

## STATE WAIVER REQUEST

- 1. Waiver Serial Number (if applicable):**
- 2. Type of Request:** Initial
- 3. Regulation Citation:** 7 CFR 273.5(b)
- 4. State:** Colorado
- 5. FNS Region:** MPRO
- 6. Regulatory Requirements:** Section 6(e) of the Food and Nutrition Act of 2008 and Federal regulation defines household members at least half-time in an institution of higher education are not eligible for the Supplemental Nutrition Assistance Program (SNAP) unless they meet certain student exemptions.

7 CFR 273.5(b)(5) identifies the students enrolled in an institution of higher education may be eligible for SNAP if they meet certain exemptions.

- 7. Proposed Alternative Procedures:** The Colorado Department of Human Services (CDHS) is requesting a waiver to allow students enrolled in an institution of higher education who are impacted due to COVID-19 to qualify for SNAP without having a student exemption. This waiver will be applied at application, recertification, or when the household reports a change. Once this waiver has been applied, the student will remain eligible through the remainder of their certification or until the expiration date of this waiver, whichever is later.
- 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.

As a result of the progression of the COVID-19 pandemic, many Colorado businesses, employers, and schools are closed, making verification of student SNAP eligibility virtually impossible. With many businesses that employ college students closed such as retail restaurants, etc., it is nearly impossible for a student to be employed a minimum of 20 hours per week currently. There are also no alternative mechanisms to verify if a student is enrolled in an institution of higher education and/or if the student is approved to participate in a work-study program and/or if the student is assigned to or placed in an

institution of higher education through or in compliance with one of the programs identified in paragraphs (b)(11)(i) through (b)(11)(iv) of 273.5.

This waiver would allow Colorado to provide a layer of food security to impacted students statewide during the uncertainty of the COVID-19 crisis.

- 9. Caseload information, including percent of caseload and description of population expected to be affected by this waiver.** Maintaining SNAP benefits for eligible students during this crisis is crucial. Colorado currently serves around 225,000 distinct SNAP households every month. CDHS is not able to identify the exact number of students within these households.
- 10. Anticipated impact on households and State agency operations:** This waiver will allow students to be eligible for SNAP without an additional requirement to meet an exemption in 7 CFR 273.5(b) or for the agency to verify if the student meets one of these exemptions.
- 11. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):** This waiver will be implemented upon approval for the period of 90 days in an initial attempt to allow the COVID-19 health crisis to pass and Colorado will re-evaluate at 90 days to determine if an extension is needed.
- 12. Proposed Quality Control Procedures:** The proposal does not affect quality control sampling or procedures.

**13. Name, title, and email of requesting official:**

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**Title:** Division Director, Food and Energy Assistance

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**14. Date of Request:** March 23, 2020

**15. State agency staff contact:**

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**16. Regional Office contact person (to be completed by FNS regional office):**  
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