



# SNAP Benefits

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Poverty Law - Fall 2024  
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# Supplemental Nutrition Assistance Program

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# What is SNAP?

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- Federally-funded and regulated by the US Department of Agriculture's Food and Nutrition Service (FNS)
- Administered by the Minnesota Department of Human Services, via individual counties
- Provides food benefits to low-income families
  - Can only be used for eligible "food" purchases
- Benefits deposited onto an EBT card

# SNAP: Eligible Purchases

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- SNAP can be used to buy only food, beverages, and food-producing seeds or plants.
- It cannot be used for
  - alcohol,
  - tobacco,
  - pet food,
  - soap,
  - toothpaste,
  - toilet paper,
  - diapers,
  - non-prescription drugs, or
  - other non-food items.

# SNAP: The Law

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7 U.S.C 2011 - 2036

7 CFR 271.1-281.1

Minn. Stat. 256D.0515, 256J.2822

MN DHS Combined Manual

# SNAP: Application Process

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- Counties receive and process SNAP applications
- Household must complete a the Combined Application Form (CAF), complete an interview with the county, and provided any needed verifications
- Online: <https://mnbenefits.mn.gov/>
- Benefits are retroactive to date of application

# SNAP: Interview

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- An application interview is required and may take place face to face, over the phone or other convenient location.
- At home interviews must be provided when requested and if 1 of the following “hardship conditions” applies:
  - Illness
  - Transportation difficulties
  - Care of a unit member
  - Hardships due to living in a rural area
  - Prolonged severe weather
  - Work or training hours that prevent the client from participating in an in-office interview
  - Other conditions that prevent the client from participating in an in-office interview

# SNAP: Processing Times

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“The State agency shall provide eligible households that complete the initial application process an opportunity to participate (as defined in § 274.2(b)) as soon as possible, but **no later than 30 calendar days following the date the application was filed...**” 7 CFR 273.2 (g)(1)



# SNAP: Application Processing Delays

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- 7 CFR 273.2 (g)
- 7 CFR 273.2 (h)(1) - (4)
- MN DHS CM 5.12.15

# SNAP: Benefit Amount and Thrifty Food Plan

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## Maximum Benefit Amount

Unit Size	Benefit Amount
1	\$292
2	\$536
3	\$768
4	\$975
5	\$1158
6	\$1390
7	\$1536
8	\$1756
9+	\$220 for each additional member

# Categorical Eligibility

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# Immigration Status

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- Legal permanent residents (LPR) are eligible for SNAP five years after gaining LPR status (with some exceptions)
- No five-year waiting period for:
  - Minors
  - Refugees or asylees
  - Granted withholding of deportation
  - U.S. Veteran or active duty
  - A few other very specific categories

# Minnesota Food Assistance Program (MFAP)

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- MFAP is a state-funded program administered by county welfare departments. It was created in 1998 to provide food support to lawfully-residing noncitizens who had become ineligible for Food Stamps (now SNAP) because of welfare reform. Minn Stat. § 256D.053, subd. 1.
- Post-welfare-reform law changes at the federal level have enabled many noncitizens to re-qualify for federally-funded food benefits. As result, in 2003, Minnesota chose to limit MFAP **eligibility to lawfully residing noncitizens age 50 or older**. Minn. Stat.. § 256D.053, subd. 1.
- MFAP follows all SNAP regulations, except for those related to noncitizen eligibility. Minn. Stat. §256D.053, subd. 3.
- MFAP applicants must be Minnesota residents. They must reside lawfully in the U.S. and may be required to take “steps” toward citizenship. Sponsor-deeming may affect eligibility. Minn. Stat. § 256D.053, subd. 2

# Households

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- A **SNAP household** is “a group of individuals who live together **and** customarily purchase food and prepare meals together for home consumption.” 7 CFR 273.1(a)
- The following groups of people who **live together** are considered to “customarily purchase and prepare meals together”:
  - Spouses
  - Biological and adoptive parents and their children under the age of 22
  - Children under the age of 18 under the parental control of a household member  
7 CFR 273.1(b)

# Categorical Exclusions

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- People **living in institutions** are generally ineligible for SNAP.
  - “Individuals must be considered residents of an institution when the institution provides them with the majority of their meals (over 50 percent of three meals daily) as part of the institution's normal services.” 7 CFR 273.1(b)(7)(vi)
- **Exceptions:**
  - Residents of **federally subsidized housing for the elderly**
  - Individuals residing at a facility or treatment center for the purpose of regular participation in a **drug or alcohol treatment and rehabilitation program**
  - Individuals who are disabled or blind and are residents of **group living arrangements**
  - Women or women with their children who are temporarily residing in a **shelter for battered women and children**
  - Residents of public or private nonprofit **shelters for homeless persons.**

# Categorical Exclusions

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- “Fleeing felons” are ineligible. 7 CFR 273.11(n)(1)
- “Probation and parole violators” are ineligible. 7 CFR 273.11(n)(2)
- **Minnesota Policy:** A person convicted of a drug felony within ten years of the application date or recertification date may be subject to random drug testing. Random drug testing is optional. Agencies must decide whether to require such testing....the agency must provide them with information about substance use disorder treatment programs...Do not deny or terminate assistance for a person who tests positive or fails to show up for a random drug testing. DHS Combined Manual **0011.27.03.01 - DRUG FELONS - SNAP**



# Categorical Exclusions

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- **Students** enrolled at least half-time in an institution of higher education shall be ineligible  
7 CFR 273.5(a)
- **Exceptions**
  - age 17 or younger or age 50 or older
  - physically or mentally unfit
  - MFIP recipient
  - working in paid employment a minimum of 20 hours per week
  - participating in work study
  - responsible for the care of a dependent household member under the age of 12
    - 7 CFR 273.5(b)

# Financial Eligibility and Calculating Benefits

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# Budgeting – Prospective v. Retrospective

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- **Retrospective budgeting** is using income from a budget month to determine a client's benefits for the payment month. The budget month is the month 2 months before the payment month.
- **Prospective budgeting** is determining the client's income eligibility and benefit level using anticipated income and deductions for the payment month.
- SNAP uses prospective budgeting in almost all cases – at eligibility stage and beyond.
- Eligibility and benefits calculated using a six-month budget cycle
  - If income decreases during cycle, can get benefit increased

# Income & Assets

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- Eligibility for SNAP is based on both a **Gross Income** and **Net Income** test
  - A household's **gross income must be 200% FPG or less**
    - **Gross Income** = gross available non-excluded earned + unearned income
  - A household's **net income must be 100% of FPG or less.**
    - **Net Income** = Gross Income - allowable deductions and disregards
- No asset test or limit

# Automatically Financially Eligible

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- No gross income or net income test for households where **everyone** receives:
  - General Assistance (GA)
  - Supplemental Security Income (SSI)
  - Minnesota Supplemental Aid (MSA)
- No gross income test or net income test for households where **at least one person** is enrolled in:
  - Basic Sliding Fee Child Care Assistance
  - Transitional Year Child Care Assistance
- No gross income test for households that include a person who is disabled or age of 60 or older. Net income test applies if household income is above 200% FPG.

MN DHS CM 0019 - GROSS INCOME TEST

# Gross Income Test Limits

UNIT SIZE	INCOME LIMITS (200% of Federal Poverty Guidelines (FPG))
1	\$2,510
2	\$3,407
3	\$4,303
4	\$5,200
5	\$6,097
6	\$6,993
7	\$7,890
8	\$8,787
9	\$9,683
10	\$10,580
Each add'l member	\$897

# What Income Is (or is not) Excluded?

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- Tax refunds, credits, and rebates are *excluded*
- Income from various assistance programs is *excluded* – check CM 0017.06
- Non-recurring income is only counted in application month – CM 0017.01
  - Some kinds are never counted – CM 0017.15.30
- RSDI/SSI is *counted* as unearned income – CM 0017.15.45
  - Retroactive SSI benefits are excluded
- Earned in-kind income is only counted if the unit had the choice of receiving cash – CM 0017.15.24
- Unearned in-kind income is usually counted

\*Lots of random exclusions, always check the Combined Manual\*

# Net Income Test Limits

UNIT SIZE	ASSISTANCE STANDARD (100% of Federal Poverty Guidelines (FPG))
1	\$1,255
2	\$1,704
3	\$2,152
4	\$2,600
5	\$3,049
6	\$3,497
7	\$3,945
8	\$4,394
Each add'l member	\$449



# Net Income Test Allowable Deductions

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- Standard disregard based on unit size. DH CM 0018.21
  - 1 = \$204; 2 = \$204; 3 = \$204; 4 = \$217; 5= \$254; 6 or more = \$291
- Dependent care deduction. DHS CM 0018.09
- Medical deduction. DHS CM 0018.12
  - Allowable medical expenses found at DHS CM 0018.12.03
- Transportation expense deduction. DHS CM 0018.13
- Child support deduction. DHS CM 0018.33
- Shelter and utility deduction. DHS CM 0018.15, 0018.15.09
- Earned income disregard (20%). MN DHS CM 0018.18

# Determining the Benefit Amount

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- Subtract 30% of the unit's net income from the Thrifty Food Plan amount (max benefit amount)
- Minimum allotment is \$23 for 1- and 2-person units
- A unit of 3 or more people may pass the gross income and net income tests but be eligible for \$0 in benefits
  - These units will be/remain eligible with case open
- MN DHS CM [0022.12.01 - HOW TO CALCULATE BENEFIT LEVEL - SNAP/MSA/GRH](#)

# SNAP: Benefit Amount and Thrifty Food Plan

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# Example: Determining SNAP Benefit Amount

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- Lindy (age 59) and Walter (age 57) are married and live together.
- Lindy works 20 hours per week and earns \$15/hour.
- Walter recently lost his job and receives unemployment insurance of \$250/week or \$1,000/month.
- The couple rents an apartment. They have a lease and pay \$950/month to their landlord. They are responsible for all utilities, including heat/air conditioning.

# Example: Determining SNAP Benefit Amount

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Are Lindy and Walter eligible for SNAP?

## Step 1: Gross Income Test

- Gross Income = Earned Income + Unearned Income
  - Earned income for Lindy and Walter = \$1290/month (Lindy's wages)
  - Unearned income for Lindy and Water = \$1000 month (Walter's UI)
- Gross Income = \$1290 + \$1000 = \$2290/month
  - 200% FPG for household of 2 = \$3,407/month
- Lindy and Walter's household income is below 200% FPG = Pass Gross Income Test.

# Example: Determining SNAP Benefit Amount

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Are Lindy and Walter eligible for SNAP?

## Step 2: Net Income Test

- Net Income = Gross Income - Deductions
- SNAP Deductions
  - Standard Disregard = \$204 for 2
  - Earned Income Reduction = 20% of gross earned income
- \$2290/month gross income - \$204 (standard disregard) - \$258 (20% of Lindy's gross earned income) = **\$1,828 (adjusted net income)**

# Example: Determining SNAP Benefit Amount

- CM 0018.15 - Shelter Deductions

Once a unit verifies their shelter costs, they are allowed their adjusted shelter costs as a deduction, up to a maximum amount. Adjusted shelter costs are the **unit's allowable housing costs plus their standard utility allowance minus 50% of the unit's net income**. If the unit's adjusted shelter costs exceed the maximum amount, then they are allowed the maximum amount as a deduction. Currently, the maximum amount is \$712.

- CM 0018.15.09 - Utility Deductions

- Heat/air is \$649 OR
- Electricity \$229 per month AND/OR
- Phone is \$60

# Example: Determining SNAP Benefit Amount

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- $(\$950 \text{ allowable housing costs} + \$649 \text{ utility deduction}) - \$914 \text{ (50\% adjusted net income)} = \$685 \text{ shelter allowance}$
- $\$1,828 \text{ (adjusted net income)} - \$685 \text{ shelter allowance} = \mathbf{\$1,143 \text{ (net income)}}$  <  $\mathbf{\$1,704} = \mathbf{\underline{\text{Pass the Net Income Test}}}$



# Example: Determining SNAP Benefit Amount

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Are Lindy and Walter eligible for SNAP?

Step 3: Calculate the Benefit Amount

- Subtract 30% of the unit's net income from the Thrifty Food Plan amount.
- **$\$536 - \$343 = \$193$**

**Lindy and Walter are eligible for \$193 per month in SNAP.**

# Example: Determining SNAP Benefit Amount

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- New Fact = Lindy is now 60 years old.
- No gross income test for households that include a person who is disabled or **age 60 or older**. Net income test applies if household gross income is above 200% FPG.
- Because there is no gross income or net income test (their gross income is below 200% FPG) the couple is eligible for the max amount of **\$536 for a household of 2**.

# Work Requirements

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- Most Able-Bodied Adults without Dependents (ABAWDs) between 18 and 49 can get SNAP only 3 months in a 36-month period, unless they are working 20 hours per week or participating in a Food Stamp Employment and Training (FSET) program.
- Not all counties offer FSET.
- People experiencing homelessness are exempt from the work requirements.

# Appeals

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- Deadline to appeal denial, reduction, or termination of SNAP benefits is **90 days**
- Must appeal within **10 days** to continue receiving benefits at same amount (if appealing a reduction or termination in benefits)
- Appeals are hearing through the MN DHS Fair Hearing Process
- SNAP appeals must be heard and decided within 60 days of filing the appeal

7 CFR 273.15