



MEPD and TW Bulletin 23-05

Date: March 07, 2023

To: Eligibility Services Supervisors and Staff
Program Managers
Regional Directors
Regional Attorneys
Hearings Officers

From: Access and Eligibility Services Program Policy
State Office 2115

Subject:

- 1. Revised - SNAP E&T Good Cause**
- 2. Exempt Members Volunteering to Participate in E&T**
- 3. SNAP Work Rules Notice and Verbal Informing Script**
- 4. Rescinding SNAP E&T Sanctions**
- 5. COVID-19 Update: Extended Supplemental Nutrition Assistance Program (SNAP) Certification Periods**

The information in this bulletin will be included in a future handbook revision. Until the handbook is updated, staff must use the information in this bulletin. If you have any questions regarding the policy information in this bulletin, follow regional procedures.

Active bulletins are posted on the following websites:

- [Medicaid for the Elderly and People with Disabilities Handbook \(MEPDH\)](https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins) at <https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins>;
- [Texas Works Handbook \(TWH\)](https://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins) at <https://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins>.

1. **Revised - SNAP E&T Good Cause**

Background

Based on findings from the SNAP Employment and Training (E&T) Management Evaluation conducted by the Food and Nutrition Service in June 2022, modifications to the SNAP E&T good cause process are required. Good cause exists when allowable circumstances beyond a person's control prevent them from complying with employment services requirements.

Current Policy

SNAP

If a person contacts HHSC to claim good cause for not complying with E&T requirements, HHSC eligibility staff provide the person with [Form H1816](#), SNAP E&T Noncompliance Report, and refer them to TWC to claim good cause. (TWH [A-1861](#), Reasons for Good Cause)

New Policy

SNAP

If a person contacts HHSC to claim good cause for not complying with E&T requirements, HHSC eligibility staff must evaluate the person's good cause claim by reviewing the case facts and circumstances.

If the person has an allowable good cause reason do not impose the E&T sanction. **HHSC eligibility staff must process good cause in TIERS.** If unable to determine whether the person's claim meets the definition of good cause or if the good cause claim is questionable, request more information from the household. If the person does not respond within 10 calendar days, deny the good cause claim, and impose the E&T sanction.

Automation

Automation changes are not required.

Correspondence

Correspondence changes are not required.

Handbook

Updates to the MEPDH are not required.

The TWH is currently scheduled to be updated in the July 2023 revision.

Training

Training is not required.

Effective Date

This policy is effective with the release of this bulletin.

2. Exempt Members Volunteering to Participate in E&T

Background

Based on findings from the SNAP Employment and Training (E&T) Management Evaluation conducted by the Food and Nutrition Service in June 2022, modifications to the SNAP E&T processes for exempt participants are required. Exempt members can volunteer for E&T services after being screened and informed about the program by HHSC staff.

Current Policy

SNAP

At initial certification and each recertification, staff determine each person's participation status and whether a participant can be exempted from work requirements using exemption criteria. Current policy does not specifically require staff to inform exempt participants about the opportunity to voluntarily participate in the SNAP E&T program. (TWH [A-1822.1](#), SNAP Work Requirement Exemptions)

HHSC sends a daily interface file to TWC with both mandatory and exempt household members at disposition of an application, recertification and change action. If an exempt household member contacts a TWC Workforce Solutions Office to access E&T services, E&T staff may serve the exempt volunteer. There is no penalty for non-compliance by a volunteer. (TWH [A-1822](#), E&T Procedures)

New Policy

SNAP

At initial certification and each recertification, screen all household members to ensure their appropriate work registration status. Inform the household that members exempt from SNAP E&T may voluntarily participate in the SNAP E&T program. The SNAP E&T program offers the following employment services which may be available through a local Workforce Solutions Office:

- case-managed job search;
- job readiness, job search assistance, and job referral and placement assistance;
- vocational training;
- non-vocational education;
- work experience;
- E&T services for adults, dislocated workers and youth;
- support services that can help with transportation, child care, personal safety equipment and other costs related to the E&T Program, such as tools, books or uniforms; and

- other education and training opportunities which may also be available in the person's area.

Additionally, inform the household that members exempt from SNAP E&T cannot be disqualified for non-compliance with the SNAP E&T Program and verbally provide the following TWC contact information:

"To voluntarily participate, visit [twc.texas.gov](https://www.twc.texas.gov) and click on Find your Local Workforce Solutions Office or call 800-628-5115."

Document in case comments that all exempt household members were screened for appropriateness to participate in the E&T program and provided TWC contact information.

Automation

There are no automation changes required.

Correspondence

Correspondence changes are not required.

Handbook

Updates to the MEPDH are not required.

The TWH is currently scheduled to be updated in the July 2023 revision.

Training

Training is not required.

Effective Date

This policy is effective with the release of this bulletin.

3. SNAP Work Rules Notice and Verbal Informing Script

Background

The Food and Nutrition Service published its final rule on January 5, 2021, implementing Section 4005 of the 2018 Farm Bill which requires state agencies to provide all households subject to SNAP work requirements a consolidated written notice and comprehensive verbal explanation of the work requirements. HHSC's current process and notice to inform SNAP households about the SNAP work rules must be modified to ensure compliance with federal requirements.

Current Policy

SNAP

At certification and recertification, provide [Form H1808](#), SNAP Work Rules, for SNAP E&T program registrants (household members who are registered for SNAP E&T), including registrants exempt from participation. During the interview, inform the person about the:

- registrant's rights and responsibilities;
- registrant's requirement to provide proof of identity and work eligibility when requested by HHSC or E&T staff;
- documents accepted as proof of identity and work eligibility;
- consequences of failing to comply; and
- availability of payments through Texas Workforce Commission (TWC) for expenses that are reasonably necessary and directly related to participation in the E&T program. (TWH [A-1822](#), E&T Procedures)

Use Form H1808 to notify SNAP recipients of their rights and responsibilities and the documents accepted as proof of identity and work eligibility. The form is also used to document that a SNAP recipient has agreed to cooperate with work rules after a noncompliance. (TWH [A-1847](#), Re-establishing Eligibility After the Penalty Period; TWH [A-1855](#) Re-establishing Eligibility After the Penalty Period)

New Policy

SNAP

At certification, recertification, or a change when a household member becomes subject to SNAP work rules (such as adding a new member or a member turns age 18), a new consolidated written notice of the SNAP work requirements must be provided to all non-exempt SNAP work registrants. The information must identify which household members are subject to which rules. The notice will contain three categories of work rules:

- Basic Work Rules: Requires mandatory work registrants to accept a job if they are offered one, not voluntarily quit a job, inform the agency about employment, and comply with work programs. (TWH [A-1831.2](#), Individual Participation Requirements; TWH [A-1850](#), Voluntary Quit)
- SNAP Employment and Training (E&T) Program Rules: Requires mandatory work registrants to participate in SNAP E&T. (TWH A-1831.2)
- Time Limit Rules: Requires Able-Bodied Adults without Dependents (ABAWDs) to meet work requirements to receive more than three months of SNAP benefits. (TWH [A-1940](#), SNAP ABAWD Work Requirements)

The SNAP work rules information is now included on the TF0001, Notice of Case Action, to notify each member subject to the work rules about the rules that apply to them. The information specifically addresses by name all mandatory SNAP E&T registrants and ABAWDs certified on the SNAP EDG. For mixed households, members exempt from SNAP work rules are not addressed by the work rules information. If the SNAP household contains members who are all exempt from SNAP work rules and there are no ABAWDs, the SNAP work rules information is not included on the TF0001.

Additionally, at certification, recertification and at change when someone becomes subject to SNAP work rules, staff must verbally share comprehensive information about the SNAP work rules during the eligibility interview. Staff must verbally share the same information provided on the TF0001 about the SNAP work rules. The SNAP Work Rules Verbal Informing Scripts are included as attachments to this bulletin. Staff must continue using the scripts as required by the MEPD and TW Broadcast, SNAP Work Rules Notice and Informing Script, released Feb. 17, 2023.

Notes:

- If an interview is not required, for example due to a no-interview COVID-19 waiver or a desk review, then the verbal informing is not required. (Texas is currently operating under a waiver, and an eligibility interview for SNAP at certification and recertification is not required. See [MEPD and TW Bulletin 22-10](#), 2. COVID-19 Update: Interview Requirements, released June 13, 2022.)
- At change when someone becomes subject to SNAP work rules, staff must make one cold-call attempt to inform the household about the applicable work rules. If the phone contact is unsuccessful, do not leave the information by voicemail.

With the implementation of the SNAP work rules being included on the TF0001, Form H1808 has a new name, Form H1808, Agreement to Follow SNAP Work Rules.

Form H1808 is only used to obtain a signature from a person disqualified for SNAP E&T non-compliance or voluntary quit to indicate they agree to cooperate with SNAP work rules. The disqualified person may provide a signature as early as the last month of a penalty period, which attests to the person's agreement to cooperate in the future. The Form H1808 is mailed to the household, along with the TF0001, when imposing a SNAP E&T or voluntary quit penalty. The disqualified person or household may comply as early as the last month of the penalty period by signing the Form H1808, and eligibility could begin again as early as the month after that. (TWH [A-1847](#), Re-establishing Eligibility After the Penalty Period)

A household denied due to the primary wage earner's (PWE's) disqualification must file a new application to re-establish eligibility but may do so the last month of the penalty period with eligibility potentially beginning the month after.

Automation

Changes to TIERS are currently scheduled to be implemented with TIERS Release 114.1 on March 18, 2023.

Correspondence

Changes to Form H1808, Agreement to Follow SNAP Work Rules, and to the TF0001 will be implemented March 18, 2023.

Handbook

Updates to the MEPDH are not required.

Updates to the TWH are currently scheduled for release July 1, 2023.

Training

Training will be made available in the Program Area Learning Management System (PALMS) within R114.1 General Information on March 10, 2023.

Effective Date

This policy is effective with the implementation of TIERS Release 114.1 currently scheduled for release on March 18, 2023.

4. Rescinding SNAP E&T Sanctions

Background

HHSC sanctions SNAP recipients who do not comply with the SNAP E&T program requirements. SNAP recipients, ages 16 to 59, must comply with employment services requirements unless otherwise exempt. TWC E&T staff determine when a person fails to cooperate with employment services requirements and sends noncompliance information electronically through the automated interface to notify HHSC of the person's failure to cooperate. If a nonexempt SNAP recipient fails to comply with SNAP E&T requirements without good cause, the person will receive a SNAP E&T sanction.

Current Policy

[SNAP](#)

TWC E&T staff and HHSC staff use [Form H1816](#), SNAP E&T Noncompliance Report, and [Form H1817](#), SNAP Information Transmittal, to provide two-way communication regarding SNAP E&T noncompliance and good cause recommendations for non-compliance. A SNAP E&T non-compliance is considered as "imposed in error" when the non-compliance is a result of agency error.

If HHSC staff determine that a sanction was incorrectly applied to a case, the sanction is removed from the case record by using "imposed in error" drop down on the TIERS **Non-Cooperation** page in the **Sanctions Logical Unit of Work (LUW)**.

New Policy

[SNAP](#)

HHSC staff must only update a sanction as imposed in error at the direction of HHSC Fair and Fraud Hearings staff or TWC E&T staff. If HHSC receives a Form H1816 or Form H1817 indicating TWC imposed a sanction in error, remove the sanction from the case record in the TIERS **Non-Cooperation** page in the **Sanctions LUW** by using **TWC rescinding penalty request**. When an appeal decision requires a sanction to be removed, Centralized Representation Unit (CRU) staff remove the sanction from the case record by using **Penalty removed due to fair hearings**.

Automation

Changes to TIERS are currently scheduled to be implemented with TIERS Release 114.1 on March 18, 2023.

Correspondence

Correspondence changes are not required.

Handbook

Updates to the MEPDH are not required.

The TWH is currently scheduled to be updated in the July 2023 revision.

Training

Training is not required.

Effective Date

This policy is effective with the implementation of TIERS Release 114.1 on March 18, 2023.

5. COVID-19 Update: Extended Supplemental Nutrition Assistance Program (SNAP) Certification Periods

Background

On January 27, 2020, the Secretary of the U.S. Department of Health and Human Services declared that a public health emergency exists nationwide due to the novel coronavirus (COVID-19) outbreak. Additionally, on March 13, 2020, Governor Greg Abbott also declared a state of disaster for all counties in Texas due to the COVID-19 outbreak. HHSC is providing the following temporary guidance regarding policies and procedures for processing case actions during the COVID-19 public health emergency.

COVID-19 Policy

SNAP

SNAP renewals due in March, April, and May 2023 will be automatically extended by six months. This policy applies to all SNAP households, including TSAP, SNAP-SSI and SNAP-CAP recipients.

All households with certification periods ending in:

- March 2023 will receive an automatic extension through September 2023;
- April 2023 will receive an automatic extension through October 2023; and
- May 2023 will receive an automatic extension through November 2023.

This policy will not apply to SNAP households that:

- received an automated certification extension in September, October, and November 2022 (MEPD and TW Bulletin 22-15, 7. COVID-19 Update: Extend SNAP Certification Periods, released Dec. 9, 2022);
- have an Able-bodied adult without dependents (ABAWD) as the only household member; or
- have an ABAWD household member in their third or sixth Federal Time Limit month in the last benefit month of the household's certification period.

TIERS automation will adjust the recertification due dates for households who receive the extension. No staff action is needed to extend SNAP certification periods.

Staff Procedures

If a redetermination packet is received:

1. Perform inquiry to determine if the SNAP household received an extended certification period to September, October, and November 2023.
 - a. If an extension was not received, continue processing the SNAP redetermination following current policy and procedures.
 - b. If an extension was received, do not initiate the redetermination. Review the redetermination packet to determine if a change in address or a request for additional program(s) is included:
 - i. If yes, process the application or change of address following current policies and procedures.
 - ii. If no, document in case comments, "SNAP extended, no other programs/address change requested" and clear the task.

Automation

TIERS will automatically extend active SNAP EDGs with recertifications due in March, April, or May 2023 beginning on February 23, 2023. TIERS will also add the following information in case comments for SNAP EDGS that received the extension, "SNAP certification period automatically extended due to COVID-19."

Correspondence

Households will receive a notice informing them of the extension and their new certification period.

Handbook

Handbook updates are not required.

Training

Training is not required.

Effective Date

This policy is effective with the release of this bulletin. Staff will be notified when COVID-19 policy and clarifications no longer apply.