

State Responsibilities for SNAP E&T Programs

This technical assistance resource is intended to be used alongside other tools and resources to provide State SNAP agencies with a brief overview of the State responsibilities associated with implementing SNAP E&T. The table does not include all requirements related to SNAP E&T program operations; instead, it highlights select responsibilities where there are separate or additional responsibilities associated with serving mandatory E&T participants. The citations in each row provide more detailed information related to each topic. ***Some State agencies may serve both mandatory and voluntary participants and will need to review information in both columns to understand the different expectations for each.*** Additionally, the table is focused only on policies for the SNAP E&T program; ***policies and requirements related to the general work requirement or ABAWD time limits are not described in detail.***

Table 1. State Responsibilities in Operating SNAP E&T Programs

Policy Category	Serving Voluntary Participants	Serving Mandatory Participants	Citation
Eligibility (Certification/Recertification processes)			
Screening Screening is the process to determine if an individual meets State-specific criteria to participate in SNAP E&T.	Eligibility workers are responsible for screening individuals for exemptions from mandatory E&T and against any other State criteria to determine whether it is appropriate to refer them to E&T as a volunteer.	Eligibility workers are responsible for screening each work registrant to determine whether it is appropriate, based on the State agency's criteria, to refer the individual to a mandatory SNAP E&T program. Eligibility workers should ensure that there is an appropriate and available opening before referring the individual to E&T. The State agency must inform individuals during screening that they are entitled to participant reimbursements and that they must be exempt from mandatory SNAP E&T if the State agency is unable to cover their actual expenses.	7 CFR 271.2 7 CFR 273.7(c)(2) 7 CFR 273.7(d)(4)
Exemptions The State agency may, at its discretion, exempt individual work registrants and categories of work registrants from SNAP E&T participation.	The State agency chooses to exempt all work registrants from SNAP E&T participation and indicates this choice in the State SNAP E&T plan.	The State agency determines which, if any, work registrants are exempt from mandatory requirements to participate in SNAP E&T.	7 CFR 273.7(e)(3)

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Oral Explanation The oral explanation provides information on the applicable work requirements for each household member.	Although an oral explanation of the SNAP E&T requirements is not required for voluntary SNAP E&T participants (because there is not a SNAP E&T requirement), these participants may have requirements as a work registrant or an ABAWD that would require an oral explanation.	The State agency must provide an oral explanation of all applicable work requirements, including describing mandatory E&T requirements for individuals in the household. The oral explanation must include a comprehensive explanation of the work requirements for each individual in the household and an explanation of the consequences for not meeting the requirements. It must be provided at application, recertification, or whenever a member loses an exemption, and whenever a new member becomes subject to the work requirements.	7 CFR 273.7(c)(1)(ii) 7 CFR 273.7(c)(1)(iii)
Consolidated Written Notice The notice describes the applicable work requirements for each household member.	Although the requirement to participate in E&T should not be included in the consolidated written notice for voluntary E&T participants (because there is not a SNAP E&T requirement), these participants may have requirements as a work registrant or an ABAWD that would need to be included in the consolidated notice.	The State agency must provide a written notice to any SNAP household where at least one household member has a work requirement, including being required to participate in SNAP E&T. It must include all applicable work requirements for all members of the household, as well as the individual's rights and responsibilities. (<i>See Table 2 for a list of information that must be included in the notice.</i>)	7 CFR 273.7(c)(1)(ii) 7 CFR 273.7(c)(1)(iii)
Referrals Eligibility workers inform individuals that they are SNAP E&T participants and provide them with information about how to access SNAP E&T.	The State agency must have a process to refer eligible individuals who are interested in participating to the SNAP E&T program.	The State agency must have a process to refer eligible participants to the SNAP E&T program. During the referral process, eligibility workers must inform mandatory participants of the next steps to access the SNAP E&T program and its requirements. If a State agency is aware that there is not an appropriate and available slot before referral, they are discouraged from referring individuals to E&T.	7 CFR 273.7(c)(2)
Participant Reimbursements			
Participant Reimbursements The State agency must inform participants that they will receive reimbursement for allowable expenses that are reasonably necessary and directly related to participation in the SNAP E&T program.	The State agency must provide payments to participants in its SNAP E&T program for expenses that are reasonably necessary and directly related to participation in the SNAP E&T program.	The State agency must provide payments to participants in its SNAP E&T program, for expenses that are reasonably necessary and directly related to participation in the SNAP E&T program. The State agency must exempt individuals whose expenses exceed the amount the State is able to reimburse until a suitable component is available or the individual's circumstances change.	7 CFR 273.7(d)(4)

Policy Category	Serving Voluntary Participants	Serving Mandatory Participants	Citation
Cost Assessments Estimated costs of participant reimbursements are included in the proposed operating budget in the State E&T Plan.	The State agency should appropriately budget the full costs of participant reimbursements and provide these estimates in the SNAP E&T Plan.	The State agency should appropriately budget the full costs of participant reimbursements for the total number of estimated mandatory E&T and voluntary E&T participants in the State and provide the budget estimates in the SNAP E&T Plan.	7 CFR 273.7(c)(6)
Case Management			
Case Management Case management services should guide the participant toward appropriate SNAP E&T components and activities, support the participant in the SNAP E&T program, and provide activities and resources that help the participant achieve program goals.	The State agency must provide case management services that directly support participation in the SNAP E&T program. Case management should not be an impediment to participation. Overly intensive or complex services, such as exhaustive skills assessments, numerous in-person meetings, or multiple hand-offs between providers can deter individuals from participation.	The State agency must provide case management services that directly support participation in the SNAP E&T program. Case management should not be an impediment to participation. Overly intensive or complex services, such as exhaustive skills assessments, numerous in-person meetings, or multiple hand-offs between providers can deter individuals from participation. If the participant is still engaged in other SNAP E&T activities, but no longer interested in case management services, the participant cannot be sanctioned for noncompliance solely for not participating in case management. In addition, if the case manager determines a mandatory E&T participant may meet an exemption from the requirement to participate in an E&T program, may have good cause for non-compliance with a work requirement, or both, the case manager must inform the appropriate State agency staff. Also, if the case manager is unable to identify an appropriate and available opening in an E&T component for a mandatory E&T participant, the case manager must inform the appropriate State agency staff.	7 CFR 273.7(e)(1) Final Rule: Employment and Training Opportunities in the Supplemental Nutrition Assistance Program, Federal Register, Volume 86, No 2
Provider Determinations			
Informing Providers SNAP E&T providers have the authority and responsibility to determine if an individual is ill-suited for a particular SNAP E&T component and report this back to the State agency.	The State agency must ensure SNAP E&T providers are informed of their authority and responsibility to make provider determinations.	The State agency must ensure SNAP E&T providers are informed of their authority and responsibility to make provider determinations.	7 CFR 273.7(c)(18)(i)

Policy Category	Serving Voluntary Participants	Serving Mandatory Participants	Citation
Provider Determination Process Providers notify the State agency of the provider determination, and the State agency takes the most suitable action based on the provider determination.	SNAP E&T providers must notify the State agency of a provider determination within 10 days of the date the determination is made and inform the State agency of the reason for the provider determination. The State agency must then notify participants of the provider determination within 10 days of receiving the notification from SNAP E&T providers. The State agency must take the most suitable action from among the following options no later than the date of the individual's recertification: refer the individual to an appropriate E&T component, refer the individual to an appropriate workforce partnership, reassess the physical and mental fitness of the individual, or coordinate with other Federal, State, or local workforce or assistance programs to identify work opportunities or assistance for the individual.	SNAP E&T providers must notify the State agency of a provider determination within 10 days of the date the determination is made and inform the State agency of the reason for the provider determination. The State agency must then notify participants of the provider determination within 10 days of receiving the notification from SNAP E&T providers. The State agency must take the most suitable action from among the following options) no later than the date of the individual's recertification: refer the individual to an appropriate E&T component (after re-screening the individual), refer the individual to an appropriate workforce partnership, reassess the physical and mental fitness of the individual, or coordinate with other Federal, State, or local workforce or assistance programs to identify work opportunities or assistance for the individual. If the State agency determines the individual should not be required to participate in E&T, the State agency must exempt the individual from mandatory E&T. A State agency cannot find the individual to have refused to participate in mandatory E&T without good cause during this provider determination process.	7 CFR 273.7(c)(18)
Good Cause			
Good Cause Determination The State agency determines whether good cause exists when a SNAP participant fails or refuses to comply with SNAP E&T requirements.	Not applicable for voluntary SNAP E&T participants.	E&T providers must notify the State agency within 10 days of the noncompliance. As soon as the State agency learns of an individual's noncompliance, it must determine whether good cause for the noncompliance exists. The State agency cannot act on a noncompliance with work requirements based solely on information from an employer or an E&T provider without first attempting to obtain information from the SNAP participant. The State agency must consider the facts and circumstances, including information submitted by the provider, employer, and household member, involved in determining whether good cause exists for failure to comply with mandatory SNAP E&T.	7 CFR 273.7(i) 7 CFR 273.7(c)(4)

Policy Category	Serving Voluntary Participants	Serving Mandatory Participants	Citation
Appropriate and Available Opening Good cause includes circumstances where there is not an appropriate or available opening within the SNAP E&T program.	Not applicable for voluntary SNAP E&T participants.	If the State agency determines that there is not an appropriate and available opening within the SNAP E&T program to accommodate the mandatory participant, the individual must receive good cause until the agency identifies an appropriate and available opening and the agency informs the participant.	7 CFR 273.7(i)(4)
Compliance with Mandatory E&T			
Noncompliance with Mandatory E&T Refusal or failure to comply with SNAP E&T without good cause.	Not applicable for voluntary SNAP E&T participants.	Nonexempt individuals who refuse or fail without good cause to comply with mandatory E&T requirements (as part of the SNAP work requirements) may be disqualified from SNAP.	7 CFR 273.7(f)(1)
SNAP E&T Disqualification Disqualification from SNAP due to failure to comply with SNAP E&T.	Not applicable for voluntary SNAP E&T participants.	The State agency must follow the disqualification policies and procedures for failure to comply with the general work requirements (which includes SNAP E&T). Disqualification policies must be detailed in a plan that includes the length of disqualification to be enforced for each occurrence of noncompliance, how compliance is determined by a State agency, and an agency's household disqualification policy. For the first occurrence of noncompliance, the individual will be disqualified until the later of: • The date the individual complies, as determined by the State agency, • One month, or • Up to three months, at State agency option. For the second occurrence, until the later of: • The date the individual complies, as determined by the State agency, • Three months, or • Up to six months, at State agency option. For the third or subsequent occurrence, until the later of: • The date the individual complies, as determined by the State agency, • Six months, • A date determined by the State agency, or • At the option of the State agency, permanently.	7 CFR 273.7(f)(1) 7 CFR 273.7(f)(2)

Policy Category	Serving Voluntary Participants	Serving Mandatory Participants	Citation
Notice of Adverse Action for Non-Compliance with Mandatory E&T Notice that explains any action to reduce or terminate a household's benefits due to failure to comply with SNAP E&T.	Not applicable for voluntary SNAP E&T participants.	The State agency must issue a notice of adverse action to the individual, or household, within 10 days of establishing that the noncompliance was without good cause. The State agency must cancel the adverse action if the individual complies before the end of the advance notice period. If a State agency offers a conciliation process as part of its SNAP E&T program, it must issue the notice of adverse action no later than the end of the conciliation period. <i>(See Table 2 for a list of information that must be included in the notice.)</i>	7 CFR 273.13(a)(1) 7 CFR 13(a)(2) 7 CFR 273.7(c)(3) 7 CFR 273.7(f)
Fair Hearing for Non-Compliance with Mandatory E&T Individuals have the right to request a fair hearing, to appeal a denial, reduction, or termination of benefits due to a determination failure to comply with SNAP E&T.	Not applicable for voluntary SNAP E&T participants.	The State agency must publish uniform rules of fair hearing procedures that, at minimum, include time limits for hearing requests, advance notification requirements, hearing timeliness standards, and the rights and responsibilities of individuals requesting a hearing.	7 CFR 273.7(f)(6) 7 CFR 273.15(i)
Reporting			
FNS-583 Form Data Additional reporting requirements were added to the FNS-583 form in FY 2022.	The additional reporting elements for mandatory E&T participants are not applicable for voluntary SNAP E&T programs.	The State agency must report on the number of SNAP applicants and recipients required to participate in E&T (mandatory E&T participants). Among those required: the number who begin participating in a SNAP E&T program, who begin participating in a SNAP E&T component, and who are determined ineligible for failure to comply with E&T requirements.	7 CFR 273.7(m)(4)(v)

Table 2. Required Notices for Work Registrants

Notice	Content
Consolidated Written Notice	The consolidated written notice must include all pertinent information related to each of the applicable work requirements: • Explanation of each applicable work requirement, • The individuals who are subject to each work requirement, • Exemptions from each applicable work requirement, • Explanation of the process to request an exemption (including contact information to request an exemption), • Rights and responsibilities of each applicable work requirement, • Requirements to maintain eligibility under each applicable work requirement, • Pertinent dates by which an individual must take any actions to remain in compliance with each applicable work requirement, • Consequences for failure to comply with each applicable work requirement, • Explanation of the process for requesting good cause (including examples of good cause circumstances and contact information to initiate a good cause request), and • Other information the State agency believes would assist the household members with compliance. If an individual is subject to mandatory SNAP E&T, the written notice must also explain the individual's right to receive participant reimbursements for allowable expenses related to participation in SNAP E&T, up to any applicable State cap, and the responsibility of the State agency to exempt the individual from the requirement to participate in SNAP E&T if the individual's allowable expenses exceed what the State agency will reimburse.
Notice of Adverse Action	Under 7 CFR 273.13, the notice of adverse action must include, in easily understandable language: • Proposed action, • Reason for the proposed action, • Household's right to request a fair hearing, • Telephone number of the SNAP office (toll-free number or a number where collect calls will be accepted for households outside the local calling area) and, if possible, the name of the person to contact for additional information, • Availability of continued benefits, and • Liability of the household for any overissuances received while awaiting a fair hearing if the hearing official's decision is adverse to the household. Additional requirements under 7 CFR 273.7(f): • Particular act of noncompliance; • Proposed period of disqualification; • Must specify that the individual may, if appropriate, reapply at the end of the disqualification period; and • Information must be included on or with the notice describing the action that can be taken to avoid the disqualification before the disqualification period begins.

Table 3. Additional Considerations for SNAP E&T Programs

Category	Context
Administrative/Staffing Costs Costs of planning, implementing, and operating a SNAP E&T program in accordance with an approved State's SNAP E&T Plan.	The State agency must appropriately estimate administrative costs (E&T and eligibility related) when budgeting and must include all E&T related costs when preparing the State E&T plan. Administrative costs for operating mandatory programs should reflect the additional staff responsibilities and resources that may be needed to operate these programs as shown above. These include additional complexity of tracking compliance, determining good cause, and implementing and tracking disqualifications. States should be mindful about which are eligibility functions and cannot be paid for using E&T funds. SNAP E&T funds must not be used for the process of determining whether an individual must be work registered, the work registration process, or any further screening performed during the certification process, nor for sanction activity that takes place after the operator of an E&T program reports noncompliance without good cause. The certification process is considered ended when an individual is referred to an E&T program for assessment or participation.
Compliance Oversight Eligibility workers implement steps outlined in the State disqualification policies.	When serving mandatory E&T participants, the State agency needs to anticipate and account for the increased burden placed on eligibility staff to perform and document the: determination of good cause, identification of appropriate and available openings, issuance of the notice of adverse action, participation in a fair hearing (if requested), and enforcement of disqualifications (when applicable). The State agency should expect a substantial portion of mandatory participants will be noncompliant at some point, requiring eligibility staff to become involved with compliance disqualification actions.
Participant Churn Individuals who are not compliant will lose SNAP benefits, and when a case is closed, they likely will try to reopen their case and/or reapply for SNAP, which results in increased "churn."	Disqualifying SNAP E&T participants for noncompliance will in many instances result in closing the case. Depending on the State policies for reopening a closed case and how long a SNAP participant waits to reopen it, the State agency should expect that some level of program churn will occur and create additional work for eligibility staff to reopen closed cases and sometimes process applications again. Churn has been found to result in substantial financial and administrative burden for households and agencies (Mills 2014.)

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