

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
January 6, 2015**

AMENDED IM 5228

TO: County Social Service Directors
Economic Assistance Policy Regional Representatives
Economic Assistance Policy Quality Control Reviewers

FROM: Carol Cartledge, Director, Economic Assistance Policy

SUBJECT: National Directory of New Hire

PROGRAMS: SNAP

EFFECTIVE: December 1, 2014

RETENTION: Until superseded

SECTIONS

AFFECTED: 430-05-20-55-15 – Sources of Verification

This IM is being amended to change the date the first file will be sent.

The Agricultural Act of 2014 requires states to conduct employment data matching with the National Directory of New Hire (NDNH) effective December 1, 2014. The NDNH is a national database of employment data administered by the Office of Child Support Enforcement (OCSE).

NDVerify currently matches with North Dakota New Hire which includes information from North Dakota employers only. The National Directory of New Hire will NOT include employment data from North Dakota employers as this is already available.

The first file will be sent at the end of January ~~December~~ with hits and alerts generated the beginning of February ~~January~~. The following policy provides guidance on the NDNH hits.

National Directory of New Hire (NDNH)

Federal regulations require SNAP to match against the Office of Child Support Enforcements (OCSE), National Directory of New Hire (NDNH).

Each month a file of adults included on applications and reviews approved in the prior month will be sent to the NDNH. Individuals with employment record(s) in the prior 6 months will be returned and used to generate a hit in TECS. Eligibility workers will receive an alert on the fourth working day of the month informing them of the hit. These hits serve as a lead for SNAP to determine if income was reported and correctly considered in determining eligibility. The hits cannot be acted on for other programs. If the verification is obtained for SNAP, the verification can be used to determine if income was reported and correctly considered for other programs.

If the employment was reported by the household and/or in the case file, the eligibility worker must ensure that the verification was used correctly in determining eligibility. If the verification is not in the case file, the following steps must be used to verify the hit.

1. The worker must use the information provided in the hit (employer name and address) to obtain verification from the employer. If the verification is received, any necessary corrective action must be taken allowing for advance notice.
2. If the employer fails to provide the verification within 30 days, the worker must send the F814 – Claims/Required Verification allowing the household 10 days to provide the verification. If the verification is received, any necessary corrective action must be taken allowing for advance notice.

If the case is closed and the household fails or refuses to respond to the request, the worker must document in the case file that there is an outstanding claim issue. If the household applies at a later date, the household must cooperate by providing the information necessary to calculate the claim. If the household continues to fail or refuse to provide the information, the application must be denied.

If the case is an ongoing SNAP case and the household fails or refuses to respond to the request, the worker must send the F401. The case will close at the end of the advance notice period. The worker must document in the case file that there is an outstanding claim issue. If the household reapplies at a later date, the household must cooperate

by providing the information necessary to calculate the claim. If the household continues to fail or refuse to provide the information the application must be denied.

If the household responds and indicates they need assistance in obtaining the information, the worker must attempt to obtain the information from the appropriate source. If the appropriate source fails to respond and provide the needed verification, the worker must complete the claim based on the best information provided by the household. The worker must document the attempt to verify income, income used and how it was arrived at.

NDNH hits must be processed and entered on the NDNH Tracking Results Screen (NDTR) within 30 days of the received date on the National Directory of New Hire (NADO) screen in TECS. The appropriate fields on the NDTR screen relating to the action taken must be completed as this information is required by Federal Regulations. These fields include:

- Interface/Case File Information OK – the household reported the information correctly at the time of application or review.
- Individual Verified as Employed – The household failed to report this employment at the time of application or review.
- SNAP Case Closed Due to Earnings – The earnings from the NDNH hit resulted in case closure.
- SNAP Benefits Reduced Due to Earnings – The earnings from the NDNH hit resulted in a reduction in benefits.
- Difference in Benefit Amount Due to Earnings – The difference in the benefit amount the household would have received prior to the verified employment and the benefit amount the household actually received after the verified employment. Only the difference for the first month the verified earnings are used is included in this figure (first month of overpayment).

Federal regulations strictly limit the use and disclosure of information received through NDNH to purposes directly related to the administration of SNAP. NDNH information must be safeguarded and MAY NOT be released to any agency or individual, including the applicant or recipient.

DO NOT print or include NDNH information in case files. Information that specifically addresses where the hit came from (OCSE NDNH) or the source of the information (employers) CANNOT be included in the:

- **Request for verification from the employer**
- **Notification of findings sent to the recipient**

- **Documentation in Narratives**

Request for verification, notification of findings and narrative documentation may include reference to information received through a computer match.

Federal law requires that each employee be aware of the unauthorized access and disclosure of information received through a computer match from the NDNH.

The Department maintains a fully automated audit trail of information obtained through the NDNH. The audit trail will track when the alerts and hits are generated along with the completed tracking results.

The state and county social service offices must immediately report breaches of access and disclosure requirements applicable to NDNH information to:

- Director of the Supplemental Nutrition Assistance Program; and
- The Federal Parent Locator Service (FPLS) Information System Security Officer via email: linda.boyer@acf.hhs.gov.

NOTE: Disclosure means information given to another agency or individual who does not require the information to determine eligibility for SNAP.

The record must include:

- Date and time of incident
- Date and time incident was discovered
- How the incident was discovered
- Description of the incident and data involved (include specific data elements if known but do not include client specific information)
- The address where the incident occurred
- Information technology involved (laptop, server, mainframe)

Any person who knowingly and willfully violates access and disclosure requirements is subject to an administrative penalty (up to and including dismissal from employment), and a fine of \$1,000 must be imposed for each act of unauthorized access to, disclosure of, or use of information in the NDNH.