

DATE: December 12, 2024

SUBJECT: Supplemental Nutrition Assistance Program (SNAP) – Revised Memorandum on  
Telephonic Fair Hearing and Administrative Disqualification Hearings  
Procedures

(This supersedes Memoranda 82-14 and 83-5)

TO: All SNAP State Agencies

All Regions

The Food and Nutrition Service (FNS) is issuing this memorandum to clarify the options available to State agencies to conduct SNAP Fair Hearings (FH) and Administrative Disqualification Hearings (ADH) via teleconference or videoconference. This memorandum supersedes memoranda 82-14 for telephonic FHs and 83-5 for telephonic ADHs, and is effective immediately.

Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.15 and 7 CFR 273.16 are silent on State agency use of teleconference or videoconference FH and ADH procedures. Through this memorandum, FNS is clarifying that State agencies may conduct FHs and ADHs via teleconference or videoconference, with participants joining from any location. Regardless of the method used to conduct the hearing, State agencies must accommodate individuals with disabilities, share the written uniform rules of procedures and household's rights and responsibilities, and comply with all other requirements specified in SNAP regulations at 7 CFR 273.15 and 7 CFR 273.16.

While SNAP regulations do not specify that FHs and ADHs must be held in-person, regulations at 7 CFR 273.15(o) imply in-person hearings by referencing space limitations. Given this, State agencies that utilize teleconference or videoconference technologies should inform the household of the opportunity for a face-to-face hearing and grant a face-to-face hearing upon request.

When a State agency conducts FHs and ADHs via teleconference or videoconference, FNS strongly recommends State agencies provide households with the following:

- A secure and private platform over which the hearing will be conducted, as well as clear instructions on how to access the platform;
- A telephone number to contact if the conference fails to connect or there is a connection disruption during the hearing;
- A consent request if the State agency intends to record the hearing, and a guarantee that the State will maintain privacy of the recording.

State agencies intending to conduct FHs or ADHs via teleconference or videoconference should share the State's written rules of procedure required by 7 CFR 273.15(i)(3) and 7 CFR

273.16(e)(2)(v) with their FNS Regional Office. State agencies may contact their Regional Office representative with any questions.

Sincerely,

Rachel Frisk  
Director  
Program Administration and Nutrition Division  
Supplemental Nutrition Assistance Program