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3410.0000 Food Stamps

This chapter presents notice and form policy.

3410.0100 WRITTEN NOTICE REQUIREMENT (FS)

The individual must be informed in writing of all DCF decisions affecting eligibility, appointment times, or any request for information.

All requests for information from the individual must be given in writing and must specify the date on which the information must be returned.

Except in situations indicated in passage 3410.0101, written notice must be given or mailed at least 10 days prior to the effective month of the action if action is being taken to terminate or reduce benefits (adverse action).

In addition, the individual must be notified in writing when data exchange from a federal source indicates a discrepancy between the information provided and information contained in FLORIDA or the case record. The individual must be provided an opportunity to dispute the findings.

3410.0101 Exceptions to the Written Notice Requirement (FS)

Written notice of adverse action is not required when:

1. a mass change affects the entire caseload or a significant part of the caseload;
2. an assistance group (AG) moves out of state or the Department receives information from a reliable source that the AG has moved out of state;
3. all members of the AG are deceased;
4. an AG member is disqualified for an intentional program violation, or the benefits of the remaining members are reduced or terminated to reflect the disqualification of the AG member;
5. an AG was certified for expedited services with postponed verification and was notified at the time of approval that the receipt of benefits beyond the month of application is contingent upon its providing the postponed verification and that the Department can act on the verified information without further notification;
6. the AG voluntarily requests in writing or in the presence of the eligibility specialist that participation be terminated;
7. an AG is receiving an increased allotment to restore lost benefits, the restoration is now completed and the AG was previously notified in writing of when the increased allotment would terminate;
8. an AG that jointly applied for Temporary Cash Assistance (TCA) and food stamp benefits has been receiving food stamp benefits pending approval of TCA and was notified at the time of approval for food stamp benefits that the benefits would be reduced or terminated upon approval of the TCA;
9. an AG is converted from TCA or food stamp benefits repayment to benefit reduction as a result of failure to meet the agreed repayment schedule; or
10. the eligibility of residents of drug or alcohol treatment centers or group living arrangements is terminated as the facility has either lost its certification from the Department or has its authorized representative status suspended due to a Food and Nutrition Service disqualification as a retailer.

3410.0200 TYPES OF NOTICES (FS)

The passages in this section present policy on types of notices.

3410.0201 Appointment Notices (FS)

The payee must be given notice of the appointment for an application or eligibility review interview. This notice must show the date and time of the scheduled interview.

3410.0203.01 Notification of Case Action (FS)

The payee must be informed in writing of all decisions affecting the assistance group's eligibility. This includes approval or denial of an application for benefits, notification of any change in benefits or type of benefits, and/or termination of benefits. If an assistance group has a protective payee, the protective payee must also receive copies of all notices sent to the assistance group.

3410.0203.02 Expedited Assistance Groups (FS)

Assistance groups (AGs) approved for expedited food stamp benefits must be advised on the Notice of Case Action that postponed verification must be provided prior to receipt of additional benefits during the certification period. The notice must include the consequences of failure to provide this information. Additionally, the AG will be advised that if postponed verification, when provided, results in decreased benefits, this adverse action will be taken immediately.

3410.0206 Beneficial Change Notification (FS)

A Beneficial Change Notice is provided to the individual when there is a beneficial change in benefits. The written notice must advise the individual of the increase in benefits, reason for the increase, and the effective date of the change.

3410.0207 Advance Notice of Adverse Action (FS)

Adverse actions include the reduction of a benefit and the termination of an individual's or assistance group's eligibility for benefits.

DCF is required to provide advance or adequate notice based upon the specific actions taken on an application or ongoing case. Advance and adequate notice are defined as follows:

1. Advance notice is a notice that is provided giving at least 10 days plus one additional day for mailing prior to the effective date of any adverse action.
2. Adequate notice is a notice that is provided prior to the date an individual or assistance group would receive benefits. In certain situations DCF is not required to provide advance notice before taking adverse action but is required to give adequate notice.

3410.0208 Notice of Expiration (FS)

Written notice that the eligibility period is expiring must be provided to food stamp assistance groups (AGs) to allow the AG time to reapply and have eligibility determined during the last month of their current eligibility period.

Assistance groups will receive a system generated NECP notice. These AGs must receive the NECP at least one day prior to the AG's last month of the eligibility period, but no earlier than the next to the last month of the eligibility period. The NECP will provide a deadline date by which an application must be submitted in order to be considered a timely request for benefits.

3410.0209 Notification of Discrepant Information (FS)

The assistance group must be notified in writing when discrepant information is known to the Department which affects eligibility and benefit levels.

3410.0210 Discrepant Information - Federal Source (FS)

The applicant/recipient must be notified when the Department has received information through the data exchange process from a federal source which affects the individual's eligibility. The applicant/recipient must be provided at least 30 days to resolve or disprove the findings before the Department can initiate negative action to affect benefits or to refer the case for overpayment.

3410.0211 Discrepant Information (FS)

In order to comply with the Roberts v. Austin court case, an applicant/recipient must be sent a request for verification notice and given at least 10 days to contact the Department to resolve or disprove discrepant information. The Department must complete this action before a benefit recovery referral can be initiated. The applicant/recipient does not have to be given an opportunity to resolve a discrepancy for an overissuance caused by a Department or administrative error.

3410.0212 Unclear Information (FS)

During the certification period, the Department may receive unclear information about a household's circumstances which prevents the Department from determining ongoing eligibility or benefit amount. Unclear information is information that is not verified, or information that is verified but the Department needs additional information to act on the change.

The Department must request clarification and verification (if applicable) of household circumstances for any unclear information that appears to significantly conflict with the information that was used by the eligibility specialist at the time of application or recertification.

If a discrepancy exists, the eligibility specialist must contact the household by phone or send a pending notice which clearly advises the household of the verification it must provide or the actions it must take to clarify its circumstances and consequences for failure to respond to the request.

Allow the household at least ten (10) days to respond and to clarify its circumstances either by telephone or providing verification, as directed by the Department.

If the household does not respond to the pending notice or refuses to provide information to clarify the unclear information, the eligibility specialist must take action and issue a notice of adverse action which explains the reason for termination of benefits and advises to submit a new application if the household wishes to continue receiving benefits. If the unclear information does not meet the reporting criteria for Simplified Reporting households, then the Department shall not act on the information or require the household to provide verification until the next recertification is due.

If the household responds and provides requested information, the eligibility specialist must act on the new information. When information results in an increase, the eligibility specialist must act on the change.

If a discrepancy exists with Social Security Match (DETH) or Prisoner Match (DEPR) information, which are not verified upon receipt, contact the customer by phone or send a pending notice for verification. The applicant/recipient must be given at least 10 days to resolve the unclear data exchange match.

3410.0300 NOTICE DESCRIPTIONS (FS)

Notices are automatically produced by FLORIDA.

3410.0400 FORM DESCRIPTIONS (FS)

Forms are not automatically produced by FLORIDA and must be manually prepared by the eligibility specialist.

3420.0000 Temporary Cash Assistance

This chapter presents notice and form policy.

3420.0100 WRITTEN NOTICE REQUIREMENT (TCA)

The individual must be informed in writing of all DCF decisions affecting eligibility, appointment times, or any request for information.

All requests for information from the individual must be given in writing and must specify the date on which the information must be returned.

Except in situations indicated in passages 3420.0102 through 3420.0103, written notice must be given or mailed at least 10 days prior to the effective month of the action if action is being taken to terminate or reduce benefits (adverse action).

In addition, the individual must be notified in writing when data exchange from a federal source indicates a discrepancy between the information provided and information contained in FLORIDA or the case record. The individual must be provided an opportunity to dispute the findings.

3420.0102 Exceptions to Written Notice (TCA)

When DCF is unable to locate an individual, the written notice requirement is waived. Inability to locate an individual may be evidenced by the return of a letter of recent date indicating that the letter could not be delivered because the individual has moved, there is no forwarding address, and no additional information is available to locate the individual. The reason for not giving advance notice must be recorded and the returned correspondence, including the envelope, must be retained in the case record.

3420.0103 Exceptions to 10 Days Advance Notice (TCA)

Written notice is not required when the eligibility specialist is unable to locate an individual. This may be evidenced by the return of a letter of recent date and no further information is available. The reason for not sending a written notice must be clearly documented and the returned correspondence and envelope must be retained in the case record.

Ten days advance notice is not required when:

1. a payee requests cancellation in writing;
2. a TCA child dies;
3. a change of payee occurs;
4. a child is removed from the home as a result of court order or is voluntary placed in foster care;
5. when a fair hearing has been denied; or
6. notice has already been given, but the system failed to process the change.

3420.0200 TYPES OF NOTICES (TCA)

The passages in this section present policy on types of notices.

3420.0201 Appointment Notices (TCA)

The payee must be given notice of the appointment for an application or eligibility review interview. This notice must show the date and time of the scheduled interview.

3420.0202 Abandonment (TCA)

If the payee does not return required information or appear for their scheduled appointment by the deadline, written notice must be sent the next day informing the payee of the Department's intent to consider the application abandoned if the payee does not respond by a given date.

This policy applies only to applications and not to ongoing cases.

3420.0203 Notification of Case Action (TCA)

The payee must be informed in writing of all decisions affecting the assistance group's eligibility. This includes approval or denial of an application for benefits, notification of any change in benefits or type of benefits, and/or termination of benefits. If an assistance group has a protective payee, the protective payee must also receive copies of all notices sent to the assistance group.

3420.0204 Notification of Case Action/Approvals (TCA)

The payee must be notified in writing when an application is approved. The notice will include a description of benefits and the time frame for which benefits are authorized.

3420.0205 Notification of Case Action/Denial (TCA)

The individual must be notified when an application is denied. The notice will also provide the reason assistance was denied.

3420.0206 Beneficial Change Notification (TCA)

A Beneficial Change Notice is provided to the individual when there is a beneficial change in benefits. The written notice must advise the individual of the increase in benefits, reason for the increase, and the effective date of the change.

3420.0207 Advance Notice of Adverse Action (TCA)

Adverse actions include the reduction of a benefit and the termination of an individual's or assistance group's eligibility for benefits.

DCF is required to provide advance or adequate notice based upon the specific actions taken on an application or ongoing case. Advance and adequate notice are defined as follows:

1. Advance notice is a notice that is provided giving at least 10 days plus one additional day for mailing prior to the effective date of any adverse action.
2. Adequate notice is a notice that is provided prior to the date an individual or assistance group would receive benefits. In certain situations DCF is not required to provide advance notice before taking adverse action but is required to give adequate notice.

3420.0208 Notice of Expiration (TCA)

Written notice that the eligibility period is expiring must be provided to TCA assistance groups (AGs) to allow the AG time to reapply and have eligibility determined during the last month of their current certification period.

Assistance groups will receive a system generated NECP notice. These AGs must receive the NECP at least one day prior to the AG's last month of the eligibility period, but no earlier than the next to the last month of the eligibility period. The NECP will provide a deadline date by which an application must be submitted in order to be considered a timely request for benefits.

3420.0209 Notification of Discrepant Information (TCA)

The assistance group must be notified in writing when discrepant information is known to the Department which affects eligibility and benefit levels.

3420.0210 Discrepant Information - Federal Source (TCA)

The applicant/recipient must be notified when the Department has received information through the data exchange process from a federal source, which affects the individual's eligibility. The applicant/recipient must be provided at least 30 days to resolve or disprove the findings before the Department can initiate negative action to affect benefits or to refer the case for overpayment.

3420.0300 NOTICE DESCRIPTIONS (TCA)

Notices are automatically produced by FLORIDA.

3420.0400 FORM DESCRIPTIONS (TCA)

Forms are not automatically produced by FLORIDA and must be manually prepared by the eligibility specialist.

3430.0000 Family-Related Medicaid

This chapter presents notice policy.

3430.0100 WRITTEN NOTICE REQUIREMENT (MFAM)

The individual must be informed in writing or electronically of all DCF decisions affecting eligibility, appointment times, or any request for information.

All requests for information from the individual must be given in writing or electronically and must specify the date on which the information must be returned.

Except in situations indicated in passages 3430.0102 through 3430.0103, written notice must be given, mailed or electronically posted, at least 10 days prior to the effective month of the action if action is being taken to terminate or reduce benefits (adverse action).

In addition, the individual must be notified in writing or electronically when data exchange from a federal source indicates a discrepancy between the information provided and information contained in FLORIDA or the case record. The individual must be provided an opportunity to dispute the findings.

3430.0102 Exceptions to Written Notice (MFAM)

When DCF is unable to locate an individual, the written or electronic notice requirement is waived. Inability to locate an individual may be evidenced by the return of a letter of recent date indicating that the letter could not be delivered because the individual has moved, there is no forwarding address, and no additional information is available to locate the individual. The reason for not giving advance notice must be recorded and the returned correspondence, including the envelope, must be retained in the case record.

3430.0103 Exceptions to 10 Days Advance Notice (MFAM)

Ten days advance notice is not required when:

1. a payee requests cancellation in writing,
2. a TCA child or RAP adult dies,
3. a change of payee occurs,
4. a child is removed from the home as a result of court order or is voluntary placed in foster care,
5. when a fair hearing has been denied, or
6. notice has already been given, but the system failed to process the change.

3430.0200 TYPES OF NOTICES (MFAM)

The passages in this section present policy on types of notices. Notices are usually system generated.

3430.0201 Appointment Notices (MFAM)

The payee must be given notice of the appointment for an application or eligibility review interview. This notice must show the date and time of the scheduled interview.

3430.0203 Notification of Case Action (MFAM)

The payee must be informed in writing of all decisions affecting the assistance group's eligibility. This includes approval or denial of an application for benefits, notification of any change in benefits or type of benefits, and/or termination of benefits.

3430.0204 Notification of Case Action/Approvals (MFAM)

The payee must be notified in writing when an application is approved. The notice will include a description of benefits and the time frame for which benefits are authorized.

3430.0205 Notification of Case Action/Denial (MFAM)

The individual must be notified when an application is denied. The notice will also provide the reason assistance was denied.

3430.0206 Beneficial Change Notification (MFAM)

A Beneficial Change Notice is provided to the individual when there is a beneficial change in benefits. The written notice must advise the individual of the increase in benefits, reason for the increase, and the effective date of the change.

3430.0207 Advance Notice of Adverse Action (MFAM)

Adverse actions include the reduction of a benefit, an increase in the Medically Needy Share of Cost and the termination of an individual's or assistance group's eligibility for benefits.

The Department is required to provide advance or adequate notice based upon the specific actions taken on an application or ongoing case. Advance and adequate notice are defined as follows:

1. Advance notice is a notice that is provided giving at least 10 days plus one additional day for mailing prior to the effective date of any adverse action.
2. Adequate notice is a notice that is provided prior to the date an individual or assistance group would receive benefits. In certain situations DCF is not required to provide advance notice before taking adverse action but is required to give adequate notice.

3430.0209 Notification of Discrepant Information (MFAM)

The assistance group must be notified in writing when discrepant information is known to the Department which affects eligibility and benefit levels.

3430.0210 Discrepant Information - Federal Source (MFAM)

The applicant/recipient must be notified when the Department has received information through the data exchange process from a federal source, which affects the individual's eligibility. The applicant/recipient must be provided at least 30 days to resolve or disprove the findings before the Department can initiate negative action to affect benefits or to refer the case for overpayment.

3430.0500 RULE CITATIONS (MFAM)

Official rules governing the administration of the Medicaid Programs are found in the Florida Administrative Code, Chapter 65A-1.

When notifying public assistance applicants and recipients of action which denies, cancels, or reduces benefits, it is necessary to cite the law/rule number or numbers from the Florida Administrative Code (F.A.C.), giving the reason or reasons for the adverse action. Rule citations are selected from a table and generated by FLORIDA.

All rules applicable to the action being taken must be cited, along with a brief explanation of what the law/rule means in relation to ineligibility or reduction of assistance.

Rule citations that could have a bearing on eligibility or ineligibility are printed on the Notice of Case Action, along with a brief statement summarizing each rule.

3440.0000 SSI-Related Medicaid, State Funded Programs

This chapter presents notice and form policy.

3440.0100 WRITTEN NOTICE REQUIREMENT (MSSSI, SFP)

The individual must be informed in writing of all DCF decisions affecting eligibility, appointment times, or any request for information.

All requests for information from the individual must be given in writing and must specify the date on which the information must be returned.

Except in situations indicated in passages 3440.0102 through 3440.0106, written notice must be given or mailed at least 10 days prior to the effective month of the action if action is being taken to terminate or reduce benefits (adverse action).

In addition, the individual must be notified in writing when data exchange from a federal source indicates a discrepancy between the information provided and information contained in FLORIDA or the case record. The individual must be provided an opportunity to dispute the findings.

3440.0102 Exceptions to Written Notice (MSSSI, SFP)

When DCF is unable to locate an individual, the written notice requirement is waived. Inability to locate an individual may be evidenced by the return of a letter of recent date indicating that the letter could not be delivered because the individual has moved, there is no forwarding address, and no additional information is available to locate the individual. The reason for not giving advance notice must be recorded and the returned correspondence, including the envelope, must be retained in the case record.

3440.0105 Exceptions to 10 Days Advance Notice (MSSSI, SFP)

A written notice is required but a 10 days advance notice is waived when the following situations exist:

1. an individual signs a written statement requesting that benefits be reduced or stopped;
2. cancellation is due to absence from the Special Living Arrangement in OSS;
3. cancellation is due to death; or
4. reduction in OSS payment is due to a change from a higher living arrangement rate to an arrangement with a lower rate.

3440.0106 Exceptions to the Written Notice Requirement (MSSSI)

For ICP, when the facility's rate changes or when there is a change in the individual's level of care, written notice is not required. The provider (and the individual when there are changes in level of care) is notified of the change through established procedures.

Written notice is not required when an appeal is denied.

3440.0200 TYPES OF NOTICES (MSSSI)

The passages in this section present policy on types of notices.

3440.0201 Appointment Notices (MSSSI, SFP)

The payee must be given notice of the appointment for an application or eligibility review interview. This notice must show the date and time of the scheduled interview.

3440.0203 Notification of Case Action (MSSSI, SFP)

The payee must be informed in writing of all decisions affecting the assistance group's eligibility. This includes approval or denial of an application for benefits, notification of any change in benefits or type of benefits, and/or termination of benefits. If an assistance group has a protective payee, the protective payee must also receive copies of all notices sent to the assistance group.

3440.0204 Notification of Case Action/Approvals (MSSSI, SFP)

The payee must be notified in writing when an application is approved. The notice will include a description of benefits and the time frame for which benefits are authorized.

3440.0205 Notification of Case Action/Denial (MSSSI, SFP)

The individual must be notified when an application is denied. The notice will also provide the reason assistance was denied.

3440.0206 Beneficial Change Notification (MSSSI, SFP)

A Beneficial Change Notice is provided to the individual when there is a beneficial change in benefits. The written notice must advise the individual of the increase in benefits, reason for the increase, and the effective date of the change.

3440.0207 Advance Notice of Adverse Action (MSSSI, SFP)

Adverse actions include the reduction of a benefit, an increase in the Medically Needy Share of Cost or patient responsibility and the termination of an individual's or assistance group's eligibility for benefits.

DCF is required to provide advance or adequate notice based upon the specific actions taken on an application or ongoing case. Advance and adequate notice are defined as follows:

1. Advance notice is a notice that is provided giving at least 10 days plus one additional day for mailing prior to the effective date of any adverse action.
2. Adequate notice is a notice that is provided prior to the date an individual or assistance group would receive benefits. In certain situations DCF is not required to provide advance notice before taking adverse action but is required to give adequate notice.

3440.0209 Notification of Discrepant Information (MSSSI, SFP)

The assistance group must be notified in writing when discrepant information is known to the Department which affects eligibility and benefit levels.

3440.0210 Discrepant Information - Federal Source (MSSSI)

The applicant/recipient must be notified when the Department has received information through the data exchange process from a federal source which affects the individual's eligibility. The applicant/recipient must be provided at least 30 days to resolve or disprove the findings before the Department can initiate negative action to affect benefits or to refer the case for overpayment.

3440.0300 NOTICE DESCRIPTIONS (MSSSI)

Notices are automatically produced by FLORIDA.

3440.0400 FORM DESCRIPTIONS (MSSSI)

Forms are not automatically produced by FLORIDA and must be manually prepared by the eligibility specialist.

3440.0500 RULE CITATIONS (MSSSI, SFP)

When notifying public assistance applicants and recipients of action which denies, cancels, or reduces benefits, it is necessary to cite the law/rule number or numbers from the Florida Administrative Code (F.A.C.), giving the reason or reasons for the adverse action. Rule citations are selected from a table and generated by FLORIDA.

All rules applicable to the action being taken must be cited, along with a brief explanation of what the law/rule means in relation to ineligibility or reduction of assistance.

Rule citations which could have a bearing on eligibility or ineligibility are printed on the Notice of Case Action, along with a brief statement summarizing each rule.

3440.0504 Law/Rule Citations (MSSSI, SFP)

The rule citations for Medicaid are found in the Florida Administrative Code 65A-1. The rule citations for Optional State Supplementation are found in Florida Administrative Code, Chapter 65A-2. The rule citations for Home Care for Disabled Adults are found in Florida Administrative Code, Chapters 65A-1 and A-2.

The Florida Administrative Code (Rule) citation must be given on any notice regarding:

1. increase in patient responsibility,
2. increase of share of cost,
3. termination of enrollment, or
4. termination of Medicaid for a recipient who is no longer eligible.

3450.0000 Child In Care

This chapter presents notice and form policy.

3450.0100 WRITTEN NOTICE REQUIREMENT (CIC)

The individual must be informed in writing of all DCF decisions affecting eligibility, appointment times, or any request for information.

All requests for information from the individual must be given in writing and must specify the date on which the information must be returned.

Except in situations indicated in passages 3450.0102 through 3450.0103, written notice must be given or mailed at least 10 days prior to the effective month of the action if action is being taken to terminate or reduce benefits (adverse action).

In addition, the individual must be notified in writing when data exchange from a federal source indicates a discrepancy between the information provided and information contained in FLORIDA or the case record. The individual must be provided an opportunity to dispute the findings.

3450.0200 TYPES OF NOTICES (CIC)

The passages in this section present policy on types of notices.

3450.0201 Appointment Notices (CIC)

The payee must be given notice of the appointment for an application or eligibility review interview. This notice must show the date and time of the scheduled interview.

3450.0203 Notification of Case Action (CIC)

The payee must be informed in writing of all decisions affecting the assistance group's eligibility. This includes approval or denial of an application for benefits, notification of any change in benefits or type of benefits, and/or termination of benefits. If an assistance group has a protective payee, the protective payee must also receive copies of all notices sent to the assistance group.

3450.0204 Notification of Case Action/Approvals (CIC)

The payee must be notified in writing when an application is approved. The notice will include a description of benefits and the time frame for which benefits are authorized.

3450.0205 Notification of Case Action/Denial (CIC)

The individual must be notified when an application is denied. The notice will also provide the reason assistance was denied.

3450.0206 Beneficial Change Notification (CIC)

A Beneficial Change Notice is provided to the individual when there is a beneficial change in benefits. The written notice must advise the individual of the increase in benefits, reason for the increase, and the effective date of the change.

3450.0207 Advance Notice of Adverse Action (CIC)

Adverse actions include the reduction of a benefit, an increase in the Medically Needy Share of Cost and the termination of an individual's or assistance group's eligibility for benefits.

DCF is required to provide advance or adequate notice based upon the specific actions taken on an application or ongoing case. Advance and adequate notice are defined as follows:

1. Advance notice is a notice that is provided giving at least 10 days plus one additional day for mailing prior to the effective date of any adverse action.
2. Adequate notice is a notice that is provided prior to the date an individual or assistance group would receive benefits. In certain situations DCF is not required to provide advance notice before taking adverse action but is required to give adequate notice.

3450.0209 Notification of Discrepant Information (CIC)

The assistance group must be notified in writing when discrepant information is known to the Department which affects eligibility and benefit levels.

3450.0210 Discrepant Information - Federal Source (CIC)

The applicant/recipient must be notified when the Department has received information through the data exchange process from a federal source which affects the individual's eligibility. The applicant/recipient must be provided at least 30 days to resolve or disprove the findings before the Department can initiate negative action to affect benefits or to refer the case for overpayment.

3450.0300 NOTICE DESCRIPTIONS (CIC)

Notices are automatically produced by FLORIDA for the RAP Program. FLORIDA does not support notice production for CIC so manual notices must be used.

3450.0400 FORM DESCRIPTIONS (CIC)

Forms are not automatically produced by FLORIDA and must be manually prepared by the eligibility specialist.

3450.0500 RULE CITATIONS (CIC)

When notifying public assistance applicants and recipients of action which denies, cancels, or reduces benefits, it is necessary to cite the law/rule number or numbers from the Florida Administrative Code (F.A.C.), giving the reason or reasons for the adverse action. Rule citations are selected from a table and generated by FLORIDA.

All rules applicable to the action being taken must be cited, along with a brief explanation of what the law/rule means in relation to ineligibility or reduction of assistance.

Rule citations which could have a bearing on eligibility or ineligibility are printed on the Notice of Case Action, along with a brief statement summarizing each rule.

3450.0503 Law/Rule Citations (CIC)

Rule citations are selected from a table and must be added to the manual notice by the eligibility specialist.

3460.0000 Refugee Assistance Program

This chapter presents notice and form policy.

3460.0100 WRITTEN NOTICE REQUIREMENT (RAP)

The individual must be informed in writing of all DCF decisions affecting eligibility, appointment times, or any request for information.

All requests for information from the individual must be given in writing and must specify the date on which the information must be returned.

Except in situations indicated in passages 3460.0102 through 3460.0103, written notice must be given or mailed at least 10 days prior to the effective month of the action if action is being taken to terminate or reduce benefits (adverse action).

In addition, the individual must be notified in writing when data exchange from a federal source indicates a discrepancy between the information provided and information contained in FLORIDA or the case record. The individual must be provided an opportunity to dispute the findings.

3460.0102 Exceptions to Written Notice (RAP)

When DCF is unable to locate an individual, the written notice requirement is waived. Inability to locate an individual may be evidenced by the return of a letter of recent date indicating that the letter could not be delivered because the individual has moved, there is no forwarding address, and no additional information is available to locate the individual. The reason for not giving advance notice must be recorded and the returned correspondence, including the envelope, must be retained in the case record.

3460.0103 Exceptions to 10 Days Advance Notice (RAP)

Written notice is not required when the eligibility specialist is unable to locate an individual. This may be evidenced by the return of a letter of recent date and no further information is available. The reason for not sending a written notice must be clearly documented and the returned correspondence and envelope must be retained in the case record.

Ten days advance notice is not required when:

1. a payee requests cancellation in writing;
2. a TCA child or RAP adult dies;
3. a change of payee occurs;
4. a child is removed from the home as a result of court order or is voluntary placed in foster care;
5. when a fair hearing has been denied; or
6. notice has already been given, but the system failed to process the change.

3460.0200 TYPES OF NOTICES (RAP)

The passages in this section present policy on types of notices.

3460.0201 Appointment Notices (RAP)

The payee must be given notice of the appointment for an application or eligibility review interview. This notice must show the date and time of the scheduled interview.

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The payee must be notified in writing when an application is approved. The notice will include a description of benefits and the time frame for which benefits are authorized.

3460.0205 Notification of Case Action/Denial (RAP)

The individual must be notified when an application is denied. The notice will also provide the reason assistance was denied.

3460.0206 Beneficial Change Notification (RAP)

A Beneficial Change Notice is provided to the individual when there is a beneficial change in benefits. The written notice must advise the individual of the increase in benefits, reason for the increase, and the effective date of the change.

3460.0207 Advance Notice of Adverse Action (RAP)

Adverse actions include the reduction of a benefit and the termination of an individual's or assistance group's eligibility for benefits.

DCF is required to provide advance or adequate notice based upon the specific actions taken on an application or ongoing case. Advance and adequate notice are defined as follows:

1. Advance notice is a notice that is provided giving at least 10 days plus one additional day for mailing prior to the effective date of any adverse action.
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The assistance group must be notified in writing when discrepant information is known to the Department which affects eligibility and benefit levels.

3460.0210 Discrepant Information - Federal Source (RAP)

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3460.0300 NOTICE DESCRIPTIONS (RAP)

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3460.0500 RULE CITATIONS (RAP)

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All rules applicable to the action being taken must be cited, along with a brief explanation of what the law/rule means in relation to ineligibility or reduction of assistance.

Rule citations which could have a bearing on eligibility or ineligibility are printed on the Notice of Case Action, along with a brief statement summarizing each rule.

3460.0502 Law/Rule Citations (RAP)

Official rules governing the administration of non-TCA RAP can be found in the Florida Administrative Code, Chapter 65A-1.