



Department of Human Resources
311 W. Saratoga St.
Baltimore, MD. 21201-3521

FIA ACTION TRANSMITTAL

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS**

Charles E. Henry for
FROM: KEVIN MAHON, EXECUTIVE DIRECTOR, FIA

RE: INTENTIONAL PROGRAM VIOLATIONS - MANUAL PAGE

PROGRAM AFFECTED: FOOD STAMP PROGRAM

**ORIGINATING OFFICE: OFFICE OF POLICY AND RESEARCH
BUREAU OF POLICY AND TRAINING**

BACKGROUND

This transmittal is to issue a replacement Food Stamp Manual page and does not include new policy. Information about the new and increased penalties resulting from the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 was presented in Action Transmittal FIA/OPA 97-56. Food stamp manual pages were sent at that time. Section 480.3 contains obsolete information and the penalties for felony drug convictions was left out.

CHANGES MADE

DELETED:

- ▶ The last sentence on page 1 in Section 480 is no longer applicable and was removed.

ADDED:

- ▶ The penalty for a conviction after August 22, 1996, for any offense which is classified as a felony and which has an element of possession, use, or distribution of a controlled substance was added.

ACTION REQUIRED

Please place the attached manual page in the Food Stamp Manual.

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION	FOOD STAMP MANUAL	15
INTENTIONAL PROGRAM VIOLATION	Section 480	Page 1

Purpose

This section describes the action that local departments will take when dealing with food stamp applicants or recipients who have committed an intentional program violation (IPV).

480.2 **Definition of Intentional Program Violation**

To determine whether an individual has committed an IPV, consider the following definition. A violation is defined as intentionally:

- Making a false or misleading statement;
- Misrepresenting, concealing, or withholding facts;
- Committing any act that constitutes a violation of the Food Stamp Act or program regulations relating to the use, presentation, transfer, acquisition, receipt, or possession of food stamp benefits.

480.3 **Penalties**

Individuals disqualified for intentional program violations (IPV) are ineligible to participate in the Food Stamp Program for the following periods of time:

- 1 year for the first violation
- 2 years for the:
 - ▶ second violation, or
 - ▶ first finding by a court of trading food stamps for illegal drugs
- Permanently for the:
 - ▶ third violation,
 - ▶ second finding by a court of trading food stamps for an illegal drug, or
 - ▶ first finding by a court of trading food stamps for firearms, ammunition, or explosives.

An individual is permanently disqualified if convicted by a court of trafficking food stamp benefits of \$500 or more.

An individual is ineligible for food stamps for 10 years if found by the courts or an Administrative Disqualification Hearing (ADH) to have made a fraudulent statement or representation about residence or identity in order to receive multiple food stamp benefits at the same time.

Impose these penalties if the violation was occurring or occurred after the individual signed a food stamp application which contained a warning of the penalties.

Additional Penalties

- An individual is permanently ineligible if convicted after August 22, 1996, of any offense which is classified as a felony and which has an element of possession, use, or distribution of a controlled substance.
- Fleeing felons and parole and probation violators are ineligible for food stamps.

Count the entire amount of the income and resources of a disqualified individual to other eligible household members.