



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

**Index: POL1853  
Revised: 10/03/2019  
Next Review: 10/03/2021**

**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.