

MFIP:

For replacing the food portion of MFIP, follow the SNAP provisions.

DWP, MSA, GA, GRH:

No provisions.

SNAP:

For information on overall provisions for replacing benefits, see 0024.06 (Provisions for Replacing Benefits).

DHS may replace food benefits when a client reports food stolen by EBT card cloning, EBT card skimming or other illegal methods, and all policy criteria are met.

Food benefits stolen from EBT cards by skimming, cloning, or using other illegal methods can be replaced a maximum of two times per Federal Fiscal Year (FFY). The FFY runs from October 1 through September 30.

The maximum replacement amount is either the benefit amount stolen from the EBT account, or the total of the two months of monthly food benefits issued immediately prior to the date that food benefits were stolen, whichever is less.

To issue replacement benefits that have been stolen from an EBT account, the following criteria MUST be met:

- The unit must report stolen EBT food benefits within 30 business days of the date that the unit discovers their EBT food benefits were stolen.

At the time of the report, the following steps must be taken by the county/Tribal Nation eligibility worker:

- Send/give the unit the Non-Receipt/Replacement Affidavit (DHS-1609).
- Complete the Fraud Prevention Investigation (FPI) Referral (DHS-3335A) for this report of stolen EBT food benefits. Send this form to your county/Tribal Nation FPI Investigator.
- Complete a case note detailing the information given by the unit about their stolen EBT food benefits.

AND

- The unit must complete, sign, and return the Non-Receipt/Replacement Affidavit (DHS-1609) within 10 business days of reporting the stolen food benefits. Place a copy of the completed and signed Non-Receipt/Replacement Affidavit (DHS-1609) in the case file. If the 10th day falls on a weekend or holiday, give units until the next working day to return the form.

AND

- The stolen EBT food benefits must be verified by the Fraud Prevention Investigator (FPI) or DHS Fraud staff. Examples of the information that investigators can use to verify if stolen EBT benefits can be replaced are:
 - Client's self-attestation on the Non-Receipt/Replacement Affidavit (DHS-1609).
 - EBT usage reports.
 - Retailer reports from the EBT system.
 - Checking Retailer locations for possible card readers.
 - Clients will have the opportunity for a conversation with the Fraud Prevention Investigator. This conversation is not a requirement and will not impact the outcome of the request for the replacement of stolen benefits.

If all above criteria are met, benefit replacements must be issued within 10 business days after receiving the completed DHS-1609 form. TSS BENE staff will issue the replacement benefits. To submit a benefit replacement request through TSS BENE see TE02.11.126 (Replacing Stolen EBT Food – Client Notified) and TE02.11.127 (Replacing Stolen EBT Food – Client Requests).

Complete a detailed case note for each case that requests a replacement of stolen food benefits from their EBT card. The case note must be done when the initial request from the client comes to the county/Tribal Nation worker and must include the detailed information given by the client about their stolen EBT food benefits. Other case notes must be entered on each case when there is a new or important information about the request for replacement of stolen EBT food benefits.

Units must be notified when their food benefits have been replaced. For information about sending this approval, see TE02.11.126 (Replacing Stolen EBT Food – Client Notified) and TE02.11.127 (Replacing Stolen EBT Food – Client Requests).

Stolen food benefit requests will be denied for the following reasons:

- The unit already received two replacements of stolen electronic benefits in the federal fiscal year.
- The unit did not report their stolen benefits to the county or Tribal Nation worker within 30 business days of discovering the theft.
- The unit did not provide the signed DHS-1609 form within ten business days of reporting theft.
- The unit did not provide additional information to validate the claim as requested by the county/Tribal Nation or DHS staff.
- The county/Tribal Nation and/or DHS staff determines the EBT food benefits were not stolen as a result of card skimming, cloning, or similar illegal methods.
- The stolen EBT benefits replacement were stolen outside of the 10/01/2022 – 09/30/2024 time period.

For information about denying the replacement of stolen EBT food benefits see TE02.11.126 (Replacing Stolen EBT Food – Client Notified) and TE02.11.127 (Replacing Stolen EBT Food – Client Requests).