

**Questions and Answers for Implementation of Farm Bill Section 4013
National Directory of New Hires**

Q-1: Who do the States contact to begin this process? Is there a plan in place for helping States get on board?

A-1: FNS is working with the Office of Child Support Enforcement (OCSE) at the U.S. Department of Health and Human Services (HHS) to ensure a smooth transition for State Agencies. OCSE sponsored two informational calls with State agencies on April 10 and April 16 to introduce the National Directory of New Hires (NDNH) and discuss general and technical implementation requirements. An implementation outline has been provided to State agencies by OCSE, and OCSE will continue to provide technical support to State agencies throughout the implementation process. States requiring additional implementation information and/or assistance should contact Annette Hocker, HHS Office of Child Support Enforcement, at annette.hocker@acf.hhs.gov.

Q-2: As States will be required to enter into contracts with the Department of Health and Human Services (HHS) to use the National Directory of New Hires, do you know if there is a template for such an agreement that we could provide to our States?

A-2: Copies of the NDNH Computer Matching Agreement (CMA) were provided to State agencies via FNS Regional Offices for review and signature. If you need another copy, please contact your FNS Regional Office and they will send it to you. Signed CMAs should be returned to Annette Hocker, HHS OCSE, at annette.hocker@acf.hhs.gov.

Q-3: If allowable under law, will States be afforded the opportunity to utilize data sharing agreements between their child support and SNAP offices to meet this requirement?

A-3: Section 4013 requires the State agency to request wage data directly from the National Directory of New Hires for determining SNAP eligibility and benefits at certification. HHS OCSE has stipulated that the State agency or office responsible for administering SNAP must sign a NDNH computer matching agreement specific to SNAP. The sharing of NDNH data files between State agencies or offices for the purpose of determining SNAP eligibility and benefits is prohibited by HHS. For example, by HHS' own requirements, a State agency or office administering SNAP may not request NDNH data files from a State child support enforcement

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agency or office. The match may only be conducted against NDNH data files directly obtained from HHS OCSE by the SNAP administering agency.

Q-4: What are the required fees for NDNH data from OCSE?

A-4: The fee schedule for conducting matches against NDNH is determined by HHS OCSE. Because fees vary by State, the OCSE schedule of fees for NDNH will be provided to each State agency via FNS Regional Offices. Additional information about your specific State fees can be obtained by contacting Linda Boyer, HHS OCSE, at linda.boyer@acf.hhs.gov.

Q-5: Section 4013 of the Act requires states to begin using the National New Hire Directory "immediately." My question is this: Does this requirement eliminate the need to use our State New Hire Directory? In other words, will we be in compliance with 4013 if we use the NNHD only?

A-5: Section 4013 requires that State agencies must conduct matches against NDNH at certification, including recertification, to determine SNAP eligibility and benefits. This provision does not include language pertaining to the use or elimination of other State new hire directory matches. Use of additional data matches not required by Federal law or regulation is at the discretion of each individual State agency.

Q-6: Relating to New Hire Database: If States receive quarterly wage data and unemployment benefit information through state employment data bases, can States apply for a waiver to use current electronic sources that verifies the same information in lieu of establishing additional databases and interfaces with the National Directory of New Hires when the information would be duplicative?

A-6: The requirement that the State agency request wage data directly from NDNH is a statutory requirement. Since the statutory language is clear, it is unlikely that waivers would be granted to State agencies to use alternate systems in lieu of conducting data matches against the NDNH. State agency matches against other databases not required by Federal law or regulation are at the discretion of the agency. State agencies must conduct NDNH matches at the time of certification, including recertification, to be considered compliant with Federal law.

Q-7: Who in the SNAP household is mandatory for the NDNH data match?

A-7: The State agency should conduct matches against NDNH for all members of the household at the time of certification, including recertification, to determine SNAP eligibility and benefits.

Q-8: What is the impact/effect of the required NDNH match on Simplified Reporting requirements, specifically:

- **Income change over 130% FPL**
- **ABAWD meeting 20 hour per week work requirement**

A-8: This match is only required at the time of certification, including recertification. There is no impact on the reporting requirements for clients certified under Simplified Reporting.

Q-9: Which of the three data elements included in NDNH will State agencies be required to match against at certification?

A-9: NDNH has the ability to provide State agencies with the following data elements in the NDNH files: New hire data from the W-4 file reported by employers to each State Directory of New Hires, quarterly wage data from state workforce agencies (SWA) and federal agencies, and unemployment insurance data reported by SWAs. Because the timeliness of quarterly wage and quarterly unemployment benefit data may not provide a true benefit to the State agency in determining eligibility and benefit levels, the Food and Nutrition Service is only requiring that States match against NDNH new hire (W-4) data element at a minimum. A State agency has the option to match against additional NDNH elements as needed or desired.

Q-10: Is the data match required at initial application, recertification and mid certification?

A-10: The State agency must conduct matches against NDNH at the time of certification, including recertification, to determine SNAP eligibility and benefits.

Q-11: What is the timeline for State agencies to be fully operational with the NDNH matching requirement?

A-11: The State agency implementation of Section 4013 of the Farm Bill should be completed as soon as possible. FNS recognizes that implementation of Section 4013 requires State agencies to enter into computer matching agreements that must be approved by HHS and to

update State agency eligibility systems; therefore, FNS will allow States 6 months from the date of the March 21, 2014 Implementing Memorandum, or by September 21, 2014.

Q-12: Relating to New Hire Database: Does this provision actually give states the latitude to use quarterly wage data to determine eligibility and determine SNAP benefit amounts?

A-12: Data received through NDNH is not considered verified upon receipt. States must independently verify any information received through NDNH before using it to determine a household's eligibility or benefit amount. See A-13.

Q-13: Are States required to match the W-4 file monthly, and QW and UI quarterly? How are States expected to process a SNAP application in 30 days if the matching and turn-around time, including verification of NDNH information, could easily take 45 days or more for W-4 information, or over 90 days for QW or UI, depending on when an application is received in the matching cycle?

A-13: The Food and Nutrition Service is requiring that States match against NDNH new hire (W-4) data element at a minimum; however a State agency has the option to match against additional NDNH elements as needed or desired. In accordance with 7 CFR 272.12(c), a State agency shall not take any adverse action to terminate, deny, suspend, or reduce benefits until the information has been independently verified. Should there be a delay in the State agency's ability to independently verify the NDNH W-4 match within the required application processing timeline, the State agency should continue processing the application until it receives the requested documentation verifying the match. Under no circumstances should expedited applications be held pending verification.

If the State agency subsequently receives verification of information indicating the household is ineligible or has been approved for the incorrect benefit amount, they should deny, reduce or terminate benefits as applicable and establish a claim to collect any benefits that were overpaid.

Q-14: The NDNH data is not considered verified upon receipt. Employment information will need to be confirmed either through TALX or by directly contacting employer. How do we verify UIB information from another state? In the past, Labor departments in other States have either not responded to requests for UI verification, or required several months to provide responses to our requests for verification.

A-14: FNS only requires matching to the state new hire (W-4) data in NDNH, so independent

verification would only need to be conducted on those matches. Matching and verifying UIB data in addition to W-4 data would be at the State's discretion.