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United States
Department of
Agriculture

Food and
Nutrition
Service

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SUBJECT: Online Application Review Results and Action Items

TO: Regional Directors
Supplemental Nutrition Assistance Program
All Regions

This memorandum provides an overview of the results of a Food and Nutrition Service (FNS) review of State online applications for Supplemental Nutrition Assistance Program (SNAP) benefits. It is a first step in a broader effort to maximize the effectiveness of online applications. A next step will be closer examination of how online applications deal with citizenship, immigration status, and Social Security number (SSN) issues.

Online applications can increase program access and respond to the needs of SNAP clients who are increasingly more web savvy. While States have made commendable efforts at adopting new technology that encourages greater participation, online applications can pose barriers for applicants if not implemented correctly. Our analysis identifies major deficiencies found in these applications with regard to SNAP regulatory requirements and specifies corrective actions that State agencies must undertake.

Scope of Review

Our review was limited in scope and was not a comprehensive review of all application and application processing requirements in the Food and Nutrition Act or SNAP regulations. It also did not address the issue of compliance with requirements that come from statutes other than the Food and Nutrition Act such as the Americans with Disabilities Act (ADA), Section 508 of the Vocational Rehabilitation Act or Title VI of the Civil Rights Act.

Our review focused on specific issues of client access, which are addressed by the following regulatory requirements and informational characteristics:

1. Ability to file with just name, address and signature 7 CFR 273.2(c)(1)
2. Notification of minimum information needed to file 7 CFR 273.2(b)(1)(v)
3. Expedited service screening 7 CFR 273.2(b)(1)(vi) & 273.2(i)(2)
4. Social security number 7 CFR 273.2(b)(4) & 273.6
5. Space for authorized representative to sign 7 CFR 273.2(b)(1)(iii),(iv) & (v)
6. The application allows for electronic signature (informational)
7. Perjury Statement 7 CFR 273.2(b)(1)(iii)
8. Clear that an authorized representative can sign 7 CFR 273.2 (b)(1)(iii) & (iv)
9. Non-discrimination Statement 7 CFR 273.2(b)(1)(viii)
10. Use of IEVS (Necessary to evaluate number 12)
11. Client notification of IEVS matching 7 CFR 273.2(b)(2)

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| 12. Multi-program applications | (Necessary to evaluate number 14) |
| 13. Client notified of non-SNAP related questions | 7 CFR 273.2(b)(1)(ix) |
| 14. Privacy Act Statement | 7 CFR 273.2(c)(5) |
| 15. Verification documents that may be required | 7 CFR 273.2(c)(5) |

State online applications are required to meet all of the above regulatory requirements; problems with some but not all of these specific requirements are discussed below.

For purposes of our review, online applications include only those that permit a client to apply directly with a State agency and do not include downloadable applications on a State's web site that the client must print and submit. We reviewed 26 applications from 25 different States that were functioning at the time of our review in April 2010. Since that time, additional State agencies have implemented online applications. Under separate cover, we will provide regions with a summary sheet of our findings, which shows each application's compliance with the above-mentioned regulatory requirements. Screen shots of each application as of April 2010 are also available to regional offices, upon request. We recognize that online applications are fairly adaptable systems and could have been modified since the April 2010 review. Regional offices should take this into account when reviewing State-specific summary sheets. In addition, regional offices will need to evaluate any new online applications implemented by their States.

General Observations

State online applications varied in compliance with SNAP application regulatory requirements. Although no State online application that we examined met all of the regulatory provisions, a few met most of the regulatory requirements. Online applications from Iowa, Illinois, and Utah are noteworthy in this regard, and we encourage regional staff to review these applications for examples of good online application efforts.

Some online applications allow applicants to file with minimal information, while others request more information than permissible under the regulations. In fact, some applications will not permit applicants to move on to the next screen or to file an application unless all or many questions are answered. This is not permissible under the regulations and is discussed below.

Due to the impact online application deficiencies can have on client access, States with deficiencies should correct their applications within 90 days of the date of this memorandum or provide FNS with a detailed corrective action plan.

State agency web sites must enable applicants to quickly begin the application. States may not mandate that applicants complete pre-screening tools prior to beginning the application. States may only include the instructions necessary to initiate the process prior to allowing clients to begin the application and understand what items are mandatory. Other information (such as work requirements) should be offered later in the document so as not to delay or dissuade commencement of the application. States may request that clients register by adopting a user name and password when beginning the application as this is a form of requesting clients' names. We note, however, several States placed the registration step later in the process or made it optional, which facilitated applicants beginning the application process without delay. The registration process must be simple (no more than user name, password, and hint question) and may not duplicate information on the application.

Action/Status:

States may not require an applicant to complete mandatory pre-screening as a precursor to beginning the application. States must also streamline pre-application instructions, and keep registration information to the minimum information discussed above.

Specific Findings

Here is a summary of the specific findings documented in our attached summary sheet:

Ability to File an Incomplete Application (7 CFR 273.2(c)(1), 273.2(b)(1)(v))

The regulations require that applicants be advised that they may submit an incomplete application as long as it contains their name and address and is signed by a responsible member of the household or the household's authorized representative. Filing with just name, address and signature is a longstanding statutory and regulatory right that can have a significant impact on client benefits.

Finding: Only 8 of the 26 online applications reviewed allow a household to submit the application with just name, address and electronic signature.

Action/Status: States whose online applications do not allow applicants to file with just name, address and signature must correct this deficiency as soon as possible. Online applications must not require an applicant to provide additional information as a condition of filing the application. This requirement applies throughout the application. In a paper application, the applicant may submit at any point so long as the minimum information is provided. Similarly, it must be clear to online applicants that they may skip questions or submit the form at any point so long as the three required elements are included. Applicants do not lose the

right to submit an incomplete application just because they have completed some additional questions and the system must allow applicants to submit at any point in the process. In addition, applicants may not realize that they can submit an incomplete application if the system does not present an “apply now” option at each point in the application. State online applications must also clearly inform applicants that their benefits, if determined eligible, will be computed from the date they file their application and must encourage households to file an application the same day the household contacts the State.

While we recognize a State’s desire to obtain as much information as possible from the online application, current practice in many States is not in compliance with the regulations and creates a barrier to households applying for SNAP benefits.

Expedited Service Screening (7 CFR 273.2(b)(1)(vi) & 273.2(i)(2))

The regulations require SNAP expedited service provisions to be described in plain and prominent language on or near the front page of the application. The State agency intake system – whether in-person, mail-in, or online - must be able to identify households eligible for expedited service at the time the household requests assistance and offer a viable means for expediting approval of eligible households within 7 days.

Finding: Thirteen of the 26 online applications reviewed describe the expedited service provisions, and only 6 list the expedited service provisions on the front page of the application.

Action/Status: This is another area where failure to meet SNAP regulatory requirements results in a material impairment to client access.

States must correct online applications that fail to screen for expedited service eligibility or notify applicants of the expedited service provisions. A SNAP applicant using the online application must be able to receive expedited service if eligible. States may not require applicants to abandon the online application if they wish to be screened for or are eligible for expedited benefits. This will ensure that SNAP benefits are prorated from the earliest possible date. Rather, States that provide applicants with a phone number to call should encourage the applicant to call after they have submitted their online application to schedule an interview.

FNS recognizes that approval is contingent on certifying identity (at a minimum), completing the application, and completing an interview. Expedited applicants need to be aware of how the State agency system will facilitate these steps. If States cannot immediately modify their online applications to meet this requirement, they must develop interim procedures that are approved by their

FNS regional office to address this issue. For example, an interim procedure would be to have SNAP staff contact online applicants and prescreen them for potential eligibility for expedited service. This process would also assist States in determining how quickly to schedule the applicant interview.

Social Security Number Requirements and Notice (7 CFR 273.2(b)(4) & 273.6)

The regulations state that SNAP households must provide the SSN of each applicant household member or to apply for one before certification as a requirement of participation. Each application must contain a privacy act statement which notifies households that the collection of information, including the SSNs of household members, is authorized by the Food and Nutrition Act of 2008, as amended, and may be disclosed to other Federal and State agencies. It also states that although providing this information is voluntary, failure to provide SSNs will result in a denial of benefits.

Finding: Most online applications reviewed are in compliance with basic statutory and regulatory requirements regarding mandatory SSNs and do not require applicants to provide SSNs. However, some of these applications do prompt an applicant to provide an SSN. Such prompts suggest to the user that an SSN is required in order for the applicant to finish the application or to submit and are not in compliance with the regulations. Only 69 percent of the online applications had the complete Privacy Act Statement required by the regulations.

In addition to the regulations cited above, on September 21, 2000, the Department of Agriculture issued a joint memorandum with other Federal agencies providing policy guidance on inquiries into citizenship, immigration status, and SSNs in State applications. This memorandum, referred to as the "tri-agency guidance", clarifies that States cannot require SSNs and citizenship-related information from individuals who are not applying for assistance without risking violation of Title VI of the Civil Rights Act. As stated previously, FNS is currently reviewing States' applications for compliance with these standards. This review will entail a more comprehensive examination of situations where SSNs are mandated, the authority for collection, their use, location of this information, and functionality (whether a user can proceed to the next field).

Action/Status: Given Federal regulations and the tri-agency guidance, States whose online applications do not permit filing without SSNs must correct this deficiency. As a first step, State online applications should provide complete Privacy Act Statements and locate those Statements in immediate proximity to where the SSN is requested. This will ensure that applicants know that they do not have to provide an SSN if they are applying for other household members but understand the consequences of not providing the SSNs. Again, applications that ask for the SSN of any household member who is not applying for benefits are not meeting the intent of the tri-agency guidance, as they give the impression that

applicants must provide a number to complete the application. Similarly, applications that do not allow an applicant to proceed to the next page or to submit the application without the applicant providing an SSN do not comply with the guidance. Where an SSN is necessary, the eligibility worker can follow-up during the interview.

Multi-Program Applications 7 CFR 273.2(b)(1)(ix)

SNAP regulations provide that multi-program applications should afford applicants the option of answering only those questions relevant to the program or programs for which they are applying.

Finding: Our review found that 23 applications were multi-program, but of these only 16 notified the applicant of the need to only answer questions for the programs for which they are applying.

Action/Status: States whose online applications are multi-program must ensure that SNAP applicants are advised that they need only answer the questions for SNAP. Questions should be marked in some way to indicate applicability to SNAP.

Non-Discrimination Statement 7 CFR 273.2(b)(1)(viii)

SNAP regulations require that applications include a specific non-discrimination statement. The non-discrimination statement language can be found at 7 CFR 273.2(b)(1)(viii).

Finding: Twenty-two of the 26 State online applications reviewed had complete non-discrimination statements.

Action/Status: States with incomplete statements must correct this by including a complete statement as required by SNAP regulations.

Income Eligibility Verification System 7 CFR 273.2(b)(2)

If a State agency chooses to use an income and eligibility verification system (IEVS), the regulations require that at the time of application, it must notify applicants that information available through IEVS will be requested, used and may be verified through collateral contact when discrepancies are found and may affect the household's eligibility and benefit level. Furthermore, the State must notify all applicants on the application form that the alien status of household members may be subject to verification by US Citizenship and Immigration Services.

Finding: Less than half of the State applications (11 of 25 reviewed) referred to IEVS verification on the application.

Action: States that use IEVS must notify applicants “through a written statement on or provided with the application form”. Application forms also need to notify applicants that their alien status may be verified through USCIS. This notice may be provided though a link near the relevant questions or on a screen that provides required notices.

Online applications offer a tremendous opportunity to promote program access while potentially streamlining State administration. In order for these benefits to be realized, it is critical that online applications be implemented in accordance with SNAP policy. Given the range of findings, we request that each region carefully review the specific findings for each of their States’ online applications and work closely with the States in monitoring the development of a corrective action plan. In addition, regional offices should consider the common deficiencies found in this review when working with States that are developing new online applications. Where a State’s online application falls short in a statutory or regulatory area, such as the ability to file with just name, address and signature, the State must take action to correct the problem or provide their regional office with a detailed corrective action plan within 90 days. FNS headquarters will be in periodic contact with regional offices to keep abreast of the status of State corrective actions in this area.



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