

### 14.3 EMERGENCY SNAP ASSISTANCE FOR DISASTER VICTIMS

The choice of whether to implement Disaster SNAP (D-SNAP), a modified version of regular SNAP, or to utilize regular SNAP depends on the nature of the disaster.

The following factors suggest implementation of the D-SNAP:

- The affected population is large.
- The affected population includes a large population that would not be eligible for food assistance under the regular program.
- The disaster is severe and widespread.
- The increase in the demand for food assistance is expected to be dramatic.
- The damage is so severe and widespread that application procedures under the regular program would be too cumbersome.
- The disaster is such that many households would not have the verifications required by the regular program.
- The regular program would not be able to adequately respond to the immediate needs of the affected population.

The following factors suggest continued utilization of regular SNAP with possible modifications:

- The affected population is fairly small.
- The affected population is mostly the same population that is already eligible for or would be eligible for food assistance and is expected to be manageable.
- The regular program would be able to adequately respond to the immediate needs of the affected population.

#### A. PRE-CONDITION FOR AUTHORIZATION OF THE DISASTER PROGRAM

The following pre-conditions must be met before the D-SNAP can be authorized:

- The President must proclaim a disaster in a designated area of West Virginia.
- Commercial channels of food distribution (wholesale and retail food outlets) must have been disrupted and subsequently restored.

## Specific SNAP Requirements

- The regular SNAP must be unable to handle the increased number of households needing food assistance expeditiously.

Commercial channels of food distribution are disrupted under one or more of the following conditions directly caused by the disaster:

- Retail food outlets are closed.
- Normal operating hours of food outlets are reduced to the extent that a household's opportunity to purchase food supplies is significantly reduced
- Power failure significantly restricts the operation of food outlets.
- Household access to retail food outlets is limited because of disruption to transportation such as damage to roads, bridges or disruption of public transportation.
- Unusually heavy demand for food exists such that a household's opportunity to purchase food supplies is significantly reduced.
- Delivery of food supplies to food outlets is disrupted to the extent that a household's opportunity to purchase food supplies is significantly reduced.

Commercial channels of food distribution will be considered restored when conditions of operations have been improved to the extent that households have reasonable access to food outlets with sufficient food supplies.

Authorization of emergency SNAP benefits to affected areas is issued by USDA.

#### B. DISASTER DECLARATION PROCEDURES

The Agency must determine if the regular SNAP can meet the needs of the affected area when a part of the State has been affected by a disaster. When the regular SNAP cannot respond due to the number of affected households, the Agency must request and receive approval from the United State Department of Agriculture (USDA), Food and Nutrition Service (FNS) to operate Disaster SNAP (D-SNAP) or Modified Supplemental Nutrition Assistance Program (SNAP). Requests should be addressed to the SNAP Director of the Regional Office.

FNS will approve or deny the request to implement disaster certification and issuance procedures based on the information provided in the application. If the request is denied, the Agency may request that FNS review the decision based on additional information when appropriate.

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## Specific SNAP Requirements

**NOTE:** The President must proclaim a disaster in a designated area of the state before the Agency can submit a request to operate D-SNAP. The D-SNAP can only be operated within the specified geographic area. All other disaster-related SNAP needs will be addressed through either a modified version of regular SNAP or regular SNAP.

The request should include at least the following information:

- Date and type of disaster
- Description of the geographic areas
- Statutory prerequisites
- Food needs cannot be met by the regular SNAP
- Number of households expected to apply
- Expected length of the application period

**NOTE:** The D-SNAP application period will always be 7 business days, beginning the day after FNS approval.

- Expected length of the benefit period
- Residency requirement
- Security plan
- Crowd control measures
- Fraud control measures
- Process by which applications will be processed and benefits issued
- Description of planned post-disaster review activities

**C. SPECIAL ELIGIBILITY CRITERIA**

The AG must meet all of the following criteria:

**1. Residence**

At the time the disaster struck, the AG must have been residing within the geographical area authorized for disaster procedures. The AG may be approved even if it currently occupies temporary accommodations outside the disaster area.

**2. Intent To Purchase And Prepare Meals**

The AG must indicate its intent to purchase food and prepare meals during the benefit period. An AG residing in a temporary shelter which provides its meals, is ineligible.

**3. Adverse Effects**

The AG must have experienced at least one of the following adverse effects as a result of the disaster.

**a. Loss of Food**

This includes food lost due to power outages and/or damage to the AG's home.

**b. Loss or Inaccessibility of Income**

This is a reduction or termination of income or a significant delay in the receipt of income. This may occur if a disaster has caused a

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Specific SNAP Requirements

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place of employment to close or reduce its work days, if pay checks or other payments are lost or destroyed or if there is a significant delay in the issuance of pay checks or other payments. It could also occur if the work location is inaccessible due to the disaster. This includes self employment.

c. Inaccessibility of Liquid Assets

This includes situations in which the financial institutions in which the AG keeps its assets are expected to be closed due to the disaster for most of the disaster benefit period, or the AG is otherwise unable to reach its cash assets and is not expected to be able to for most of the benefit period.

d. Damage to Home or Self Employment Business

This includes damage such as complete destruction, loss of roof or walls and destruction of heating equipment.

e. Disaster-Related Expenses

Disaster-related expenses are those which the AG has paid, or is expected to pay during the disaster benefit period, for one of the following expenses. In addition, if the client expects to receive reimbursement for such expenses during the benefit period, a deduction is only permitted for any amount which is not reimbursed during the period.

- Expenses to repair damage to the AG's home or other property essential to the employment or self-employment of an AG member
- Expenses for temporary shelter, if the AG's home is uninhabitable or the AG cannot reach its home
- Expenses for moving out of an area evacuated due to the disaster
- Expenses related to protecting property from disaster damages
- Medical expenses for disaster-related injuries to a person who was an AG member at the time of the disaster. This includes funeral and burial expenses in the event of death

4. Income

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Specific SNAP Requirements

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The first step in determining countable income is adding together the following:

- Net income
- Cash assets, i.e., cash-on-hand, accessible funds in checking and savings accounts

Net income includes wages an AG actually receives after taxes and other payroll deductions are subtracted, WV WORKS payments, other unearned income, and self-employment income after taxes and costs of producing the income are subtracted.

Income is counted if it has already been received in the benefit period, or if it is reasonably certain to be received during the benefit period.

IRA's, disaster insurance payments, and disaster assistance payment from federal, state or local governments and disaster assistance agencies are excluded.

From this total, all disaster-related expenses are subtracted and the remaining amount is compared to the maximum disaster income limit for the benefit period. If the income is equal to or less than the disaster income limit, the AG is eligible. Otherwise, the AG is not eligible for disaster SNAP benefits.

**When** the benefit period is one month, the income over this full month is counted and disaster-related expenses that are paid or expected to be paid in this full month period are deducted. In addition, the full monthly disaster income limit is used.

**D. MAXIMUM DISASTER INCOME LIMITS**

The maximum disaster income limits are determined as follows:

- Determine the current maximum net income limit for the appropriate AG size. See Chapter 10, Appendix A.
- Add the amount of the current standard deduction for the appropriate AG size. See Chapter 10, Appendix B.

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Specific SNAP Requirements

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- Add the current amount of the shelter/utility cap. See Chapter 10, Appendix B.

This amount is appropriate when the disaster benefit period is a full month. When the disaster benefit period is for only half of a month, the maximum disaster income limit is one half of the amount calculated above.

**E. MAXIMUM DISASTER BENEFIT**

The disaster benefit allotment is equal to the maximum monthly allotment for the ongoing SNAP for the appropriate AG size. See Chapter 10, Appendix A.

If the AG is already participating in the ongoing FSP, the disaster allotment equals the AG's regular monthly allotment, plus a supplement amount to bring the total benefit to the maximum allotment for the AG size.

If the AG is already participating in the ongoing FSP, receives a replacement allotment for lost food, and is later determined eligible for a disaster benefit, the disaster allotment must only equal the supplement to bring the total benefit to the maximum allotment.

**F. CERTIFICATION PERIODS**

The certification period must coincide with the disaster benefit period.

**G. APPLICATION PROCESSING**

A special application form must be completed by each AG and an interview must be conducted. Group sessions may be used to screen AG's, explain rights and responsibilities and explain the completion of the application form.

The Department must act on all applications within the benefit period. AG's must have an opportunity to obtain benefits on the date of application, unless restrictions, such as curfews, make it impossible for the Department to meet this standard, or unless the manner of issuance, such as mail issuance precludes this.

During the application interview, the AG must be informed of the following:

- Disposition of the application
- The certification period
- The availability of the ongoing SNAP
- The civil and criminal provisions and penalties for IPV's
- The possibility of a post-disaster review
- The AG's rights and responsibilities
- The proper use of SNAP benefits

If the AG wishes to apply for ongoing SNAP, the address and telephone number of the appropriate office must be provided.

**H. VERIFICATION**

Only residence and identity must be verified. Acceptable verification includes, but is not limited to:

- Driver's license
- Work identification
- School identification
- Voter's registration card.



## Specific SNAP Requirements

- Birth certificate
- Rent or utility receipts for verification of residence

When the documents listed above are destroyed or inaccessible during the disaster, telephone directories, city directories and collateral contacts may be used.

In some situations, verification of residency may not be possible, such as when an AG moved to the area immediately prior to the disaster. They may have no documentation of residency or be known in the community. In these situations, the application must not be denied for the lack of verification.

#### I. CLIENT NOTIFICATION AND FAIR HEARINGS

The Worker must advise the applicant of his eligibility status at the time the application is completed. If eligible, the applicant must be advised of the amount of the allotment and the period the benefits are intended to cover. This information is provided verbally and must be followed up in writing.

Applicants who are denied must be notified in writing. Form FS-D-2 is available for this use or the Worker may complete an ES-NL-A for each individual denial. As with any other Department action, the client has the right to request a Fair Hearing. The denied applicant must be offered an immediate, on the spot, supervisory review of the Worker's action. This supervisory review is in addition to the right to a Fair Hearing, not a replacement for it.

#### J. RELATIONSHIP BETWEEN ONGOING SNAP AND DISASTER PROGRAM

Those who are issued disaster allotments and who are subsequently determined eligible for ongoing SNAP must not have overlapping certification periods.

Those who are already certified for the ongoing Program at the time the disaster occurs, must be permitted to apply for disaster benefits. Their eligibility is determined in the same manner as for any other disaster victim. However, to the extent practicable, the disaster coupon allotment is reduced by the amount of ongoing SNAP benefits issued for any part of the disaster benefit period. "To the extent practicable" will be defined DFA at the time of each disaster. However, if the AG's food has been damaged by the disaster and must be replaced, the

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Specific SNAP Requirements

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disaster coupon allotment is not reduced by the amount of ongoing SNAP benefits.

**NOTE:** SNAP recipients may receive disaster benefits equal to the maximum amount or a replacement of destroyed food purchased with SNAP benefits from the regular Program and an additional disaster supplement to bring the total benefit to the maximum allotment. The total amount issued under both programs must not exceed the maximum allotment for the AG size.

Those who request replacement of SNAP benefits received under the ongoing Program, but which were subsequently destroyed in the disaster, or for food destroyed in the disaster, are handled in accordance with instructions in Chapter 21. However, no replacement will be issued if the client has received or will receive disaster benefits in the same amount for the same time period.

**K. ISSUANCE OF DISASTER BENEFITS**

Because disaster situations are likely to interrupt normal mail service for an affected area, mail issuance may not be practical. The DFA will notify the local offices of issuance procedures for each disaster.