



**United States
Department of
Agriculture**

Food and
Nutrition
Service

Northeast Region

10 Causeway St.
Room 501
Boston, MA 02222

DEC 19 2013

The Honorable John W. Polanowicz
Secretary
Executive Office of Health and Human Services
One Ashburton Place
11th Floor
Boston, Massachusetts 02108

Dear Mr. Polanowicz:

I am writing in regard to the Department of Transitional Assistance's (DTA) implementation of the Massachusetts photo Electronic Benefit Transfer (EBT) requirement. The Food and Nutrition Service (FNS) is deeply concerned about issues related to implementation that are adversely affecting client access to Supplemental Nutrition Assistance Program (SNAP) benefits.

FNS has learned that a recent mailing of 170,000 photo EBT cards to clients resulted in 7,500 cards being returned to the DTA by the U.S. Postal Service. Despite the fact that these 7,500 photo EBT cards were never delivered to the intended households, the existing non-photo EBT cards for those households were deactivated. We also recently learned that 700 new photo EBT cards were erroneously deactivated by the EBT vendor.

These issues prevent eligible individuals from accessing critically-needed food assistance benefits and create additional hardships for clients, particularly during the holiday season. Families depend upon SNAP benefits to meet their monthly household nutritional needs. The fact that thousands of eligible, already-enrolled Massachusetts households could be without access to their benefits is extremely troubling.

Adding to our concern is the lack of information we have received from DTA regarding the situation. While FNS has had ongoing contact with DTA, we have yet to receive the following specific information that we requested:

- A written report of the steps DTA has taken to address the 7,500 returned photo EBT cards and ensure client access, including any efforts to increase office hours, days of operation, or staffing to assist affected clients;
- Updates on the percentage of the 7,500 returned photo EBT cards that have been successfully reissued to clients;
- An explanation of why the mailed cards were returned, including a breakdown of number of cards that were returned for various reasons (card mailed to incorrect address, household had moved, etc...).

The Honorable John W. Polanowicz

Page 2

- An explanation of why DTA chose to deactivate the old cards in lieu of using a typical bank model, in which an old card remains activated until the client calls to activate the new card, and whether DTA would consider this model for future mailings; and
- Details regarding the erroneous deactivation of the 700 new photo EBT cards and a plan for ensuring that it does not happen again.

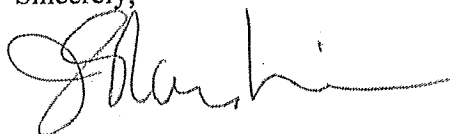
We are also concerned about the lack of information DTA communicated to retailers. At a September 18th meeting that included DTA, FNS, and Massachusetts retailer associations, we were informed that DTA was drafting a comprehensive communications plan for educating retailers about the new law. As of December 15, 2013, FNS had yet to see the plan or any specific communications materials. Due to reports of retailer confusion, we have begun notifying Massachusetts retailers directly about the new photo EBT cards and the Federal requirement that EBT customers be treated the same as cash or debit customers.

FNS understands that the photo EBT requirement is a State law; however, the sheer volume of households potentially without access to their benefits suggests that DTA has pursued a rushed implementation of the requirement without taking care to put adequate safeguards in place for eligible, participating households. We believe this has contributed to the issues above and request that DTA temporarily halt further implementation of the photo EBT requirement—including scheduling additional photo appointments and deactivating non-photo EBT cards—in order to work with FNS to develop a plan for moving forward that will better safeguard client access. Such a plan would include, at a minimum:

- Increased hours of operation and staffing levels at DTA offices to resolve client issues related to the new photo EBT card;
- Deactivation protocols that ensure the client has received the new card prior to deactivation of the existing card; and
- Extensive communication to retailers about the new photo EBT cards.

FNS values its partnership with DTA, and we look forward to working with you to resolve these issues. If you have any questions, contact Kurt Messner, Acting Northeast Regional Administrator at (617) 565-5300.

Sincerely,



Jessica Shahin
Associate Administrator
Supplemental Nutrition Assistance Program