

**County of San Diego, Health and Human Services Agency (HHSA)
CalFresh Program Guide**

Skimming or Scamming

Number

63-168

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Revision Date:

02/01/2022

Background:

CalFresh households (HH) who report their benefits have been electronically stolen, may be eligible to receive replacement benefits.

Purpose:

This is a new section which introduces new policies regarding the replacement of CalFresh benefits when lost due to electronic theft (skimming or scamming).

Policy:

When a CalFresh HH has their benefits electronically stolen from their account, staff must assess the type of theft that occurred. Skimming or scamming theft are defined as follows:

Theft Type	Definition
Skimming	The use of electronic equipment to capture a HH's Electronic Benefit Transfer (EBT) card information without the HH's knowledge.
Scamming	Deceiving or misleading a HH to unwittingly give their account information such as card number and Personal Identification Number (PIN). The information is then used to counterfeit a card and steal the HH's benefits. Common forms of scamming include text messaging and phone calls.

When a report of skimming or scamming is received, staff will deactivate the reported card, issue a new EBT card, and provide the EBT 2259 form. Any request for benefit replacements due to electronic theft that do not meet the definition for skimming or scamming will not be processed. Staff are to document all information relating to the replacement in the case record.

1. Benefit Replacement:

Once the theft has been determined to meet the definition of skimming or scamming, staff must review the request prior to issuing replacement benefits to confirm the following:

- The theft has been reported to both the EBT Customer Service Helpline and the County, no later than **10 calendar days** from the date of the loss, only losses reported within the 10 days will be replaced
- A completed EBT 2259 form has been submitted within **90 calendar days** of the reported theft. Staff can complete the form over the phone and sign via telephonic signature

If the above has been established, replacement benefits must be provided to the HH within 10 business days from the date the EBT 2259 form is received. The replacement of benefits due to skimming or scamming will be state funded. Benefits will be replaced in the amount of the loss, up to a maximum of one month's allotment. Refer to Processing Guide 168-01 and BenDS 6358 for additional information on benefit replacement.

Note: HHs are not required to file a report with the local law enforcement agency.

2. Countable Replacement:

A countable replacement is considered a replacement of benefits due to skimming or scamming. A non-countable replacement includes a replacement of benefits due to food loss as a result of a HH misfortune, such as, mass replacement due to power outages. Customers may receive no more than two countable replacement issuances in a six-month period. Benefits may be skimmed in a single

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transaction or in a series of smaller transactions over a 10 calendar day timeframe. A series of smaller transactions will constitute one countable replacement.

3. Suspicion of Fraud:

A referral to the Bureau of Public Assistance Investigations (BPAI) must be made when:

- There is a reason to suspect the CalFresh HH report is fraudulent
- The replacement is greater than or equal to \$1,000 and exceeds the maximum monthly allotment
- Three or more electronic theft claims are filed within a 12-month period

A request for replacement benefit may be delayed up to 25 calendar days while awaiting a response from BPAI. The table below provides guidance on issuing replacement benefits when a BPAI referral is made and the EBT 2259 form is completed:

If BPAI determines ...	Then ...
the referral will not be initiated,	the electronic theft replacement must be processed.
the claim is fraudulent,	a replacement will not be issued.
the claim is not fraudulent,	the electronic theft replacement must be processed.
a referral will not be completed within 25 days,	replacement must be issued by the 25th calendar day from receipt of the completed EBT 2259 form, while the investigation is ongoing.
the claim is fraudulent after the 25 th , and the electronic theft replacement has been issued,	an overissuance will be established for any replacement funds issued.

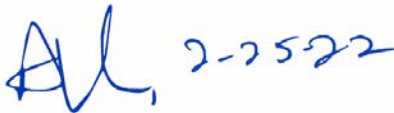
References:

ACL 21-133
BeNDS 6358

Sunset Date:

This policy will be reviewed for continuance by 02/28/2025

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services