



**United States
Department of
Agriculture**

Food and
Nutrition
Service

Northeast Region

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Room 501
Boston, MA 02222

SEP 05 2017

Courtney Hawkins, Director
Department of Human Services
Louis Pasteur Building
57 Howard Avenue
Cranston, RI 02920



Dear Director Hawkins:

Enclosed is the Federal Fiscal Year (FFY) 2017 Food and Nutrition Service (FNS) combined review report on Supplemental Nutrition Assistance Program (SNAP) operations of the Rhode Island (RI) Department of Human Services (DHS). During the combined review, FNS evaluated the following areas: State and Local Level Program Access, State Management Evaluation System, and Able-Bodied Adults without Dependents (ABAWDs) Pre-Transition.

Onsite review activities were conducted at the Central Office in Cranston and at the Providence Local Office from June 12 to June 20, 2017. An exit conference was held on June 29.

The enclosed report contains a formal assessment of program operations with a summary of work, findings and required corrective actions, observations, and suggestions. This report identifies corrective actions that must be implemented within 60 days to meet regulatory requirements per 7 Code of Federal Regulations (CFR) 275.3. A Corrective Action Plan (CAP) must be submitted to this office within 60 days from the date of this letter outlining the corrective actions that have been implemented and detailing any long range corrective actions.

In addition to the CAP that is required for this report, the State must provide an update on all corrective actions related to the November 8, 2016 Advance Warning. The update may be submitted in conjunction with the CAP for this report or the semiannual CAP that is due November 1 in accordance with 7 CFR 275.17.

Please note that open findings from prior reviews must be addressed immediately to avoid escalation and possible further action. If you require technical assistance, as always, my staff is available to assist you in whatever manner necessary.

We look forward to continuing our work in partnership with DHS to expand program access to every eligible RI household and ensure program integrity. We would like to express our gratitude to all DHS staff that assisted in the review preparation and execution.

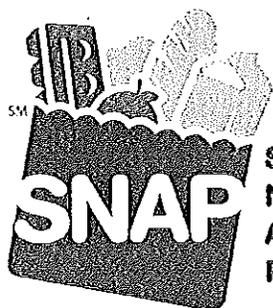
FFY 2017

Rhode Island Supplemental
Nutrition Assistance Program

State Level Program Access,
Local Level Program Access,
State Management Evaluation
System, Able-Bodied Adults
without Dependents
(ABAWDs) Pre-Transition

Management Evaluation Report

Conducted June 2017



Supplemental
Nutrition
Assistance
Program

Putting Healthy Food
Within Reach

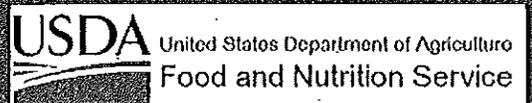


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I. Executive Summary

State Level Program Access, Local Level Program Access, State Management Evaluation System, and Able-Bodied Adults without Dependents (ABAWDs) Pre-Transition

Supplemental Nutrition Assistance Program (SNAP) Rhode Island

The Food and Nutrition Service (FNS) Northeast Regional Office (NERO) reviewed and evaluated Rhode Island (RI) Supplemental Nutrition Assistance Program (SNAP) operations from June 12 through June 20, 2017. The functional areas for the Federal Fiscal Year (FFY) 2017 review included the following: State Level Program Access (State PAR), Local Level Program Access (LPAR), State Management Evaluation System (State ME), and Able-Bodied Adults without Dependents (ABAWDs) Pre-Transition.

The SNAP Management Evaluations (MEs) are ongoing assessments of your agency's administration of SNAP. The reviews provide the FNS Regional Office staff the opportunity to observe and evaluate the State agency's (SA) processes and procedures for complying with the requirements outlined in the FNS regulations, handbooks, and policy. Additionally, the reviews are an opportunity for regional staff to provide technical assistance regarding new regulations and policy interpretations that may be needed.

Information included in this report is the result of observations, interviews, case reviews, and assessment of documents provided to FNS. This report details the findings, required corrective actions, observations and recommendations of NERO. The review team also evaluated the State's progress in addressing findings from prior fiscal year MEs. Open findings, which are findings from previous fiscal years that have not been corrected by the State, warrant immediate attention and corrective action. Repeat findings are findings that are identical to previously cited (and subsequently closed) findings from prior reviews within a six-year period. Failure to address these findings within an acceptable amount of time may result in escalation, which could ultimately lead to administrative penalties for the State.

A written response to the corrective actions detailed in the report must be submitted within sixty (60) calendar days of the date of this report. The response must include a description of the corrective action plan (CAP) for the findings, including implementation timeframes and supporting documentation as necessary. Additional details on the requirements for the corrective action response can be found at the end of this report. Although not regulatory in nature, a written response to the suggestions for each observation is required.

In addition to the CAP that is required for this report, the State must provide an update on all corrective actions related to the November 8, 2016 Advance Warning. The update may be submitted in conjunction with the CAP for this report or the semiannual CAP that is due November 1 in accordance with 7 CFR 275.17.

II. Definitions

Corrective Action Response (CAR): Actions that are proposed or taken by a State agency to respond to a finding of noncompliance with Federal regulations, FNS instructions, and/or policy memoranda. The term 'Required Corrective Action' is the element of the ME report that conveys the action(s) that must be taken by the State agency to correct the noncompliance with Federal regulations, FNS instructions, and/or policy memoranda prescribed by FNS for the State agency to move into compliance with Federal requirements and policy.

Finding: Identification of non-compliance with program regulations, FNS instructions, policy memoranda, and/or other authoritative documents that must be corrected by the State agency. Each finding is associated with a required corrective action.

Functional Areas: Specific areas or components of program operations and administration performed by the State agency that are examined and evaluated in a ME/FMR (Financial Management Review) such as certification and eligibility, program access, financial management, and local agency oversight.

Management Evaluation (ME): Periodic compliance assessment of State agency or local program operations and administration resulting in a report of findings, observations, and noteworthy initiatives.

ME Report: Formal, comprehensive report of the ME review that typically includes findings, required corrective actions, observations, suggestions, and noteworthy initiatives.

Noteworthy Initiatives: Projects, processes, and practices worthy of recognition and sharing with other State agencies for replication in an effort to improve program operations.

Observation: Identification of a weakness in program operations or management that is not in violation of program regulations, FNS instructions, policy memoranda, and/or other authoritative documents. Each observation is associated with a suggestion.

Open Finding: A finding in which the corrective action has not been implemented by the State agency and/or validated by FNS.

Repeat Finding: A finding that is identical to a previously cited, closed finding that is discovered at the same State agency in at least one of the reviews conducted within the continuous six-year period immediately preceding the ME.

Required Corrective Action: A statement in the ME report that conveys the action(s) that must be taken by the State agency to correct noncompliance with Federal regulations, FNS instructions, and/or policy memoranda. Required corrective actions are prescribed by FNS but may have input by the State agency. The State agency is required to provide a Corrective Action Response to FNS' required corrective action. All required corrective actions must be validated by FNS to ensure the State agency has implemented the corrective action and that the corrective action has addressed the violation prior to closing the applicable finding(s).

Suggestion: Recommendation that accompanies an observation.

III. Acronyms

ABAWD	Able-Bodied Adults without Dependents
CAP	Corrective Action Plan
CAR	Corrective Action Response
CFR	Code of Federal Regulations
DHS	Rhode Island Department of Human Services
FFY	Federal Fiscal Year. The FFY runs from October 1 st to September 30 th
FH	Fair Hearing
FNS	Food and Nutrition Service
IVRS	Interactive Voice Response System
LPAR	Local Program Access Review
ME	Management Evaluation
NERO	Northeast Regional Office
NOAA	Notice of Adverse Action
NOE	Notice of Expiration
NOMI	Notice of Missed Interview
PAR	Program Access Review
RI	Rhode Island
RIBridges	DHS' integrated eligibility system that supports multiple program operations including SNAP eligibility
SA	State Agency
SNAP	Supplemental Nutrition Assistance Program
TANF	Temporary Assistance for Needy Families
USDA	United States Department of Agriculture

IV. Introduction

FNS NERO conducted a combined review of the Rhode Island Department of Human Services (DHS) SNAP operations from June 12 to June 20, 2017.

An entrance conference was conducted on Monday, June 12 at the Central Office in Cranston. The LPAR and State ME System case reviews were conducted at the Providence Office. The eligibility staff and client interviews were also conducted at the Providence Office. The State PAR was conducted at the Central Office and also consisted of a desk review of fair hearing files. As part of the ABAWD pre-transition review, FNS interviewed RI DHS staff about the SA's operations and ability to notify, track, service, and report on its ABAWD population.

This report is based on the results of the onsite review of case files and interviews with staff members of the Providence Office and the DHS Central Office. An exit conference was held on Thursday, June 29 to provide a summary of the work performed during the review and to discuss any additional documentation needed, anticipated findings, observations and required corrective actions. FNS provided DHS with the case review summary results for all cases that were reviewed and identified by FNS to have issues.

V. Objective

The main objective of this review was to determine State agency compliance with Federal law and implementing regulations, policies and directives applicable to the federally-funded SNAP. This combined SNAP ME focused on specific target areas identified in the FFY 2017 target memo along with new procedures and tools for Program Access Reviews. Based on the new guidance, the emphasis for the FNS review team focused on the compliance of the recertification process during the LPAR. Full details and explanations of these areas and all others are found below in section VI – Scope.

VI. Scope

- State Level Program Access Review
For the State PAR, FNS interviewed State staff responsible for language access, client complaints, call center operations, applications, language access, fair hearings, and timeliness. In addition, FNS conducted a fair hearing case review and reviewed client notices.
- Local Program Access Review
FNS reviewers conducted the LPAR at the Providence Office on June 12 through June 16. FNS observed policies and procedures in effect for SNAP applicants and recipients. FNS reviewers conducted case reviews of initial and recertification applications and interviewed local office staff including managers/directors, supervisors, receptionist/screener, and eligibility workers. FNS also interviewed SNAP clients at the Providence Office. Results of the case review were provided to the State on site for

review and comment.

FNS also met with State staff to review the recent changes to the FNS-366B Program Activity Statement.

- State Management Evaluation System Review

For the State ME System Review, FNS staff evaluated the State's SNAP ME review processes and methodology, including completion of the scheduled reviews in accordance with FNS regulations and memoranda, adherence to the State ME plan, and follow-up procedures for State review findings and corrective actions. The FNS review team conducted interviews with the State ME Coordinator and ME Review Supervisor. FNS also conducted a limited case file review, which looked at a subsample of cases reviewed by the SA from the Providence Office Management Evaluation during FFY 2016.

- Able-Bodied Adults without Dependents Pre-Transition Module

As part of the ABAWD pre-transition module, FNS staff focused on RIBridges' ability to notify, identify, track, serve, and report on its ABAWD population. The FNS review team conducted interviews with State program staff on policies and procedures related to the screening and tracking of ABAWDs as well as pertinent items of its FNS-583 report. FNS requested supplementary information to include: screen shots of a tracker, policy memos, training materials, draft notices, etc. The State was unable to provide any of these requested items.

This initial pre-transition module of the ABAWD ME is technically not a review; there are no findings or observations. However, FNS is concerned about RI's transition off its statewide waiver. FNS has concerns with RIBridges' ability to adequately track, account for countable months, and adhere to ABAWD policy. Additionally, it was unclear during the interviews how DHS plans to ready their eligibility staff to implement ABAWD policy. FNS is available to provide technical assistance to RI as it develops its tracking process, training materials, and notices.

VII. Methodology

The review was conducted in accordance with FNS and SNAP ME Guidance (updated as of October 17, 2016) and also utilized procedures and requirements set forth in the SNAP ME review guides for State PAR, LPAR, State ME System, and ABAWD MEs.

- Data Collection

In accordance with FNS ME guidance, the review team used a combination of data analytics and random sampling to identify cases for review from the months of January, February, and March 2017. Cases selected for the review consisted of a sample of cases processed by eligibility staff from across the State. The sample consisted of 83 cases due for recertification in the months listed above. The FNS review team also reviewed an

additional 24 cases that were approved, denied, or terminated within the sample timeframe.

The FNS review team worked with eligibility technicians to review the case files in the RIBridges eligibility system. The FNS review team utilized a case file review protocol from the most recent ME guidance to ensure each case was reviewed in a consistent manner and that all areas of SNAP Federal requirements were reviewed.

- Interviews & Questionnaires

The FNS review team conducted interviews on site with State and local office staff members and clients. FNS used an interview protocol designed to elicit information on the SNAP certification process. The protocol contained general questions and State-specific questions based on State-selected SNAP policy options.

SNAP client interviews were also conducted as part of this review. The FNS review team interviewed three SNAP clients at the local office. The interviews assessed customer service and clarity of information provided by the local office.

Questionnaires for the State PAR were forwarded to the State prior to the review week and were used for follow-up questions with the State staff on June 19 and 20. The questionnaires pertained to language access, fair hearings, client complaints, call center operations, applications, and timeliness.

- Observations

FNS utilized the Local Office Observation Checklist for the Providence Office. This included a review of the exterior of the building and the lobby/waiting areas for this location.

- Case File Reviews

The purpose of the case file review was to determine if the local office is processing cases in compliance with Federal program requirements and to verify processes and procedures identified during interviews and observations.

Type of Cases	Random Sample	Data Analytics	Total # of cases Reviewed
Initial applications approved		3	3
Initial applications denied		9	9
Terminations		12	12
Recertifications approved	19	22	41
Recertifications closed/denied	21	21	42
Total	40	67	107

- Fair Hearing Case File Reviews

The purpose and scope of the FH review is to examine whether appeal decisions are rendered timely and accurately and to ensure that household due process rights are upheld as required by Federal regulations. The FNS review team examined the State's policies, procedures, and notices related to FHs to ensure they comply with regulatory requirements.

Prior to the review, FNS requested FH cases from October 2016 to May 2017. The request included cases that were denied, approved and withdrawn. The selection of cases was random. A total of 40 cases were reviewed.

Type of Cases	# of Cases Reviewed
Fair Hearing (denied)	4
Fair Hearing (approved)	3
Fair Hearing (withdrawn)	25
Fair Hearing (abandoned)	8
Total	40

VIII. Noteworthy Initiatives

Noteworthy Initiative: The Unified Health Infrastructure Project 30-Day Assessment, which was released by the State in February 2017, recognized the importance of hiring additional staff resources. The SA implemented a staffing surge at DHS field offices and the call center to address the document processing backlogs and improve customer service. Although there is still significant room for improvement, FNS does recognize improvements in the wait time at the call center since the staffing surge began. According to weekly data provided by DHS, call center wait times have decreased from over two hours to less than one hour over the past few months.

IX. Findings and Required Corrective Actions

A. Local Program Access

Finding #A.1 (New): Failure to follow appropriate interview scheduling procedures
Citation: 7 CFR 273.2(e)(3)

Background: FNS reviewers found multiple cases in which the SA failed to follow appropriate interview scheduling procedures. In one case, the household's interview was scheduled late, which prevented the household from participating within the 30-day application processing timeframe. In six other cases, the SA failed to document how the clients were notified of their appointment. Federal regulations at 7 CFR 273.2(e)(3) state, "*The State agency must schedule an interview for all applicant households who are not interviewed on the day they submit their applications... The State agency must schedule all interviews as promptly as possible to insure*

eligible households receive an opportunity to participate within 30 days after the application is filed.”

Required Corrective Action: The SA must implement adequate procedures to ensure that all households that are not interviewed on the day they submit their application are scheduled for an interview within a timeframe that will provide those eligible an opportunity to participate within 30 days of the application being filed. The SA must document how it is informing households of the interview. The SA must also make sure that eligibility workers are assigning and taking the appropriate “action-based tasks” so that all interviews are conducted timely.

Finding #A.2 (Repeat): Failure to appropriately issue the Notice of Missed Interview (NOMI)

Citation: 7 CFR 273.2(e)(3)

Background: FNS reviewers identified several cases where the SA’s issuance of the NOMI did not follow appropriate procedures. This is a repeat finding from the FFY 2015 LPAR conducted at the Newport Office. Federal regulations at 7 CFR 273.2(e)(3) state, in part, *“The State Agency must notify each household that misses its interview appointment that it missed the scheduled interview and that the household is responsible for rescheduling a missed interview.”* FNS reviewers identified the following issues:

- NOMIs sent to households who had already completed their interviews;
- NOMIs sent to households before their scheduled interviews; and
- NOMIs never sent to households who missed their interviews.

Required Corrective Action: The SA must ensure that it is issuing NOMIs in accordance with Federal regulations. The issues identified during the review appear to be a combination of both system-related errors and worker errors (which themselves are likely the result of workers learning to navigate the new system). The SA must investigate and address the root cause(s) of the system issues and provide targeted training to eligibility staff.

Finding #A.3 (New): Case file documentation does not support eligibility decisions and benefit-level determinations

Citation: 7 CFR 273.2(f)(6)

Background: FNS reviewers identified numerous cases in which the case files insufficiently documented the details of a SNAP benefit determination or case processing action by the eligibility workers. The case files were missing initial applications, recertifications, verifications and case notes necessary to confirm the accuracy of statements or information provided. In some cases, the case record included documents that were improperly indexed and therefore not readily identifiable by the eligibility worker. For example, reviewers identified one recertification application that was indexed as an appeals-related document and, in a separate case, a recertification application that was indexed as a birth certificate.

The level of detail found within the case notes also varied significantly from one case to the next.

A few cases included detailed notes while the majority had no cases notes and several had very limited information. Federal regulations at 7 CFR 273.2(f)(6) state, "*Case files must be documented to support eligibility, ineligibility, and benefit level determination. Documentation shall be in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination.*" This includes documentation related to determinations made at initial certification, recertification, and any changes made during the certification period that affect the household's eligibility and/or benefit level. State agencies must be able to support the SNAP eligibility of all households with adequate case file documentation. Additionally, since DHS uses statewide task-based case processing, standardization of case notes will improve efficiency and accuracy as multiple workers handle different tasks pertaining to a case at different times. Detailed case notes are a critical piece of documentation to substantiate case actions.

Required Corrective Action: The SA must establish standard case management procedures to ensure the case files are documented to support eligibility, ineligibility and/or benefit level. The SA must ensure that all case documentation is contained in RIBridges and properly indexed so that eligibility workers may act on changes or make eligibility determinations in a timely manner. The SA must ensure that workers use consistent, detailed case notation to support case actions. The State's CAR should include an example of a standard case documentation and any guidance or training materials provided to eligibility workers.

Finding #A.4 (Repeat): Applications are not processed within 30 days

Citation: 7 CFR 273.2(g)(1)

Background: FNS reviewers identified five cases in which the State agency failed to process SNAP applications within the mandated 30-day processing timeframe. This is a repeat finding from the FFY 2015 LPAR conducted at the Newport Office. Federal regulations at 7 CFR 273.2(g)(1) state, "*The State 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.*"

Required Corrective Action: The SA must ensure that all applications are processed within 30 days as required. Eligible applicants have the right to receive benefits within 30 days under normal processing standards. Additionally, ineligible applicants must be notified of their ineligibility no later than 30 days after the date of application in accordance with 273.2(g)(3). According to weekly data reports that FNS receives from DHS, the SA has made progress over the last year in addressing the backlog of unprocessed initial applications; however, the timeliness of initial application processing remains below acceptable thresholds. In its CAR, the SA must submit a detailed plan of action for achieving a timeliness rate of 95% for both expedited and non-expedited applications within six months of receipt of this report.

Finding #A.5 (New): Untimely expedited issuance

Citation: 7 CFR 273.2(i)(3)(i)

Background: During the case file review, FNS reviewers identified that the SA failed to issue

expedited benefits to eligible households within the required timeframes. Federal regulations at 7 CFR 273.2(i)(3)(i) state, "For households that are entitled to expedited service, the State agency shall post benefits to the household's EBT card and make them available to the household not later than the seventh calendar day following the date an application was filed." Failure to process expedited applications timely puts the most vulnerable households at greater risk.

Required Corrective Action: The SA must take immediate corrective action to ensure all households eligible for expedited benefits receive them by the seventh calendar day following the date of application. As noted in Finding #A.4 above, weekly data reports indicate that the SA has made progress over the last year in addressing the backlog of unprocessed initial applications; however, the timeliness of initial application processing remains below acceptable thresholds. In its CAR, the SA must submit a detailed plan of action for achieving a timeliness rate of 95% for both expedited and non-expedited applications within six months of receipt of this report.

Finding: #A.6 (New): Failure to meet requirements for providing bilingual program materials

Citation: 7 CFR 272.4(b)(1), 7 CFR 272.4(b)(3)(ii)(A)

Background: FNS identified four instances in which clients whose primary language was indicated as Spanish received notices that were sent in Spanish but all the variable fields were in English. Federal regulations at 7 CFR 272.4(b)(1) establish the requirements for providing non-English language certification materials to households. Per 272.4(b)(3)(ii)(A) "certification materials" include "the SNAP application form, change report form and notices to households."

Required Corrective Action: The SA must ensure that bilingual certification materials are provided to relevant households in accordance with 272.4(b)(1) and that notices provided to households in non-English languages are completely and accurately translated into that language. As part of the CAP, the SA must send copies of the notices to FNS for review prior to implementation.

Finding #A.7 (New): Failure to calculate income correctly

Citation: 7 CFR 273.10(e)(1)(i)

Background: FNS reviewers identified seven cases in which RIBridges failed to correctly determine the households' benefit level. Federal regulations at 7 CFR 273.10(e)(1)(i) describe the procedures for calculating net income and benefit levels. The cases identified had incorrect benefit levels for the following reasons:

- Income calculated twice;
- Income was deleted from eligibility screens;
- Unemployed client but eligibility calculation included income with no discernible source; and
- Income not included in benefit calculation.

Required Correct Action: The SA must follow the procedures outlined in 273.10(e)(1)(i) for determining a household's net monthly income. The SA must provide training for all eligibility workers on the proper procedures for determining income to ensure that eligibility workers are able to identify inaccuracies in benefit calculations. The State should also conduct a comprehensive review of system functionality to identify defects that could be resulting in the incorrect benefit calculation. In its CAR, the SA must provide copies of the training material that is developed and the results of the review of system functionality.

Finding #A.8 (New): Improper assignment of certification periods

Citation: 7 CFR 273.10(f)(1)

Background: FNS reviewers identified four cases in which RIBridges listed the incorrect certification period. In one case the certification period was extended beyond the 12 month maximum for non-elderly/disabled households. Federal regulations at 7 CFR 273.10(f) state, *"The State must certify each eligible household for a definite period of time... The certification period cannot exceed 12 months except to accommodate a household's transitional benefit period and as specified in paragraphs (f)(1) and (f)(2) of this section."* In three other cases, in which all the household members were elderly or disabled, RIBridges had assigned a four year certification period, extending the certification period beyond the maximum. Federal regulations at 7 CFR 273.10(f)(1) state, *"The State agency may certify for up to 24 months households in which all adult members are elderly or disabled."*

Required Corrective Action: The SA must meet all regulatory requirements by assigning the correct certification periods to appropriate SNAP households. The State's CAR must outline strategies, including training and/or system enhancements, to ensure the correct assignment of SNAP certification periods for all households.

Finding #A.9 (New): Notice of Eligibility does not conform to Federal regulations

Citation: 7 CFR 273.10(g)(1)(i)(A)

Background: FNS reviewers identified four cases in which the Notice of Eligibility did not conform to Federal regulations. Federal regulations at 7 CFR 273.10(g)(1)(i)(A) state, *"If an application is approved, the State agency shall provide the household with written notice of the amount of the allotment and the beginning and end dates of the certification period."* In three of the cases, the Notice of Eligibility listed the wrong certification period and in the fourth case, the Notice of Eligibility listed the incorrect benefit level.

Required Corrective Action: The SA must ensure that clients who are found eligible receive a Notice of Eligibility that accurately reflects their correct certification period and benefit allotment. In its CAP, the State must identify the root cause(s) of these issues. The fields pertaining to the certification period and benefit level in the notice should be auto-populated by the system. The State must identify and address any system-related issues that could be causing the notice errors.

Finding #A.10 (New): Untimely processing of interim reports resulting in invalid closures
Citation: 7 CFR 273.12(a)(5)(iii)(B)

Background: FNS reviewers found cases in which the interim reports were submitted timely by the client, but the cases were subsequently closed due to delays in case processing. Federal regulations at 7 CFR 273.12(a)(5)(iii)(B) state, in part, *"In selecting a due date for the periodic report, the State agency must provide itself sufficient time to process reports so that households that have reported changes that will reduce or terminate benefits will receive adequate notice of action on the report in the first month of the new reporting period."* FNS is aware through weekly CAP calls and data reports that the State currently has a backlog of unprocessed interim reports.

Required Corrective Action: The SA must ensure that all interim reports are processed within the required timeframes. If eligible, recipients have the right to receive their benefits on their regularly scheduled issuance date. Similarly, households must be sufficiently notified of a decrease of benefits or ineligibility. According to the most recent weekly data provided by DHS (dated August 28, 2017), there are a total of 11,353 unprocessed interim reports pertaining to SNAP. In its CAR, the SA must submit a detailed plan of action describing steps that it will take to decrease its backlog of unprocessed interim reports by 50% within three months of receipt of this report and to eliminate the backlog within six months.

Finding #A.11 (New): Failure to appropriately issue a Notice of Adverse Action (NOAA)
Citation: 7 CFR 273.13(a)

Background: FNS identified multiple cases in which the SA failed to appropriately issue a NOAA. In four cases, households were not sent a NOAA prior to a reduction or termination of the households' benefits. In one case, the NOAA was sent May 11, but the effective date was March 1. Federal regulations at 7 CFR 273.13(a) state *"Prior to any action to reduce or terminate a household's benefits within the certification period, the SA shall...provide a timely and adequate notice of adverse action."* Additionally, Federal regulations at 7 CFR 273.13(a)(1) state, *"The notice of adverse action shall be considered timely if the advance notice period conforms to that period of time defined by the State agency as an adequate notice period for its public assistance caseload, provided that the period includes at least 10 days from the date the notice is mailed to the date upon which the action becomes effective."* FNS reviewers were able to identify the cause in only one case; the notice failed to pass internal quality control.

Required Corrective Action: The SA must ensure that NOAAs are sent to clients at least 10 days prior to when the proposed action becomes effective. The SA must develop procedures to ensure that prior to any action to reduce or terminate a household's benefits, the client is provided with a timely and adequate notice of adverse action in accordance with Federal regulations. Internal quality control processes can be an effective measure to ensure that client notices are accurate before they are mailed. However, a process that prevents notices from being issued to households at all can have as detrimental an impact on households as inaccurate or confusing notices. The State must revise its notice review practices to ensure that there is

sufficient time to review notices and address any deficiencies and still provide the household with timely and accurate notification of adverse actions.

Finding: #A.12 (New): Failure to properly close households at the end of the certification period

Citation: 7 CFR 273.14(a)

Background: FNS reviewers identified at least two cases where the households continued to participate beyond their assigned certification period without an eligibility determination. Federal regulations at 7 CFR 273.14(a) state, "*No household may participate beyond the expiration of the certification period assigned in accordance with 273.10(f) without a determination of eligibility for a new period. The State agency must establish procedures for notifying households of the expiration date, providing application forms, scheduling interviews and recertifying eligible households prior to the expiration of certification periods.*" In one case, the application was processed without a recertification on file, and in the other, the household continued to receive benefits beyond its certification period. FNS is aware, through our weekly CAP calls, that the State has systematically kept households open with unprocessed recertifications and that there is a backlog of unprocessed recertification applications.

Required Corrective Action: The SA must develop procedures to ensure that no households participate beyond the expiration of their assigned certification period. According to the most recent weekly data provided by DHS (dated August 28, 2017), there are a total of 12,919 unprocessed applications for recertification pertaining to SNAP. It is FNS' understanding that the majority of these households have continued to receive benefits beyond the expiration of their certification periods. In its CAR, the SA must submit a detailed plan of action describing steps that it will take to decrease its backlog of unprocessed recertification applications by 50% within three months of receipt of this report and to eliminate the backlog within six months. The SA should also identify steps that it has taken or will take to ensure the timely processing of recertification applications so that backlogs do not arise in the future. DHS should also detail any procedures or system changes that have been implemented to ensure that households do not participate beyond the end of their certification periods without an eligibility determination.

Finding #A.13 (New): Notices of Expiration (NOE) are not sent within the required timeframe

Citation: 7 CFR 273.14(b)(1)(i)

Background: FNS reviewers identified six cases where the NOE did not conform to Federal regulations. Federal regulations at 7 CFR 273.14(b)(1)(i) state, "*The State Agency shall provide other households the Notice of Expiration before the first day of the last month of the certification, but not before the first day of the next to the last month.*" In four of these cases, the NOE was sent too early, in one case the NOE was sent too late, and in another case the NOE was never sent.

Required Corrective Action: The SA must ensure that all households due for recertification are sent a NOE within the required timeframes. Issuance of the NOE should be an automated process within RIBridges, but the State must establish and adhere to consistent timeframes for running batch processes and printing and mailing notices.

Finding #A.14 (New): Failure to follow appropriate interview procedures at recertification
Citation: 7 CFR 273.14(b)(3)

Background: FNS reviewers found two cases where the SA processed recertification applications without conducting an interview. Federal regulations at 7 CFR 273.14(b)(3) require the State to conduct an interview at least every 12 months with households certified for 12 months or less.

Required Corrective Action: The SA must implement procedures to ensure that interviews are conducted during the recertification process. Eligibility workers must also be provided with training on how to adequately and consistently document completion of the interview.

Finding #A.15 (New): Applications for recertification are not processed timely
Citation: 7 CFR 273.14(d)(2)

Background: FNS reviewers identified ten cases in which applications for recertification were not processed timely. Federal regulations at 7 CFR 273.14(d)(2) state, "*Other households that have met all application requirements shall be notified of their eligibility or ineligibility by the end of their current certification period. In addition, the State agency shall provide households that are determined eligible an opportunity to participate by the household's normal issuance cycle in the month following the end of its current certification period.*" In several of these cases, the SA did not begin processing the case until after the end of the certification period, which resulted in a delay of benefit issuance. These households were automatically closed and, in some of these cases, the households received Notices of Adverse Action stating they failed to complete the review process.

Required Corrective Action: The SA must ensure that all applications for recertification are processed within required timeframes. This includes notifying households of eligibility determinations prior to the end of their certification period and issuing benefits to eligible households on the normal benefit issuance date. As stated under Finding #A.12 above, according to the most recent weekly data provided by DHS (dated August 28, 2017), there are a total of 12,919 unprocessed applications for recertification pertaining to SNAP. It is FNS' understanding that a portion of these households might have been closed at the end of their certification periods (as opposed to the households described in #A.12). In its CAR, the SA must submit a detailed plan of action describing steps that it will take to decrease its backlog of unprocessed recertification applications by 50% within three months of receipt of this report and to eliminate the backlog within six months. The SA should also identify steps that it has taken or will take to ensure the timely processing of recertification applications so that backlogs do not arise in the future.

Finding #A.16 (New): Failure to provide a full month's allotment for State-caused delays in processing recertifications

Citation: 7 CFR 273.14(e)(1)

Background: FNS reviewers identified two cases in which the recertification applications were submitted prior to the end of the certification period but not acted on timely by the SA, and once the SA acted on the recertification application, the households were not provided with a full month's allotment for the first month of their new certification periods. Federal regulations at 7 CFR 273.14(e)(1) state, "*If an eligible household files an application before the end of the certification period but the recertification process cannot be completed within 30 days after the date of application because of State agency fault, the State agency must continue to process the case and provide a full month's allotment for the first month of the new certification period. The State agency shall determine the cause for any delay in processing a recertification application in accordance with the provisions of 7 CFR 273.3(h)(1).*" Determining the appropriate recertification date and agency or client fault is critical to ensuring clients are given the full benefits to which they are entitled, particularly when the SA is not processing cases timely.

Required Corrective Action: The SA must ensure that all recertifications are processed within required timeframes and clients are provided with the correct allotment for the first month of the new certification period. The SA must conduct additional trainings with eligibility staff to ensure that tasks are completed correctly.

Finding #A.17 (New): Failure to issue a periodic report form

Citation: 7 CFR 273.12(a)(5)(iii)(B)

Background: FNS identified four cases in which the SA failed to issue a six-month periodic report form to households, resulting in invalid terminations. Federal regulations at 7 CFR 273.12(a)(5)(iii)(B) state, "*Households that are certified by longer than 6 months, except those households described in 273.12(a)(5)(iii)(A), must file a periodic report between 4 and 6 months, as required by the State agency... In selecting a due date for the periodic report, the State agency must provide itself sufficient time to process reports so that household that have reported changes that will reduce or terminate benefits will receive adequate notice of action on the report in the first month of the new reporting period.*"

Required Corrective Action: The SA must develop procedures to ensure that all clients are provided with a timely periodic report form. This should include establishment and adherence to a consistent timeframe for running batches and printing and mailing forms and notices.

B. State Level Program Access

Finding #B.1 (New): Failure to conduct client complaint analysis

Citation: 7 CFR 271.6(a)(3)

Background: The State does have a complaint tracking spreadsheet and written procedures for

handling complaints, but the SA is not conducting an analysis of client complaints to identify patterns of problems. Federal regulations at 7 CFR 271.6(a)(3) state, in part *"The State agency shall maintain a record of complaints received and their disposition, and shall review records at least annually to assess whether patterns of problems may be present in local offices, project areas or throughout the State."*

Required Corrective Action: The SA must ensure that complaint records are maintained and must complete an analysis of all client complaints annually, at a minimum. The SA must develop clear written procedures for analyzing the complaints and must provide adequate training to all agency staff members that would have a role in the complaints process. The SA written procedures must address the following:

- How often the SA will complete an analysis of its client complaints;
- Who will be responsible for the analysis;
- How the data will be analyzed; and
- Who will be responsible for developing and providing training to agency staff.

The SA must also provide FNS with a copy of the completed analysis and what actions were taken to address any patterns of problems indicated by the analysis.

Finding #B.2 (New): DHS does not have effective procedures in place to provide timely service to clients

Citation: 7 CFR 273.2(a)

Background: FNS remains concerned that DHS is not providing timely service to clients. Federal regulations at 7 CFR 273.2(a) state, in part *"State agencies must establish procedures governing the operations of SNAP offices that the State agency determines best serve households in the State... The State agency must provide timely, accurate, and fair service to applicants for, and participants in, SNAP."* FNS has identified several areas where DHS operations have created significant barriers to program access. Clients are waiting in DHS field offices for several hours and sometimes are turned away from offices because of overcrowding. Clients calling the call center frequently experience long wait times. Challenges affecting the implementation of the online customer portal since Go-Live have created additional barriers for clients seeking service via the internet.

FNS does recognize the steps that DHS has taken to improve call center operations, including hiring 30 additional eligibility workers to join the call center operations. As noted under Noteworthy Initiatives above, weekly data reports indicate that call center wait times have decreased over the last few months. However, office overcrowding persists and submission of online applications remains extremely low (roughly 30-40 applications per week since July according to weekly data from DHS).

Required Corrective Action: The SA must ensure that clients have timely access to service whether they seek assistance through the call center, the online portal, in-person at a local office, or through any other means offered by DHS. The CAR must provide details on how the SA will continue to bring down wait times at the call center as well as a plan to address field office wait

times and overcrowding. The CAR must also provide an update on online portal functionality and any actions that are being taken to increase its utilization.

Finding #B.3 (New): RI DHS-2 is missing required language regarding verification of information

Citation: 7 CFR 273.2(b)(1)(i)

Background: FNS identified that the DHS-2 application is missing federally required language. Federal regulations at 7 CFR 273.2(b)(1)(i) state, *"In prominent and boldface lettering and understandable terms a statement that the information provided by the applicant in connection with the application for SNAP benefits will be subject to verification by Federal, State and local officials to determine if such information is factual; that if any information is incorrect, SNAP benefits may be denied to the applicants; and the applicant may be subject to criminal prosecution for knowingly providing incorrect information;"*

Required Corrective Action: The SA must revise the DHS-2 application to incorporate the required language. Please provide a copy of the revised DHS-2.

Finding #B.4 (New): RI DHS-2 is missing the Income and Eligibility Verification System statement

Citation: 7 CFR 273.2(b)(2)

Background: FNS identified that the DHS-2 application is missing the Income and Eligibility Verification System (IEVS) statement. Federal regulations at 7 CFR 273.2(b)(2) state, *"If the State agency chooses to use IEVS in accordance with paragraph (f)(9) of this section, it must notify all applicants for SNAP benefits at the time of application and at each recertification through a written statement on or provided with the application form that information available through IEVS will be requested, used and may be verified through collateral contact when discrepancies are found by the State agency, and that such information may affect the household's eligibility and level of benefits."*

Required Corrective Action: The SA must revise the DHS-2 to include the IEVS statement. Please provide a copy of the revised DHS-2.

Finding #B.5 (New): Failure to notify households at the time of application of the methods available to request a fair hearing

Citation: 7 CFR 273.15(f)

Background: FNS identified that the DHS-2 application does not properly inform households on the method that a fair hearing may be requested. Federal regulations at 7 CFR 273.15(f) state, *"At the time of application, each household shall be informed in writing of its right to a hearing, of the method by which a hearing may be requested, and that its case may be presented by a household member or a representative, such as a legal counsel, a relative, a friend or other*

spokesperson.”

Required Corrective Action: The SA must update the DHS-2 application to include language that informs the household of the method by which a hearing may be requested. Please provide a copy of the revised DHS-2.

X. Observations and Suggestions

A. Local Program Access Observations

Observations #A.1: FNS observed extremely long wait times for clients visiting the Providence Office. In addition, DHS only tracks wait times from when the customer is checked-in by the greeters, even though clients often experience significant wait times prior to reaching the greeters.

Suggestion: FNS suggests that DHS develop a better method to track clients' actual wait times from the time they arrive at the office. FNS is aware that the SA is looking into kiosks for the field office to allow for greater self-service by clients. FNS is available to provide technical assistance to the SA to develop a more efficient method.

Observation #A.2: As noted under Finding #A.3 above, FNS reviewers discovered instances during the case file review in which documents submitted by households were indexed incorrectly. For example, separate recertification applications were indexed as an appeals-related document and as a birth certificate.

Suggestion: FNS recommends that the SA develop clear procedures and training for staff that are scanning and indexing documents to ensure that documents are being scanned and indexed correctly.

Observation #A.3: FNS reviewers discovered two cases in which duplicate accounts were created for the same household members. FNS identified this as one cause for some of the case processing delays. This adversely impacts the accuracy of the eligibility determination because it is likely that the case could be processed without all the pertinent information if the eligibility worker is unaware of the need to search multiple cases. Additionally, having to search multiple cases for documentation adds to processing time.

Suggestion: FNS recommends that the SA develop clear, written guidance and training to all eligibility workers and clerical staff on how to properly identify an existing case at the time of intake and correctly associate application materials and other documents with an existing case record.

Observation #A.4: At the time of the review, RIBridges lacked the functionality needed to complete the required FNS-366B report. State staff members were aware of the changes to the FNS-366B and had provided system specifications to the system vendor; however, the functionality had not been implemented.

Suggestion: The State should ensure that the development of the report functionality needed to complete the FNS-366B is prioritized. FNS will continue to monitor the issue and is available to provide technical assistance to the State as needed.

Observation #A.5: FNS reviewers identified cases in which eligibility was authorized by user accounts that were not uniquely identified with a particular worker, leading FNS to believe that these actions were taken by non-merit staff. Federal regulations at 7 CFR 272.4(a)(1) state that *"State agency personnel used in the certification process shall be employed in accordance with the current standards for a merit system of personnel administration..."* The regulation further clarifies that *"Volunteers and other non-State agency employees shall not conduct certification interviews or certify SNAP applications."* Under no circumstances can contracted vendor employees conduct eligibility interviews or process cases in RIBridges.

This issue was first identified in the RI Advance Notification CAP response sent from FNS to the State on December 19, 2016 and was identified again during a one-day case file review conducted by FNS NERO on January 25, 2017 and brought to the State's attention the subsequent day. In a letter that was sent to FNS on January 31, 2017, the SA indicated that all SNAPAdmin accounts and over 700 user accounts associated with the testing and pilot phases of RIBridges had been disabled. FNS acknowledges that the sample timeframe for our June review overlaps with the time period during which these corrective actions were taken by the State. We are categorizing this issue as an observation instead of a finding because, although it was identified during this review, we believe this issue to have been addressed by the actions taken by the State prior to the review. However, FNS remains concerned about the potential for this issue to reoccur.

Required Corrective Action: The State agency should develop procedures, including the generation of regular activity reports, to monitor user accounts that are associated with eligibility determinations and other activities reserved for merit personnel. Reports should be reviewed frequently to identify and address any irregularities. In its CAR the State should identify controls that are in place to govern user account creation and limit access to particular system functionality.

B. State Program Access Observations

Observation #B.1: FNS identified that the SA's NOE and the recertification form language are not consistent regarding information on alternative submission methods available to the household. The NOE states that the recertification form may be submitted in person, but does not provide the address of the local offices. It also indicates that the application may be submitted by mail, but the address is only provided in the upper left hand corner of the page. The NOE also

notes that the application can be submitted by faxing it to one of the field offices. The recertification form, on the other hand, includes the mailing address and provides a link to view the office locations. It also references the online portal.

Suggestion: The SA should revise the NOE and recertification form so that the language for the submission methods available to households is consistent.

Observation #B.2: Of the 40 fair hearing case files that FNS reviewed, 33 did not contain the NOAA. Without the NOAA, FNS was not able to determine if the fair hearing decision adequately addressed the fair hearing request reason.

Suggestion: The SA should ensure that the NOAA is included in the fair hearing case file record.

Observation #B.3: The Notice of Eligibility lists the client's certification period from a certain date to "ongoing." For example, one notice read that the client was eligible from 06/01/2017 to ONGOING. This could be taken to imply that the household's certification period does not have a specific end date. Later in the notice, the household is informed that its SNAP eligibility period is approved through a certain month, at which time, the household would need to recertify to continue receiving benefits.

Suggestion: The SA should revise its Notice of Eligibility by removing the term "ongoing" and specifying the end date of the certification period in its place.

XI. Open Findings

The following are findings from previous FNS ME reviews that are still open. As a reminder, FNS cannot close a review until corrective actions have been implemented for all findings and FNS has validated the implementation. Additionally, some open findings require the State provide updated information as requested below.

A. Local Program Access:

Finding #L.1 (Open): Notice of Adverse Action does not comply with Federal regulations
Citation: 7 CFR 273.13(a)(2)

Background: FNS reviewers identified multiple cases in which the Notice of Adverse Action did not conform to Federal regulations. Federal regulations at 7 CFR 273.13(a)(2) states "*The notice of adverse action shall be considered adequate if it explains in easily understandable language: The proposed action; the reason for the proposed action; the household's right to request a fair hearing; the 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; the availability of continued benefits; and the liability of the household for any overissuances received while awaiting a fair hearing if the hearing official's decision is adverse to the household. If there is an individual or organization available that provides free legal representation, the notice shall also advise the household of the availability of the service."

FNS reviews identified multiple NOAAs that informed the household that it was closed for the incorrect reason including:

- Failure to return Recertification instead of Interim Report;
- Failure to return Interim Report instead of Recertification; and,
- Failure to provide documentation instead of over income.

Required Corrective Action: SA must ensure the language included on the NOAA is compliant with 273.13(a)(2) by explaining in easily understandable language an accurate reason for the proposed action. System issues appear to account for the majority of the NOAA issues; however, in some instances the worker might have taken an incorrect action in the system that resulted in an inaccurate NOAA. The State must provide an update on system defects related to NOAAs. The State must provide a comprehensive training for all eligibility staff on correct notice procedures in RIBridges.

Status: This was a finding from the FFY 2015 Newport LPAR review. The SA's CAR indicated the notice issues would be addressed with the new RIBridges system. FNS is aware that a new Notice of Adverse Action was put into production when RIBridges went live. FNS identified the same issues with the notice from the previous review; therefore, this will remain an open finding until the State provides documentation to FNS validating that the finding has been addressed.

B. State Program Access:

Finding #S.1 (Open): Notice of Required Verification does not conform to Federal regulations

Citation: 7 CFR 273.2(c)(5)

Background: FNS identified that the SA's Notice of Required Verification does not provide an explanation of the period of time the verifications should cover. Federal regulations at 7 CFR 273.2(c)(5) state in part "*The State agency shall provide each household at the time of application for certification and recertification with a notice that informs the household of the verification requirements the household must meet as part of the application process...At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period of time the documents should cover.*"

Required Corrective Action: The SA must revise its Notice of Required Verification to provide an explanation of the period of time that the requested verifications should cover. As part of the SA's CAR, please provide a copy of the revised notice prior to production.

Status: This is an open finding from the FFY 2015 State Program Access Review. The SA semiannual CAP indicated that the State was working on updating and correcting notices in RIBridges. FNS is aware that the SA has developed new notice templates for RIBridges. However, FNS identified the same issue with the Notice of Required Verification during the current review; therefore, this finding will remain open until the State provides documentation to FNS validating that the finding has been addressed.

Finding #S.2 (Open): SA Fair Hearings exceed federally mandated time limits
Citation: 7 CFR 273.15(c)(1)

Background: Federal regulations at 7 CFR 273.15(c)(1) state *“Within 60 days of receipt of a request for fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and local agency are notified of the decision.”* Of the forty FH cases reviewed in FFY 2017, seven cases either exceeded the federally mandated timeframes or did not contain enough information for the reviewer to determine whether the local agency was notified within the required timeframes.

- A hearing was scheduled outside of the 60 day timeframe;
- The written fair hearing decision exceeded the 60 day timeframe; and,
- No documentation to support when the local agency was notified of the decision.

Required Corrective Action: The SA must ensure that all fair hearings are scheduled, conducted, decided and all parties involved are notified of the hearing decision within 60 days from the date of the request. The SA must also ensure that the fair hearing case files are adequately document when all parties are notified of the hearing decisions.

Status: This was an open finding from the FFY 2015 State Program Access Review. FNS is unable to validate that the finding has been adequately addressed due to the issues noted above; therefore, this will remain an open finding until the State provides documentation to FNS validating that the finding has been addressed.

XII. Corrective Action Response

As stipulated in 7 CFR 275.16, Rhode Island is required to provide a written response identifying its corrective actions to findings outlined in this ME report. The corrective action response (CAR) is due within **60 calendar days** of the date of this ME report. The CAR must address all findings and must show evidence of the following:

- Evaluation of the finding(s),
- Identification of the root cause(s) of the finding(s),
- Magnitude and geographic extent of deficiency,
 - Include data sources used to substantiate the magnitude and geographic extent
- Determination of the corrective action(s) necessary to address the root cause(s) and correct the finding in a sustainable manner,

- Identification of the timeframes related to each corrective action (i.e. major milestone dates, target completion date),
- Identification of the State agency officials responsible or the point of contact for each corrective action,
- Basis for management decisions on planning, implementing, and evaluating corrective actions, and
 - How will the State monitor the corrective action?
 - How will the State know if the corrective action is successful in addressing the root causes?
- Documentation/evidence for any corrective action that has been implemented.

Rhode Island is also required to respond to each of the observations and suggestions in this report.

As noted above, in addition to the CAP that is required for this report, the State must provide an update on all corrective actions related to the November 8, 2016 Advance Warning. The update may be submitted in conjunction with the CAP for this report or the semiannual CAP that is due November 1 in accordance with 7 CFR 275.17.

FNS can provide technical assistance in developing the CAR if requested by the State.