

Food Supplement Benefits



**Maine Equal Justice Partners
10th Annual Maine Advocacy Conference
November 3, 2015
www.mejp.org**

Maine Hunger Initiative

The **Maine Hunger Initiative** was established as the first statewide organization dedicated to reducing and ending hunger in Maine. The Maine Hunger Initiative:

- Works to alleviate short-term hunger through work with food pantries as well as creating long-term solutions through public policy and organizing advocacy efforts.
- Is a program of Preble Street and a statewide partnership including Maine Equal Justice Partners, AARP of Maine, Maine Center for Economic Policy, Maine Council of Churches,, and the USM Muskie School of Public Service.

For more information, visit:

www.preblestreet.org/mainehungerinitiative

Why does the Food Supplement Program Matter?

Because...



Hunger in Maine Today

Each year the U.S. Department of Agriculture Measures Food Insecurity/Hunger.

In 2014, it found that:

- Maine has the 3rd highest rate of hunger in the U.S.
- Maine has the highest rate of hunger in New England
- In Maine the rate of food insecure households rose from 9% in 2002 to 14.9% In 2012 – increased almost twice as much as the U.S. as a whole.
- Almost 250,000 Mainers cannot afford consistent and adequate nutrition—more than the total population of Maine’s five largest cities combined and one in four of the state’s population.



Who gets FS benefits in Maine and How Much do they get?

- **226,275** Mainers from **119,520** households received FS benefits in July 2014.
- The average household benefit is about **\$235** a month, or about **\$1.30** a meal.
- Of all FS Households:
 - 36% include a minor child
 - 22% include an elderly individual
 - 25% include a person with a disability



More than just about food



Economic stimulus:

- Every \$5 in Food Supp. benefits generates over \$9 in local economic activity

Reduces poverty:

- In 2012, SNAP pushed 4.7 million people above the Federal Poverty Line
- Helps families become financially stable and make the transition to self sufficiency

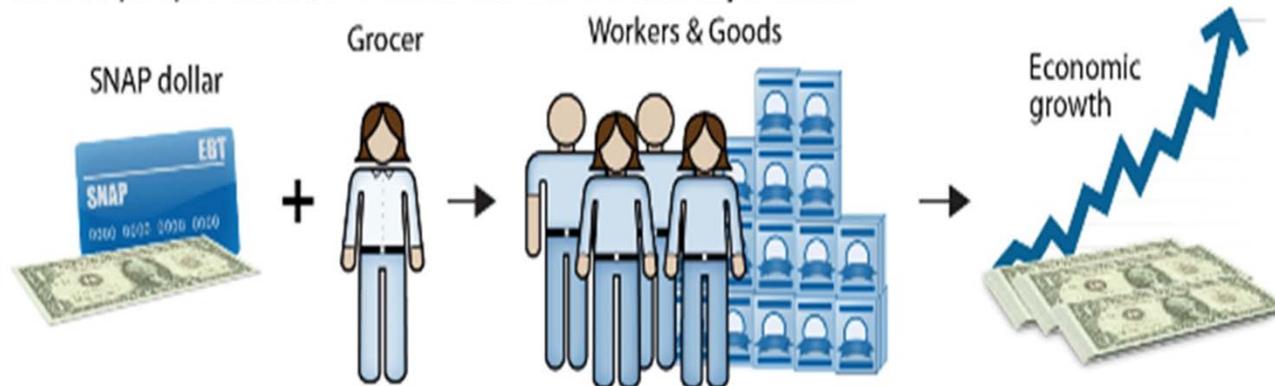
Allows recipients the dignity

- Able to choose which foods they want to purchase in a private and discreet way – increases access to local foods
- Helps families become financially stable and make the transition to self sufficiency

SNAP in Maine

In 2012 Food Supp. benefits brought \$377 million into Maine's economy

SNAP benefits pumped about \$377 million into [Maine's](#) economy in 2012.



Supplement Nutrition Assistance Program/SNAP (Food Supplement Program)



- USDA federal nutrition program
- An entitlement program; by receiving benefits, a person is not taking benefits away from another person
- You can have a job and still qualify
- You can still receive food from a pantry and participate in other programs such as WIC and Meals on Wheels
- If you have been denied before it's worth re-applying for benefits; eligibility requirements have changed in the last three years (categorical eligibility)

Concern: People losing FS eligibility in Maine

- From May 2014 to May 2015, Maine went from 228,069 participating to 199,508 participating
- 12.5 % decrease – highest decrease in the Nation
- 2014 survey of nearly 1000 low income people found:
 - Hunger was ever present among these families with sixty percent responding that they had to skip meals or cut the size of meals because there was not enough money for food
 - Seniors with low incomes had trouble getting enough to eat. Half (48.7%) had to use a food pantry; over a third (38%) had to cut back on the size of meals.

MAINE PEOPLE AGREE: OPPORTUNITY IS THE BRIDGE TO A BETTER FUTURE: Real reform should create opportunity for families; not push them into deeper poverty

- *View Report at: www.mejp.org*

SNAP Benefits

Benefit amounts are based on:

- How many people live in the household
- Household income
- Allowable deductions

Average benefit amounts per person/month

- Minimum = \$16
- Average = \$116.23
- Maximum = \$200



Household



People who purchase and prepare food together, no matter their relationship

People with certain relationships will always be grouped as a household regardless of their living situation

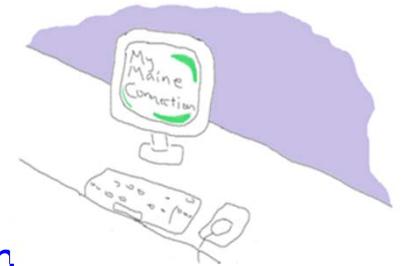
- A married couple living in the same home
- A couple with a mutual child who live together



How SNAP Works

- Money is put on an Electronic Benefit Transfer (EBT) card on a monthly basis
- Can be used at most grocery stores, many convenience stores
- Benefits cannot be used to purchase non-food items
- Can buy food-producing seeds and plants
- Use at participating farmers' markets and CSA's

Applying for SNAP



My Maine Connection (MMC)

- Online Application at www.maine.gov/mymaineconnection
- Apply online from home, libraries, or any other location with internet access
- MMC screens for Food Supplement Program, MaineCare, Temporary Assistance for Needy Families (TANF), and Child Care Assistance

MMC Includes Anonymous Prescreening Tool

- Indicates whether someone is likely to be eligible
 - Helps encourage someone to apply who may be hesitant
 - Ask additional basic questions about expenses
 - Encourages clients to complete an application
-
- Also see Food Stamp Estimator at:
<http://ptla.org/maine-food-supplement-estimators#>

Applying for SNAP (cont.)

Paper application

- Clients may feel more comfortable not using a computer
- Download at:

<http://www.maine.gov/dhhs/ofi/public-assistance/>

At your local Department of Health and Human Services Office

- Kiosk and scanner

Request an in-person or phone interview

- 1-855-797-4357



How to help improve FS enrollment and benefits

- “Heat and Eat” (LIHEAP) connection
- Exemptions from photo ID requirement
- Exemptions from face-to-face recertification
- Overpayment Settlement
- Medical deductions
- Work/volunteer exemptions and medical related exemptions
- Emergency Replacement

The FS/LIHEAP Connection: “Heat and Eat”

The Background:

- If a FS household receives a LIHEAP (heating assistance) benefit it is automatically eligible to use the FS “standard utility allowance” (SUA). In most cases, this means that the household will get more FS benefits.
- Until recently if a household received *any* amount of LIHEAP it would qualify for the SUA.
- Now these individuals must receive \$21 in the most recent 12-month period prior to their FS recertification to continue to receive the SUA.
 - This issue affects about 6,000 people, **mainly seniors and people with disabilities.**
 - **On average, receipt of the SUA increases their monthly FS benefits by \$110.**

The FS/LIHEAP Connection: “Heat and Eat” continued

What to do:

- Be sure to encourage your clients to apply for LIHEAP at your local Community Action Program (CAP) agency: mainehousing.org (LIHEAP Agency Contacts)

Clients should bring the following to their appointment:

- Current proof of income for everyone in the household
- A current electric bill
- Date of birth and social security cards for everyone in the household
- Current photo ID for main applicant
- A copy of their current lease (if they rent)
- The name of their energy dealer as well as their account number if they have one

Voluntary Photos on EBT Cards

In 2014 the Maine Department of Health and Human Services (DHHS) started to put photos on some EBT cards. Some FS households were asked to come into a local DHHS office for a face to face interview in order to recertify for FS benefits. At that time many were told they needed to have their picture taken for their EBT card.

Do I have to have my picture taken?

NO. You do not have to have your picture taken. You will not lose your Food Supplement benefits if you refuse to have your picture taken. The photo is “optional”; if you do not want your picture taken you can say “no.”

DHHS should not even ask you to have your picture taken if you are in a household headed by:

- a person over age 60;
- a person with a disability; OR
- a victim of domestic violence



Photo EBT, continued

Is a face-to-face interview *required* when it is time for my FS review?

Maybe not. Although DHHS has been “waiving” face to face interviews for recertification for the last few years in favor of telephone interviews or on-line recertification for most households, they are now asking some people to come in to the office to complete their review.

BUT they must tell these households that they may qualify for a “hardship waiver”. Any household that qualifies for a “hardship waiver” will be given a telephone interview.

Hardships include:

- Illness or disability;
- transportation difficulties;
- the need to care for a household member;
- Living in a rural area that makes it hard (or expensive) to get to a local office; OR
- Work, education or training schedule prevents the person from getting to a local office while the office is open.

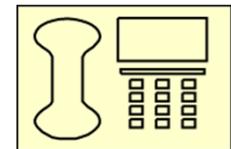


Photo EBT, continued

The federal government is carefully monitoring the implementation of photo IDs here in Maine. They, and MEJP, want to be sure that important protections in the FS law are not undermined by this initiative.

Call Maine Equal Justice if:

- You know of anyone having ANY PROBLEMS using their EBT card after a photo is added; OR
- You know anyone who has felt pressured to add a photo to their EBT card when they did not want to; OR
- You or your clients have any questions about this new plan:
- ***PLEASE CALL Ann Woloson at Maine Equal Justice at 207-626-7058, ext.210***



Food Supplement Overpayments

- If someone incurs a Food Supplement overpayment and it would be a hardship to repay, they may be able to get a **“waiver”** or **“compromise”** of some of the overpayment.
- There are three types of FS overpayments:
 - Agency Error (non-fraud);
 - Inadvertent Household Error (non-fraud); OR
 - Intentional Program Violation (IPV) (fraud)
- 84% of all overpayments are non-fraud; the remainder are IPV.
- Actual FS fraud overpayments in Maine equal less than 1/100th of one percent of all FS benefits paid out in Maine in 2012 (most recent data available).



Food Stamp Overpayments Rules

- The federal rules governing the Food Supplement program require that states have a process in place to consider waiving or compromising FS overpayments.
- Maine did not have a process in place so together MEJP and LSE brought a lawsuit to require a process be adopted.
- The results of the lawsuit are not perfect as it applies only to “agency error” overpayments and is a bit complicated.

Overpayment lawsuit

- As a result of the lawsuit, people with **old** “agency error”, that is prior to mid August, should have received a notice of an automatic reduction of 40% deduction in the overpayment that would need to be paid back
- More recent Food Supplement overpayments households **should** get a **notice** that says they may be eligible for a compromise.
- Households have 90 days to respond to the notice to request a compromise.

Who is eligible for a compromise?

A household may be eligible for a reduction in what it might have to pay back if:

- If DHHS can't recoup the full overpayment by reducing your benefit by the greater of 10% or \$10 over a 36 month period, then DHHS should reduce your overpayment by 40%.*
- So, if a household owes \$1000, the overpayment would be reduced to \$600.

*If it determined the payment could be paid within 36 months, there will be no reduction

People not currently eligible for Food Supplement benefits

People who are not currently eligible for Food Supplement benefits but had an old “agency error” overpayment (prior to mid August) should have received notice that 40% of the overpayment has been forgiven. No action is needed on their part to request the compromise.

For ongoing Food Supplement recipients:
If you get a notice that you have been overpaid
Food Supplement benefits, you can appeal

If you do not think that you were overpaid or do not agree with the **amount**, you should file an appeal.

You should also file an appeal if you do not agree with the **type** of overpayment. For example, if the notice from DHHS is for an “Intentional Program Violation” (IPV) and you think it was the fault of DHHS, you should appeal. The type of overpayment makes a difference in your rights.

**You have 90 days to appeal from date of notice
about overpayment**

Recouping Overpayments

There are several ways that DHHS can collect a Food Supplement overpayment from you. If you are currently getting benefits DHHS will reduce the amount you get each month and put that toward your overpayment.

The amount they take depends on the type of overpayment that you have:

- For “inadvertent household” or “agency error” claims, the mandatory reduction amount is the greater of 10% of the monthly benefit, or \$10.00.
- For intentional program violations, the mandatory reduction amount is the greater of 20%, or \$20.00. A higher rate may be used with the household’s permission.

FS Medical Deduction—What is it?

- Seniors 60 or older and people with disabilities often need special diets, but medical expenses make it hard for them to buy the food they need.
- A person who has out of pocket medical costs of more than **\$35 a month** qualifies for a medical deduction.



When can I claim my medical expenses?

- When you apply for or recertify for Food Supplements;
- Anytime that your medical costs exceed \$35 a month you can call DHHS and ask for a medical deduction;
- You must show proof of your medical expenses.

What expenses count towards a medical deduction?

- **Medical care not reimbursed by insurance** (doctor's visits, dental care, chiropractic care and other health treatments)
- **Health insurance costs:** premiums, copays and deductibles
- **Medical-related transportation or lodging**
- **Prescription Medications or over the counter medications** approved by your health care provider
- **Health supplies recommended** by your health care provider (eyeglasses, hearing aides, incontinence supplies, etc.)
- **Medical Equipment** (purchase, rental or repair of wheelchair, prosthetics, emergency response system, special beds and more)
- **Other expenses that are medically-related**
- **Securing and maintaining a seeing eye, hearing ear dog or any service animal specifically trained to serve the needs of a disabled or aged individual.** Dog food and veterinarian bills are allowed.
- Note: Most special diet foods are not allowable medical deduction(s) – but you can use your FS benefits to help buy food for a special diet.



Request for Special Issue of Food Stamps for “Household Misfortune”



- Household misfortune may include situations in which food is damaged or destroyed in certain circumstances including, but not limited to, fire or flood, damage resulting from a power outage or storm and possibly appliance failure due to malfunction.
- replacement of food purchased with Food Supplement replacement amount cannot exceed one month’s benefit amount.
- A household member must notify DHHS within 10 days of the loss and the reason for the loss either orally or in writing, and then must provide a signed statement attesting in writing the amount of the loss and the reason for the loss within 10 days of the date it originally notified the agency of the loss.

3 month Food Supplement Benefits for some people

If a person is:

- Between the ages of 18 and 50; AND
- Do not have minor children at home

They may only be able to get Food Supplement (FS) benefits for 3 months during a 36-month Period.

There are exceptions to this rule!

The 3-month limit on benefits will not apply if a person is:

- Working or in an approved FS work or training program for at least 20 hours a week or doing Volunteer Community Service work or in an approved education program at least half time;
- Medically certified as physically or mentally unfit to work for at least 30 hours a week (See form documentation form)
- Taking care of a child under age 18 even if the child is not yours; or are pregnant
- Caring for an adult with a disability even if they don't live with you
- In a substance abuse treatment program (documentation form)
- Applying for or getting unemployment benefits or getting disability benefits from a government or private source

“Good Cause” for missing work

Good cause:

- The State agency (DHHS) may determine that, if an individual would have worked an average of 20 hours per week but missed some work for good cause, that the individual shall be considered to have met the work requirement – if the absence from work is temporary and the individual retains his or her job.
- May include circumstances beyond an individual's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency, or the unavailability of transportation.



How many hours per month of volunteer community service work is required to keep FS benefits?

If a person volunteers in a community placement they can keep your FS benefits. They must volunteer:

- for the number of hours in a month that equals your FS benefits divided by the State minimum
- wage.
- Example: You get \$120 a month in FS benefits. Divide that by the State minimum wage:
- \$120 divided by \$7.50 = 16.
- This means that you must volunteer 16 hours each month to keep getting your FS benefits.

A person may get 3 more months of FS benefits in a 3-year period if they:

- Worked or participated in a training program for 80 hours in a 30-day period; or
- participated in a volunteer community placement for 24 hours in a 30-day period; AND then lose that position even if you are no longer working, training or volunteering; or
- have worked or been in training or volunteered for the number of hours listed above.

Reapply for FS right away to get another 3 months of benefits.

This additional 3-month period is only available one time in a 3-year period.

Asset limit to be implemented soon

In the next couple of months, probably as of 12/1/15, some people who get Food Supplement benefits who have an “countable” asset worth over \$5,000 dollars will lose FS benefits.

The rule will not apply to people with children or people who are elderly or disabled.

What are countable assets?

- Cash, and money in checking, savings or investment accounts.
 - The value of recreational vehicles (for example, snow mobiles, jet skis and boats), camps and vacation homes, and secondary vehicles also counts as an asset.
-
- **Primary vehicles and your home are not countable assets.**
 - **Retirement accounts and other special types of accounts also do not count.**

Notices will be sent and people need to respond

- Notices from DHHS will soon be sent to FS recipients asking about asset information
- Recipients will need to respond to the notice and verify and update asset information within 15 days of the notice date or they will lose their benefits on 1/1/16
- Rules have not been finalized but will be soon.

10 day household change reporting requirement recently proposed

- DHHS recently proposed rules requiring certain household changes be reported within 10 days of known change (in the past such changes were mostly required at recert/every 6 months)
- Rules have not yet been finalized

Changes that will likely need to be reported within 10 days

- Changes of more than \$50 in the amount of gross monthly unearned income. This does not include vendor payments (i.e. General Assistance). Changes to TANF benefits and child support pass-through and gap payments do not have to be reported.
- Changes in household composition.
- Changes in residence and the resulting change in shelter costs.
- The acquisition of a licensed vehicle not totally exempt.
- When cash on hand, stocks, bonds, and money in a bank account or savings institution reach or exceed the current asset limits.
- Changes in the legal obligation to pay child support.
- For able-bodied adults without dependents (ABAWDS) subject to the 3 month time limit, any changes in work that causes hours to drop below 20 hours per week.

Thank you!

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