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**1400.00.00 ADMINISTRATIVE POLICY**

This chapter presents administrative policy, including:

Family and Social Services Administration (Section 1405)  
Personnel Standards (Section 1410)  
Outreach (Section 1415)  
Inquiries for Information (Section 1420)  
Confidentiality (Section 1425)  
Protected Cases (Section 1430)  
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**1405.00.00 FAMILY AND SOCIAL SERVICES ADMINISTRATION**

The Family and Social Services Administration (FSSA) is the agency of the state responsible for social service and financial assistance programs. The administration includes five major service divisions:

The Division of Family Resources;

The Division of Disability, Aging and Rehabilitative Services; and

The Division of Mental Health and Addiction

The Division of Aging

The Office of Medicaid Policy and Planning

The Office of Early Childhood and Out of School Learning

The mission of FSSA is to develop, finance and compassionately administer programs to provide healthcare and other social services to Hoosiers in need in order to enable them to achieve healthy, self-sufficient and productive lives.

**1405.05.00            DIVISION OF FAMILY RESOURCES**

The Division of Family Resources has the responsibility for all the programs included in this manual.

**1405.10.00            DIVISION OF DISABILITY AND REHABILITATIVE SERVICES**

The Division of Disability and Rehabilitative Services administers programs for people with developmental disabilities.

**1405.15.00            DIVISION OF MENTAL HEALTH AND ADDICTION**

The Division of Mental Health and Addiction (DMHA) is responsible for mental health needs and addiction services.

**1405.20.00            DIVISION OF AGING**

The Division of Aging establishes and monitors programs that serve the needs of Indiana seniors.

**1405.25.00            OFFICE OF MEDICAID POLICY AND PLANNING**

The Office of Medicaid Policy and Planning administers Medicaid programs and performs medical reviews of Medicaid disability claims.

**1405.30.00            Office of Early Childhood and Out of School Learning**

The Office of Early Childhood and Out of School Learning (OECOSL) manages the Child Care Development Block Grant (CCDBG) including the CCDF voucher program which helps low income families with the cost of child care while parents are working, attending school or training, or enrolled in the TANF IMPACT program. OECOSL also administers Paths to Quality, Indiana's child care rating and improvement system.

**1410.00.00            PERSONNEL STANDARDS**

Certain personnel standards must be followed in the administration of the SNAP and Cash Assistance programs. The following sections discuss these requirements.

**1410.05.00            DIVISION OF STAFF RESPONSIBILITIES (S)**

Volunteers and other non-merit staff cannot conduct eligibility interviews, determine eligibility or establish benefit amounts. The certification unit is responsible for determining assistance group (AG) eligibility.

Security controls in the eligibility system allow individuals to perform only one or the other function based upon security profiles for the individual's job title.

**1410.10.00            MERIT PERSONNEL FOR ELIGIBILITY CASE PROCESSING**

DFR personnel tasked with the determination of eligibility and calculation of benefits are to be state merit staff employed by the Division. Functions of the eligibility staff include but are not limited to interviewing, evaluating, information gathering, and establishing eligibility and benefit levels.

**1410.15.00            USE OF OTHER STAFF**

The DFR is encouraged to use volunteers in activities such as prescreening, assisting applicants in completing the application, and securing needed verification.

Individuals and organizations, who are parties to a strike or lockout, and their facilities, may not be used in the SNAP eligibility process except as a source of verification of information supplied by the applicant.

**1410.20.00            SUFFICIENT STAFF**

The DFR shall employ sufficient staff to perform eligibility and benefit issuance functions accurately and process benefits fairly and timely in accordance with the standards set forth in this manual.

**1410.25.00            BILINGUAL STAFF AND MATERIALS (S)**

The DFR is to provide bilingual program information, eligibility materials, staff and/or interpreters to low income, non-English speaking, single language AGs (AGs which speak the same non-English language and which do not contain adults fluent in English as a second language) in accordance with the following guidelines.

**1410.25.05            Determining the Need for Bilingual Service  
(S)**

The DFR must provide bilingual staff or interpreters, certification materials, and materials used in program informational activities in the appropriate language if the office serves a population of either approximately 100 single language AGs or a low income group of less than 100 in which the majority are of the same single language majority.

Certification materials include the application form, change report forms, and notices to AGs.

**1410.25.10            Seasonal Influx of Non-English Speaking  
Groups (S)**

In project areas with a seasonal influx of non-English speaking groups, the DFR is to provide bilingual materials and staff or interpreters as required if, during the seasonal influx, the number of single language minority low income groups which move into the area meets or exceeds the requirements above.

**1410.25.15            Estimates Of Potential Target Population (S)**

The FSSA will, with input from the DFR, develop estimates of the numbers of low income, single language minority groups, both participating and nonparticipating in the program, for each county by using census data (including the Census Bureau's Current Population Report: Population Estimates and Projections, Series P. 15, No. 627) and knowledge of project areas and area services by certification offices. Local Bureau of Census offices, Community Services Administration offices, community action agencies, planning agencies, migrant service organizations, and school officials may also be important sources of information in determining the need for bilingual service. If these information sources do not provide sufficient information for the FSSA to determine if there is a need for a bilingual staff of interpreters, such certification offices shall, for a six month period, record the number of single language minority groups that visit the office to make inquiries about the program, file a new application for benefits, or be recertified.

**1415.00.00      OUTREACH**

Outreach promotes education and public awareness of assistance programs as well as increases access to services. Outreach includes:

Providing program information;

Providing referrals to other agencies;

Training community organizations that provide program information to the public to promote assistance programs;

Eliminating the social and geographic barriers to participation; and

Encouraging continued participation by AGs.

**1420.00.00      INQUIRIES FOR INFORMATION**

An inquiry is a request for information regarding the eligibility requirements for assistance. Individuals inquiring about assistance are to be given information in written form and orally, as appropriate, regarding eligibility requirements, scope of the program, coverage, and the rights and responsibilities of applicants/recipients.

Responses to inquiries regarding eligibility should be general. Information regarding agency procedures, income and resource standards, and program requirements may be provided. In no event should individuals requesting information be told that they are eligible or ineligible unless that individual has filed an application and an official determination has been made.

A worker who makes an eligibility statement without receiving an application and/or completing a thorough investigation of an individual's or family's situation puts the agency at risk of providing benefits to ineligible people and denies the client the right to proper notice which is required by federal law. The notice establishes and supports the client's right to appeal. Verbal communication without written notification serves to interfere with the client's rights.

**1420.05.00 PRINTED MATERIAL**

Written information such as brochures or pamphlets that describe basic financial and non-financial eligibility criteria, the application process, and participant rights and responsibilities, are to be available. This written information shall be distributed by the DFR and shall be made available to other local agencies upon request. This information is also available on the Division of Family Resources website.

The informational leaflet explaining the rules and procedures governing the appeal and hearing process is to be made available by the DFR to each applicant/recipient and to any other interested person.

**1420.10.00 MANUALS AND PROGRAM DIRECTIVES**

Program manuals and supplemental instructions used in the determination of eligibility shall be accessible via the internet or at the DFR for examination by members of the public on regular workdays during regular office hours.

**1425.00.00 CONFIDENTIALITY**

All information obtained by the DFR and maintained in the case record about an applicant/recipient and his circumstances is confidential.

Information obtained by the DFR from participants or individuals, whether or not they are currently participating, is also considered confidential.

**1425.05.00 ACCESS AND USE OF CONFIDENTIAL INFORMATION**

Access and use of confidential information is to be restricted to those DFR staff members with direct responsibility for establishing eligibility, authorizing benefit levels, and providing services for the individual or family for whom the information was obtained. Confidential information may also be shared with DFR staff who have responsibility for administration and oversight of the programs for which the confidential information was secured.

Under no circumstances may a list of names and addresses of applicants/recipients be released for commercial or political purposes. (f4)

**1425.10.00            RELEASE OF CONFIDENTIAL INFORMATION**

Sections 1425.10.05 through 1425.10.15 describe circumstances in which confidential information may be released.

**1425.10.05            Release Of Confidential Information to the Individual**

Upon request of an applicant/recipient and/or his authorized representative for the examination of his case record, all case information pertaining to that individual is to be made available excluding recorded telephone conversations (see below). (f5) Individuals who request copies of case material may be charged a fee per page (not to exceed the actual cost of copying by the DFR Office.

Upon request of an applicant/recipient and/or his authorized representative for the examination of recorded telephone conversation, the recorded telephone conversation shall be made available within a reasonable amount of time. In making this request, the applicant/recipient and his/her authorized representative must provide the date and time of the telephone call and the phone number from which the call was made. Individuals who request a copy of this recording may choose to receive the copy via email or on a disc at the individual's expense, or, request a transcript of the recording. The requesting individual is advised that additional time is required to prepare a transcript. Further, the requesting individual is advised that preparation of a transcript can be costly and the requesting individual is responsible for that cost.

When a hearing has been requested, DFR mandates "the claimant, or his representative, will have adequate opportunity to examine the contents of his case file and all documents and records to be used by the agency at the hearing at a reasonable time before the date of the hearing as well as during the hearing".

**1425.10.10            Release of Information to Third Parties**

Unless permitted by one of the following sections, the release of agency information requires a statement signed by the applicant/recipient, authorizing the Local Office to release the information to the requesting agency or individual. (f7) This written authorization must specify the scope of information the DFR is authorized to release,

the specific agency or individual to whom the information is to be released, and the period of time for which information is to be released. (f8) Authorizations should be preserved in the case file.

**1425.10.10.05 Release Of Confidential Information without Consent**

Confidential information may be released without the applicant's/recipient's permission for purposes directly connected with:

The administration of the SNAP, TANF, IMPACT, Child Support, Medicaid, Title XX, and Federal Supplemental Security Income (SSI) programs (such purposes include establishing eligibility, determining the amount of assistance, and providing services);

Any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any of the above programs; or

Any audit or similar activity (for example, a review of expenditure reports or a financial review) conducted in connection with any of the above programs by any governmental entity which is authorized by law to conduct such audit or activity. (f9)

**1425.10.10.10 Release Of Confidential Information without Consent (S, C)**

Confidential SNAP and TANF (Cash Assistance) information may also be released without consent for the administration of any other federal or federally funded program which provides assistance, in cash or in kind, or services directly to individuals on the basis of need such as the Section 8 Housing Program and the Workforce Innovation and Opportunity Act (WIOA) Programs. For SNAP, if a law enforcement officer provides a recipient's name and notifies the agency that the recipient is fleeing to avoid prosecution, custody or confinement for a felony, is violating a condition of parole or probation or has information necessary for the officer to perform an official duty related to a felony/parole violation then the

agency must give the recipient's address, SSN and photograph (if available) to the officer.

The requesting officer must provide the applicable information listed above which must be documented in the eligibility system along with the officer's name and date requested.

#### **1425.10.10.15 Release Of Confidential Information without Consent (C)**

Confidential Cash Assistance information may also be released to support any effort by law enforcement officers to locate a Cash Assistance recipient who is a fugitive felon. The DFR may release the name and current address of the Cash Assistance recipient to a law enforcement officer only after the law enforcement officer has provided the DFR with sufficient information that the Cash Assistance recipient might be a fugitive felon.

#### **1425.10.10.20 Issuance of Subpoena**

In the event of the issuance of a subpoena for the case record or for a DFR representative to testify concerning an applicant/recipient, the attorney for the DFR is to immediately be informed of this fact. The attorney should make a determination of the appropriateness of releasing the information and, where appropriate, bring to the court's attention the statute and regulation regarding confidentiality. When information is to be made available to any person under compulsory legal process, the DFR should make reasonable efforts to furnish prior notice to the client regarding the release.

#### **1430.00.00 PROTECTED CASES**

Protected cases are those cases which have a greater need for security protection as a result of the relationship between the applicant/recipient and one or more of the agency's staff members. Situations requiring a protected case include but are not limited to:

Cases which include an agency staff member;

Cases which include an individual who is related by blood or marriage to an agency staff member; or

Cases which include an individual who is a close friend of an agency staff member.

Once it is determined that a case needs to have protected status it must be assigned to a worker who has no familial or personal relationship to any of the individuals in the case. A relative or close friend may not perform any of the interview or eligibility functions needed to support the protected case or a case that meets the above criteria but has never received protected status.

It may be difficult to discern that a case needs protection until a problem exists. This may be avoided by workers reporting potential conflicts to their supervisors as soon as they are aware of them.

Workers who access the agency's records pertaining to their family and friends are violating the client's right to confidentiality and the agency's security agreement. Violators may be subject to appropriate disciplinary action.

The case file material should also be maintained at a location which is inaccessible to staff who have no responsibility for the case. This is necessary to ensure that confidentiality is maintained.

#### **1432.00.00 ADA/REHABILITATION ACT POLICY**

The purpose of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA) is to protect disabled individuals and individuals who have a relationship or association with a disabled person from discrimination based upon the disability in participation of or obtaining benefits and services which they are otherwise qualified to receive. DFR does not discriminate against individuals with disabilities, as defined by Section 504 and/or the ADA.

#### **1432.05.00 LEGAL BASIS OF THE ADA/REHABILITATION POLICY**

The legal basis for prohibition against discrimination of disabled individuals is Section 504, and the ADA. As a recipient of federal funds under the TANF program, the DFR is subject to Section 504 and its implementing regulation promulgated by the U.S. Department of Health and Human Services, 45 C.F.R. Part 84. As a recipient of federal funds under the SNAP program, the DFR is subject to Section

504 and its implementing regulations promulgated by United States Department of Agriculture (USDA), 7 CFR Part 15 b. As a state agency providing social services, the DFR is subject to the ADA and implementing regulations promulgated by the U.S. Department of Justice, 28 CFR Part 35.

**1432.05.05            Accommodations for the ADA/Rehabilitation Act**

It is the DFR's policy to provide reasonable accommodations by furnishing individuals with disabilities appropriate auxiliary aids and services where necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of DFR's programs and services for which they are otherwise qualified to receive.

The DFR provides primary consideration to the accommodation requests of individuals with disabilities; however, requests which fundamentally alter the nature of a service, the programs, or create undue financial or administrative burden upon the DFR are addressed by the ADA Coordinator to ensure to the maximum extent possible individuals with disabilities who meet the essential eligibility requirements for the receipt of such DFR services have access to participate in and enjoy the benefit of the DFR's programs and services.

**1432.10.00            ADA COORDINATOR**

The DFR has an ADA Coordinator to ensure compliance with Section 504 and the ADA. The ADA Coordinator will provide training, advice, and guidance regarding Section 504 and the ADA. DFR staff and contractors with any specific questions or issues regarding compliance with the Section 504 or ADA provide inquiries to the REM, who will contact the ADA Coordinator. The ADA Coordinator works with REM to resolve questions or issues, and evaluate the next steps, if any, needed to comply with Section 504 or the ADA.

**1435.00.00            NON-DISCRIMINATION**

Individuals will not be discriminated against for reasons of age, race, color, sex, disability, religious creed, national origin, marital status, or political beliefs in any aspect of program administration including, but not limited to:

The acceptance of and responsiveness to a request for assistance;

The eligibility determination;

The issuance of EBT cards or benefits;

The IMPACT Program administration;

Fair hearing procedure; or

Any other service offered by the DFR.

#### **1435.05.00 NON-DISCRIMINATION INFORMATION**

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal and, where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department.

Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer>, or at any USDA office, or call (866)632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to U.S. Department of Agriculture, Office of the 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, by fax (202)690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

Individuals who are deaf, hard or hearing, or have speech disabilities and wish to file either an EEO or program complaint please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

Persons with disabilities, who wish to file a program complaint, please see information above on how to contact

us by mail directly or by email. If you require alternative means of communication for program information (e.g. Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202)720-2600 (voice and TDD).

This institution is an equal opportunity provider.

In order to inform all individuals of their protection against discrimination and to ensure agency compliance with civil rights laws and policies:

The DFR publicizes the procedures for filing state and federal complaints in order to inform individuals of nondiscrimination compliance;

All offices must display the USDA nondiscrimination poster "And Justice for All" - AD-475B;

Information regarding the complaint system and an explanation of the procedure must be provided to all individuals immediately upon request.

#### **1440.00.00      COMPLAINTS**

An applicant/recipient, or a person acting on his behalf, may register any dissatisfaction he may have regarding a DFR action or inaction relative to his entitlement to benefits as well as any mistreatment by agency staff. Complaints may be made to the DFR in person, by telephone, online or by letter. Some complaints may be directed to the FSSA or other officials of federal or state government. Complaints directed to other governmental offices are normally referred to the DFR for investigation and reply.

All complaints are to be given prompt, courteous, and thorough attention by DFR staff.

#### **1440.05.00      PUBLICATION OF COMPLAINT PROCEDURE (S)**

The DFR is responsible for making information on the complaint procedure available to AGs, potential AGs, and other interested persons. These include provision of all appropriate telephone numbers and addresses, the same being displayed in a reasonable fashion in the DFR/SNAP Office, and provided specifically to any person raising a complaint.

**1440.10.00            APPLICANT/RECIPIENT COMPLAINTS RECEIVED BY  
THE DFR**

Upon receipt of a complaint from an applicant/recipient, the DFR is to take immediate steps addressing the problem, including any or all of the following:

Review the situation to determine whether the action taken was in accord with federal and state law and regulation; (If an error occurred, adjusting action is to be taken immediately.)

Promptly interview, telephone, or write the complainant to interpret appropriate aspects of the program;

Provide the complainant with appropriate program leaflets;

Advise the complainant of other programs and community resources that may be able to meet his needs; and

Advise complainants of their appeal rights and help them to understand the appeal and hearing process. See IPPM 4205.00.00 - 4205.10.00 regarding appeal rights.

**1440.15.00            COMPLAINTS RECEIVED FROM THIRD PARTIES BY  
the DFR**

When the DFR receives a complaint or inquiry on behalf of the applicant/recipient from an individual other than the applicant/recipient, specific information about the applicant/recipient cannot be released without his signed consent. (f11) See IPPM 1425.00.00 - 1425.10.10.20 regarding confidentiality.

If such inquiry is received without an authorization for release of information, the DFR is to provide general information relative to the nature of the complaint. The complainant should be advised of the confidentiality of case records and of the necessity of obtaining the applicant's/recipient's signed consent should the general information not be sufficient.

## 1440.20.00 COMPLAINTS OF DISCRIMINATION

Discrimination in the SNAP or Cash Assistance Programs is specifically prohibited on the basis of race, color, national origin, sex, age, or disability. SNAP also prohibits discrimination for religion or political beliefs. Individuals with any of these conditions are referred to as 'protected classes'. In addition, Federal civil rights laws make it illegal to discriminate against someone who has filed a complaint or has engaged in other Equal Employment Opportunity (EEO) or civil rights activity.

### Examples of Discrimination

Discrimination can occur in many different ways. The actions below are examples of discrimination and non-compliance with civil rights requirements when the action is motivated by or results from a policy that disproportionately has an adverse impact on a person or group of people who belong to one of the protected classes:

Denial of an individual or household of any service or benefits provided under the program for which the individual or household is otherwise eligible (for example not providing a translator or other foreign language assistance to a household with limited English proficiency);

The failure of DFR staff to provide the same quality, quantity or manner of service or benefits to all;

Segregation or separate treatment of individuals in any manner related to the application for or receipt of program benefits (separate facilities or separate procedures based on race or another protected status and having noticeably better office space in one part of town versus another where populations include a greater percentage of those with protected status);

Use of criteria or methods of administration that have the effect of defeating or impairing the objectives of any program (imposing additional eligibility criteria on certain individuals);

Selection of sites for offices that exclude or discourage individuals from accessing the benefits of the program such as offices that are not accessible to persons with disabilities or offices located far away from an eligible minority community and not served by public transportation; or

Adverse treatment such as rude, unprofessional and unresponsive behavior directed at any individual with protected status.

Evidence of discrimination is established when all of the following conditions are met:

A complainant shows that the individual has been adversely affected by a program decision;

The adverse action is related to a protected condition; and

The individual against whom the action was taken is a member of the protected class.

The complaint must be filed no later than 180 days from the date of the alleged discrimination or when the complainant became aware of the action. If circumstances warrant, the Civil Rights Director of the Department of Agriculture or the Director of Health and Human Services may extend the filing time.

Program applicants or program recipients who feel that they have been discriminated against can complain to the following:

DFR Office staff;

DFR Policy Section of the Division of Family Resources, 402 W. Washington Street, Room W363, Indianapolis, IN 46204, or call (317) 232-4946;

Regional Director, Office of Civil Rights/EEO, USDA, Food and Nutrition Service, Midwest Region, 77 W. Jackson Blvd., 20<sup>th</sup> Floor, Chicago, IL 60604-3511;

For SNAP: complete the USDA Program Discrimination Complaint Form or call (866) 632-9992 to request the form. Send a completed complaint form to U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or by fax (202) 690-7442. The form may also be submitted via email at [program.intake@usda.gov](mailto:program.intake@usda.gov); or

To file a complaint of discrimination regarding a program receiving Federal financial assistance through the U.S. Department of Health and Human Services (HHS), write: HHS Director, Office of Civil Rights, Room 515-F, 200 Independence Avenue, S.W., Washington, D.C. 20201 or call (202) 619-0403 (voice) or (800) 537-7697 (TTY).

Individuals who feel they have been discriminated against may file a written or verbal complaint. Anyone contacted about a complaint should make every effort to obtain the following information from the complainant:

Name, address, telephone number or other means of contacting the complainant;

Name and location of office where the alleged discrimination took place;

The nature of the incident that led to the complaint;

The protected status (i.e. race, color, national origin, sex, age, religion, political beliefs or disability) that the complainant believes was violated;

The names and contact information of the individuals who have knowledge of the discriminatory action; and

The date of the alleged discriminatory action.

#### **1440.20.05 DFR and Discrimination Complaints**

The DFR's responsibilities related to handling complaints of discrimination are listed below.

1. Civil Rights complaints are to be forwarded to the appropriate Regional Manager who will initiate the investigation. Complaints may be forwarded to the

Regional Manager (RM) via telephone or the regional mailbox (email).

2. Any complaints determined to be a complaint of discrimination based on age are to be reported to the FNS Regional Office of Civil Rights (OCR) within 5 days of receipt.
3. The tracking of civil rights complaints will be managed by the SNAP Policy section.
4. The RM will notify the designee in SNAP policy so that tracking of the complaint may begin. Tracking will include, at a minimum, date complaint was received by the RM; nature of complaint; disposition of complaint; date final response provided to the client.
5. The RM will designate a manager in their region to address the complaint. This will include at a minimum: contacting client; reviewing case information or other documentation; rectifying any errors in case processing, etc.; completing a report for DFR records; completing a letter that summarizes the findings and responds to the client's complaint. The RM will maintain oversight of this process.
6. All complaints must be resolved within 90 days, but an investigation will be initiated upon receipt of the complaint.
7. The report will contain, at a minimum, the following information: findings of the investigation with relation to the specific allegations of the complaint and a summary of all interviews with the complainant, participants, and community organizations and case file examinations. The report will be forwarded to SNAP policy for tracking and transmittal to FNS.
8. The report will be submitted to the FNS Midwest Regional Office prior to mailing of a summary letter to the complainant.
9. A letter will be mailed to the complainant with a summary of the findings and actions taken by the Region conducting the investigation approval of FNS. The letter will include information regarding the right to appeal to the Secretary of Agriculture.

**1440.20.10 DFR Policy Section and Discrimination  
Complaints**

The DFR Policy Section responsibilities in resolving complaints of discrimination are described below:

1. Complaint is received. Attempt to get as much information as possible as described in Section 1440.20.00 under '**Complaint Format**'.
2. If the complaint alleges discrimination by a specific worker, or refers to one incident (and there is no allegation of or reason to believe that there is a policy or practice in the office that may be discriminatory), refer the complainant to the appropriate DFR office within one day after receipt.
3. If the complaint alleges widespread discrimination or discriminatory practices in the DFR office, arrange to have someone from DFR Policy Section go to the DFR office to investigate the allegation. The investigation would be conducted in a manner similar to the procedures described in Section 1440.20.05, but more emphasis would be put on contacting other applicants and recipients of the same protected class as the complainant to see if they had experienced similar treatment. These cases would also be handled in the same timeframes described under DFR office procedures.
4. Acknowledge receipt of the complaint to the complainant in writing within 5 days after receipt.
5. Review the draft of the decision letter prepared by the Regional Manager or their designee or DFR Policy Section staff after the investigation is completed. Determine if the investigation was thorough and whether appropriate action was taken.
6. If all of the information is complete and the decision is in keeping with stated findings, forward the report to the appropriate federal regional office.
7. Instruct the Regional Manager or their designee to forward a copy of the final decision letter to the complainant.
8. If an investigation was not conducted, review the

DFR's written report to determine if the reason(s) for not conducting an investigation are acceptable.

9. Follow up on all findings of 'probable non-compliance' to insure that corrective actions have been taken and that problems are not recurring.
10. For SNAP: Submit a quarterly report to FNS on all discrimination complaints processed during that period.
11. Review discrimination complaint logs to determine if there are any patterns of complaints that may require training or other corrective actions either statewide or in particular project areas.
12. Analyze participation data to determine if there are areas where any protected classes appear to be under represented, and take corrective action (such as outreach) as needed.
13. For SNAP: Provide information to FNS on complaints to review during civil rights compliance reviews.
14. Insure that state agency staff and all DFR offices understand and receive annual training on civil rights requirements.

**1440.25.00 OTHER SNAP COMPLAINTS (S)**

Any complaints concerning the following establishments should be referred to the SNAP Policy Unit at 402 W. Washington Street, Room W363, MS09, Indianapolis, IN 46204 or call (317) 232-4946 for referral to the USDA, Food and Nutrition Service (FNS):

Retail grocery stores;  
Meal delivery services;  
Communal dining facilities; and  
Drug or alcoholic treatment and rehabilitative centers.

**1445.00.00 MANDATORY REPORTING OF CHILD ABUSE OR  
NEGLECT**

Indiana law requires any individual who has reason to believe that a child is a victim of child abuse or neglect to make a report. A person who knowingly fails to make

such a report commits a Class B misdemeanor. Reports are to be made by contacting the local Department of Child Services or law enforcement agency.

Each DFR office should have an established policy which addresses how staff is to report suspected child abuse and neglect. Each worker should be aware of this policy and be encouraged to make appropriate reports.

#### **1450.00.00      CASE RECORD MAINTENANCE**

The Eligibility Worker is responsible for the maintenance of a complete and accurate case record. Case records serve the following purposes:

Provides historical information to substantiate DFR action;

Provides essential information about the individual and his current situation to reflect his need for assistance;

Helps to ensure continuity of service by the DFR and/or proper referral to other needed resources;

Prevents needless repetition of fact gathering;

Provides material for research and statistical purposes;

Provides material by which agency policies, practices, and standards of performance can be substantiated and evaluated, and

Provides the basis for the state's payment to or on behalf of an AG.

#### **1450.10.00      CONTENT OF CASE FILE**

The case file must contain all signed application forms necessary to support the eligibility determination, collateral sources of verification, and correspondence.

There is no mandatory requirement as to how material is to be arranged in the eligibility case file. However, it is important that the method adopted by the DFR be consistently used.

**1450.20.00            RETENTION OF DOCUMENTS WITHIN THE CASE FILE**

Most case records are to be maintained for three years. The three year period starts at different times for different documents. The following is the list of documents that must be retained for the entire life of the case and three years following the date on which the eligibility or claims collection case was discontinued:

Application;

Interview guide;

Combined application form used for application actions;

Medical information;

Absent parent information;

Assignment of rights forms;

Court records;

Legal agreements;

Records establishing overpaid benefits and/or fraud;

Social security numbers;

Birth and death records;

Citizenship records

Other case file records must be retained for a three year period beginning with the effective date of the action it supports. Those records include but are not limited to:

Budget forms;

Income and expense records used to support the eligibility determination and benefit calculation;

Notices;

Hearing decisions; and

Benefit issuance records not related to overpaid or underpaid benefits.

Inactive case records may also be preserved during the life of the individual, or as long as they may be needed for repayments on existing claims.

**1455.00.00        DESTRUCTION OF CASE MATERIAL**

All case file materials must be maintained for review and audit purposes in accordance with the retention guidelines presented previously.

Before destroying case file records it will be important to ensure that the record has lost relevance for all the programs in which the case members participated.

When case records have been inactive for three years, a request for record destruction is submitted to the Archives Division, Commission on Public Records, with a representative sample of three cases for the year. Upon approval, the other inactive case records may be destroyed.

**1460.00.00        USES FOR SNAP BENEFITS (S)**

This section addresses use of SNAP benefits.

**1460.05.00        GENERAL SNAP BENEFITS USE (S)**

SNAP AGs must be informed, at application and eligibility review, of rules governing SNAP benefits usage.

SNAP benefits are designed for use by participants to purchase eligible foods, including seeds and plants used to produce food, for home consumption and use. SNAP benefits may not be used to purchase:

Alcoholic beverages;

Tobacco;

Hot foods and hot food products prepared for immediate consumption; or

Paper and cleaning products.

AGs are not required to have cooking facilities or access to cooking facilities to participate in the program.

**1460.10.00 SPECIAL SNAP BENEFITS USE (S)**

Although SNAP benefits were originally intended for use by eligible AGs to purchase foods for home consumption, certain groups have been authorized to use their SNAP benefits to obtain prepared meals, or to facilitate their obtaining food. These authorized special uses for SNAP benefits are as follow.

**1460.10.05 Communal Dining Facilities (S)**

Communal dining facilities are public or private nonprofit establishments authorized by FNS to prepare and serve meals for elderly persons and/or for SSI recipients, and their spouses.

Communal dining facilities include:

Senior citizens centers;

Apartment buildings occupied primarily by elderly individuals or SSI AGs;

Any public or nonprofit private school (tax exempt) which prepares meals for elderly individuals during special hours;

Certain other public or private nonprofit establishments (tax exempt) which prepare and serve meals for elderly or SSI recipients;

Private establishments under contract with a state or local agency to offer, at concession prices, meals prepared especially for elderly or SSI individuals; and

Restaurants that have a signed agreement with the Indiana Family and Social Services Administration to provide meals to homeless, elderly or SSI recipients.

AG members who are eligible to use all or any part of their SNAP benefits to purchase meals prepared at a communal dining facility include:

Individuals 60 or older and their spouse; and  
Individuals receiving SSI and their spouse.

**1460.10.10 Meal Delivery Services (S)**

Meal delivery services are nonprofit services authorized by FNS which provide home meal delivery. These services may be political subdivisions, private nonprofit organizations, or private establishments with which the state or local agency has contracted for meal preparation and delivery.

To be eligible to use all or part of their SNAP benefits to purchase meals from a meal delivery service, AG members must be:

Individuals 60 or older and their spouse;

Housebound;

Physically handicapped;

Otherwise disabled to the extent that they are unable to adequately prepare all of their meals; or

A spouse of an individual listed above.

**1460.10.15 Drug Addiction/Alcoholic Treatment Centers  
(S)**

Residents of a Drug Addict and Alcohol Treatment and Rehabilitation Program (DAA) can be certified to receive SNAP benefits if the program is tax exempt and certified by the state agency as responsible for the treatment and rehabilitation of drug addicts or alcoholics under part B of title XIX of the Public Health Service Act to provide treatment that can lead to the rehabilitation of drug addicts or alcoholics; or is authorized as a retailer by FNS. Questions regarding whether a facility is approved under these conditions should be directed to SNAP Policy for clarification. The DAA facility can utilize the SNAP benefits of residents within the facility to provide food for the residents of the facility under certain conditions.

The DAA is required to:

Appoint an employee of the facility as an authorized representative

Submit a list monthly to Division of Family Resources that indicates all SNAP clients who are residing in the home

Utilize only half of the benefits from the card prior to the 15th day of the month (based on the client's staggered issuance date); and the other half of the benefits on or after the 16th day of the month (based on client's staggered issuance date)

Return EBT cards to clients who choose to leave the facility. If a client leaves without taking the EBT card, the facility is responsible for returning the card to the local office within 7 days.

Residents of DAA facilities, who choose to apply for SNAP while residing in a DAA facility, are to appoint the facility designee as the authorized representative. Facility authorized representatives must verify that they are approved by the facility to be an authorized representative.

If the client is residing at the facility with their own children, the children should be included in the assistance group; otherwise, the client is treated as a single person assistance group. Eligibility is determined as per current business practice, requiring the same verifications.

Clients are exempt from work registration while residing in such a facility and this must be indicated in the eligibility system. When a client leaves a DAA facility, their work registration status must be reviewed and updated.

Clients should be advised of the following at the time of the interview:

The process of appointing and revoking an authorized representative

The DAA facility may maintain possession of the EBT card while the client resides at the facility

The importance of reporting a change of address if leaving the DAA facility (though it is not required as part of simplified reporting)

The DAA facility may take half of the benefits from the card prior to the 15th day of the month (based on

the client's staggered issuance date); and the other half of the benefits on or after the 16th day of the month (based on client's staggered issuance date).

If the client chooses to leave the DAA facility to relocate, the DAA facility must return the client's EBT card as noted below.

**1460.10.20            Group Living Arrangements (S)**

A group living arrangement is an eligible institution if the facility is authorized by FNS to accept SNAP. Residents of such group living arrangements may be eligible to use SNAP benefits issued to them to purchase meals prepared especially for them.

**1460.10.25            Shelters For Battered Persons (S)**

A shelter for battered persons is an eligible institution if the facility is a public or private nonprofit residential facility that serves battered persons. If such a facility serves other individuals, a portion of the facility must be set aside on a long term basis to serve only battered persons.

Residents of such shelters for battered persons may use SNAP benefits issued to them to purchase meals prepared and served by the shelter.

**1460.10.30            Homeless Meal Providers (S)**

Homeless meal providers are eligible institutions if they are public or private nonprofit establishments certified by FSSA and authorized by USDA to accept SNAP in payment for prepared meals for the homeless. Homeless individuals may use SNAP benefits to purchase meals prepared and served by such providers. Meals must be provided at the same rate to SNAP recipients as to other homeless individuals.

**1460.10.35            Shelters For Homeless Persons (S)**

A public or private nonprofit shelter for homeless persons is considered an eligible institution. Homeless persons who reside in these shelters may be certified for SNAP.

**1465.00.00            SNAP Services(S)**

**1465.10.00 LOCATION AND HOURS OF CERTIFICATION SERVICES (S)**

The DFR Office is responsible for determining the locations and hours of operation of the certification services made available in each county.

**1465.10.05 Methods to Fulfill Certification Needs (S)**

The DFR Offices use full service certification offices where low income populations fulfill their certification needs. The DFR has full service locations in every county within the state. In more heavily populated areas there is more than one certification office. Certification interviews may take place in person or via telephone. Documentation required for certification may be submitted in person at a local office, via fax or via US mail.

Each DFR office must offer basic certification services including distributing and accepting applications, interviewing applicants, and accepting notices of change in AG circumstances.

**1465.10.10.15 Access To SNAP (S)**

DFR offices shall afford access to the program during all normal working hours. To accomplish this, there is a DFR Office in each county where applications can be picked up by applicants during all normal business hours each business day. The DFR Office shall provide the address along with the applications so that applicants can mail them in. Applications shall be accepted and considered filed on the same day they are received.

**1465.10.15 Exceptions to Certification Services (S)**

Applicants who are unable to obtain certification services during normal certification hours established in accordance with the requirements of this section without missing time from work shall be given appointments for such services. They should be informed that they may apply online or by fax or have a telephone interview.

**1465.10.20 Drop-off Point for Applications (S)**

Applications and documents are accepted 24/7 by fax. Applications may be completed and filed online 24/7.

**1465.10.30 Out-Of-Office Certification (S)**

Any applicant shall be eligible for the out-of-office certification procedures.

**1465.10.35 Requirement to Publicize (S)**

The DFR Office shall publicize the availability of these procedures for AGs which are eligible for them.

In addition, people who contact DFR Offices inquiring about certification services with mobile or satellite offices shall be informed of these certification services.

Normal certification hours are to be posted in the waiting areas and the issuance areas of the DFR Offices.

**1465.15.10 Minimum Hour Requirements (S)**

The minimum issuance service requirements set forth as follows shall be applied to each county. In accordance with normal processing standards, issuance services shall be planned and implemented so that all eligible AGs are given an opportunity to obtain SNAP benefits within 30 days of filing their applications.

**1465.15.10.10 Expedited Service (S)**

Issuance service shall be planned and implemented so that any applicant receiving expedited service and determined eligible in accordance with expedited service provisions is given an opportunity to obtain SNAP benefits by the seventh calendar day following the date of application. If the seventh day falls on a weekend or holiday, SNAP benefits must be issued by the workday prior to the weekend or holiday.

**1465.15.20 Units with Elderly and Disabled Members (S)**

The DFR Office shall assist these AGs by assisting them in finding authorized representatives who can act on their behalf, or by using other appropriate means.

DFR Office staff or state vendor staff may not serve as authorized representatives to certified AGs.

**1465.25.00 STAGGERED ISSUANCE OF SNAP BENEFITS (S)**

SNAP is on a 10 day staggered issuance schedule statewide, see IPPM 3610.05.25 for the issuance cycle.

**1465.25.05            Determining the Issuance Schedule (S)**

ICES issuance can only be staggered based upon the first letter of the last name of the case head. Names within a letter cannot be further divided over a period of time as ICES only recognizes the first letter.

SNAP benefit availability shall not elapse more than 40 days between any two issuances provided to any AG **participating** for at least two months. AGs must be able to access SNAP benefits **on or after** their scheduled date.

AGs certified under expedited procedures are exempt from the staggered issuance system.

Staggered issuance schedules may not be implemented until the second full month of an AG's certification period.

**1465.25.10            Requirement to Publicize (S)**

The written notice for a staggered issuance schedule must be given to all AGs at least 30 days prior to implementation and must include, at minimum, the following information:

An explanation of the staggered issuance system;  
the county's schedule of issuance; and  
hours of issuance

**1465.25.15            Posting Of the Schedule (S)**

The staggered issuance schedule must be posted in the local office.

**1465.25.20            Publicizing the System (S)**

In addition, the DFR Office must publicize the new system. Some suggested methods are as follows:

Contact local civic and community action groups;  
place articles in area newspapers; and  
make announcements on local radio and television.

**1470.00.00            DISASTERS (S)**

A disaster is defined as a natural event such as flood, tornado, or fire. It may affect one or many families. In the event FNS declares a disaster in an affected area, AGs in that area will be approved under special disaster procedures.

During a disaster declared by FNS:

FSSA will determine eligibility for affected AGs in accordance with FNS instructions instead of the eligibility determination procedures detailed in this manual;

The designated local office will perform emergency eligibility determinations with authorization from the DFR;

AGs eligible for emergency SNAP benefits will **not** receive both the emergency allotment and the replacement allotment. Replacement policies are described in Chapter 3600 (Benefit Issuance); and

The designated local office will keep records of emergency participation separate from the regular issuance documents.

#### **1499.00.00 FOOTNOTES FOR CHAPTER 1400**

Following are the footnotes for Chapter 1400:

- (f1) 470 IAC 2.1-1-2
- (f2)
- (f3)
- (f4) IC 12-14-22-8
- (f5) 470 IAC 2.1-3-1
- (f6)
- (f7) 470 IAC 2.1-3-1
- (f8) 470 IAC 2.1-3-1
- (f9) Social Security Act, Section 402(a)(9)
- (f9a) Section 11(e) (8) of the Food Stamp Act of 1977  
as amended by Section 837 of P.L. 104-193  
(PRWORA)
- (f10)
- (f11) 470 IAC 2.1-3-1

(f12)