



Frequently Asked Questions for County DSS Agencies: Card Skimming Replacement of Stolen Benefits

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Q: Who is eligible to receive the card skimming and card cloning stolen benefit replacement?

A: Per the 2023 Omnibus Bill, benefit theft that qualifies for such replacement (new fraud loss) includes card skimming, card cloning, and other similar fraudulent methods. Food and Nutrition Services (FNS) benefits that may be replaced include regular FNS, Simplified Nutritional Assistance Program (SNAP), Disaster Supplemental Nutrition Assistance Program (D-SNAP) and Emergency Allotments (EA).

Q: What should FNS units do if their EBT card (but not benefits) was stolen?

A: FNS units should follow the current process for stolen cards and can report their card was stolen and order a new card through ebtEDGE or the NC EBT Call Center at (1-888-622-7328). The Affidavit for Stolen Benefits (DSS-8644) should only be submitted if an FNS unit needs to request replacement for stolen electronic benefits. All other replacements (e.g., benefits lost due to disaster) should follow existing protocols.

Q: Are FNS units eligible to receive Pandemic Electronic Benefits Transfer (P-EBT) replacements?

A: No, P-EBT benefits are not eligible to be replaced per federal rules.

Q: Is there a limit to how many times FNS units are allowed to receive replacement benefits?

A: FNS units can receive replacements for stolen benefits a maximum of twice during a federal fiscal year (October 1 through September 30).

Q: Will a new replacement card be sent along with the replacement benefits?

A: Potentially:

- *The caseworker shall issue a new EBT card if the date for the latest EBT Card was issued prior to the fraud discovery date.*
- *Caseworkers shall instruct the FNS unit to establish a unique PIN (i.e., a PIN that has not been used previously).*
- *New cards will be issued through normal procedures (typically received by the client within 3 to 7 business days) and will contain replacement benefits.*

Q: When will the replacements for stolen benefits begin?

A: County DSS agencies can begin processing Affidavits for Stolen Benefits (DSS-8644) beginning August 28th, 2023 for benefits stolen between October 1, 2022 and September 30, 2024.



Q: If FNS benefits were stolen on or before August 25, 2023, are those benefits still eligible to be retroactively replaced?

A: Yes, benefits stolen between October 1, 2022 and August 25, 2023 are eligible for retroactive replacement as long as the FNS unit completes, signs, and submits an affidavit (DS-8644) to their county DSS Office by September 27, 2023.

Q: Who is responsible for reporting stolen benefits to the police department?

A: FNS units may choose to file a police report, but a police report is not required to request and/or receive replacement benefits.

Q: Who is responsible for processing affidavits for stolen benefits – case workers or program integrity staff?

A: Caseworkers at the county DSS agency are responsible for processing affidavits for stolen benefits. Program integrity staff has limited access in NCFAST which prevents their ability to process replacements. Program integrity staff are responsible for investigating any fraudulent request.

Q: What type of signature is accepted for an Affidavit for Replacing Stolen Electronic Benefits (DSS-8644)?

A: A telephonic signature is accepted in addition to wet (i.e., physical) signatures. Digital signatures will also be accepted.

Q: How is the amount of replacement benefits determined?

A: The calculation of a household's maximum replacement is based on the lesser of the amount of benefits stolen as reported by the FNS unit OR the amount equal to two times the most recent month's allotment.

Example 1: *Two requests are put on one affidavit.*

FNS unit reports that their card was skimmed in December 2022 for \$1,500 and March 2023 for \$1,000. The FNS unit's last month allotment received in August 2023 was \$500.

December 2022 and March 2023 = \$1,500 + \$1,000 = \$2,500 (Fraud Loss Amount)

August 2023 allotment received = \$500 x 2 = \$1,000 (lesser amount)

If the request is put on one affidavit, replacement amount is \$1,000.

Example 2: *Two requests are put on two separate affidavits.*

FNS unit reports that their card was skimmed in December 2022 for \$1,500 and March 2023 for \$1,000. The FNS unit's last month allotment received in August 2023 was \$500.

December 2022 amount \$1,500 (skimmed)



NCDHHS

August 2023 allotment received = $\$500 \times 2 = \$1,000$ (lesser amount)

The replacement amount for December 2022 is \$1,000 (lesser amount)

March 2023 = skimmed amount \$1,000 (skimmed)

August 2023 allotment received = $\$500 \times 2 = \$1,000$ (amount)

The replacement amount for March 2023 is \$1,000 (both amounts are equal)

The FNS unit will receive \$1,000 for December 2022 affidavit and \$1,000 for March 2023 affidavit. The caseworker may encourage the FNS unit to complete two separate affidavits. In this case, two benefit replacements were provided to the FNS unit, the FNS unit is not eligible for another benefit replacement during the period of October 1, 2022- September 30, 2023.

Q: What happens if the cases are closed (i.e., FNS unit is no longer in program)?

A: Caseworker must re-open the case and follow the steps to determine whether the FNS unit is eligible for receiving replacement of stolen benefits. The caseworker will need to close the case once the replacement benefit post to the account if the case is not an active ongoing case.

Q: What do FNS units do if they would like to dispute a decision on a claim?

A: If the FNS unit disagree with the decision, they can appeal.

If the FNS unit appeals, they will get a fair hearing. Follow the normal fair hearing appeal process.