



Food and
Nutrition
Service

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Oct 18 2018

SUBJECT: Supplemental Nutrition Assistance Program (SNAP) FNS 310 Quality Control (QC) Review Handbook, Questions and Answers (Q&A) for October 2018 Updates

TO: All SNAP State Agencies
All Regional SNAP Directors
Food and Nutrition Service

For Fiscal Year 2019, the Food and Nutrition Service (FNS) is releasing page changes to update the October 2017 version of the FNS 310 QC Handbook (FNS 310 HB). These updates include updated procedures to align with recent clarifications intended to ensure SNAP QC is being administered more uniformly throughout the nation. In addition, policy updates have also been made to ensure FNS more accurately aligns itself with Federal improper payment reporting requirements.

This question and answer tool consists of the most common questions SNAP received about the updates and clarifications to the FNS 310 HB submitted by State agency QC staff. FNS will publish, as necessary, future Q&A's to address any questions or concerns that are not addressed here.

We hope this tool is helpful to SNAP QC reviewers. Please forward any additional inquiries to John McCleskey at John.McClesky@fns.usda.gov or (703) 457-7747.

Signed

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The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Questions and Answers: FNS 310 Quality Control Review Handbook- October 2018 Updates

Arbitration

Q1: Why is FNS eliminating arbitrations for timeliness only disagreements for the active case reviews?

A1: Regulations at 7 CFR 275.3(c)(4)(i)(A) limit the scope of arbitration to when the State agency and FNS regional office's findings or disposition of an individual QC case disagree [emphasis added]; disagreements over timeliness results in the active frame are neither disputes over findings nor disposition and thus cannot be subject to arbitration.

Background: FNS received a policy inquiry that directed our attention to this issue in the most recent cycle. Upon doing research, we found a policy memo from November 7, 2003 (FSP: Item 71(b) Timeliness of Application Processing for Fiscal Year (FY) 2003), that allowed the arbitration of timeliness disagrees that should have, but did not, include an end date nor did it imply the allowance would be for future review years. A small number of States were utilizing the aforementioned memo as support to request future arbitrations, which were not subsequently denied. When brought to our attention last year, a decision was made to continue to allow the arbitrations until FNS could formally address the appropriate use of arbitration and realign the process with the existing regulation on the matter.

Authorized Representative

Q1: What happens in a case where the authorized representative fulfills the requirements of the interview on behalf of the client and is the only collateral contact that can verify the HH's circumstances, such as the client's landlord or the person whose name is listed on utility bills?

A1: Authorized representatives act on behalf of the client (as the client). Therefore, the use of this person as verification of their own statements would be akin to self-attestation. Quality control verifies all aspects of a household's circumstances and to allow the authorized representative to also verify an element without documentary evidence would be similar to waiving verifications for these specific situations. Allowing such activity could compromise the integrity of the review, create a gap for fraudulent behaviors to occur, and/or possibly lead to inaccurate reporting/verification.

In the rare case where an authorized representative is also a landlord or other source of information for the client, the reviewer must attempt to obtain documentary evidence of the arrangement. If the attempt fails, the reviewer should seek another collateral contact, not in the household, that can attest to the specific arrangement between the authorized representative and the client. The reviewer must thoroughly document the circumstance and attempts made to resolve obtaining evidence for the affected elements.

General Clarification

Q1: Why was the procedure for Section 214.2, under “Determine Which Variances to Include” revised in the new version of the FNS 310 HB? Has FNS considered the workload impact on States?

A1: FNS found the only circumstances in which this variance exclusion has been applied were situations when inaccurate information was given or used at certification that the QC reviewer subsequently learns were incorrect. When required to move on to Comparison II, this procedure prevented the reviewer from being able to correct the certification workers actions, contrary to what the reviewer would typically be required to do per Section 622 of the FNS 310 HB. FNS found this variance exclusion does not align with SNAP’s reporting requirements on improper payments, and has been, accordingly, removed.

The QC reviewer must, as required by Section 622, verify all budget month circumstances for which verification is not already in the casefile, even when the circumstances appear to be unchanged from certification to the sample month. Please note, by removing the variance exclusion from this procedure, FNS has not impacted the Information Collection Requirement for filling out the OMB approved FNS 380 worksheet.

Collateral Contacts

Q1: Please explain the change made to Section 415-Obtaining Verification from relatives used as collaterals and does this change restrict contacts too much, which could negatively impact drop rates?

A1: FNS would like to clarify that the changes are actually meant to expand the permissible use of relatives being used as collaterals. For instance, an ‘or’ was added to the statement that said, “a collateral contact should not be a relative unless that relative is the source of the information and no other verification is available.” By adding the ‘or’ to the last part of the sentence so that it reads, “unless that relative is the source of the information **and/or** no other verification is available...” the intent was to make both situations applicable for using a relative as a collateral, not just when both conditions are met as the ‘and’ had previously indicated.

The regulatory citation at 7 CFR 275.12(c)(2) requires that, “the reviewer shall make every effort to use the most reliable second party verification available, in accordance with FNS guidelines, and shall thoroughly document all verification obtained.” The documentation requirement is for purposes of program integrity to help ensure all other preferred sources of verification had been exhausted, particularly given the split of the two conditions into separate situations, both applicable to relatives being used as collateral contacts.

Q2: How are collateral contacts used for Negative reviews?

A2: SNAP regulations at 7 CFR 273.2(f)(6) require, “Case files must be documented to support eligibility, ineligibility, and benefit level determinations. Documentation shall be in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination.” Due to this requirement, there is supposed to be enough information in the case record to determine the reason for the action under review. The reviewer can use collateral contacts in a negative review to verify the circumstances that caused the action under review or to clarify discrepant information found in the case file. However, contacting a collateral contact as a means to determine the reason for the action is not an appropriate use of a collateral contact.

Documentation Requirements

Q1: Will the required documentation for cases impacted by waivers or demonstration projects that allow modified review procedures need to be in every element?

A1: No, for negative cases, the documentation should be recorded in Section V of the FNS-245 worksheet. For active cases, the reviewer should document modified procedures wherever is most appropriate. If the modification applies to a specific element then the reviewer could document the modified procedures and details in that specific element. If the modified procedures apply to multiple elements or the whole case, the reviewer could document in each applicable element or, for demonstration projects, could document the modified procedure information in Element 820, Demonstration Projects. Reviewers have also documented the information in Element 110 so that it is at the front of the review information and easily identifiable for subsequent reviewers.

Whichever option is chosen, the reviewer must make sure the information is clear, easily identifiable, and that it will allow another reviewer to understand and determine the basis for the review decision and circumstances of the case.

Q2: The documentation changes at Section 420-Household Interview, require the reviewer to include their interview notes if not documented in the elements. Isn't this redundant since the information is documented on the FNS-380 worksheet?

A2: If the interview notes and household's responses to questions are already clearly recorded on the FNS-380, it is not necessary for the reviewer to include the original notes in the QC file (note that record retention requirements do apply and the original notes must be maintained by the State). If, however, a reviewer does not, for whatever reason, document a response of the household for an element, it would be necessary to include the interview notes in the QC file. Including the interview notes in the file, regardless of whether documentation is in each element, is considered a best practice and encouraged by FNS.

Q3: Does the requirement to include all household notices in Section 320- Procedures for Case Record Reviews, mean we need every single household notice in the file?

A3: Yes, the intent of this section is to ensure that all notices to the household are included in the casefile for review. FNS determined this is an appropriate requirement and will allow a subsequent reviewer to evaluate cases appropriately and independently. This includes auditors that are external to the State or FNS, such as the Office of the Inspector General or the Government Accountability Office.

Q4: Will FNS supply clarity on what is included in a clear and understandable notice?

A4: In general, notices should be both basic and clear in language, and in compliance with SNAP regulations to ensure households fully comprehend the actions on their cases. Additional SNAP regulatory requirements regarding notices, including notices of eligibility and notices of denial can be found at 7 CFR 273.13(a)(2) and 7 CFR 273.10(g). Subsequent inquiries regarding household notices should be directed to your respective FNS Regional Office.