

FNS-366B INSTRUCTIONS

CERTIFICATIONS:

This section identifies the number of SNAP initial and recertification applications that were approved or denied, the total applications processed, and the number of applications that were approved beyond processing requirements, including expedited applications and recertifications. The entries in each line item must be determined independent of the other line item entries. Counts entered into column (b), Denials, should only include those applications which were denied due to ineligibility. Do not include closed cases. Count only SNAP applications that were processed to a determination and do not count withdrawals or disaster applications. Counts should represent applications that were approved, denied and overdue during the reporting period of this form. Counts entered into Line 6b, Expedited Service – Recertifications, should only include those approved recertification applications eligible for expedited service received after the end of the certification period.

LINE 3 - INITIAL APPLICATIONS:

Report the total number of initial applications that were approved 3(a) and denied 3(b) during the report period. Calculate the total number of initial applications 3(c) by adding 3(a)+3(b). Of the initial applications approved in 3(a), report the number of those applications approved overdue during the report period by 1 and 30 days 3(d), 31 and 60 days 3(e), 61 and 90 days 3(f) and over 91 days 3(g). For example, if an application was approved 43 days after the date of application, the application should be reported in the count in column 3(d).

LINE 4 - RECERTIFICATIONS:

Report the number of SNAP recertification applications that were approved 4(a) and denied 4(b) during the report period. Calculate the total number of recertification applications 4(c) by adding 4(a)+4(b). Of the recertification applications approved in 4(a), report the number of those recertification applications that were approved overdue during the report period by 1 and 30 days 4(d), 31 and 60 days 4(e), 61 and 90 days 4(f) and over 91 days 4(g).

LINE 5 - TOTAL

Report the total number of SNAP initial and recertification applications approved in 5(a) by adding 3(a)+4(a), denied in 5(b) by adding 3(b)+4(b), and total number processed in 5(c) by adding 3(c)+4(c). Report the total number of SNAP initial and recertification applications approved overdue during the report period by 1 and 30 days in 5(d) by adding 3(d)+4(d), between 31 and 60 days in 5(e) by adding 3(e)+4(e), between 61 and 90 days in 5(f) by adding 3(f)+4(f), and over 91 days in 5(g) by adding 3(g)+4(g). Totals should represent all applications that were received and processed to a determination during the report period.

LINE 6a - EXPEDITED SERVICE – INITIAL APPLICATIONS

Report the total number of initial SNAP applications that were approved for and received expedited service during the report period in column 6a(a). Of the expedited initial applications approved in 6a(a), report the total number of initial applications screened as eligible for expedited service that were approved late during the report period by 1 and 30 days 6a(d), 31 and 60 days 6a(e), 61 and 90 days 6a(f) and over 91 days 6a(g). For example, if an initial application is approved 73 days after the date of application and that initial application met expedited service criteria, the initial application should be included in the count in column 6a(f).

LINE 6b - EXPEDITED SERVICE – RECERTIFICATIONS

Report the total number of SNAP recertification applications that were approved for and received expedited service during the report period in column 6b(a). Of the expedited recertification applications approved in 6b(a), report the total number of recertification applications screened as eligible for expedited service that were approved late during the report period by 1 and 30 days 6b(d), 31 and 60 days 6b(e), 61 and 90 days 6b(f) and over 91 days 6b(g). For example, if a recertification application is approved 73 days after the date of application and that recertification application met expedited service criteria, the recertification application should be included in the count in column 6b(f).

FAIR HEARINGS

LINE 7 - ACTIVITY

- (a) HEARINGS REQUESTED - Report the total number of fair hearings requested during the report period.
- (b) HEARINGS HELD - Report the total number of fair hearings that were held during the report period.
- (c) DECISIONS UPHELD - Report the total number of fair hearings that were held during the report period that resulted in the State agency's action being upheld.
- (d) DECISIONS REVERSED - Report the total number of fair hearings that were held during the report period that resulted in the State agency's action being reversed.
- (e) DECISIONS OERDUE - Report the total number of fair hearing decisions rendered during the report period that were not made within the specified time frames.
- (f) WITHDRAWN REQUESTS - Report the total number of fair hearing requests that were withdrawn during the report period. Include no shows in the count of withdrawals.

FNS-366B INSTRUCTIONS

FRAUD INVESTIGATIONS

This section reflects activity of fraud control unit(s), or similar investigative entities, within a State to investigate individuals suspected of SNAP eligibility fraud and/or trafficking benefits.

Investigations are: Effort by designated investigators (or investigator's representatives) to develop a record of fact used to determine whether sufficient documentary evidence of SNAP fraud or abuse exists to warrant civil, criminal or administrative legal action against an individual.

Investigations are not: Eligibility worker activity to verify information obtained through a data match at certification or recertification unless additional action by a SNAP investigator is required.

Each investigation (case) must be reported under *either* Eligibility Fraud or Trafficking, *and*, when applicable, Combined. The type of fraud that most appropriately reflects the matter investigated must be determined for each investigation. A case wherein multiple people are investigated is counted as one case.

LINE 8 - CASES / DAYS / HOURS

ELIGIBILITY FRAUD: Investigated individual(s) was/is suspected of intentionally making a false or misleading statement, or misrepresenting, concealing or withholding facts at application, required reporting, or recertification period with the intent to influence a SNAP eligibility determination.

- (a) EVIDENCE FOUND TO REDUCE OR DENY BENEFITS - Report the total number of eligibility fraud investigations (cases) that concluded *with* a finding of sufficient evidence to reduce or deny benefits of investigated individual(s). This includes both investigations concluded before certification that affect the final determination of eligibility/benefit allotment, and investigations concluded after certification that affect ongoing eligibility/benefit allotment.
- (b) NO EVIDENCE FOUND TO REDUCE OR DENY BENEFITS- Report the total number of eligibility fraud investigations (cases) that concluded *without* a finding of sufficient evidence to reduce or deny benefits investigated individuals. This includes investigations where allegations/suspensions are not corroborated, allegations/suspensions are corroborated, but do not impact eligibility/benefit allotment, and investigations that are canceled or suspended without a final determination of guilt.
- (c) RESULTED IN REFERRAL FOR ADH OR PROSECUTION - Of the eligibility fraud investigations reported in box 8(a), report the total number of concluded investigations (cases) that resulted in the referral of an individual for an Administrative Disqualification Hearing or Prosecution due to a suspected Intentional Program Violation. Count only investigations, not individuals. For example, if a single investigation of a household leads to the referral of multiple individuals for ADH or prosecution, count the investigation only once. ADH and prosecution outcomes for individuals are reported on lines 9 and 10.

- (d) AVERAGE # OF DAYS PER CONCLUDED INVESTIGATION - Report the average length in days of all eligibility fraud investigations (cases) reported in 8(a) and 8(b): determine for each eligibility fraud investigation the total days from the day a case was referred for investigation to the day the investigation concluded and/or was canceled. Sum together the individual investigation lengths. Then, divide this sum by the total of 8(a) + 8(b). For cases that require additional investigation after ADH/prosecution referral is made, consider the referral date as the conclusion date.

- (e) OPEN INVESTIGATIONS - Report the number of ongoing/unresolved eligibility fraud investigations (cases) at the time of reporting.

TRAFFICKING: Investigated individual(s) was/is suspected of trafficking benefits: see 7 CFR §271.2 Definitions.

- (f) RESULTED IN REFERRAL FOR ADH OR PROSECUTION - Report the total number of trafficking investigations (cases) that concluded *with* a finding of sufficient evidence to refer recipient(s) for Administrative Disqualification Hearing and/or Prosecution.
 - (g) RESULTED IN NO REFERRAL FOR ADH OR PROSECUTION - Report the total number of trafficking investigations (cases) that concluded *without* a finding of sufficient evidence to refer recipient(s) for Administrative Disqualification Hearing and/or Prosecution.
 - (h) AVERAGE # OF DAYS PER CONCLUDED INVESTIGATION - Report the average length in days of all trafficking investigations (cases) reported in boxes 8(f) and 8(g): Determine for each trafficking investigation the total days from the day the case was referred for investigation to the day the investigation concluded. Sum together the individual lengths. Then, divide this sum by the total of 8(f) + 8(g). For cases that require additional investigation after ADH/prosecution referral is made, consider the referral date as the conclusion date.
 - (i) OPEN INVESTIGATIONS - Report the number of ongoing/unresolved trafficking investigations (cases) at the time of reporting.
- COMBINED:** Include all SNAP investigations.
- (j) INVESTIGATOR HOURS - Report the total paid investigator hours that were eligible for FNS 50/50 reimbursement within the State during the report period. This amount can be determined by: using the actual hours used to calculate FNS reimbursement over the report period; or, by calculating a sum based on the designated percentage of total hours worked in a report period that an investigator, or investigators combined, spent on SNAP activity; or, by equivalent means appropriate for the State.

FNS-366B INSTRUCTIONS

ADMINISTRATIVE DISQUALIFICATION HEARINGS

This section reflects action taken against individuals referred for an administrative disqualification hearing (ADH) after an investigation yielded sufficient documentary evidence to substantiate and pursue an IPV.

Each individual must be reported under *either* Eligibility Fraud or Trafficking, *and*, when applicable, Combined. The type of fraud that most appropriately reflects the case circumstances must be determined for each individual. Count each accused person that completed an ADH or signed a waiver individually.

LINE 9 - INDIVIDUALS / \$ / NOTICES

ELIGIBILITY FRAUD: Referred individual accused of intentionally making a false or misleading statement, or misrepresenting, concealing or withholding facts at application, required reporting, or recertification period with the intent to influence a SNAP eligibility determination.

- (a) ADH CONCLUDED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after the ADH hearing officer confirmed the commission of an eligibility fraud IPV. Do not include waivers.
- (b) WAIVER SIGNED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after signing a Waiver of Right to an ADH for an eligibility fraud IPV.
- (c) ADH CONCLUDED, INDIVIDUAL NOT DISQUALIFIED - Report the number of individuals for whom the hearing official rendered a ruling that did not confirm the commission of an eligibility fraud IPV.
- (d) AMOUNT SUBJECT TO CLAIM - Report the estimated dollar value of benefits that may be recovered due to the eligibility fraud disqualifications counted in 9(a) and 9(b). Sum all individual dollar value determinations, and report the total amount.

TRAFFICKING: Referred individual accused of: see 7 CFR §271.2 Definitions.

- (e) ADH CONCLUDED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after the ADH hearing officer confirmed the commission of a trafficking IPV. Do not include waivers.
- (f) WAIVER SIGNED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after signing a Waiver of Right to an ADH for a trafficking IPV.
- (g) ADH CONCLUDED, INDIVIDUAL NOT DISQUALIFIED - Report the number of individuals for whom the hearing official rendered a ruling that did not confirm the commission of a trafficking IPV.
- (h) AMOUNT SUBJECT TO CLAIM - Report the estimated dollar value of benefits that may be recovered due to the trafficking disqualifications counted in 9(e) and 9(f). Sum all individual dollar value determinations, and report the total recoverable amount.

COMBINED: Include all concluded ADHs.

- (i) REFERRED INDIVIDUALS AWAITING SCHEDULING: 91-180 DAYS - Report the total number of individuals that were referred for ADH over 90 days before the time of reporting that have not received a scheduled date for their hearing.
- (j) REFERRED INDIVIDUALS AWAITING SCHEDULING: 181+ DAYS - Report the total number of individuals that were referred for ADH over 180 days before the time of reporting that have not received a scheduled date for their hearing.
- (k) DECISIONS NOTICES OVERDUE - Report the number of ADH decision notices issued in the report period that did not meet the 90-day (plus household-requested postponement days) requirement prescribed at 7 CFR 273.16(e)(2)(iv).

PROSECUTIONS

This section reflects action taken against individuals referred for civil or criminal prosecution after an investigation yielded sufficient documentary evidence to substantiate and pursue an IPV through the appropriate court of jurisdiction.

Each individual must be counted under *either* Eligibility Fraud or Trafficking *and*, when applicable, Combined. The type of fraud that most appropriately reflects the case circumstances must be determined for each individual. Count each accused person that completed prosecution or signed a DCA individually.

LINE 10 - INDIVIDUALS / \$ / DAYS

ELIGIBILITY FRAUD: Referred individual charged with intentionally making a false or misleading statement, or misrepresenting, concealing or withholding facts at application, required reporting, or recertification period with the intent to influence a SNAP eligibility determination.

- (a) PROSECUTION CONCLUDED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after a court ruling confirmed the commission of SNAP eligibility fraud. Do not include DCAs or similarly enforceable prosecutorial agreements.
- (b) DCA SIGNED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after signing a disqualification consent agreement or similarly enforceable prosecutorial agreement for SNAP eligibility fraud.
- (c) PROSECUTION CONCLUDED, INDIVIDUAL NOT DISQUALIFIED - Report the number of individuals for whom the prosecution resulted in an acquittal, or a ruling or agreement otherwise insufficient to enforce a disqualification for SNAP eligibility fraud.
- (d) AMOUNT SUBJECT TO CLAIM - Report the estimated dollar value of benefits that may be recovered due to the eligibility disqualifications counted in 10(a) and 10(b). Sum all individual dollar value determinations, and report the total amount.

FNS-366B INSTRUCTIONS

TRAFFICKING: Referred individual charged with: see 7 CFR §271.2 Definitions.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0584-0594. The time required to complete this information collection is estimated to average 15-30 hours per response, including the time to review instructions, search existing data resources, gather the data needed, complete and review the information collection.

- (e) PROSECUTION CONCLUDED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after a court ruling confirmed the trafficking of SNAP benefits. Do not include DCAs or similarly enforceable prosecutorial agreements.
- (f) DCA SIGNED, INDIVIDUAL DISQUALIFIED - Report the number of individuals that were disqualified after signing a disqualification consent agreement or similarly enforceable prosecutorial agreement for trafficking SNAP benefits.
- (g) PROSECUTION CONCLUDED, INDIVIDUAL NOT DISQUALIFIED - Report the number of individuals for whom the prosecution resulted in an acquittal, or a ruling or agreement otherwise insufficient to enforce a disqualification for trafficking SNAP benefits.
- (h) AMOUNT SUBJECT TO CLAIM - Report the estimated dollar value of benefits that may be recovered due to the trafficking disqualifications counted in 10(e) and 10(f). Sum all individual dollar value determinations, and report the total amount.

COMBINED: Include all concluded prosecutions.

- (i) AVERAGE # OF DAYS PER CONCLUDED PROSECUTION- Report the average length in days of all prosecutions reported in 10(a), 10(b), 10(c), 10(e), 10(f), and 10(g): Determine for each prosecution the total days from the day a case was referred for prosecution to the day the prosecution concluded. Sum together individual prosecution lengths. Then, divide this sum by the total of 10(a) + 10(b) + 10(c) + 10 (e) + 10(f) + 10(g). Consider cases concluded the day of conviction, of acquittal, a DCA is signed, an agreement with the court is reached, adjudication is initially deferred, or a similar resolution is reached. If a deferment or agreement is rescinded due to defendant fault, the date of the final resolution may be used when known.

08/25/2022