

Appendix C: Public Comments

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Agency Information Collection Activities; Supplemental Nutrition Assistance Program Forms:
Applications, Periodic Reporting, and Notices

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General Comment

Following Federal requirements, state agencies are responsible for determining the eligibility of SNAP applicant individuals or the entire household, and issuing benefits to those household entitled to benefits under the food and nutrition act of 2008 (the act), as amended. The federal procedures for implementing the application and certification procedures in the act are in parts 271, 272, and 273 of the title 7 of the code of federal regulations (CFR)... Part 273 contains procedures for the certification of eligible households.

Title 7CFR273.10(e)(2)(iv): For those eligible households which are entitled to no benefit in their initial month of application, in accordance with paragraph (a)(1) or (e)(2)(ii)(B) to to be of this section, but are entitled to benefits in subsequent months, the state agency shower certify the household beginning with the month of application.

The State of Texas does not follow this procedure. Does the state have the ability to violate federal mandate? Are the code of federal regulations merely suggestions that the state can interpret as they wish? Or are they the instructions that the state agencies must follow as they are approving/ denying the applications?