



**Department of Human Services
Online Directives Information System**

**Index: POL1853
Revised: 03/09/2021
Next Review: 03/08/2023**

SUBJECT: Disqualification Penalties

**POLICY:
Supplemental Nutrition Assistance Program (SNAP)**

Disqualification from participation in the Supplemental Nutrition Assistance Program, commonly known as SNAP, occurs when a recipient admits guilt or is found guilty of a SNAP intentional program violation (IPV). Pursuant to U.S. Code, Title 7, Section 2015(b) (1), Agriculture, Supplemental Nutrition Assistance Program, the disqualification penalties are as follows:

- First-time offenders are disqualified for 12 months.
- Second-time offenders are disqualified for 24 months.
- Third-time offenders are disqualified permanently.

A recipient shall be ineligible to participate in SNAP for 10 years if the recipient has made a fraudulent statement or representation of identity or residence in order to receive multiple benefits simultaneously.

SNAP disqualification penalties have been increased for recipients who are found guilty in a federal, state or local court of trading or receiving SNAP benefits for firearms, ammunition, explosives or controlled substances. If a court finds that a recipient traded SNAP benefits for illegal drugs, the disqualification will be set at 24 months for a first violation and permanent disqualification for a second violation. If a court finds that a recipient traded SNAP benefits for guns, ammunition or explosives, the disqualification is permanent for a first violation. Recipients convicted of selling \$500 or more of SNAP benefits will be permanently disqualified from SNAP.

Temporary Assistance to Needy Families (TANF)

Disqualification from participation in the TANF Program occurs when a recipient admits guilt or is found guilty of TANF IPV. The recipient is disqualified from participation in the TANF Program for a prescribed period of time. Pursuant to U.S. Code, Title 42, Section 616 (b) Public Health and Welfare, Social Security Act, effective 05/1992 in Georgia, the disqualification penalties are as follows:

- First-time offenders are disqualified for 6 months.
- Second-time offenders are disqualified for 12 months.
- Third-time offenders are disqualified permanently.

A recipient shall be ineligible to participate in the TANF Program for 10 years if the recipient has made a fraudulent statement or representation of residence in order to receive multiple benefits in two or more states at the same time.

A. Authority

[O.C.G.A. § 49-4-15](#)

B. References

Benefit Recovery Manual 3450 Volume IV

Food Stamp Program Manual 3420 Volume III

TANF Program Manual 3390 Volume 1

U.S. Code [7 U.S.C § 2015 \(b\)](#)

Code of Federal Regulations [7 C.F.R § 273.16](#)

C. Applicability

The disqualification period will be imposed against an individual who admits guilt or is found guilty of an IPV in the SNAP and TANF programs.

D. Definitions

Persons found guilty of intentional program violations through an administrative disqualification hearing, by a court, or who signed a waiver of right to an administrative disqualification hearing are ineligible to participate in SNAP and TANF.

E. Responsibilities

1. The OIG Benefit Integrity and Recovery Unit (BIRU) Director is responsible for the oversight of POL 1853.
2. The BIRU State Operations Unit updates procedures to implement this policy.

F. History

G. Evaluation

The OIG/BIRU evaluates this policy by:

1. Monitoring and completing an annual review to confirm accuracy of disqualification penalties.
2. Passing any audit(s) with no findings.