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#### A. PURPOSE OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

A goal of the Supplemental Nutrition Assistance Program (SNAP) is to reduce hunger and increase food security. The Program permits low-income households to have a more nutritious diet through normal channels of trade by increasing the food purchasing power for eligible households. The Program also provides food when there is a disaster.

This manual provides SNAP certification procedures for Virginia. The Virginia Electronic Benefits Transfer (EBT) Policy and Procedures Guide provides guidance for the issuance of EBT cards to eligible households.

#### B. HISTORY OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The Food Stamp Program started in four Virginia localities (Lee, Wise, Dickenson and the City of Norton) during the pilot phase of its development before the establishment of the permanent program on a national basis. Through requests to operate the Program from local governing bodies, more than 70 localities in Virginia expanded the Program by June 1974. President Nixon signed the Farm Bill into law in August 1973 that required nationwide implementation of the Food Stamp Program effective July 1, 1974. Nationwide implementation of the Food Stamp Program eliminated the Surplus Commodity Program which was an alternate food program available to localities.

The Food Stamp Act of 1964 authorized the Food Stamp Program on a permanent basis. The Food Stamp Act of 1977 and subsequent amendments amended the 1964 Act and provide the basis of the current Supplemental Nutrition Assistance Program. Provisions of the Food, Conservation and Energy Act of 2008 renamed the Food Stamp Act of 1977, as amended, to the Food and Nutrition Act of 2008 and renamed the Food Stamp Program as the Supplemental Nutrition Assistance Program (SNAP).

The U.S. Department of Agriculture administers SNAP nationally through the Food and Nutrition Service (FNS). In Virginia, local departments of social services operate the Program at the county/city level under the supervision of the Virginia Department of Social Services.

#### C. BENEFIT ISSUANCE AND USE

Eligible households receive SNAP benefits electronically. Households receive a plastic EBT card with a magnetic stripe and must use a personal identification number (PIN) to access the benefits.

During the certification interview or other agency contact with eligible households, the agency must advise or discuss with households the following:

- How to access benefits using the EBT card.
  - The Primary Card Holder and authorized representative will each receive a card.
  - Cardholder should sign the EBT card upon receipt.
- Selecting and protecting the PIN and EBT card.
- When benefits will be available after certification and for future months and where to use the benefits. Use the EBT card at any retail store, approved restaurants, or other food

vendors authorized by USDA to accept SNAP benefits. Note that authorized retailers and restaurants participating in Virginia Restaurant Meals Program (VRMP) may display a sign indicating authorization that reads, "We accept SNAP Benefits" or similar language, or that displays the QUEST logo. Other authorized facilities include:

- Nonprofit meal delivery services, such as Meals-On-Wheels, or feeding sites for the elderly;
- Authorized drug addiction and alcoholic treatment and rehabilitation centers;
- Certain group living arrangements;
- Shelters for battered women and children; and
- Authorized nonprofit establishments that feed homeless persons and restaurants authorized to accept SNAP benefits.
- Proper use of the benefits.
  - Purchase any food or food product for human consumption; or
  - Purchase seeds and plants for use in gardens to produce food for the household's personal consumption.
- Using benefits when making purchases.
  - Separate eligible items from ineligible ones at the checkout counter unless the store is electronically programmed to identify eligible and ineligible items.
  - Advise the cashier beforehand of the intent to use SNAP benefits if electronic programming is not available to denote SNAP benefits or when the household will use EBT in conjunction with other payment methods.
- Improper use of benefits. Households may not use SNAP benefits to purchase or pay for the following:
  - Alcoholic beverages or tobacco;
  - Hot foods ready for immediate consumption or food to eat on the store's premises, excluding meals prepared by approved restaurants participating in VRMP and consumed by eligible VRMP SNAP participants;
  - Pet foods, soap products, paper products, or other non-food items usually available in a grocery store;
  - To pay back grocery bills or tabs for food received on credit;
  - Firearms, ammunition, explosives, or controlled substances; or
  - Purchasing a product with SNAP benefits and intentionally:
    - discarding the contents in order to return the container for the return deposit amount;
    - reselling a purchased product for cash; or
    - exchanging a purchased product for cash or for consideration other than eligible food.
- At reapplication or recertification, determine if another EBT card is needed.

The agency must assist households who have difficulty in accessing their SNAP benefits, such as households comprised of elderly or disabled members, homeless households or those without a fixed mailing address. For example, the agency might assist an elderly person who is housebound in finding an authorized representative who might access the household's benefit account and shop for groceries on behalf of the household. To ensure timely participation, the agency should issue a vault card to Address Confidentiality Program participants who elect to use a substitute mailing address. See Part VII.B.

Field offices for the USDA are responsible for authorizing retailers to accept SNAP benefits and are responsible for ensuring compliance of SNAP regulations by retailers. The Richmond Field Office (637) is responsible for Virginia localities. Contact information is:

Food and Nutrition Service, USDA  
1606 Santa Rosa Road, Suite 239  
Richmond, Virginia 23229-5014

Telephone: (804) 287-1710  
Fax: (804) 287-1726

#### D. PERSONNEL AND OFFICE OPERATIONS (7 CFR 272.4(a))

The local department must provide qualified employees necessary to take prompt action on all applications. Local employees who certify households for participation in the Supplemental Nutrition Assistance Program must meet the same personnel standards as those used by the local agency for personnel who certify applicants for benefits under the federally aided public assistance programs. Only qualified local employees or contract staff may conduct the interview of applicant households required by Part II.D and determine the household's eligibility or ineligibility and the level of benefits. In addition, only authorized employees or agents of the state or locality, or a local issuing agency, without the ability to authorize SNAP or D-SNAP benefits, may issue EBT cards. These individuals will have update capability in the EBT administrative system. Eligibility staff are restricted to inquiry-only access to the EBT administrative system.

The local department must provide timely, accurate, and fair service to SNAP applicants and participants. Each local department must establish office procedures and operations that accommodate the needs of the populations it serves. The local department must not establish any policies, regulations, or rules that create barriers to accessing SNAP benefits. Populations with special needs may include households with members who are elderly or those who have disabilities, homeless households, and households with members who work during normal office hours. The local department must provide bilingual staff and interpreter services to households with limited English proficiency.

#### E. NONDISCRIMINATION

Federal law and the Virginia Human Rights Act, Virginia Code §2.2-2632 et seq., bar discrimination based on age, race, sex, disability, religious creed, national origin, and political belief. The following civil rights laws apply for SNAP:

- The Age Discrimination Act of 1975, 42 U.S.C. §6101 et seq.
- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794
- The Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.
- Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.

Virginia has established procedures to ensure fair and equitable treatment of applicants and recipients of public assistance. The local department of social services must assure that no person will be subjected to discrimination on the grounds of age, race, color, sex, disability, religious creed, national origin, or political belief.

### Key Principles

Compliance with these laws assures that equal opportunity exists for persons with disabilities to benefit from all aspects of public assistance programs, including access to the proper support services to enable such individuals to work and to keep their families healthy, safe and intact. “Individualized treatment” and “effective and meaningful opportunity” are two key principles that underlie the bar on discrimination against people with disabilities.

### Individualized Treatment

“Individualized treatment” requires that individuals with disabilities be treated on a case-by-case basis consistent with facts and objective evidence. Individuals with disabilities must not be treated based on generalizations and stereotypes.

### Effective and Meaningful Opportunity

“Effective and meaningful opportunity” means that individuals must be afforded meaningful access to SNAP so that individuals with disabilities benefit from and have meaningful access to SNAP to the same extent as individuals who do not have disabilities.

### Legal Requirements

To implement these two principles, the following legal requirements must be met:

- Ensure equal access through the provision of appropriate services to people with disabilities;
- Modify policies, practices and procedures to provide such equal access; and
- Adopt nondiscriminatory methods of administration in the program.

### Applicability to All Staff, Contractors, Vendors at the State and Local Levels

In compliance with the federal laws, Virginia does not discriminate against people with disabilities in SNAP. This policy applies to all Department of Social Services state and local staff. The policy also applies to agencies and entities contracted with for services. State and local agencies must ensure that contractors and vendors do not subject recipients to discrimination.

### Definition of a Person with a Disability

Federal law protects individuals with a “disability.” This term means a person who has a physical or mental impairment that substantially limits one or more of the major life activities of that individual, a person who has a record of such impairment, or a person who is being regarded as having such impairment. See Definitions for a detailed definition for SNAP applicability.

1. Discrimination Complaints - People who believe that they were subject to discrimination may file a complaint by calling (866) 632-9992 (voice), (800) 877-8339 (Federal Relay Service), or (800) 845-6136 (Spanish), or by writing:

U.S. Department of Agriculture  
Director, Office of Civil Rights  
1400 Independence Avenue SW  
Washington, D.C. 20250-9410

State and local social services departments must accept all written or verbal discrimination complaints, log the complaints, and forward them within five business days to the Department of Agriculture and to the Virginia Department of Social Services.

Civil Rights/EEO Director  
USDA - Mid-Atlantic Region  
300 Corporate Boulevard  
Robbinsville, NJ 08691-1598  
Telephone – (609) 259-5123

Civil Rights Program Administrator  
Virginia Department of Social Services  
5600 Cox Road  
Glen Allen, VA 23060

If the individual making the complaint does not put the complaint in writing, the person receiving the complaint must do so. Complaints must be accepted even if the information specified below is not complete. Advise the complainant of the program's restrictions on disclosure of information. A complaint must be filed no later than 180 days from the date of the alleged discrimination. Whenever possible, the complaint should include the following:

- a. Name, address, and telephone number or other means of contacting the person alleging discrimination.
  - b. The location and name of the organization or office that is accused of discriminatory practices.
  - c. The nature of the incident, action, or the aspect of program administration that led the person to allege discrimination.
  - d. The basis for the alleged discrimination (age, sex, race, religion, color, disability, national origin, or political belief).
  - e. The names, addresses, telephone numbers, and titles of persons who may have knowledge of the alleged discriminatory acts.
  - f. The date or dates on which the alleged discriminatory actions occurred or, if continuing, the duration of the actions.
2. Public Notification - Requirements for displaying a nondiscrimination poster are addressed in Part I.I.

3. Annual Training – All persons who interact with SNAP applicants and participants and those who supervise such staff must participate in annual civil rights training. This training is available online through the VDSS Knowledge Center.
4. Reasonable Accommodations - The BPS must consider whether a person may have a disability, and how a person’s disability may affect the person’s ability to comply with rules, fill out forms, attend appointments, etc. If it is determined that a person has a disability that affects the ability to comply with program rules or procedures, the BPS has the authority to make reasonable modifications to program rules, requirements and procedures to ensure that the person with a disability receives full and meaningful access to SNAP benefits.

Evidence of disability of a household member, including any indications that a household member may have a disability, and all requests for reasonable accommodations must be documented in the case file.

Examples

Ms. A applies for SNAP. She has a learning disability and is unable to complete the application. As a reasonable accommodation, staff assists her to complete the application.

Ms. B is not able to come to the office due to the nature of her disability. Staff arranges to obtain the information by phone.

Ms. C missed repeated appointments. It is determined that she has a mental illness that prevents her from organizing information and keeping track of appointments. The staff phones her on the morning of an appointment to help her to remember to keep the appointment.

F. COLLECTION OF RACIAL/ETHNIC GROUP DATA

Local agencies must record the race and ethnicity of each household.

	<u>The racial categories are:</u>	
White		Asian
Black or African American		American Indian or Alaskan Native
Native Hawaiian or other Pacific Islander		
	<u>The categories for ethnicity are:</u>	
Hispanic or Latino		Not Hispanic or Latino

Applications for SNAP benefits ask the applicant to identify the racial and ethnic categories for each member. The applicant may select more than one category for race. The BPS must advise the applicant that the information is voluntary, that it will not affect eligibility or benefit level, and that the reason for the collection of this information is to ensure that there is no discrimination regarding the receipt of SNAP benefits.

When the applicant does not voluntarily provide the information, the BPS must code the data based on observation. If a telephone interview is conducted or the BPS is unable to determine the racial or ethnic categories, the BPS must leave the field blank. VDSS must report the racial and ethnic data annually to USDA.

G. RETENTION OF RECORDS (7 CFR 272.1(f))

SNAP documents must be maintained for a minimum of three years from the month of the last benefit issuance or benefit determination of ineligibility. Some records require a longer retention period. The retention period is dependent on the record type and activity related to the record. Annual systematic purging of material unrelated to legal, fiscal, administrative, or program administration is recommended.

1. Certification records must be retained for a minimum of three years from the month of origin of each record. Certification records may include any material that documents the basis for an allotment, the determination of eligibility, or the establishment of a claim. Records needed to support claims collection activity or long-term eligibility determinations or disqualifications must be kept longer than three years. Certification records may also include the authorization and issuance of a vault EBT card or authorization for crediting the card replacement fee back to an EBT account.
  - a. Records related to claims must be kept for three years after a claim is repaid or is administratively closed.
  - b. Records that support investigation of a suspected Intentional Program Violation must be kept until the case has been resolved if the investigation was initiated during the normal three-year retention period for certification actions.
  - c. Records about Intentional Program Violation disqualifications must be kept for the life of the individual or until FNS notifies through the disqualified recipient system that the record is no longer needed.
  - d. Records to document work registration, voluntary quit, or work reduction violations must be retained for the life of the individual who caused the violation or until the person reaches age 60, whichever occurs first.
2. Issuance or administrative records must be retained for a three-year period. The three-year period may be from the month the federal obligation is paid, from the period of final resolution of the issuance billing process or three years from the creation of the record. These records include EBT records.
3. Administrative cost records must be maintained for three years from the date the annual financial status report. These records include fiscal and statistical records, supporting documents, negotiated contracts and any other document related to administrative costs. These records must be retained beyond three years if a claim, litigation or audit is initiated before the end of the three-year period. In these instances, the records must be retained until the claim, litigation, or audit has been resolved.



H. DISCLOSURE OF INFORMATION (7 CFR 272.1(c), 272.1(d))

Use or disclosure of information obtained from SNAP applicant households exclusively for the Supplemental Nutrition Assistance Program is restricted to the following:

1. Persons directly connected with the administration or enforcement of the provisions of the Food and Nutrition Act or regulations, other federal assistance programs, or federally assisted State programs which provide aid, on a means-tested basis, to low-income individuals. This includes the Office of the Inspector General (OIG) and the Statewide Automated Child Welfare Information System (SACWIS).
2. Employees of the Comptroller General's Office of the United States for audit examination authorized by any other provision of law.
3. Local, state, or federal law enforcement officials upon a written request to investigate an alleged SNAP violation. The written request must include the identity of the individual requesting the information and the authority to do so, the violation being investigated, and the name of the person for whom the information is requested.
4. Law enforcement officials upon notification that an individual is fleeing prosecution or imprisonment, is in violation of parole or, that an individual has information needed to investigate a felony or parole violation. The request for information must specify the name of a SNAP household member. Disclosure is limited to an individual's address, Social Security number, and photograph, if available, upon a written request. The agency may not disclose scheduled appointment dates or times, SNAP case information, or EBT account information. In addition, the agency may not disclose information about other unspecified household members or other SNAP cases. The written request must include the identity of the individual requesting the information and the authority to do so, and the violation being investigated.
5. The parent locator service to assist in the Child Support Enforcement Program under Title IV-D, upon request; and
6. Persons directly connected with the verification of immigration status of aliens applying for SNAP benefits through SAVE to the extent the information is necessary to identify the individual for verification purposes.

If there is a written request by a responsible member of the household, its currently authorized representative, or a person acting on its behalf, the household representative must be allowed to review material and information contained in the case file, during normal business hours. The agency may withhold confidential information, however, such as the names of individuals who have disclosed information about the household without the household's knowledge, or the nature or status of pending criminal prosecutions.

All local departments of social services must maintain state regulations and manuals that affect the public for examination by the public on regular workdays during regular office hours.

**I. PROGRAM INFORMATIONAL ACTIVITIES (7 CFR 272.5)**

SNAP information must be available to the applicant and recipient households in English and in the household's designated language. Program information includes the rights and responsibilities of households. This information may be conveyed through publications, telephone hotlines, and face-to-face contacts.

**1. Booklets/Pamphlets**

- a. *Virginia Social Services – Benefit Programs* information pamphlet - Applicants may receive this pamphlet at the time of each new application. The BPS may provide the pamphlet the pamphlet at each reapplication or recertification if the household no longer has a copy of the pamphlet
- b. *Appeals and Fair Hearings* pamphlet – Local departments may provide this pamphlet with adverse action notices to reduce or terminate benefits or when applications are denied.
- c. *Virginia EBT Questions and Answers* pamphlet and the EBT wallet card – The local department or the EBT vendor must provide EBT materials to EBT card recipients upon the initial or replacement issuance of the EBT card. The local department must provide these EBT materials upon request after the issuance of the EBT card.

**2. Posters**

These posters must be prominently displayed where SNAP applications are taken:

- a. "And Justice for All"
- b. "Your SNAP Rights"

**3. Other Required Activities**

- a. Provide an explanation of household rights when applicants request information about the Supplemental Nutrition Assistance Program. Provide a verbal explanation, or it may provide the *Know Your Rights When Applying for SNAP Benefits* flyer if the applicant is able to read and comprehend the form in English or other available languages.
- b. Complete the *SNAP - Hotline Information* form and provide it to each applicant on the day the applicant files a new application, a reapplication, or a late recertification application.
- c. Try to answer general or specific questions related to the Supplemental Nutrition Assistance Program from persons expressing an interest in applying for program benefits. The department may refer callers to appropriate personnel, and if those persons are not available, the department must arrange to return the call. If it is not possible to return the call, advise the caller to return the call at a prearranged time when the appropriate personnel will be available to answer the questions.

J. CERTIFICATION MATERIALS (7 CFR 272.4)

SNAP information must be available to the applicant and recipient households in English and the household's designated language. Certification materials include the SNAP application or renewal forms, change report form and notices.

K. FAMILY ASSESSMENT

Benefit programs are designed to provide income support benefits to assist families who are unable to provide the necessities of life and maintain minimum standards of health and well-being through their own efforts. Gathering relevant information about a family's situation and assessing that information against the eligibility for benefit programs are the basis for making the eligibility determinations. This process also includes an assessment of need for service programs and other resources to assist the family, which includes following the Practice Model contained in Appendix II of Part I. If other needs exist, the eligibility BPS must refer the family for appropriate services or resources within the agency or community.

L. PRUDENT PERSON CONCEPT

This manual provides guidelines for the Supplemental Nutrition Assistance Program. Material presented here is often broad to allow certification staff sufficient flexibility to make reasonable judgements in evaluating individual household circumstances to determine SNAP eligibility and benefit level.

It is not possible to have every potential situation observed in managing a caseload addressed in this manual so, the eligibility BPS must determine what is reasonable, i.e., the prudent person concept. The eligibility BPS must exercise reasonable judgement based on experience, knowledge of the program and logic. The prudent person concept does not eliminate or replace eligibility requirements or actions. The BPS must sufficiently document the case file to allow supervisory staff, appeals officers, reviewers, and colleagues to be able to understand case actions as well as to permit self-review.

M. PRE-APPLICATION ELIGIBILITY DETERMINATION/DISCUSSION PROHIBITED

SNAP eligibility guidance must be applied to the facts of a specific application submitted by a household; the interview with the household based on the submitted application; and any additional information supplied by an applying household. Prior to receipt of an application, local department of social services employees must not provide advice or answers to hypothetical situations from applicants, potential applicants, or those acting on behalf of others. Until a complete application is received by the local department of social services, an interview is conducted, and verifications are received, the local department of social services cannot be sure it has all the relevant facts. It is appropriate, however, to explain program eligibility criteria.

FIPS CODE DIRECTORY

<u>Code</u>	<u>Locality</u>	<u>Code</u>	<u>Locality</u>	<u>Code</u>	<u>Locality</u>
001	Accomack	083	Halifax	171	Shenandoah
003	Albemarle	085	Hanover		Shenandoah Valley
005/	Alleghany	087	Henrico	015	Augusta
560	Clifton Forge	089/	Henry	790	Staunton
580	Covington	690	Martinsville	820	Waynesboro
007	Amelia	091	Highland	173	Smyth
009	Amherst	093	Isle of Wight	175	Southampton
011	Appomattox	095	James City	177	Spotsylvania
013	Arlington	097	King and Queen	179	Stafford
017	Bath	099	King George	181	Surry
019	Bedford	101	King William	183	Sussex
021	Bland	103	Lancaster	185	Tazewell
023	Botetourt	105	Lee	187	Warren
025	Brunswick	107	Loudoun	191	Washington
027	Buchanan	109	Louisa	193	Westmoreland
029	Buckingham	111	Lunenburg	195	Wise
031	Campbell	113	Madison	197	Wythe
033	Caroline	115	Mathews	199/	York
035	Carroll	117	Mecklenburg	735	Poquoson
036	Charles City	119	Middlesex	510	Alexandria
037	Charlotte	121	Montgomery	520	Bristol
041/	Chesterfield	125	Nelson	540	Charlottesville
570	Colonial Heights	127	New Kent	550	Chesapeake
043	Clarke	131	Northampton	590	Danville
045	Craig	133	Northumberland	620	Franklin City
047	Culpeper	135	Nottoway	630	Fredericksburg
049	Cumberland	137	Orange	640	Galax
051	Dickenson	139	Page	650	Hampton
053	Dinwiddie	141	Patrick	670	Hopewell
057	Essex	143	Pittsylvania	680	Lynchburg
059/	Fairfax County	145	Powhatan	683	Manassas
600	Fairfax	147	Prince Edward	685	Manassas Park
610	Falls Church	149	Prince George	700	Newport News
061	Fauquier	153	Prince William	710	Norfolk
063	Floyd	155	Pulaski	720	Norton
065	Fluvanna	157	Rappahannock	730	Petersburg
067	Franklin County	159	Richmond County	740	Portsmouth
069	Frederick	161	Roanoke County	750	Radford
071	Giles	163/	Rockbridge	760	Richmond City
073	Gloucester	530	Buena Vista	770	Roanoke City
075	Goochland	678	Lexington	800	Suffolk
077	Grayson	165/	Rockingham	810	Virginia Beach
079	Greene	660	Harrisonburg	830	Williamsburg
081/	Greensville	167	Russell	840	Winchester
595	Emporia	169	Scott		