



State of Rhode Island and Providence Plantations
Rhode Island Department of Human Services
Office of the Director

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Lizbeth Silbermann
Director, Program Development Division
U.S. Department of Agriculture
Supplemental Nutrition Assistance Program
Park Office Center
3101 Park Center Drive
Alexandria, VA 22302

RE: SNAP – Reconsideration of Rhode Island Request to Extend Certification Periods

Dear Ms. Silberman:

The Rhode Island Department of Human Services (RI DHS/the Department) is in receipt of your letter dated December 20, 2018, denying the State of Rhode Island's request to extend certain households' certification periods by an additional two months due to an error. While we understand that the granting of such requests is discretionary, the Department wants to emphasize that this denial leaves certain families and individuals with a gap in benefits. We respectfully ask that you reconsider the Department's request to extend the certification periods for the affected families and individuals to ensure none of these affected households experiences a gap in benefits due to this error.

In late October 2018, RI DHS became aware that certain households who had their SNAP certification periods ending on October 31, 2018, were not mailed their recertification packet and Notice of Expiration due to an incomplete file transfer to the State's mailroom and a lack of certain mailroom controls on both ends of the transfer that are now in place to help prevent such issues in the future. As a result, affected households were not given an opportunity to recertify before the expiration of their SNAP benefits. Based on this information, RI DHS submitted this waiver request to FNS requesting that the households, who were not mailed a recertification packet, have their certification period extended to December 31, 2018. This would ensure the affected households were provided the regulatory 60 days to receive, complete, and return their recertification packets and allow the Department to complete the recertification process.

Without an extension of the certification period, the affected households would have their SNAP cases close at the end of their certification period, November 30, 2018. If these households then reapply for SNAP within 30 days of the end of their certification period, eligible households would have their SNAP benefits reinstated back to the first day of the new certification period, November 1, 2018) since the delay was due to agency error. However, if the households reapply after 30 days from the end of their certification period, if eligible, their benefits would be prorated from the date they submitted the new application and thereby experience, at a minimum, one month's gap in SNAP benefits. Depending on the submission date of a new application, this gap could exceed one month of benefits. RI DHS wants to ensure that all households are treated equitably and are not negatively impacted by this error.

The State immediately took steps to prevent such an issue from reoccurring, such as reconciling the size of files and number of pages transferred to the printed file; however, no matter how diligent the State is, it is an issue that is not completely preventable. Moreover, as you are aware, these issues are not specific to the State of Rhode Island. In fact, in April 2017, the State of Illinois, Department of Human Services, experienced a similar unforeseeable problem with the timely mailing of their Notice of Expirations. The State of Illinois' inadvertent agency error led to approximately 40,000 households not being mailed their Notice of Expirations timely. As a result of the error, the State of Illinois requested that the certification periods for the affected households be extended to allow time for the notices to be mailed and then returned to the state agency for processing. FNS granted Illinois' request several days after the request was submitted. The State of Rhode Island is respectfully requesting that it be similarly treated as other states when considering a waiver based on an unforeseeable condition that leads to a mailing issue.

As you are aware, RI DHS has been and continues to be committed to bringing all of its SNAP operations and the new integrated eligibility system into federal compliance, and Rhode Island has made significant progress. Rhode Island continues and actively participates in weekly calls with FNS, continues with – at a minimum – monthly in-person work groups with FNS, has implemented all corrective actions as outlined in the latest Formal Warning correspondence, has submitted all outstanding SNAP data to FNS, and has reached a 96 percent timeliness rate for processing new applications. The State has done a tremendous amount of work to mitigate negative impacts the integrated eligibility system may have caused the State's SNAP households in the past. This progress also reflects the State's strong commitment to ensuring families and individuals receive much needed food assistance.

Again, the State of Rhode Island respectfully requests that you reconsider this waiver request and consider the impact of a denial on Rhode Island SNAP families and individuals.

Thank you for your time and attention to this matter. If we can provide any additional information that may assist you in your reconsideration of this important request on behalf of Rhode Island's SNAP families and individuals, please do not hesitate to reach out directly to me or my staff.

Sincerely,



Courtney E. Hawkins
Director, RI DHS

cc: Kurt Messner, Regional Administrator, USDA, FNS, NERO
Bonnie Brathwaite, SNAP Director, USDA, FNS, NERO
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