

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION	FOOD SUPPLEMENT PROGRAM MANUAL	
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410.1 General Policy

- A. The local department establishes a specific period of time during which the household is eligible to receive Food Supplement Program (FSP) benefits. The eligibility period is known as the certification period.
- B. The case manager will assign the longest certification period possible, consistent with the household's circumstances.
- C. The first month of the certification period is the first month for which the household is eligible to participate.
- D. FSP benefits stop at the expiration of each certification period unless the certification period is extended.
- E. Unless the case manager extends a certification period, the FSP benefits will continue only upon completion of a recertification of eligibility based on:
 - 1. A newly completed application or redetermination form, Client Information Form or through myDHR,
 - 2. An interview, if required, and
 - 3. Submission of required verification as described in section 408 of this manual, Verifications.
- F. The certification period is based on calendar months. The certification period begins on the first day of the initial month of eligibility.

Example: A household submits an application in March. The household is eligible for FSP benefits in March, but the application is not processed until April. The new certification period begins in March.

Example: A household submits an application in April and it is processed in May. The household is not eligible for FSP benefits in April because of earnings. The certification period begins in May.

Note: A household that is determined eligible, but is not receiving an allotment because of proration, is considered eligible in that month. The month in which FSP benefits are prorated to zero is the first month of the certification period.

- G. In most cases, the certification period cannot exceed 12 months.
Exceptions: The local department may certify households in which **all adult members are elderly or disabled for up to 24 months if the household has no earned income.**

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410.1 General Policy (continued)

If a household is certified for 24 months, the local department must have at least one contact with the household every 12 months. Households participating in the Maryland Senior Nutrition Assistance Program (MSNAP) or Elderly Simplified Application Project (ESAP) are certified for 36 months.

- H. When a local department completes a recertification, the new certification period begins with the month following the end of the previous certification period.

Example: A household is certified through June. The local department completed the recertification during the month of June. The new certification period will start July 1.

410.2 Length of Certification Periods

- A. Certification periods are limited to 6 months because of simplified reporting, except that certification periods may be up to 24 months for a household in which all adult household members are elderly or disabled as defined in section 212.3 of this manual if the household has no earned income. Make at least one contact with the household every 12 months. Households participating in the Maryland Senior Nutrition Assistance Program (MSNAP) or Elderly Simplified Application Project (ESAP) are certified for 36 months
- B. The certification period for simplified reporting households cannot exceed 6 months. CARES will assign a 6-month certification period to households in simplified reporting. All FSP households, with the exception of households receiving Transitional Food Supplement benefits are included in simplified reporting.
- C. Because CARES assigns a 6-month certification period, FIA discontinued the use of the one-page Six-Month Benefit Review Form effective August 31, 2016, until further notice. No interview is required at the 6-month certification.
- D. In general, the local department will assign the longest certification period possible based on the predictability of the household's circumstances.
- E. The case manager should assign households a certification period of at least 6 months unless the household's circumstances are unstable or the household contains an able-bodied adult without dependents that is subject to the special work requirements (ABAWD).
- F. Migrant and seasonal farm worker households must be assigned a certification period of at least 4 months.

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G. 410.2 Length of Certification Periods (continued)

- H. Assign a 6 month certification period for all other households unless you know the household will be ineligible in the near future.
- I. Households may be assigned 1- or 2-month certification periods when it appears the household will become ineligible for FSP benefits in the near future.

410.3 Change in Length of Certification Periods

410.31 Shortening a Certification Period

- A. The case manager **cannot** end a household's certification period earlier than its assigned termination date except under the following conditions:
 1. The local department receives information that the household has become ineligible.
 2. The household becomes a part of the simplified reporting group as described in Section 410.31D.
 3. The household has not complied with a request for clarification of unclear information as described in Section 410.33 below.
 4. The household applies for a medical or cash assistance program during a FSP certification period.
 - (a) This is allowed under a federal waiver that will make it easier align the certification/eligibility periods for all programs.
 - (b) This includes reapplication or redetermination for MA or cash assistance.
 - (c) When a FSP recipient applies for another program, including redetermination for another program, the case manager should make every effort to align the end dates so that the customer is not required to come into the local department any more than necessary.
 - (d) When a FSP household applies for a new program, do not shorten the FSP certification period unless you have approved the other program.
 - (e) Make sure that the FSP benefit notice of approval goes out for cases that have been assigned a new certification period. The notice already includes the new certification period, the new FSP benefit amount and appeal rights. The case manager must also notify these households of the availability of continued FSP benefits if they request a hearing and of

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410.31 Shortening a Certification Period (continued)

their liability for any overpayment while awaiting a hearing if the hearing decision is adverse to the household.

- B. Loss of public assistance or a change in employment status is not, by itself, adequate reason for shortening the certification period.
- C. The case manager must act on the information according to reporting requirements in section 420 of the Food Supplement Program Manual.

Note: The local department can shorten a 24-month certification period when a household's situation changes and it is no longer entitled to a 24-month certification period. For example, a household with 2 elderly members was assigned a 24-month certification period. Their son joins the household. He purchases and prepares food with them. This household is no longer entitled to a certification period longer than 6 months. The case manager must send the household a notice of adverse action.

- D. When a household becomes part of the simplified reporting group and the household's remaining FSP certification period extends 6 months or more beyond the processing month, the case manager will:
 1. Shorten the certification period,
 2. Notify the household of the new period with a notice that contains a right to a hearing, and
 3. Set the certification end date to 6 full months from the processing date. (If a hearing is held and the household is upheld, the old certification period will be restored.)

410.32 Lengthening a Certification Period

- A. The case manager may lengthen a household's certification period once it is established, as long as the total months do not exceed:
 1. 24 months for households in which all adult members are elderly or disabled if no one in the household has earned income,
 2. 6 months for simplified reporting households.
- B. If the case manager lengthens the certification period, the household must be informed of the new certification end date with a notice that includes the same information as a notice of eligibility.

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410.32 Lengthening a Certification Period (continued)

Example: Mr. A was assigned a 6-month certification period. He has a deficit budget. In the second month of the certification period, he received an award letter about his SSI eligibility. Since he was no longer in an unstable situation, the case manager extended his certification period for another 6 months.

410.33 Unclear Information

- A. During the certification period, the case manager may get information about changes in a household's circumstances but cannot readily determine the effect of the change on the household's FSP benefits. This could be information from a third party, from an automated match, or from the household itself.
- B. Use the following procedure to get clarification of the household's situation:
 1. Issue a written request for clarification (RFC), which:
 - (a) Clearly tells the household of the verification it must provide or the actions it needs to take to clarify its circumstances;
 - (b) Gives the recipient at least 10 days to respond and to provide the requested information; and
 - (c) Clearly states the consequences if the household fails to respond to the RFC.
 2. The RFC can be either the 1052 or the CARES letter for requesting information.
 3. If the household does not respond to the RFC, or does respond but refuses to provide sufficient information to clarify its circumstances, the case manager will issue a notice of adverse action and close the case for failure to provide information.
 4. When the household responds to the RFC and provides sufficient information, the case manager must act on the new information.

410.34 Public Assistance Households (TCA, RCA, TDAP and PAA)

Reminder: With a few exceptions, TCA households that have received a regular TCA issuance in the month prior to the month the TCA benefit ended will receive transitional FS benefits for five months after the TCA case closes. Transitional benefits are FSP benefits that are issued to a TCA/FSP household when the TCA case closes. See Section 420.12 for full TFSP policy.

- A. The local department cannot terminate a household's FSP benefits solely because it has terminated the household's public assistance (PA) benefit. The case manager must make a separate determination that the household does not satisfy the FSP requirements.

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410.34 Public Assistance Households (TCA, RCA, TDAP and PAA) (continued)

B. The following procedures apply when public assistance is terminated:

1. If a change in household circumstances requires a reduction or termination in the public assistance payment and the case manager has enough information to determine how the change affects the household's FSP benefits, the case manager must take the following actions:
 - (a) If the change requires a reduction or termination of FSP benefits, issue a single notice of adverse action for PA and FSP actions.
 - (b) If the household requests a fair hearing within 10 days, continue benefits in the amount authorized immediately prior to sending the notice unless the household has indicated it does not wish to receive FSP benefits pending appeal.
2. If the household's FSP benefits will increase because of the reduction or termination of public assistance benefits:
 - (a) The case manager must issue the public assistance notice of adverse action, but must not take any action to increase the FSP benefits until the household decides whether to appeal the PA adverse action.
 - (b) If the household appeals the PA adverse action and the PA is continued, the household's FSP benefits must continue at the previous level.
 - (c) If the household does not appeal, the case manager must make the change according to regular change reporting procedures (FSP Manual 420).
3. When a change results in a termination of a household's PA benefit within the certification period, and the case manager does not have enough information to determine how the change affects the FSP benefits:
 - (a) The case manager must issue a request for clarification at the same time that it sends the PA notice of adverse action.
 - (b) Before taking further action, the case manager will wait until after the PA notice of adverse action period expires or until the household requests an administrative hearing, whichever occurs first.
 - (c) If the household requests a hearing and elects to have PA continued pending appeal, the case manager must continue the household's FSP benefits at the same level.
 - (d) If the household does not request a hearing and continuation of its FSP benefits, the case manager must follow the procedures for unclear information and send notice of adverse action.

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410.34 Public Assistance Households (TCA, RCA, TDAP and PAA) (continued)

4. If the situation does not require PA notice of adverse action, the case manager will issue a request for clarification and follow the procedures for unclear information.

410.4 Certification Notices to Households

- A. The local department will send the household a written notice (usually system generated) when an eligibility determination is made listing the beginning and ending dates of the certification period.
- B. For an initial application, the notice must be provided as soon as the local department makes the eligibility determination, but no later than 30 days from the date of application.
- C. When required verification is waived on applications approved on an expedited basis, the notice will explain that no additional FSP benefits are provided unless the waived verification is received.
- D. Combine a notice of eligibility with the notice of expiration when providing a household with a notice of expiration at the time of certification.
- E. If the application is denied, the local department will provide the household with written notice of denial that explains the basis for the denial.
- F. If an application is held pending because some action by the local department is necessary to complete the application process, provide the household with a written notice, which informs it that its application has not been completed and is being processed. If some action by the household is needed to complete the application process, the notice will also explain the following:
 1. The action the household must take; and
 2. A denial will occur on the 60th day after the application is filed unless the household takes the required action.

410.5 Application for Recertification

- A. The local department will provide households that have filed an application by the 15th of the last month of their certification period with either of the following:
 1. A notice of eligibility by the end of the current certification period; or
 2. A notice of denial by the end of the current certification period.