



SNAP 602-5 Non-Compliance Adjustments

References:	7 CFR 273.11(j)
Overview:	GENERAL RULE: When benefits are reduced under a federal, state, or local means-tested public assistance program because a SNAP household member did not perform an action required under the assistance program or for fraud, the household's SNAP benefits cannot be increased. Means-tested programs include: TANF Cash Assistance, Tribal TANF, or BIA Tribal Assistance.
Policy:	WHEN TO APPLY ADJUSTMENT: The non-compliance adjustment (NCA) is only applicable when the household member who committed the non-compliance was receiving the other assistance program's benefit and SNAP benefits at the time of the non-compliance. The non-compliance must meet one of the following: <ol style="list-style-type: none"> 1. A behavioral requirement in the assistance program designed to improve the well-being of the family, such as participating in job search activities. For example, failure to comply with the TANF Family Investment Agreement (FIA)/WoRC Employability Plan (EP) resulting in a sanction; or, 2. The means-tested program is reduced due to repayment of the assistance grant as a result of not taking a required action other than a procedural requirement (see #3 below) of the other assistance program. NOTE: The non-compliance adjustment is applied when there is a TANF disqualification for an Intentional Program Violation (IPV).
	WHEN NOT TO APPLY ADJUSTMENT: The non-compliance adjustment is <u>not applied</u> when: <ol style="list-style-type: none"> 1. The non-compliance occurs at the time of initial application or when a new member is added to the household. EXCEPTION: If the new household member is serving a sanction that was imposed while certified to receive SNAP benefits and the other assistance program's benefits, the non-compliance adjustment is applied to the new household; or, If the new member has a repayment due to not taking a required action (other than a procedural requirement) that will reduce the household's current grant amount, the gross assistance grant amount must be used in the SNAP budget. 2. The disqualification is not a result of non-compliance with the assistance program requirements; e.g., probation/parole violation or ineligible alien, etc. 3. The disqualification is due to a procedural requirement that an individual must take to continue receiving benefits in the assistance program such as, submitting a program form or providing verification of circumstances.
	NON-COMPLIANCE ADJUSTMENT FOR TANF SANCTIONS: The non-compliance adjustment amount for a program disqualification is the difference between the grant amount prior to the disqualification and the grant amount after the disqualification.
	ONGOING NON-COMPLIANCE ADJUSTMENT: Due to TANF, Tribal TANF or BIA Tribal Assistance grant reduction: Non-compliance adjustment continues as long as the assistance program grant is being reduced for a repayment caused by not taking a required action other than a procedural requirement.
	DURATION OF PROCESS FOR ADJUSTMENT: Due to TANF, Tribal TANF or BIA Tribal

	<p>Assistance grant reduction: Non-compliance adjustment continues as long as the assistance program grant is being reduced for a repayment caused by not taking a required action other than a procedural requirement. Due to program disqualification: As long as the program assistance case remains open and the individual remains disqualified due to a sanction disqualification, the non-compliance adjustment must continue. EXCEPTION: The non-compliance adjustment continues if the other assistance program's disqualification continues after closure. For example, 1, 3, 6 month(s) ineligibility period due to TANF sanction. This includes the penalty period or closure due to a 1st TANF sanction.</p>
	<p>RE-APPLICATION DURING PENALTY PERIOD: The non-compliance adjustment applies at application if the household is serving a TANF sanction.</p>
Date Revised	April 2010