits in the month of application.

It is important to note that the FNS timeliness measure does not distinguish between household-caused and State agency-caused delays in application processing. Initial applications processed outside of the statutory time period of 7 or 30 days are considered untimely, except for cases that the State agency pends for a household's failure to provide missing verification. Refer to Appendix C (#68) of FNS Handbook 310 for additional coding instructions.

Please distribute this guidance to your State agencies and advise them to contact their respective FNS Regional Offices points of contact with any questions and for technical assistance. FNS Regional Offices should contact Sasha Gersten-Paal at (703) 305-2507 with any questions concerning this memorandum.

A handwritten signature in black ink, appearing to read "Lizbeth Silberman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Lizbeth Silberman
Director
Program Development Division