



Department of Human Resources  
311 West Saratoga Street  
Baltimore MD 21201

## FIA ACTION TRANSMITTAL

Control Number: 98-21

Effective Date: Upon Receipt

Issuance Date: December 12, 1997

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

**FROM: KEVIN MAHON, EXECUTIVE DIRECTOR, FIA**

**RE: EXEMPTION FROM PROVIDING NOTICE OF ADVERSE ACTION**

**PROGRAM AFFECTED: FOOD STAMP PROGRAM**

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

### SUMMARY

A final rule, effective November 18, 1996, simplified several Food Stamp Program regulatory requirements and increased flexibility. This is one of several transmittals about the new policy and explains an option for an exemption from sending a Notice of Adverse Action when mail is returned to the local department.

### OLD POLICY

Current policy requires the case manager to send a notice of adverse action (NOAA) to a household prior to any action to reduce or terminate the household's benefits, with certain exceptions. There is no exception to the NOAA requirements when mail sent to a household is returned with no known forwarding address.

### NEW POLICY

When agency mail sent to a household is returned by the post office, indicating no known forwarding address, **it is not necessary to send a notice of adverse action to an address known to be incorrect.** The local department may, **at its option**, send the household a NOAA.

A customer whose benefits are terminated and who did not receive a notice is still entitled to a fair hearing and restoration of benefits if appropriate.

## **ACTION REQUIRED**

### **AIMS**

- ◆ In situations where the worker wants to waive the five day adverse action period AND SEND the notice, enter an "A" in the Suppress Notice of Action field located on the AIMS change form.
- ◆ When the worker wishes to both waive the five day adverse action period AND suppress the notice, enter a "B" in the Suppress Notice of Action field located on the AIMS change form.

### **CARES**

To waive the adverse action period, the worker will:

- ◆ Go into the AU using Option R, (Interim Change) from the AMEN and enter the appropriate closing code on the Food Stamp STAT screen in the AU Status Reasons field. If no other changes are necessary, fast path to DONE.
- ◆ Enter a "Y" in the Waive Advr Act Period on the FSFI screen. Press <ENTER>.
- ◆ CARES will return to the ELIG screen and will show the new closing effective date. Press <ENTER>.
- ◆ CARES will again display the FSFI screen. Enter a "Y" in the Notice Override field, if the notice is NOT to be sent. If the notice is to be sent, enter nothing on the FSFI screen at this time.

**ALWAYS UPDATE THE NARRATION (PF-21 FROM THE ADDR SCREEN FOR THE HEAD OF HOUSEHOLD) BEFORE COMMITTING THE CLOSING.**

### **ACTION DUE**

This policy is effective upon receipt of this transmittal.

### **INQUIRIES**

Please direct policy questions to Kay Finegan at (410) 767-7939. Systems questions may be directed to Kathryn Volpini at (410) 767-8494.

cc: FIA Management Staff  
Constituent Services  
OIM Help Desk  
CTF