

PART IV CERTIFICATION PERIODS/RECERTIFICATION

<u>CHAPTER</u>	<u>SUBJECT</u>	<u>PAGE</u>
A.	CERTIFICATION PERIODS	1
	1. Assigning a Certification Period	1
	2. Maximum Certification Periods	1-2
B.	NOTICE OF ELIGIBILITY, DENIAL OR PENDING STATUS	2-3
C.	RECERTIFICATION	3
	1. Notice of Expiration	3-4
	2. Timely Application for Recertification	4-5
	3. Recertification Interviews	5
	4. Time Frames for Providing Verification at Recertification	6
	5. Agency Action on Timely Applications for Recertification	6
	6. Household Failure to Act	6-7
	a. Failure to File a Timely Application	7
	b. Failure to Participate in an Interview	7
	c. Failure to Provide Verification	7-8
	7. Early Filing of Recertifications	8
	8. Mandatory Review of Eligibility for 24-Month Certification Periods	8
D.	Changing the Length of the Certification Period	8
	1. Shortening Certification Period	8-9
	2. Lengthening Certification Period	9
	3. Adjusting Certification Periods for Transitional Benefits	9

A. CERTIFICATION PERIODS (7 CFR 273.10(f))

The local department must assign a certification period once the BPS determines that a household is eligible to participate in the Supplemental Nutrition Assistance Program. A certification period is the period of time within which a household is eligible to receive benefits. Certification periods vary depending on the circumstances of the individual household. No household may have a certification period of more than twelve (12) months, except for households comprised of elderly or disabled members, as discussed in Section 2, below, and participants in the Combined Application or the Elderly Simplified Application projects, as described in Appendix II or Appendix III of Part II.

1. Assigning A Certification Period

All certification periods are based on calendar months. At initial application and reapplication, the first month in the certification period is normally the month of application. At recertification, the first month in the certification period is the month following the last month in the previous certification period. The beginning date of the certification period will generally be the filing date of the application for initial applications, reapplications, and recertification applications filed after the previous certification period expired.

The BPS does not need to assign the same certification period at each new eligibility cycle. Rather, the BPS must assign a period for each household based on individual circumstances and household characteristics at the time of consideration.

Eligibility for benefits will cease at the end of each certification period. Participation may not continue beyond the end of the certification period without a new determination of eligibility. The household must receive written notification that the benefit period is ending. The agency may use the *Notice of Expiration* or the *Notice of Action and Expiration* for this purpose, depending on the length of the certification period and the timing of the application approval. Time frames for providing the *Notice of Expiration* for the end of the certification period are described in Part IV.C.

2. Maximum Certification Periods

The maximum amount of time a household may have as a certification period is dependent on a household's circumstances as listed below. The BPS should assign a shorter period than listed if a household's circumstances do not warrant the maximum period. The BPS must consider anticipated changes or other factors that may affect eligibility when setting the certification period. The minimum certification period for all households is one month.

The month when a household receives a partial month's allotment or receives no allotment because of proration will count toward the allowable maximum period.

Period

36 months

Household Characteristics

- Households in which all members are participants in VaCAP or ESAP, as allowed in Appendix II or Appendix III of Part II. These households are not subject to the Interim Report process.

When households become ineligible for ESAP, but they remain eligible for SNAP, the remaining months of the 36-month certification period will remain in effect. These households are subject to the Interim Report process.

- 24 months • Households in which all members are 60 years of age or older or all members are disabled, as outlined in Definitions, may have a certification period up to 24 months if there is no earned income in the household. These households must file an Interim Report of their circumstances by the 12th month to receive benefits for the final 12 months of the certification period. See Part IV.C.8 and Part XIV.B.
- 6 months • Households in which all members are 60 years of age or older or all members are disabled, as outlined in Definitions, may have a certification period up to 6 months if there is no earned income in the household in order to ensure these households will not receive an Interim Report.
- 6 months • Households in which any member is eligible for time-limited benefits through the work requirement may receive benefits for no more than six months. Benefits for the certification period will be allowed as follows: one month of prorated benefits, if appropriate, up to three countable months of time-limited benefits (Y1 or Y2), and a varying number of Special Exemption benefit months (E9). See Part XV for determining eligibility for the work requirement.
- up to 6 months • Households with unstable circumstances may have a certification period of up to six months depending on individual household circumstances. This may include households with members who are homeless or who are migrant/seasonal farm workers, as defined in Definitions.
- 5 months • Households that receive Transitional Benefits for former TANF recipients may receive frozen benefits for five months. Note that ongoing households must have their certification periods lengthened or shortened to the five-month limit. See Parts XII.H and IV.D.3 for a discussion of Transitional Benefits.
- 12 months • All other households not addressed above may have a certification period of 12 months and must file an Interim Report of their circumstances by the sixth month. See Part XIV.B.

B. NOTICE OF ELIGIBILITY, DENIAL OR PENDING STATUS (7 CFR 273.10(g)(1))

Each household must receive a written decision about its application at initial application, reapplication and recertification. Depending on household preference, notices may be delivered through the mail or electronically. The BPS may:

1. find the household eligible for benefits and approve the application;
2. find household ineligible and deny the application; or

3. be unable to determine the household's eligibility, within the required timeframe, and leave the application remains pending.

The BPS must provide a *Notice of Action* to inform the household of the disposition of its application. The BPS may use the *Notice of Action and Expiration* to inform the household of the approval of the application in the last month of certification.

C. RECERTIFICATION

Each household may apply for recertification before the expiration of the certification period in which it is currently participating.

The BPS must base eligibility for recertification on circumstances anticipated for the month following the expiration of the current certification period. The same anticipated circumstances must be the basis for the level of benefits for the recertification period.

The BPS must complete the application process if the household meets all the requirements and finishes the necessary processing steps in a timely manner, as defined in this chapter, and approve or deny timely applications for recertification prior to the end of the household's current certification period. The BPS must provide eligible households an opportunity to participate by the first of the month following the end of its current certification period.

A household may not receive benefits beyond the end of its certification period unless the household recertifies or unless the agency opts to extend the certification period to match a TANF or Medicaid review period. See Part IV.D for information and limitations on lengthening certification periods.

The joint processing requirements of Part II.G.1 apply to recertification applications. Expedited service processing provisions of Part V apply to recertification applications filed during the month after the previous certification period ends.

The remainder of this chapter describes the processing requirements for recertification applications and the timeframes for each.

1. Notice of Expiration (7 CFR 273.14(b))

The local agency must advise the household that the certification period is about to expire and that a new application is necessary to establish further entitlement. The agency must send the *Notice of Expiration* form to notify households of the end of the certification period. See Part XXIV for the form and instructions.

Except as noted below, households must receive the *Notice of Expiration* no later than the last day of the next to the last month of the current certification period, but no earlier than the first day of the next to the last month of the current certification period. When the agency mails the *Notice of Expiration*, allow two days for delivery in addition to the postmark date. Regardless of when the agency assigns the interview date, the

recertification application will be timely if the household files the application by the 15th calendar day of the last month of certification.

TANF or GR households whose applications are jointly processed for SNAP and TANF or GR benefits, in accordance with Part II.G.1, need not receive a *Notice of Expiration* if they have already filed an application for the PA re-determination and recertification for SNAP benefits by the time the *Notice of Expiration* would have to be provided.

If the BPS approves an application in the last month of the certification period, the BPS must give (or mail, if the applicant is not present) the *Notice of Expiration* to the household at the time of certification. These instances include households that the BPS certified only for the month of application and households that the BPS assigned a two-month certification period only for including benefits retroactive to the month of application. The household has 15 calendar days from the date of the notice to file a timely application for recertification. The BPS may use the *Notice of Action and Expiration* in place of the *Notice of Expiration* and the *Notice of Action* for these households.

2. Timely Application for Recertification (7 CFR 273.14(c))

Timely applications for recertification are:

- a. Households certified in the last month of the certification period, have 15 calendar days from the issuance of the *Notice of Expiration* to file a timely application for recertification. This section applies to households the BPS certifies for the month of application only or for a two-month certification period to include benefits retroactive to the month of application.

Example

Date Application Filed: July 20

Date Certified and benefits issued and available: August 12

Certification Period: July 20 to August 31

Date Notice of Expiration must be mailed: August 12

Date Application must be filed for the household to be assured of uninterrupted benefits: August 29 (August 12 plus 15 days plus 2 days for mailing)

- b. Applications filed by households that submitted completed applications by the 15th day of the last month of the current certification period are timely applications for recertification.

Any household that does not file its application timely for recertification will lose its right to uninterrupted benefits. The BPS must approve or deny the application by the 30th day after the filing date if the household has had at least 10 days to provide all needed verifications. If the 30th day falls during the weekend or on a holiday, the BPS must take the action on the first business day after the 30th day.

NOTE: For households entitled to file applications for recertification at the SSA office under the provisions of Part II.G.2, the application filing date will be the date the SSA receives the signed application.

3. Recertification Interviews (7 CFR 273.14(b)(3))

A household that receives a *Notice of Expiration* must participate in an interview scheduled by the local agency for a date that is on or after a timely application date, to retain its right to uninterrupted benefits. The interview the agency schedules may be face-to-face, by telephone, or by a prearranged home visit.

The agency must schedule interviews for timely filed recertification applications to allow households sufficient time (at least 10 days) to provide necessary verifications to protect the household's right to uninterrupted benefits. However, an interview is still timely if the agency conducts it by the last date the household can provide necessary verifications to receive uninterrupted benefits.

The local agency may schedule an interview for a date before the last month of the certification period. The agency may not deny the household, however, if the household has not yet filed an application. The BPS may not deny the household if the household fails to appear for the interview or is not available for a telephone interview scheduled before the last month of the certification period.

If the agency does not provide an interview date with the Notice of Expiration, or by some other means before the household files its recertification application, the agency must schedule an interview when the household files an application. If the household misses this scheduled interview, the agency must mail the *Missed Interview Notice* form to indicate that the household missed the interview. If the household does not reschedule the interview, the agency must deny the application at the end of the processing period.

If the agency schedules an interview on the *Notice of Expiration*, or by some other means, prior to receiving a timely application, the agency must take no other action if the household misses that interview. If the household files a timely application, the agency must schedule another interview and give uninterrupted benefits if the household provides all necessary verifications before the certification period expires.

If the household files its application for recertification in a timely manner, but due to its fault, is not interviewed in a timely manner, then the household will lose its right to uninterrupted benefits. The BPS must act on the application by the 30th day from the day the application was filed if the household has had at least 10 days to provide needed verifications. If the 30th day falls during the weekend or on a holiday, the agency must take the action on the first business day after the 30th day.

For households that file untimely recertification applications, the agency must schedule interviews to allow households sufficient time (at least 10 days) to provide necessary verifications by the 30-day processing standard.

4. Time Frames for Providing Verification at Recertification (7 CFR 273.14(b)(4))

For a timely recertification application, the household must provide verifications within 10 calendar days of the agency's request or by the last day of the certification period, whichever is later. If the household does not provide verification timely, the household will lose its right to uninterrupted benefits.

The BPS must approve or deny the application by the 30th day after the filing date provided the household has had at least 10 days to provide the verification requested. If the 30th day falls during the weekend or on a holiday, the BPS must take the action on the first business day after the 30th day.

5. Agency Action on Timely Applications for Recertification (7 CFR 273.14(d))

If a household filed a timely application for recertification, as allowed by Part IV.C.2, had an interview, as allowed by Part IV.C.3, and provided requested verifications within the timeframes given in Part IV.C.4, the BPS must provide uninterrupted benefits to the household.

The time standards for providing uninterrupted benefits are as follows:

- a. A household certified in the last month of its certification period must get a notice of its eligibility or ineligibility, and be provided an opportunity to participate, no later than 30 calendar days after the date the household had an opportunity to obtain its last SNAP benefit.
- b. Any other household must have the *Notice of Action* to approve or deny the case mailed by the last day of the current certification period. An eligible household must have an opportunity to participate by the first day of the first month of the new certification period.

The agency must provide an opportunity to participate within five working days after a household supplies any missing verification if the agency is unable to process a timely filed application by the normal processing period because of the 10-day time frame for providing verification. The agency may not prorate benefits if the household provides requested information within the 10-day period.

If the BPS is unable to process a timely application in enough time to give uninterrupted benefits, the BPS must give the household an opportunity to participate the next working day after determining the household eligible. The household must receive a full month's allotment for the first month of the new certification period.

6. Household Failure to Act (7CFR 273.14(e))

A household that submits a timely application for recertification and meets all other required processing steps must have the right to receive uninterrupted benefits, as defined in Part IV.C.5. A household that fails to participate in an interview (Part IV.C.3),

or to submit any required verifications (Part IV.C.4), will lose its right to uninterrupted benefits, if the failures occur after the deadline for filing a timely application (Part IV.C.2).

a. Failure to File a Timely Application

A household that fails to file a timely application for recertification but files an application during the last month of certification, must have an opportunity to participate within 30 calendar days after the application filing date, if eligible. The BPS must determine a household's eligibility and allow at least 10 days for the household to provide needed verification.

The BPS must assess a household's entitlement to expedited service processing whenever a household files an application for recertification during the month after the certification period expires. If the household is eligible for benefits, the BPS must provide an opportunity to participate within seven calendar days of the application filing date. If the household is not entitled to expedited processing, the BPS must determine eligibility and provide benefits within 30 calendar days.

b. Failure to Participate in an Interview

A household that submits a timely recertification application but who is not interviewed timely has no entitlement to uninterrupted benefits. The BPS must, at a minimum, provide an eligible household with an opportunity to participate within 30 calendar days after the application filing date. The BPS must send the *Missed Interview Notice* if the household misses the scheduled interview.

Example

A household files a timely recertification application on January 14. The household misses its scheduled interview set for the 14th so the BPS sends the *Missed Interview Notice*. The household reschedules and participates in an interview on February 2. The BPS must act on the application by February 13, if the household has had at least 10 days to provide necessary verifications.

c. Failure to Provide Verification

If a household submits a timely recertification application but submits required verifications untimely, the agency must provide an opportunity to participate by the 30th day after the application filing date. Untimely means that the household did not provide the information within 10 days of the request date or by the last day of the certification period, whichever is later.

Example

A household files a timely application for recertification on the 12th of the month and attends its interview the same day. The household provides all needed verifications by the 25th. The agency must provide

uninterrupted benefits to the household since the household met all the timeliness standards.

If the household does not provide needed verification until the second of the following month, the agency must act by the 12th of the following month (30 days after the application filing date).

7. Early Filing of Recertifications

If a household files an application for recertification more than two calendar months before the end of the current certification period, the BPS must deny the application as a duplicate application on file. If the household files the application so that the 30th day following the filing is before the end of the current certification period, the BPS must extend the processing time for the case from 30 days to the end of the current certification period.

8. Mandatory Review of Eligibility for 24-Month Certification Periods

Except for households certified for the VaCAP and ESAP components, the BPS must review eligibility for households certified up to 24 months during the certification period. The review must take place anytime a case has a certification period that is over 12 months. The BPS must conduct a review of the household's eligibility during the eleventh month of certification.

The Virginia Department of Social Services will send households an Interim Report form to complete the review. The BPS must note the frequency for sending the Interim Report to initiate the review process.

The BPS must assess the returned Interim Report form for completeness and use the information submitted on the report to determine the household's continued eligibility. If the household fails to submit a completed Interim Report or fails to submit required verification or information, the household's case will automatically close at the end of the 13th month of the certification period unless the BPS takes action to close the case earlier based on the information presented on the Interim Report. See Part XIV.C for a discussion of the Interim Report process.

D. CHANGING THE LENGTH OF THE CERTIFICATION PERIOD

1. Shortening Certification Periods

Once the BPS determines that a household is eligible for benefits, the BPS must establish the number of months the household may receive benefits before the household must file another application and have the eligibility process begin again. A certification period may range from one month to 24 months in length, except for households certified for the VaCAP and ESAP components. Once the BPS establishes the certification period, the BPS may not shorten the period to initiate the recertification process. The BPS may shorten the certification period only for households due Transitional Benefits.

If the BPS determines that the household is not eligible for benefits because of changed circumstances, the BPS must send an adverse action notice (*Notice of Action* or *Advance Notice of Proposed Action*) to close the case. If the BPS is unable to determine the household's eligibility because of suspected changes in the household's circumstances, the BPS must send the household the *Request for Contact* form to request information from the household. The household will have ten days to respond to requests for contact and submission of information.

The BPS must send an adverse action notice to terminate benefits if the household does not respond timely or completely to the *Request for Contact* form. If the household responds timely and completely and the response causes the household to be eligible for a lesser SNAP benefit amount, the BPS must send an adverse action notice to reduce the benefits. See Part XIV.A for other information on handling changes.

2. Lengthening Certification Periods

At its option, the BPS may lengthen a household's certification period to align the SNAP certification period with the review period established for the Medicaid or TANF Programs. The original period and the extended period together may not exceed the 24- or 12-month limits as addressed in Part IV.A.2. The BPS must send the household a *Notice of Action* to advise of the revised certification period.

3. Adjusting Certification Periods for Transitional Benefits

In most instances, when a household's TANF grant terminates, the BPS must switch the household's SNAP eligibility to the Transitional Benefits component. A household may receive Transitional Benefits for a maximum of five months. The BPS must shorten the certification period so that the original certification period will expire at the end of five months if more than five months remain in the original period at the time of the conversion. If there are fewer than five months left in the original certification period at the time of the conversion to Transitional Benefits, the BPS must lengthen the certification period to allow for a five-month period. The BPS must use the *Notice of Action* to notify the household of the reassigned certification period and the amount of the benefits at the time of the conversion to Transitional Benefits. See Part XII.H.