



**United States
Department of
Agriculture**

Food and
Nutrition
Service

Northeast Region

10 Causeway St.
Room 501
Boston, MA 02222

DEC -7 2015

Mary Mayhew, Commissioner
Department of Health and Human Services
221 State Street
Augusta, ME 04333

Dear Commissioner Mayhew:

According to the Food and Nutrition Service's (FNS) most recent timeliness report, the Maine Department of Health and Human Services (DHHS) has the lowest application processing timeliness (APT) rate in the country for the Supplemental Nutrition Assistance Program (SNAP). The data covering January – June 2015 show that the State's six-month APT rate is 68.97 percent with an upper bound of 78.69 percent. Additionally, the State's recertification timeliness rate, another indication of customer service, shows that the State's rate for this measure is 35 percent for October 2014 – June 2015.

Maine's poor timeliness performance negatively impacts SNAP clients across the State and must be addressed. This letter serves as advance notification that DHHS could soon be subject to suspension or disallowance of administrative funds in accordance with 7 CFR 276.4 if the State is unable to achieve the benchmarks set forth in this letter. We stand ready to provide technical assistance to improve program administration to serve eligible Maine households in a timely manner and to help the State avoid suspension or disallowance of administrative funding.

While 100 percent compliance with the 30-day and 7-day application processing standards has long been the stated requirement, FNS practice has been to consider 95 percent and above as acceptable performance. Based on Fiscal Year (FY) 2014 APT data, Maine was ranked 36 out of 53 State agencies with a rate of 84.25 percent with an upper bound of 89.49 percent. Since FY 2014, Maine's ability to provide timely nutrition assistance benefits to eligible households has continued to deteriorate rapidly, as the most recent six-month quarterly report demonstrates. As a result, the State is now ranked 53 out of 53 State agencies.

FNS has repeatedly attempted to address the issue of timeliness with DHHS. Specifically, timeliness was the top agenda item during the September 2015 call with the State. FNS requested timeliness reports and data as soon as possible in an effort to provide technical assistance and monitor the situation more closely. Initially the State communicated that they had issues producing the data from their new system. FNS continued to request timeliness data from the State in October and provided a report template to assist with this process. On November 6, 2015, DHHS provided to FNS limited backlog data, which did not meet the specifications requested. On November 30, FNS followed up

on this request while onsite as part of the State Program Access Review. DHHS again provided limited data.

The State's chronically poor performance in timeliness is in direct conflict with application processing statutory and regulatory provisions meant to protect a low-income household's right to receive nutrition assistance benefits in a timely manner. The State's timeliness Corrective Action Plan (CAP), submitted in March 2015 and updated in May, has not achieved the desired effects. DHHS must take substantial and immediate steps to improve access to SNAP benefits for eligible households.

A response to this letter, including a detailed CAP, must be provided within 30 days. The CAP must include, at a minimum:

- a description of timeliness issues including detailed accounting of any case processing backlogs;
- an analysis of the underlying cause(s) of the timeliness issues;
- identification of specific strategies to address each of the underlying cause(s) and meet the benchmarks below;
- the name of the individual who will be responsible for implementing the corrective action strategies; and,
- the plans for monitoring and evaluating the effectiveness of the strategies and progress towards meeting the benchmarks below.

FNS expects to see swift and immediate action to progress towards 95 percent timeliness for SNAP application processing and eliminate any case processing backlog. The State must meet the following benchmarks:

- An 85% average statewide timeliness rate for the six-month period January 2016 through June 2016; and
- A 95% average statewide timeliness rate for the six-month period July 2016 through December 2016.

Monitoring of timeliness is critical. DHHS must also provide FNS weekly reports on the status of corrective action strategies along with data showing the State's progress towards meeting the above benchmarks. Specifically, the data shall include a State-wide APT rate and data on the number of cases beyond the Federal processing requirements. The data should distinguish between expedited and regular applications. The FNS Northeast Regional Office may also conduct case reviews at district offices to monitor compliance.

All application processing rates provided by the State must be calculated in accordance with the APT protocol (attached). This protocol directs States to use a timeliness equation similar to that used by FNS in quality control (QC) reviews, however, unlike in QC reviews, the entire universe of applications processed by the State in a given time period (i.e. weekly) are included in the calculation. Please review this protocol and share with your data team to

ensure timeliness data provided to FNS are calculated correctly. FNS is available to answer questions or provide technical assistance to ensure the accuracy of data reporting.

FNS understands that the State is undergoing a learning curve associated with the implementation of new business process redesign efforts. However, I believe you would agree that timely access to SNAP benefits for eligible low-income Maine households is critical to proper administration of the program and appropriate actions must be taken to ensure benefits are received in a timely manner. Allocating additional resources and approving additional overtime could help remediate any case processing backlogs and delays until sufficient staff resources are in place to adequately manage the SNAP caseload over the long term. Federal funds are available to reimburse 50 percent of allowable State costs for staffing. FNS stands ready to provide technical assistance as well as share lessons learned and best practices from other States.

If FNS timeliness data for the time periods listed above indicate that DHHS has failed to meet the required benchmarks to FNS' satisfaction, a formal warning letter will be issued in accordance with 7 CFR 276.4. DHHS will then have 30 days to submit additional evidence that the State is in compliance or submit a revised CAP. If the response is inadequate, FNS could suspend Federal funding of State administrative expenses.

We appreciate your commitment and attention to addressing this issue. Please do not hesitate to contact me or Bonnie Brathwaite, Regional SNAP Director, with questions or concerns at 617-565-6370. Thank you.

Sincerely,



Kurt Messner
Acting Regional Administrator
Northeast Region

cc: Bethany Hamm
Daniel Cohen
Karen Curtis

State Timeliness Data Protocol

The purpose of this data protocol is to provide State agencies guidance on how to gather appropriate certification data in order calculate a reasonable approximation of the State's application processing timeliness (APT) rate similar to a State's Quality Control (QC) APT rate. It is important to note that a more thoroughly determined APT rate results from the QC process. This protocol uses a snapshot of a universe of certification data from a State's eligibility system instead of a sample of case files. Using certification data instead of conducting case file review allows the State to generate a more timely APT rate that can be used by the State and FNS to track progress and determine if corrective action strategies have the intended impact on the State's APT performance.

APT Rate Formula

$$\text{APT Rate} = \frac{\text{\# Applications Approved Timely}}{\text{Total Applications Approved}} \times 100$$

The APT rate is calculated by dividing the number of SNAP applications approved within the 7 or 30-day processing requirement by the total number of applications approved within a specified timeframe.

Definitions

APT Rate: Application Processing Timeliness (APT) Rate is the percent of a State's approved SNAP initial applications that were approved within 7 or 30-day SNAP statutory processing requirements.

SNAP Initial Application: An application to receive benefits from SNAP, including multi-program applications where the applicant has identified SNAP, from an applicant that has never received SNAP from the State agency or whose SNAP certification period has ended.

Properly Pended for Applicant Delay in Providing Verification (Properly Pended): An approved SNAP Initial Application that is pended on the 30th day from the date of application *because the applicant has not submitted required verification requested by the State* and the State has assisted, notified, and provided sufficient time for the actions outlined in 7 CFR 273.2(h)(1)(i). Approved SNAP properly pended (for applicant delay in providing verification) initial applications are excluded from the QC APT Rate. An approved SNAP Initial Application that is pended for any other reason is **not** excluded from the QC APT rate and therefore considered untimely. While actual case files are used to accurately determine if an application was properly pended due to a client's delay in providing verification for QC purposes, this protocol uses a universe of certification data pulled from an eligibility system where all factors needed to determine properly pended are unlikely to be available. For this reason, this protocol will not adjust for properly pended applications.

\# of Applications Approved Timely: Within a specified timeframe, the number of SNAP initial applications subject to the 7-day processing requirements that were certified to receive benefits by the 7th day from the date of application plus the number of SNAP initial applications subject to the 30-day processing requirements that were certified to receive benefits by the 30th day from the date of application.

Total Applications Approved: Within a specified timeframe, the total number of SNAP initial applications, including those applications that make up the “# of Applications Approved Timely.”

Date of Application: The date the State agency receives a SNAP initial application and the application has, at minimum, a name, address and signature of the applicant or authorized representative.

Date of Certification: The date the State agency certifies a SNAP Initial Application for SNAP.

Date of Issuance: The date that SNAP benefits are available for a certified SNAP Initial Applicant to use.

Opportunity to Participate: An applicant certified for SNAP must receive an active EBT card, EBT PIN and have their benefits posted to their EBT card for use by the 30th day or 7th day for applicants that meet expedited service criteria. While actual case files are used to accurately determine opportunity to participate for QC purposes, this protocol uses a universe of certification data pulled from an eligibility system where all factors needed to determine Opportunity to Participate may not be readily available. For this reason, the Date of Issuance will be used as a reasonable proxy for Opportunity to Participate in this data protocol.

Gathering and Analyzing the Data

- **Data Pull: Send Request to State Agency Data Office**
 - Collect the following data elements for any SNAP initial application with a *Date of Certification* within [month] [year] from the eligibility system:
 - Case Number
 - Date of Application
 - Expedite Indicator
 - Date of Certification
 - Date of Issuance
- **Data Analysis**
 - Determine Expedite Timeliness:
 - For records with an expedite indicator, determine the number of days from the Date of Application to the Date of Issuance. If the number of days is less than or equal to 7, flag as timely. If not, flag as untimely.
 - Determine Regular Timeliness:
 - For records without an expedite indicator, determine the number of days from the Date of Application to the Date of Issuance. If the number of days is less than or equal to 30, flag as timely. If not, flag as untimely.
 - Determine # of Applications Approved Timely:
 - Count the number of records flagged as timely.
 - Determine Total Applications Approved:
 - Regardless if a record is flagged as timely, count the number of records.
- **Calculate APT Rate**
 - Divide the # of Applications Approved Timely by the Total Applications Approved. Multiply this number by 100 to get that month’s APT rate.

State Reported SNAP Timeliness Measure Protocol

Example State Agency Data Pull

All applications with a certification date within the month of April 2014.

Determine Timeliness (columns in red)

Case Number	Date of Application	Expedite Indicator	Date of Issuance	# of Days	Timely?
2345678	4/1/2014		5/1/2014	30	Yes
3456789	3/25/2014		4/10/2014	16	Yes
4567890	4/5/2014	x	4/8/2014	3	Yes
5678901	3/5/2014		4/5/2014	31	No
7890123	2/17/2014		4/17/2014	59	No
8901234	4/3/2014	x	4/11/2014	8	No

Determine Numerator and Denominator

Number of applications approved timely = 3 (Numerator)

Total number of applications approved = 6 (Denominator)

Calculate APT Rate

APT Rate = $3/6 \times 100 = 50\%$

State Reported SNAP Timeliness Measure Protocol

Monthly Timeliness Rate

For a monthly timeliness rate, the data for the numerator and denominator will be those applications approved within a month regardless of the date of application.

For example, if the State approved 10,000 applications in May and 9,000 of those approved applications were approved by the 7 or 30-day processing requirement, the State's APT rate would be 90 percent (9,000 divided by 10,000 = 0.90 x 100 = 90.00 percent).

n-Month Timeliness Rate

For a 6-month timeliness rate, the data for the numerator and denominator will be those applications approved over the 6-month period regardless of the date of application.

For example, if the State approved 150,000 applications between January and June and 100,000 of those approved applications were approved by the 7 or 30-day processing requirement, the State's APT rate would be 67 percent (100,000 divided by 150,000 = .6667 x 100 = 66.67 percent).

Data Provided to FNS

The State should provide FNS with the numerator and denominator for each month along with the calculated rate in Excel format.

For example:

For a monthly timeliness rate, the State would submit the following report:

	March
Approved Timely	13,456
Total Approved	25,678
Rate	52.40%

For a 6-month timeliness rate, the State would submit the following report:

	March	April	May	June	July	August	Total
Approved Timely	13,546	12,980	15,691	15,908	16,023	14,307	88,455
Total Approved	25,678	26,871	25,487	25,558	24,601	25,866	154,061
6-month rate:							57.42%