

PART VI		HOUSEHOLD COMPOSITION	
<u>CHAPTER</u>	-	<u>SUBJECT</u>	<u>PAGES</u>
A.		THE HOUSEHOLD CONCEPT	1
	1.	General Criteria	1
	2.	Required Household Members	2
	3.	Individuals in Foster Care	2
	4.	Special Consideration for Elderly and Disabled People	3
	5.	Residing Together Determinations	3-4
	6.	Household Membership of Those Frequently Away from Home	4-5
B.		BOARDERS	5-7
	1.	Those Eligible to Participate	5
	2.	Making Boarder Determinations	5-7
C.		NONHOUSEHOLD MEMBERS	7-9
D.		HEAD OF HOUSEHOLD	9-10
	1.	Household Designation	9
	2.	Agency Designation	9-10
	3.	Principal Wage Earner as Head	10
E.		HOUSEHOLDS IN INSTITUTIONS	10-11
	1.	Drug Addiction and Alcohol Treatment Centers	11-13
	2.	Group Living Arrangements	13-17
	3.	Shelters for Battered Women and Their Children	17-18

A. THE HOUSEHOLD CONCEPT

The BPS must determine the composition of the SNAP household. This chapter describes those who may or may not qualify as household members, and the designation of head of household. For the month of application, the household membership as of the day of application is evaluated, including those persons frequently away from home who are included in the household under the provisions of Part VI.A.6.

No one is permitted to receive SNAP benefits as a part of more than one household in the same month, except for residents of a shelter for battered women and children who were members of a household containing the person who had abused them.

1. General Criteria (7 CFR 273.1(a))

A household is composed of one of the following individuals or groups of individuals, provided they are not residents of an institution, except as specified in Part VII.C, or are not boarders, except as specified in Part VI.B:

- a. An individual living alone.
- b. An individual living with others who customarily purchases and prepares food for home consumption separate and apart from the others. This includes a disabled individual, who is not a required household member, living with others whose food is purchased and prepared separately by someone else.

If an individual has insufficient income and resources to contribute to the purchase of food, certify the individual as a separate household if the individual intends to purchase and prepare food separately, if eligible for SNAP benefits.

- c. A group of individuals living together for whom food is customarily purchased in common and for whom meals are customarily prepared from this food supply by or for all members of the group for home consumption.

Unless there is evidence that contradicts a household's statement, accept the household's word on which household members customarily purchase and prepare meals together, and which members constitute the household for SNAP purposes. Contradictions could include situations where an individual living with others claims to purchase and prepare food apart from the others, but previously the person had been part of the household of the others. Verification in this situation may consist of a signed statement from the applicant and a responsible member of the other household attesting to the separate eating arrangements.

In cases of those without sufficient income and resources who state their intent to purchase and prepare food separate from others in the home after certification, a signed statement may be requested at recertification to verify that the intended separation took place, if the information is questionable.

2. Required Household Members (7 CFR 273.1(a)(2))

The following individuals living with others or groups of individuals living together must be considered as one SNAP household, even if they do not customarily purchase food and prepare meals together:

- a. A spouse of a member of the household. Spouse refers to either of two individuals who would be defined as married to each other under applicable state law or are living together and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople.
- b. Children under 18 years of age who are under the parental control of an adult household member other than their parents. For this provision, children must be financially or otherwise dependent on a household member. Parental control will be assumed to exist if an adult household member has legal custody of a child.
- c. Children 21 years of age or younger who live with natural or adoptive parents, unless parental rights have been terminated, or stepparents, unless ties have been severed through divorce.

In the event a child lives in the home with an adult who has parental control (b) and a parent (c), only one SNAP household will exist.

3. Individuals in Foster Care

Households containing individuals in foster care have the option of including individuals in foster care as part of the household or excluding them. This option takes precedence over other guidelines for determining household composition. If the individual is not included as a member of the foster family's SNAP household however, the foster individual may be considered a SNAP household member of any other household in which the individual lives for a portion of the month. A foster care service plan must exist that allows the individual to be a part of another household on a temporary basis, such as a plan that allows weekend visits to the home of the biological parents or prior custodian.

The foster care payment will be counted as income to the foster household if the household elects to count the foster individual as a member of the household for SNAP purposes. The payment is excluded as income if the foster family does not include the foster individual in its request for SNAP benefits. If the foster individual is included in any other SNAP household, only direct payments from the foster care grant from the foster family to the individual or other SNAP household would count as income to that household.

An individual in foster care and residing with others may not be considered as a separate SNAP household. Foster individuals may only receive SNAP benefits as a part of another household in which they live, including a spouse or children living with them. The restrictions described in this section do not apply to persons assigned to the Independent Living Program.

4. Special Consideration for Elderly and Disabled People (7 CFR 273.1(a)(2)(ii))

Normally, everyone who lives together and who purchases and prepares meals together must be a household for SNAP purposes. However, separate household status may be allowed for a person who is 60 years of age or older and who has a permanent disability, as recognized under the Social Security Act, or one who has a non-disease-related, severe, permanent disability. Separate household status will also be allowed for the spouse of an elderly, disabled individual and children under the age of 18 for whom parental control is exercised. The gross income of the remaining household members may not exceed 165% of the Federal Poverty Income Guidelines, as listed below:

<u>Household Size</u>	<u>165% Limit</u>	<u>Household Size</u>	<u>165% Limit</u>
1	\$2,071	6	\$5,770
2	2,811	7	6,510
3	3,551	8	7,249
4	4,290	each additional	
5	5,030	member	+\$740

Do not count the income of the elderly, disabled person and spouse for this calculation. The elderly, disabled person is responsible for obtaining the cooperation of the other individuals in providing necessary income information to the local department of social services.

The key factor in determining whether a disability qualifies a household for separate status under this provision is the inability to purchase and prepare meals. Assessment of a disability under the Social Security Act, as well as other disability programs, is based on an inability to work. The BPS must not automatically assume a disability constitutes an inability to purchase and prepare meals apart from others.

No specific verification is required if it is obvious to the BPS that the person in question could not purchase and prepare meals. However, when the inability to purchase and prepare meals is not obvious, the BPS should request a statement from a physician that the person is unable to purchase and prepare meals separately.

Note: This section does not apply to elderly or disabled individuals whose food is usually purchased and prepared separately from others by someone else.

5. Residing Together Determinations

In some situations, it may become difficult to determine separate household status for people who live together in the same house. Consider factors, such as, but not limited to the following, to determine separate household status:

- a. If there are separate, identifiable units within the dwelling, separate households probably exist.
- b. If common facilities, such as a kitchen and/or a bathroom are shared, separate households probably do not exist.

- c. If a dwelling is constructed as a single-family home, separate households probably do not exist but, a dwelling constructed as a multi-family structure (e.g., a duplex, apartment building), separate households probably exist.

Examples

- 1) A 20-year-old woman lives in two rooms in her parents' basement. She has a bed, sofa, refrigerator, hotplate, etc., but uses the kitchen and bathroom in her parents' home. All residents must participate together since this is a single-family dwelling and common facilities are shared.
- 2) Individuals live together in the same house. One person lives in an apartment in the basement. The apartment contains a kitchenette and bathroom along with other living space. Since the apartment is a separate, identifiable dwelling unit, the residents are not considered as living together.
- 3) Individuals live in separate rooms in a hotel but must share a bathroom down the hall. Since they live in separate, identifiable units, they are not required to participate together even though they share common facilities.

These types of situations require careful case-by-case evaluation, and the BPS must take care not to impose rigid guidelines, such as requiring a separate unit to have a kitchen or requiring separate units within one dwelling to have separate entrances. Document how the decision to consider persons residing together or not was determined in these types of situations.

6. Household Membership of Those Frequently Away from Home

Use the following guidelines to determine household membership when an individual is frequently away:

- a. If an individual spends at least 15 days per month in the home and otherwise meets the definition of a household member, as described in Part VI.A.1 and Part VI.A.2, consider the individual a household member.
- b. If an individual spends fewer than 15 days per month in the home, the applicant may choose whether to include the individual as a household member, provided the individual otherwise meets the definition of a household member and is not certified for SNAP benefits elsewhere. If the individual, who is frequently away, is the spouse of a household member, consider the individual as a household member unless the household can present an address to document where the spouse resides the rest of the month. A required household member, who is part of more than one household, must be considered a member of the unit where most of the time is spent, if both units apply for SNAP benefits.

Example

Household A receives SNAP for a child who visits on the weekends. Household B subsequently applies for SNAP and includes the child, as the child resides with

Household B most of the time. The child must be removed from the case of Household A and added to the case of Household B, after advance notice is provided to Household A.

If the applicant excludes an individual who is frequently away from the home, that individual may not participate as a separate household at the same address if the individual is a required household member, as described in Part VI.A.2.

B. **BOARDERS (7 CFR 273.1(c))**

1. Those Eligible to Participate

An individual residing with a household and paying reasonable compensation to the household for lodging and meals is considered a boarder.

Boarders in commercial boarding houses are ineligible to participate in the program. A commercial boarding house is an establishment licensed as a commercial enterprise that offers meals and lodging for compensation. A commercial establishment, located in an area without licensing requirements, that offers meals and lodging for compensation with the intention of making a profit will also be classified as a commercial boarding house. The number of boarders residing in the house is not a determining factor.

Other boarders are ineligible to participate in the program independent of the household providing the board. They may participate as members of the household providing the board at that household's request. If boarders are excluded, their income and resources will not be considered available to the household providing the board.

The household with which the boarder resides (including the household of the proprietor of a boarding house) may participate in the program, if they meet all the eligibility requirements for participation.

2. Making Boarder Determinations

If an applicant household identifies any individual in the household as a boarder, apply the following conditions to determine if boarder status shall be granted. Boarder status will not be granted to any of the following:

- a. The spouse of a member of the household.
- b. Children under 18 years of age under parental control of a member of the household.
- c. Children under 22 years of age living with their natural, step- or adoptive parents if parental rights have not been terminated or severed through divorce.
- d. Persons paying less than a reasonable monthly payment for meals.

- 1) An individual furnished both meals and lodging but paying less compensation than a reasonable amount, will be considered a member of the household that provides the meals and lodging. Only direct money payments (cash, check, money order) to the household count in making this evaluation. In no event may SNAP benefits be paid for meals and be credited toward the monthly payment. If payment for meals alone cannot be distinguished from payment for lodging and meals, the full payment amount will be used to make the determination.
- 2) A reasonable monthly payment must equal or exceed the following amounts if the boarder takes two meals or less per day in the home.

Number of boarders being considered as a separate household	Minimum monthly payment required This is two-thirds of the maximum benefit amount, rounded down to the nearest whole dollar amount, for each household size indicated.
1	\$ 194
2	357
3	512
4	650
5	772
6	926
7	1,024
8	1,170

- 3) A reasonable monthly payment must equal or exceed the following amounts if the boarder takes more than two meals per day in the home.

Number of boarders being considered as a separate household	Minimum monthly payment required This is the maximum benefit amount for each household size indicated.)
1	\$ 292
2	536
3	768
4	975
5	1,158
6	1,390
7	1,536
8	1,756

If a single board payment is made for more than one boarder, all boarders for whom the payment is made must be considered as a single household.

Example

A mother and daughter board with another household. The mother pays board to the landlord for herself and her daughter. The mother and daughter must be considered as one household if their board payment is equal to or greater than the required minimum monthly payment.

Individuals furnished only meals are not considered boarders. These individuals must be considered members of the household where most of the meals are taken.

If boarder status is questionable, the BPS may require statements from the boarder and the person who receives the payment, attesting to the arrangement and the amount charged or paid.

C. NONHOUSEHOLD MEMBERS (7 CFR 273.1(b))

1. The following individuals who reside with a SNAP household will not be considered household members in determining eligibility or the benefit allotment:
 - a. Roomers: Individuals to whom a household furnishes lodging for compensation but no meals.
 - b. Boarders: Individuals provided meals and lodging for compensation as outlined in Part VI.B.
 - c. Live-in attendants: Individuals who reside with a household to provide medical, housekeeping, childcare, or other similar personal services. Residing with the household means that an individual takes a majority of meals in the home. Dependents of a live-in attendant will be considered as members of the live-in attendant's household. A person cannot be a live-in attendant in his or her own home.
 - d. Ineligible students: Students who are 18 years of age or older and enrolled at least half-time in an institution of higher education who fail to meet the special eligibility criteria outlined in Part VII.E.
 - e. Other individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with the household.

Example

The applicant household shares a house with another family to save on rent. The two groups do not purchase and prepare food together. The members of the other family are not members of the applicant's household.

- f. Individuals in foster care that the household opts to exclude from the SNAP unit.

Roomers, live-in attendants and individuals who share living quarters may participate as separate households, if otherwise eligible. Ineligible students, boarders, and individuals in foster care cannot participate as separate households.

Individuals, who are mandatory household members, as per Part VI.A.1, may not be considered nonhousehold members merely because of their roomer, boarder, or live-in attendant status.

2. The following individuals residing with the household will not count in determining the household's size for assigning a benefit level for the household or for comparing the household's monthly income with the income eligibility standards. Income and resources of these excluded members is countable to the remaining household members in accordance with Part XII.E. These persons may not participate in SNAP as separate households.
 - a. Ineligible Aliens: Individuals who do not meet the citizenship requirement or hold an eligible immigration status (Part VII.F).
 - b. SSN Disqualified: Individuals disqualified for failure to provide a Social Security Number (Part VII.G).
 - c. Fraud Disqualified: Individuals found guilty of committing an intentional program violation against the Supplemental Nutrition Assistance Program by a court of law or an Administrative Disqualification Hearing (ADH), or individuals who signed waivers to an ADH (Part XIX).
 - d. Individuals disqualified for noncompliance with employment program requirements (Part VIII.A).
 - e. Individuals who are fleeing prosecution of felony offenses or imprisonment for felony convictions, or individuals who are in violation of probation or parole conditions are ineligible. Individuals will be considered fleeing if:
 - 1) There is an outstanding felony warrant for the individual by a federal, state, or local law enforcement agency, and the underlying cause for the warrant is for committing or attempting to commit a crime that is a felony under the law of the place from which the individual is fleeing or a high misdemeanor under the law of New Jersey;
 - 2) The individual is aware of, or should reasonably have been able to expect that, the felony warrant has already or would have been issued;
 - 3) The individual has taken action to avoid being arrested or jailed; and
 - 4) The federal, state, or local law enforcement agency is actively seeking the individual by:
 - i. informing a state agency that it intends to enforce an outstanding felony warrant or to arrest an individual for a probation or parole violation within 20 days of submitting a request for information about the individual to the state agency;
 - ii. presenting a felony arrest warrant; or
 - iii. stating that it intends to enforce an outstanding felony warrant or to arrest an individual for a probation or parole violation within 30 days of the date of a request from a state agency about a specific outstanding felony warrant or probation or parole violation.
 - f. Individuals who receive benefits for a three-month period and who subsequently fail to regain eligibility under the Work Requirement (Part XV).
 - g. Individuals convicted of murder or sexual assault on or after February 8, 2014 are

ineligible for benefits. For this section, an individual must have a felony conviction as an adult for an offense listed below and is out of compliance with the sentencing.

- 1) Aggravated sexual abuse under Title 18 United States Code (USC), Section 2241 or a similar state offense;
- 2) Murder under Title 18 USC, Section 1111 or a similar state offense;
- 3) An offense under Title 18 USC, Chapter 110 (sexual exploitation and other abuse of children) or a similar state offense; or
- 4) A federal or state offense involving sexual assault, as defined in Section 40002(a) of the Violence Against Women Act of 1994 (42 USC 13925(a)).

D. HEAD OF HOUSEHOLD (7 CFR 273.1(d))

The head of the household is designated when applications are filed, whether at initial application, reapplication or recertification. The designation of the head will be made either by the household or by the BPS. Under certain circumstances, as described in Part VI.D.3, the head will be defined as the principal wage earner. Whether designated by the household or by the BPS, the head must be identified in the case file at the time of certification or household change.

Other than sanctions for violations described in Part VI.D.3, no special requirements are to be imposed on the household or its head. The agency may not, for example, require that the head appear at the certification office to apply for benefits rather than another responsible household member.

1. Household Designation

Whenever an application is filed, the household may identify on the application a household member to be the head. Households with parent-child combinations may also designate the head whenever there is a change to the household's composition. The person selected as the head must be included on the *Notice of Action* at the time of certification or household composition change.

The household may select as head a household member who is an adult parent of children living in the household, an adult who has parental control of a minor child living in the household, or any other adult member. For an adult parent to be selected, there must be at least one natural, step-, or adopted child of any age in the SNAP household unit with an adult parent. For an adult with parental control to be selected, there must be at least one child under 18 years of age who is supervised or otherwise dependent on an adult living in the SNAP household.

2. Agency Designation

If households fail to designate the head by the 30th day for new applications or reapplications or by the verification deadline for recertification applications, the BPS must determine the head. The BPS must also designate the head if the

household's adult members do not agree with the selection made by the applicant.

The designation by the BPS will remain in effect through the certification period or until the head leaves the household.

3. Principal Wage Earner as Head

Unless the household has selected an adult parent or adult with parental control as head as specified in Part VI.D.1, the principal wage earner will be considered the head of household when evaluating noncompliance with work registration. The principal wage earner must also be considered in determining whether a household member voluntarily quit a job or reduced work hours to less than 30 hours per week.

The principal wage earner is the household member who had the most earned income in the two months prior to the month of the registration noncompliance, job quit, or work reduction. Excluded household members, as defined in Part VI.C.2, are evaluated in determining the principal wage earner. The income used in this evaluation must involve 20 hours or more per week or provide the equivalent of 20 hours multiplied by the federal minimum wage.

The principal wage earner identified will not be applicable if the person who caused the violation lives with a parent or person fulfilling the role of a parent. The principal wage earner designation also will not apply if a parent or person fulfilling that role is registered for work or is exempt from work registration because the parent or person fulfilling the role of a parent is:

- a. subject to and participating in any work requirement under Title IV of the Social Security Act such as the PA Employment Services Program (Part VIII.A.1.c);
- b. receiving unemployment compensation benefits or is registered for work to receive these benefits (Part VIII.A.1.f); or
- c. employed or self-employed and working a minimum of 30 hours weekly or is receiving weekly earnings at least equivalent to 30 hours multiplied by the federal minimum wage.

If there is no principal source of earned income in the household, the household member documented in the case file as the head at the time of the violation will be considered the head of the household.

E. HOUSEHOLDS IN INSTITUTIONS

Residents of certain institutions are eligible for SNAP benefits. This chapter contains special provisions for households residing in eligible institutions. See Part VII.C for a list of eligible

institutions and Part II.I for requirements and allowances for authorized representatives for institutionalized households.

1. Drug Addiction and Alcohol Treatment Centers

Residents of treatment and rehabilitation programs for persons addicted to narcotic drugs or alcohol, including the children of these persons residing in the centers with the parents, may receive SNAP benefits as individual households. The treatment center must be a private, nonprofit organization or institution or a publicly operated community mental health center, under Part B of Title XIX of the Public Health Service Act.

Before certifying treatment center residents for SNAP benefits, the BPS must establish that the center meets Public Health Service Act criteria even if the center is not certified under Part B of Title XIX of the Public Health Service Act. The BPS must also determine if the Food and Nutrition Service (FNS) has certified the facility as a retailer and whether the center has a Point-of-Sale (POS) device to use SNAP benefits at the institution.

To get SNAP benefits, residents of treatment centers must apply and participate through a designated employee of the center. The household must freely choose to apply for benefits. The resident household should assist in completing the application and should sign the application along with the authorized representative before certification, if possible. Normal SNAP certification notices and procedures apply to households that reside in eligible treatment centers except for the requirement that residents must apply through a representative of the center.

a. Accessing and Using SNAP Benefits

To access SNAP benefits, each household or representative must have an EBT card. Eligible household residing in drug or alcohol treatment centers must participate in the Program through an authorized representative. The authorized representative will receive an EBT card to use on behalf of the household. The client may not possess an active EBT card while a resident of the treatment center.

Treatment center representatives must use the SNAP benefits for food prepared by or served to the resident addict/alcoholic. If the treatment center has a POS device, the authorized representative must use each individual household's EBT card to access one-half of the monthly benefit according to the household's assigned benefit issuance date (1st, 4th, 7th). If the treatment center does not have a POS device, the authorized representative must use each resident's EBT card at the grocery store and access up to one-half the benefit amount by the 10th day of each month. The treatment center may access the second half of the benefits on or after the 16th of each month if the resident remains in the center as of the 16th day of the month.

If the household leaves the treatment center before the 16th day of the month, the household is entitled to one-half of the allotment for the month. If the household leaves the treatment center on or after the 16th of the month, the household will not receive any portion of the benefits directly.

b. Responsibilities of the Treatment Center

The treatment center must notify the local agency of changes in the household's income or other household circumstances and upon the departure of the addict or alcoholic from the treatment center. When the resident leaves the facility, the treatment center must provide the resident with the EBT card for the "Primary Cardholder," if the card is available. This is not the card used by the authorized representative. Once the household leaves the treatment center, the center may no longer act as that household's authorized representative.

The center should return the authorized representative's EBT card to the local agency when the resident leaves the facility.

The center must provide the household with a *Change Report* Form to report to the local agency the individual's new address and other circumstances after leaving the center, if possible. The center must also advise the household to report the address change to the local agency within 10 days.

Each treatment and rehabilitation center must submit a certified list of residents who are currently participating in the Program to the local social services agency. This list must include a statement that the information provided is correct and must be signed by a representative of the center. The center must submit the list at least monthly, although local agency officials may request a more frequent list.

c. Penalties

The treatment center is responsible for any misrepresentation or fraud that it knowingly commits in the certification of center residents. As an authorized representative, the treatment center must be knowledgeable about household circumstances and should carefully review those circumstances with residents prior to applying on their behalf. The organization or institution is liable for all losses or misuse of SNAP benefits accessed or used on behalf of resident households and for any overissuance of benefits that occur while the households are residents of the treatment center.

The treatment center may be penalized or disqualified if an administrative or judicial determination establishes that SNAP benefits were misappropriated or used for purchases that did not contribute to a certified household's meals. The treatment center may be prosecuted under applicable federal or state statutes for intentional acts that misrepresent household circumstances.

d. Local Agency Responsibilities

The local agency must ensure that applicants that reside in alcohol or drug treatment centers apply for SNAP benefits through a designated employee of the treatment center. The agency may not process an application signed only by such a resident or conduct the interview without the authorized representative. The

treatment center must receive certification notices and instructions on accessing SNAP benefits through EBT.

The BPS should provide the treatment center with blank *Change Report* forms that the center or household could complete to report changes, including when the household leaves the center. The BPS must take prompt action to remove the authorized representative when the household leaves the treatment center upon learning of the address change.

The local agency must receive a monthly list of residents from the treatment center. The agency may require the treatment center submit the list semimonthly. The local agency must review the list to ensure that only those residents listed are participating as residents of that institution. The agency must resolve any discrepancies immediately between the list submitted by the center and the agency's certification record.

In addition to reviewing the lists of residents in the treatment facility, the local agency must conduct periodic random on-site visits to the center. This review is to ensure the accuracy of the listings and that the local agency's records are consistent and current.

The local agency must promptly notify the Regional Office for the Virginia Department of Social Services when there is reason to believe that a treatment center is misusing SNAP benefits in its possession. The Virginia Department of Social Services must transmit the local agency's findings to USDA. The local agency must not act however, until USDA provides instructions.

2. Group Living Arrangements

Disabled or blind individuals who reside in group living arrangements may be eligible for SNAP benefits. See Part VII.C for specific criteria. Unlike residents of drug or alcohol treatment centers, residents of group living may apply on their own behalf; select an authorized representative; or use an authorized representative employed and designated by the facility.

How residents of group living arrangements apply will determine the household size. For instance, if a resident files an individual application or through a personal authorized representative, the BPS must evaluate household composition based on who purchases and prepares food together but, residents who apply through the use of the facility's authorized representative, will be one-person households, regardless of the eating arrangements.

a. Participating in the Group Living Arrangement

The group living arrangement may purchase and prepare food that eligible residents will consume on a group basis, if residents normally obtain their meals at a central location, e.g. a dining hall, as part of the group living arrangement

services, or if meals are prepared at a central location for delivery to the individual residents.

If residents purchase and/or prepare food for their own consumption, as opposed to communal dining, the group living arrangement must ensure that each resident's SNAP benefits are used for meals intended for that resident.

If residents retain use of their own SNAP benefits, then they may either use the benefits to purchase meals prepared for them by the facility, if group home is authorized by FNS, or purchase food to prepare meals for their own consumption.

If the facility is acting as the authorized representative for the resident, the SNAP benefits may be handled in any of the following ways:

- 1) The facility may spend the benefits, prepare and serve the food to the resident;
- 2) Spend the SNAP benefits and allow the resident to prepare the food; or
- 3) Allow the resident to use some or all of the benefits on his or her own behalf.

If the resident applied on his own behalf, the resident may provide the SNAP benefits to the facility to purchase food for meals served either communally or individually for eligible residents. The eligible resident may also use the SNAP benefits to purchase and prepare food for individual consumption or to purchase meals prepared and served by the group living arrangement.

b. Accessing and Using SNAP Benefits

To access SNAP benefits, each household or representative must have an EBT card. Residents of group living arrangements will receive an EBT card. If the household has an authorized representative, the representative will also receive an EBT card to use on behalf of the household.

The household or authorized representative must use SNAP benefits for food prepared by or served to the resident. If the group home has a POS device, at the beginning of each month, the household or authorized representative must use the individual household's EBT card to access one-half of the monthly benefit. If the group home does not have a POS device, the household or authorized representative must use each resident's EBT card at the grocery store. If the authorized representative is a representative of the group home, the representative may access up to one-half the benefit amount at the beginning of each month. The group home representative may access the second half of the benefits on or after the 16th of each month if the resident remains in the group home as of the 16th day of the month.

If the household leaves the group home before the 16th day of the month, the household is entitled to one-half of the allotment for the month. If the household leaves the group home on or after the 16th of the month, the household will not receive any portion of the benefits directly.

c. Responsibilities of the Group Living Arrangement

If a representative of the group living arrangement acts as an authorized representative, the group living arrangement must notify the local agency of changes in household circumstances and when the individual leaves the group living arrangement.

Once the household leaves the group home, the center may no longer act as the household's authorized representative.

The center should return the authorized representative's EBT card to the local agency when the resident leaves the facility.

The group home must provide the household with a *Change Report* form to report to the local agency the individual's new address and other circumstances after leaving the group home, if possible. The group home must also advise the household to report the address change to the local agency within 10 days.

Each group living arrangement must submit a certified list of residents who are currently participating in the Program to the local social services agency. This list must include a statement that the information provided is correct. A representative of the center must sign the report and submit the list at least monthly, although local agency officials may request a more frequent list.

d. Penalties

When a group living arrangement acts as the household's authorized representative the following additional responsibilities are applicable:

1. The group living facility is responsible for any misrepresentation or fraud that it knowingly commits in the certification of the facility's residents. As an authorized representative, the group living arrangement must be knowledgeable about household circumstances and should carefully review those circumstances with residents prior to applying on their behalf. The group living arrangement is liable for any losses or misuse of SNAP benefits accessed or used on behalf of resident households and for all overissuances that occur while the facility is acting as the household's authorized representative.
2. The facility may be penalized or disqualified if an administrative or judicial determination finds that SNAP benefits were misappropriated or used for purchases that did not contribute to a certified household's meals. The

group home may be prosecuted under applicable federal or state statutes for intentional acts that misrepresent household circumstances.

These provisions do not apply when the resident household applied on its own behalf.

e. Local Agency Responsibilities

The BPS must certify eligible residents of group living arrangements using the same provisions that apply to all other households. Before certifying any residents of a particular facility, the BPS must establish that the group living arrangement is authorized by FNS-USDA to accept SNAP benefits or is certified by an appropriate agency of the state or locality, including that agency's determination that the center is a nonprofit organization.

Before certifying group home residents for SNAP benefits, the BPS must establish that the group living arrangements meets Section 1616(e) of the Social Security Act criteria, even if the group home is not certified under Section 1616(e) of the Social Security Act. The BPS must also determine if the Food and Nutrition Service (FNS) has certified the facility as a retailer and whether the group home has a Point-of-Sale (POS) device to use SNAP benefits at the group home.

The BPS should provide the group living arrangement with blank *Change Report* forms so the group living arrangement or household could complete to report changes, including when the household leaves the group living arrangement. The BPS must take prompt action to remove the authorized representative when the household leaves the group living arrangement upon learning of the address change.

The local agency must receive a periodic list of residents from the group living arrangement. The agency may establish the frequency of receiving the resident lists. The local agency must review the list to ensure that only those residents listed are participating as residents of that institution. The agency must resolve any discrepancies immediately between the list submitted by the group living arrangement and the agency's certification record.

In addition to reviewing the lists of residents in the group living arrangement, the local agency must conduct periodic random on-site visits to the center. This review is to assure the accuracy of the listings and that the local agency's records are consistent and current.

The BPS must promptly notify the Regional Office for the Virginia Department of Social Services when there is reason to believe that a group living arrangement is misusing SNAP benefits. The Virginia Department of Social Services must transmit the local agency's findings to USDA. The BPS must not act however, until USDA provides instructions.

f. FNS Authorization

FNS may authorize group living arrangements as a retail food store. A state or local agency must appropriately certify these facilities. If the facility loses its certification, FNS may withdraw its approval at any time

If FNS disqualifies a facility as a retail food store, the BPS must suspend its authorized representative status for the same period. If a facility loses its certification to use SNAP benefits through wholesalers or its certification from the appropriate State or local agency, residents will not be eligible to participate except those who have applied on their own behalf. Residents who will be ineligible are not entitled to the *Advance Notice of Proposed Action*, but they must receive a written notice explaining the termination and the effective date.

3. Shelters for Battered Women and Their Children

a. Determination of Acceptable Shelter Status

Before certifying residents of shelters for battered women, the BPS must determine that the shelter for battered women and children meets the definition of Part VII.C.1.d. of this manual. The BPS must maintain documentation to support the determination to show that the shelter meets the criteria.

If a shelter has authorization by FNS to use SNAP benefits, the shelter will meet the criteria and will need no further determination by the local agency.

b. Special Eligibility Considerations

Many shelter residents will have recently left a household containing the person who abused them. The former household may be certified for participation in the program and its certification may be based on a household size that includes the women and children who have just left. Shelter residents who are included in such certified households may, nevertheless, apply for and, if otherwise eligible, participate in the Program as separate households if the previously certified household that includes them also contains the person who abused them.

Shelter residents who are included in such certified households may receive an additional allotment as a separate household only once a month. The BPS must certify shelter residents who apply as separate households solely based on their income and resources and the expenses for which they are responsible. The BPS must not consider the income, resources, and expenses of their former household in certifying these applicants. Jointly held resources must be considered inaccessible for battered women and children if access to the value of the resource depends on the agreement of a joint owner who still resides in the former household.

Room payments to the shelter are allowable shelter expenses.

The BPS must take prompt action to ensure that the former household's eligibility or allotment reflects the change in the household's composition.