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United States
Department of
Agriculture

Food and
Nutrition
Service

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Alexandria, VA
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SUBJECT: Supplemental Nutrition Assistance Program (SNAP) – Waiving the Face-to-Face Interview and the Rights of Hardship Households

TO: All Regional Directors
Supplemental Nutrition Assistance Program (SNAP)

Food and Nutrition Service (FNS) frequently waives the requirement that a State agency document hardship in order to interview a household by telephone instead of providing a face-to-face interview. One condition of FNS approval of this waiver, as articulated in the standard FNS waiver approval, is that the State agency “must conduct a face-to-face interview if determined to be appropriate”.

Recently, the National Office received a question about whether this condition should apply to a household who cannot go to a SNAP office because of a hardship. FNS agrees that under SNAP regulations, a household with a hardship has a right to either a telephone interview or an out-of-office interview and that FNS’s waiver cannot supersede that right. Therefore, we are clarifying the policy in this area and modifying the condition attached to waivers of the face-to-face interview to reflect this policy. The standard waiver wording was intended to convey the regulatory requirement that any household who requests a face-to-face interview is granted one.

SNAP regulations

The relevant regulation is 7 CFR 273.2(e)(2):

The State agency must notify the applicant that it will waive the face-to-face interview required in paragraph (e)(1) of this section in favor of a telephone interview on a case-by-case basis because of household hardship situations as determined by the State agency. These hardship conditions include, but are not limited to: illness, transportation difficulties, care of a household member, hardships due to residency in a rural area, prolonged severe weather, or work or training hours which prevent the household from participating in an in-office interview. The State agency must document the case file to show when a waiver was granted because of a hardship. The State agency may opt to waive the face-to-face interview in favor of a telephone interview for all households which have no earned income and all members of the household are elderly or disabled. Regardless of any approved waivers, the State agency must grant a face-to-face interview to any household which requests one. The State agency has the option of conducting a telephone interview or a home visit that is scheduled in advance with the household if the office interview is waived.

Interviewing hardship households

Under SNAP's regulations, a household with a hardship is entitled to an out-of-office interview. The State agency can conduct that interview over the telephone, at the household's residence, or at another location.

With some change in regulatory wording and conditions, this has been longstanding SNAP policy. FNS did not intend that the expanded use of telephone interviews and any corresponding waivers would limit the right of a hardship household to an out-of-office interview nor to limit access to nutrition assistance for these households. This policy applies whether or not a State agency has a waiver of the face-to-face interview.

Defining hardship households

A State agency determines hardship on a case-by-case basis, based on the hardship criteria specified by the State agency.

What to do when a hardship household has questionable circumstances

If a State agency questions the accuracy of an application, the State agency must verify that factor regardless of the household's hardship status. SNAP's regulations require this, at 7 CFR 273.2(f)(2)(i): "The State agency shall verify, prior to certification of the household, all other factors of eligibility which the State agency determines are questionable and affect the household's eligibility and benefit level".

Although the State agency may not require a household to have a face-to-face interview at an office, the State agency may also schedule a face-to-face interview at the household's home or another location.

Interviewing non-hardship households under the waiver

Households without a hardship do not have the right to a telephone interview or to a face-to-face out-of-office interview. Therefore, under the waiver, the State agency may require these households to appear at the SNAP office for an in-office interview if the State agency determines that one is appropriate.

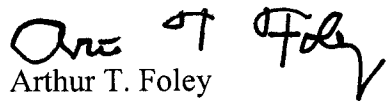
The waiver's condition

FNS is revising the approvals of waivers of the face-to-face interview to replace the former condition with this new condition:

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The State agency must conduct a face-to-face interview if determined to be appropriate. However, the State agency must not require a household to attend an in-office interview if attending the interview would be a hardship, as determined by the State agency.

Please advise your State agencies of this clarification. If you have questions, please contact your Region's liaison in the Certification Policy Branch.

A handwritten signature in black ink that reads "Arthur T. Foley". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Arthur T. Foley
Director
Program Development Division