



## Administrative Policies and Procedures: 24.01

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**Subject** Supplemental Nutrition Assistance Program (SNAP) General Administrative Procedures

**Approved by**

**Approval Date:** 12/13/2019

**Effective Date:** 12/31/2019

**Authority**

Tenn. Code Ann. §§ 71-1-105(4), 71-5-304(5)  
7 C.F.R. § 272.1

Tenn. Comp. R. & Regs. 1240-01-13-.01; 1240-01-13-.02 and 1240-09-01-.05 [Access to Public Records of the Department of Human Services]

**Application**

All TDHS Employees and Contractors

### Policy Statement

The Tennessee Department of Human Services (TDHS) will maintain applicant/participant case files according to State and Federal guidelines.

### Purpose

This policy was developed to provide procedures and guidelines for staff to accurately maintain case files.

### Procedures

- A. Management of Case Records**
1. Information in the Supplemental Nutrition Assistance Program (SNAP) case record must be:
    - a. Accurate;
    - b. Up-to-date; and
    - c. Pertinent to eligibility.
  2. All sources of information and verification should be clearly indicated.
  3. Individuals who give information are to be identified.

4. Factual information must be clearly distinguished from expressions of opinion.

**B. Confidentiality of Case Records**

1. Tennessee Department of Human Services (TDHS) has adopted the policy of maintaining the confidential nature of Family Assistance information.
2. The regulations of TDHS are aimed at:
  - a. Developing a relationship of confidence between all TDHS staff and the Applicant/Recipient (A/R).
  - b. Defining and protecting the rights of applicants through safeguards against:
    - i. Identification of such individuals as a special group.
    - ii. Exploitation of this group for commercial, personal or political purposes.
    - iii. Making information available solely as a basis for prosecution and other proceedings at the direction of the Department's Office of General Counsel.
  - c. Providing a basis for recognition by the court of the right of TDHS to protect its records.
  - d. Developing a relationship of confidence between TDHS and the public at large, by protecting information made available to TDHS by representatives of the public and utilizing such information only for the purpose of the proper functioning of TDHS programs.

**C. Information Considered Confidential**

In general, all personally identifiable information is confidential, including, but not limited to the following:

1. Case records;
2. Reports of investigations and medical investigations;
3. Names and addresses of Family Assistance participants;
4. All other information known to the agency in connection with Family Assistance and other services; and/or
5. Personal information contained on applications and on various forms.

**D. Exceptions to Confidential Information**

Subject to the approval of the Office of General Counsel, confidential information may be disclosed under the following circumstances:

1. Information released to law enforcement officials to assist in prosecuting fraud against TDHS or child abuse, where otherwise required by federal or state law;
2. Information released to appropriate agencies assisting in collection of child support in the Temporary Assistance for Needy Families (TANF) program;
3. Information released to service providers, such as mental health professionals, providing services to abusive or neglectful parents or non-parental caretakers;
4. Information released to the Tennessee Department of Labor and Workforce Development (TDLWD) for work registration and other employment and training requirements;

5. Information released to the child's guardian ad litem in child custody and guardianship cases;
6. Total expenditure of funds across the agency or by program;
7. Number of recipients and other statistical information across the agency or by program; and/or
8. Social data contained in general studies.

**E. Applications by Department Employees, Their Relatives, or Other Individuals That May Create a Conflict of Interest**

1. Cases involving TDHS employees, an employee's relative, any individual that resides at same physical residence as a TDHS employee, any individual(s) with whom a TDHS employee has a close personal relationship or any individual in with which a conflict of interest may arise are required to be maintained in a confidential caseload.
  - a. A conflict of interest may arise in a situation where the employee's personal interest or activities could influence their judgement or decisions, and therefore, their ability to act in the best interests of TDHS.
  - b. Close personal relationships include, but are not limited to:
    - i. Dating or co-habiting relationships;
    - ii. Relationships in which business transactions are regularly conducted;
    - iii. Personal friendships that transcend a casual acquaintance, such as: a person whose home is frequently visited by the employee, or vice-versa or a person with whom the employee socializes "one-on-one" on a regular basis; or
    - iv. Individuals that reside at the same physical residence of an employee.
2. To avoid any appearance of a conflict of interest and ensure privacy, special handling is given to cases involving TDHS employees, their relatives and any close personal relationships with a TDHS employee who apply for and receive Family Assistance benefits.
  - All cases involving TDHS employees, any individual that resides at same physical residence as a TDHS employee, their relatives or close personal relationships must be placed in a confidential caseload to ensure the privacy and the integrity of these individuals.
3. Any TDHS employee shall remove themselves from acting on any case or issue which involves a relative, close personal relationship, or their own records. When potential conflicts arise, TDHS employees must immediately alert their supervisor or appropriate manager to the conflict of interest.
  - TDHS maintains a plan for limited access to these cases by other staff members and the employee themselves. Such cases must be assigned to a special caseload number in the ACCENT system.

**F. Release of Information to the Applicant/Participant or their Representative**

1. Federal regulations require that information in SNAP cases be made available upon written request to a responsible member of the SNAP HH; the HH's currently authorized representative or a person acting on the HH's behalf. Therefore, the SNAP case must be made available for inspection by authorized persons during regular business hours.

2. If the person seeking to inspect the case is not a member of the HH, the current authorized representative, or a licensed attorney representing the HH, written authorization from the HH for the person to act on its behalf is required.
3. A staff member will remain with an A/R, a claimant, or his/her representative who is reviewing a case or is making a reproduction of the material.
4. Staff will make no effort to interpret or explain forms, documents, or other information contained in a case folder being reviewed by an A/R or his/her representative.
5. A/R's or their representatives are to be permitted to obtain copies of any pertinent information which they are allowed to see.
6. Upon an appellant's or representative's request, one copy of portions of the case relevant to the fair hearing/fraud hearing will be furnished free of charge.
7. When copying equipment is available, copies of other case record material may be furnished to an A/R, or an appellant, or an A/R's/appellant's representative at the charge specified at [Tenn. Comp. R. & Regs. 1240-09-01-.05 \[Access to Public Records of the Department of Human Services\]](#).

**G. Release of Information to Persons Other Than the Applicant/Participant or Someone Acting on their Behalf**

1. All subpoenas or requests for TDHS records by law enforcement shall be forwarded to the Department's Office of General Counsel for response. Office of General Counsel, James K. Polk Building, 14<sup>th</sup> Floor, 505 Deaderick Street, Nashville, TN 37243, (615) 313-4731, fax (615) 532-3016 or email at [DHS.PublicRecords@tn.gov](mailto:DHS.PublicRecords@tn.gov).
2. All other requests for information received by TDHS or any of its divisions, such as request for list of names and addresses, should be referred through channels to the appropriate Director of the program involved.

**Forms**

None

**Collateral Documents**

[Tenn.Comp. R & Regs. 1240-09-01 \[Access to Public Records of the Department of Human Services\]](#)

**Additional Resources**

[Tenn. Comp. R & Regs. 1240-01-13 \[Case Record Management\]](#)

**Retention of Records**

[RDA Summary for Policy 24.01 SNAP General Administrative Procedures](#) (For internal use only)

## Glossary

<b>Term</b>	<b>Definition</b>
<b><i>ACCENT</i></b>	An integrated system built to support eligibility processing for the Supplemental Nutrition Assistance Program (SNAP) and Families First. The system allows users to collect data, determine eligibility, and perform case management.
<b><i>Department</i></b>	Tennessee Department of Human Services
<b><i>Personally identifiable information</i></b>	Information that can be used to distinguish or trace an individual's identity, either alone, or when combined with other personal or identifying information that is linked or linkable to a specific individual.
<b><i>Relative</i></b>	An individual who is related to staff as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.
<b><i>Acquaintance</i></b>	A person one knows slightly, but who is not a close friend.

## Acronyms

<b>Abbreviation</b>	<b>Expansion</b>
<b><i>ACCENT</i></b>	Automated Client Certification and Eligibility Network for Tennessee
<b><i>A/R</i></b>	Applicant/Recipient
<b><i>TDLWD</i></b>	Tennessee Department of Labor and Workforce Development
<b><i>HH</i></b>	Household
<b><i>TANF</i></b>	Temporary Assistance for Needy Families
<b><i>TDHS</i></b>	Tennessee Department of Human Services