



**Expungement**

**IMAC Presentation**

April 2023

# Current Policy Overview

- Under current FoodShare policy, any benefit that was issued more than 365 days ago is expunged if there has been no EBT card activity for at least 365 days.
- Expungement can continue for multiple months if card inactivity continues (i.e., the benefits are expunged on a rolling basis).
- This current policy applies to both FoodShare and P-EBT benefits.

# Current Policy Overview

- After the card has been unused for at least **60** days, the cardholder is sent a warning letter stating they have benefits in their account at risk of being expunged. Note: This letter is only sent once in a lifetime to a cardholder. If they do not use their card for at least 60 days after having gotten this letter, they would not get another one.
- After the card has been unused for at least **300** days, the cardholder is sent another letter that specifies the date by which they must start using their benefits to avoid expungement. Once the member receives this letter, they continue to receive the letter every month going forward in which they continue to have benefits at risk for expungement.
- After the card has been unused **365** days, any benefits that have been on the card for more than 365 days are expunged. There is no notification to members when benefits are expunged.

# New Policy Overview

- Under the 2018 Farm Bill, states must adjust the expungement period.
- Starting in September 2023\*:
  - DHS will start to expunge FoodShare or P-EBT benefits after a period of **274** days instead of 365 days. (Note: The start month is subject to change.)
  - Member correspondence will be changed as follows:
    - The 60-day letter will be generated every month when the card goes unused for this period of time (and is no longer a once in a lifetime letter).
    - The 300-day letter will become the **210**-day letter.

\* Timing subject to change

# New Policy Overview

- Also starting in September 2023\*:
  - ACCESS/MyACCESS will be updated to provide members notifications about aging benefits.
  - FS reports will be adjusted to account for the change to a 274-day expungement period.

\* Timing subject to change

# Example

A recently eligible, single-person household receives their first allotment of FoodShare benefits on September 1, 2023, in the amount of \$100 a month.

The member never uses their EBT card.

On October 30, 2023, the member is sent a **60**-day warning letter.

On March 28, 2024, the member is sent the **210**-day warning letter which states they need to use their benefits by May 31, 2024.

On June 1, 2024, the benefits are expunged.

# Member Correspondence Changes

- The following types of notices will be sent to relevant FoodShare and P-EBT households (Sample drafts provided):
  - 60 day letter
    - Sent to a household when they have benefits available and have not used their EBT card at all for 60 days.
  - 210 Day Letter
    - Sent to a household when they have benefits available and have not used their EBT card at all for 210 days.
  - One time letter
    - Sent starting late June/early August 2023 to certain households to notify them that they have benefits at risk for expungement on or soon after the date that this policy changes in September 2023\*.

\* Timing subject to change

# One-Time Warning Letter

- When the policy change occurs, all cases will be immediately and simultaneously switched over to the new expungement timeframe. This means that some households will have benefits subject to expungement immediately or soon after the policy change.
- To ensure that these impacted households are given sufficient advanced notice of their risk for expungement, the following populations will be notified with a one-time warning letter about 50 days prior to the change:
  - Members with benefits available who are slated to have no EBT card activity for the past 210-273 days as of the date of the policy change.
  - Members with benefits available who are slated to have no EBT card activity for the past 274 or more days as of the date of the date of the policy change.



# Questions?