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September 2, 2015

The following is from the Iowa Department of Inspections and Appeals (DIA) in response to the request for comments on the collection of program activity data proposed on the revision of the Supplemental Nutrition Assistance Program (SNAP), Program and Budget Summary Statement Part B – Program Activity Statement, (FNS 366B Form).

The Iowa Department of Human Services (DHS) administers SNAP in the State of Iowa. The DIA is authorized by state statute to perform SNAP program integrity investigations on behalf of the DHS.

The included comments represent the DIA's Investigation Division's review of the proposed changes to the FNS 366B Form. Comments from the DHS would be submitted under separate cover, directly by the DHS.

Regarding ways to enhance the quality, utility, and clarity of the information collected:

Section E. Fraud Investigation; Trafficking subsection (c & d)

*Please clarify how these two subsections apply to a trafficking investigation? Should these two subsections be blocked out for trafficking investigations?

Section G. Prosecutions

*Our agency seeks clarification of the word "prosecutions" throughout this section. Is the word "prosecutions" solely in reference to criminal prosecutions or does it include administrative prosecutions? For reporting ease, it would be most beneficial to add the word "criminal" as a modifier each and every time the word prosecutions is used and intended to refer to criminal matters. In the event that Section G is meant to specifically deal with criminal prosecutions, it is important to note that IPV's are not pursued in our state through the criminal courts. Therefore, any IPV language or IPV reference would need to be removed throughout the Section G: Prosecutions instructions as IPV's are administrative proceedings in ours and many other jurisdictions.

Section G. Prosecutions; subsection (d) Average # Days from Referral to Completion

*Please clarify the word "completion". Is this referring to a criminal disposition, an administrative disqualification, or something else? If the word "completion" is meant to

reference the criminal case, it should be replaced with the phrase “criminal disposition” to include a criminal conviction or dismissal for better reporting accuracy.

Section G. Prosecutions; Program Dollars - subsection (e) Amount Subject to Claim

*The definition provided for “Program Dollars” references the administrative definition in section F(e)(2). It is confusing to mix the administrative concept of a disqualification in the definition section with a criminal prosecution process. For reporting clarification and to ensure accuracy, it would be beneficial to rename subsection (e) to “Amount Subject to Criminal Restitution Claims”.

Section G. Prosecutions; Program Dollars - subsection (f) Cost Savings

*Regarding eligibility fraud cases, our agency is unable to determine costs savings when our criminal courts do not impose IPV sanctions/administrative disqualifications at this time. Please clarify the corresponding definition section to address this issue and advise how we should proceed.

Section G. Prosecutions; Referred Individuals, No Action By Prosecutor

*Please provide further clarification for the phrase “No Action”. Does this refer to when a criminal charge has not been filed or something else? Please note, once a criminal charge is filed and a warrant is issued, it may take months or years to pick up the Defendant on the arrest warrant. In the meantime, the criminal statute of limitations is stayed until the Defendant is apprehended. If a criminal charge has been filed, but the arrest warrant remains outstanding, one cannot pull the case back from the District Attorney (prosecutor).

Regarding ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical or other technological collection techniques or other forms of information technology:

Section E. Fraud Investigation; Eligibility Fraud subsection (c & d)

*Reporting accurately the data requested in these two subsections is difficult when two or more state agencies are involved without the agencies having a shared database. The DIA, Investigations Division performs fraud investigations and the DHS determines eligibility and establishes eligibility claims.

The data requested in these two subsections will require information to be collected manually and will put a considerable burden on both state agencies.