

Reference Guide for Drug and Alcohol Treatment (D&A)/ Group Living Arrangement (GLA) Facilities

Who Is Eligible to Participate:

- **D&A Facilities:** Persons who regularly participate in a D&A program who reside in a facility that conducts such programs may participate in the Supplemental Nutrition Assistance Program (SNAP) only if the treatment facility is:
 - authorized by the United States Department of Agriculture (USDA) to accept SNAP; or
 - a private, nonprofit organization or institution, or a publicly operated community mental health facility. The facility or organization must be licensed by the Texas Department of State Health Services (DSHS). The facility does not have to actually receive funds from DSHS.

Residents can participate in SNAP only under these special provisions, even if the facility does not provide/prepare meals for them. Households may consist of single households containing just the resident or an adult resident whose children are living with the resident in the facility.

Residents who are not regular participants in a treatment or rehabilitation program are not eligible. The treatment facility must act as the authorized representative (AR) for all residents.

Residents of D&A facilities are not eligible for same-day emergency benefits. Applicants in D&A/GLA facilities who are eligible for emergency benefits will receive them by the seventh day after the application date.

- **GLA Facilities:** A GLA is a public or private nonprofit residential facility that serves no more than 16 residents. The facility must be both:
 - nonprofit, and
 - certified by a state agency as required by Section 1616(e) of the Social Security Act.

Residents who meet the following definition of someone who has a disability may be certified under group living arrangements:

- People approved for Supplemental Security Income (SSI), Social Security disability or blindness payments, or SSI Medicaid only;
- Veterans who receive Veteran's Administration (VA) benefits because they are rated with a 100% service-connected disability or who, according to the VA, need regular aid and attendance or are permanently housebound;
- Surviving spouses of deceased veterans who meet one of the following criteria according to the VA:
 - need regular aid and attendance,
 - are permanently housebound, or
 - have been approved for benefits from the VA because of the veteran's death and who could be considered someone with a permanent disability for Social Security purposes;
- Surviving children (any age) of a deceased veteran who the VA:
 - determines have a permanent incapability of self-support, or
 - approves for benefits because of the veteran's death and who could be considered someone with a permanent disability for Social Security purposes;
- People receiving disability retirement benefits from any government agency for a disability that could be considered permanent for Social Security purposes; or
- People receiving Railroad Retirement Disability who are also covered by Medicare.

Who May Apply for GLA Residents:

The residents of GLA facilities may apply:

- for themselves,
- through an AR of their choosing, or
- through an AR employed by the facility.

If a member of the group wants to apply independently, the facility makes the decision to let the resident apply based on the physical and mental ability of the resident to handle the individual's own affairs. An AR applies for and/or receives benefits on the household's behalf. Additionally, an AR uses the benefits to purchase food or meals prepared at the facility for the resident.

The resident and AR both must sign Form H1010, Texas Works Application for Assistance – Your Texas Benefits.

Reminder: SNAP benefits used by the facility can only be used to purchase food to contribute to certified SNAP residents' meals.

The D&A/GLA Facility Responsibilities as AR section of this guide outlines the responsibilities of a facility AR.

D&A/GLA Facility Responsibilities as AR:

If the resident designates the facility as the AR, the facility AR must:

- apply for and provide accurate information on behalf of a resident;
- use the Lone Star Card to debit the resident's food account;
- ensure security of all Lone Star Cards and personal identification numbers (PINs) issued to the facility AR;
- buy and prepare food for eligible residents;
- buy meals delivered to the individual residents;
- report within 10 days to the Texas Health and Human Services Commission (HHSC) benefits office loss of USDA/DSHS certification or loss of nonprofit status;
- report any changes, losses, misuse and overissuances of SNAP benefits within 10 days;
- give departing residents Form H1019, Report of Change, or Form H1019-S, Report of Change (Spanish), as appropriate, and advise the resident to report the individual's new address to an HHSC benefits office, at YourTexasBenefits.com or to 2-1-1 within 10 days;
- report and return to HHSC the Lone Star Card issued for that resident in the proper sleeve within three days after a resident moves out, whether announced or not;
- ensure that departing residents' Lone Star Cards contain all their SNAP benefits that are unspent when the resident moved out; and
- return Form H1852, List of Resident Participants in the Supplemental Nutrition Assistance Program (SNAP), to the HHSC benefits office by the fifth of every month, or the following workday if the fifth is not a workday.

The facility, acting as an AR, is liable if it knowingly commits a program violation to obtain SNAP benefits for a resident.

The facility must maintain a sufficient supply of required forms. These forms (Form H1852, Form H1019, Form H1019-S and HHSC benefits office return envelopes) may be obtained from the local HHSC benefits office and will be offered to the AR at each certification.

Use of SNAP Benefits by D&A/GLA Facilities Serving as SNAP AR:

HHSC restricts how the D&A/GLA facilities may use the resident's benefits as explained in the following section.

- **Account Access:** HHSC issues a Lone Star Card to the facility AR and enables the AR to select a PIN through the Lone Star Help Desk Automated Voice Response (AVR) unit. HHSC allows the AR access *only* to benefits issued for a month the resident resides in the facility. The facility may have one person serve as AR to apply for the resident and another person serve as an AR and primary cardholder to use the Lone Star Card.

Note: When the D&A/GLA facility is the AR, it is responsible for all benefits in an account. Therefore, security of the card and PIN must be as vitally important to the facility as it would be to any other SNAP recipient.

A D&A/GLA facility AR may access benefits issued to a resident's food account only in the following situation: If HHSC is unable to issue benefits with the facility as AR for a month the resident is residing in the facility because that month's benefits were already issued to the resident's existing food account and the resident wants to allow the facility access to those previously issued benefits. In such a situation, the **resident**, not the facility AR, has the following options:

- For facilities that are not USDA-certified retailers, the resident may:
 - use the previously issued card to purchase groceries to give to the facility, or
 - make the D&A/GLA facility AR a secondary cardholder on the resident's existing account to access those benefits.
- For facilities that are USDA-certified retailers, the resident can:
 - use one of the options listed above for facilities that are not USDA-certified, or
 - use the previously issued Lone Star Card and PIN to purchase meals via the facility Point of Sale (POS) device or via the Electronic Benefit Transfer (EBT) manual voucher process. The facility **is not** allowed possession of the card previously issued to the resident, nor knowledge of the resident's PIN. When using this option, the facility may only charge for prepared meals on a per day basis (not in advance).

Resident Moves Out of a D&A/GLA Facility:

When a resident moves out of the facility, the facility AR:

- notifies HHSC, and
- returns the Lone Star Card (in person) for this account (in the correct sleeve) to the local HHSC benefits office within three days of the move.

Returning Unspent Benefits When a Resident Moves Out:

When a resident moves out of the D&A/GLA facility, the facility must return all unspent benefits issued to the resident's account, regardless of when the resident moved out, even if it means returning all of the resident's benefits. D&A/GLA facilities are not allowed to spend a resident's benefits after the individual moves out.

To return unspent benefits after a resident moves out, the facility returns the Lone Star Card to HHSC and ensures the account contains all unspent benefits. For purposes of this policy, "spent" means the facility used the Lone Star Card to access the resident's benefits before the resident moved out.

If the facility accesses benefits it is not allowed to use, the facility must return them to the account. USDA-certified facilities can return benefits using the POS device to process a return on the account or via communication with the EBT vendor. Facilities not certified as retailers by USDA must return groceries to the store and get the store to process a return on the former resident's account using the AR's card on the store's POS device.

Residents Moving Out Before the 16th of the Month:

The D&A/GLA facility must return at least one-half of the monthly allotment for residents who move out before the 16th of a month. Therefore, even though the facility can access more than one-half of the monthly allotment before the 16th, it is not good practice to do so.

Example: A resident moves out before the 16th of the month. The facility must ensure that the SNAP account contains a minimum of one-half of the resident's monthly SNAP allotment.

When using a resident's benefits, D&A/GLA facilities without a POS device must be cautious to ensure they do not use more than one-half of a month's allotment before the 16th of the month, because they do not have a POS device to process a return if they spend more than one-half of a resident's allotment.

D&A/GLA Facility Replaces the AR:

To replace an AR, the D&A/GLA facility must provide HHSC with a *written request*.

Facility Liabilities:

The facility is liable for any misrepresentation or fraud that it knowingly commits in the certification of participants for whom it is serving as AR. Examples of liabilities include:

- loss or misuse of SNAP benefits held in an EBT account on behalf of residents for which the facility is primary cardholder,
- loss or misuse of benefits resulting from access by a Lone Star Card issued to the facility AR as secondary cardholder, and
- overpayments that occur while the participant lives in the facility.

On-site Reviews and Monthly Reports:

The facility must maintain and provide records to HHSC so that HHSC can audit the facility's usage of SNAP benefits. Staff will conduct on-site visits at least once every six months. The facility may be penalized or disqualified from further participation in SNAP if SNAP benefits are:

- misappropriated,
- used to feed noncertified residents,
- used to pay for food previously purchased on credit, or
- used after a resident has moved out of the facility.

Procedural or Policy Questions:

For policy questions or clarifications, please contact your HHSC benefits office.