



March 23, 2020

Dana Platin
Regional Division Director
SNAP
1244 Speer Blvd #903
Denver, CO 80204

Dear Ms. Platin,

Colorado is experiencing unique and unprecedented circumstances with the onset of COVID-19. As of March 23, 2020, in CO, 591 individuals have tested positive for COVID-19. This is an exponential increase in the number of individuals who positively tested in Colorado as of March 12, 2020 which was 49. Additionally, as of March 23, 2020, the Mayor of the City and County of Denver issued a stay-at-home order for all residents and Colorado anticipates other municipalities will follow suit.

Due to this rapid progression of confirmed cases in Colorado, CDHS wants to ensure that individuals and families that are affected are able to maintain their SNAP benefits without undue burden. CDHS wants to prevent unnecessary barriers to food access during this period of uncertainty.

Because of these concerns, Colorado is requesting to waive the following regulations. These requests are included in the four waivers included with this letter. The four waiver requests are:

- Waiver of maximum certification period lengths included in 7 CFR 273.10(l), 7 CFR 273.10(l)(5), 7 CFR 273.12(a)(5)(iii)(B), and 7 CFR 273.14(a).
- Waiver of initial and recertification interviews included in 7 CFR 273.2(e)(1).
- Waiver of claim collection included in 7 CFR 273.18(e)(1) and 7 CFR 273.18(e)(5).
- Waiver of additional student eligibility requirements included in 7 CFR 273.5 (b).

If you have any questions or need additional information, please contact Teri Chasten at (303) 889-9661 or teri.chasten@state.co.us.

Sincerely,

Karla Maraccini
Director
Food and Energy Assistance Division

cc: Teri Chasten



STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Initial
3. **Regulatory citation:** 7 CFR 273.10(f), 7 CFR 273.10(f)(5), 7 CFR 273.12(a)(5)(iii)(B), 7 CFR 273.14(a)
4. **State:** Colorado
5. **Region:** Mountain Plains
6. **Regulatory requirements:** 7 CFR 273.10(f) states households must be certified for a definite period of time, not to exceed 12 months unless the household is elderly/disabled or residing on a reservation, in which certification periods cannot exceed 24 months.

7 CFR 273.10(f)(5) specifically indicates that SNAP certification periods may not be lengthened to exceed 12 months unless the household contains an elderly/disabled member, in which certification periods may not exceed 24 months.

7 CFR 273.12(a)(5)(iii)(B) indicates that a periodic report form must be filed by the end of month 3 for households that are subject to a 12 month certification period, or that a periodic report must be submitted by the end of month 12 for a 24-month certification period.

7 CFR 273.14(a) forbids households participating beyond the expiration of the certification period assigned.

7. **Proposed alternative procedures:** This waiver will allow for the Colorado Department of Human Services (CDHS) to grant a temporary, 3-month extension of certification months beyond 24 months for any SNAP households that are subject to recertification.

Automatically extending certification periods by 3 months will ensure that case closures do not occur because of a client's inability to submit paperwork to recertify or meet periodic report requirements. Any periodic report forms due within the 3-month waiver period would also be waived. Periodic report forms will neither be sent to clients nor required to be sent back prior to this 3-month period.

All cases impacted by the 3-month certification extension will be required to complete recertification by the end of month three as long as the recertification was due prior to or by the 3rd month. All households who are still within their original certification period but would have otherwise been required to file a periodic report

during the waiver period will be required to complete a periodic report by the end of month three and will maintain their previous certification period.

CDHS will maintain mandatory reporting requirements that take place in between certification periods. However, households will not be required to file a periodic report or recertification nor be subject to those additional reporting requirements during this 3 month waiver period.

- 8. Justification for request:** Colorado is experiencing unique and unprecedented circumstances with the onset of COVID-19. As of 03/23/2020, in CO, 591 individuals have tested positive for COVID-19. This is an exponential increase in the number of individuals who positively tested in Colorado as of 03/12/2020 which was 49. Additionally, as of 03/23/2020, the Mayor of the City and County of Denver issued a stay-at-home order for all residents and Colorado anticipates other municipalities will follow suit.

Due to this rapid progression of confirmed cases in Colorado, CDHS wants to ensure that individuals and families that are affected are able to maintain their SNAP benefits without undue burden. CDHS wants to prevent unnecessary barriers to food access during this period of uncertainty.

By allowing automatic extension of certification periods and waiving periodic report requirements for 3 months, CDHS will ensure that fewer individuals enter service centers and risk the spread of the virus. A number of CDHS county offices are either closed or are limiting the number of individuals permitted in the county office buildings in efforts to mitigate the spreading of this virus to our already vulnerable clientele.

Many Colorado businesses have closed for an unexpected period to prevent the unnecessary spread of COVID-19. By waiving the periodic report and extending certification periods, Colorado will be better positioned to prioritize and remain timely with the expected influx of new applications statewide as a result of the income loss associated with these business closures.

By waiving the periodic report, CDHS will be better positioned to protect our additionally vulnerable elderly and persons with disabilities who participate in SNAP.

This waiver will also allow Colorado to prepare for administrative burdens during times when CDHS state and county human services staff may lose a portion of the workforce due to the effects of the virus such as unmet child care needs or staff illness.

CDHS will utilize this waiver to provide stability of ongoing SNAP benefits while focusing on determining eligibility and establishing a certification period for any newly eligible applicants.

- 9. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:** Colorado serves approximately 220,000 distinct SNAP households every month. Approximately 86,000 (38%) of the 220,000 distinct monthly SNAP households are those in which all members are elderly or disabled and have no earned income; this would be the population to benefit from the waiving of the periodic report and extension of certification periods.
- 10. Anticipated impact on households and State agency operations:** Colorado believes this will improve the public health response to the spread of COVID-19. This will reduce the number of staff and SNAP recipients potentially exposed to COVID-19, minimizing the spread and potential workforce shortage in the State Agency. As a response to unexpected unemployment, it will also allow newly eligible households to apply and be certified in a timely manner to ensure benefits are provided quickly and efficiently.
- 11. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):** CDHS is requesting that this waiver be approved as soon as possible and plans to implement as soon as approval is received. System adjustments must be made by the end of March in order to provide for April benefits without disruption. For all Food Assistance cases with a certification period expiring March-May of 2020, Colorado will automatically extend these certification periods by three months.
- 12. Proposed quality control review procedures:** There are no special QC procedures related to this request.
- 13. Name, title, and email of requesting official:**
- Name:** Karla Maraccini
- Title:** Division Director, Food and Energy Assistance
- Email:** karla.maraccini@state.co.us
- 14. Date of request:** March 23, 2020
- 15. State agency staff contact:**
- Name:** Teri Chasten
- Title:** SNAP Program Manager
- Email:** teri.chasten@state.co.us
- 16. Regional Office contact person (to be completed by FNS regional office):** Philip Fraley, Philip.fraley@usda.gov, 303.844.0341