

Dear Mr. Wilusz:

Thank you for the opportunity to comment on the proposed information collection for Food Stamp Program Regulations, Part 275 – Quality Control. Specifically, we want to address the burden associated with the collection of information for the arbitration process.

Pennsylvania does not agree with the time estimated for the arbitration process. Our comments refer to the estimated time for the State Agency to complete the arbitration process.

Arbitration as outlined in the FNS 310 Handbook, Chapter 14, is a two step process. Step 1 is informal arbitration with the FNS regional office. Informal arbitration is a Quality Control (QC) function and is accomplished by telephone. We estimate the time required to prepare for and conduct informal arbitration is 5-10 hours per case.

Formal arbitration in Pennsylvania involves QC, the Bureau or Policy, and the Office of General Counsel. We estimate the time required to prepare for only formal arbitration is 24-45 hours. Included in this time are reading the record, photocopying, developing alternative arguments, meeting and discussing with various other components within the Department, researching State and Federal citations, and typing the response.

We believe the combined time spent on informal and formal arbitration in Pennsylvania is 29-55 hours per review.

If we assume the number of cases informally arbitrated is twice the number of formal arbitrations, the time spent on informal arbitration would range from 700-1,400 hours annually. The hours are derived by doubling the FNS figures for formal arbitrations (14 respondents, 2.5 responses per respondent) and multiplying by the Pennsylvania estimate of hours to complete informal arbitration. The number of informal arbitrations is higher because most differences which are arbitrated are settled at informal arbitration. Using the FNS figures for the number of formal arbitrations (14 respondents, 2.5 responses per respondent) and the Pennsylvania timeframes (29-55 hours), the formal arbitrations require 1,015-1,925 hours annually. Based on Pennsylvania's projection of 29-55 hours per formal arbitration the annual number of hours required each year for formal and informal arbitration would be 1,715-3,325. Thus, we believe the currently approved figure of 1,643 hours annually is understated.

Not included is the time to arbitrate timeliness differences. In Pennsylvania, we estimate an hour to dispose of each timeliness difference.

Thank you, again, for the opportunity to comment.