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# Form FNS-366B Instructions (1-07)

Click this link to open the PDF file containing the FNS-366B (1-07) form and instructions in a new window: [FNS-366B.pdf](#)

## INSTRUCTIONS FORM FNS-366B

**C. CERTIFICATION:** This section identifies the number of initial and recertification applications that were approved or denied, and the total applications processed. The entries in each line item must be determined independent of the other line item entries.

**(A) 1 through (C) 3:** Enter the annual cumulative total number of initial and recertification applications that were approved, or denied, and the total number of processed applications during the report period. Count only regular FSP applications that were processed to a determination and do not count withdrawals or disaster applications. For reporting totals in this section,  $A1+B1=C1$  and  $A1+A2=A3$ . Enter in (A) 4 the total number of applications that were approved for and received expedited service.

**D. FAIR HEARINGS:** This section shall provide the results of the requests for a hearing. The entries in each line item must be determined independent of the other line item entries.

### Line 1 Activity

**(A) Hearings Requested &endash;** Enter the total number of fair hearings requested during the report period.

**(B) Hearings Held &endash;** Enter the total number of fair hearings that were held during the report period.

**(C) Decisions Upheld &endash;** Enter the total number of fair hearings that were held during the report period that resulted in the State agency's action being upheld.

**(D) Decisions Reversed &endash;** Enter the total number of fair hearings that were held during the report period that resulted in the State agency's action being reversed.

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(E) Decisions Overdue &ndash; Enter the total number of fair hearing decisions rendered during the report period that were not made within the specified timeframes.

(F) Withdrawn Requests - Enter the total number of fair hearing requests that were withdrawn during the report period. Include no shows in the count of withdrawals.

**E. FRAUD INVESTIGATIONS:** This section reflects activity of cases in which there is suspicion of an act of intentional program violation (IPV). Such case referrals are identified as pre-certification or post-certification investigations. Pre-certification investigations are those cases that are referred prior to an initial application eligibility determination. The entries in each line item must be determined independent of the other line item entries.

Line 1 Pre-Certification

(A) Referred for Investigation &ndash; Enter the number of pre-certification applications referred during the report period.

(B) Investigations Completed, Negative &ndash; Enter the number of investigations that were completed within the application processing timeframe and no indication of a program violation was found.

(C) Investigations Completed, Positive &ndash; Enter the number of investigated cases that were completed within the application processing timeframe that were denied eligibility.

(D) Program Dollars &ndash; For the cases reported in item E 1, (C), enter the potential dollar value of benefits the household would have received for the first full month of eligibility if a suspected program violation had not been detected before the eligibility determination.

(E) Investigations Pending &ndash; Enter the number of cases for which: an initiated investigation had not been completed by the end of the application processing timeframe; an initiated investigation had not been completed before the end of the reporting period; or an investigation had not been initiated before the end of the report period.

(F) Investigations Canceled &ndash; Enter the number of cases for which an investigation had been initiated but canceled before the end of the report period.

Line 2 Post-Certification

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### Line 2 Post-Certification

- (A) Referred for Investigation &endash; Enter the number of initial application cases that were referred for pre-certification investigation and the investigation was not completed before the eligibility determination, and all other cases referred for investigation during the report period.
- (B) Investigation Completed, Negative &endash; Enter the number of cases for which an investigation was completed before the end of the report period and no indication of a program violation was found.
- (C) Investigations Completed, Positive &endash; Enter the number of cases for which an investigation was completed before the end of the report period and referred for an ADH or for Prosecution.
- (D) Program Dollars &endash; For the cases reported in item E 2, (C), enter the potential dollar value of program loss that may be recovered if the suspected program violation is substantiated by an ADH or the courts.
- (E) Investigations Pending &endash; Enter the number of cases for which an initiated investigation had not been completed before the end of the report period, or an investigation had not been initiated before the end of the report period.
- (F) Investigations Canceled &endash; Enter the number of cases in which an investigation had been initiated but canceled before the end of the report period.

**F. DISQUALIFICATION HEARINGS AND PROSECUTIONS:** This section reflects action taken on cases referred for an ADH or prosecution that are accused of committing an IPV. The entries in each line item must be determined independent of the other line item entries.

### Line 1 Administrative Disqualification Hearings

- (A) Cases (Persons) Referred &endash; Enter the number of cases referred during the report period.
- (B) Cases Pursued &endash; Enter the number of cases for which an ADH was held during the report period.
- (C) Waivers &endash; Enter the number of cases for which the accused person signed a Waiver of Right to an ADH during the report period.

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(D) Upheld &endash; Enter the number of cases for which the hearing officer upheld the agency's suspicion of an IPV.

(E) Actually Acquitted &endash; Enter the number of cases for which the hearing officer found the person not guilty of committing an IPV.

(F) Program Dollars &endash; For the cases reported in items F 1, (C), and (D), enter the dollar value of program loss that may be recovered.

(G) Decisions Pending &endash; Enter the number of cases reported in item F 1, (B) for which the hearing officials decision is not due (within established timeframes) to be rendered before the end of the report period.

(H) Decisions Overdue &endash; Enter the number of cases that were pursued in which the decisions were rendered later than the prescribed timeframes.

Line 2 Prosecutions

(A) Cases (Persons) Referred &endash; Enter the number of cases referred for prosecution by the courts during the report period.

(B) Cases Pursued &endash; Enter the number of cases referred which were accepted by the prosecutor during the report period.

(C) Disqualification Consent Agreement &endash; Enter the number of cases for which adjudication is deferred as the accused persons admitted guilt by signing the Disqualification Consent Agreement waiving their right to prosecution by the courts during the report period.

(D) Convictions &endash; Enter the number of cases found guilty of committing an IPV by the courts during the report period.

(E) Actually Acquitted &endash; Enter the number of cases found not guilty of committing an IPV by the courts during the report period.

(F) Program Dollars &endash; For the cases reported in items F 2, (C), and (D), enter the estimated dollar value of program

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(G) Decisions Pending &endash; Enter the number of cases reported in item F 1, (B) for which the hearing officials decision is not due (within established timeframes) to be rendered before the end of the report period.

(H) Decisions Overdue &endash; Enter the number of cases that were pursued in which the decisions were rendered later than the prescribed timeframes.

Line 2 Prosecutions

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(C) Disqualification Consent Agreement &endash; Enter the number of cases for which adjudication is deferred as the accused persons admitted guilt by signing the Disqualification Consent Agreement waiving their right to prosecution by the courts during the report period.

(D) Convictions &endash; Enter the number of cases found guilty of committing an IPV by the courts during the report period.

(E) Actually Acquitted &endash; Enter the number of cases found not guilty of committing an IPV by the courts during the report period.

(F) Program Dollars &endash; For the cases reported in items F 2, (C), and (D), enter the estimated dollar value of program loss that may be recovered.

(G) Decisions Pending &endash; Enter the number of cases for which the cases were heard but the court's decision was not formally rendered before the end of the report period.