
**DEPARTMENT
POLICY****FAP Only**

Persons residing in an eligible facility as defined in BEM 615 may have to meet special eligibility requirements to receive food assistance benefits. Also, the facility may have certain responsibilities regarding its residents who are food assistance applicants or recipients.

AFC HOMES**Eligible Persons**

You must verify that an AFC home is an eligible facility. A resident in an eligible AFC home must be **disabled** or **veteran** per BEM 550 **Senior/Disabled/Veteran** policy.

Note: A **senior** is eligible **only** when the person meets the definition of either **disabled** or **veteran**.

Residents may apply individually as one-person FAP groups; or residents who purchase and prepare food together may apply together as one FAP group.

A resident must be a one-person FAP group if he/she applies or must apply through an Authorized Representative. See BAM 110.

Budgeting

The AFC home operator provides shelter and certain medical services (personal attendant care, supervision of medicines, follow through on physician's, visiting nurses' or therapists' recommendations for home treatment, medical transportation, etc.).

Room and medical costs which can be separately identified are allowable shelter and medical expenses. Normally, the group home will identify the part of the payment that is being charged for separate costs. If the amount the resident pays for room and meals is combined into one amount, the amount which exceeds the food assistance maximum allotment amount for a one-person household can be allowed as a shelter expense.

You must determine what portion of the client's payment is for shelter and what portion is for medical care. The AFC home operator must provide a statement showing:

- The amount the resident pays toward his care; and
- The medical services provided; and
- The amount of the client's payment that represents shelter costs.

This statement does **not** need to be itemized. The provider may simply state that a percentage or fixed dollar amount is the shelter expense and the remainder is medical expense. In these cases, the total payment to the provider is shelter plus medical expenses. If providers ask for guidance in determining these amounts, you may suggest that the same amount or percentage should be used for shelter for all clients in the same accommodations, i.e. single, double or multiple resident rooms. You do **not** need to review shelter expense records for the home. You do **not** determine the amounts. The provider receives the payment and must specify the shelter and medical amounts.

Disregard payments made to the AFC home on behalf of the residents for special programming or treatment as reimbursements.

See also BEM 550, 554 and 556.

Use of FAP Benefits

If the facility is the Authorized Representative, it may either:

- Receive and spend the Food Assistance benefits for food prepared by and/or served to the eligible resident; or
- Allow the eligible resident to use all or any portion of the Food Assistance benefits on his own behalf.

The facility may be the Authorized Representative for the use of FAP benefits even if a different Authorized Representative made the application for the resident.

If the facility is **not** the Authorized Representative, the Food Assistance benefits may be:

- Given to the facility to be used to purchase food for meals served either communally or individually to eligible residents.
- Used by eligible residents to purchase and prepare food for their own meals.

- Used by the resident to purchase meals prepared and served by the AFC home.

ELECTRONIC BENEFIT TRANSFER IN GROUP HOMES

Group homes may contact the appropriate Food and Nutrition Service (FNS) field office to become an FNS certified retailer.

Authorized FNS Retailer

Group homes approved to participate in the Electronic Benefit Transfer (EBT) program as an FNS certified retailer will be supplied with the necessary equipment to process EBT transactions inside of the group home. This will allow food assistance benefit clients to exchange their benefits for food by swiping their Bridge Card through the home's Point Of Sale (POS) device.

The Bridge Card can be used in group homes between the 1st and the 15th of the month reducing the client's food benefit account by half. The group home's account is increased by the same amount that is decreased from the client's account. A second transaction is done between the 16th and the last day of the month for the remaining month's balance, again debiting the client's account and crediting the group home's account.

Food Stamp Authorized Representative

Clients are allowed a Food Stamp Authorized Representative (FSAR) to shop for them. Group homes that are **not** approved as authorized retailers may be an authorized representative for the clients in their homes. In these situations, an employee of the home is identified as the residents FSAR, accessing the clients' benefits at an FNS retailer location with a POS terminal.

Clients receive a Bridge Card for their FSAR with both their name and the FSAR's on the card. The group home's employee identified as the FSAR receives the Bridge Card from the client and the Personal Identification Number (PIN).

As an FSAR, the group home's identified employee can only access the client's food benefit account. Group homes should only use the Bridge Card that specifies their employee as the FSAR.

SHELTERS FOR VICTIMS OF DOMESTIC VIOLENCE

Eligible Persons

Consider a person (or a person and his or her children) residing in a shelter for victims of domestic violence as one FAP group for the purpose of applying for and participating in the Food Assistance Program.

Many shelter residents have recently left a Food Assistance group containing the person who abused them. Such residents may apply and participate (if otherwise eligible) as a separate FAP group during the same month they were included in the former case. Treat the application as an initial application and prorate the initial FAP benefit. This additional issuance of benefits can be authorized only once a month.

Remove the client (or client and her children) from the former FAP case promptly. Follow policy in BAM 220 to insure that the former FAP group's eligibility and benefits reflect the change in group composition.

Note: Bridges will prevent opening of the separate FAP group's case until members are made inactive in the original case. When it is necessary to open the new case before the negative action period ends, process the negative action immediately. If the negative action period would normally extend into the month following the move, provide the former FAP group with the benefits it would have received if the negative action was **not** processed early. Use a supplemental issuance.

Budgeting

Consider only the assets, income, and the expenses for shelter that the resident is responsible for. Room rent paid to the shelter is a shelter expense. Do **not** count the assets, income and expenses of the former FAP group members. Any assets jointly owned by a resident and a member of the former FAP group are inaccessible if the resident's access to them is dependent upon the agreement of the joint owner who still resides with the former FAP group. See also BEM 550, 554 and 556.

**Use of FAP
Benefits**

Residents may use their Food Assistance benefits to purchase food from a retail food store like any other FAP group. They may also use their Food Assistance benefits to purchase meals prepared and served by the shelter to its eligible residents, provided the shelter is authorized to do so by FNS. The shelter can identify an employee to act as an FSAR for its residents. For more information (See “Authorized Representatives” in this item.)

**SUBSTANCE ABUSE
TREATMENT
CENTERS (SATC)****Eligible Persons**

The resident receiving treatment and the resident's child(ren), if any, who live with the resident in the treatment center are the FAP group. You must verify that an SATC is an eligible facility. Residents must use the center as the Authorized Representative. See BAM 110 and Authorized Representatives in this item.

Budgeting

The entire payment made by the resident to the treatment center is a shelter expense.

Do **not** exclude payments made directly to the center on behalf of the resident if they are vended for the convenience of the department and the treatment center.

Example: Mr. J is eligible for \$234 in SDA funds. \$202 is vended to the SATC where he resides. Budget \$234 as income and \$202 as a shelter expense.

Center for Substance Abuse Services (CSAS) payments and payments from voluntary agencies are **not** otherwise available to the client. They are excluded.

See also BEM 550, 554 and 556.

**Use of FAP
Benefits**

The SATC receives and spends the food assistance benefits for food prepared by and/or served to the eligible resident and the resident's child(ren).

**SATCS LICENSED
AS AFCS**

Residents who are **not** participating in the substance abuse treatment program are **not** eligible unless they meet the requirements described earlier in this item for residents of AFC homes.

Budgeting

Budget as for residents of AFC homes. Only Senior/Disabled/Veteran persons are eligible for medical expense deductions.

Example: Mr. H (48 years old) resides in a treatment center which is licensed as an AFC home. He is participating in the treatment program. He is eligible for \$344.00 SDA. \$312.00 is paid directly to the home. The home operator states that \$150.00 of the payment covers the home's shelter charge. Mr. H is **not** eligible for a medical deduction. Budget \$344.00 as income and \$150.00 as shelter expense.

See also BEM 550, 554 and 556.

**Use of FAP
Benefits**

The treatment center receives and spends the food assistance benefits for food prepared by and/or served to the eligible residents as described in the "Food Stamp Authorized Representative" section of this item.

**TEMPORARY
SHELTERS FOR THE
HOMELESS****Eligible Persons**

Homeless persons residing in a temporary shelter facility may receive Food Assistance benefits if otherwise eligible. The temporary shelter may be a nonprofit or for profit facility.

Residents are treated as separate FAP groups regardless of whether they purchase and prepare food together or separately.

Persons who must be in the same FAP group according to BEM 212, RELATIONSHIPS, must be in the same FAP group when residing together in the homeless shelter.

Example: Spouses residing in the same homeless shelter will be in one FAP group together.

Budgeting

Budget like any other Food Assistance group. Do **not** allow shelter expenses covered by excluded income.

See also BEM 550, 554 and 556.

Use of FAP Benefits

Residents may use their Food Assistance benefits to purchase food from a retail food store like any other FAP group. They may also use their FAP benefits to purchase prepared meals from nonprofit homeless meal providers authorized by FNS, such as a soup kitchen, etc.

RESPONSIBILITIES OF SATCS/AFCS

Changes

The SATC/AFC home (acting as Authorized Representative) must notify the local office of changes in the FAP group's income or other circumstances. See BAM 105.

Resident Moves

When the resident moves from the SATC/AFC home, the home must do all of the following:

- Notify the local office that the resident has left.
- Return the FSAR Bridge Card to the resident.
- Give a pro-rata share of one-half the monthly FAP benefit to an ex-resident who left prior to the sixteenth of the month.

Note: This should be done only if the entire month's benefits have been taken by the home.

- If possible, give a change report form to the ex-resident and advise him to complete and return it to the local office within 10 days.

Note: The local office must give each SATC/AFC home a sufficient supply of DSS-2240s, Change Report Form, to facilitate this process.

The SATC/AFC home can no longer act as the ex-resident's FSAR.

Temporarily stop benefits if the ex-resident does **not** report a new address by the 10th day after the SATC/AFC home has reported that the resident moved.

Overissuances and Recoupment

The SATC/AFC home acting as an authorized representative:

- Must be knowledgeable about the FAP group's circumstances; and
- Should have carefully reviewed those circumstances with the FAP group prior to applying on its behalf.

Therefore, the SATC/AFC home is liable for:

- All losses or misuse of food assistance held on behalf of residents; and
- All overissuances which occur while FAP groups are residents.

Also, the SATC/AFC home is responsible for any misrepresentation or IPV which it knowingly commits while representing residents in the certification process.

Misuse of Food Stamp Authorized Representative Cards

You must promptly notify the Family Support Services (FSS), central office, in writing if you have reason to believe that an SATC/AFC home is misusing the FSAR cards in its possession.

The Food and Nutrition Service (FNS) will investigate the complaint forwarded by central office.

After initially notifying FSS, take no further action against the facility other than recoupment action for any overissuances discovered during an investigation or hearing procedure. Central office will notify you of the FNS decision regarding the matter and of any subsequent action needed.

LEGAL BASE**FAP**

7 CFR 273.11(e)(f)(g)(h)
Food and Nutrition Act of 2008, as amended