

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

November 25, 2019

Patrick O'Donnell, Clerk of the Legislature
State Capitol, Room 2018
P.O. Box 94604
Lincoln, NE 68509

Dear Mr. O'Donnell:

Nebraska Revised Statute 68 -1017.02 requires the Nebraska Department of Health and Human Services to report annually to the Legislature by December 1, regarding the status of the Supplemental Nutritional Assistance Program (SNAP) in Nebraska. The report requires including information about federal options provided to the State with a description of any actions taken by the Department regarding these options, including the number of persons being served through these options.

The report is attached and also includes the most recent United States Department of Agriculture, Food and Nutrition Service, State Options Report, SNAP (Fourteenth Edition, October 1, 2017).

If you have any questions, please contact me at (402) 471-1878 or email at Dannette.Smith@Nebraska.gov.

Respectfully,

A handwritten signature in black ink that reads "Dannette R. Smith" followed by a stylized monogram "DRS".

Dannette R. Smith, Chief Executive Officer
Nebraska Department of Health and Human Services

NEBRASKA STATE OPTIONS REPORT LB171

NOVEMBER 2019

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The Supplemental Nutrition Assistance Program (SNAP) statutes, regulations and waivers provide Nebraska with numerous policy options. The Nebraska Department of Health and Human Services (DHHS) utilizes SNAP Options to better serve the needs of eligible low-income households, ensure program integrity, and help low-income individuals achieve self-sufficiency through personal responsibility.

The current State Options Report by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS), Fourteenth Edition, was published in October 2017. This report is the most recent report published by USDA. Known changes from the report have been indicated accordingly within the report.

Changes made to State SNAP Programs since October 2017, are not reflected in this report. However, changes specific to Nebraska are reflected herein. Any changes will be reflected in a future edition of the State Options Report.

The chart on the following pages summarizes the FNS State Options report and compares options taken by the 50 States and three territories operating SNAP.

Please note that Temporary Assistance to Needy Families (TANF) is known as Aid to Dependent Children (ADC) in Nebraska.

Further explanation follows the chart.

State Options	Does Nebraska Utilize the Option	All States and Territories
County or State Administration	Nebraska is State Administered.	State: administered: 43 County: administered: 10
1. Reporting Requirements	Yes Simplified Reporting. <i>All SNAP cases are Simplified Reporting or Transitional Reporting as of 4/11/2016</i>	Simplified Reporting Only: 26 Simplified & Change Reporting: 25 Monthly, Simplified & Change Reporting: 1 Change Reporting Only : 1
2. Simplified Reporting: Action on Changes	Yes Act on All Changes	Data for other states not provided with Fourteenth Edition report
3. Simplified Reporting: Certification Length	Yes, 6 and 12 months certifications effective 4/11/2016	4 & 12 Months: 1 4, 6, & 12 Months: 2 4, 5, 6, & 12 Months: 1 4, 6, 12, & 24 Months : 3 5, 6, 12, & 24 Months: 1 6 Month Certification periods: 5 6 & 12 Months: 6 6 & 24 Months: 2 6, 12, & 24 Months: 2 12 Month Certification periods: 13 12 & 24 Months: 16 Change Reporting Only : 1
4. Simplified Income and Resources	Yes Income and Resources	Income and Resources: 22 Income only: 5 Resources only: 9 Neither: 17
5. Treatment of Self-employment Income	Yes Another Method; Flat percentage & actual costs	Actual costs only: 30 Another Method: 23
6. Simplified Homeless Housing Cost	Yes but no longer an option, required for all states effective December 20, 2018	Simplified Homeless Housing Cost: 53
7. Standard Utility Allowances (SUAs)	Yes Mandatory SUA	Mandatory SUA: 48 Non Mandatory SUA: 5
8. Ineligible Noncitizens – Treatment of Income & Deductions	Yes, Prorate for both categories	Count all but a prorated share: 41 Count All: 7

		Count all for gross income test then count all but a prorata share for net income test: 5
9. Child Support Expense Income Exclusion	No Deduction	Child Support income expense exclusion: 12 Child Support income expense deduction: 41
10. Child Support Related Disqualifications	No; see explanation on page 9	Failure to Cooperate, DQ for custodial parent: 6 Failure to Cooperate, DQ for custodial and noncustodial parent: 1 Failure to Cooperate, DQ for custodial parent & arrearage on support payments: 1 Failure to Cooperate, DQ for noncustodial parent & arrearage on support payments: 1 None: 44
11. Comparable Disqualifications	Yes	Comparable Disqualification: 14 No Comparable Disqualification: 39
12. Drug Felony Disqualifications	Yes Modified Ban	Lifetime Ban: 5 Modified Ban: 23 No Ban: 25
13. Work Requirements and Disqualification (DQ) Policy	Yes Regulatory minimum & Entire HH (if Head of Household)	Extended DQ only: 16 Regulatory minimum & Entire Household (HH) DQ: 7 Extended DQ and Entire HH DQ: 3 Extended DQ, entire HH, Permanent DQ: 1 Regulatory Minimum: 26
14. Broad Based Categorical Eligibility (BBCE) <i>Note: LB 543 mandates Nebraska taking the BBCE as of 10/1/2011</i>	Yes	BBCE: 42 No BBCE: 11
15. Transitional Benefits Alternative (TBA)	Yes	Transition Benefits: 23 No Transitional Benefits: 30
16. Document Imaging/Electronic Case Files	Yes Completely electronic files statewide	Statewide: 35 Partially electronic statewide: 10 Completely electronic in specific areas: 1 Partially electronic in specific areas : 5 None: 2
17. Demonstrations for the Elderly and Disabled	No	Elderly Simplified Application (ESAP): 5 Standard Medical Deduction (SMD): 17 ESAP and SMD: 4

18. Combined Application Project (CAP)	No	Standard CAP: 7 Modified CAP: 10 No CAP: 36
19. Online Applications	Yes Apply and Recertify	None: 7 Apply only: 13 Apply and recertify: 33
20. Online Case Management	Yes View, Report and Upload	No online management: 13 View case only: 2 View and report: 6 View and upload: 2 View, report and upload: 27 Report only: 1 Report and upload: 1 Upload only: 1
21. Call Centers	Yes Multiple statewide call centers	One statewide call center: 24 Multiple call centers : 20 No call center : 9
22. Mobile Technology	No Currently in the process of procuring a contractor for text messaging	Messaging only: 8 Mobile app only: 4 Messaging and mobile application: 3 No mobile technology: 38

FURTHER EXPLANATION ON STATE OPTIONS

States have flexibility to adapt their organizational structure to administer SNAP which allows the States to serve the unique needs of their populations. States may opt to centralize or to decentralize their administrative responsibilities for SNAP. In their State Plan of Operations, States provide a description of their organizational structure, including whether the program is State, county, locally, or regionally administered. Nebraska is state-administered.

1. Reporting Requirements

State agencies have the option of requiring SNAP recipients to report household circumstances at various intervals and in various ways. State agencies can use different reporting systems for different types of households, or different geographical areas, but each household is subject to only one reporting system. Recipients may be required to report changes periodically or within a certain time, typically within 10 days, after certain changes in circumstances occur (known as Change Reporting). Under periodic reporting, participants report either monthly, quarterly, or using a simplified system with reduced reporting requirements. Under the Simplified Reporting option, households are required

to report changes in income between certification and scheduled reporting periods when total countable income rises above 130 percent of the poverty level or when work hours for able-bodied adults without dependents fall below 20 hours per week.

Simplified reporting does not expand initial or continuing SNAP eligibility but may prevent a decrease in a household's monthly allotment during their certification period. If total household income exceeds 130% of the federal poverty level, the SNAP case is closed.

As of October 31, 2019, there are currently 71,916 SNAP households in NE. Of these, 71,277 households are assigned to Simplified Reporting and 639 are assigned to Transitional Benefits.

Nebraska currently utilizes the option to assign all SNAP cases to Simplified Reporting or to Transitional Benefits.

2. Simplified Reporting – Action on Changes

Under simplified reporting, State agencies have the option to act on all changes reported during the certification period, or to act only on certain changes that result in an increase in household benefits. States which have chosen to act on all changes must act to verify any changes reported and take appropriate action, even if this change reduces the client's benefit. This option allows States SNAP and Temporary Assistance for Needy Families (TANF) programs to be seamlessly integrated.

If information is known to the agency, NE acts on all information. As clients are required to report changes for other economic assistance programs, the change is made for SNAP also. If a client reports a decrease in income during their certification period, their SNAP benefits may increase.

This option does not expand initial or continuing SNAP eligibility.

Nebraska acts on all changes.

3. Simplified Reporting: Certification Length

Households certified for SNAP for longer than 6 months must submit a periodic report at least once every 6 months, but no more than once every 4 months during the certification period. Some State agencies have opted to certify Simplified Reporting households for 12 months, with a periodic report at 6 months. Others have opted to certify households for 6 months. Households in which all members are elderly or disabled with no earned income may be given 12 month certification periods without periodic reporting, or 24 month certification periods with a 12 month periodic reporting requirement.

This option does not expand initial or continuing eligibility for SNAP.

As of October 31, 2019, there are 71,277 SNAP households currently assigned to Simplified Reporting.

Nebraska certifies Simplified Reporting households for 6 months. Effective April 11, 2016, if all adult household members are elderly or disabled with no earned income, they are certified for 12 months without periodic reporting.

4. Simplified Income and Resources

State agencies have the option to exclude some types of income and resources by aligning SNAP policy with the TANF or Medicaid policy. Income not counted under TANF or Section 1931 of the Social Security Act, which authorized Medicaid, can be excluded with some exceptions. The exceptions include wages, salaries, self-employment income, benefits from major assistance programs, regular payments from a government source, worker's compensation, child support payments, and other types of income determined countable to ensure fairness in eligibility determinations. The same option exists for the treatment of resources. A number of resources cannot be excluded when using this option, including cash, licensed vehicles, and readily available amounts in financial institutions.

Nebraska currently utilizes the option of excluding educational income as income and resources to align with TANF.

5. Simplified Self-Employment Determination

States have the option to adopt a simplified method for determining the cost of doing business in cases where an applicant is self-employed. Should a state decide to adopt a simplified method, the State agency has flexibility to develop a method to calculate this cost – a flat percentage, a figure based on average costs, or some other method. Some states use different figures and methods for different types of self-employment. At present, 23 states have adopted a simplified method for determining the costs of doing business for self-employed applicant income. Of these, 19 use a flat percentage of gross income applied to all types of self-employment.

This option will not expand initial or continuing SNAP eligibility but could increase some clients' benefits and decrease other clients' benefits.

Nebraska currently utilizes a flat percentage, forty-nine percent (49%) of gross income for self-employment deductions when income is verified with ledgers or bookkeeping

records. If income is verified with a tax return, actual self-employment deductions are allowed.

6. Simplified Homeless Housing Cost

States had the option to use a standard deduction from income of \$152.06 per month for homeless households with some shelter expenses. This option streamlined the process for states and applicants who are homeless, as they are not requested to itemize specific costs. However, homeless households may claim actual expenses if they are higher and verified.

This does not expand initial SNAP eligibility but may increase a household's monthly allotment.

Effective with the signing of the Agricultural Improvement Act of 2018 on December 20, 2018, the homeless standard deduction is no longer a state option. Instead, all states must offer the homeless standard deduction.

7. Standard Utility Allowances (SUAs)

State agencies electing to use SUAs for all households in place of actual utility costs can opt to make their SUA mandatory. By taking this option, a state opts out of the requirement to prorate SUAs for households that share living space. In addition, this option requires that states use an SUA that includes the heating and cooling costs of public housing residents with shared meters that are charged only for excess utility costs.

This option does not expand initial or continuing SNAP eligibility but may increase a household's monthly allotment.

Nebraska currently utilizes this option.

FNS issued a proposed rule on October 3, 2019 regarding how the SUA is calculated in all states. If the proposed rule passes, the SUA will be set by FNS at the 80th percentile of low income households' utility costs for each state. Comments for this proposed rule will be due December 2, 2019.

8. Treatment of Income and Deductions of Ineligible Non-citizens

Although aliens not lawfully present cannot receive SNAP benefits, their income is relevant to the benefit determinations of other eligible household members. If the non-citizen would have been considered ineligible for SNAP prior to Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), state agencies have the option to either count all, or a prorated share, of that individual's income and deductions when determining the benefit level of the other household members (referred to as category 1 for the purposes of this report). However, if a non-citizen is ineligible for SNAP

because of PRWORA, State agencies may either count none, or a prorated share, of the individual's income and deductions (referred to as category 2 for the purposes of this report). When a State has chosen a given option, it must be implemented statewide and only applies to the income of the ineligible non-citizen, not to other eligible household members.

Nebraska utilizes the option of prorating a share for each category.

9. Child Support Expense Exclusion

States have the option to treat legally obligated child support payments made to non-household members as an income exclusion rather than as a deduction. This option helps to encourage payment of child support by excluding the amount paid from being considered part of the payer's gross income. States that do not use this option treat legally obligated child support payments made to non-household members as a deduction. States not opting for the income exclusion deduct legally obligated child support payments made per 7 CFR 273.9(d)(5) and 273.9(c)(17). This option would expand SNAP eligibility.

Nebraska does not currently utilize this option, thus it treats child support payments as a deduction, not an income exclusion.

10. Child Support Related Disqualifications

States have the option to disqualify individuals who fail to cooperate with child support enforcement agencies, who are in arrears in court-ordered child support payments, or both. This option will not expand initial SNAP eligibility nor will it increase SNAP monthly benefits.

Nebraska does not currently utilize this option.

SNAP regulations are being updated and a hearing is scheduled for December 16, 2019. With the updates, the Department has included regulations that take the USDA SNAP option on child support related disqualifications. This will disqualify custodial parents and noncustodial parents if an individual fails to show a good faith effort in complying with Child Support Enforcement's (CSE) requirements. All custodial parents and non-custodial parents will be referred to CSE if they do not already have active involvement with CSE. This option will become effective once the regulations are approved. Benefits will be reinstated as soon as a good faith effort is made to comply with CSE.

11. Comparable Disqualification

State agencies may disqualify SNAP applicants or recipients who fail to perform actions required by other Federal, State, or local means tested public assistance programs. A State agency has the option to select the types of disqualifications within a program that it wants to impose on SNAP recipients. Only the individual who committed the violation may be disqualified from SNAP, even if the entire household was disqualified under the rules of the other means-tested program.

This option does not expand initial SNAP eligibility nor will it increase monthly allotments.

Nebraska currently utilizes this option.

12. Drug Felony Disqualifications

Welfare reform legislation permanently disqualifies people from SNAP participation if they have committed and been convicted of a State or federal felony offense, which occurred after August 22, 1996, involving the possession, use, or distribution of a controlled substance. State legislatures can opt out of the penalty entirely or choose to impose less severe restrictions through a modified ban.

Nebraska opted for and currently utilizes a modified approach limiting the circumstances in which the permanent disqualification applies.

This option expands SNAP eligibility by partially opting out of the PRWORA provision.

13. Work Requirements and Disqualification Policy

SNAP regulations require all non-exempt household members to comply with work requirements, such as registering for work, participating in Employment and Training (E&T) or workfare program if assigned, and not voluntarily quitting a job or reducing hours. Individuals who fail to comply without good cause are ineligible for benefits and disqualified from SNAP for certain periods of time. The minimum periods set by law are 1 month for the first instance, 3 months for the second, and 6 months for the third. The law gives States the options to 1) establish disqualification (DQ) periods longer than the minimums, 2) make the DQ permanent upon the third occurrence, and 3) sanction the entire household if the head of household fails to comply.

Nebraska applies minimum periods set by law and disqualifies the entire household whenever the head of household fails to comply with work requirements other than the E&T program. Nebraska operates a voluntary E&T program.

14. Broad Based Categorical Eligibility (BBCE)

By law, households in which all participating members receive cash benefits from another means-tested program like Supplemental Social Security Income (SSI), TANF, or General Assistance are categorically eligible for SNAP. States have the option of adopting a policy referred to as BBCE, which expands SNAP categorical eligibility to households that receive noncash benefits that are funded by TANF or Maintenance of Effort (MOE) funds. Under BBCE, a state aligns its asset and income limits with the TANF noncash benefit program that confers categorical eligibility. While certain eligibility criteria are deemed for BBCE households, as they are for other categorically eligible households, these households must provide documentation of income and certain expenses in order for benefits to be calculated. BBCE households must also meet all other SNAP rules and have net incomes low enough to qualify for a SNAP benefit.

Nebraska expanded categorical eligibility by broad based eligibility requirements through the Expanded Resource Program (ERP). Only liquid resources that exceed \$25,000 affect eligibility. Nonliquid resources are excluded.

This may increase initial SNAP eligibility but does not increase a household's monthly allotment. This option expands SNAP eligibility.

Nebraska currently utilizes this option.

FNS issued a proposed rule on July 24, 2019, that would change how BBCE is conferred upon households. According to the new proposed rule, households would have to have received or be eligible to receive 6 months of a TANF or MOE funded program with a benefit valued at a minimum of \$50 per month.

15. Transitional Benefits

State agencies have the option to offer transitional SNAP benefits to families leaving the TANF or State-funded cash assistance programs. Transitional Benefits Alternative ensure that such households can continue to meet their nutritional needs as they make the transition from welfare to work. They provide a family a set benefit amount and eliminate reporting requirements during the transition period. Benefits can be continued for up to 5 months at a level equal to the amount the household received prior to TANF termination, with adjustments for the loss of TANF income. Certification periods may be extended so that families receive the full 5 months of benefits. State agencies may choose to exclude households where all members are ineligible to receive SNAP benefits because they fail to comply with laws related to a meanstested program; fail to cooperate with child support agencies; or are delinquent in court-ordered child support.

This does not expand initial SNAP eligibility but may increase a household's monthly allotment and extend their certification period.

As of October 31, 2019, there are 639 SNAP households enrolled in the Transitional Benefit Option.

Nebraska currently utilizes this option, but not does not utilize the 3 optional disqualifications.

16. Document Imaging

Document imaging is the process of scanning paper documents and converting them to digital images that are then stored in an electronic format. This technology allows State agencies to create paperless or less paper intensive certification systems, cutting the expenses and space requirements associated with the storage and maintenance of this documentation, and increasing the efficiency of the certification process.

This technology may be used to scan permanent verification documents (such as birth certificates or alien registration), temporary verification (such as wage stubs, rent receipts, or bank statements), or entire case records (including signed applications, periodic reports, or change reports).

In Nebraska the Division of Children and Family Services, Economic Assistance programs, has one Document Imaging Center, located in Omaha, NE, that accepts applications, forms and verifications from customers.

This option does not expand initial eligibility for SNAP eligibility.

Nebraska currently utilizes this option.

17. Demonstrations for the Elderly and Disabled.

The Elderly Simplified Application Project (ESAP) and the Standard Medical Deduction (SMD) are two demonstration projects that target the elderly (aged 60 years and over) and disabled lowincome populations. The ESAP streamlines the application and certification process by waiving the recertification interview, utilizing data matches, and extending certification periods to 36 months. ESAPs serve elderly households with no earned income, and in some cases also include disabled households with no earned income.

SNAP households with elderly or disabled members are entitled to a deduction from their household income of allowable, out-of-pocket medical expenses incurred by these members that are in excess of \$35/month. State agencies may request a demonstration waiver to establish a SMD for these households in lieu of calculating actual expenses however households still retain the option to claim actual medical expenses if they are higher than the SMD threshold.

Nebraska is not participating in these demonstration projects.

18. Combined Application Project (CAP)

Combined Application Project (CAP) is a partnership between the Social Security Administration (SSA), FNS, and State and local agencies to streamline application procedures for individuals receiving SSI benefits. The projects are designed to strengthen access to nutrition benefits for this vulnerable population by streamlining the SNAP application process. There are two models for CAPs: standard and modified. A standard model includes simplified joint SNAP/SSI application processing by SSA as individuals apply for or are recertified for SSI. A modified model utilizes data from SSA for targeted SNAP outreach to eligible SSI households who are then sent applications. Both models rely on standardized benefits and shelter amounts and require evaluations to ensure cost neutrality is maintained. The existing CAP States are being provided for informational purposes; FNS and SSA are not soliciting proposals for new demonstrations of this type.

Nebraska is not utilizing this option.

19. Online Applications

SNAP online applications can increase program access by providing more flexibility for households interested in applying for SNAP and renewing their benefits. There are 46 State agencies that provide SNAP applicants with the opportunity to apply for benefits online, while 33 State agencies allow SNAP participants to recertify or renew their benefits online.

Nebraska allows SNAP recipients to apply and recertify for benefits online.

The DHHS received 17,194 *total* (electronic, phone and paper) applications for all programs in October 2019.

Of the total applications received in October 2019:

- 6,283 were electronic applications. Of the electronic applications, 1,905 were received during nonwork hours (30.3%).
- 3,295 were phone applications.

The total number of *electronic* applications for all programs submitted from November 1, 2018, through October 31, 2019, was 72,955. Of the electronic applications, 22,627 were received during nonwork hours (31%). The total number of phone applications for all programs submitted from November 1, 2018, through October 31, 2019, was 55,286.

This option does not expand initial eligibility for SNAP.

Nebraska currently utilizes this option.

20. Online Case Management

Online case management can provide support to the certification process in local offices by reducing the time case workers spend answering phone calls concerning application and benefit status information, and processing changes. Forty State websites allow clients to perform some case management tasks online, including viewing case information, reporting changes in factors that affect eligibility or benefit level, and/or uploading documents.

Nebraska allows clients to view case information, report changes and upload documents.

Nebraska currently utilizes this option.

21. Call Centers

Call centers can provide support to the certification process in local offices by reducing the time local certification offices spend answering phone calls concerning general SNAP information, application and benefit status information, certification interviews, customer complaints, and processing changes. In some States, call centers go beyond these functions to directly certify and re-certify households. Call centers can help reduce errors caused by unreported changes, high workloads, and unanswered voice mail messages. Benefits include task specialization, prompt customer service, self-service options, measurable work performance, dedicated phone lines, and one phone number for participants to remember. Additional information on call center functionality is available in the SNAP State Agency Profiles.

In Nebraska, the Division of Children and Family Services, Economic Assistance programs tied to ACCESSNebraska has two (2) Customer Service Centers located in Fremont and Scottsbluff as well as many local offices across the state. This does not expand initial eligibility for SNAP eligibility.

Nebraska currently utilizes this option.

22. Mobile Technology

States may use mobile technology for procedural changes to help streamline the enrollment process, facilitate verification and reporting requirements, and reduce “churning.”

Nebraska does not utilize this option but a contractor has been selected to start text messaging and the Department anticipates a rollout date in December 2019.

OTHER:

Required Verification

Effective October 2009, when total countable resources are below \$1,500, a client's declaration on resources is sufficient. Client declaration on shelter and utility expenses is also accepted. Accepting client declaration is allowed per Title 7 Code of Federal Regulations (CFR). This does not expand initial SNAP eligibility.

Report Changes (ACCESSNebraska)

Effective November 2009, a client that is currently receiving benefits and has a change to report, may report changes electronically via ACCESSNebraska. The client enters their name, birth date and the last four numbers of the Social Security number and enters their change electronically. This does not expand initial SNAP eligibility.

Modernization Initiatives

States are continually seeking innovative managerial and technology solutions to increase efficiency. Modernization initiatives include check-in kiosks statewide or in select areas, telephonic signature at application or recertification, automated voice response/interactive voice response system statewide or in select areas, process improvement projects statewide or in select areas, case banking, specialized work units, and targeted or waived interviewing and case processing. This does not expand initial SNAP eligibility.

SNAP-Ed (former Nutrition Education) Program and Outreach Initiatives

All States, except Guam, have SNAP-Ed programs. In addition, some States have formal outreach programs to increase program participation. A number of additional States conduct informal outreach activities.

The Department contracts with the University of Nebraska-Lincoln to deliver SNAP-Ed. One component of the contract is to conduct informal outreach activities.

The Department contracts with the Food Bank for the Heartland and a number of other community advocacy agencies in a formal outreach plan.

The Department has also developed a process of establishing community partnerships with community agencies and advocates increasing outreach primarily through assisting community partners with outreach and application assistance to SNAP applicants.

The Department presents information at area events, through Public Service Announcements on the radio and television for ACCESSNebraska web services as well as with brochures and flyers available at local offices and through community partners. This does not expand initial SNAP eligibility.