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**IDAPA 16
TITLE 03
CHAPTER 20**

**16.03.20 - RULES GOVERNING ELECTRONIC PAYMENTS OF PUBLIC
ASSISTANCE, FOOD STAMPS, AND CHILD SUPPORT**

000. LEGAL AUTHORITY.

The Department of Health and Welfare is authorized to adopt rules for the administration of public assistance programs and child support services by Section 56-202, Idaho Code. (4-5-00)

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 Payments of Public Assistance, Food Stamps, and Child Support". (4-5-00)

02. Scope. These rules provide standards for delivery of Food Stamps, cash public assistance, and child support payments. (4-5-00)

002. WRITTEN INTERPRETATIONS.

This agency has no written statements which pertain to the interpretations of these rules. (4-5-00)

003. ADMINISTRATIVE APPEAL.

Appeals shall be governed by Idaho Department of Health and Welfare Rules, IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings". (4-5-00)

004. (RESERVED).

005. IDAHO ELECTRONIC PAYMENTS (EP) - CASH AND FOOD STAMPS.

The Idaho Electronic Payment (EP) 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). EP for the Food Stamp 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 use except those initiated fraudulently by an employee of the state of Idaho, the Vendor or its employee or subcontractor. (4-5-00)

006. IDAHO ELECTRONIC PAYMENTS - CHILD SUPPORT.

Child Support Services (CSS) uses the Electronic Payment (EP) system to disburse child support payments. Participants are solely liable for the first fifty dollars (\$50) of unauthorized fund use, except those initiated fraudulently by an employee of the state of Idaho, the Vendor, or its employee or subcontractor. (4-5-00)

007. ACCESSING BENEFITS AND PAYMENTS.

Participants in the Food Stamp, cash public assistance, and Child Support programs in Idaho access their benefits and payments through the Idaho Electronic Payment (EP) system. Participants use an Electronic Payments (EP) card and secret personal identification number (PIN) to access benefits and payments. (4-5-00)

008. -- 009. (RESERVED).

010. DEFINITIONS.

01. Alternate Payee. A person or agency other than the participant, who is issued an EP card and PIN, and is authorized to access the participant's account. This term includes authorized household member, authorized representative, guardian/conservator, Limited Power of Attorney for Quest account, parent of a minor child participant, or protective payee. (4-5-00)

02. Authorized Household Member. A household member issued an EP card and PIN number, and authorized to access the primary card holder's benefit account. (4-5-00)

03. Authorized Representative. A person who is not a member of a Food Stamp participant's household, authorized in writing by a participant to access a Food Stamp benefit account in behalf of the participant. The authorized representative is issued an EP card and PIN. (4-5-00)

04. Automated Teller Machine (ATM). A machine used to withdraw cash and provide card holders with account balance information. (4-5-00)

05. Customer Service Center (CSC). A toll-free telephone service provided by the EP Vendor to help the participant with use of the EP card and provide other customer services. This service is available twenty-four (24) hours a day, seven (7) days a week. (4-5-00)

06. Department. The Idaho Department of Health and Welfare. (7-1-98)

07. EP Account. An authorization file maintained by the Vendor on behalf of a card holder. An EP account will be a Food Stamp account or a cash account. A Food Stamp account can be used to make food purchases. A cash account can be used to make cash withdrawals or purchases. (4-5-00)

08. Guardian. This term includes the guardian of a person, the conservator, or the guardian for public assistance. (7-1-98)

09. Limited Power Of Attorney For Electronic Payments. A person with no legal interest in a participant's cash account who is authorized to access that account on the participant's behalf. The limited power of attorney for Electronic Payments must be authorized by notarized signature on a Department form. (4-5-00)

10. Personal Identification Number (PIN). A four (4) digit secret number issued to or selected by the EP card holder. The PIN is used with the card to initiate an EP transaction. (4-5-00)

11. Point of Sale (POS) Terminal. An electronic device located at retail outlets through which card holders can conduct EP Food Stamp and cash transactions with their EP card and PIN. (4-5-00)

12. Protective Payee. This term includes a residential habilitation agency under IDAPA 16.04.17, "Rules Governing Residential Habilitation Agencies," 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 participant's Social Security or SSI payment. (4-5-00)

13. Vendor. A contractor hired by the Idaho Department of Health and Welfare to deliver financial services, including origination of Automated Clearing House (ACH) transactions, electronic transactions, customer service, and settlement services. (4-5-00)

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. EP. Electronic Payment. (4-5-00)

05. PIN. Personal Identification Number. (7-1-98)

06. POS. Point of Sale. (7-1-98)

07. **SSI.** Supplemental Security Income. (7-1-98)

08. **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. -- 129. **(RESERVED).**

130. EXPUNGEMENT - CASH ASSISTANCE AND FOOD STAMPS.

A cash or Food Stamp EP account will be expunged if the account has not had any debit activity in two hundred seventy (270) consecutive days. The participant loses any right to the cash or Food Stamps in the expunged account. (4-5-00)

131. FOOD STAMP ACCOUNT ADJUSTMENTS.

The Department will make adjustments to a Food Stamp account to correct an auditable, out of balance settlement condition that occurs during the redemption process as a result of a system error. A system error is an error resulting from a malfunction at any point in the redemption process. The Department will provide written notice to the household regarding the adjustment. Should the household dispute the adjustment, they must request a hearing within ten (10) days of the date on the notice. If a hearing is requested, the Department must release the hold on the adjustment amount within forty-eight (48) hours of the request by the household, pending resolution of the fair hearing. (3-20-04)

132. -- 139. **RESERVED.**

140. CONVERSION OF FOOD STAMP BENEFIT ACCOUNT BALANCES.

When a participant moves to an area where EP benefits cannot be used, the Department will convert all unused Food Stamp benefits to a cash benefit account. (4-5-00)

141. -- 199. **(RESERVED).**

200. CARD ISSUANCE.

EP cards may be issued though the mail by the Vendor or over the counter at a Department field office. (4-5-00)

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 EP card to the Vendor's CSC. The card holder is responsible to report to the CSC or the Department suspected unauthorized use of the card or unauthorized access of the EP account. When the CSC receives a report of a lost, stolen or damaged EP card, the EP card will be deactivated. The primary card holder is solely responsible for the protection of his EP card and PIN and for access to his EP account by alternate payees. (4-5-00)

211. -- 234. **(RESERVED).**

235. PRIMARY CARD HOLDER.

The primary card holder is the individual whose client identification number is used to establish an account. 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 EP card may also be the primary card holder in lieu of the person whose client identification number is used on the card. The primary card holder has primary responsibility for a benefit account. A primary card holder other than the participant is responsible for the participant's EP benefit account transactions. This person accepts and exercises responsibility over the participant's EP benefit account. The participant shall not be issued an EP card when the primary card holder is a person other than the participant, whose client identification number is used to establish the account. (4-5-00)

236. -- 239. (RESERVED).

240. ADDITIONAL CARD HOLDERS.

An additional card holder is responsible for account transactions made on behalf of the primary card holder. An additional card holder may be an authorized household member, an authorized representative, or a limited power of attorney for Quest. (4-5-00)

01. Additional Card Holder For EP Cash Account. The primary card holder may designate an additional card holder for an EP cash account. (4-5-00)

02. Additional Card Holder For EP Food Stamp Account. The primary card holder or another responsible member of the benefit household may designate an additional card holder for an EP Food Stamp account. (4-5-00)

241. (RESERVED).

242. DEACTIVATING AN EP CARD.

An EP card must only be deactivated by the Vendor's CSC or the Regional EP Specialist. A card holder may request deactivation of his own card or the card of an authorized family member or authorized representative. The participant may request deactivation of the card held by his limited power of attorney for EP. An EP card must not be deactivated at the request of a participant who is not the primary card holder. A group home's EP card must not be deactivated at the request of a Food Stamp participant. (4-5-00)

243. -- 299. (RESERVED).

300. PERSONAL IDENTIFICATION NUMBER (PIN) ISSUANCE.

The PIN is randomly assigned by the Vendor if the EP card is issued through the mail. A participant issued an EP card over the counter will select a PIN. The participant may change his PIN at a Department office or by contacting the CSC. (4-5-00)

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 EP 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 EP card will be automatically inactivated for up to twenty-four (24) hours after four (4) incorrect PIN entries. The card holder is solely responsible for access to his EP account through unauthorized use of his PIN. (4-5-00)

321. -- 999. (RESERVED).

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