

Office of the Secretary
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Laura Howard, Secretary

Laura Kelly, Governor

March 19, 2020

Ms. Dana Platin
SNAP Director
Mountain Plains Regional Office
United States Department of Agriculture
Food and Nutrition Service
1244 Speer Blvd. Suite 903
Denver, CO 80204

Dear Ms. Platin:

Kansas is requesting to waive the following regulations in response to the COVID-19. The requests will prevent negative impact to Food Assistance households during the crisis period. On March 12, 2020 the Governor of Kansas declared a state of emergency due to COVID 19 pandemic. Additionally, on March 17, 2020 the Governor released Executive Order 20-04 to protect the health and safety of Kansas residents, slow the spread of COVID 19, reduce the number of people infected, and avoid strain on the health care system. Also, on this date all Kansas school were closed for the remainder of the school year.

These regulations are:

- Regulatory citations, 7 CFR 273.10(f) (5); 7 CFR 273.12(a) (5). To extend certification periods by 12 months.
- Regulatory citations, 7 CFR 273.2(e)(1). To allow the initial application interview to be waived.

Kansas is requesting these waivers to ensure that individuals and families that are affected by the COVID-19 pandemic maintain or obtain Food Assistance benefits without burden. The waivers will also prepare for administrative barriers during this time as DCF may lose staff due to illness or caring for a family member. The Governor has ordered all non-essential state employees to be placed on administrative leave for two weeks effective March 22, 2020. Kansas requests approval and implementation of these waivers as soon as possible.

If you have any questions, please contact Janelle Harper at 785-296-5416 or at Janelle.Harper@ks.gov.

Sincerely,


Laura Howard, Secretary

STATE WAIVER REQUEST

1. Waiver Serial Number (if applicable):

2. Type of request: Initial

3. Regulatory citation:

7 CFR 273.10(f)(5)

7 CFR 273.12(a)(5)(iii)(B)

7 CFR 273.14(a)

4. State: Kansas

5. Region: Mountain Plains

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 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 Interim Report form must be filed between 4 months and 6 months that are subject to a 12 month certification period, or that a 12 month 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.

6. Proposed alternative procedures:

This waiver will allow for a one-year extension of certification beyond 12 or 24 months for any households that are subject to a recertification. The certification period will be extended beyond their currently scheduled expiration date. For example, all April 2020 Review expiration dates will be extended to April 2021. An Interim Report form will be due for households in October 2020 for November 2020 benefits. For those households that are elderly/disabled a 12-month report form will be due in March 2021 for April 2021 benefits.

Kansas is requesting this waiver statewide to cover offices that are not open for regular operations as well as offices that remain open and take on addition work for the closed offices. On March 12, 2020 the Governor of Kansas declared a state of emergency due to COVID 19 pandemic. Additionally, on March 17, 2020 the Governor released Executive Order 20-04 to protect the health and safety of Kansas

residents, slow the spread of COVID 19, reduce the number of people infected, and avoid strain on the health care system. All schools in Kansas have been ordered closed through the remainder of the current school year. Resources such as access to childcare for working Kansans, including state staff, will be strained and in some cases unavailable.

Each DCF Service Center will see an influx of work on behalf of other closed or understaffed offices throughout the state due to the COVID-19 pandemic. DCF staff who are properly equipped have been authorized to work remotely. The offices that remain open will continue their own work but will also be asked to complete additional work for other offices leading to potentially significant increases in workload. By extending the certification period when this workload increases, it ensures that Food Assistance households across the state continue to receive their benefits in a timely manner. This waiver would be in place until all offices in Kansas are able to resume processing at which time normal procedures would be reinstated.

Kansas will maintain mandatory reporting requirements that take place between certification periods.

7. Justification for request:

The request is justified pursuant to 7 CFR 272.3(c)(1)(ii) which permits FNS to authorize waivers that result in a more effective and efficient administration of the program. The approval of this waiver extension would allow DCF to ensure households continue to receive their Food Assistance benefits during this health pandemic.

8. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:

Kansas currently serves 189,760 people and 90,647 households as of February 2020. Of these numbers 88,108 were children. This waiver would impact 100% of the caseload.

9. Anticipated impact on households and State agency operations:

This waiver will prevent benefits from discontinuing during the COVID-19 pandemic because of office shut down and caseworkers being unable to recertify the eligibility of the ongoing Food Assistance households due to staff shortage.

10. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):

March 18, 2020 until July 31, 2020.

11. Proposed quality control review procedures:

No special QC procedures are required for cases subject to the provisions of the waiver.

12. Name, title, and email of requesting official:

Name: Laura Howard

Title: Secretary, Kansas Department for Children and Families

Email: Laura.Howard@ks.gov

13. Date of request:

March 18, 2020

14. State agency staff contact:

Name: Janelle Harper

Title: Food Assistance Program Manager

Email: janelle.harper@ks.gov

15. Regional Office contact person (to be completed by FNS regional office):
Philip Fraley. Philip.fraley@usda.gov, 303.844.0341