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**IDAPA 16
TITLE 03
Chapter 20**

**16.03.20 - RULES GOVERNING ELECTRONIC BENEFITS TRANSFER (EBT)
OF PUBLIC ASSISTANCE AND FOOD STAMPS**

000. LEGAL AUTHORITY.

The Department of Health and Welfare is authorized to adopt rules for the administration of public assistance programs by Section 56-202, Idaho Code. (7-1-98)

001. TITLE AND SCOPE.

01. Title. These rules are known and will be cited as Idaho Department of Health and Welfare Rules, IDAPA 16.03.20, "Rules Governing Electronic Benefits Transfer (EBT) of Public Assistance and Food Stamps." (7-1-98)

02. Scope. These rules provide standards for delivery of Food Stamp and cash public assistance payments. (7-1-98)

002. WRITTEN INTERPRETATIONS.

003. ADMINISTRATIVE APPEAL.

004. RULE AVAILABILITY.

Copies of these rules are available from the Administrative Procedures Section, 10th Floor, Towers Building, 450 West State Street, P.O. Box 83720, Boise, Idaho 83720-0036. (7-1-98)

005. IDAHO ELECTRONIC BENEFIT TRANSFER PAYMENT SYSTEM.

Participants in the Food Stamp and cash public assistance programs in Idaho access their benefits through the Idaho Electronic Transfer Payment system. Access is made using a plastic debit card (EBT card) and secret personal identification number (PIN). Programs using EBT as a payment system include Food Stamps (FS), Temporary Assistance to Families in Idaho (TAFI), Aid to the Aged, Blind and Disabled (AABD) and Refugee Cash Assistance (RCA). The Idaho EBT payment system meets the requirements for the distribution of government benefits set forth in the QUEST Operating Rules as adopted and amended by the National Automated Clearing House Association (NACHA). EBT for the FS and cash public assistance programs is exempt from Regulation E (relating to Electronic Fund Transfers) of the Board of Governors of the Federal Reserve System. Participants are solely liable for unauthorized fund transfers except those initiated fraudulently by an employee of the state of Idaho or the EBT Vendor or its employee or subcontractor. (7-1-98)

006. -- 009. (RESERVED).

010. DEFINITIONS.

01. Alternate Payee. A person or agency other than the participant, and who is issued an EBT card and PIN and is authorized to access the participant's benefit account. This term includes authorized household member, authorized representative, guardian/conservator, Limited Power of Attorney for EBT account, parent of a minor child participant, or protective payee. (7-1-98)

02. Authorized Household Member. A member of a Food Stamp household or cash public assistance family who is issued an EBT card and personal identification number and is authorized to access the primary card holder's benefit account. (7-1-98)

03. Authorized Representative. A person who is not a member of a Food Stamp participant's household and is authorized in writing by a participant to access a Food Stamp benefit account in behalf of the participant. The authorized representative is issued an EBT card and PIN. (7-1-98)

04. Automated Teller Machine (ATM). A machine used to withdraw cash benefits and provide participants with account balance information. (7-1-98)

05. Benefit Account. An authorization file maintained by the EBT Vendor on behalf of a cardholder. A benefit account will be a Food Stamp benefit account or a cash benefit account. A Food Stamp benefit account can be used to make food purchases. A cash benefit account can be used to make cash withdrawals or purchases. (7-1-98)
06. Customer Service Center (CSC). A toll-free telephone service provided by the EBT Vendor to help the participant with use of the EBT card and provide information about EBT services. This service is available twenty-four (24) hours a day, seven (7) days a week. (7-1-98)
07. Department. The Idaho Department of Health and Welfare. (7-1-98)
08. EBT Vendor. A contractor hired by the Idaho Department of Health and Welfare to deliver EBT financial services, including origination of Automated Clearing House (ACH) transactions, electronic transactions, customer service and settlement services. (7-1-98)
09. Guardian. This term includes the guardian of a person, the conservator, or the guardian for public assistance. (7-1-98)
10. Limited Power of Attorney for EBT Account. A person with no legal interest in a participant's cash benefit account who is authorized to access that account on the participant's behalf. The limited power of attorney for an EBT account must be authorized by notarized signature on a Department form. (7-1-98)
11. Personal Identification Number (PIN). A four (4) digit secret number issued to or selected by the EBT cardholder. The PIN is used with the card to initiate an EBT transaction. (7-1-98)
12. Point of Sale (POS) Terminal. An electronic device located at retail outlets through which card holders can conduct EBT Food Stamp and cash transactions with their EBT card and PIN. (7-1-98)
13. Primary Card Holder. The person who has primary responsibility for an EBT benefit account. The primary card holder may be: (7-1-98)
- a. An individual whose client identification number is used to establish an EBT benefit account; or (7-1-98)
 - b. An individual who is a guardian, a parent of a minor child, a protective payee, or a person granted limited power of attorney because the participant is unable to use his EBT benefit card. (7-1-98)
14. Protective Payee. This term includes a residential habilitation agency under IDAPA 16.04.17, or its employees, affiliated habilitation providers or contractors who are designated as payee on behalf of the agency's consumer. This term also includes a person or agency designated by the Social Security Administration as the representative payee for an AABD recipient's Social Security and/or SSI payment. (7-1-98)
15. Stale Account. An EBT benefit account that has not had any debit activity for ninety (90) days or longer. (7-1-98)

011. -- 029. (RESERVED).

030. ABBREVIATIONS.

01. AABD. Aid to the Aged, Blind, and Disabled. (7-1-98)
02. ACH. Automated Clearing House. (7-1-98)
03. ATM. Automated Teller Machine. (7-1-98)
04. EBT. Electronic Benefit Transfer. (7-1-98)

- 05. PIN. Personal Identification Number. (7-1-98)
- 06. POS. Point of Sale. (7-1-98)
- 07. RCA. Refugee Cash Assistance. (7-1-98)
- 08. SSI. Supplemental Security Income. (7-1-98)
- 09. TAFI. Temporary Assistance for Families in Idaho. (7-1-98)

031. -- 099. (RESERVED).

100. DIRECT DEPOSIT.

A cash assistance participant may choose to have his cash benefits deposited directly to a financial institution account in which he has an ownership interest, or to a trust account for which he is a beneficiary. (7-1-98)

101. -- 119. (RESERVED).

120. STALE BENEFIT ACCOUNTS.

A participant cannot access benefits in a stale account. The participant must contact the Department to reactivate his account. (7-1-98)

121. STALE BENEFIT ACCOUNT NOTICE REQUIREMENTS.

The Department must explain to the participant, at certification and at recertification or redetermination, that benefits will not be accessible if the benefit account has not had any debit activity for ninety (90) days. The Department must also explain the procedures necessary to reactivate the stale benefit account. (7-1-98)

122. -- 129. (RESERVED).

130. CLOSURE OF STALE BENEFIT ACCOUNTS.

Stale accounts will be closed. The participant may lose claim to the benefits depending on specific program policy. Stale benefit accounts will be closed according to the time lines listed in Subsections 130.01 through 130.03. (7-1-98)

01. TAFI Benefit Account. A TAFI benefit account will be closed when the account becomes a stale account. (7-1-98)

02. AABD or RCA Benefit Account. An AABD or RCA benefit account will be closed if the participant does not request reactivation during the thirty (30) day period beginning with the day the account becomes stale. (7-1-98)

03. Food Stamp Benefit Account. A Food Stamp benefit account will be closed if the participant does not request reactivation during the one hundred and eighty (180) day period beginning with the day the account becomes stale. (7-1-98)

131. -- 132. (RESERVED).

133. NOTICE REQUIREMENT FOR CLOSING STALE BENEFIT ACCOUNTS.

The Department must notify the participant before closing the account. (7-1-98)

134. -- 139. (RESERVED).

140. CONVERSION OF FOOD STAMP BENEFIT ACCOUNT BALANCES.

A participant moving from an EBT area must be able to convert his electronic benefits for use in a non-EBT area. Up to three (3) benefit conversions per year will be allowed for temporary absences from the EBT area. Benefit conversion is not allowed solely for shopping convenience of a participant who is not absent from his home. (7-1-98)

141. FOOD STAMP BENEFIT CONVERSIONS BETWEEN SEPTEMBER 1, 1997 AND STATEWIDE IMPLEMENTATION OF EBT.

A participant requiring a conversion during the period starting September 1, 1997 and before statewide implementation of EBT will have his electronic Food Stamp benefits converted to Food Stamp coupons. The Department shall round EBT benefits remaining in a benefit account down to the nearest dollar amount suitable for coupon issuance. The participant may access any remaining balance of less than two dollars (\$2) in their EBT account for food purchases within one (1) week after conversion occurs. The EBT account will be closed seven (7) days after conversion and unused benefits will be returned to the Department. (7-1-98)

142. FOOD STAMP BENEFIT CONVERSIONS AFTER STATEWIDE IMPLEMENTATION.

A participant requiring Food Stamp benefit conversion after statewide implementation of EBT shall have all unused electronic Food Stamp benefits converted to a cash benefit account. (7-1-98)

143. -- 199. (RESERVED).

200. CARD ISSUANCE.

EBT cards may be issued though the mail by the EBT Vendor or over the counter at a Department field office. (7-1-98)

201. -- 209. (RESERVED).

210. DAMAGED, LOST, OR STOLEN CARDS.

The primary card holder, and any additional card holder, is responsible to immediately report the loss, damage, or theft of his EBT card to the EBT Vendor's CSC. The participant is responsible to report to the CSC or the Department suspected unauthorized use of his card or unauthorized access to his EBT account. When the CSC receives a report of a lost, stolen or damaged EBT card, the EBT card will be deactivated. The primary card holder is solely responsible for the protection of his EBT card and PIN and for access to his EBT account by alternate payees. (7-1-98)

211. -- 239. (RESERVED).

240. DESIGNATION OF ADDITIONAL CARD HOLDERS.

An additional card holder is responsible for account transactions made on behalf of the participant. An additional card holder may be an authorized household member, an authorized representative, or a limited power of attorney for EBT. (7-1-98)

01. Additional Card Holder for EBT Cash Account. The primary card holder may designate an additional card holder for an EBT cash account. (7-1-98)

02. Additional Card Holder for EBT Food Stamp Account. The primary card holder or another responsible member of the benefit household may designate an additional card holder for an EBT Food Stamp account. (7-1-98)

241. PRIMARY CARD HOLDER OTHER THAN THE PARTICIPANT.

A primary card holder other than the participant is a guardian, a parent of a minor child, or a protective payee. A primary card holder is also a person granted limited power of attorney for EBT because the participant is unable to use his EBT benefit card. A primary card holder other than the participant is responsible for the participant's EBT benefit account transactions. This person accepts and exercises fiduciary responsibility over the participant's EBT benefit account. The participant shall not be issued an EBT card. (7-1-98)

242. DEACTIVATING AN EBT CARD.

Methods of deactivating the EBT card are listed in Table 242.

TABLE 242				
		Card may be deactivated by contacting CSC.	Card may be deactivated by contacting Department.	Card may not be deactivated.
01	A card holder requests his own card be deactivated.	Yes	Yes ¹	N/A
02	A primary card holder requests the card of an authorized family member or authorized representative be deactivated.	Yes	Yes ¹	N/A
03	A participant who is a primary card holder requests the card for his limited power of attorney for EBT be deactivated	Yes	Yes ¹	N/A
04	A participant who is not the primary card holder requests the card for his primary card holder be deactivated.	No	Yes	N/A
05	A participant requests the card of a group home be deactivated.	No	No	Yes
¹ Contacting the Department will delay card deactivation.				

(7-1-98)

243. -- 299. (RESERVED).

300. PERSONAL IDENTIFICATION NUMBER (PIN) ISSUANCE.

The PIN is randomly assigned by the EBT Vendor if the EBT card is issued through the mail. A participant who is issued his EBT card over the counter will select his own PIN. The participant may change his PIN at a Department office.

(7-1-98)

301. -- 309. (RESERVED).

310. LOST, FORGOTTEN OR COMPROMISED PINS.

A cardholder may request a new PIN by contacting the CSC or the Department if the original PIN has been lost, forgotten or compromised.

(7-1-98)

311. -- 319. (RESERVED).

320. PIN SECURITY.

The EBT card holder is responsible for maintaining the security of his PIN. The card holder will be provided with training and/or training materials that explain the use of the PIN and how to protect the PIN. The EBT card will be automatically deactivated for up to twenty-four (24) hours after four (4) incorrect PIN entries. The card holder is solely responsible for access to his EBT account through unauthorized use of his PIN.

(7-1-98)

321. -- 999. (RESERVED).