
Item 02-03-01G**ACL 02-17 February 13, 2002 (Synopsis): Food Stamp Non-citizen Eligibility and Certification Provisions (NECP)****Subject: Food Stamp Non-citizen Eligibility and Certification Provisions (NECP)**

The federal NECP made changes to food stamp regulations. These changes are implemented through emergency regulations. They are effective March 1, 2002 for all new applicants and must be implemented no later than the next recertification after March 1, 2002 for ongoing food stamp households. The following is a summary of some of these changes:

MPP §§63-300.4 and .45- No household is required to attend an in-office interview during its certification period. Households will still be required to attend an annual face-to-face interview in the county office, the household's residence or other mutually agreeable location.

- MPP §§63-300.45(a), 63-301.32 and .34- If an applicant misses the initial interview, the county must issue a DFA 386 Notice of Missed Interview form. The DFA 386 will advise the household that it is responsible for rescheduling the missed interview. The county may no longer deny a food stamp application before the 30th day because the household missed the initial interview.
- MPP §63-300.51(b)- During the certification period, if the county determines that household circumstances are unclear, the county must issue a DFA 387 form requesting the household to provide verification or clarification of household circumstances before the county may issue a notice of termination. The county must notify the household of the verification required or actions the household must take to clarify unclear circumstances. The county must allow the household ten days to respond. The DFA 387 notice must include the consequences of the household's failure to respond. If the household does not respond within ten days or refuses to provide sufficient information, the county must issue a notice of action to terminate food stamps.
- MPP §63-503.492- New provisions establish guidelines to determine if a sponsored non-citizen is indigent. If the sponsored non-citizen's actual income received from the sponsor and others and the value of any in-kind income does not exceed 130 percent of the poverty level for the household size, the sponsored non-citizen is considered indigent. Indigent sponsored non-citizens are exempt from sponsor deeming rules. The exemption is for 12 months and is renewable for additional 12-month periods.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - March 28, 2002*