

921 KAR 3:030. Application process.

RELATES TO: KRS 116.048, 205.2005, 7 C.F.R. 273.2, 7 U.S.C. 2020(e)(2)(B), 42 U.S.C. 2000d, 52 U.S.C. 20506

STATUTORY AUTHORITY: KRS 116.048(1), 194A.010(2), 194A.050(1), 7 C.F.R. 271.4, 7 C.F.R. 273.2(i), 7 U.S.C. 2011-2029

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.010(2) requires the Cabinet for Health and Family Services to administer income-supplement programs that protect, develop, preserve, and maintain families and children in the Commonwealth. KRS 194A.050(1) requires the secretary of the Cabinet for Health and Family Services to promulgate administrative regulations necessary to implement programs mandated by federal law or to qualify for the receipt of federal funds and necessary to cooperate with other state and federal agencies for the proper administration of the cabinet and its programs. 7 U.S.C. 2011 to 2029 and 7 C.F.R. 271.4 authorize the cabinet to administer a Supplemental Nutrition Assistance Program (SNAP) and prescribe the manner in which the program shall be implemented. 7 U.S.C. 2020(e)(2)(B) requires the cabinet to develop a uniform application process. KRS 116.048(1) designates the cabinet as a voter registration agency in accordance with 52 U.S.C. 20506. This administrative regulation establishes the application and the voter registration processes used by the cabinet in the administration of the SNAP.

Section 1. Right to Apply or Reapply.

- (1) An individual shall have the right to apply or reapply for SNAP benefits on the same day that the household first contacts the Department for Community Based Services (DCBS) office during office hours.
- (2) The cabinet shall make the application process readily accessible to a household.
- (3) In accordance with the procedures established in 920 KAR 1:070, interpreter services shall be provided for a person who is:
 - (a) Deaf; or
 - (b) Hard of hearing.
- (4) In accordance with 42 U.S.C. 2000d, interpreter services shall be provided for a person who is Limited English Proficient.
- (5) An application shall be considered filed if:
 - (a) A FS-1, Application for SNAP, containing the name, address, and signature of the applicant is received by a DCBS office; or
 - (b) Application for benefits and another public assistance program is made in accordance with 921 KAR 2:040 and Section 6 of this administrative regulation.
- (6) An application shall be processed after the:
 - (a) Applicant or representative is interviewed;
 - (b) Required information and verification for the application is provided to the DCBS office; and
 - (c) Application and all related documents are received by the DCBS office, in accordance with Section 3(1) of this administrative regulation.

Section 2. Who May Sign an Application. An application for SNAP shall be signed by:

- (1) An adult or emancipated child who is a responsible member of the household; or
- (2) The household's authorized representative.

Section 3. Where an Application is Filed.

- (1) Except as provided in subsection (2) of this section, an application shall be filed in any DCBS office or online at benefind.ky.gov.
- (2) A concurrent application for Supplemental Security Income (SSI) and SNAP shall be filed in the service area office of the Social Security Administration.

Section 4. Prompt Action on an Application. The cabinet shall provide an eligible household that completes the initial SNAP application process an opportunity to participate as soon as possible. The cabinet shall not provide an opportunity to participate later than:

- (1) Thirty (30) days after the application is filed for a household ineligible for expedited services; or
- (2) The fifth calendar day following the date an application is filed for a household eligible for expedited services.

Section 5. Expedited Service. The cabinet shall provide expedited services to a household that is eligible in accordance with 7 C.F.R. 273.2(i).

Section 6. Public Assistance Application Process.

(1) A household applying for Kentucky Transitional Assistance Program (KTAP) shall be allowed to simultaneously apply for SNAP benefits. A single interview shall be conducted for both programs.

(2) Time standards established in Section 4 of this administrative regulation shall not apply to a public assistance application. A public assistance application shall be governed by the time standards established in 921 KAR 2:035, Section 3.

(3) A household in which every member receives, or is authorized to receive, SSI shall be considered categorically eligible unless:

- (a) The entire household is institutionalized;
- (b) A household member is ineligible due to a drug-related felony conviction and does not meet the criteria to remain eligible established in KRS 205.2005;
- (c) A household member is disqualified due to an intentional program violation, defined in 921 KAR 3:010;
- (d) The head of the household is disqualified for failure to comply with the work requirements established in 921 kar 3:027; or
- (e) The entire household is disqualified due to lottery or gambling winnings pursuant to 921 KAR 3:020, Section 7.

(4) A household in which any member receives, or is authorized to receive cash, in-kind, or other benefits funded under the Temporary Assistance for Needy Families (TANF) Block Grant shall be considered categorically eligible unless:

- (a) The entire household is institutionalized;
- (b) A household member is ineligible due to a drug-related felony conviction and does not meet the criteria to remain eligible established in KRS 205.2005;
- (c) A household member is disqualified due to an intentional program violation, defined in 921 KAR 3:010;
- (d) The head of household is disqualified for failure to comply with the work requirements established in 921 kar 3:027; or
- (e) The entire household is disqualified due to lottery or gambling winnings pursuant to 921 KAR 3:020, Section 7.

(5) If verified by the program, a categorically eligible household shall not be required to verify the following eligibility factors:

- (a) Resources;
- (b) Gross and net income;
- (c) Social Security number;
- (d) Sponsored immigrant information; and
- (e) Residency.

(6) A household that receives a TANF information sheet at application, which makes the household aware of other programs for which the household may qualify, shall be considered expanded categorically eligible.

(7) If verified by the program, an expanded categorically eligible household shall not be required to verify the following factors:

- (a) Resources;
- (b) Social Security number;
- (c) Sponsored immigrant information; and
- (d) Residency.

Section 7. Joint SSI and SNAP Application Process. A household in which every member is an applicant or recipient of SSI shall be allowed to simultaneously apply for both SSI and SNAP in accordance with Section 3(2) of this administrative regulation.

Section 8. Voter Registration.

(1) In accordance with KRS 116.048 and 52 U.S.C. 20506, a SNAP applicant or recipient shall be provided the opportunity to complete an application to register to vote or update current voter registration if the applicant or recipient is:

- (a) Age eighteen (18) or over; and
- (b) Not registered to vote or not registered to vote at his or her current address.

(2) PAFS-706, Voter Registration Rights and Declination, shall be utilized to document a SNAP applicant or recipient's choice to:

- (a) Register to vote;
- (b) Not register to vote; or
- (c) Indicate that they are currently registered to vote.

(3) A voter registration application shall be completed if a SNAP applicant or recipient wants to:

- (a) Register to vote; or
- (b) Update voter registration to provide a new address.

(4) The voter registration process shall not apply to an individual not included in the assistance application, such as an authorized representative.

(5) All information utilized in the voter registration process shall remain confidential and be used only for voter registration purposes.

(6) The State Board of Elections shall approve the application to register to vote and send a confirmation or denial notice to the voter registration applicant.

Section 9. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "FS-1, Application for SNAP", 1/21; and
- (b) "PAFS-706, Voter Registration Rights and Declination", 1/21.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department for Community Based Services, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m.

(3 Ky.R. 679; eff. 5-4-1977; 6 Ky.R. 158; eff. 10-3-1979; 8 Ky.R. 539; eff. 2-1-1982; 9 Ky.R. 1066; eff. 4-6-1983; 14 Ky.R. 1538; 1846; eff. 3-10-1988; 18 Ky.R. 891; eff. 10-16-1991; 20 Ky.R. 2256; eff. 3-14-1994; 21 Ky.R. 2822; eff. 6-21-1995; Recodified from 904 KAR 3:030, 10-30-1998; 25 Ky.R. 2684; eff. 8-18-1999; 26 Ky.R. 2066; eff. 7-17-2000; 27 Ky.R. 2918; 28 Ky.R. 100; eff. 7-16-2001; 2277; 2593; eff. 6-14-2002; 29 Ky.R. 2185; 2482; eff. 4-11-2003; TAm eff. 10-27-2004; TAm eff. 1-27-2006; 34 Ky.R. 2623; 35 Ky.R. 290; eff. 9-5-2008; 37 Ky.R. 868; eff. 11-17-2010; 38 Ky.R. 1066; eff. 1-18-2012; 39 Ky.R. 1329; eff. 3-8-2013; 40 Ky.R. 2912; eff. 9-5-2014; 41 Ky.R. 1719; eff. 4-3-2015; 43 Ky.R. 817, 1182; eff. 2-3-2017; 45 Ky.R. 200, 664; eff. 9-19-2018; 47 Ky.R. 1142; 1593; eff. 2-11-2021; TAm eff. 6-24-2021.)