

OCTAVIA GONZALEZ, DULCE HERNANDEZ, AMALIA GUEDEA-NELSON, LAURA GUZMAN, SJM, NLT, LAURA CAMPA, CELILA C.BLAKE, ALICE CHACON, JESSICA GARZA, JESSE R. GILL, ESTELLA GUZMAN, TRACIE LEE HUTCHINSON, LILIANA LARA, JEANNETTE M. LOPEZ, ANNA B. MEZA, PATRICIA A. MITCHELL, JAMES E. OLIVER, MARIA VICTORIA OLIVERAS, CECILIA D. ORDONEZ, JUANA H. QUINONES, CARMEN ROJAS, AGAPITUS A. SAN NICOLAS, ROBERT SANTANA, MEGAN SELF, MEGHEAN E. SPRINGLE, ESTHER ANGEL VALADEZ, MARIA DE JESUS VALENZUELA, KATHY ZAVALA, VIOLETA G. ZEPEDA, OFELIA MARROQUIN, VERONICA CASTRO-CADENA, SAN JUANA FRANCO, VALERIE NICOLE GARCIA, CONSUELO GARZA, DOTTIE GAVIN, ROSALINDA GUERRERO, ELISA J. MAJOR, CONSUELO MALDONADO, GLORIA M. OLIVAREZ, EVA MARIE KORSOS, DORA ELIA RAMOS, GRACE ROCHA, DIANA BRISTER, INDIA BLOOM, TINA BROOKS, FATINAH M. CURRY, MCKAY KEITHLEY, MARY JONES, *LA UNION DEL PUEBLO ENTERO*, *PROYECTO JUAN DIEGO*, FAMILY CRISIS CENTER OF BIG BEND, MAMAS OF COLOR RISING, and LONE STAR LEGAL AID CLIENT COUNCIL,

Plaintiffs,

V.

THOMAS SUEHS, in his official capacity as the Executive Commissioner of the Texas Health and Human Services Commission, and the TEXAS HEALTH AND HUMAN SERVICES COMMISSION,

Defendants.

§
§
§
§ IN THE 345th
§ DISTRICT COURT

§
§
§
§ OF

§
§
§ TRAVIS COUNTY,
§ TEXAS

**PLAINTIFFS’ FIRST AMENDED PETITION FOR DECLARATORY,
MANDAMUS, AND INJUNCTIVE RELIEF**

I. DISCOVERY CONTROL PLAN AND BASIS OF CASE

1. Plaintiffs are victims of the Kafkaesque bureaucracy that is the State of Texas food stamp program (now called Supplemental Nutrition Assistance Program or “SNAP”) and

intend to conduct discovery under Level 2 of Rule 190 of the Texas Rules of Civil Procedure. Plaintiffs seek to redress systemic, nondiscretionary, illegal actions and omissions of a state agency that, by design or default, cause millions of deserving Texans to go without food on a daily basis in violation of state law.

2. Plaintiffs base their suit solely and exclusively on state law. The Texas Health and Human Services Commission is a creature of the State of Texas, not the United States; thus, Plaintiffs filed this suit in this Court to address a problem millions of Texans have with this state agency.

II. PARTIES

Individual Plaintiffs

3. Individual Plaintiffs are OCTAVIA GONZALEZ, DULCE HERNANDEZ, AMALIA GUEDEA-NELSON, LAURA GUZMAN, SJM, NLT, LAURA CAMPA, CELILA C.BLAKE, ALICE CHACON, JESSICA GARZA, JESSE R. GILL, ESTELLA GUZMAN, TRACIE LEE HUTCHINSON, LILIANA LARA, JEANNETTE M. LOPEZ, ANNA B. MEZA, PATRICIA A. MITCHELL, JAMES E. OLIVER, MARIA VICTORIA OLIVERAS, CECILIA D. ORDONEZ, JUANA H. QUINONES, CARMEN ROJAS, AGAPITUS A. SAN NICOLAS, ROBERT SANTANA, MEGAN SELF, MEGHEAN E. SPRINGLE, ESTHER ANGEL VALADEZ, MARIA DE JESUS VALENZUELA, KATHY ZAVALA, VIOLETA G. ZEPEDA, OFELIA MARROQUIN, VERONICA CASTRO-CADENA, SAN JUANA FRANCO, VALERIE NICOLE GARCIA, CONSUELO GARZA, DOTTIE GAVIN, ROSALINDA GUERRERO, ELISA J. MAJOR, CONSUELO MALDONADO, GLORIA M. OLIVAREZ, EVA MARIE KORSOS, DORA

ELIA RAMOS, GRACE ROCHA, DIANA BRISTER, INDIA BLOOM, TINA BROOKS, FATINAH M. CURRY, MCKAY KEITHLEY, MARY JONES, *LA UNION DEL PUEBLO ENTERO*, *PROYECTO JUAN DIEGO*, FAMILY CRISIS CENTER OF BIG BEND, MAMAS OF COLOR RISING, and LONE STAR LEGAL AID CLIENT COUNCIL.

4. Individual Plaintiffs are residents of the State of Texas who have applied for, are applying for, or intend to reapply for Supplemental Nutrition Assistance Program (“SNAP” or “food stamps”) assistance from the Texas Health and Human Services Commission. The background of each individual plaintiff is often different in a variety of respects because of the number of problems HHSC has in processing SNAP applications and the uncertain and unpredictable results of HHSC’s operations.

5. Some of the individual plaintiffs waited for a decision from HHSC on their initial application or recertification applications beyond the time allowed by state law.

6. A written demand was made to HHSC to make a decision in some of these cases, and when a decision still had not been made, this lawsuit was filed (or amended) to include some of these plaintiffs.

7. After sending the written demand and joining this lawsuit, HHSC made a decision on the applications of many of these plaintiffs and either granted SNAP benefits for a limited certification period, or decided that the applicant had not provided enough information for it to grant SNAP benefits, or claimed the applicant failed in some other respect (often not based on whether the applicant was actually eligible) and denied the application.

8. Some individual plaintiffs received a notice of HHSC's decision while others did not receive any formal notice whatsoever: not a notice of the basis of HHSC's decision either granting or denying an application, or a notice of what amount of SNAP benefits they were eligible to receive or for how long they were eligible to receive them, or that more information was needed, or that HHSC intended to delay the processing of their application.

9. For some individual plaintiffs, after a written demand was made to HHSC about an application, HHSC indicated that a decision had in fact been made previously. In some cases HHSC had already decided to certify the applicant for SNAP benefits (and did not notify the applicant of the decision or provide benefits to the applicant), and in other cases HHSC had already decided to deny the applicant SNAP benefits for failure to provide enough information or for some other reason (and did not notify the applicant about the decision or that additional information needed to be provided).

10. For individual plaintiffs who were ultimately granted SNAP benefits, the certification period will expire in one year or less, and each plaintiff will have to reapply for SNAP benefits from HHSC and go through HHSC's process again in order to continue to receive benefits. Some plaintiffs are already engaged in this recertification process, while others will begin soon.

11. Some individual plaintiffs have applications that are still pending or on appeal with HHSC.

12. Some individual plaintiffs have been denied SNAP benefits and may have timely received a notice of the denial, while others have not. Examples of the plight of the Individual Plaintiffs in dealing with HHSC are described later in this petition.

Organizational Plaintiffs

13. Organizational Plaintiffs are *LA UNION DEL PUEBLO ENTERO, PROYECTO JUAN DIEGO*, FAMILY CRISIS CENTER OF BIG BEND, MAMAS OF COLOR RISING, and LONE STAR LEGAL AID CLIENT COUNCIL, who each represent members who have been harmed by HHSC's feckless and illegal management of the SNAP program. Organizational Plaintiffs also have operations and missions injured by HHSC's bungling of state law.

La Union del Pueblo Entero

14. Plaintiff *La Union del Pueblo Entero* (“LUPE”) is a charitable, non-profit Texas corporation headquartered in San Juan, Texas. LUPE maintains a membership of about 5,200 low and moderate-income community members in the Rio Grande Valley and has organized campaigns around housing, *colonias*, living conditions, and education. Many of LUPE's members have applied and qualify for SNAP assistance. Members of LUPE who applied for SNAP assistance from HHSC have awaited or are awaiting a decision on their application beyond the time allowed by state law. LUPE's members also have been denied adequate notice, and the benefits, each are entitled to under SNAP. The members have attempted to pursue their claims but have been frustrated by HHSC's failure to follow the procedures for SNAP required by state law. The dispute LUPE has with

HHSC is germane to its organizational purpose, and neither the claims asserted nor the relief requested by LUPE require the participation of the individual members in this suit.

15. Many of LUPE's member families have experienced lapses in their SNAP benefits despite their ongoing eligibility, because of delays in processing of recertification applications. Also, members who are first-time applicants have complained that their applications have taken several months to process. As a result of not receiving benefits when they had a right to them, LUPE's members have suffered and continue to suffer harm.

16. LUPE as an organization has also suffered harm from the delays and problems with processing of SNAP applications. LUPE's campaigns are based on priorities agreed upon by its membership at monthly "First Friday" meetings. Instead of focusing on priority issues, LUPE organizers have had to devote time and resources assisting members complaining of the process and delays in the receipt of their food stamp benefits. LUPE's membership is also less able to focus on other, more long-term organizing goals when faced with such a fundamental crisis as lack of adequate food and nutrition for its members. The harm to the organization is in the form of costs incurred, redirection of efforts, and/or harm to its mission and purpose.

Proyecto Juan Diego

17. Plaintiff *Proyecto Juan Diego* is a charitable, non-profit Texas corporation that provides social, health, and educational services to *colonia* residents in Cameron County, Texas. Many of its members receive or received SNAP benefits, and many have confronted the same problems of delay, notice, illegal processing, and illegal denial of

benefits that are the gravamen of this civil action. Delays and other barriers in the processing of food stamp applications and recertifications have left and will leave families without adequate food for months at a time. The dispute *Proyecto Juan Diego* has with HHSC is germane to its organizational purpose, and neither the claims asserted nor the relief requested by *Proyecto Juan Diego* require the participation of the individual members in this suit. Diabetes is prevalent among Cameron Park families, and promoting adequate nutrition is one of the cornerstones of *Proyecto Juan Diego*'s campaign to improve the health of this population. Delays and problems in SNAP application processing have frustrated *Proyecto Juan Diego*'s efforts to improve the health of Cameron Park families. The harm to the organization itself is in the form of costs incurred, redirection of efforts, and/or harm to its mission and purpose.

Family Crisis Center of the Big Bend

18. Plaintiff Family Crisis Center of the Big Bend ("FCCBB") is a charitable, non-profit Texas corporation headquartered in Alpine, Texas, that provides services to residents in Brewster and Presidio Counties. FCCBB's mission is to strengthen communities by empowering individuals. It operates two domestic violence shelters and provides food to families who are living in the shelters. FCCBB also provides food to hungry families in the surrounding community by giving out food baskets and holding several large group lunches per month. FCCBB has become increasingly strained for resources, as there has been a marked rise in the number of families requesting food baskets. Many of these families have applied for SNAP benefits and have not received them. FCCBB does not have adequate resources to assist all the families in Brewster and

Presidio Counties whose SNAP benefits have been delayed or illegally denied. Plaintiff FCCBB as an organization has been harmed by HHSC's failure to make eligibility decisions on applications for SNAP assistance within the time allowed by state law and to follow other procedures required by state law. The harm to the organization is in the form of costs incurred, redirection of efforts, and/or harm to its mission and purpose.

Mamas of Color Rising

19. Plaintiff Mamas of Color Rising ("Mamas") is a collective of working class and poor mothers of color based in and around Austin. Mamas focus on issues and problems with accessing basic needs like food, housing, education, and safety. Their members have directly experienced multiple barriers with the SNAP program. The administrative hurdles, inability to make contact with HHSC caseworkers, and long delays in getting decisions and benefits have harmed and frustrated the members of Mamas. The illegal barriers and processes have been so frustrating that some member-families have decided to stop applying for SNAP despite their need for assistance. The dispute Mamas has with HHSC is germane to its organizational purpose, and neither the claims asserted nor the relief requested by Mamas require the participation of the individual members in this suit. Mamas as an organization has been harmed by HHSC's failures to properly administer SNAP in accordance with state law. The harm to the organization is in the form of costs incurred, redirection of efforts, and/or harm to its mission and purpose.

Lone Star Legal Aid Client Council

20. Plaintiff Lone Star Legal Aid Client Council ("Client Council") is an association of current and former clients of Lone Star Legal Aid. The Client Council's mission is to

assist in the delivery of services to the low income population residing in the service area of Lone Star Legal Aid, which covers 76 counties and 60,000 square miles. The Client Council is active primarily in the Houston area. Due to the Defendants' unlawful actions, the Client Council has had to redirect their usual efforts of assisting the Lone Star Legal Aid client population broadly to instead focusing efforts primarily on helping people maneuver the SNAP program. The Client Council has helped numerous people resolve problems with obtaining food stamps, including providing assistance with applications that were not resolved for months, notices that were not sent, payments that were not made, and benefits that were not continued for a recertification because of agency error, omission, and incompetence. The amount of time required to resolve these issues for each person has left the Client Council with an inability to fulfill its broader mission of assisting low income people with a variety of problems rather than just problems with the SNAP program. The harm to the organization is in the form of redirection of efforts and/or harm to its mission and purpose.

Defendants

21. Defendant Thomas Suehs is the Executive Commissioner of the Texas Health and Human Services Commission, and he is sued only in his official capacity.

22. Defendant Texas Health and Human Services Commission is an agency of state government that oversees and operates health and human services programs in Texas, including the Texas version of the Supplemental Nutrition Assistance Program ("SNAP" or "food stamps" program).

23. Defendants are jointly referred to throughout the petition as "HHSC."

III. JURISDICTION AND VENUE

24. This Court has jurisdiction under Sections 24.007, 24.008, and 24.011 of the Texas Government Code, Sections 37.003 and 37.004 of the Texas Civil Practice and Remedies Code, and the Texas Constitution. Venue is proper under Section 15.002 of the Texas Civil Practice and Remedies Code.

IV. BACKGROUND OF THE FOOD ASSISTANCE PROGRAM IN TEXAS

25. The federal government provides most all of the funding for SNAP in Texas (all of the benefits and half of the administration costs) and has various administrative requirements, but HHSC develops and administers the program and directs the provision of benefits to eligible households. 1 TAC § 372.6(b) (2009).

26. Approximately three million Texans¹ in one million families² receive food assistance from HHSC, with an average food benefit of \$122 per person per month.³

27. Children comprise 55 percent of the recipients of SNAP in Texas.⁴ Children under the age of 5 make up 20 percent of the recipients of SNAP in Texas.⁵

28. In Fiscal Year 2009, Texas SNAP recipients spent \$4.4 billion at approved Texas grocery stores.⁶

¹ <http://www.fns.usda.gov/pd/15SNAPpartPP.htm>

² <http://www.fns.usda.gov/pd/16SNAPpartHH.htm>

³ [http://www.fns.usda.gov/pd/18SNAPavg\\$PP.htm](http://www.fns.usda.gov/pd/18SNAPavg$PP.htm)

⁴ HHSC reported of the 2,802,706 recipients of SNAP in August 2009, 1,554,006 were under age 18. http://www.hhsc.state.tx.us/research/SNAP_statewide.html

⁵ HHSC reported of the 2,802,706 recipients of SNAP in August 2009, 550,732 were under age five. http://www.hhsc.state.tx.us/research/SNAP_statewide.html

⁶ [http://www.fns.usda.gov/pd/17SNAPfyBENS\\$.htm](http://www.fns.usda.gov/pd/17SNAPfyBENS$.htm)

29. HHSC no longer issues actual “stamps” but distributes food assistance benefits using the “The Lone Star Card” which allows a recipient to purchase eligible food items from authorized stores who draw funds from the recipient’s benefit account similar to a debit card.⁷

30. In order to qualify for SNAP benefits, an individual's net income cannot exceed \$903 per month. For a family of four, the income cut-off is \$1,838 per month.⁸

31. HHSC employs thousands of caseworkers across the state to administer the food stamp program, but has not kept staffing at adequate levels to meet performance requirements as applications and enrollment have increased.

32. In 1995, the agency employed 12,487 eligibility staff,⁹ whereas in April 2010, HHSC proudly reported just 8,353 eligibility staff.¹⁰ Meanwhile, the SNAP caseload has risen by hundreds of thousands over this same period -- in September 2005 HHSC reported 876,046 cases (70 cases/worker), whereas in April 2010 it reported 1,336,229 cases (159 cases/worker).¹¹ It should be no surprise the system failed when the number of cases more than doubled for each eligibility worker.

⁷ <http://www.hhsc.state.tx.us/providers/lonestar/EBT/EBTprogramDATA.html>

⁸ http://www.fns.usda.gov/snap/applicant_recipients/eligibility.htm#income

⁹ HHSC, Eligibility Staffing History Chart on Page 5 of:
http://www.hhsc.state.tx.us/news/presentations/Briefing_on_Eligibility_1009.pdf

¹⁰ HHSC, Improvement Indicators Chart on Page 7 of:
http://www.hhsc.state.tx.us/news/presentations/2010/SAO_SNAP_0410.pdf

¹¹ HHSC, SNAP Caseload History Chart on Page 3 of:
http://www.hhsc.state.tx.us/news/presentations/Briefing_on_Eligibility_1009.pdf and specifics for various dates at:
http://www.hhsc.state.tx.us/research/SNAP_statewide.html

33. The experience level of eligibility workers has also suffered greatly in recent years. In 2005, HHSC unsuccessfully attempted to privatize eligibility determinations and other functions of HHSC, resulting in a massive loss of experienced caseworkers.¹² The privatization attempt caused numerous other significant problems, as detailed in an extensive report by the Texas Comptroller.¹³ In 2005, 96% of the caseworkers were seasoned with at least two years of experience. Currently, 41% of the caseworkers have worked less than two years at the agency.¹⁴

34. While the agency consistently promises improvements in staffing levels and “customer service,”¹⁵ changes to HHSC’s current budget could dramatically alter HHSC’s plans. Because of budgetary considerations, HHSC itself intends to cut \$5 million in salaries, and \$8 million for travel, trainings and seminars for staff, subscriptions and reference materials over the next two years (2010, 2011).¹⁶ Half of these costs would have been reimbursed by the federal government. These cuts, when combined with others in HHSC, amount to a cut of 23 percent of the adjusted budget

¹² <http://www.window.state.tx.us/comptrol/letters/accenture/solution.html> and see also at page 842 of 990 at http://www.hhs.state.tx.us/StrategicPlans/HHS09-13/StrategicPlan_FY2009_2013_Appendix.pdf

¹³ <http://www.window.state.tx.us/comptrol/letters/accenture/index.html>

¹⁴ Audit Report on the Supplemental Nutrition Assistance Program at the Health and Human Services Commission, State Auditor’s Office, March 2010, (hereinafter “Audit”) at iv, found on Page 5 of 66 at <http://www.sao.state.tx.us/reports/main/10-026.pdf>.

¹⁵ HHSC, Improvement Initiatives Chart on Page 4 found at: http://www.hhsc.state.tx.us/news/presentations/2010/SAO_SNAP_0410.pdf.

¹⁶ http://www.hhsc.state.tx.us/about_hhsc/2011-budget/approved/hhsc.shtml

funded by General Revenue appropriated by the Texas Legislature.¹⁷ The Legislative Budget Board and the Texas Legislature might alter this further.

35. In Fiscal Year 2008 (latest data available), Texas spent \$28.44 per family per month to administer SNAP (or \$339 million), approximately half of which was reimbursed by the federal government.¹⁸

V. THE STORIES OF FIVE INDIVIDUAL PLAINTIFFS

36. Each individual plaintiff's story paints a picture of frustration with HHSC's illegal processes but persistence in trying to obtain benefits to which they have a right. This petition highlights only five of them. Remarkably, HHSC's treatment of plaintiffs with legal representation does not comply with the law; for those without attorneys, the process must at times seem insurmountable. The process demonstrates why only half of the eligible recipients of SNAP benefits in Texas apply for and obtain the food support they have the legal right to receive.

McKay Keithley

37. Plaintiff McKay Keithley is a retired 80-year-old who lives in Bedford, Texas. From 1951-1954, Mr. Keithley served in the Office of Special Investigations in the U.S. Air Force, where he worked as a photographer. After leaving the Air Force, he went to California where he worked for 30 years taking photos for news agencies and state government. During his long tenure, he had the opportunity to photograph the likes of both Ronald and Nancy Reagan and Richard and Patricia Nixon, just to name a few.

¹⁷ http://www.hhsc.state.tx.us/about_hhsc/2011-budget/reduction-options.shtml

¹⁸ http://www.fns.usda.gov/snap/qc/pdfs/2008_state_activity.pdf (at 17, 18).

38. Mr. Keithley ended his photojournalism career after nearly 30 years and returned to his home state of Indiana when his parents fell ill. He started a construction company there.

39. In 2007, Mr. Keithley moved to Texas to be closer to his brother. In Texas, Mr. Keithley is taking a well-deserved, but not lucrative, retirement. He lives on \$856 in monthly Social Security checks.

40. Due to his dire financial situation and inability to purchase a reasonable amount of food, on December 10, 2009, Mr. Keithley filed an application for SNAP benefits in Fort Worth, Texas. (At the time of his application his income was \$728.00 because of an IRS garnishment that has since been lifted.)

41. Shortly after his December 10 application was submitted, HHSC interviewed Mr. Keithley. After the interview, more than 30 days passed with no communication from HHSC. (The deadline for making a decisions and providing benefits to eligible applicants is 30 days from the date of the application.)¹⁹ Mr. Keithley struggled while he awaited a response.

42. On January 22, 2010, day 43, Mr. Keithley received written correspondence from HHSC admitting to the obvious: that there had been a delay in processing his application. This correspondence requested that Mr. Keithley provide a copy of his identification and a copy of his checking and savings account statements for the last 30 days to include all pages, front and back. Confused by the request, Mr. Keithley contacted HHSC for clarification. HHSC told him to disregard the request for the bank

¹⁹ 1 TAC, Part 15, Chapter 372, Subchapter D, Division 1, Rule 372.904(b) (2009).

statements and only provide a copy of his identification. HHSC further advised him that he would receive his Lone Star card the day he provided the identification.

43. On that same day, Mr. Keithley's brother personally hand delivered a copy of Mr. Keithley's identification to the local HHSC office where his application had been submitted. HHSC failed to deliver the Lone Star card as promised. Mr. Keithley resumed his wait.

44. On February 2, 2010, day 54, Mr. Keithley received a notice denying him benefits stating:

On the basis of information received by this office and the policy found in SECTION(S) A1324.15 of the Texas Works Handbook, the following action is being taken: (All HHSC offices have the Texas Works Handbook available for you to read.)

Your application for food stamps is being denied.

REASON:

Income available to you exceeds the income standards set by the United States Department of Agriculture.

The following income(s) and deductions(s) were used in determining your eligibility:

MCKAY, KEITHLEY A.

Income:

RSDI: 314280882

Deductions:

Rent/Mortgage: RENT

COMMENTS:

YOU FAILED TO PROVIDE THE INFORMATION NEEDED TO COMPLETE YOUR CASE

45. Knowing that his income was not above the requirements to qualify for SNAP benefits and also knowing that he had provided all the information requested by HHSC, Mr. Keithley attempted the futile self-help measure of contacting the agency, but eventually HHSC refused to answer his calls or even return his messages.

46. Mr. Keithley was forced to find an attorney to help him. Legal Aid of NorthWest Texas appealed the decision on his behalf.

47. HHSC not only illegally denied Mr. Keithley SNAP benefits, but then HHSC used a bureaucratic trick to attempt to hide its errors: HHSC made an offer that if Mr. Keithley provided the unidentified mystery information, HHSC would reopen his application but use the date he provided the mystery information as his application date.

48. If Mr. Keithley agrees, that changes the application date and the amount of benefits he is entitled to. And by changing the application date, HHSC would then be absolved of the responsibility to report the failure of the application being timely processed and further would not have to award back benefits. HHSC timeliness statistics are clearly being manipulated in order to hide problems within the agency.

49. Although he desperately needs and rightly deserves the SNAP benefits, Mr. Keithley refused the offer and still awaits benefits. As of day 166, Mr. Keithley is frustrated and still awaiting his badly needed SNAP benefits.

Liliana Lara

50. Plaintiff Liliana Lara moved to Texas in 1996, following her husband who worked in the construction industry. For many years, Ms. Lara and her husband worked successfully -- he in construction, she cleaning houses. They have raised a talented daughter, who is now 8-years-old and who has been in the Gifted and Talented programs in San Antonio since she was in kindergarten. Ms. Lara's mother has extended visits in the household from time to time.

51. Life has taken some unfortunate turns for Ms. Lara. Her husband was abusive and is currently incarcerated for his behavior. She is now seeking a divorce.

52. When the economy took its downturn, two families quit using her house cleaning services. Ms. Lara's income decreased. Currently, she cleans only three houses each week, earning \$840 a month. Her rent and utilities total \$570.

53. After Ms. Lara's income plummeted, she applied for SNAP benefits in March 2009. She completed a SNAP application and delivered it to her local HHSC office on March 18, 2009. On that day, she was given a letter stating that HHSC would call her the next day, March 19, 2009, for her telephone interview. She gave them her mobile phone number, but HHSC never called. Ms. Lara called HHSC repeatedly but never got an answer. Throughout this time, HHSC had Ms. Lara's phone number and address, which did not change.

54. Ms. Lara waited. At times, one family she worked for left food for her. A neighbor would help occasionally by giving her a gallon of milk or some cheese.

55. During the year that Ms. Lara waited to finally receive benefits, she and her daughter suffered extreme hardship. Ms. Lara lived month to month and fell behind on her rent and utility bills because she had to purchase food with money budgeted for other bills. She was forced to get advances from her employers.

56. Ms. Lara had to seek legal assistance. In January 2010, Texas RioGrande Legal Aid (TRLA) demanded that HHSC make a decision on Ms. Lara's application. On January 11, 2010, HHSC informed TRLA that in May 2009 Ms. Lara had been denied SNAP benefits. Ms. Lara has never received any notice of denial. Her address has not changed since she filed the application. Her right to appeal commences when she

receives the notice, so not receiving a notice had potential legal effects. Ms. Lara is currently waiting for a fair hearing on the appeal of this denial.

57. On January 12, 2010, Ms. Lara again applied for SNAP benefits. Even though Ms. Lara had legal representation, which might lead her to get expedited or hopefully legally compliant treatment, HHSC did not schedule an interview within a month as required by law. HHSC did not schedule and conduct the interview until February 18, 2010, 37 days after the second application was submitted. Another deadline had been missed, so her counsel again demanded action.

58. On March 12, 2010, HHSC informed TRLA that Ms. Lara's second application for benefits was approved. A year had passed between when Ms. Lara submitted her initial application and when she finally received benefits.

59. Even though Ms. Lara finally received SNAP benefits, she has yet to receive a single written notice regarding her eligibility for benefits, which would include an explanation of the basis for the benefits and the date the benefits expire. Ms. Lara desperately hopes that she will not have to use counsel again to continue her SNAP benefits. If her benefits are delayed during the summer, it will be particularly stressful because her daughter will not be receiving free meals at school.

Alice Chacon

60. Plaintiff Alice Chacon is a resident of Bexar County, Texas, where she resides with her two children, ages six and two. In July 2009, Ms. Chacon separated from her husband. As a full-time student working to obtain her associate's degree as a medical

assistant, Ms. Chacon found the financial responsibility of caring for her family alone unmanageable, so on August 19, 2009, she applied for SNAP benefits.

61. HHSC did not schedule Ms. Chacon for a telephone interview until November 23, 2009 at 4:00 p.m., approximately 96 days after she filed her application. Although the interview was scheduled for the afternoon, the HHSC caseworker called her around 9:00 a.m. when Ms. Chacon was in class. Seeing the missed call, Ms. Chacon tried calling back but was unable to talk to anyone or leave a message for HHSC. She never received another call from HHSC.

62. Ms. Chacon went into the local HHSC office in San Antonio on either December 14 or 15, 2009, and waited five to six hours to speak to someone. Ms. Chacon showed the notice of telephone interview and explained that she was not called at the scheduled time and that she had been in class when HHSC called that morning. The HHSC employee made a copy of the notice and told Ms. Chacon that she would give the information to her caseworker's supervisor.

63. On December 21, 2009, four months after her original application, HHSC interviewed Ms. Chacon and told her that she needed to supply certain documents. Ms. Chacon received a letter dated December 21, 2009, that stated she needed to supply proof of residence, childcare arrangements, and a statement from her father with whom she lives.

64. On December 22, 2009, Ms. Chacon personally delivered all the documents requested to HHSC and also was finger imaged that day.

65. On January 3, 2010, HHSC called Ms. Chacon, asking for her estranged husband's telephone number, which she provided. HHSC told Ms. Chacon that she would have a response to her application within two days. Two days came and went, and no benefits were provided.

66. Ms. Chacon made numerous attempts to contact HHSC to find out the status of her application, but she was either unable to reach a caseworker or the employee who she contacted was unable to tell her when the application would be decided.

67. Ms. Chacon was forced to seek assistance from TRLA, who included her name in a demand letter to HHSC. On March 16, 2009, 209 days after applying, Ms. Chacon was told that she had been denied benefits on January 14, 2010, because she had not provided requested documents to HHSC.

68. Ms. Chacon appealed the January 14th decision. On May 14, 2010, an HHSC hearing officer reversed the January 14, 2010 decision. The HHSC hearing officer determined that HHSC's decision was "not in accordance with applicable law and policy." Further, the hearing officer determined that the verification documents requested from Ms. Chacon had been timely provided to HHSC.

69. While she was awaiting the appeal, Ms. Chacon filed a new application for SNAP benefits on March 16, 2010. She was granted SNAP benefits based upon that application. She never received a written notice of eligibility for the SNAP benefits she began receiving nor any information regarding how long she was certified to receive SNAP before she will have to submit a recertification application.

70. The Chacon family was without SNAP benefits for approximately seven months while they waited for HHSC to make a decision on the application. Ms. Chacon's daughter is in first grade and is on the free school breakfast and lunch program. At times her daughter asked to take a home-packed lunch to school, but Ms. Chacon did not even have basic foods such as bread to make a sandwich. While Ms. Chacon waited for the benefits that she had a right to, she had to rely on her family for food. She had to ask her parents for help in order to feed her children.

71. Ms. Chacon's financial status has not changed, and she anticipates filing for recertification of SNAP benefits. Thus far, she has only been offered part-time work. Another delay in the processing of her application for SNAP will cause additional undue hardship for the Chacon family.

India Bloom

72. Plaintiff India Bloom lives in Harris County, Texas. In 2007, Ms. Bloom moved to Houston after her Phoenix home was seized in a foreclosure. Even though she had extensive job experience -- as a substitute teacher, a sales manager, a manager of a Sprint store, a finance counselor at the University of Phoenix, and an Account Specialist -- as well as an associate's degree in accounting, she couldn't find work in Houston. With no work and \$30,000 in student loan and credit card debts, she could not keep up financially. She lost her car. In September 2009, Ms. Bloom applied for SNAP benefits.

73. After three months, on December 24, 2009, she received notice that she had been certified for benefits from October 2009 to March 2010. And then the bureaucratic nightmare began for Ms. Bloom.

74. On January 5, 2010, Ms. Bloom received a letter dated December 28, 2009 stating that between December 28 and January 4, she was required to report to the Pasadena Workforce Solutions for employment training. Obviously, she could not meet this deadline.

75. On January 6, 2010, Ms. Bloom went to the Pasadena Workforce Solutions office and explained that she had not received the letter until after the January 4, 2010 deadline had passed and that regardless, she had documentation from her physician that she was in the hospital on January 4, 2010 for a cancer screening and biopsy. While at Workforce Solutions, Ms. Bloom was told that a sanction had been placed on her food stamp application because of the missed deadline but that the doctor's note would be faxed to the food stamp sanctions office so the sanction could be lifted. Despite this, she received a notice of denial of her benefits on January 21, 2010.

76. Ms. Bloom persisted. She contacted the HHSC sanctions office, which had not received the doctor's note. So she returned to the Workforce office to fax the doctor's note again.

77. HHSC then informed Ms. Bloom that the sanction had been lifted but that she should have only been certified for three months and that HHSC certified the last three months in error.

78. On January 22, 2010, Ms. Bloom appealed the denial of benefits. On March 10, 2010, Ms. Bloom received a decision stating that the sanction had been lifted because she had good cause for not attending the employment training. The order lifted the sanction and restored her benefits for February and March.

79. Despite this order, Ms. Bloom received a letter from HHSC dated March 19, 2010, stating that she was only certified through February.

80. She filed another appeal and with the help of Lone Star Legal Aid her benefits were finally reinstated through March as was originally ordered.

81. Because Ms. Bloom never received a recertification packet, she went to HHSC on April 2, 2010 to reapply for a new certification period. Three days later, she received notice of a telephone interview scheduled for April 13, 2010, with the HHSC San Antonio office. Stupefied as to why her application had been transferred to San Antonio, she was told that the San Antonio office had been tasked with easing the burden of Region 6—Houston's—bulging caseload.

82. HHSC never called on the scheduled day, so on April 19, 2010, Ms. Bloom called the HHSC Quality Control Manager in San Antonio and left a message about not receiving a phone interview. On April 22, 2010, a San Antonio HHSC caseworker called Ms. Bloom and informed her that she was not entitled to benefits because she was not working twenty hours per week. Ms. Bloom informed HHSC she was completing a work program at Texas Workforce Solutions in lieu of the twenty hours of work per week. The HHSC caseworker declared that there was no such program and told her to reapply for SNAP benefits.

83. Fifteen minutes later the HHSC caseworker called back stating that she had made a mistake, that there was such a work program but that Texas Workforce Solutions needed to complete Form-1822 to verify her participation in the program.

84. Following these instructions, on April 25, 2010, Ms. Bloom went to Texas

Workforce Solutions who informed her that they do not fill out the Form-1822. Texas Workforce Solutions called the HHSC Quality Control Manager and informed him that they do not fill out the Form-1822 but that they would send other documents to show Ms. Bloom's compliance with work requirements.

85. On April 26, 2010, HHSC's Quality Control Manager called Ms. Bloom to tell her that she had been certified for SNAP benefits and that the request for a Form-1822 had been sent in error. He promised to send the certification notice by Thursday, April 29, 2010.

86. On May 7, 2010, Ms. Bloom received two envelopes from the San Antonio food stamp office. Inside the first envelope was a Notice of Eligibility, certifying her from April 2010 through September 2010. In the second envelope was a Notice of Benefit Denial or Reduction, denying her benefits because she “did not provide enough information for [the] office to determine eligibility for assistance.”

87. Ms. Bloom called the HHSC Quality Control Manager who told her that she did have to provide the Form-1822, regardless of what he or anyone at the San Antonio HHSC office had previously told her.

88. On May 10, 2010, Ms. Bloom received a Request for Information or Action from the San Antonio food stamp office (dated May 4, 2010) stating that “[c]lient did not provide form 1822 ABAWD E&T requirement verification...[p]lease fill out and return Form-1017 Notice of Benefit Denial or Reduction.”

89. Ms. Bloom again spoke with the Quality Control Manager from San Antonio who told her that despite what the notice stated, the Form-1822 had nothing to do with the

denial of benefits and that the notice requesting the completion of a Form-1822 was sent in error. The Quality Control Manager stated that Ms. Bloom was denied benefits because she was not working 20 hours per week. The Manager advised Ms. Bloom to reapply at the local Houston office and “have them deal with it.”

90. On May 12, 2010, Ms. Bloom appealed. Her appeal is still pending.

91. Ms. Bloom has been absolutely frustrated at every step of the food stamp process. Though she was and continues to be willing and able to comply with whatever requirements are asked of her, she has never been given a fair opportunity to do so. From her initial application, to her multiple appeals, to Hearing Officer orders that were not being enforced, to a transfer of her application to San Antonio, to the finger-pointing between HHSC and Texas Workforce Solutions, to the utter confusion created by inaccurate statements, supposed requirements and nonsensical notice forms—this process has been an absolute nightmare for her.

SJM

92. Plaintiff SJM is a single mother raising three children and working full-time at HEB in Bexar County, Texas. She is a survivor of an abusive relationship who fled from her husband to protect herself and her children. A community college graduate, she has worked full-time for HEB since 1998. HEB has always been a supportive employer, offering her flexible hours so that she can work and take care of her children.

93. SJM is a responsible financial planner but a low wage earner. She earns \$12.26 per hour and pays \$630 a month in rent. She pays for health insurance for herself and uses the state CHIP program to insure the health of her children. Through an HEB

savings program, out of each paycheck she saves a small amount for her children to purchase birthday presents and clothes for the start of each school year.

94. SJM's two boys are ages 15 and 12, and her daughter is 11. All three are successful in their own ways. The 15-year-old aspires to join the Marines. Her 12-year-old has been admitted to the science and technology magnet school. And her 11-year-old just won a first-place medal for playing the viola.

95. When SJM's ex-husband stopped paying \$500 per month in child support, she instigated efforts to collect the child support money and applied for SNAP benefits. She applied on June 19, 2009.

96. HHSC scheduled SJM's interview for September 1, 2009, 74 days after the initial application. SJM came to the interview with the documents requested.

97. On September 11, 2009, HHSC contacted SJM and informed her that the caseworker had not yet reviewed her application, and the process would take 30 more days. After that, she fell into the bureaucratic waiting game.

98. SJM attempted to call HHSC repeatedly, but her case lingered. She missed utility payments and paid her rent late (incurring additional late fees). She even took out expensive Pay Day loans so that her family would have adequate food and utilities.

99. SJM's 15-year-old son was diagnosed last year with a variety of food allergies: he cannot drink cow's milk or eat chicken or eggs, so SJM has to substitute more expensive soy milk and beef. His allergies have made her meal planning even more financially challenging. This year, her daughter was diagnosed with similar food allergies. As an

HEB employee, she knows how to find the best deals on food, but without adequate income, she and her family suffered.

100. In December 2009, SJM enlisted the assistance of TRLA. After this lawsuit was filed, she finally received benefits on December 21, 2009, five months after her initial application.

101. SJM is currently in the recertification process with HHSC. She hopes that the benefits are renewed, as her income has not significantly changed. But she worries that delay could mean hardship for her family, particularly during the summer months when there are no free meals at school for her children.

VI. CAUSES OF ACTION

COUNT ONE:

HHSC'S RULES, POLICIES AND PRACTICES VIOLATE STATUTORY DUTY TO ENSURE WIDEST, EFFICIENT DISTRIBUTION OF BENEFITS

102. The legal framework for the HHSC food stamp program is found in Chapter 33 of the Texas Human Resources Code and in Title 1, Part 15, Chapter 372 of the Texas Administrative Code.

103. The Texas Human Resources Code instructs HHSC to “establish policies and rules that will ensure the widest and most efficient distribution of the commodities and food stamps to those eligible to receive them.” Tex. Hum. Res. Code § 33.002(c). Texas dramatically fails and does not seem to try to meet this standard.

104. Only about half of those eligible participate in the SNAP program Texas.²⁰ That means that approximately three million Texans could receive assistance but do not. States like Missouri, Michigan, Tennessee, South Carolina, West Virginia, Louisiana, and Kentucky all have participation rates of 70 percent and higher.²¹

105. A low participation rate is not merely an indicator of failing performance of HHSC or a representation of the number of needy Texans not receiving food assistance, but also measure of an economic loss to local communities. In 2007, Houston's economy alone lost \$203 million that single year in unclaimed SNAP benefits, and San Antonio's economy lost \$47 million.²² Overall, Kevin Concannon, Undersecretary of the United States Department of Agriculture, estimates that if Texas increased its participation rate to the national average it would add one billion dollars each year to its economy.²³

106. The United States Department of Agriculture ("USDA") oversees SNAP programs administered by the states and when announcing new grant funds to help states with low participation rates stated:

The health of our nation - of our economy, our national security, and our communities - depends on the health of our families. These grants will allow us to improve access and increase participation in our Supplemental Nutrition Assistance Program that serves as a vital

²⁰ Approximately 47 percent of those eligible received benefits in 2002 in Texas, 58 percent in 2004, 63 percent in 2006, and 55 percent in 2007.

<http://www.fns.usda.gov/ora/menu/Published/snap/FILES/Participation/Reaching2002.pdf>

<http://www.fns.usda.gov/ora/menu/Published/snap/FILES/Participation/Reaching2004.pdf>

<http://www.fns.usda.gov/ora/menu/Published/SNAP/FILES/Participation/Reaching2006.pdf>

<http://www.fns.usda.gov/ora/menu/Published/SNAP/FILES/Participation/Reaching2007.pdf>

²¹ <http://www.fns.usda.gov/ora/menu/Published/SNAP/FILES/Participation/Reaching2007.pdf>

²² <http://www.cppp.org/files/3/urbanfoodstamps09.pdf>

²³ <http://www.statesman.com/news/texas-politics/u-s-food-stamp-official-state-could-be-176052.html>

resource to the most vulnerable Americans. Breaking down barriers to participation will help this Administration deliver on its goal of reducing hunger and improving nutrition across the country.

Tom Vilsack, United States Department of Agriculture Secretary, Press Release, March 25, 2010.²⁴

107. The State of Texas has a different philosophy about the SNAP program, and it shows. Stephanie Goodman, the official HHSC spokeswoman, admitted that her agency's focus differs from the federal government (and the goals set by the Texas Legislature):

I don't think our focus is a participation rate. If there's a family that qualifies for assistance and they don't feel it's right to ask the government for help, we're not here to talk them out of that.

Stephanie Goodman, HHSC, Austin American Statesman, January 12, 2010.²⁵

108. In fact, HHSC does what it can to talk families out of completing the application process. For example, in addition to the means tests and "verification" documentation required to apply, HHSC created an "asset test" which requires applicants to disclose property ownership. While this test might prevent some arguably undeserving applicants from receiving assistance, the data reveal that a tiny percentage is denied because of the test. Approximately 348 SNAP applications per month are denied because of the asset

²⁴ <http://www.fns.usda.gov/cga/PressReleases/2010/0151.htm>

²⁵ <http://www.statesman.com/news/texas-politics/u-s-food-stamp-official-state-could-be-176052.html>

test (in October 2009 there were 79,806 applications, thus, 99.56 percent of those that applied were still eligible after applying the asset test).²⁶

109. Then, HHSC demands that applicants and certain other adult members of the household submit finger images to the agency, a requirement that further delays the application process, often imposes serious burdens on recipients who must make a special trip to the local HHSC office to submit finger images, and leads to a minimal number of determinations of fraud.²⁷ The Texas Legislature created this component, but HHSC has flexibility in implementing it. Because finger imaging is a barrier to participation in the food stamps program, America's top anti-hunger official has urged states to eliminate the requirement.²⁸ Two other states and one city that use finger imaging -- Arizona, California and New York City —have a 24% lower participation rate in the SNAP program than the next four states that don't finger image.²⁹ The process also has high costs. In 2008, Texas spent \$1.5 million for finger imaging (including money for private contracts) and discovered one fraud case, which involved \$0 in benefits.³⁰

²⁶ HHSC Eligibility Services Weekly Progress Report November 5, 2009 at 11a, 35 found here: <http://www.jdsupra.com/post/documentViewer.aspx?fid=f5cfe67f-25fc-46db-a7ec-940fa9b8b776>.

²⁷ Tex. Human Res. Code Title § 31.0325 requires HHSC to adopt a "program" using electronic imaging. There is no statutory requirement that all applicants submit to electronic imaging, and HHSC can modify such a program on a temporary or emergency basis as the situation warrants.

²⁸ "Obama Official Urges NYC to Drop Food Stamp Finger Imaging: Letter Says Practice is "Barrier to Participation," New York City Coalition Against Hunger, May 14, 2010, at <http://www.nyccah.org/node/573>

²⁹ *Id.*

³⁰ "State Auditor to Review SNAP Administration," Center for Public Policy Priorities, No. 10-430 (January 2010) http://cPPP.org/files/3/430_SNAP_eligibility.pdf

110. USDA has specifically commented on these Texas hurdles and found them burdensome:

We fingerprint people who have committed crimes or who have been accused of crimes, and to me that's an unfortunate attitude that may be reflected. It creates a burden on the worker, a burden for the applicant, and I think it's a waste of money, frankly.

Kevin Concannon, Undersecretary of United States Department of Agriculture, Austin American-Statesman, January 12, 2010.³¹

111. While HHSC clings to bureaucratic hurdles that complicate and undeniably slow the eligibility determination process, it violates state law in denying food assistance to eligible families who need help. HHSC even refuses to suspend the enforcement of these rules temporarily.

112. As noted by the Comptroller, HHSC has been repeatedly encouraged to allow families to apply for SNAP over the phone.³² Unlike all the other programs it administers (Medicaid, CHIP, TANF), HHSC refuses to enact such a program for SNAP. While HHSC claims applicants can call 2-1-1 to apply,³³ operators are only authorized to mail callers applications.

113. Plaintiffs allege the delays, unnecessary procedural hurdles, and lack of procedural fairness as outlined above and further below contribute to Texas's low participation in the

³¹ <http://www.statesman.com/news/texas-politics/u-s-food-stamp-official-state-could-be-176052.html>

³² <http://www.window.state.tx.us/comptrol/letters/accenture/ch19.html>

³³ <http://www.hhsc.state.tx.us/help/food/foodstamps/index.html>

program and have not ensured the widest, most efficient distribution of benefits, leaving millions without needed food assistance.

114. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC has not complied with 33.002(c) of the Texas Human Resources Code resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

**COUNT TWO:
HHSC’S UNTIMELY ELIGIBILITY DECISIONS
ILLEGALLY DELAY FOOD ASSISTANCE TO NEEDY FAMILIES**

115. State law requires HHSC to make an initial eligibility decision on SNAP applications within 30 days. 1 TAC, Part 15, Chapter 372, Subchapter D, Division 1, Rule 372.904(b) (2009) (“For a SNAP application, except in the case of an expedited application ... HHSC certifies or denies the application as soon as possible but not later than 30 days after the application file date . . .”). Further, HHSC’s policy manual provides: “By the 30th day after the file date: deny or certify an application; and ensure that a certified applicant has an opportunity to participate...” HHSC, Texas Works Handbook, B-112 Deadlines (Rev. 09-1, eff. Jan. 1, 2009)³⁴ made applicable by 1 TAC 372.3(f)(2) (2009)(incorporating other applicable HHSC rules).

116. In addition, Rule 372.3(e) states: “To the extent the regulations described in subsection (d) of this section impose federal mandates that apply to Texas, HHSC incorporates the regulations by reference for administration of SNAP in Texas.” 1 TAC,

³⁴ <http://www.dads.state.tx.us/handbooks/TexasWorks/B/100/100.htm#secB-112>

Part 15, Chapter 372, Subchapter A, Rule § 372.3(e) (2009). The regulations described in Rule 372.3(d) include 7 C.F.R. § 273.10(g)(1) which states in part: “State agencies shall provide applicants with one of the following written notices as soon as a determination is made, but no later than 30 days after the date of the initial application: (i) Notice of eligibility ... (ii) Notice of denial ... (iii) Notice of pending status”. 7 C.F.R. § 273.10(g)(1) (2010).³⁵

117. State law requires HHSC to make a recertification decision on a SNAP renewal application before the benefit period expires, provided the applicant completes the renewal application by the 15th day of the last month of eligibility. If the applicant completes the renewal application after the 15th day of the last month, HHSC must make a decision by the end of the following month. 1 TAC § 372.3(e) (2009) *incorporating* 7 C.F.R. § 273.10(g)(2) (2010) (“The State agency shall provide households that have filed an application by the 15th of the last month of their certification period with either a notice of eligibility or a notice of denial by the end of the current certification period if the household has complied with all recertification requirements”).

118. In direct contravention of these unambiguous mandates of state law, according to HHSC, thousands of the initial applicants for food stamp assistance did not receive a determination within 30 days. At its peak, over 40,000 applications were “delinquent” in

³⁵ This federal regulation was also incorporated by 1 TAC Rule §372.1001(b)(1) (2009).

October 2009 equating to approximately 40 percent of the applications according to HHSC.³⁶

119. The State Auditor of Texas recently issued a 66-page report that details the failures of HHSC and concludes that, "The Commission currently falls *significantly* short of federal requirements for both timeliness and accuracy."³⁷ The Auditor's report lists a number of realistic changes that could be made by HHSC to more timely and efficiently provide SNAP benefits to eligible Texans.

120. In addition, HHSC's statistics fail to reveal whether benefits were made available by the 30th day, the real indication of a functioning SNAP program. Further, these statistics also do not reveal the percentage of cases where a decision was actually made on the merits of the application but HHSC failed to notify the applicant of the decision, or whether the family was denied for allegedly failing to provide adequate information but was never told that additional information was needed. The statistics do not reflect cases where HHSC changed the application date, which manipulates delinquent case decisions into timely case decisions. In short, these statistics are subject to HHSC control and manipulation, and may be misleading.

121. HHSC reports that for May 2010, it made initial decisions within 30 days for 89.6 percent of the applications and timely decided recertifications 94.1 percent of the time.³⁸

³⁶ HHSC, Delinquent SNAP Applications and Timeliness Chart on Page 11 of: http://www.hhsc.state.tx.us/news/presentations/2010/SAO_SNAP_0410.pdf

³⁷ Audit at i (emphasis added), found at Page 2 of: <http://www.sao.state.tx.us/reports/main/10-026.pdf>.

³⁸ http://www.hhsc.state.tx.us/research/TimelinessFMT/052010_SNAP.xls

122. While HHSC's statistics have improved rapidly since this litigation began in December 2009, the cause of the timeliness problem cannot merely rest on recent events (excuses of the agency include recent hurricanes, economic downturn, and dual computer systems).³⁹ By its own statistics, the last time HHSC made at least 95 percent of its initial determinations in a timely manner was September 2005.⁴⁰

123. Just prior and throughout the pendency of this litigation which began in December 2009, counsel for Plaintiffs submitted numerous demand letters on behalf of 253 families requesting assistance to buy food, representing over 824 Texan men, women and children. Subsequent to these demands and litigation, HHSC has approved the applications of 200 Texas families. HHSC still has not made a decision on application of some of these families.

124. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC is not making eligibility decisions for initial applications and for recertifications within the time period provided under state law resulting in ultra vires actions and request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

³⁹ HHSC, Eligibility Crisis Chart on Page 2 of:
http://www.hhsc.state.tx.us/news/presentations/2010/SAO_SNAP_0410.pdf

⁴⁰ HHSC Eligibility Services Weekly Progress Report November 5, 2009 for the 2004 - 2009 timeliness percentages found here: <http://www.jdsupra.com/post/documentViewer.aspx?fid=f5cfe67f-25fc-46db-a7ec-940fa9b8b776> at 5, and more recent monthly timeliness percentages found here: <http://www.hhsc.state.tx.us/research/FMTtimeliness.html>.

**COUNT THREE: HHSC'S PROCESS KEEPS TEXAS FAMILIES WHO NEED
FOOD IN THE DARK IN VIOLATION OF STATE LAW**

125. HHSC fails to meet clear, mandatory legal standards for the processing of SNAP applications. Instead, HHSC uses a cumbersome, unclear, illegal process. There are at least eight violations of specific state laws in processing that have harmed and will continue to harm Plaintiffs in applying and obtaining benefits. Plaintiffs seek mandamus and a temporary and permanent injunction as well as a request for declaratory relief for the specific illegal, ultra vires process described in detail below.

**A. Application Fails to State Only a Name, Signature and Address Start the Process
and that Benefits Are Provided from the Date of the Application**

126. HHSC has two different applications for those seeking benefits. The applications differ in significant ways, and each is illegal. The on-line application, H-1010-E-0407, ("the integrated application") is available on line at yourtexasbenefits.com. 1 TAC 372.901(b) (2009)("a person applies for SNAP benefits on the internet at yourtexasbenefits.com;") The second application ("the paper application"), comes in parts A and B, H1010-A/05-2008 and H1010-B/05-2008 and is given to applicants at HHSC offices. A copy of the paper application is attached to this petition as Exhibit 1.

127. State law requires that the application must state on or near the first page "**in plain and prominent language... notification of the household's right to immediately file the application** as long as it contains the applicant's name and address and the signature of a responsible household member or the household's authorized representative." 1 TAC 372.3(e)(2009), *incorporating* 7 C.F.R. § 273.2(b)(1)(v)(2010) (emphasis added).

Further, the notice on or near the front page also must explain, again "in plain and

prominent language, "that benefits are provided from the date of application." 1 TAC 372.3(e)(2009), *incorporating* 7 CFR 273.2(b)(1)(vii)(2010).

128. The on-line Texas integrated application encourages Texans to fill out the entire 11-page application, thus delaying the date of the initial application and the date that benefits commence. Further, nowhere does the integrated application provide a place to fill in only a name, address, and signature to start the process.

129. The paper application does allow the application process to begin with only the name, address and signature, but the notice explaining that right is at the bottom of the page, in 7-point type, is neither plain nor prominent. In fact, many other headings are bold faced – Expedited Food Stamps, Important Information for Immigrants, and information We Need to Know – but the right to file immediately is not prominent. Since the bold heading "information We Need to Know," suggests that more information is necessary, it overshadows the "right" to file immediately.

130. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC's on-line and print applications do not comply with state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

B. HHSC Fails to Notify Applicants of Documents Needed From Beginning

131. In addition to timeliness, one consistent complaint of most Plaintiffs, and also noted by the Auditor,⁴¹ is the failure of HHSC to clearly notify applicants of the

⁴¹ Audit at 3-4, found on Page 12-13 of: <http://www.sao.state.tx.us/reports/main/10-026.pdf>

documents they must submit in order to complete a SNAP application in compliance with Texas law. 1 TAC § 372.3(e) (2009), *incorporating* 7 C.F.R. § 273.2(c)(5) (2010). The SNAP on-line application does contain a complicated and convoluted notice, but it does not clearly describe the documents required and the dates for which those documents are needed. The printed application has no notice of the documents required.

132. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC's notifications in both the on-line and the print applications regarding the documents required to submit a SNAP application does not comply with state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

C. HHSC Fails to Timely and Adequately Notify Applicants of a Decision

133. State law not only requires HHSC to make a decision timely, state law also requires the agency to notify an applicant within 30 days of the decision on an application. Tex. Human Resources Code § 31.032; 1 TAC § 372.1001(b)(2009), *incorporating* 7 C.F.R. § 273.10(g)(1) (2010). HHSC does not provide timely notices to applicants.

134. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC's failure to deliver notices of decisions to applicants does not comply with state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

D. HHSC Notices Fail to Include Information for Applicants Required By Law

135. If an application is denied, HHSC must provide the applicant a notice, adequately informing the applicant of the basis for denial, the right to request a hearing, the name of a person at the agency to contact, and the name of persons providing free legal assistance.

1 TAC § 372.1001(b) (2009), *incorporating* 7 C.F.R. § 273.10(g)(1)(ii) (2010). HHSC fails to provide notices compliant with this requirement.

136. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that the substance of HHSC's denial notice does not comply with state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

E. HHSC Fails to Notify Applicants If It Intends to Keep the Application Pending

137. If HHSC keeps the application pending longer than 30 days, the agency must provide a written notice that the application is not completed and is being processed. If the household must take an action to complete the process, the notice must explain the action that must be taken and establish a 60 day deadline for the action. 1 TAC § 372.1001(g)(1)(iii)(2009). HHSC fails to provide these notices.

138. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC's notices do not comply with state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

F. HHSC's Phone System Prevents Applicants from Contacting Caseworkers

139. Although numerous regulations require HHSC to post phone numbers available to applicants, all Plaintiffs report that it is nearly impossible to obtain or provide information to HHSC using the phone. See 1 TAC § 372.3(e)(2009) *incorporating* 7 CFR § 272.4(2010) (requiring telephone number on bilingual notice); 1 TAC § 372.3(e)(2009) *incorporating* 7 CFR § 273.2(c)(2)(i)(2010) (requiring state agency contacted by telephone to encourage application filing on the same day); 1 TAC § 372.3(e)(2009), *incorporating* 7 CFR § 273.2(c)(2)(ii)(2010) (requiring certification office to give applicant correct HHSC phone number for appropriate office); 1 TAC § 372.3(e)(2009), *incorporating* 7 CFR § 273.2(e)(2)(2010) (allowing telephone interviews of applications); 1 TAC § 372.3(e)(2009), *incorporating* 7 CFR § 273.13(a)(2)(2010) (requiring notice of adverse action to supply HHSC's telephone number); 1 TAC § 372.3(e)(2009), *incorporating* 7 CFR § 273.13(b)(iii)(2010) (allowing a telephone interview for recertification). These multiple requirements to have an available phone number have an implied requirement that applicants can call the number and, at least, leave a message.

140. In order to ensure any information is adequately or properly conveyed, or to get clarification of the information required, or to do anything in furtherance of processing the application, an applicant must physically go to their local HHSC office (which may be many miles away depending on the area of Texas) and stand in line hoping their caseworker is there and available to see them.

141. The Auditor found that:

The Commission could reduce the number of pended SNAP applications, and speed up the eligibility determination process, by better communicating eligibility determination requirements to SNAP applicants. The problem of pended applications is compounded by the difficulty applicants and recipients have getting information over the telephone regarding required documents or inquiring about the status of their applications. Eligibility workers in high-volume local offices do not have time to answer questions over the telephone. In addition, eligibility workers' voice-mail systems often reach their capacity and stop receiving messages. Staff at four of the seven local offices auditors visited reported that their telephone systems are periodically overloaded and cease to function. Because information is not available by telephone, clients make unnecessary trips to a local office, in which they sometimes sit for hours just to ask a question or submit a document.⁴²

142. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC's telephone system does not comply with state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

G. HHSC Fails to Notify Recipients of Recertification Deadlines

143. HHSC must notify a recipient of benefits of the pending expiration of benefits. That notice must go to recipients at least a month (but not more than two months) before the benefits expire. 1 TAC 372(e)(2009), *incorporating* 7 CFR 273.14 (b)(2010). HHSC fails to send this notice.

144. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC failure to provide notice of expiration of benefits does not comply with state

⁴² Audit at 3, found on Page 12 of: <http://www.sao.state.tx.us/reports/main/10-026.pdf>.

law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

**COUNT FOUR:
HHSC Fails to Assist Applicants with Locating Verification
Documents as Required by State Law**

145. Because of the difficulty of obtaining all the documents required for certification, HHSC is required to assist applicants. 1 TAC 372(e)(2009), *incorporating* 7 CFR 273.2(c)(5)(2010) ("The notice shall also inform the household of the State agency's responsibility to assist the household in obtaining required verification provided the household is cooperating with the State agency. . . ."); 7 C.F.R. 273.2 (f)(4)(iii)(2010) ("State agencies *shall* assist households in obtaining sufficient verification in accordance with paragraph (c)(5) of this section.") (emphasis added); 7 C.F.R. 273.2 (f)(5)(2010) ("The State agency *must* assist the household in obtaining this verification provided the household is cooperating with the State agency as specified under paragraph (d)(1) of this section.") (emphasis added). HHSC fails to assist applicants in violation of state law.

146. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC fails to assist applicants in violation of state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

**COUNT FIVE:
HHSC FAILS TO TIMELY PROVIDE FOOD BENEFITS
TO NEEDY TEXANS AFTER BEING DETERMINED ELIGIBLE**

147. State law requires HHSC to issue eligible applicants their benefits within 30 days from the date of the application. 1 TAC 372.3(e)(2009), *incorporating* 7 CFR

273.2(g)(2010) and 7 CFR 274.2(b)(2010). This means that eligible applicants should have a Lone Star Card "charged" with appropriate benefits by day 30. The HHSC Policy Manual explains by the 30th day of an application, electronic benefits should have been transferred to qualifying applicants. HHSC, Texas Works Handbook, B-112 Deadlines and B-230 Electronic Benefit Transfer (Rev. 09-1, eff. Jan. 1, 2009) made applicable by 1 TAC 372.3(f)(2)(2009) (incorporating other applicable HHSC rules). HHSC fails to make payments to eligible recipients on or before the 30th day of their application (which is the day they submit their name, address and phone number).

148. The regulations incorporated by 1 TAC 372.3(e)(2009) include 7 CFR 273.2(g)(2010) which states in part: "The State agency shall provide eligible households that complete the initial application process an opportunity to participate (as defined in §274.2(b)) as soon as possible, but no later than 30 calendar days following the date the application was filed."

149. The regulations incorporated by 1 TAC 372.3(e)(2009) also provide mandatory rules for when the Lone Star Card shall be mailed to applicants so that benefits can be used at the latest 30 days after an application is filed. The regulations require:

(b) Availability of Benefits. **All newly-certified households**, except those that are given expedited service, **shall be given an opportunity to participate no later than 30 calendars following the date the application was filed.** An opportunity to participate consists of providing households with coupons or authorization documents and having issuance facilities open and available for the households to obtain their benefits. State agencies must mail authorization documents or coupons in time to assure that the documents can be transacted, or the coupons spent after they are received but before the 30-day standard expires. A household has not been provided an opportunity to participate within the 30-day standard if the authorization document or benefits are mailed on the 29th or 30th day.

1 TAC 372.3(e)(2009), *incorporating* 7 CFR 274.2(b)(2010) (emphasis added).

150. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC is not providing benefits as required by state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

**COUNT SIX:
WHEN HHSC FAILS TO MAKE RECERTIFICATION
DECISIONS TIMELY, IT FAILS TO PROVIDE CONTINUING BENEFITS TO
APPLICANTS AS REQUIRED BY STATE LAW**

151. Some Plaintiffs were determined eligible for food stamps and received them initially; however they were certified only for a specific period of time.

152. At the end of the certification period, Plaintiffs timely reapplied for food assistance.

153. Rather than timely make a decision on their application for renewal of assistance (called recertification), HHSC often fails to make a decision timely resulting in an otherwise eligible family getting cut off from the program through no fault of their own.

154. When HHSC does not make a timely decision on a recertification application due to the fault of the agency, benefits *must* be continued for a month. 1 TAC 372.3(e)(2009), *incorporating* 7 CFR § 273.14(e)(2010).

155. HHSC fails to continue food benefits even when it fails to make a timely recertification decision.

156. Plaintiffs seek a declaration pursuant to the Uniform Declaratory Judgments Act that HHSC does not continue benefits on recertification applications in compliance with

state law resulting in ultra vires actions and further request mandamus and temporary and permanent injunctive relief to remedy the violation of state law.

**COUNT SEVEN:
DENIAL OF DUE COURSE OF LAW**

157. Article I, Section 19 of the Texas Constitution provides that no person shall be deprived of property or privileges "except by due course of law." Tex. Const. art. I, § 19.

158. Whether to award food assistance is not discretionary, but a property interest protected by the Texas Constitution. If a person meets the criteria, which is a function of income, family size and other factors, that person qualifies for food assistance and must be awarded benefits.

159. The failure of Defendant Suehs to administer HHSC in a manner that reaches a decision on SNAP applications and recertifications in the time and manner required by law, issues benefits by the 30th day for eligible applicants, and provides adequate notice and other procedural protections as explained above deprives Plaintiffs of their right to due course of law under the Constitution of the State of Texas.

160. Plaintiffs request the Court to enter a declaratory judgment under the Uniform Declaratory Judgments Act and issue a temporary, and upon final hearing, a permanent injunction to enjoin HHSC from violating the Texas Constitution.

VII. RELIEF REQUESTED

161. In direct contravention of these unambiguous mandates of state law, HHSC administers the SNAP program in such a way that applicants are discouraged from even beginning to file an application, and once they do, they are not properly informed of how

to proceed. Applicants who navigate the complicated maze are frustrated instead of assisted at every turn. Many applicants simply give up and turn to food banks and charities for assistance.

162. Instead of using the notice process to provide useful, clear information, notices are not written, sent or processed in accordance with law, thus denying applicants the rights to know important information: what is expected of them, whether they've been granted or denied benefits, why they have been denied benefits, the basis for a benefit decision, how to appeal the decision, whether more information is needed, and whether and why the application remains pending. In fact, applicants simply believe their applications remain pending, as they have received no notice of any action. HHSC's non-compliance with notice of denial decisions in state law means Plaintiffs and thousands of other Texans, mostly children, who had the right to receive basic nutrition benefits do not even know that their opportunity to receive benefits has been denied.

163. HHSC's non-compliance with state law means Plaintiffs and thousands of other Texans, mostly children, who had the right to receive basic nutrition benefits, went hungry, and thousands more, who should have been able to continue receiving food assistance were cut off, through no fault of their own, pending a recertification decision by HHSC.

164. Thus, Plaintiffs request the Court enter a judgment declaring that HHSC's operations, practices, and policies as specified herein violate state law and grant Plaintiffs mandamus as well as temporary and permanent injunctive relief to require HHSC to develop operations, practices, and policies that comply with Texas law.

165. Plaintiffs further request a judgment awarding them reasonable attorney fees, litigation expenses, and costs of court pursuant to the Uniform Declaratory Judgments Act.

166. Plaintiffs finally request the Court award such other just and equitable relief to which they may be entitled.

Respectfully submitted,

TEXAS RIOGRANDE LEGAL AID



By: Robert W. Doggett
State Bar No. 05945650
4920 N. IH-35
Austin, Texas 78751
Telephone (512) 374-2725
Fax (512) 447-3940
email: rdoggett@trla.org
Attorney in Charge

Amy R. Johnson
State Bar. No. 10679550
4920 N. IH-35
Austin, Texas 78751
Telephone (503) 939-2996
Fax (512) 447-3940

Reneé Treviño
State Bar No. 00792150
1111 North Main Avenue
San Antonio, Texas 78212
Telephone (210) 212-3732
Fax (210) 212-3772

David G. Hall
State Bar No. 08747000
300 S. Texas Blvd.

Weslaco, Texas 78596
Telephone (956) 793-0766
FAX (956) 968-8823

ATTORNEYS FOR: OCTAVIA
GONZALEZ, DULCE HERNANDEZ,
AMALIA GUEDEA-NELSON, LAURA
GUZMAN, SJM, NLT, LAURA
CAMPA, CELILA C.BLAKE, ALICE
CHACON, JESSICA GARZA, JESSE R.
GILL, ESTELLA GUZMAN, TRACIE
LEE HUTCHINSON, LILIANA LARA,
JEANNETTE M. LOPEZ, ANNA B.
MEZA, PATRICIA A. MITCHELL,
JAMES E. OLIVER, MARIA
VICTORIA OLIVERAS, CECILIA D.
ORDONEZ, JUANA H. QUINONES,
CARMEN ROJAS, AGAPITUS A. SAN
NICOLAS, ROBERT SANTANA,
MEGAN SELF, MEGHEAN E.
SPRINGLE, ESTHER ANGEL
VALADEZ, MARIA DE JESUS
VALENZUELA, KATHY ZAVALA,
VIOLETA G. ZEPEDA, OFELIA
MARROQUIN, VERONICA CASTRO-
CADENA, SAN JUANA FRANCO,
VALERIE NICOLE GARCIA,
CONSUELO GARZA, DOTTIE GAVIN,
ROSALINDA GUERRERO, ELISA J.
MAJOR, CONSUELO MALDONADO,
GLORIA M. OLIVAREZ, EVA MARIE
KORSOS, DORA ELIA RAMOS,
GRACE ROCHA, DIANA BRISTER, *LA
UNION DEL PUEBLO ENTERO,
PROYECTO JUAN DIEGO*, FAMILY
CRISIS CENTER OF BIG BEND, and
MAMAS OF COLOR RISING

LONE STAR LEGAL AID

/s/ _____
Martha Orozco
State Bar No. 00795569
1415 Fannin
Houston, Texas 77002
Telephone (713) 652-0077, Ext. 1252
Fax (713) 652-3815

Jonathan Wu
State Bar. No. 24071133
1415 Fannin
Houston, Texas 77002
Telephone (713) 652-0077, Ext. 1166
Fax (713) 652-3815

Attorneys for Plaintiffs: India Bloom,
Tina Brooks, Fatinah M. Curry and Lone
Star Legal Aid Client Council

LEGAL AID OF NORTHWEST
TEXAS

/s/ _____
John W. Shaw
State Bar No. 24058103
600 E. Weatherford Street
Fort Worth, Texas 76102
Tel. 817.336.3957 Ext. 5078
Fax. 817.877.0804
Attorney for Plaintiff McKay Keithley
and Mary Jones

CERTIFICATE OF SERVICE

I hereby certify that I filed the above document and caused a true and correct copy to be served electronically on counsel for Defendants on this 7th day of June, 2010:

James C. Todd
Mishell B. Kneeland
Eric L. Vinson
Assistant Attorneys General
P.O. Box 12548
Capitol Station
Austin, Texas 78711-2548



ROBERT W. DOGGETT

Exhibit 1



Application for Assistance

Part A: Information You Need To Know

Solicitud de Asistencia

Parte A: información que usted necesita

Expedited Food Stamps

If your household has little or no income, you may be eligible to receive food stamp benefits within one day, but no later than the next workday. See the next page for details.

Important Information for Immigrants

- You can apply for and get benefits for eligible family members, even if your family includes other members who are not eligible because of immigration status. For example, immigrant parents may apply for benefits for their U.S. citizen or qualified legal immigrant children, even though the parents may not qualify for benefits.
- You will not have to provide Social Security Numbers or immigration status information or documents for any family members who are not eligible because of immigration status and who are not asking for benefits.
- If you or members of your family use Medicaid, the Children's Health Insurance Program (CHIP), or food stamps, it **will not** affect your or your family members' immigration status. Also, it will not affect your or your family members' ability to get a green card. **The exception** is if you use long-term institutional care, such as a nursing home.
- Use of TANF or Supplemental Security Income (SSI) might create problems with getting a green card, especially if the benefits are your family's only income. Talk to an agency that helps immigrants with legal questions before you apply.
- Refugees and persons granted asylum can use any benefits, including cash assistance, without hurting their chances of getting a green card or U.S. citizenship.

If you would like more information, please talk to your HHSC advisor.

You have the right to immediately file this application. To do so, fill out the information below, sign and return Page 1 to your local eligibility determination office. Benefits for food stamps will be provided from the date it is received in your local eligibility determination office. Keep Pages 2-5 for your records.

You will still need to complete **Part B: Information We Need to Know** before your interview.

Usted tiene el derecho de presentar inmediatamente esta solicitud. Para hacerlo, dé la información a continuación, firme la página 1 y devuélvala a la oficina local de determinación de elegibilidad. Se ofrecerán los beneficios de estampillas para comida a partir de la fecha en que la oficina local de determinación de elegibilidad reciba esta página. Guarde las páginas 2 a 5 con sus papeles. De todas maneras tendrá que llenar la **Parte B: información que necesitamos** antes de la entrevista.

Estampillas para comida de emergencia

Si su unidad familiar tiene pocos ingresos, o no tiene ingresos, tal vez usted llene los requisitos para recibir estampillas para comida dentro de un día o a más tardar, el siguiente día laboral. Vea más detalles en la siguiente página.

Información importante para inmigrantes

- Puede solicitar y recibir beneficios para los miembros de la familia que llenan los requisitos, aunque otros miembros de la familia no llenen los requisitos debido a su calidad de inmigrante. Por ejemplo, los padres inmigrantes pueden solicitar beneficios para sus hijos que son ciudadanos de EE.UU. o que son inmigrantes que llenan los requisitos, aunque los padres no llenen los requisitos para recibir beneficios.
- No tendrá que dar el Núm. de Seguro Social, documentos ni comprobantes de la calidad de inmigrante de los miembros de la familia que no solicitan beneficios y que no llenan los requisitos debido a su calidad de inmigrante.
- Si usted o algún miembro de su familia recibe beneficios de Medicaid, del *Children's Health Insurance Program* (CHIP) o de estampillas para comida, **no afectará** su calidad de inmigrante ni la de los miembros de la familia. Tampoco perjudicará su habilidad, o la de un miembro de la familia, de obtener la tarjeta verde, **a menos que** reciba atención a largo plazo en una institución, como en una casa para convalecientes.
- Tal vez recibir beneficios de TANF o Seguridad de Ingreso Suplementario (SSI) le cause problemas para obtener la tarjeta verde, especialmente si los beneficios son los únicos ingresos de la familia. Antes de solicitar beneficios, hable con una agencia que contesta las preguntas legales de inmigrantes.
- Los refugiados y los asilados pueden recibir cualquier beneficio, incluso asistencia económica, sin que afecte su probabilidad de obtener la tarjeta verde o la ciudadanía de EE.UU.

Si quiere mayor información, sírvase hablar con su consejero de la HHSC.

Name (last, first)/Nombre (apellido, primer nombre)				X Signature-Applicant/Representative Firma-Solicitante/Representante		
Address – Street/Dirección – Calle	Apt./Apartamento	City/Ciudad	State/Estado	ZIP/Código postal	Driver's License No. (optional)/Núm. de licencia para manejar (opcional)	



Application for Assistance

Part A: Information You Need To Know

Solicitud de Asistencia

Parte A: información que usted necesita

Expedited Food Stamps

If your household has little or no income, you may be eligible to receive food stamp benefits within one day, but no later than the next workday. See the next page for details.

Important Information for Immigrants

- You can apply for and get benefits for eligible family members, even if your family includes other members who are not eligible because of immigration status. For example, immigrant parents may apply for benefits for their U.S. citizen or qualified legal immigrant children, even though the parents may not qualify for benefits.
- You will not have to provide Social Security numbers or immigration status information or documents for any family members who are not eligible because of immigration status and who are not asking for benefits
- If you or members of your family use Medicaid, the Children's Health Insurance Program (CHIP), or Food Stamps, it **will not** affect your or your family members' immigration status. Also, it will not affect your or your family members' ability to get a green card. **The exception** is if you use long-term institutional care, such as a nursing home.
- Use of TANF or Supplemental Security Income (SSI) might create problems with getting a green card, especially if the benefits are your family's only income. Talk to an agency that helps immigrants with legal questions before you apply.
- Refugees and persons granted asylum can use any benefits, including cash assistance, without hurting their chances of getting a green card or U.S. citizenship.

If you would like more information, please talk to your HHSC advisor.

Estampillas para comida de emergencia

Si su unidad familiar tiene pocos ingresos, o no tiene ingresos, tal vez usted llene los requisitos para recibir estampillas para comida dentro de un día o a más tardar, el siguiente día laboral. Vea más detalles en la siguiente página.

Información importante para inmigrantes

- Puede solicitar y recibir beneficios para los miembros de la familia que llenan los requisitos, aunque otros miembros de la familia no llenen los requisitos debido a su calidad de inmigrante. Por ejemplo, los padres inmigrantes pueden solicitar beneficios para sus hijos que son ciudadanos de EE.UU. o que son inmigrantes que llenan los requisitos, aunque los padres no llenen los requisitos para recibir beneficios.
- No tendrá que dar el Núm. de Seguro Social, documentos ni comprobantes de la calidad de inmigrante de los miembros de la familia que no solicitan beneficios y que no llenan los requisitos debido a su calidad de inmigrante.
- Si usted o algún miembro de su familia recibe beneficios de Medicaid, del *Children's Health Insurance Program* (CHIP) o de estampillas para comida, **no afectará** su calidad de inmigrante ni la de los miembros de la familia. Tampoco perjudicará su habilidad, o la de un miembro de la familia, de obtener la tarjeta verde, **a menos que** reciba atención a largo plazo en una institución, como en una casa para convalecientes.
- Tal vez recibir beneficios de TANF o Seguridad de Ingreso Suplementario (SSI) le cause problemas para obtener la tarjeta verde, especialmente si los beneficios son los únicos ingresos de la familia. Antes de solicitar beneficios, hable con una agencia que contesta las preguntas legales de inmigrantes.
- Los refugiados y los asilados pueden recibir cualquier beneficio, incluso asistencia económica, sin que afecte su probabilidad de obtener la tarjeta verde o la ciudadanía de EE.UU.

Si quiere mayor información, sírvase hablar con su consejero de la HHSC.

You have the right to immediately file this application. To do so, fill out the information below, sign and return Page 1 to your local eligibility determination office. Benefits for food stamps will be provided from the date it is received in your local eligibility determination office. Keep pages 2-5 for your records.

You will still need to complete **Part B: information We Need to Know** before your interview.

Usted tiene el derecho de presentar inmediatamente esta solicitud. Para hacerlo, dé la información a continuación, firme la página 1 y devuélvala a la oficina local de determinación de elegibilidad. Se ofrecerán los beneficios de estampillas para comida a partir de la fecha en que la oficina local de determinación de elegibilidad reciba esta página. Guarde las páginas 2 a 5 con sus papeles.

De todas maneras tendrá que llenar la **Parte B: información que necesitamos** antes de la entrevista.

Name (last, first)/Nombre (apellido, nombre)			X _____ Signature-Applicant/Representative Firma-Solicitante/Representante			
Address – Street/Dirección – Calle	Apt./Apartamento	City/Ciudad	State/Estado	ZIP/Código postal	Driver's License No. (optional)/Núm. de licencia para manejar (opcional)	

Expedited Food Stamps

This program helps low-income households buy food needed for good health. Eligible households receive food stamp benefits within 30 days. Texas provides food stamp benefits within one day but no later than the next workday if:

- your household's countable gross income is less than \$150 and your total liquid resources do not exceed \$100 in the month you apply for benefits;
- your household's countable resources and gross monthly income are less than your most recent monthly rent or mortgage and utility expenses; or
- your household includes destitute migrant or seasonal farm workers.

"Household" usually means the people who live and eat together.

Race/Ethnicity and Sex

You will be asked to provide information about the race/ethnic background and sex for yourself and all persons for whom you want assistance. This information is voluntary and is used to make sure that benefits are provided without regard to race, color, or national origin. It will not affect your eligibility or benefit amount.

Social Security Numbers

You will be asked to provide the Social Security numbers for all people (including yourself), for whom you want assistance. If any of these people do not have a social security number, we can help you apply for one. Providing or applying for a Social Security number is required as a condition of eligibility for benefits as required by Section 1137 of the Social Security Act. The authority for these requirements is as follows: for Food Stamp benefits, 7 C.F.R. 273.6; for TANF benefits, 45 C.F.R. 205.52; and for medical assistance benefits, 42 C.F.R. 435.910. We will not share your Social Security number with the Bureau of Citizenship and Immigration Services.

You will not have to provide Social Security numbers for any family members who are not eligible because of immigration status and who are not asking for benefits. Social Security numbers are used to verify eligibility, to conduct computer matching with other agencies (such as the Texas Workforce Commission, the Social Security Administration, the Internal Revenue Service and credit reporting agencies) and other matching sources, and to recover benefits you were not entitled to receive. We may share Social Security numbers with phone and electric companies to help them determine if you qualify for a reduction in your bills or with others to help you receive benefits based on need.

Citizenship/Immigration Status

You will be asked to provide information about the citizenship or immigration status for all persons (including yourself) for whom you want assistance. If any of these persons do not want to give us information about his or her citizenship or immigration status, he or she will not be eligible for benefits. Other family or household members may still get benefits if they are otherwise eligible. See page 1 of this form for more information important to immigrants.

Estampillas para comida de emergencia

Este programa ayuda a las unidades familiares de bajos ingresos a comprar comida necesaria para la buena salud. Las unidades familiares que llenan los requisitos para recibir estampillas para comida las reciben dentro de 30 días. En Texas, las estampillas para comida se dan en un día o a más tardar, el siguiente día laboral si en su unidad familiar:

- los ingresos brutos contables son menos de \$150 y los recursos líquidos totales no son más de \$100 en el mes en el que solicita los beneficios;
- los recursos contables y los ingresos brutos mensuales son menos que los gastos más recientes de la renta o la hipoteca y los servicios públicos; o
- hay trabajadores migratorios o trabajadores agrícolas de temporada desamparados.

"Unidad familiar" por lo general se refiere a las personas que viven y comen juntas.

Raza/origen étnico y sexo

Se le pedirá información sobre la raza, el origen étnico y el sexo de usted y de todas las personas para las que quiere ayuda. Esta información es voluntaria y se usa para asegurar que los beneficios se den sin distinción de raza, color u origen nacional. No afectará su elegibilidad ni la cantidad de los beneficios.

Número de Seguro Social

Se le pedirá que dé el Número de Seguro Social (SSN) de todas las personas (inclusive el suyo) para quienes pide ayuda. Si alguna de estas personas no tiene SSN, le podemos ayudar a solicitarlo. Según la Sección 1137 de la Ley de Seguro Social, se requiere proporcionar o solicitar un Núm. de Seguro Social como condición de elegibilidad para recibir beneficios. La autoridad que rige sobre estos requisitos es la siguiente: para los beneficios de estampillas para comida, el Título 7 del Código de Regulaciones Federales (C.F.R.), Sección 273.6; para los beneficios de TANF, el Título 45 del C.F.R., Sección 205.52, y para los beneficios de asistencia médica, el Título 42 del C.F.R., Sección 435.910. No daremos su Núm. de Seguro Social a la Oficina de Servicios de Ciudadanía e Inmigración.

No tiene que proporcionar los Núms. de Seguro Social de los miembros de la familia que no llenan los requisitos debido a su calidad migratoria y que no están solicitando beneficios. Se usa el Núm. de Seguro Social para verificar la elegibilidad, para hacer búsquedas por medio de computadora en otros departamentos (como la Comisión de la Fuerza Laboral de Texas, la Administración del Seguro Social, el Servicio de Impuestos Internos y las compañías de informes de crédito) y otras fuentes, y para recuperar los beneficios a los que no tenía derecho. Es posible que también demos su Núm. de Seguro Social a la compañía de teléfono y a la de luz para ayudarles a determinar si usted llena los requisitos para una reducción en sus cuentas o a otras personas para ayudarle a usted a recibir beneficios según su necesidad.

Ciudadanía y calidad de inmigrante

Se le pedirá información sobre la ciudadanía o la calidad de inmigrante de toda persona para la cual pide ayuda (incluso de usted mismo). Si alguna de estas personas no quiere darnos información sobre la ciudadanía o la calidad de inmigrante, ésta no podrá recibir beneficios. Los otros miembros de la familia o de la unidad familiar todavía pueden recibir beneficios si llenan los requisitos. Vea más información importante relacionada con los inmigrantes en la primera página de la solicitud.

Assignment of Medical Payments \$

If you are applying for TANF or Medicaid, you will be asked to give information about any other medical insurance that members of your household may have. You must agree to let HHSC keep any medical payments made by other health insurance while you receive Medicaid. You will also be required to authorize each provider of Medicaid services to release any medical or other information about you or your eligible family members in order for providers to be paid by Medicaid.

Assignment of Child Support and Medical Support Rights \$

If you are applying for TANF for yourself and/or your children, you will be asked to give information about any parent who is not living with the child. You must agree to give the State of Texas all rights to establish and collect child support from any person for the benefits of any child for whom you are receiving, or will receive, TANF. If you are a victim of family violence and think that collecting child support might endanger you or your children, you may not be required to cooperate with the child support requirement.

If you are applying for Medicaid for your children only, you do not have to help obtain medical support or provide information about the absent parent(s), but may do so voluntarily. If you are applying for Medicaid for yourself, you must provide information about the absent parent(s), help obtain medical support, and assign any rights to medical support that you receive on behalf of your children.

Your signature on the Application for Assistance indicates you are assigning your rights to child support and medical support as required by law for yourself and for any other person for whom you can legally make an assignment to the state.

Asignación de pagos médicos \$

Si solicita TANF o Medicaid, le pedirán información sobre cualquier otro seguro médico que tenga algún miembro de su unidad familiar. Deberá aceptar que la HHSC retenga cualquier pago médico hecho por otro seguro médico mientras reciba Medicaid. También se exigirá que autorice que todo proveedor de servicios de Medicaid divulgue cualquier información médica o de otro tipo, sobre usted o cualquier miembro de la familia que llene los requisitos, para que el proveedor reciba pagos de Medicaid.

Asignación de derechos a manutención médica y de niños \$

Si solicita TANF para usted o para sus hijos, se le pedirá que dé información sobre el padre que no vive con el niño. Deberá comprometerse a ceder al estado de Texas todos los derechos de establecer la manutención de niños y de cobrarla a cualquier persona en beneficio de cualquier niño para quien recibe o recibirá TANF. Si es víctima de violencia doméstica y cree que cobrar la manutención de niños puede poner en peligro a usted o a su hijo, tal vez no se le exija cumplir con el requisito de manutención de niños.

Si solicita Medicaid solamente para sus hijos, no tiene que ayudar a obtener la manutención médica ni dar información sobre el padre o madre ausente, pero puede hacerlo voluntariamente. Si solicita Medicaid para usted, tiene que dar información sobre el padre o madre ausente, ayudar a obtener la manutención médica y ceder los derechos a la manutención médica que usted reciba en nombre de sus hijos.

Su firma en la *Solicitud de Asistencia* indica que usted cede al estado, según lo exige la ley, sus derechos a la manutención médica y de niños, al igual que los derechos de cualquier otra persona por quien legalmente puede hacer la asignación.



Your Rights and Responsibilities/Sus derechos y responsabilidades

Reporting Changes – Once your application is turned in, you are required to report all changes within 10 days. Report changes in your address, income, expenses, resources, people living with you, or other changes that could affect your benefits.

Right to a Fair Hearing – If you are not satisfied with the decision on your application, you may request a hearing in writing or orally within 90 days of the date of the decision.

Home/Phone Interviews – Depending on your family situation, the agency may be able to conduct your interview in your home or by telephone. If you have a problem coming to the office, contact your local eligibility determination office to find out if a home or telephone interview would be possible in your situation.

Confidentiality – HHSC considers that information is confidential if it is used to determine a client's eligibility for services. HHSC considers the information confidential whether collected by HHSC staff or contracted provider staff. However, HHSC must give your address, Social Security Number, and photograph to law enforcement officials if they ask. We will also give your name, address, and telephone number to telephone and electric utility companies to help them determine if you qualify for a reduction in your bills.

With a few exceptions, you have the right to request and to know about information that the Texas Health and Human Services Commission (HHSC) obtains about you. You are entitled to receive and review the information upon request. You also have the right to ask HHSC to correct information that is determined to be incorrect. (Government Code Sections 552.021, 552.023, 559.004). If you would like HHSC to correct inaccurate information about you, please contact your Texas Works Advisor.

Aviso de cambios – Una vez que entregue la solicitud, se exige que avise de cualquier cambio dentro de los 10 días siguientes. Avise de los cambios de dirección, ingresos, gastos, recursos, personas que viven con usted u otros cambios que podrían afectar sus beneficios.

Derecho a una audiencia imparcial – Si no está de acuerdo con la decisión tomada respecto a su solicitud, puede pedir una audiencia por escrito u oralmente dentro de los 90 días siguientes a la fecha de la decisión.

Entrevistas en casa o por teléfono – Según la situación de su familia, es posible que el departamento pueda llevar a cabo la entrevista en su casa o por teléfono. Si tiene problemas para llegar a la oficina, comuníquese con la oficina local de determinación de elegibilidad para saber si, debido a su situación, sería posible hacer la entrevista en su casa o por teléfono.

Confidencialidad – La HHSC considera que la información es confidencial si se usa para determinar si el cliente tiene derecho a servicios. La HHSC considera que la información es confidencial ya sea información reunida por un empleado de la HHSC o por el personal de un proveedor contratado de la HHSC. Sin embargo, la HHSC tiene que dar su dirección, Núm. de Seguro Social y fotografía a funcionarios judiciales y policiales si ellos los piden. Además, daremos su nombre, dirección y teléfono a las compañías de teléfono y de servicios públicos para ayudarles a determinar si usted llena los requisitos para una reducción en las cuentas. Con algunas excepciones, usted tiene el derecho de saber qué información obtiene sobre usted la Comisión de Salud y Servicios Humanos de Texas (HHSC) y de pedir dicha información. Si desea recibir y estudiar la información, tiene el derecho de solicitarla. También tiene el derecho de pedir que la HHSC corrija cualquier información incorrecta (Código Gubernamental, Secciones 552.021, 552.023, 559.004). Para pedir que la HHSC corrija algún error en su información, favor de ponerse en contacto con el consejero de Texas Trabaja.

Penalties/Sanciones

Food Stamp Program

Any member of your household who breaks the following rules may not get food stamp benefits for one year for the first offense, two years for the second offense, or permanently for the third offense; may be fined up to \$250,000 or jailed up to 20 years, or both; may be barred from the Food Stamp Program for an additional 18 months if ordered by the court; may lose deductions; and may be prosecuted under other state or federal laws:

- Don't make false or misleading statements, orally or in writing, or hide information to get benefits the household should not get.
- Don't use food stamp benefits to buy non-food items, such as alcohol or cigarettes.
- Don't change program access devices to get benefits to which the household is not entitled.
- Don't use or have in your possession improperly obtained food stamp benefits, Lone Star Cards, or other program access device(s).
- Don't trade or sell food stamp benefits, Lone Star Cards, or other program access device(s).

If a court of law finds you guilty of trading food stamp benefits for firearms, ammunition, explosives, or controlled substances, you will be subject to the following penalties:

- loss of food stamp benefits for two years for the first offense and permanently for the second offense involving the sale of a controlled substance for food stamp benefits; and
- permanent loss of food stamp benefits for the first offense involving the trading of firearms, ammunition, or explosives for food stamp benefits.

If you are found to have made false or misleading statements about who you are or where you live to get food stamp benefits twice in one month, you may be barred from the food stamp program for 10 years.

If you buy, sell, trade, or illegally redeem more than \$500 in food stamp benefits, Lone Star Cards, or other program access devices, you may be barred permanently from the Food Stamp Program.

If your household receives more food stamp benefits than you are eligible for, all information, including SSNs, may be given to federal/state agencies and private claims collection agencies.

TANF \$

If you intentionally give wrong or misleading information, you could be prosecuted and be sentenced for up to 10 years in prison. You could be asked to repay benefits, have your benefits reduced, or be disqualified from receiving TANF. If you are found to have committed an intentional program violation you will be disqualified from receiving financial assistance for 12 months for the first violation. If you commit a second intentional program violation, then you will be permanently disqualified from receiving financial assistance. When you are found guilty of a state or federal crime that constitutes an intentional program violation, or granted deferred adjudication or placed on community supervision for that conduct, then you will be permanently disqualified from receiving financial assistance.

Medicaid

If you give wrong or misleading information or let someone else use your Medical Care Identification Form, you could be required to pay back the state or federal government for any benefits issued incorrectly, or be prosecuted.

Programa de estampillas para comida

Cualquier persona de su unidad familiar que viole una de las siguientes reglas no podrá recibir estampillas para comida por un año por la primera infracción, dos años por la segunda o permanentemente por la tercera. Se le puede imponer una multa hasta de \$250,000 ó hasta 20 años de cárcel o los dos; la corte puede prohibir que reciba estampillas para comida durante otros 18 meses; puede perder deducciones, y se le puede acusar bajo otras leyes federales o estatales. Las reglas son:

- No dar información falsa ni engañosa oralmente o por escrito, ni esconder información, con el fin de obtener beneficios a los cuales las personas de su unidad familiar no tienen derecho.
- No usar los beneficios de estampillas para comida para comprar artículos que no son comestibles, como alcohol o cigarrillos.
- No alterar los métodos para obtener beneficios para los cuales las personas de su unidad familiar no tienen derecho.
- No usar ni tener en su poder estampillas para comida, tarjetas Lone Star ni otros métodos para obtener beneficios que hayan sido obtenidos ilegalmente.
- No cambiar ni vender beneficios de estampillas para comida, tarjetas Lone Star ni ningún otro método para obtener beneficios.

Si una corte lo halla culpable de cambiar beneficios de estampillas para comida por armas de fuego, municiones, explosivos o sustancias controladas, usted estará sujeto a las siguientes sanciones:

- No podrá recibir estampillas para comida por dos años por la primera infracción y permanentemente por la segunda relacionada con la venta de beneficios de estampillas para comida para comprar una sustancia controlada, y
- No podrá recibir permanentemente estampillas para comida por la primera infracción relacionada con el cambio de beneficios de estampillas para comida por armas de fuego, municiones o explosivos.

Si se descubre que hizo declaraciones falsas o engañosas sobre su identidad o dirección para obtener beneficios dos veces en un mes, se le puede excluir del programa por 10 años.

Si usted compra, vende, intercambia o cambia ilegalmente más de \$500 en beneficios de estampillas para comida, tarjetas Lone Star u otros métodos para obtener beneficios, puede ser que le excluyan permanentemente del programa.

Si su unidad familiar recibe más estampillas para comida de lo que debe recibir, toda la información, incluso los SSN, se puede dar a las entidades estatales o federales y a las agencias comerciales de cobros.

TANF \$

Si da información falsa o engañosa a propósito, pueden acusarlo ante la corte, y condenarlo hasta por 10 años de cárcel. Le pueden pedir que devuelva los beneficios, reducirse los o descalificarlo para TANF. Si se descubre que cometió una infracción intencionalmente, se le descalificará de recibir asistencia económica por 12 meses por la primera infracción. Si comete una segunda infracción, se le descalificará permanentemente de recibir asistencia económica. Si lo hallan culpable de un delito estatal o federal que constituya una infracción intencional del programa, recibe un fallo aplazado o tiene supervisión comunitaria por dicha conducta, entonces lo descalificarán permanentemente de recibir asistencia económica.

Medicaid

Si usted da información falsa o engañosa o deja que otra persona use su *Forma de identificación para servicios médicos*, le pueden exigir que pague al gobierno estatal o federal cualquier cantidad de beneficios que haya recibido sin tener derecho a ellos, o pueden acusarlo ante la corte.

Opportunity to Register to Vote/Oportunidad para inscribirse para votar

Applying to register or declining to vote does not affect the amount of assistance that this agency provides. If you decline to register to vote, this decision will remain confidential and will only be used for voter registration purposes. If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, you may file a complaint with the Elections Division of the Secretary of State, P.O. Box 12060, Austin, TX 78711. Telephone: 1-800-252-8683.

If you would like help filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private and put it in the mail yourself. If you do not check the box on question 24, we will consider that you have decided not to register to vote at this time and you will be asked to re-sign Part B of this application.

Solicitar o rechazar la inscripción de votante no afecta la cantidad de asistencia que este departamento ofrece. La decisión de no inscribirse para votar se mantendrá confidencial y sólo se usará para propósitos de inscripción de votantes. Si cree que alguien ha interferido con su derecho de inscribirse o de no inscribirse, con su derecho a la confidencialidad en lo que se refiere a su decisión de inscribirse o de solicitar la inscripción para votar, puede presentar una queja en Elections Division of the Secretary of State, P.O. Box 12060, Austin, TX 78711, teléfono 1-800-252-8683.

Si quiere ayuda para llenar la tarjeta de inscripción de votante, le ayudaremos. La decisión de buscar ayuda o de aceptarla es suya. Puede llenar la solicitud en privado y enviarla usted mismo. Si no marca el cuadro de la pregunta número 24, entenderemos que decidió no inscribirse para votar en este momento, y se le pedirá que vuelva a firmar la parte B de esta solicitud.

Information on Non-Cash Services/Información sobre servicios no monetarios

Your household is authorized to receive the following non-cash services. Your household may access these services at any time. For additional information, please contact your Texas Works Advisor.

Domestic Violence

No one deserves to be hurt. The Texas Health and Human Services Commission (HHSC) believes all individuals have a right to be safe from violence. If you or someone you know experiences any type of physical, emotional, or sexual abuse, please call the National Domestic Violence 24-Hour Hotline at 1-800-799-SAFE (7233). Family violence centers located throughout Texas offer the following services:

- temporary 24-hour-a-day shelter
- information about training for and seeking employment
- emergency transportation
- counseling
- legal advocacy

Family Planning Program

The Family Planning Program, administered by the Texas Department of State Health Services (DSHS), provides preventive medical, educational, and counseling services to low income Texans. The Family Planning Program offers a variety of services that include:

- complete health check-ups, including health history and physical exams
- medical follow-up visits and birth control methods supply visits
- pregnancy testing, counseling and referral
- referrals for prenatal and other health care
- Federal Drug Administration's approved birth control methods including voluntary sterilization, and natural family planning instructions
- individual and community health education

Please call the information and referral hotline at 211.

La unidad familiar está autorizada para recibir los siguientes servicios no monetarios. Puede buscar estos servicios en cualquier momento. Para mayor información, favor de comunicarse con el consejero de Texas Trabaja.

Violencia doméstica

Nadie merece que lo lastimen. La Comisión de Salud y Servicios Humanos de Texas cree que todas las personas tienen derecho de estar libres de violencia. Si usted o alguien que conoce sufre cualquier tipo de maltrato físico, emocional o sexual, favor de llamar a cualquier hora del día a la Línea Nacional Contra la Violencia Doméstica al 1-800-799-7233 (1-800-799-SAFE). Los centros contra la violencia familiar que hay por todo Texas ofrecen los siguientes servicios:

- refugio temporal las 24 horas del día
- información sobre capacitación para el trabajo y sobre cómo encontrar trabajo
- transportación de emergencia
- orientación
- defensa legal

Programa de Planificación Familiar

El Programa de Planificación Familiar, administrado por el Departamento Estatal de Servicios de Salud de Texas, ofrece servicios preventivos médicos, educativos y de orientación a personas en Texas de bajos ingresos. El Programa de Planificación Familiar ofrece una variedad de servicios, entre otros:

- chequeos médicos completos, inclusive historia clínica y exámenes físicos
- consultas de seguimiento y consultas para obtener anticonceptivos
- envíos a servicios, orientación y pruebas del embarazo
- envíos a servicios prenatales y a otros servicios de atención médica
- métodos de control de la natalidad aprobados por la Administración de Alimentos y Drogas, entre otros, la esterilización voluntaria y las instrucciones de planificación familiar natural
- educación médica individual y comunitaria

Favor de llamar a la línea de información y envío a servicios al 211.

Adult Education and Family Literacy Program

The Adult Education and Family Literacy Program, administered by the Texas Education Agency (TEA) provides the following services:

- English language proficiency for limited English-proficient adults
- Basic academic and functional context skills
- Adult education instruction
- Secondary level proficiencies for out-of-school youths and adults

For more information, please contact the Texas Center for the Advancement of Literacy and Learning at 1-800-441-READ (7323).

Alcohol Drug Abuse Prevention Program

The Texas Department of State Health Services (DSHS) exists to ensure that all Texans have access to effective substance abuse services. DSHS administers Prevention Resource Centers across the state. The centers provide communities with prevention information, resources, and expertise. To obtain crisis counseling or drug and alcohol information, please contact the DSHS information and referral hotline at 1-877-9-NO DRUG (1-877-966-3784).

Texas Workforce Network

The Texas Workforce Commission, 28 local workforce boards and their services contractors work together as the Texas Workforce Network. The network gives customers access to local workforce solutions and statewide services at Texas Workforce Centers. The centers offer individuals assistance in seeking work, training, and support services. For more information, contact your local workforce board.

Women, Infants and Children (WIC) Nutrition

WIC is a nutrition program that helps pregnant women, new mothers, and young children eat well, learn about nutrition, and stay healthy. Nutrition services at WIC include:

- nutrition classes
- counseling about nutrition needs and concerns
- breast-feeding classes
- supplemental food packages
- immunizations

To apply for WIC, please call 1-800-942-3678.

Programa de Educación para Adultos y Alfabetización para la Familia

El Programa de Educación para Adultos y Alfabetización para la Familia administrado por el Departamento de Educación de Texas ofrece los siguientes servicios:

- Clases de inglés para las personas adultas que no lo saben bien
- Habilidades básicas académicas y funcionales
- Educación para adultos
- Clases a nivel de la escuela secundaria para jóvenes que no están en la escuela y para adultos

Para mayor información, favor de comunicarse con el Centro de Texas para el Progreso en la Alfabetización y el Aprendizaje al 1-800-441-7323 (1-800-441-READ).

Programa de Prevención de Abuso de Alcohol y Drogas

El Departamento Estatal de Servicios de Salud de Texas (DSHS) existe para asegurar que que todas las personas en Texas tengan acceso a servicios eficaces de control de abuso de sustancias. El DSHS administra Centros de Recursos de Prevención por todo Texas. Los centros ofrecen a las comunidades recursos, experiencia e información sobre la prevención. Para obtener orientación en casos de crisis o información sobre las drogas o el alcohol, favor de llamar a la línea de información y envío a servicios del DSHS al 1-877-966-3784 (1-877-9-NO DRUG).

Red de la Fuerza Laboral de Texas

La Comisión de la Fuerza Laboral de Texas, las 28 juntas y sus contratistas de servicios trabajan juntos como la Red de la Fuerza Laboral de Texas. La red les da a los clientes acceso a las soluciones de la fuerza laboral locales y a servicios de todo el estado en los centros de la Fuerza Laboral de Texas. Los centros ofrecen ayuda para encontrar trabajo, capacitación y servicio de apoyo. Para mayor información, comuníquese con la junta de la fuerza laboral local.

Programa de Nutrición para Mujeres, Bebés y Niños (WIC)

WIC es un programa de nutrición que ayuda a las mujeres embarazadas, a las nuevas mamás y a los niños pequeños a comer bien, a aprender sobre la nutrición y a mantenerse sanos. Los servicios de nutrición de WIC son, entre otros:

- clases de nutrición
- orientación sobre necesidades e inquietudes relacionadas con la nutrición
- clases sobre como alimentar con pecho
- paquetes de comida complementaria
- vacunas

Para solicitar WIC, favor de llamar al 1-800-942-3678.



Application for Assistance

Part B: Information We Need to Know

Solicitud de Asistencia

Parte B: información que necesitamos

Welcome to the Texas Health and Human Services Commission (HHSC). We help Texans in need by providing medical help, food stamps, and cash assistance. We also can provide information about other helpful services in your community.

There are several steps to applying for help from HHSC. **Note:** If you need help completing this application, please contact your local eligibility determination office.

1. Fill out as much of this application as you can, sign it, and return it to your local eligibility determination office. You can file your application on the same day you contact the local eligibility determination office. We need at least your name, address and a signature on Part A, Page 1.
 - If you are pregnant and want Medicaid only for yourself, there are some questions that you don't need to answer. They are marked.
 - If you are without money for food, please ask an HHSC advisor about applying for emergency food stamp benefits.
2. You will be scheduled for an interview with an HHSC advisor who will go over this application with you and who may ask more questions.
3. You must bring proof of identification and income to your interview. You may be asked to bring other items as well, such as rent receipts, utility bills, or paycheck stubs.

Bienvenido al la Comisión de Salud y Servicios Humanos de Texas (HHSC). En la HHSC, ayudamos al tejano necesitado con asistencia médica, estampillas para comida y asistencia económica. También ofrecemos información sobre otros servicios en la comunidad que lo podrían beneficiar.

Para solicitar asistencia de la HHSC, hay que seguir varios pasos. **Nota:** si necesita ayuda para completar esta solicitud, sírvase llamar a la oficina local de determinación de elegibilidad.

1. Llene cuanto pueda de la solicitud, firme y devuélvala a la oficina local de determinación de elegibilidad. Puede presentar la solicitud el mismo día en que se comunique con la oficina local de determinación de elegibilidad. Debe darnos por lo menos su nombre y dirección y debe firmar la Parte A, página 1.
 - Si está embarazada y quiere solicitar Medicaid sólo para usted, no tiene que contestar algunas preguntas. Éstas están marcadas.
 - Si no tiene dinero para la comida, sírvase preguntar a un consejero de la HHSC sobre las estampillas para comida de emergencia.
2. Tendrá una cita para que un consejero de la HHSC lo entreviste. El consejero repasará la información de esta solicitud con usted y es posible que le haga más preguntas.
3. Tendrá que llevar comprobantes de identidad y de ingresos a la entrevista. Puede que le pidan otras cosas, como recibos de renta, cuentas de servicios públicos o talones de cheques de paga.

Please check all of the following that apply to you and your family.

Por favor, marque todos los que se aplican a usted y a su familia.

My family and I need help with the following services. HHSC does not provide all of these services, but we will try to refer you to someone in your community.

My familia y yo necesitamos ayuda con los siguientes servicios. La HHSC no ofrece todos estos servicios, pero trataremos de enviarlo a un lugar de su comunidad.

- | | | |
|--|---|--|
| <input type="checkbox"/> Children's Health Insurance /Seguro médico para niños | <input type="checkbox"/> Food /Comida | <input type="checkbox"/> Child care /Cuidado de niños |
| <input type="checkbox"/> Transportation /Transportación | <input type="checkbox"/> Child support /Manutención de niños | <input type="checkbox"/> Utilities /Servicios públicos |
| <input type="checkbox"/> Family violence /Violencia familiar | <input type="checkbox"/> Finding work /Búsqueda de trabajo | <input type="checkbox"/> Rent /Renta |
| <input type="checkbox"/> Medical assistance /Asistencia médica | <input type="checkbox"/> Education or training /Educación o capacitación | <input type="checkbox"/> Immigrant or refugee services /Servicios para inmigrantes o refugiados |
| <input type="checkbox"/> Help for someone who is elderly, blind, or has a disability /Ayuda para alguien que es de edad avanzada, ciego o que tiene alguna discapacidad | | <input type="checkbox"/> Other (please specify) /Otro (especifique): |

Name/Nombre	Address/Dirección	Apartment/Apartamento	City/Ciudad	State/Estado	ZIP
-------------	-------------------	-----------------------	-------------	--------------	-----

For Agency Use Only/Sólo para uso del departamento

Status <input type="checkbox"/> App. <input type="checkbox"/> Recert.	App./Case No.	Cat.	Active FS Case No.	Active TANF Case No.	Active Med. Case No.	BJN	Mail Code
Former Recipient? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Requested	Date Mailed	Date Received	Date Rec'd./ Wrong Off.	Eligible for Exp. Service? <input type="checkbox"/> Yes <input type="checkbox"/> No	Short Cert. Timely Due Date	Screened by: Appt. Date & Time

Voter Registration Status <input type="checkbox"/> Already Registered <input type="checkbox"/> Client Declined <input type="checkbox"/> Agency Transmitted <input type="checkbox"/> Client to Mail <input type="checkbox"/> Mailed to Client <input type="checkbox"/> Other	Agency Staff Signature _____
--	------------------------------

We want to get help to you as soon as possible, so please answer the following questions.

Queremos que reciba ayuda lo más pronto posible, así que por favor, conteste las siguientes preguntas.

I am, or someone in my family is: /Alguien de mi familia, o yo mismo, está en la siguiente situación:

- Disabled**/Tiene alguna discapacidad
- Resident of shelter for battered women**
Es residente de un refugio para mujeres maltratadas
- Without money for food**/No tiene dinero para la comida
- Elderly**/Es de edad avanzada
- Homeless**/No tiene casa ni hogar
- Pregnant**/Está embarazada
- Who?**/¿Quién? _____
- Expected Delivery Date?**/¿Cuándo? _____
- Number of children expected?**/¿Cuarto? _____

Do you have a physical or mental condition that requires special accommodations during your interview with an HHSC advisor, such as needing a sign language interpreter?/¿Tiene alguna discapacidad física o mental que hace necesaria alguna adaptación especial, como un intérprete del lenguaje de señas, para la entrevista con el consejero de la HHSC? **Yes**/Sí **No**

If "Yes," what do you need?/Si contesta "Sí", ¿qué adaptación necesita? _____

HHSC can provide an interpreter at no cost to you. Will you need an interpreter at your next interview?/La HHSC le puede ofrecer los servicios de un intérprete sin costo alguno para usted. ¿Necesitará un intérprete para su próxima entrevista? **Yes**/Sí **No**

If "Yes," what language?/Si contesta "Sí", ¿qué idioma debe hablar el intérprete? _____

To get food stamps, TANF or Medicaid, most people have to come into a local eligibility determination office for a face-to-face interview. If any of the reasons below apply to you, you can request a telephone interview instead. If you want to be interviewed by telephone, please check the reason(s) below that describes why you cannot come into a local eligibility determination office. List the telephone number, with area code, where you can be reached for your interview here: _____ Para recibir estampillas para comida, TANF o Medicaid, la mayoría de las personas debe venir a la oficina local de determinación de elegibilidad para una entrevista en persona. Si alguna de las siguientes razones es pertinente a su caso, puede pedir que lo entrevistemos por teléfono. Si quiere que lo entrevistemos por teléfono, marque las razones que describen por qué no puede venir a la oficina local de determinación de elegibilidad. Anote el número de teléfono, con la clave del área, donde podamos comunicarnos con usted para entrevistarlo: _____

- I live more than 30 miles away from the local eligibility determination office.**/Vivo a más de 30 millas de la oficina local de determinación de elegibilidad.
- I can't come to the local eligibility determination office because of bad weather.**/No puedo ir a la oficina local de determinación de elegibilidad porque hace mal tiempo.
- My work or training schedule conflicts with the local eligibility determination office hours.**/Hay conflicto entre mi horario de trabajo o de entrenamiento y las horas de la oficina local de determinación de elegibilidad.
- I must take care of a household member.**/Tengo que cuidar a un miembro de la unidad familiar.
- I am ill.**/Estoy enfermo.
- I don't have transportation.**/No tengo transportación.
- I am a victim of family violence.**/Soy víctima de violencia familiar.

An HHSC representative will contact you to set up a telephone interview./Un representante de la HHSC se pondrá en contacto con usted para programar la entrevista por teléfono.

Instructions/Instrucciones



 **Medicaid** helps pregnant women, children, and families with medical care./**Medicaid** ofrece atención médica a mujeres embarazadas, a niños y a familias.

I want to apply for Medicaid for an adult household member(s).

Quiero solicitar Medicaid para un miembro adulto de la unidad familiar. **Yes**/Sí **No**

I want to apply for health insurance for a child(ren) who lives with me.

Quiero solicitar seguro médico para un niño que vive conmigo. **Yes**/Sí **No**

To apply for Medicaid, answer the questions marked with . /Para solicitar Medicaid, conteste las preguntas indicadas con el signo .

 **Food Stamps** help people buy food./**Las estampillas para comida** ayudan a las personas a comprar comida.

I want to apply for Food Stamps./Quiero solicitar estampillas para comida. **Yes**/Sí **No**

To apply for Food Stamps, answer the questions marked with . /Para solicitar estampillas para comida, conteste las preguntas indicadas con el signo .

\$ Temporary Assistance for Needy Families (TANF) helps families meet their basic needs with monthly cash assistance. **One Time Temporary Assistance for Needy Families (OTTANF)** provides a \$1,000 cash payment./**La Asistencia Temporal a Familias Necesitadas (TANF)** ayuda a las familias a satisfacer sus necesidades básicas con asistencia económica cada mes. **La Asistencia Temporal Única a Familias Necesitadas (OTTANF)** ofrece un pago en efectivo de \$1,000.

I want to apply for monthly TANF benefits./Quiero solicitar los beneficios mensuales de TANF. **Yes**/Sí **No**

I want to apply for a One Time TANF benefit./Quiero solicitar el beneficio de un pago único de TANF. **Yes**/Sí **No**

I want to apply for a One Time Grandparent TANF benefit./ Quiero solicitar el beneficio de un pago único de abuelo de TANF. **Yes**/Sí **No**

To apply for TANF answer, the questions marked with \$. /Para solicitar TANF, conteste las preguntas indicadas con el signo \$.



Applicant Information/Información del solicitante

Name (Last, First, Middle)/Nombre (Apellido, primer nombre, segundo nombre)		Home Telephone No. (include area code)/Teléfono de la casa (con la clave del área) ()	
Have you ever used another name? If so, list other names you have used./¿Ha usado alguna vez otro nombre? Si es el caso, enumere los nombres que ha usado. <input type="checkbox"/> Yes/Sí <input type="checkbox"/> No		Other Phone No. (include area code)/Otro número de teléfono (con la clave del área) ()	
Mailing Address (Street or P.O. Box)/Dirección postal (Calle o Apdo.)			Apt. No./Núm. de Apto.
City/Ciudad	State/Estado	ZIP	County/Condado
Home address if different from above — if rural, give directions/Domicilio particular, si es diferente a la dirección de arriba. Si es rural, explique cómo llegar.			

Household Information/Información de la unidad familiar



1. Fill in the information below for all members of your household for whom you are applying for benefits. Please be sure to include yourself and any children you list in question 3. DO NOT list people here for whom you don't want benefits. List them in Question 2.

Escriba la siguiente información de cada miembro de la unidad familiar para quien solicita beneficios. Asegúrese de anotarse usted mismo y de anotar a los niños que enumeró en la pregunta 3. NO ANOTE aquí a las personas para quienes no solicita beneficios. Anote a esas personas en la pregunta 2.

Citizenship Status (Check only one)
Calidad de ciudadanía
(Sólo marque una)

Name (Last, First, Middle) Nombre (Apellido, primero, segundo)	Social Security No. (optional)* Núm. de Seguro Social (opcional)*	What Kin to You? Parentesco con usted	Date of Birth Fecha de nacimiento	Sex Sexo	Race Raza	Check if College Student ¿Es estudiante universitario?	Citizenship Status	
							U.S. Citizen Ciudadano estadounidense	Legal Alien Inmigrante legal
		Self/Yo mismo						

* If a person's Social Security Number is not provided, this person will be disqualified from receiving benefits.

* Si no aparece el Número de Seguro Social de alguna persona, esa persona no podrá recibir beneficios.

The following questions do not affect your ability to get benefits. Your answers will be used to better coordinate your family's health care needs./ Las siguientes preguntas no afectan la capacidad de recibir beneficios. Sus respuestas se utilizarán para coordinar mejor las necesidades de atención médica de su familia.

Is anyone in your household a member of a federally recognized Indian tribe?/¿Pertenece algún miembro de su unidad familiar a una tribu indígena reconocida federalmente? Yes/Sí No

List the name of the individual:/Anote el nombre de la persona: _____

Is anyone in your household an unaccompanied refugee minor?/¿Es algún miembro de su unidad familiar un niño refugiado no acompañado? Yes/Sí No

List the name of the individual:/Anote el nombre de la persona: _____

Is anyone in your household a child enrolled in the Department of State Health Services Children with Special Health Care Needs program?/¿Participa algún niño de su unidad familiar en el Programa de Niños con Necesidades Médicas Especiales del Departamento Estatal de Servicios de Salud? Yes/Sí No

List the name of the individual:/Anote el nombre de la persona: _____

Do the children applying for medical assistance travel with a parent or a family member who is a migrant farm worker?/¿Viajan los niños que están solicitando ayuda médica con un padre o familiar que es trabajador agrícola migratorio?..... **Yes/Sí** **No**

Are you or your spouse an active duty member of the United States Armed Forces, Reserves, or National Guard or of the State Military Forces?/ ¿Está usted o su cónyuge en servicio activo de las Fuerzas Armadas, la Reserva, la Guardia Nacional o el servicio militar estatal de Estados Unidos?..... **Yes/Sí** **No**

If Yes, provide the name of that person:/Si contesta "Sí", dé el nombre de esa persona: _____



2. List any other people who live with you who are not listed in Question 1./Haga una lista de las otras personas que viven con usted y a quienes no anotó en la primera pregunta.

Name (Last, First, Middle) Nombre (Apellido, primero, segundo)	What Kin to You? Parentesco con usted	Date of Birth, if Related Fecha de nacimiento si es pariente



3. Complete the following about the CHILDREN for whom you want TANF or Medicaid benefits./Escriba la siguiente información sobre los NIÑOS para quienes quiere solicitar beneficios de TANF o de Medicaid.

Child's Name/Nombre del niño	Mother's Name/Nombre de la madre	Mother's Maiden Name/ Nombre del	Father's Name/Nombre del padre



4. We need to make sure you are not still signed up for benefits in another state or city or as part of another household. Have you recently moved or changed your name?/ Tenemos que asegurarnos de que usted no esté apuntado todavía para recibir beneficios en otro estado o ciudad como parte de otra unidad familiar. ¿Hace poco se mudó o cambió su nombre? Yes/Sí No

If "Yes," when?/Si contesta "Sí", ¿cuándo? _____

Were you receiving TANF, food stamps, or Medicaid in that other location?/¿Recibía TANF, estampillas para comida o Medicaid en el otro lugar? Yes/Sí No

If "Yes," where?/Si contesta "Sí", ¿donde? _____

Resources/Recursos

If you are pregnant and all you want is Medicaid for your pregnancy, you do not need to answer Questions 5-7. Go to Question 8.

Si está embarazada y sólo quiere solicitar Medicaid para el embarazo, no tiene que contestar de la pregunta 5 a la 7. Continúe en la pregunta 8.



5. How much money do you — and everyone who lives with you — have? For example, on your person, in your home, in bank accounts, or other locations./¿Cuánto dinero tienen usted y las personas con quienes vive; por ejemplo, en el bolsillo, en la casa, en las cuentas bancarias o en otros lugares? \$ _____



6. How many cars, trucks, or other vehicles does your household have? Please list the year, make, and model in the chart below.

¿Cuántos carros, camionetas u otros vehículos tienen las personas de la unidad familiar? Favor de anotar el año, la marca y el modelo en la tabla a continuación.....

	Year/Año	Make & Model/Marca y modelo
1.		
2.		
3.		



7. Do you — or does anyone living with you — own or pay for a home, lot, land, or other things?/¿Tiene o paga usted o alguien que vive con usted una casa, un lote, un terreno u otros bienes? Yes/Sí No

Income & Employment/Ingresos y trabajo



8. List all of your household's income here.

Be sure to include the following: money from training or work; money you collect from charging room and board; cash gifts, loans, or contributions from parents, relatives, friends, and others; school grants or loans; child support; and unemployment or government checks.

Haga una lista de los ingresos de la unidad familiar.

Asegúrese de anotar: ingresos de trabajo o de capacitación; dinero que recibe de cobros de cuarto y comida; regalos en efectivo, préstamos o contribuciones de sus padres, familiares, amigos y otras personas; becas o préstamos de la escuela; manutención de niños y cheques del gobierno o pagos por desempleo.

Name of person working or receiving money Nombre de la persona que trabaja o recibe el dinero	Name of employer, person, or agency that provides the money Nombre del patrón, la persona o la agencia que paga el dinero	How often received? (once? weekly? monthly?) ¿Con qué frecuencia lo recibe? (una vez, por semana, por mes)	Amount received Cantidad recibida	If Social Security, enter claim number Si es Seguro Social, dé el número de la reclamación



9. Have you — or has anyone living with you — worked in the past three months?/¿Ha trabajado usted o alguien que vive en la casa en los últimos tres meses? Yes/Sí No

Living Arrangements & Expenses/Arreglo de vivienda y gastos



10. Check all boxes that apply to your household./Marque todas las cajitas que se apliquen a su caso.

- | | | |
|---|---|--|
| <input type="checkbox"/> Own or paying for home
Soy dueño de mi casa o la estoy comprando | <input type="checkbox"/> Migrant or seasonal farm worker
Soy trabajador migratorio o de temporada | <input type="checkbox"/> Renting
Rento |
| <input type="checkbox"/> No permanent residence
No tengo residencia permanente | <input type="checkbox"/> Live with relatives or friends
Vivo con parientes o amigos | |



11. **Please list your expenses below. Do not include items such as car payments and credit cards.**/Por favor, haga una lista de sus gastos a continuación. No escriba cosas, como las cuotas del carro o de las tarjetas de crédito.

- Monthly rent or mortgage payment/Renta o pago hipotecario \$ _____
- Monthly utilities (gas/water/electric)/Pago mensual de servicios públicos (gas, agua, luz) \$ _____
- Monthly telephone bill/Cuenta mensual de teléfono \$ _____
- Tax on home per year/Impuesto anual de la casa \$ _____
- Insurance on home per year/Seguro anual de la casa \$ _____



11a. **Does anyone pay these expenses for you?**/¿Hay otra persona que paga estos gastos por usted? Yes/Sí No



12. **Does anyone in your household pay court-ordered child support?**/¿Hay alguien en la unidad familiar que paga manutención de niños por orden de la corte? Yes/Sí No



13. **Do you pay anyone to care for a child or other household member so that you can work or train for a job?**/Para poder trabajar o recibir entrenamiento, ¿paga usted para que le cuiden a algún niño o a otro miembro de la unidad familiar? Yes/Sí No

If "Yes," how much do you pay?/Si contesta "Sí", ¿cuánto paga? \$ _____ per/por _____ (month/week/day/ mes/semana/día)



14. **Do you — or does anyone in your household — have unpaid medical bills from the last four months?**/¿Tiene usted o alguien de la unidad familiar cuentas médicas sin pagar de los últimos cuatro meses? Yes/Sí No

Other Information/Otra información

If you are applying for Medicaid ONLY, you do not need to answer Questions 15-23. Go to Page 8.

Si sólo solicita Medicaid, no tiene que contestar de la pregunta 15 a la 23. Continúe en la página 8.



15. **Does anyone in your household have a disability?**/¿Tiene alguien de la unidad familiar alguna discapacidad? Yes/Sí No



16. **Have you — or has anyone living with you — quit a job in the last 60 days?**/Durante los últimos 60 días, ¿renunció a un trabajo usted o alguien que vive con usted? Yes/Sí No



17. **Are you — or is anyone in your household — on strike? (If so, special calculations are used for Food Stamps.)**/¿Está en huelga usted o alguien de su casa? (Si es así, se calculan las estampillas para comida de manera especial.) Yes/Sí No



18. **Do you — or does anyone in your household — have health insurance or monthly medical costs? For example, bills, medicine, transportation, or home care?**/¿Tiene usted o alguien de la unidad familiar seguro médico o gastos médicos mensuales; por ejemplo, cuentas, medicamentos, transportación o atención en casa? Yes/Sí No



19. **Did you — or did anyone living with you — sell, trade, or give away any cash or property during the last three months?**/Durante los últimos tres meses, ¿traspasó, vendió o regaló usted o alguien que vive con usted dinero o alguna propiedad? Yes/Sí No



20. Are you — or is anyone in your household — disqualified from participating in the TANF or Food Stamp programs in Texas or anywhere else in the United States?/¿Perdió usted o alguien de la unidad familiar el derecho de participar en el programa de TANF o de estampillas para comida de Texas o en otro lugar de los Estados Unidos? **Yes/Sí** **No**

Who/¿Quién?	When/¿Cuándo?	Where/¿Dónde?	For how long?/¿Por cuánto tiempo?
-------------	---------------	---------------	-----------------------------------

Please read this information. Then answer Question 21 below.

Tenga la bondad de leer esta información. Luego, conteste la pregunta 21.

For TANF households: Your household's benefits may be reduced if, since signing the Personal Responsibility Agreement (Form 1073), any caretaker relative or parent in the TANF household has been convicted of or has deferred adjudication for (1) using, selling, or possessing marijuana or any other controlled substance in violation of Chapter 481, Health and Safety Code, or (2) the abuse of alcohol.

Para las unidades familiares que reciben TANF: los beneficios de la unidad familiar se pueden reducir si, después de firmar el Acuerdo de Responsabilidad Personal (Forma 1073), a algún padre o cuidador pariente se le condena o se le aplaza el fallo por algún delito que tiene que ver con (1) el uso, la venta o la posesión de marihuana o de otra substancia controlada, en violación del Capítulo 481 del Código de Salubridad y Seguridad o (2) el abuso del alcohol.



21. Has any caretaker relative or parent in your TANF household been convicted (or had a deferred adjudication) as described above, since signing the Personal Responsibility Agreement?/Después de firmar el Acuerdo de Responsabilidad Personal, ¿a algún padre o cuidador pariente de la unidad familiar que recibe TANF se le ha condenado (o se le ha aplazado el fallo) como se describe antes? **Yes/Sí** **No**

Federal laws prohibit the state from providing TANF and food stamps to persons with certain criminal violations. Please answer the questions below:/La ley federal le prohíbe al estado dar TANF y estampillas para comida a las personas que tienen ciertos antecedentes penales. Favor de contestar las siguientes preguntas:



22. Are you — or is anyone in your household — fleeing from law enforcement agencies on any charges, or are you in violation of probation or parole according to a court?/¿Está huyendo de las autoridades policiales y judiciales usted o alguien de la unidad familiar porque tiene cargos en su contra o, según la corte, está violando la condena de ejecución condicional o la libertad condicional? **Yes/Sí** **No**



23. Has anyone in your household had a felony conviction for conduct occurring after August 22, 1996, for the possession, use, or distribution of a controlled substance?/¿Tiene una condena por delito grave algún miembro de la unidad familiar debido a su conducta, ocurrida después del 22 de agosto de 1996, relacionada con posesión, uso o distribución de una substancia controlada? **Yes/Sí** **No**

24. If you are not registered to vote where you live now, would you like the opportunity to apply to register to vote here today?/Si no está inscrito para votar en el lugar donde vive ahora, ¿le gustaría tener la oportunidad de solicitar la inscripción de votante aquí, hoy mismo?
 Yes/Sí **No** **Already Registered/Ya estoy inscrito**

Important Information/Información importante

Please read the information below and sign.

Tenga la bondad de leer la siguiente información y luego firmar.

In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs, or disability. If you feel you have been discriminated against, you may contact any local HHSC Civil Rights office for your area, contact your local eligibility determination office. You may also write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Information you provide in connection with this application is subject to verification by HHSC and other state and federal agencies. Your signature below authorizes release of such information and release of your child support payment records to HHSC. Your signature also indicates that you agree that information provided in this application may be used to determine eligibility for yourself and other household members for any program administered by HHSC.

I certify under penalty of perjury that the information I have provided on this application is true and complete to the best of my knowledge. If it is not, I may be subject to criminal prosecution in accordance with Part A.

Signature Date

Signature (only if declining voter registration) Date

Driver's License Number

If you want someone besides the head of your household, your spouse, or a responsible household member to apply for benefits, obtain information, or report changes for you, give his or her name and address. This person must sign on the "Authorized Representative" signature line below.

Name of Authorized Representative

Address of Authorized Representative (Street, City, State, ZIP)

Telephone

Signature Authorized Representative Date

If someone helped to complete this form, please give his or her name.

Name

Address

Telephone

Conforme con la ley federal y la política del Departamento de Agricultura de los Estados Unidos (USDA), se le prohíbe a esta institución discriminar por raza, color, origen nacional, sexo, edad, religión, creencias políticas o discapacidad. Si cree que lo han discriminado, puede comunicarse con cualquier oficina local de Derechos Civiles de la HHSC. Para obtener la dirección y el número de teléfono de la oficina de Derechos Civiles de la HHSC de su área, comuníquese con la oficina local de determinación de elegibilidad. También puede escribir al USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 ó puede llamar al (202) 720-5964 (voz y TDD). El USDA ofrece oportunidades iguales como empleador y proveedor.

La información que nos dé relacionada con esta solicitud está sujeta a verificación por la HHSC y otros departamentos estatales y federales. Su firma a continuación autoriza la divulgación a la HHSC de dicha información y de una lista de sus pagos de manutención de niños. Su firma también indica que usted está de acuerdo con que la información dada en esta solicitud se use para determinar si usted y otros miembros de la unidad familiar tienen derecho a cualquier programa administrado por la HHSC.

Certifico bajo pena de perjurio que la información que doy en esta solicitud es verdadera y completa a mi leal saber y entender. De lo contrario, puedo estar sujeto a enjuiciamiento penal de acuerdo con la información de la Parte A.

Firma Fecha

Firma Fecha

Número de Licencia para Manejar

Si quiere que alguien que no sea la cabeza de la unidad familiar, ni su cónyuge ni otro adulto responsable de la unidad familiar le haga la solicitud de beneficios, obtenga información o avise de cambios, dé el nombre y la dirección de esa persona. Esa persona debe firmar sobre la línea de la "Firma del Representante Autorizado" que aparece a continuación.

Nombre del Representante Autorizado

Dirección del Representante Autorizado (Calle, Ciudad, Estado, ZIP)

Teléfono

Firma del Representante Autorizado Fecha

Si alguna persona le ayudó a llenar esta solicitud, por favor, dé el nombre de esa persona.

Nombre

Dirección

Teléfono

For Agency Use Only Sólo para uso del departamento	Qualified Provider	Application Date	Date Approved
--	--------------------	------------------	---------------