

# SOAR Dialogue Call

April 2024



**NC COALITION** to end  
**HOMELESSNESS**

# Updates & Reminders

- New SOAR DDS examiners contact list posted at: <https://www.ncceh.org/nc-soar/>
- Met with SSA & DDS
  - Responded to all who sent in questions, reach out if you didn't get an email
  - Reach out if you have any specific issues with a SOAR case and Adriana can contact Emily
- Leadership Academy
  - August 6-8
  - 3-day training program presented by the SOAR TA Center designed to prepare individuals to serve as SOAR Local Leads.
- Submit outcomes into OAT!



# Supplemental Nutrition Assistance Program (SNAP)

ELIGIBILITY

WORK REQUIREMENTS

MAXIMIZING BENEFITS

APPEAL RIGHTS



# What is SNAP?

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- SNAP = Supplemental Nutrition Assistance Program
  - Also known as Food and Nutrition Services (FNS) benefits or Food Stamps
- This program provides low-income households with money each month to help them purchase food. The money is placed on a reusable EBT card and it can only be used to purchase eligible foods.

# SNAP Eligibility

# Applying for SNAP

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- Ways to Apply
  - In-person
  - Fax
  - Mail
  - ePASS
- Every applicant has the right to file an application on the same day they visit DSS during office hours.
- After submitting an application, there's an interview.
- For more information on how to apply, please visit:  
<https://www.ncdhhs.gov/divisions/child-and-family-well-being/food-and-nutrition-services-food-stamps/apply-food-and-nutrition-services-food-stamps>



# Basic Eligibility Rules

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- Generally, to be eligible, you must:
  - (1) Have an eligible immigration status;
  - (2) Be a NC resident; and
  - (3) Meet income rules
- BUT, for some people there are also work requirements. These work requirements were waived during the public health emergency, but they have now started again.

# SNAP Immigrant Eligibility

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- Eligible Statuses:
  - U.S. Citizens
  - Lawful permanent residents – but they generally cannot receive SNAP until 5 years after they lawfully enter the U.S.
  - Refugees
  - Asylees
  - Afghan Special Immigrants and Parolees
- Not everyone in the household has to have an eligible immigration status. You can apply just for the members of the household with an eligible immigration status.
- DSS cannot require you to provide a social security number for household members who are not applying for SNAP benefits.

# SNAP Income Rules

Household Size	200% Maximum Monthly Gross Income Limit
1	\$2,430
2	\$3,288
3	\$4,144
4	\$5,000
5	\$5,858
6	\$6,714
7	\$7,570
8	\$8,428
Each Additional Member	(+\$858)

- Many households are categorically eligible. This means they have income below 200% of the federal poverty level with no disqualified household members.
- No assets limit for categorically eligible households.



# SNAP Felony Controlled Substance Ban

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- Individuals who both committed and were convicted under federal or State law on or after August 23, 1996 of any offense classified as felony by the law of the jurisdiction involved with an element of the possession, use, or distribution of a controlled substance are permanently disqualified from SNAP.
- EXCEPTION:
  - Persons convicted of a Class H or I felony that involved possession, use, or distribution of a controlled substance committed on or after August 23, 1996, in North Carolina may reestablish eligibility for SNAP if (1) it's been at least 6 months since they were released from custody; and (2) they've undergone an assessment by the Area Mental Health Authority.



# Work Requirements

# SNAP Work Requirements

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- To continue receiving SNAP benefits, an Able-Bodied Adult Without Dependents (ABAWD) must work 80 hrs/month (average of 20 hrs/week) or be participating in a work program for 80 hrs/month (average of 20 hrs/week).
  - This work can be employment, self-employment, volunteer work, work in exchange for goods or services, or a combination of any of these.
  - Good cause exception: If you would have worked 80 hrs/month but missed some work for good cause, you will still be considered to have met the work requirements if the absence from work was temporary and you retain your job.
    - Examples of good cause: illness, a household emergency, temporary unavailability of transportation
- If you don't meet these work requirements or an exemption, you can only receive SNAP for any 3 months in a 36-month period.



# SNAP Work Requirement Exemptions

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- Under 18 years old or at least 53 years old (effective October 1, 2023)
- Within a SNAP household that contains a member under age 18
- Pregnant
- Homeless\*\*\*
- Veteran (regardless of the conditions of your discharge)
- Between 18 and 24, and they were in foster care when they turned 18
- Unfit for employment
  - Receiving worker's compensation, disability benefits, or Medicaid based on disability
  - Medically certified as unfit for employment
  - Unable to work due to alcohol or drug addiction
  - At least a half-time student (but some other rules apply)
  - "Obviously unfit for work based on worker's observation or judgment"



# Homelessness Exemption

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Homeless means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is:

- a. A supervised shelter designed to provide temporary accommodations (such as a welfare hotel or congregate shelter);
- b. A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized;
- c. A temporary accommodation for not more than 90 days in the residence of another individual; or
- d. A place not designed for, or ordinarily used, as a regular sleeping accommodation for human beings (a hallway, a bus station, a lobby, or similar places).

Chronic homelessness is no longer a requirement



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# Documenting Work Exemptions

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- For the medical exemption, DSS can require a medical professional's statement. This can be provided by a doctor, nurse, nurse practitioner, or other appropriate medical personnel.
- For individuals experiencing homelessness, verification can be a collateral contact with a shelter, the person the individual is staying with, or any other individual aware of the circumstances.
- For veterans, verification can come from service records, military ID card, correspondence with the VA, or a driver's license indicating veteran status.
- DSS is required to help obtain verification if the applicant/beneficiary can't get it on their own.



# Maximizing SNAP Benefits

# SNAP Monthly Benefit Amounts

Household Size	Maximum Benefit*
1	\$291
2	\$535
3	\$766
4	\$973
5	\$1,155
6	\$1,386
7	\$1,532
8	\$1,751
Each Additional Member	(+\$219)

The county Department of Social Services (DSS) determines the household's monthly SNAP benefit based on income, household size, and expenses.

- Household = people who live together and buy or cook food together



# Expense Verifications

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- Required verifications are necessary to determine eligibility, while recommended verifications are optional and used to determine benefit levels.
- Providing recommended verifications ensures that you get all the SNAP benefits that you're entitled to.
  - Required Verifications: Identity; Citizenship/Immigration Status; Household Size/Composition; SSN for those applying; Income
  - Recommended Verifications: Utility Expenses; Mortgage/Rental Expenses; Property Taxes and Insurance; Medical Expenses for Specified Persons; Legally Obligated Child Support Payments; and Childcare Expenses



# Free SNAP Calculator

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Legal Aid of North Carolina has a free, easy-to-use SNAP calculator available on our website at <https://legalaidnc.org/fns-calculator/>.

Available in English and Spanish.



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# EBT Skimming

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- Since December 2022, over \$2 million in SNAP benefits have been stolen from NC households.
- If your SNAP benefits are stolen, you can request to have those benefits replaced by submitting an affidavit to your county DSS with 30 days of discovery.
- The affidavit can be found here: [https://policies.ncdhhs.gov/divisional/social-services/forms/dss-8644-affidavit-for-stolen-benefits/@@display-file/form\\_file/DSS-8644.pdf](https://policies.ncdhhs.gov/divisional/social-services/forms/dss-8644-affidavit-for-stolen-benefits/@@display-file/form_file/DSS-8644.pdf)
  - It can be completed over the phone or submitted by mail, in-person, fax, or email.

# SNAP Appeals

# Appeal Rights!

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- If you disagree with an action taken by DSS that impacts your SNAP benefits, you likely have appeal rights.
  - Appeal = Request a Hearing
  - Read the written notice from DSS carefully. It should explain your appeal rights and the deadline to appeal.
- Two Main Types of SNAP Hearings
  - (1) State Fair Hearings
    - Eligibility
    - Benefit amounts
    - Overpayments
  - (2) Administrative Disqualification Hearings
    - Intentional Program Violations (IPV)



# Consequences of an Intentional Program Violation

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- 1<sup>st</sup> IPV: 12-month SNAP disqualification
- 2<sup>nd</sup> IPV: 24-month SNAP disqualification
- 3<sup>rd</sup> IPV: Permanent SNAP disqualification
- Misrepresenting residence and/or identity to receive multiple benefits: 10-year SNAP disqualification
- **PLUS, all adult members of the SNAP household may be jointly responsible for paying back the SNAP benefits that the household should not have received.**

# QUESTIONS?

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## **Legal Aid NC Helpline**

**Toll-Free: 1 (866) 219-LANC (5262)**

8:30 AM – 12:30 PM, Monday – Friday

5:30 PM – 8:30 PM, Monday & Thursday

Apply for free help with civil (non-criminal) legal issues.

Online applications accepted 1:00 pm – 4:30 pm, Monday – Friday

**Those 60 and older can also call the Senior Helpline.**

## **Senior Legal Helpline**

**Toll-Free: 1 (877) 579-7562**

9:00 AM – 11:00 AM and 1 PM – 3 PM, Monday – Friday

Free legal help for North Carolinians 60 years of age or older.

