1-001.06 Policy Interpretation: The policies and procedures presented in the Nebraska Supplemental Nutrition Assistance Program Policy Manual are intended to be a guide for SNAP certification and are broadly written within the limits imposed by the Food Stamp Act and SNAP regulations. It is impossible to write a procedure that will cover every possible circumstance that specific cases may present to the worker.

{Effective 6/28/11}

1-001.07 Prudent Person Principle: The worker needs to assess all circumstances regarding case eligibility and to use good judgment in requiring further verification or information before determining eligibility and benefit level.

1-001.08 Disasters: In case of a major disaster declared by the president, the local office must immediately contact the Central Office for proper forms and instructions.

1-001.09 Parties to a Strike: The local office must not employ persons or organizations involved in a work strike or lockout in any SNAP certification activity. SNAP certification and/or interviews must not be conducted in the work facilities of persons or organizations involved in a strike.

{Effective 6/28/11}

1-002 Program Definitions: The following definitions apply to SNAP:

ABAWD (Able Bodied Adult Without Dependents): An individual age 18 through 49 who lives in a SNAP household without children age 17 or younger.

Accounts Receivable: Overpayment(s) which have been grouped together on the automated system for tracking and collection purposes.

ADC: Aid to Dependent Children Program.

Adequate Notice: A written notice which contains the following:

1. The action the local office has taken or intends to take;
2. The reason for the intended action;
3. The household's right to request a fair hearing;
4. The name of a person to contact for additional information;
5. The availability of continued benefits; and
6. The household's liability for over-issuances received while awaiting a fair hearing decision which is adverse to the household.

Adjustment: An adjustment can be made to an EBT account to correct an auditable, out-of-balance settlement condition that occurs during the redemption process as a result of a system error.

Aggregate Benefit: The second month of a combined allotment. All of the following conditions must be met to be an aggregate benefit:

1. The application month must be expedited;
2. The eligibility for benefits must be determined during the application month;
3. The application date must be the 16th of the month or later; and
4. The household must be eligible for benefits for both the application month and the following month.

Disabled: A household member who is:

1. Receiving Supplemental Security Income (SSI) under Title XVI of the Social Security Act or disability or blindness payments under Titles I, II, X, XIV, or XVI of the Social Security Act;
2. Receiving AABD or State Disability Program benefits;
3. Receiving disability retirement benefits from a government agency because of a disability considered permanent under Section 221(i) of the Social Security Act;
4. A veteran with a disability rated or paid as total under Title 38 of the United States Code or is considered in need of regular aid and attendance or permanently housebound under Title 38 of the Code;
5. A surviving spouse of a veteran and considered in need of aid and attendance or permanently housebound and incapable of self-support under Title 38 of the Code;
6. A surviving child of a veteran and considered to be permanently incapable of self-support under Title 38 of the United States Code;
7. A surviving spouse or child of a veteran receiving or approved for compensation for a service-connected death or pension benefits for a non-service connected death under Title 38 of the Code and has a disability considered permanent under Section 221(i) of the Social Security Act; or
8. Receiving an annuity payment under:
   a. Section 2(a)(1)(iv) of the Railroad Retirement Act and eligible to receive Medicare as determined by the Railroad Retirement Board; or
   b. Section 2(a)(i)(v) of the Railroad Retirement Act and disabled based on criteria used under Title XVI of the Social Security Act.

Note: A person meets the definition of disabled if s/he has been determined disabled by the agencies/laws which are listed. The individual does not have to be receiving a payment from the agency which determined the disability. For example, if a person is certified to receive SSI but is in a suspended status, s/he would be considered disabled for ~~food stamp~~ SNAP purposes.

Disqualified Household Member: A financially responsible individual who purchases and prepares meals with a ~~food stamp~~ SNAP household but is disqualified from participation.

Documentation: The policy of providing or supporting a written reason the worker takes a specific action.

Elderly: A household member who is age 60 or older. This includes people who are age 59 when they apply but who will turn 60 by the last day of the month of application.

Electronic Benefits Transfer (EBT): A system that uses electronic funds transfer and point-of sale technology for the delivery and control of ~~food stamp~~ SNAP benefits.

Electronic Benefits Transfer (EBT) Card: A plastic card, similar to a debit card that holds the ~~food stamp~~ SNAP benefit information. The Nebraska EBT card can be used at Point-of-Sale (POS) machines to buy eligible foods at stores taking part in the EBT program.

Eligible Foods: Any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods or hot food products prepared for immediate consumption. Eligible foods include:

1. Seeds and plants to grow foods for personal consumption by eligible households;
2. Meals prepared and served by an authorized chemical dependency treatment center to eligible households, including the meals of children living with their parents in the treatment center;
3. Meals prepared and delivered by an authorized meal delivery service to eligible households; or meals served by a communal dining facility for elderly persons, for SSI households, or both, who are eligible to use ~~food stamp~~ SNAP benefits for communal dining;
4. Meals prepared and served by a licensed or certified group home facility to residents who are disabled per the ~~Food Stamp Program~~ SNAP definition;
5. Meals prepared by and served by a shelter for battered women and children to its eligible residents;
6. Meals prepared and served by a DHHS-approved and authorized public or private non-profit establishment that serves homeless persons; and
7. In the case of homeless ~~food stamp~~ SNAP households, meals prepared by a restaurant that contracts with the Department to serve meals to homeless persons at low or reduced prices.

Expanded Resource Program (ERP): The ERP provides individuals with information and referrals about various programs and services that could be of benefit to the household. Programs and services about which information and referral is provided include: ACCESSNebraska web services, Child Care Subsidy, Medicaid, ADC, Refugee Resettlement, Energy Assistance, and Developmental Disabilities.

Expungement: The process of removing EBT benefits from a ~~food stamp~~ SNAP recipient's account when there has not been a debit from the account within the last 365 days.

~~Federal Eligible Household Member: An individual who meets all of the eligibility criteria including the alien provision of the Food Stamp Program. Benefits are 100 percent funded by the United States Department of Agriculture (USDA).~~

FNS: The Food and Nutrition Service of the U.S. Department of Agriculture.

General Assistance: Cash or another form of assistance (excluding in-kind assistance) financed by state or local funds as part of a program which provides assistance to cover living expenses or other basic needs intended to promote the health or well-being of recipients.

Good Cause: Circumstances in situations which are beyond the control of the applicant or participant. Good cause as a condition of failure to comply is covered in the specific sections of the manual, where applicable.

Group Home: A public or private non-profit residential setting that serves 16 or fewer residents and is licensed or certified by the appropriate state agency. To be eligible for ~~food stamp~~ SNAP benefits, a resident must be blind or disabled under ~~Food Stamp Program~~ SNAP guidelines. (This is also called a group living arrangement.)

Shelter for Battered Women and Children: A public or private non-profit residential facility that serves battered women and their children. If this facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and children.

Sponsor: An individual who has executed an affidavit of support on behalf of an alien as one of the conditions required for the alien's entry into the United States.

Spouse: Either of two individuals:

1. Who would be defined as married to each other under applicable state laws; or
2. Who are living together and presenting themselves to the community as a husband and wife by representing themselves as married to relatives, friends, neighbors, or townspeople.

State Agency: The Central Office of the Nebraska Department of Health and Human Services.

Staggered Issuance: An issuance cycle which ensures households will receive their benefits on the same day of each month.

~~State Eligible Household Member: An individual who does not meet the citizenship/alien status provisions for the federal Food Stamp Program but does meet the expanded state citizenship/alien provisions will have food stamp benefits issued under the state Food Stamp Program.~~

Suitable Employment: All work is considered suitable unless one of the following situations exists:

1. The wage offered is less than the highest of the three following amounts: the applicable federal minimum wage, the applicable state minimum wage, or 80 percent of the federal minimum wage if neither the federal or state minimum wage is applicable.
   Note: The training wage may be substituted for the federal or state minimum wage in situations that warrant the payment of a training wage. The training wage of at least 85 percent of the federal or state minimum wage may be paid to employees under age 20 for up to 90 days under certain conditions.
2. The employment offered is on a piece-rate basis and the hourly yield is likely to be less than the applicable wages above.
3. The individual is required to join, resign from, or refrain from joining any legitimate labor organization.
4. The work offered is at a site subject to a strike or lock out at the time of the offer, unless the strike has been enjoined under the Taft-Hartley Act or unless an injunction has been issued under Section 10 of the Railway Labor Act.
5. The individual can demonstrate or the local office becomes aware that:
   a. The degree of risk to health and safety is unreasonable;
   b. The individual is physically or mentally unfit to perform the work as documented by medical or other evidence;

c. Employment offered within the first 30 days is not in the individual's major field of experience;
d. The nature or hours of the work interfere with the individual's religious observances, convictions, or beliefs; or
e. The distance of the employment from the individual's home is unreasonable, considering the wages and the time and cost of commuting. Daily commuting time must not exceed two hours per day, not including time required to transport a child to and from a child care facility. The employment is not considered suitable if the distance prohibits walking and public or private transportation is unavailable.

Supplemental: Additional benefits issued to a household within the current month. Supplemental issuances cannot be used to offset overpayments.

Supplemental Security Income (SSI): Monthly cash payments made under the authority of:

1. Title XVI of the Social Security Act, as amended, to the aged, blind, and disabled;
2. Section 1616(a) of the Social Security Act; or
3. Section 212(a) of Public Law 93-66.

Thrifty Food Plan: A determination by the USDA-FNS of the cost of food for various sizes of households.

Timely Notice: A written notice which contains all the elements of adequate notice and also is mailed at least ten calendar days before the action takes place. The mailing date of the notice is day one of the ten-calendar-day period. A timely notice may also be called a notice of adverse action.

Verification: Information obtained to establish the accuracy of information provided by the household. The use of third-party information or documentation to establish the accuracy of statements made by the household or provided on the application.

Voluntary Quit: Voluntary termination of employment of 30 or more hours per week or the equivalent of 30 hours per week times minimum wage. An individual who terminates a self-employment enterprise or resigns from a job at the employer's demand is not considered to have voluntarily quit.

{Effective }

1-003 Responsibilities:

1-003.01 National Responsibilities: The federal government is responsible for:

1. Formulating, on a national basis, all policies and procedures which are used by ~~the Food Stamp~~ SNAP;
2. Regulating national standards of eligibility; and
3. Determining basis of ~~food stamp~~ SNAP benefit issuance for each household size.

The responsibilities for ~~the Food Stamp Program~~ SNAP are defined by Congress and assigned to the USDA and FNS.

10. Ensuring the civil rights of applicants/participants by providing:
    a. Notice of eligibility or ineligibility;
    b. Notice of all adverse action;
    c. Information about and assistance in filing a request for a fair hearing, including an explanation of continuation of benefits;
    d. Equal application of all standards without regard to age, race, color, sex, disability, religion, national origin, or political belief; and
    e. Display of the nondiscrimination poster.
11. Making the SNAP Policy Manual and related instructions available for public inspection at each local office during regular working hours;
    Note: Copies of audits or investigations which are for official use are not to be made available for public examination;
12. Processing recipient claims in accordance with state SNAP instructions;
13. Processing credits for lost benefits in accordance with state SNAP instructions;
14. Establishing procedures and controls to communicate changes in the ADC and Supplemental Nutrition Assistance Programs between the units; and
15. Cooperating with the Central Office Program Evaluation and Review (PER) staff in conducting QC reviews.

{Effective 6/28/11}

1-003.04 Household Responsibilities: The household must be adequately informed both verbally and in writing, of its responsibilities. All households must:

1. Provide accurate and complete information;
2. Obtain needed verification materials;
3. Cooperate with state and federal quality control and audit processes;
4. Provide the worker with the Social Security numbers of household members;
5. Follow the reporting requirements for the category the household is assigned to:
    a. Simplified Reporting;
    b. Transitional Benefit Reporting; and
    c. Change Reporting; and
6. Contact the agency for an interview within 30 days of the date of application if notified that an interview is required.

{Effective 6/28/11}

1-003.04A Simplified Reporting: Households assigned to the Simplified Reporting category are required to report when the household's gross monthly income exceeds the maximum gross monthly income limit for the household size. This must be reported within ten days after the last day of the month that the household exceeds the maximum ~~monthly~~ gross monthly income limit.

Households that contain a non-exempt Able Bodied Adult Without Dependents (ABAWD) who is working, volunteering, or participating in a work program must report if the ABAWD's work, volunteer or work program hours decrease to below 20 hours per week or below a total of 80 hours per month. This must be reported within ten days after the last day of the month in which the ABAWD's work, volunteer, or work program hours decreased to below 20 hours per week or below a total of 80 hours per month.

Households assigned to this reporting category are not required to report any other changes during the certification period. Additionally, the household must complete and return the ~~interim report~~ Interim Report Form.

{Effective}