

COMMENT DUE DATE: June 21, 2021

Date: June 10, 2021

Laura Brown, Program Manager 405-426-7206
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It is important that you provide your comments regarding the **draft copy** of policy by the comment due date. Comments are directed to *STO.LegalServices.Policy@okdhs.org. The proposed policy is **EMERGENCY**.

SUBJECT:

CHAPTER 50. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

Subchapter 5. Non-Financial Eligibility Criteria

Part 9. Work Registration

340:50-5-87 [AMENDED]

Part 10. Able-bodied Adults without Dependents

340: 50-5-100 [AMENDED]

Part 11. Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) [AMENDED]

340: 50-5-106

Subchapter 10. Electronic Benefit Transfer (EBT)

340: 50-10-9 [AMENDED]

(Reference WF 21-03)

SUMMARY:

The proposed amendments to Chapter 50, Subchapter 5 amend the rules to: (1) comply with new federal regulations to: (a) add supervised job search to types of job search activities; (b) add employment and training programs that serve veterans to acceptable work programs for able bodied adults without dependents (ABAWD); (c) add circumstances when Adult and Family Services (AFS) staff must determine the ABAWD status of adult household members; (d) add a written and oral communication requirement when the household adds a household member or a household member loses an exemption; (e) remove the requirement that an ABAWD retain his or her job to show good cause for failing to meet the ABAWD work requirement; (f) add and define case management services; (g) replace job search with supervised job search as an Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) component; (h) update definitions for supervised job search, job search training, work experience, and job retention; (i) require that job retention last for at least 30-calendar days; (j) add the requirement that contracted providers must inform the OK SNAP Works coordinator when a referred person is determined unsuitable for the assigned component and the reason for the provider determination; and (k) update OK SNAP Works coordinator responsibilities; (2) clarify what rights and responsibilities AFS staff must address with applicants or recipients; (3) clarify who may participate in OK SNAP Works; (4) make non-

substantive changes to improve rule clarity; and (5) update terminology and rule and legal citations.

The proposed amendments to Chapter 50, Subchapter 10 amend the rules to: (1) update when Oklahoma Human Services (OKDHS) expunges SNAP EBT benefits from 12 months to 274 calendar days; (2) define inactivity; and (3) add an expungement notice requirement.

EMERGENCY APPROVAL:

Emergency rulemaking approval is requested to comply with recently issued federal guidance.

LEGAL AUTHORITY:

Director of Human Services; 56 O.S. § 162; Volume 85 FR, page 52025 (Aug. 24, 2020); Volume 86 FR, page 358 (Jan. 5, 2021); and 7 C.F.R. §§ 273.7, 273.24, and 274.2.

RULE IMPACT STATEMENT

To: Programs administrator
Legal Services - Policy

From: Patrick Klein, Director
Adult and Family Services

Date: June 10, 2021

Re: **CHAPTER 50. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**
Subchapter 5. Non-Financial Eligibility Criteria
Part 9. Work Registration
340:50-5-87 [AMENDED]
Part 10. Able-bodied Adults without Dependents
340: 50-5-100 [AMENDED]
Part 11. Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) [AMENDED]
340: 50-5-106
Subchapter 10. Electronic Benefit Transfer (EBT)
340: 50-10-9 [AMENDED]
(Reference WF 21-03)

Contact: Laura Brown, Program Manager, 405-521-4396

A. Brief description of the purpose of the proposed rule:

Purpose.

The proposed amendments to Chapter 50, Subchapter 5 amend the rules to: (1) comply with new federal regulations to: (a) add supervised job search to types of job search activities; (b) add employment and training programs that serve veterans to acceptable work programs for able bodied adults without dependents (ABAWD); (c) add circumstances when Adult and Family Services (AFS) staff must determine the ABAWD status of adult household members; (d) add a written and oral communication requirement when the household adds a household member or a household member loses an exemption; (e) remove the requirement that an ABAWD retain his or her job to show good cause for failing to meet the ABAWD work requirement; (f) add and define case management services; (g) replace job search with supervised job search as an Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) component; (h) update definitions for supervised job search, job search training, work experience, and job retention; (i) require that job retention last for at least 30-calendar days; (j) add the requirement that contracted providers must inform the OK SNAP Works coordinator when a referred person is determined unsuitable for the assigned component and the reason for the provider determination; and (k) update OK SNAP Works coordinator responsibilities; (2) clarify what rights and responsibilities AFS staff must address with applicants or recipients; (3) clarify who may participate in OK SNAP Works; (4) make non-substantive changes to improve rule clarity; and (5) update terminology and rule and legal citations.

The proposed amendments to Chapter 50, Subchapter 10 amend the rules to: (1) update when Oklahoma Human Services (OKDHS) expunges SNAP EBT benefits from 12 months to 274 calendar days; (2) define inactivity; and (3) add an expungement notice requirement.

Strategic Plan Impact.

The proposed amendments achieve OKDHS goals by continuously improving systems and processes, improving communication with OKDHS clients and staff, and ensuring efficient and accurate program administration.

Substantive changes.

Subchapter 5. Non-Financial Eligibility Criteria

Part 9. Work Registration

Oklahoma Administrative Code (OAC) 340:50-5-87 is amended to: (1) clarify the required work registration procedures when a household reports a change due to its reporting requirements; (2) add a written and oral communication requirement when the household adds a household member or a household member loses an exemption due to a reportable event; and (3) add legal citations.

Part 10. Able-bodied Adults without Dependents

OAC 340:50-5-100 is amended to: (1) add supervised job search to job search activities types; (2) add employment and training programs that serve veterans operated by the Department of Labor and the Department of Veterans Affairs as acceptable work programs; (3) correct rule and legal citations; (4) update terminology; (5) add a written and oral communication requirement when the household adds a household member or a household member loses an exemption; (6) clarify what rights and responsibilities OKDHS must address with applicants or recipients; and (7) remove the requirement that an ~~able-bodied without dependent~~ (ABAWD) retain his or her job to show good cause for failing to meet the ABAWD work requirement.

Part 11. Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works)

OAC 340:50-5-106 is amended to: (1) update terminology; (2) clarify who may participate in OK SNAP Works; (3) add and define case management services; (4) replace job search with supervised job search as an OK SNAP Works component; (5) update definitions for supervised job search, job search training component, work experience, and job retention; (6) require that job retention services last for at least 30-calendar days; (7) add the requirement that contracted providers must inform the OK SNAP Works coordinator when a referred person is determined unsuitable for the assigned component and the reason for the provider determination; and (8) update OK SNAP Works coordinator responsibilities.

Subchapter 10. Electronic Benefit Transfer (EBT)

OAC 340: 50-10-9 is amended to: (1) update when OKDHS expunges SNAP EBT benefits from 12 months to 274 calendar days; (2) define inactivity; and (3) add an expungement notice requirement.

Reasons.

The United States Department of Agriculture Food and Nutrition Services issued final federal regulation changes in Volume 85 of the Federal Register (FR), page 52025 (Aug. 24, 2020) and in Volume 86 FR, page 358 (Jan. 5, 2021) for Sections 273.7, 273.24, and 274.2 of Title 7 of the Code of Federal Regulations (7 C.F.R. §§ 273.7, 273.24, and 274.2).

The substantive amendments to Subchapter 5 require emergency rulemaking to meet the new federal requirements contained in 7 C.F.R. §§ 273.7 and 273.24. The majority of the provisions were effective March 8, 2021. The changes in 7 C.F.R. § 273.7(c)(1) concerning the written and oral notice of work requirements and 7 C.F.R. § 273.7(c)(18) concerning the provider determination are effective October 1, 2021.

OKDHS is requesting emergency rulemaking approval to implement all provisions contained in 7 C.F.R. §§ 273.7 and 273.24 effective upon the Governor's approval as the rulemaking process does not allow OKDHS to enact two separate emergency rule amendments to the same rule sections and OKDHS does not foresee a negative outcome due to the early implementation of written and oral work requirement notices or provider determinations. The written and oral work requirements and provider determination notifications increase SNAP applicants' and recipients' understanding of the SNAP work requirements and ensure OK SNAP Works participants have access to components that meet their employment needs and barriers.

The amendments to OAC 340: 50-10-9 require emergency rulemaking to meet the new federal requirements contained in 7 C.F.R. § 274.2(h) to (i) regarding benefit expungement. The Federal Register indicates this change is effective September 23, 2020, but OKDHS has 12 months from this date to implement these changes.

OKDHS seeks to minimize the impact of this rule on SNAP recipients and current program costs. The OKDHS SNAP program currently expunges benefits after 12 months of inactivity. The new federal rules require OKDHS to start expunging SNAP benefits after 274-calendar days. The rules provide the option to expunge the benefits after 274-calendar days of inactivity or 274-calendar days after issuance. OKDHS elects to continue expunging benefits after inactivity. The inactivity option ensures that OKDHS will not expunge a SNAP benefit within 274-calendar days of a household using the benefits. OKDHS believes this option presents the least likelihood that an expungement would surprise a SNAP household. This option also presents the least amount of change to current operations and minimizes potential program costs related to computer programming changes.

Repercussions.

If the proposed amendments are not implemented: (1) AFS will be out of compliance with federal regulations; and (2) SNAP applicants and recipients will not receive the benefit of additional notices and program requirement changes.

Legal authority.

Director of Human Services; 56 O.S. § 162; Volume 85 FR, page 52025 (Aug. 24, 2020); Volume 86 FR, page 358 (Jan. 5, 2021); and 7 C.F.R. §§ 273.7, 273.24, and 274.2.

Emergency rulemaking approval is requested to be effective upon the Governor's approval to implement recent federal regulation changes as described in the Reasons section of this document.

- B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:** The classes of persons most likely to be affected by the proposed amendments are households applying for or receiving SNAP food benefits and AFS staff. The affected classes of persons will bear no costs associated with implementation of the rules.
- C. A description of the classes of persons who will benefit from the proposed rule:** The classes of persons who will benefit are households applying for or receiving SNAP benefits and AFS staff.
- D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:** The proposed amendments do not have an economic impact on the affected entities. There are no fee changes associated with the revised rules.
- E. The probable costs and benefits to the Agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the Agency:** The probable cost to OKDHS includes the cost of printing and distributing the rules, which is estimated to be less than \$20. The proposed amendments will keep OKDHS in compliance with federal regulations and enhance SNAP applicants and recipients understanding of work requirements and OK SNAP Works requirements.
- F. A determination whether implementation of the proposed rule will have an impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:** The proposed amendments do not have an economic impact on any political subdivision, nor will the cooperation of any political subdivisions be required in implementation or enforcement of the rules.
- G. A determination whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:** There are no anticipated adverse effects on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.
- H. An explanation of the measures the Agency has taken to minimize compliance costs and a determination whether there are less costly or nonregulatory**

methods or less intrusive methods for achieving the purpose of the proposed rule: There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed amendments.

- I. **A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:** Implementation of the proposed rules will keep OKDHS in compliance with SNAP federal regulations. OKDHS does not anticipate the rules to reduce significant risks to the public health, safety, and environment.
- J. **A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:** If the proposed amendments are not implemented, OKDHS will be out of compliance with SNAP federal regulations. OKDHS does not anticipate any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented.
- K. **The date the rule impact statement was prepared and, if modified, the date modified:** Prepared May 20, 2021, revised June 10, 2021.

SUBCHAPTER 5. NON-FINANCIAL ELIGIBILITY CRITERIA

PART 9. WORK REGISTRATION

340:50-5-87. Work registration procedures

Revised ~~9-17-187-1-21~~

When changes occur in a person's work registration status after certification, the worker must determine if the person failed or refused to comply with work registration requirements without good cause per Oklahoma Administrative Code (OAC) 340:50-5-85 or meets exemption criteria per OAC 340:50-5-86.

(1) ~~Loss of exemption~~ **Exemption status loss.** Per Section 273.7(b)(2) of Title 7 of the Code of Federal Regulations (7 C.F.R. § 273.7(b)(2)):

(A) Persons who lose their work registration exemption due to a change in circumstances that is:

- (i) not subject to the reporting requirements, per OAC 340:50-9-5(g), must register for employment work registration at the next certification renewal; or
- (ii) subject to the reporting requirements, per OAC 340:50-9-5(g), must register when the change is reported; and ■ 1

(B) ~~When when~~ a household member is exempt from work registration because he or she is subject to, and ~~complying in compliance~~ with unemployment compensation or ~~TANF~~ Temporary Assistance for Needy Families work requirements, and stops complying without good cause, the household member is ~~considered a disqualified household member~~ unless he or she meets another exemption criteria. ■ 4

(2) **Communication requirement.** Per 7 C.F.R. § 273.7(c)(ii), a written notice is generated by the system and the worker must attempt to contact the household to orally explain the work registration responsibilities, per OAC 340:50-5-85 when:

(A) a new household member joins the household; or

(B) a household member who is exempt from work registration loses the exemption. ■ 2

(3) **Failure to comply.** A registered household member who ~~refuses or~~ fails to comply with work registration requirements without good cause, per OAC 340:50-5-85, is ~~considered a disqualified household member, per Section 273.7(f) of Title 7 of the Code of Federal Regulations~~ 7 C.F.R. § 273.7(f) and OAC 340:50-5-10.1. ■ 43

~~(3)~~(4) **Disqualification period.** When a household member is disqualified because he or she ~~refused or~~ failed to comply with work registration requirements, the disqualification period is:

(A) one month for the first violation;

(B) three months for the second disqualification; or

(C) six months for the third or subsequent violation.

~~(4)~~(5) **Shortening the disqualification period.** The disqualification period may be shortened when the household member becomes exempt from work registration per 7 C.F.R. § 273.7(g).

INSTRUCTIONS TO STAFF 340:50-5-87

Revised ~~9-17-187-1-21~~

1. Per Oklahoma Administrative Code (OAC) 340:50-9-5(g), when a change reporting household reports that a new household member joined the household, or a current household member lost a work registration exemption, per OAC 340:50-8-86, the applicable household member must register for work at the time the change is reported.
2. The worker enters a case note in the Family Assistance/Client Services (FACS) system to document the contact or attempted contact.
3. (a) Prior to disqualifying a household member for failure to comply with work registration procedures, county staff:
 - (1) emails the Supplemental Nutrition Assistance Program (SNAP) mailbox at SNAP@okdhs.org to explain the circumstances, requests and request guidance on how to proceed; and
 - (2) documents the circumstances in Family Assistance/Client Services (FACS) case notes.
- (1)(b) SNAP program field representative Unit staff determines:
 - (1) whether to disqualify the person;
 - (2) notifies county staff of the decision; and
 - (3) documents the decision in FACS case notes.
- (2)(c) When a disqualification is warranted, SNAP program representative Unit staff uses the F-comply transaction to disqualify the person and directs county staff to:
 - (A)(1) close the food benefit using the reason code 'failed or refused to meet work registration requirement' in when the person is the only household member; or
 - (B)(2) code the person as 'Income and resources are considered in benefit computation-individual not included in benefit' in the status field and 'failure to comply with work registration' in the reason code of the FACS Eligibility Notebook Household tab when there are other eligible household members.

PART 10. ABLE-BODIED ADULTS WITHOUT DEPENDENTS

340:50-5-100. Able-bodied adults without dependents (ABAWD) work requirements and time limits

Issued ~~9-17-18~~ 1-21

(a) **ABAWD work requirements.** Per Section 273.24(a) of Title 7 of the Code of Federal Regulations (7 C.F.R. § 273.24(a)), an ABAWD meets work requirements when he or she: ■ 1

(1) works continuously 20 hours or more per week, averaged monthly. Averaged monthly means 80 hours per month. The employment may be paid, in-kind, unpaid, or volunteer work with religious or community organizations; ■ 2

(2) participates in and complies with the requirements of a work program 20 hours or more per week, averaged monthly. Work programs include a:

(A) a program assignment under Title 1 of the Workforce Innovation and Opportunity Act (WIOA), Public Law (P.L.) 113-128;

(B) a program under the Section 236 of the Trade Adjustment Assistance Reauthorization Act of 2015 ~~1974~~, P.L. 114-27 Sections 401 through 407 Section

2296 of Title 19 of the United States Code (19 U.S.C. § 2296); or

(C) an Oklahoma Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) Program Works (OK SNAP Works) assignment, not including job search, supervised job search, or job search training activities. However, job search, supervised job search, or job search training activities, when offered as part of other E&T program components, are acceptable as long as if those activities comprise less than half the total required time spent in the components; or ■ 3

(D) any employment and training program that serves veterans operated by the Department of Labor or the Department of Veterans Affairs;

(3) works and participates in a work program for a total of 20 or more hours per week, averaged monthly; or

(4) meets an exemption from the work requirements per ~~(c)~~(d) of this Section.

(b) **General rule.** An ABAWD who is a member of an eligible household receiving SNAP food benefits must comply with work requirements per (a) of this Section or be exempt from work requirements per (d) of this Section to be eligible to participate as a member of any food benefit household for more than three countable months, consecutive or otherwise, during any 36-month or three-year period. When the ABAWD meets work requirements per (a) or an exemption per (d) of this Section, he or she is eligible to participate with no time limits. An ABAWD subject to the three-month time limit may also regain eligibility per ~~(f)~~(e) of this Section.

(1) **Countable months.** Countable months are months when an ABAWD receives SNAP benefits for the full benefit month while not: ■ 4

(A) exempt from ABAWD work requirements per (d) of this Section;

(B) fulfilling the work requirement per (a) of this Section; or

(C) receiving benefits that are prorated.

(2) **Countable months in another state.** When there is an indication an ABAWD subject to the time limits received SNAP food benefits in another state in the last 12 months, the worker must verify the number of countable months the person used in the other state per 7 C.F.R. § 273.2(f)(1)(xiv)(B). ■ 5

(3) **Measuring the three-year or 36-month time period.** Per 7 C.F.R. § 273.24(b)(3), ~~the Oklahoma Department of Human Services (DHS)~~ (OKDHS) uses a 'fixed-individual clock' for each ABAWD subject to time limits. This means the ABAWD clock starts at the initial application for SNAP benefits when the person is not meeting ABAWD work requirements per (a) of this Section. When the person meets ABAWD work requirements at initial application, the clock starts the month the person uses the first countable month per (b)(1) of this Section. ■ 6

(4) **Worker responsibilities.** It is the worker's responsibility to:

(A) determine the ABAWD status of each ~~adult~~ household member;

(i) at application, mid-certification renewal, and certification renewal including;

(ii) when a new person joins the household during the certification period; and

(iii) when reported information indicates a household member lost an exemption or no longer meets the work requirement;

(B) orally explain the ABAWD rights and responsibilities of each non-exempt household member to the person completing during the SNAP application and certification renewal interview including, when a new person joins the household

during the certification period, and when a household member loses an exemption. The system also generates a written notice to the household. The explanation includes:

- (i) ABAWD work requirements, the household members subject to these requirements, and the ways to fulfill these requirements;
 - (ii) exemption and good cause criteria and how to claim an exemption or good cause;
 - (iii) the ABAWD's limited benefit eligibility when he or she does not fulfill work requirements; and
 - (iv) how to maintain eligibility under the ABAWD work requirements, including what the household needs to provide at certification and renewal and what happens when an household member loses an exemption or a person joins the household; and ■ 7
 - (v) how to regain eligibility, after losing benefits per (e) of this Section; and
- (C) update the ABAWD status of an adult household member any time he or she loses an exemption or no longer meets the work requirement. The worker must 'look-back' to determine when the ABAWD lost the exemption or stopped meeting the work requirement. The worker closes food benefits for the person when he or she already used his or her countable months for the 36-month period or corrects the ABAWD status to start the ABAWD's clock per (3) of this paragraph-subsection.
- 78

(5) **ABAWD responsibilities.** It is the ABAWD's responsibility to:

- (A) verify his or her work ~~and/or~~ or participation hours, a combination of work and participation hours, or exemption status at application, mid-certification renewal, and certification renewal per 7 C.F.R. § 273.2(f)(1) and (f)(8); and
- (B) report when his or her work ~~and/or~~ or participation hours or a combination of work and participation hours drop below 20 hours per week or 80 hours per month within 10-calendar days of the month the hours dropped.

(i) When the ABAWD reports his or her work ~~and/or~~ or participation hours or a combination of work and participation hours dropped below 20 hours per week, the worker determines if the ABAWD is eligible for three countable months. When the ABAWD is:

- (I) eligible for three countable months, the worker tracks the months to determine when to close benefits for the ABAWD if he or she does not regain eligibility per ~~(f)~~(e) of this Section; ■ 89 or
 - (II) not eligible because he or she received three countable months within the three-year period, the worker closes food benefits for the ABAWD.
- (ii) When an ABAWD subject to time limits received SNAP food benefits in error within the most recent three-year period, the benefits are considered as countable months unless the ABAWD pays the benefits back in full per 7 C.F.R. § 273.24(b)(5).

(c) **Good cause for failure to meet the ABAWD work requirement.** When an ABAWD ~~has~~ would have fulfilled the work requirement, per (a) of this Section, but missed some hours for good cause for failure to meet the required number of work or participation hours in a given month per (a) of this Section, the ABAWD is considered to have met meets the work requirement if the absence is temporary. Per 7 C.F.R. § 273.24(b)(2), good cause

~~applies to situations in which the ABAWD's absence from work is temporary, he or she retains his or her job, and the~~ includes circumstances are beyond the person's control, such as, but not limited to: ■ 910

- (1) illness;
- (2) illness of another household member ~~sufficiently serious to require~~ requiring the presence of the ABAWD;
- (3) unavailability of transportation; or
- (4) ~~an unanticipated~~ a household emergency.

(d) **Exemptions from the ABAWD work requirement.** Per 7 C.F.R. § 273.24(c), a person is exempt from the ABAWD work requirement and eligible to participate without time limits, when the person is:

- (1) younger than 18 years of age or 50 years of age and older;
- (2) medically-certified as physically or mentally unfit for employment. A person is medically-certified as physically or mentally unfit for employment when he or she:

(A) receives permanent or temporary disability benefits issued by governmental or private sources; ■ 4011

(B) is obviously mentally or physically unfit for employment. When it is not obvious that he or she is unfit, the person must provide documented evidence from medically-qualified sources to substantiate the medical exemption. ■ 4412

(i) Medically-qualified sources may include, but are not limited to, a:

- (I) licensed or certified psychologist, therapist, counselor, or social worker;
- (II) physician or physician's assistant;
- (III) nurse or nurse practitioner; or
- (IV) designated representatives of a physician's office.

(ii) The documented evidence must indicate the person has a physical or mental condition that limits the person's ability to work.

(iii) When the medical exemption is temporary, the person is required to comply with work requirements when released by a medically qualified source to return to work; or

(C) is chronically homeless; ■ 4213

(3) pregnant;

(4) a parent, natural, adoptive, or step, of a household member younger than 18 years of age, even when the minor child is not eligible for food benefits;

(5) an adult residing in a household with a household member younger than 18 years of age and included in the food benefit household, even when the minor child is not eligible for food benefits; ■ 4314 or

(6) otherwise exempt from work requirements per 7 C.F.R. § 273.7(b) and Oklahoma Administrative Code (OAC) 340:50-5-86.

(e) **Persons who regain eligibility.** Persons whose food benefits were denied or closed because they received three countable months of food benefits may regain eligibility by meeting work requirements per (a) of this Section for 30-consecutive days.

(1) **Regained eligibility by meeting work requirements.** When a person regains eligibility, he or she maintains food benefit eligibility without time limits provided he or she continues to meet work requirements per (a) of this Section. Per 7 C.F.R. § 273.24(d)(3), there is no limit to how many times a person may regain eligibility by meeting work requirements. ■ 4415 The person's food benefits are prorated from

the application date. When the person applies before meeting work requirements for 30-consecutive days, the application is denied.

(2) **Regained eligibility and then stopped meeting work requirements.** When a person regains eligibility and then stops meeting work requirements, he or she is eligible for SNAP food benefits for three-consecutive countable months only. The person may only receive the additional three-countable months once, during the 36-month period. After receiving these three-consecutive months, the person is not eligible for SNAP food benefits in his or her 36-month time period unless he or she regains eligibility by meeting the work rule or becomes exempt per (d) of this Section.

■ 4516

(f) **ABAWD work requirement waiver prohibition.** Per 7 C.F.R. § 273.24(f), states are allowed to request an ABAWD work requirement waiver in certain instances. Effective October 1, 2013, Section 241.3 of Title 56 of the Oklahoma Statutes prohibits DHS OKDHS from requesting an ABAWD work requirement waiver from the United States Department of Agriculture.

INSTRUCTIONS TO STAFF 340:50-5-100

Revised ~~10-2-197-1-21~~

1. The worker codes a person meeting able-bodied adult without dependents (ABAWD) work requirements with a 'W' in the 'work requirement status' field of the Family Assistance/Client Services (FACS) ABAWD tab.
2. Court-ordered community service hours are not counted toward the person's work or participation hours.
3. The worker refers non-exempt ABAWDs in Oklahoma and Tulsa county and the counties that border Oklahoma and Tulsa county to the Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP WORKS) contracted service provider ~~for the Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program~~. The ABAWD's participation in the program is voluntary.
4. The worker codes countable months in the FACS ABAWD tab as 'K' months. The computer changes the code to a 'P' when the month is a partial month.
5. (a) The worker must verify benefits received in another state when the person lived in another state in the past 12 months. As Oklahoma uses a 'fixed-individual clock,' the worker must verify if the person received SNAP food benefits in another state during the initial application month ~~of initial application~~ in Oklahoma or since the ABAWD clock for that person began in Oklahoma. No other months count toward SNAP eligibility in Oklahoma.
(b) Examples include, when:
 - (1) a person moves from Texas and applies in Oklahoma on April 15, ~~2017~~ 2020. The worker calls Texas and determines the person received benefits for April and this was his or her third ABAWD month and final month of benefits. The worker counts April as the person's first 'K' month in Oklahoma and he or she is eligible for two more 'K' months;
 - (2) a person received two 'K' months of benefits in Oklahoma in April and May, ~~2017~~ 2020, and then moved to Arkansas. The person moves back to Oklahoma in December, ~~2017~~ 2020, and applies for food benefits on

December 15, ~~2017~~ 2020. The worker calls Arkansas and determines the person received three 'K' months in Arkansas in June, July, and August, ~~2017~~ 2020. The person is not eligible for any more 'K' months in Oklahoma until April, ~~2020~~ 2023, when the 36-month period ends; and

(3) a person moves to Oklahoma from Kansas in June, ~~2017~~ 2020, and applies for food benefits on July 20, ~~2017~~ 2020. The worker calls Kansas and determines the person received three 'K' months of benefits in Kansas for April, May, and June, ~~2017~~ 2020, and no benefits for July. The person is eligible for three more 'K' months in Oklahoma beginning July, ~~2017~~ 2020, because the Oklahoma 36-month time period has not begun. The person may receive a partial month of food benefits in July, and full benefits in August, September, and October as countable 'K' months.

(c) ~~Staff uses the ABWO screen to record~~ Staff records countable ABAWD months received in another state by entering ABWO space (space) and the person's Social Security number or ABWO at the bottom of the person's ABWI screen in the information management system (IMS). Staff fills in the month, year, and the two digit state abbreviation ~~in which~~ for the state where the client received a countable ABAWD month, enters the appropriate ABAWD code, K or Y, depending on when the ABAWD clock started in Oklahoma, and then presses enter. The new information transfers to the ABWI screen.

6. Example of the fixed-individual clock: A person who ~~did~~ does not meet ABAWD work requirements and ~~was~~ is not exempt ~~applied~~ applies and ~~was~~ is certified for food benefits on February 10, ~~2016~~ 2020. The ABWI screen shows a prorated or 'P' month for February, ~~2016~~ 2020, and 'K' months for March, April, and May, ~~2016~~ 2020. The person's fixed-individual clock started starts February, ~~2016~~ 2020, and ends ~~February~~ January, ~~2019~~ 2023. The person is eligible for three-countable months beginning February, ~~2019~~ 2023.
7. The worker enters a FACS case note to document the contact or attempted contact.
8. (a) Example: The person meets ABAWD work requirements. The worker certifies food benefits effective February 10, ~~2016~~ 2020, and codes the 'work requirement status' field with a 'W' in the FACS ABAWD tab. The person reports on May 10, ~~2016~~ 2020, that he or she is no longer employed. The worker:
 - (1) verifies the person's job terminated April 28, ~~2016~~ 2020;
 - (2) reviews the ABWI screen and determines the person has not used 'K' months and is eligible for three-countable months;
 - (3) uses the ABWI screen to update ABAWD coding for May to 'K' and the FACS ABAWD tab with a 'K' in the 'work requirement status' field; and
 - (4) closes the person's food benefits effective August 1, ~~2016~~ 2020, unless he or she meets ABAWD work requirements in July or becomes exempt.
89. The worker reviews the ABWI screen in the IMS by typing ABWI (space) and the person's Social Security Number of the person. The ABWI screen shows how many countable (~~K~~) months the person received. When the person has not received all three-countable months, the worker changes the 'work requirement status' coding in the FACS ABAWD tab to 'K-Initial ABAWD not meeting the work rule'.

- 910.** Other circumstances beyond the person's control may include when the person's employer closes the business for one or more days because of a holiday or natural disaster.
- 4011.** Examples of federal and state programs based on disability are:
- (1) vocational rehabilitation;
 - (2) Veterans Benefits Administration disability compensation;
 - (3) Social Security Administration disability benefits; and
 - (4) Supplemental Security Income.
- 4412.** A doctor's statement providing a diagnosis is best, but when the person is unable to obtain a doctor's statement, a statement from another medically-qualified source is sufficient.
- 4213.** Being chronically homeless, in and of itself, is not an exemption. The person must be unfit for employment due to homelessness. Examples may include not having a place to take a shower, wash clothes, or get ready for work.
- 4314.** When the adult purchases food and prepares meals separately from the child, the adult is not eligible for this exemption.
- 4415.** The worker codes the 'ABAWD work requirement status' field of the FACS ABAWD tab with a an 'M' for 'regained eligibility - maintaining 20 hours per week employment, not countable.'
- (1) The person is eligible with no time limit, provided his or her work or participation hours do not drop below 20 hours.
 - (2) When the person reports his or her work or participation hours dropped below 20 hours per week, the worker codes the 'ABAWD work requirement status' field with a 'Y' for 'regained eligibility for three-continuous months, countable' unless the person already received the three-consecutive months or meets an exemption.
- 4516.** (a) The additional three months must be countable and consecutive. Being a countable month means the benefits are not prorated. When the first month is prorated, the person is eligible for a four-month certification period. This allows the person to receive three full 'Y' months.
- (b) When the person receives less than three months, ~~the person~~ he or she is not entitled to receive the additional month(s) at a later date.
- (c) The worker codes the 'ABAWD work requirement status' field of the FACS ABAWD tab with a 'Y' for 'regained eligibility for three-continuous months, countable.'

PART 11. OKLAHOMA SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM WORKS (OK SNAP WORKS)

340:50-5-106. Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP WORKS)

Revised 9-16-197-1-21

The Oklahoma ~~Department of Human Services (DHS)~~ (OKDHS) operates a voluntary employment and training program, OK SNAP Works, ~~through a contracted service provider for adults receiving SNAP food benefits, per Section 273.7(e)(4)(5) 273.7(e)(5) of Title 7 of the Code of Federal Regulations (7 C.F.R. § 273.7(e)(5)).~~ OK SNAP Works

intends to help food benefit recipients, especially able-bodied adults without dependents (ABAWD), become involved in meaningful, work-related activities that lead to paid employment and enable them to achieve or maintain economic self-support.

(1) **Participant Information.** OK SNAP Works is available to adults who receive SNAP benefits and live in an area served by an OKDHS contracted service provider.

■ 1

(2) **Worker responsibilities.** It is the worker's responsibility to:

(A) inform the applicant or recipient that:

(i) participation in OK SNAP Works is voluntary; and

(ii) any non-exempt, ABAWD in the household who is not complying with ABAWD work requirements, per Oklahoma Administrative Code (OAC) 340:50-5-100 is automatically referred to OK SNAP Works;

(B) ask if any exempt adult household member wants to voluntarily participate in OK SNAP Works; and

~~(C) give the applicant or recipient contact information for the contracted service provider to schedule an intake appointment, when an adult household member wants to participate in OK SNAP Works; and~~

~~(D) send a referral to the contracted service provider~~ Adult and Family Services OK SNAP Works coordinator for: ■ 42

(i) non-exempt ABAWDs who are not complying with ABAWD work requirements, per OAC 340:50-5-100; and

(ii) ~~non-ABAWDs~~ other SNAP recipients who express an interest in participating in OK SNAP Works.

~~(2)(3) **Referral and assessment**~~ **Intake and case management services.** The worker OK SNAP Works coordinator sends a referral to the contracted service provider to initiate the intake process and case management services.

(A) Case management services and activities must be provided to all participants and must directly support their participation in OK SNAP Works. Case management services may include, but are not limited to:

(i) comprehensive intake assessments;

(ii) individualized service plans;

(iii) progress monitoring; and

(iv) coordination with service providers.

~~(A)(B)~~ After receiving a referral from the worker, contracted service the provider's staff schedules referred work registrants for an orientation and comprehensive assessment.

~~(B)(C)~~ Following orientation and assessment, each participant has an assessment interview with contracted staff to explore the participant's:

(i) employment and training needs and barriers;₁

(ii) communication and employment-related skills;₁

(iii) education and employment history;₁ and

(iv) career interests.

~~(C)(D)~~ Participants are then enrolled. The provider enrolls each participant in a at least one component, per (4) of this Section, that addresses their and continues to provide case management services to address his or her employment barriers.

~~(3)~~**(4) OK SNAP Works component assignments.** Once OK SNAP Works participants complete the intake process, they are enrolled in a component. OK SNAP Works components include supervised job search, job search training, educational services, vocational training, Workfare for non-exempt ABAWDs only, work experience, and job retention services.

(A) **Job Supervised job search component.** Job Supervised job search is a component that provides structured activities to help participants seek and obtain suitable employment. These activities occur at approved locations where the participant is supervised and timeliness is tracked, per 7 C.F.R. § 273.7(e)(2)(i).

(B) **Job search training component.** Job search training is a component that enhances the participant's job readiness and of participants by teaching them job seeking techniques, increasing job search motivation, and boosting self-confidence may include employability assessment, training in techniques to increase employability, job placement services, or other direct training or support activities, per 7 C.F.R. § 273.7(e)(2)(ii).

(C) **Educational services component.** ~~Participants are~~ A participant is placed in an educational services component when they do he or she:

(i) does not have a high school diploma or equivalency certificate;

(ii) have has literacy issues; or

(iii) need needs to learn or improve English language skills.

(D) **Vocational training component.** Participants may receive vocational training when assessments indicate training is needed to enhance employability or when industry-specific training is needed as part of a job placement program.

(E) **Workfare component.** Workfare is a work component only available to non-exempt ABAWDs. Participants ~~are assigned to~~ work in a public service or a private, non-profit agency to obtain skills necessary to enhance employability or develop skills required for job placement.

(F) **Work experience.** The work experience component is designed to improve the participant employability of participants through actual work experience and/or and training. The goal of work experience is to enable participants to move into regular employment. Work experience is a planned, structured learning experience that takes place in a workplace for a limited time period. A work experience program may include a work activity or a work-based learning program.

(i) A work activity gives the participant the opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment.

(ii) A work-based learning program may include internships, pre-apprenticeships, apprenticeships, customized training, transitional jobs, incumbent worker training, and on-the job training as defined by the Workforce Innovation and Opportunity Act.

(G) **Job-retention Job retention component.** The job retention component helps participants who secured employment after or while receiving OK SNAP Works services to achieve satisfactory performance, retain employment, and increase earnings over time. ~~A participant is assigned to job retention classes when assessments indicate case management services, coaching, and peer support could help maintain employment and success in the workplace~~ may receive case management, job coaching, dependent care assistance, and transportation

assistance, per 7 C.F.R. § 273.7(e)(2)(vi). This component is only allowed for must last for at least 30-calendar days but no more than 90-calendar days. There is no limit to the number of times a person may receive job retention services as long as the person re-engages with OK SNAP Works prior to obtaining new employment.

~~(4)~~**(5) Supportive services.** Supportive services are provided to ~~participants a~~ participant when necessary and directly related to ~~their~~ his or her ability to participate in the assigned OK SNAP Works component. ~~DHS OKDHS~~ authorizes payments for supportive services that may include, but are not limited to, covering the cost of: ■ 23

(A) child care under special circumstances. When child care is needed after assessment, the contracted service provider assists the client in completing a child care application. The application is sent to the OK SNAP Works coordinator to determine eligibility, per OAC 340:40;

(B) clothing;

(C) uniforms;

(D) tools;

(E) personal safety items;

(F) books or training manuals;

(G) transportation, such as bus tickets, public transportation passes, taxi cabs, sharing rides, or gas vouchers; or

(H) other equipment deemed necessary for participation.

~~(5)~~**(6) Contractor responsibility.** The contracted service provider ~~is responsible for tracking tracks~~ participation and ~~informing informs~~ the OK SNAP Works coordinator of the all referred persons' participation status, ~~and~~ outcome performance measures, ~~for all referred persons and, no later than October 1, 2021, when the provider determines that a referred person is ill-suited for an assigned component.~~

~~(A) When a referred person fails to participate in OK SNAP Works following a referral, or the provider determines that a referred person is ill-suited for a component, contracted staff notifies the Adult and Family Services (AFS) OK SNAP Works coordinator within 10-calendar days, of the non-participation or the provider determination. In a provider determination notification, the contracted provider must include the reason for the provider determination and may give input on the most appropriate next step for the participant.~~

~~(B) When the non-participant is an ABAWD who reached his or her food benefit receipt time limit, per OAC 340:50-5-100, the OK SNAP Works coordinator notifies the worker to close food benefits for the ABAWD effective the next advance notice deadline date, per DHS Appendix B-2, Deadlines for Case Actions.~~

~~(6)~~**(7) OK SNAP Works monitoring coordinator responsibilities.** The AFS OK SNAP Works coordinator ~~provides oversight and~~ monitors the contracted service provider's performance in operating the OK SNAP Works Program, initiates provider referrals, responds to provider determinations, and determines participants' child care subsidy eligibility. ■ 34

(A) At the household or worker's request, the OK SNAP coordinator provides verification of a participant's monthly hours spent in the program. ■ 5

(B) When the OK SNAP Works coordinator receives a provider determination that a participant is ill-suited for a component and recommends another component, the OK SNAP Works coordinator may allow the provider to enroll the participant in

another component that better aligns with the participant's employment barriers or needs. When the participant is enrolled in another component, no further action is needed regarding the provider determination.

(C) When the OK SNAP Works coordinator receives a provider determination and decides not to allow the provider to reassign the participant, or the provider does not offer a suitable component, the OK SNAP Works coordinator must notify the participant within 10-calendar days of the provider determination. ■ 6

(i) When the participant is an ABAWD, per OAC 340:50-5-100, the OK SNAP Works coordinator informs the participant that he or she will start accruing countable months toward the three-month participation time limit. The countable months begin with the next full month following the notification month, unless the participant:

(I) fulfills the work requirement, per (OAC) 340:50-5-100(a);

(II) has good cause; or

(III) is otherwise exempt from the ABAWD requirements.

(ii) No later than the next certification renewal after receiving a provider determination, or at the participant requests, the OK SNAP Works coordinator must:

(I) reassess whether the participant is physically and mentally capable of participating, per OAC 340: 50-5-86(4);

(II) refer the participant to an appropriate component with another OK SNAP Works provider; or

(III) coordinate with other federal, state, and local workforce or assistance programs to identify work opportunities or assistance for the participant.

INSTRUCTIONS TO STAFF 340:50-5-106

Revised ~~9-16-197-1-21~~

- 1. Oklahoma Supplemental Nutrition Assistance Program (SNAP) Works (OK SNAP Works) is currently operated by ~~contract~~ contracted service providers in Oklahoma and Tulsa counties. Providers may accept participants from the counties that border these counties.**
- 2. The Quest article "["OK SNAP Works Referral Process"](#) explains how to make a referral.**
- 3. The OK SNAP Works coordinator and contracted service providers handle expense reimbursement.**
- 34. The OK SNAP Works coordinator monitors contracted service providers' operation of the OK SNAP Works program by:
(1) conducting annual management evaluations;
(2) reviewing the accuracy and timeliness of monthly reports; and
(3) providing performance feedback.**
- 5. The worker or participant may obtain verification by emailing oksnapworks@okdhs.org.**
- 6. The OK SNAP Works coordinator must document how the participant was notified of a provider determination and what next step was decided in Family Assistance/Client Services (FACS) case notes.**

SUBCHAPTER 9. ELIGIBILITY AND BENEFIT DETERMINATION PROCEDURES

Blue highlighting is for changes going through 2021 rulemaking.

340:50-9-5. Changes after application and during the certification period [Instructions To Staff Only]

Revised ~~40-2-199-15-21~~

(a) **Change reporting requirements.** Section 273.12 of Title 7 of the Code of Federal Regulations (7 C.F.R. § 273.12) contains change reporting requirements after application and during the certification period described in (a) through ~~(h)~~(i) of this Section.

(b) **Applicant households.** Applicant households must report all changes related to their food benefit eligibility and benefit amount. Households must report changes that occur after the interview but before the date of the notice of eligibility, within 10-calendar days of the date of the notice. ■ 1

(c) **Annual reporting households.** Annual reporting households are households in which all adult members are elderly or disabled with no earned income. ■ 2

(1) **Certification period.** A 24-month certification period is automatically assigned to annual reporting households. Annual reporting households must complete a mid-certification renewal between certification periods to report current household circumstances.

(2) **Change reporting between renewal periods.** Between the mid-certification renewal and certification renewal reporting months, the household must report gross income changes when the household's income exceeds the maximum gross income scale for household size shown on Form 08MP006E, Information for Benefit Renewal, and when the household wins substantial lottery or gambling winnings as defined, per 7 C.F.R. § 273.11(r) and Oklahoma Administrative Code (OAC) 340:50-7-1, within 10-calendar days of receipt of the first payment attributable to the change. ■ 3 The maximum gross income scale is based on 130 percent of the monthly poverty income guidelines.

(3) **Action taken on reported changes.** The worker must act on all changes reported by households. ■ 4

(A) The computer system determines if the change results in an increase, decrease, or no change in benefits.

(B) Between the mid-certification renewal and certification renewal months, the changes the worker makes do not decrease or close benefits until the mid-certification renewal is due unless the:

(i) household's income increase exceeds the maximum gross income scale for household size shown on Form 08MP006E; ■ 3

(ii) household requested benefit closure;

(iii) worker has information about the household's circumstances considered verified upon receipt, per (g) of this Section;

(iv) a household member is identified as a disqualified or ineligible person, per 7 C.F.R. § 273.12(a)(5)(vi) and OAC 340:50-5-10.1; or

(v) the worker verifies the household won substantial lottery or gambling winnings as defined, per 7 C.F.R. § 273.11(r) and OAC 340:50-7-1(b). When this occurs, refer to (j) of this Section, and OAC 340:50-7-1(b) and 340:50-7-6, for information regarding actions that are taken. ■-5

- (C) The computer system applies all changes that increase benefits. Before entering a change that increases benefits, verification supporting the change must be provided, when required. ■ 65
- (d) **Mid-certification renewal for annual reporting households.** Annual reporting households are sent notification in the 11th month of certification that the mid-certification renewal is due. The notice explains methods the household may choose to complete the renewal and required verification needed. ■ 76 An interview is not required.
- (1) **When the mid-certification renewal is due.** The household must complete the benefit renewal and provide required verification by the last day of the 12th month of certification.
- (2) **Completion of mid-certification renewal.** The worker reviews benefit renewal information and verification provided to determine completeness and continued eligibility. ■ 87
- (A) When the renewal is complete and the household remains eligible, the worker acts on all reported changes and the computer system applies any increase or decrease in benefits.
- (i) When the household fails to provide sufficient information regarding a deductible expense requiring verification, the worker processes the mid-certification renewal without regard to the deduction.
- (ii) When benefits are decreased, an advance notice is sent, per the Oklahoma Department of Human Services (DHS) (OKDHS) Appendix B-2, Deadlines for Case Actions.
- (B) When the household is no longer eligible, the worker closes food benefits effective the next advance-notice deadline date, per (DHS) (OKDHS) Appendix B-2.
- (C) When the renewal is incomplete, the computer system closes food benefits effective the next advance-notice deadline date, per (DHS) (OKDHS) Appendix B-2. ■ 98
- (3) **When benefits may be reopened.** Food benefits may be reopened following closure when criteria is met per (j)(k) of this Section.
- (e) **Semi-annual reporting households.** Food benefit households are considered semi-annual reporting households unless they meet criteria per (b) or (g) of this Section.
- (1) **Certification period.** A 12-month certification period is automatically assigned to semi-annual reporting households. ■ 109
- (2) **Change reporting between renewal periods.** Between the mid-certification renewal and certification renewal reporting months, the household must report when:
- (A) the household's gross income exceeds the maximum gross income scale for household size shown on Form 08MP006E and when the household wins substantial lottery or gambling winnings as defined, per 7 C.F.R. § 273.11(r) and OAC 340:50-7-1, within 10-calendar days of receiving the first payment attributable to the change. ■ 3 The maximum gross income scale is based on 130 percent of the monthly poverty income guidelines; and
- (B) a decrease in work hours below an average of 20 hours per week or 80 hours per month occurs for any household member meeting the able-bodied adults without dependents (ABAWD) work rules, per OAC 340:50-5-100, by the 10th of the following month. ■ 1110

(3) **Action taken on reported changes.** The worker must act on all changes reported by households. ■ 4

(A) The computer system determines if the change results in an increase, decrease, or in no change in benefits.

(B) Between mid-certification renewal and certification renewal months, the changes the worker makes do not decrease or close food benefits until the mid-certification renewal is due unless:

(i) the household's income increase exceeds the maximum gross income scale for household size shown on Form 08MP006E; ■ 3

(ii) the household requested benefit closure;

(iii) the worker has information about the household's circumstances considered verified upon receipt, per (h) of this Section;

(iv) an ABAWD must be removed from the food benefit household because he or she does not meet the ABAWD work rule, per OAC 340:50-5-100; ■ 1410

(v) a household member is identified as a disqualified or ineligible person, per 7 C.F.R. § 27312(a)(5)(vi) and OAC 340:50-5-10.1;

(vi) a household member is identified as failing to meet work registration requirements, per OAC 340:50-5-85 through OAC 340:50-5-87; or

(vii) the worker verifies the household won substantial lottery or gambling winnings as defined, per 7 C.F.R. § 273.11(r) and OAC 340:50-7-1(b). When this occurs, refer to (j) of this Section, and OAC 340:50-7-1(b) and 340:50-7-6, for information regarding actions that are taken. ■ 5

(C) The computer system applies all changes that increase benefits. Before entering a change that increases benefits, verification supporting the change must be provided, when required. ■ 65

(f) **Mid-certification renewal for semi-annual reporting households.** Semi-annual reporting households are sent notification in the fifth month of certification that the mid-certification renewal is due. ■ 76 An interview is not required.

(1) **When the mid-certification renewal is due.** The household must complete the benefit renewal and provide required verification by the last day of the sixth month of certification.

(2) **Completion of mid-certification renewal.** The worker reviews benefit renewal information and verification provided to determine completeness and continued eligibility. ■ 87

(A) When the renewal is complete and the household remains eligible, the worker acts on all reported changes and the computer system applies any increase or decrease in benefits.

(i) When the household fails to provide sufficient information regarding a deductible expense requiring verification, the worker processes the mid-certification renewal without regard to the deduction.

(ii) When benefits are decreased, the worker sends an advance notice, per DHS OKDHS Appendix B-2, Deadlines for Case Actions, deadline dates.

(B) When the household is no longer eligible, the worker closes food benefits effective the next advance-notice deadline date, per DHS OKDHS Appendix B-2.

(C) When the renewal is incomplete, the computer system closes food benefits effective the next advance-notice deadline date, per DHS OKDHS Appendix B-2.

■ 98

(3) **When benefits may be reopened.** Food benefits may be reopened following closure when criteria is met per (i)(k) of this Section.

(g) **Change reporting households.** Change reporting households are assigned a certification period other than 12 or 24 months. These households are required to report changes within 10-calendar days of when the change occurred.

(1) **Household characteristics.** Households not approved for a 12- or 24-month certification period include households approved for:

(A) expedited services for one or two months because the interview and/or verification were postponed, per OAC 340:50-3-2; and

(B) a three- or four-month certification period because the household includes one or more ABAWDs that do not meet the work rule, per OAC 340:50-5-100.

(2) **Required change reporting.** These households must report changes in:

(A) sources of income;

(B) unearned income of \$100 per month or more;

(C) earned income of more than \$100 per month;

(D) household composition, such as an addition or loss of a household member;

(E) residence and shelter costs; ■ 4211

(F) the legal obligation to pay child support;

(G) the work hours of an ABAWD subject to benefit time limits, per OAC 340:50-5-100 when they fall below 20 hours per week; and

(H) resources when the household wins substantial lottery or gambling winnings as defined, per 7 C.F.R. § 273.11(r) and OAC 340:50-7-1(b). When this occurs, refer to (j) of this Section, and OAC 340:50-7-1(b) and 340:50-7-6, for information regarding actions that are taken. ■-5

(3) **Action taken on case changes.** The worker must act on changes reported by the household within 10-calendar days of the date the household reported the change and provided necessary verification. ■ 43124

(A) When the household fails to report a change within the 10-calendar day period and, as a result, receives benefits to which it is not entitled, an overpayment claim is referred to Adult and Family Services (AFS) Benefit Integrity and Recovery, per OAC 340:50-15.

(B) When the worker fails to take timely action on a reported change and benefits are lost, the worker supplements the household's food benefits.

(4) **Changes that increase benefits.** When the household reports a change that increases benefits the household must verify the information before the worker makes the change. The worker gives the household 10-calendar days to verify the information. ■ 441312

(5) **Changes that decrease or close benefits.** When the household reports a change in household circumstances that decreases or closes food benefits, the worker gives or sends the household Form 08AD092E, Client Contact and Information Request, giving the household 10-calendar days to provide verification of the change. When the household provides required verification, the worker reduces or closes food benefits based on the verification provided. When the household does not provide required verification, the worker closes the food benefits based on the household's failure or refusal to provide verification.

(A) When a household's benefit decreases or closes, an advance notice of adverse action is required unless exempt from such notice for a reason listed in (i) or (ii) of this subparagraph. Per 7 C.F.R. § 273.13, advance notice of adverse action is considered timely when the notice is mailed at least 10-calendar days before the action becomes effective. The household retains its right to a fair hearing and continuation of benefits when a fair hearing is requested within 10-calendar days of the change notice. An adverse action notice may be mailed just prior to the date the household receives or would have received benefits when the:

(i) **DHS OKDHS** receives a clear written statement signed by a responsible household member:

- (I) stating the household no longer wishes to receive food benefits; or
- (II) giving information that requires closure or reduction of food benefits and stating that the household understands the food benefit will be reduced or closed; or

(ii) worker closes or reduces food benefits per notice requirements at ~~(k)(3)(A)~~ **(l)(3)(A)** of this Section. ■ **151413**

(B) When an advance notice is required, the benefit decrease or closure is effective the next advance notice deadline date, per **DHS OKDHS** Appendix B-2. When the household reports a change:

(i) 10-calendar days or more before the advance-notice deadline, per **DHS OKDHS** Appendix B-2, the worker decreases or closes the food benefit effective the first of the following month; or

(ii) less than 10-calendar days before the advance-notice deadline, per **DHS OKDHS** Appendix B-2, the worker must take action before the advance-notice deadline the following month.

(C) When a reported change increases food benefits, the worker makes the change by the non-advance-notice deadline date, per **DHS OKDHS** Appendix B-2.

(h) **Changes considered verified upon receipt.** Verified upon receipt means the information is not questionable and the provider is the primary source of the information. For example, when **DHS OKDHS** receives Social Security and Supplemental Security Income verification through data exchange with the Social Security Administration (SSA), it is considered verified upon receipt because SSA is the primary source. When the worker receives information considered verified upon receipt, he or she makes the change within 10-calendar days of notification using **DHS OKDHS** Appendix B-2 deadline dates. ■ **161514**

(i) **Required action on unclear information.** During the certification period, the worker may obtain unclear information about a household's circumstances that may affect the household's continued eligibility or benefit amounts. The worker may receive the unclear information from a third party, such as a data exchange discrepancy, an employer, or a person claiming knowledge of the household's circumstances. Unclear information is information that is not verified or is verified but the worker needs additional information before acting on the change.

(1) Per 7 C.F.R. § 273.12(c)(3)(i), when the worker receives unclear information in a non-report month for semi-annual or annual reporting households or any month for change reporters, he or she sends Form 08AD092E to the household to verify its

circumstances within 10-calendar days only when the unclear information:

(A) significantly conflicts with the information used at the time of the certification, indicating the household may have failed to report eligibility information at application; or ■ [171615](#)

(B) is fewer than 60-calendar days old, relative to the current participation month and when true, must be reported under the household's reporting responsibilities. ■ [181716](#)

(2) When the household provides the requested verification in a non-report month, the worker determines whether to take action, per requirements at (c)(3) and (e)(3) of this Section.

(3) When the worker sends Form 08AD092E, per (i)(1)(A) or (B) of this Section, and the household does not respond or responds but refuses to provide sufficient information to clarify its circumstances, the worker closes the household's food benefits effective the next advance-notice deadline date, per [DHS OKDHS](#) Appendix B-2;

(4) Per 7 C.F. R. § 273.12(c)(3)(iii), when the worker receives a data match that indicates a household member may have died or may be incarcerated for more than 30-calendar days, the worker sends Form 08AD092E to the household notifying it of the discrepancy and requesting information regarding the household member. ■ [191817](#)

(A) When the household is a change reporting household and:

(i) fails to respond to Form 08AD092E or responds but refuses to provide sufficient information to clarify the person's household status, the worker closes the household's food benefits;

(ii) responds and verifies the person is not dead or incarcerated, no action is taken; or

(iii) responds and confirms the accuracy of the data exchange information, the worker removes the person from the food benefit and determines if an overpayment referral is needed, per OAC 340:50-15.

(B) When the household is an annual or semi-annual reporting household and:

(i) fails to respond to Form 08AD092E or responds but refuses to provide sufficient information to clarify the person's household status, the worker removes the person and his or her income from the household and adjusts the food benefits;

(ii) responds and verifies that the person did not die or is not incarcerated, no action is taken; or

(iii) responds and confirms the accuracy of the data exchange information, the worker removes the person and his or her income from the household, adjusts the food benefits, and determines if an overpayment referral is needed, per OAC 340:50-15.

(j) Required action on substantial lottery or gambling winnings. The worker must take prompt action to verify receipt of substantial lottery or gambling winnings and begin closure procedures when the household or a third party reports the household received substantial lottery or gambling winnings, per OAC 340:50-7-1(b), for all types of reporting households.

(1) When the household reports substantial winnings, verification of the winnings is required. The worker closes the SNAP food benefit for the entire household once verification is received even when the household states all of the winnings were spent, per 7 C.F. R. § 273.11(r). The worker also closes the SNAP food benefit when the household fails to provide verification after being given 10-calendar days to do so.

(2) When the worker receives information from a data match or other third party regarding the household's receipt of substantial lottery or gambling winnings, the action required depends on whether the information is unclear, per (i) of this Section.

■ 4918

(A) When the worker receives a direct match from a lottery or gambling entity and there is no question regarding which client received the winnings, the worker closes the SNAP food benefit effective the next advance notice deadline date, per OKDHS Appendix B-2.

(B) When the worker receives the information from a third party data match or another third party, the worker follows unclear information procedures per (i) of this Section.

(3) When the worker closes the SNAP food benefit due to substantial lottery or gambling winnings, the household must reapply and cannot be considered categorically eligible the first time it reapplies, per 7 C.F. R. § 273.11(r), OAC 340:50-7-1(a)(2) and 340:50-11-111(d). To regain eligibility, the household must meet non-categorical resource requirements, per 7 § C.F.R. 273.8 and OAC 340:50-7-6, and verify how the winnings were spent down below the appropriate resource standard, per OKDHS Appendix C-3, Maximum Food Benefit Allotments and Standards for Income and Deductions. This applies to all households, including households receiving Supplemental Security Income or Temporary Assistance for Needy Families. Once the household meets non-categorical resource requirements and is certified, it regains categorical eligibility for future applications and renewals unless the household contains a sponsored alien or cannot be considered categorically eligible, per OAC 340:50-7-1(a)(2) and 340:50-11-111(d).

~~(j)~~(k) **When benefits may be reopened following closure.** The food benefit may be reopened following closure using current eligibility information, when:

(1) DHS did not administer policy and procedures correctly. The food benefit is reopened effective the first day of the month of closure; ■ 2019

(2) the household fails to complete the mid-certification renewal timely, but provides all required verification by the first day of the month of closure. The food benefit is reopened effective the first day of the month of closure; ■ 2420 or

(3) the household fails to complete the mid-certification renewal timely, but provides all required verification by the last day of the month of closure. The food benefit is reopened and prorated from the date the household completes the mid-certification renewal and provides all required verification. ■ 2420

~~(k)~~(l) **Notice requirements.** DHS OKDHS is required to send a notice to the household when food benefits increase, reduce, or close.

(1) **Advance notice of adverse action required.** Prior to reducing or closing food benefits during the certification period, per 7 C.F.R. § 273.13, the worker must provide timely advance notice unless circumstances described in ~~(k)~~(l)(2) or (3) of this Section occur.

(A) Advance notice of adverse action is considered timely when the notice is mailed at least 10-calendar days before the action becomes effective. Refer to [DHS OKDHS](#) Appendix B-2 for advance notice processing deadlines.

(B) When the household reports a change:

(i) 10-calendar days or more before the advance notice of adverse action deadline, the worker decreases or closes the food benefit effective the first of the following month. For example, when the household reports a change on May 18th, the effective date of the change is June 1st; or

(ii) less than 10-calendar days before the advance notice of adverse action deadline, per [DHS OKDHS](#) Appendix B-2, the worker decreases or closes the food benefit effective the first of the month after the following month. For example, when the household reports a change on May 25th, the effective date of the change action is July 1st.

(2) **Notice requirement when benefits increase.** When a reported change increases food benefits, the worker makes the change by the non-advance notice deadline date, per [DHS OKDHS](#) Appendix B-2. When the change is reported after the non-advance notice deadline, the worker supplements food benefits. ■ [2221](#)

(3) **Advance notice of adverse action not required.** Advance notice of adverse action is not required for actions (A) through (H) of this paragraph, per 7 C.F.R. § 273.12(e) and 7 C.F.R. § 273.13(b).

(A) **Mass changes.** When [DHS OKDHS](#) initiates mass changes because of changes or requirements in federal or state law, the computer system closes benefits by the non-advance-notice deadline, per [DHS OKDHS](#) Appendix B-2. ■ [2322](#) In these situations, the individual notification requirement is waived and AFS mails generic notices to the affected households informing them of the changes that are about to be made. ■ [2423](#)

(B) **Deceased household members.** When the worker determines, based on reliable information, that all members of the household are deceased, the worker closes benefits by the non-advance-notice deadline, per [DHS OKDHS](#) Appendix B-2.

(C) **Moved out of state.** When the worker determines, based on reliable information, the household moved out of state, the worker closes benefits by the non-advance-notice deadline, per [DHS OKDHS](#) Appendix B-2.

(D) **Unfinished issuance certification.** When the unfinished issuance process is used at certification, the worker adjusts the benefit to take into account changes anticipated at the time of certification. The certification notice informs the household of all benefit changes included in this process.

(E) **Disqualified household member.** When the only household member is disqualified for an intentional program violation or fraud, per OAC 340:50-15-25, food benefits are closed by the non-advance-notice deadline, per [DHS OKDHS](#) Appendix B-2. When there is more than one person in the household, the remaining household members' benefits are reduced or closed because of that household member's disqualification by the non-advance-notice deadline, per [DHS OKDHS](#) Appendix B-2.

(F) **Facility loses approval.** When a household's food benefit closes because the drug or alcohol treatment center or group home facility where the household

resides is no longer approved, the worker closes benefits by the non-advance-notice deadline, per **DHS OKDHS** Appendix B-2.

(G) **Household provides written statement.** The worker closes or reduces benefits by the non-advance-notice deadline, per **DHS OKDHS** Appendix B-2, when the household provides a written statement:

- (i) stating the household no longer wants to receive food benefits; or
- (ii) requesting closure or reduction in food benefits to avoid or repay an overpayment.

(H) **Case transfer.** When the worker closes food benefits in one case in order to transfer the food benefits to another case without a decrease or disruption in benefits, the worker closes benefits by the non-advance-notice deadline, per **DHS OKDHS** Appendix B-2.

(4)(m) Action on changes when fair hearings are requested. When a household requests a fair hearing within 10-calendar days of the date shown on an adverse action notice, the worker must reopen or restore food benefits to the previous level pending the outcome of the hearing unless the household specifically waives continuation of benefits, per 7 § C.F.R. 273.15(k). Refer to OAC 340:2-5 for fair hearing procedures.

INSTRUCTIONS TO STAFF 340:50-9-5

Revised **5-22-209-15-217-1-21**

1. At the interview, the worker must give or send each household, Forms 08FB038E, Changes in Household Circumstances, and 08MP006E, Information for Benefit Renewal.
 - (1) The worker puts the local county office's toll-free phone number on Form 08FB038E and explains the household may call or use Form 08FB038E to report household changes. A change is considered reported the date the worker receives Form 08FB038E or is notified of the change by phone or personal contact.
 - (2) The worker uses Form 08MP006E to explain benefit renewal requirements, time frames, change reporting rules, and if the household is an annual or semi-reporting household.
 - (3) After certification, the household receives a notice explaining when the household's mid-certification renewal is due and change reporting rules.
2. (a) The worker is responsible for identifying the household's reporter status and explaining benefit renewal requirements at application and certification renewal.
 - (b) The computer system recognizes the annual report status, automatically assigns a 24-month certification period, and identifies the household as an annual reporting household by entering "A" in the reporter status field.
3. When the:
 - (1) household reports a change in income that exceeds income guidelines, per Oklahoma Department of Human Services (OKDHS) Appendix C-3, Maximum Food Benefit Allotments and Standards for Income and Deductions, in a non-report month, the worker must request and receive verification the person already received income from the source before closing the household's food benefits; and

- (2) income source is from a new job, the verification must show the person received at least one full paycheck before the worker closes the food benefits. When the household does not provide the verification, the worker documents the new income in Family Assistance/Client Services (FACS) case notes and addresses the income at the next mid-certification renewal or certification renewal.
4. (a) When a household member loses a work registration or an able-bodied without dependents (ABAWD) exemption, per OAC 340:50-5-86 and 340:50-5-101, or a new person enters the household, the worker must attempt to contact the household to orally explain how the Work Registration and ABAWD rules affect that person. The system also generates a written notice to the household, per OAC 340:50-5-87 and 340:50-5-100. The worker enters a case note to document the contact or attempted contact. The worker must attempt to contact the household to orally explain how work registration and ABAWD rules affect the household when:
- (1) a household member loses a work registration exemption, per OAC 340:50-5-86;
 - (2) an ABAWD loses a work requirement exemption, per OAC 340:50-5-100(d); or
 - (3) a new household member enters the household.
- (b) The worker documents all reported changes and attempts to contact the household to explain work registration and ABAWD rules in FACS case notes.
- (c) When the household reports the change on Form 08FB038E, the worker must provide the household with another Form 08FB038E.
5. ~~The worker must take prompt action to verify receipt of substantial lottery or gambling winnings and begin closure procedures when the household or a third party reports the household received substantial lottery or gambling winnings, as defined, per Oklahoma Administrative Code (OAC) 340:50-7-1(a)(3), for all types of reporting households.~~
- ~~(1) When the household reports substantial winnings, it is required to verify the winnings. The worker closes the Supplemental Nutrition Assistance Program (SNAP) food benefit for the entire household once verification is received even when the household states all of the winnings were spent. The worker also closes the SNAP food benefit when the household fails to provide verification after being given 10-calendar days to do so.~~
 - ~~(2) When the worker receives information from a data match or other third party regarding the household's receipt of substantial lottery or gambling winnings, the action required depends on whether the information is unclear, per (i) of this Section.~~
 - ~~(A) When the worker receives a direct match from a lottery or gambling entity and there is no question regarding which client received the winnings, the worker closes the SNAP food benefit effective the next advance notice deadline date, per OKDHS Appendix B-2.~~
 - ~~(B) When the worker receives the information from a third party data match or another third party, the worker follows unclear information procedures per (i) of this Section.~~

~~(3) When the worker closes the SNAP food benefit due to substantial lottery or gambling winnings, the household must reapply and cannot be considered categorically eligible the first time it reappplies, per OAC 340:50-11-111(d). To regain eligibility, the household must reapply, meet non-categorical resource requirements, per 7 C.F.R. § 273.8 and OAC 340:50-7-6, and verify how the winnings were spent down below the appropriate resource standard, per Appendix C-3, Maximum Food Benefit Allotments and Standards for Income and Deductions. This applies to all households, including households receiving Supplemental Security Income or Temporary Assistance for Needy Families. Once the household meets non-categorical resource requirements and is certified, it regains categorical eligibility for future applications and renewals unless the household contains a sponsored alien or meets criteria, per OAC 340:50-11-111(d).~~

- 6.** For example, income changes must always be verified, but a shelter cost change does not need to be verified unless it is questionable.
- 76.** (a) The household receives a computer-generated notice titled, 'Renew My Benefits.' The notice informs the household when the renewal is due, methods the household may choose to complete the renewal, and required verification.
(b) Methods the household may use to complete the mid-certification renewal include:
- (1) submitting the benefit renewal electronically by:
 - (A) accessing www.okdhslive.org; or
 - (B) getting help from the OKDHS or a community partner to access www.okdhslive.org;
 - (2) downloading Form 08MP004E, Renew My Benefits, from OKDHS - Forms and Applications for Service and completing, signing, and delivering, mailing, or faxing it to [OKDHS](#);
 - (3) going into a county office for assistance; or
 - (4) phoning 405-487-5483.
- 87.** (a) Once the household submits the mid-certification renewal, the information is analyzed to determine:
- (1) what changes occurred;
 - (2) if the household signed the mid-certification renewal electronically or on the paper benefit renewal form;
 - (3) if the household provided all required verification; and
 - (4) what changes must be made on the computer system.
- (b) After the worker analyzes the mid-certification renewal, he or she updates the benefit report action field to indicate the benefit renewal status and the action date using Systems Help Instructions located on Quest. The mid-certification renewal is coded:
- (1) incomplete, when the household failed to sign the mid-certification renewal or did not provide all required verification;
 - (2) ready to work, when the household signed the mid-certification renewal and provided all required verification, but the worker has not completed the mid-certification renewal; or
 - (3) complete, after the worker:

- (A) evaluates information contained on the mid-certification renewal, the verification provided, and on data exchange screens for changes;
- (B) enters all mid-certification renewal information including changes, in the FACS Interview and Eligibility Notebooks; and
- (C) documents changes made and how continued eligibility was determined in FACS Case Notes.

(c) Case Worker Activity (CWA) reports are available to help workers track the status of pending mid-certification renewals. Information regarding each CWA report is available on the Infonet by clicking on the Job Functions tab, choosing Quest, and typing CWA Specifications in the search field.

98. At negative action deadline, mid-certification renewals not coded as complete, are automatically closed the next effective date with reason code 36S.

(1) When the household submits an incomplete renewal and time permits, the worker may attempt phone contact to inform the household of information needed to complete the renewal. The worker does not send Form 08AD092E, Client Contact and Information Request, unless 10- or more calendar days remain before the negative action deadline, per OKDHS Appendix B-2, Deadlines for Case Action.

(2) Prior to deadline, the worker records what information is lacking in the FACS Case Notes and any attempts made to obtain needed information.

109. (a) The worker is responsible for identifying the household's reporter status and explaining benefit renewal requirements at application and certification renewal.

(b) The computer recognizes the semi-annual status, automatically assigns a 12-month certification period, and identifies the household as a semi-annual reporting household by entering "S" in the reporter status field.

1410. When the household contains an able-bodied adult without dependents (ABAWD), the worker informs the household at the certification and certification renewal interviews of the ABAWD work rule and change reporting requirements. When an ABAWD's work hours decrease below 80 hours per month, he or she must report the decrease by the 10th of the following month.

(1) When the household reports the ABAWD's work hours decreased, the worker determines when the work hours decreased below an average of 20 hours per week or 80 hours per month.

(2) When the worker determines the ABAWD is eligible to receive the initial three 'free' months, food benefits continue. The worker completes a desk review during the third month prior to advance notice deadline to determine if the ABAWD meets work requirements or must be removed from the food benefit.

(3) When the worker determines the ABAWD received all food benefits for which he or she is eligible, the worker removes the ABAWD from the food benefit effective the next advance-notice deadline date, per OKDHS Appendix B-2. When the ABAWD is the only person in the food benefit household, the worker closes the food benefit effective the next advance-notice deadline date, per OKDHS Appendix B-2.

1211. When the household reports an address change, the worker must offer voter

registration services, per **OAC Oklahoma Administrative Code 340:65-11-3.**

~~1312. When the household reports a change, the worker determines if the change affects the household's eligibility or the food benefit amount. The worker documents all reported changes in FACS Case Notes. When the household reports the change on Form 08FB038E, the worker must provide the household with another Form 08FB038E.~~

~~1413~~12. (a) When a change is reported, the worker:

(1) makes the change effective no later than the first issuance to be delivered 10-calendar days after the date the household reports or verifies the change, whichever is later; and

(2) issues a supplement when appropriate.

(b) When the change increases the food benefit and the household:

(1) provides the required verification within 10-calendar days of reporting the change, the worker issues the supplement by the 10th calendar day following the date the change was reported, or the date the regular roll benefit is to be received, whichever is later;

(2) provides the required verification within 10-calendar days prior to the regular roll issuance, but later than the 10th calendar day, the worker issues the supplement within 10-calendar days of the date the household provides the verification; or

(3) does not provide the required verification prior to the regular roll issuance date, the worker does not issue a supplement.

~~1514~~13. A notice of adverse action is computer-generated except when the reason for the change is death, code 01, or other, code 69. When code 69 is used, the worker hand issues Form 08MP038E, Client Notice of Action.

~~1615~~14. (a) Types of information considered verified upon receipt include, but are not limited to:

(1) Beneficiary and Earnings Data Exchange System (BENDEX), from the Social Security Administration (SSA);

(2) Supplemental Security Income (SSI)/State Data Exchange System (SDX), from the SSA;

(3) Systematic Alien Verification for Entitlements (SAVE), from the United States Citizenship and Immigration Services (USCIS);

(4) Unemployment Insurance Benefits (UIB), from the Oklahoma Employment Security Commission (OESC);

(5) workers' compensation documents from Workers' Compensation Court;

(6) changes in household composition reported by the household; and

(7) actions processed for food benefits or other OKDHS programs affecting food benefit expenses, such as:

(A) a decrease in the child care family share co-payment, resulting in a smaller dependent care deduction; or

(B) the determination of an intentional program violation.

(b) Examples of information that are NOT verified upon receipt are:

(1) Oklahoma Wage Link (OWC and OWL), quarterly wage match data, unless criteria per (i)(2) and (4) of this Section applies;

(2) wage data obtained from BENDEX, unless criteria per (i)(2) and (4) of this

Section applies;

(3) New Hire List (NHL) matches. For example, an NHL data exchange message is received during a non-report month indicating a household member started working. When counted, the income would decrease the food benefit. However, because the information is NOT considered verified upon receipt, the worker does not take action to decrease food benefits in a non-report month, unless the NHL screen shows the person's salary or rate of pay and scheduled hours and the projected monthly income may make the household over income, per OKDHS Appendix C-3 or criteria per (i) of this Section applies;

(4) changes in shelter and utility costs. For example, when the client reports the rent decreased from \$1000 to \$600 per month in a non-report month it does not cause a decrease in benefits, as this information is NOT considered verified upon receipt; and

(5) a prisoner's (PRS) or date of death (DOD) data match from SSA as information may be old or incorrect. This is considered unclear information per (i)(4) of this Section.

171615. Examples of unclear information that significantly conflicts with information used at certification include when the worker receives:

(1) data exchange information indicating a household member started a new job or was working at a job the month before or the month of application and did not report the information; or

(2) information from the client's neighbor who reports that the client's husband is working and never left the home as reported by the client.

181716. (a) Examples of when the worker is required to send Form 08AD092E to the household to clarify its circumstances because the unclear information is fewer than 60-calendar days old include, when:

(1) the client reports that a household member who is an able-bodied adult without dependents stopped working or reduced his or her hours below 20 hours per week;

(2) OKDHS receives a State New Hire (SNH) G1DX discrepancy on July 1, 2018, showing that a household member began working on May 5, 2018, and the employee detail page of the SNH screen indicates the household member's earnings place the household's income above the maximum income standard, per OKDHS Appendix C-3. This situation meets the 60-calendar day requirement even when the worker does not review the discrepancy and send Form 08AD092E until July 15th, because the discrepancy was transmitted to OKDHS within 60-calendar days of the employment start date; (3) an acquaintance of the client calls on June 3, 2018, to report that the client started working 40 hours per week at a job on April 30, 2018, and makes \$15 per hour. The caller would need to provide enough specifics, such as the employer's name and where the business is located, in order for the worker to act on the information. The client must verify if he or she works at the reported business, since the report was received within 60-calendar days of the reported start date and, when true, the reported income would make the client ineligible for food benefits; or

(4) the client calls or completes Form 08FB038E to report starting a new job and the reported income would make the household over income for food benefits. The client must verify the income after receiving a full pay check since the job started within 60-calendar days of the report date.

(b) Examples of unclear information that do not require the worker to send Form 08AD092E to request information are included in (1) and (2) of this subsection. The worker must document the circumstances in FACS case notes as a reminder to verify the information at the next mid-certification or certification renewal.

(1) A semi-annual reporting client reports on May 1, 2018, that she started working 30 hours per week at \$10 per hour on April 10, 2018. Since the reported income does not make the client ineligible for food benefits, the household is not required to verify the income until the next mid-certification renewal or certification renewal is due.

(2) OKDHS receives a SNH G1DX discrepancy on June 10, 2018, showing the client started working on March 28, 2018, and the employer detail page indicated the earnings may place the household above the maximum income standard, per OKDHS Appendix C-3. The worker does not require the client to verify the income in a non-report month because the unclear information was not received within 60-calendar days of the client's start date.

191817. PRS and DOD data matches appear as alerts on G1DX. Whenever the worker receives one of these alerts, he or she must attempt to confirm the accuracy of the information before taking action. SSA receives and sends information to OKDHS:

(1) regarding PRS data matches from some, but not all, prisons, jails, and other penal institutions or correctional facilities, certain mental health institutions, and various third parties including media sources. SSA maintains this data to identify Supplemental Nutrition Assistance Program (SNAP) clients who 'are currently' or 'have been incarcerated.' The worker accesses the incarceration dates by typing PRS next to the SSN on the G1DX results and hitting enter. A detail screen displays the incarceration dates; and

(2) regarding DOD data matches from local State Departments of Health. The G1DX screen displays date of death for persons reported as deceased by SSA, but who appear to be receiving OKDHS benefits.

1918. Adult and Family Services is in the process of developing data matches with the lottery commission and gambling entities but they are not available at this time.

2019. When the food benefit closes because of administrative error, the worker:

- (1) reopens the FACS SNAP tab using "R" in the Action Taken field and "18A" in the Reason field;
- (2) enters any required changes; and
- (3) updates the benefit and status fields in the Household tab for persons included in the benefit household.

2120. (a) When the food benefit closes because the household did not complete the mid-certification renewal timely, the worker:

(1) reopens the SNAP tab using "R" in the Action Taken field, "180" in the Reason field, and the date the mid-certification renewal was completed in the Effective Date field;

(2) enters any required changes; and

(3) updates the benefit and status fields in the Household tab for persons included in the benefit household.

(b) When the household waits until after the last day of the month of closure to provide needed information, the household must reapply.

2221. The worker uses the FSSR transaction to issue a supplement. To access the FSSR screen, the worker types M space FSSR in the information management system (IMS) and hits enter. The worker enters the appropriate case information on the Request for Supplemental/Retro SNAP benefits screen and hits enter to issue the supplement.

2322. Examples of mass changes include changes in:

(1) the maximum income limitation or basis of issuance tables;

(2) cost-of-living increases in SSA, Veteran, Railroad Retirement, or SSI benefits; and

(3) Temporary Assistance for Needy Families cash assistance or State Supplemental Payments.

2423. AFS SNAP staff may also announce SNAP changes through the media so the general public and food benefit recipients are notified.

SUBCHAPTER 10. ELECTRONIC BENEFIT TRANSFER (EBT)

340:50-10-9. Expungement of benefits

Revised 9-16-197-1-21

~~(a) The Oklahoma Department of Human Services (OKDHS) expunges Supplemental Nutrition Assistance Program (SNAP) food benefits that were not accessed by the household after a period of one year;~~

~~(1) 12 months of inactivity until September 22, 2021; or~~

~~(2) 274-calendar days of inactivity beginning September 22, 2021.~~

~~(b) Inactivity occurs when the household does not take action that affects the balance of the household's SNAP electronic benefit transfer account, such as making a purchase or return. ■ 1~~

~~(c) Beginning September 22, 2021, OKDHS must provide an expungement notice to the household at least 30-calendar days before expunging the benefit.~~

INSTRUCTIONS TO STAFF 340:50-10-9

Revised 7-1-21

1. The household, not Oklahoma Human Services (OKDHS), must take an action to affect the balance. When OKDHS loads a household's monthly benefit allotment, this action does not stop an electronic benefits transfer (EBT) card balance from being inactive.