

Unless otherwise defined in specific chapters of this manual, terms defined in this section will apply whenever the term is used.

Administrative Disqualification Hearing (ADH) - An administrative disqualification hearing is an impartial review by a hearings officer of a household member's actions to determine whether or not the member committed an Intentional Program Violation (IPV).

Application - The official request for SNAP benefits. An application may be classified as an initial or new application, a reapplication, or a recertification. See also entries for the application classifications.

Disabled Person - The definition of a disabled person that follows must be used for the:

- Determination of group home eligibility;
- Allowance of medical expenses;
- Allowance of unlimited shelter expenses
- Use of net-only income limits in determining income eligibility;
- Evaluation of conditionally-eligible immigrants;
- Allowance of the \$3,000 resource limit;
- Allowance of a 24-month certification period; and
- Exemption from 6-month interim reporting requirements.

A disabled person is one who:

- a. Is certified to receive or is actually receiving Supplemental Security Income (SSI) benefits or disability or blindness payments under one of the following titles of the Social Security Act:
  1. Title I, Grants to States for Old Age Assistance and Medical Assistance for the Aged;
  2. Title II, Federal Old Age, Survivors, and Disability Insurance Benefits;
  3. Title X, Grants to States for Aid to the Blind;
  4. Title XIV, Grants to States for Aid to the Permanently and totally Disabled; or,
  5. Title XVI, Supplemental Security Income for the Aged, Blind and Disabled.

This includes SSI presumptive disability payments (regular SSI Benefits for a three-month period paid to persons who will most likely meet SSI disability criteria), and SSI emergency advance payments (a single \$100 SSI payment provided to persons who appear to meet the SSI eligibility criteria who are considered in need of immediate assistance).

- b. Is certified to receive or receives an Auxiliary Grant.
- c. Is certified to receive or receives disability retirement benefits from a governmental agency because of a disability considered permanent under Section 221 of the Social Security Act.

- d. Is certified to receive or receives an annuity payment under Section 2(a)(1)(iv) of the Railroad Retirement Act of 1974 and is determined to be eligible to receive Medicare by the Railroad Retirement Board; or Section 2(a)(i)(v) of the Railroad Retirement Act of 1974 and is determined to be disabled based upon the criteria used under Title XVI of the Social Security Act.
- e. Is a veteran with a service-connected or nonservice-connected disability rated or paid as total (100%), or is considered in need of regular aid and attendance or permanently housebound under Title 38 of the U.S. Code.
- f. Is a surviving spouse of a veteran and considered in need of aid and attendance or permanently housebound or a surviving child of a veteran and considered to be permanently incapable of self-support under Title 38 of the U. S. Code.
- g. Is a surviving spouse or child of a veteran and entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under Title 38 of the U. S. Code and has a disability considered permanent under the Social Security Act. For the purpose of this chapter, "entitled" means those veterans' surviving spouses and children who are receiving the compensation or benefits stated or have been approved for such payments, but are not receiving them.

For any household member claiming a permanent disability that is questionable, i.e., not apparent to the EW under this item of the definition of disability, the household shall, at the local agency's request, provide a statement from a physician or licensed or certified psychologist to assist the local agency in making a disability determination.

- h. Is a recipient of disability related medical assistance under Title XIX of the Social Security Act.
- i. Is a recipient of Federal Employee Compensation Act (FECA) payments for permanently disabled employees who opt for FECA benefits in lieu of Civil Service Retirement benefits. Temporary FECA payments to people temporarily injured on the job do not satisfy the definition of disability.

A less restrictive definition of disability is used for other policies such as the work requirement, work registration, and student identification and eligibility.

Disqualified Recipient Subsystem (DRS) - A nationwide central database of persons who have committed Intentional Program Violations (IPV).

Homeless Household - A household that lacks a fixed and regular nighttime residence or a household whose primary nighttime residence is:

- a. A supervised shelter designed to provide temporary accommodations (such as a welfare hotel or emergency shelter);
- b. A halfway house or similar institution that provides temporary residence for individuals who would otherwise be in an institution;

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- c. A temporary accommodation in the residence of another. (Temporary is defined here as having been in the home for not more than 90 days as of the date of application); or
- d. A place not designed for, or ordinarily used as a regular sleeping accommodation for human beings (e.g., as a park, bus station, hallway, lobby or similar places).

Initial or New Application - The first application for SNAP benefits filed in a locality by a household. If the household subsequently moves to another locality, the first application taken in the new locality is also a new application.

Intentional Program Violation (IPV) - An intentional program violation consists of any action by an individual of having intentionally:

- a. Made a false or misleading statement to the local agency, orally or in writing, to obtain benefits to which the household is not entitled. An IPV may exist for an individual even if the agency denies the household's application;
- b. Concealed information or withheld facts to obtain benefits to which the household is not entitled; or
- c. Committed any act that constitutes a violation of the Food and Nutrition Act, SNAP regulations, or any State statutes relating to the use, presentation, transfer, acquisition, receipt, or possession of SNAP access devices.

An IPV is also any action where an individual knowingly, willfully and with deceitful intent:

- uses SNAP benefits to buy nonfood items, such as alcohol or cigarettes;
- uses or possesses improperly obtained access devices;
- trades or sells or attempts to trade or sell access devices; or
- uses benefits to repay food purchased on credit.

Migrant Farm Worker - A farm worker who had to travel for farm work and who was unable to return to the permanent residence within the same day. See also Seasonal Farm Worker.

PA Case - A public assistance (PA) SNAP case is any case in which all household members receive or are authorized to receive income from the Temporary Assistance for Needy Families (TANF), General Relief – Unattached Child (GR) or Supplemental Security Income (SSI) Program. "Authorized to receive" income includes instances when approved benefits are not accessed, are suspended or recouped, or are less than the minimum amount for the agency to issue a payment.

A case will be a PA unit as long as each household member derives some income from TANF, GR - Unattached Child or SSI. A case will also be a PA case as long as the PA income counts toward SNAP eligibility or benefit amount, such as in the case of the Noncompliance with Another Programs of Part XII.D. Any case that contains at least one member who does not receive TANF, GR - Unattached Child or SSI is a non-assistance (NA) SNAP case.

A PA case also includes a case in which any member receives or is authorized to receive services from a program funded by the TANF block grant. Service programs must derive more than 50 percent of their funding from the TANF block grant or from state funds intended to meet the

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Maintenance of Effort (MOE) for TANF funding. (The VIEW Transitional Payment is state-funded to meet the MOE obligation.) These programs must be for the purposes of:

- a. assisting needy families;
- b. promoting job preparation, work and marriage;
- c. preventing or reducing out-of-wedlock pregnancies, provided the program imposes a 200 percent of poverty income guideline; or
- d. promoting two-parent families, provided the program imposes a 200 percent of poverty income guideline.

**A case that meets the criteria for broad-based categorical eligibility will be considered a categorically eligible case. The criteria for broad-based categorical eligibility consist of at least one person receiving or authorized to receive a TANF funded service, which benefits the entire household. This includes non-cash or in-kind service that is less than 50 percent funded with the TANF block grant or state funds counted for MOE purposes. The household's income must be at or below 200 percent of the federal poverty level and will not be subject to the resource asset test. With broad-based categorical eligibility, there is no requirement that there be minor children in the household.**

A child removed from the TANF grant because of noncompliance with school attendance requirements continues to be a PA recipient, for SNAP purposes, as long as the TANF case status remains active.

Reapplication - Processed as an initial or new application, a reapplication is:

- a. An application filed when more than a calendar month has elapsed after the last certification end date; or
- b. An application that is filed after an adverse or negative action. An adverse or negative action is a denial of an application or termination of an ongoing case.

Recertification - The term recertification may refer to an application or the process of renewing eligibility and entitlement to benefits. A recertification application is an application filed before the certification end date or in the calendar month after the certification end date, provided the application does not follow an action to close the case.

Seasonal Farm Worker - An individual employed by another in agricultural work of a seasonal or other temporary nature. This includes employment on a farm or ranch performing fieldwork such as planting, cultivating or harvesting, or employment in related activities such as canning, packing, seed conditioning or related research, or processing operations.

Trafficking - Trafficking means:

- a. Directly or indirectly buying, selling, stealing, or otherwise obtaining SNAP benefits by an Electronic Benefits Transfer (EBT) card and Personal Identification Number (PIN) or manual voucher and signature for cash or consideration other than eligible food;
- b. Attempting to buy, sell, steal, or otherwise obtain SNAP benefits by an EBT card and PIN or manual voucher and signature for cash or consideration other than eligible food directly or indirectly;
- c. The exchange of firearms, ammunition, explosives, or controlled substances for SNAP benefits; or
- d. Purchasing a product with SNAP benefits and intentionally:
  - discarding the contents in order to return the container for the return deposit amount;
  - reselling the purchased product for cash; or
  - exchanging the purchased product for cash or for consideration other than eligible food.

**Virginia Restaurant Meals Program – Virginia SNAP households that include at least one member who are 60 or older, permanently disabled or experiencing homelessness would have the ability to purchase prepared meals using their Electronic Benefits Transfer (EBT) card at approved restaurants.**

