

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request: Initial**
3. **Regulatory citation: 7 CFR 273.2(f)(1)(i) and (f)(4)**
4. **State: Kentucky**
5. **Region: SERO**
6. **Regulatory requirements:**

Requirements at 7 CFR 273.2(f) states verification is the use of documentation or a contact with a third party to confirm the accuracy of statements or information. Section(1) Mandatory verification requires state agencies to verify the following information prior to certification for households initially applying: (i) *Gross nonexempt income*. Gross nonexempt income shall be verified for all households prior to certification. However, where all attempts to verify the income have been unsuccessful because the person or organization providing the income has failed to cooperate with the household and the State agency, and all other sources of verification are unavailable, the eligibility worker shall determine an amount to be used for certification purposes based on the best available information. Requirements at 7 CFR 273.2(f)(1)(i) state:
(f) Verification. Verification is the use of documentation or a contact with a third party to confirm the accuracy of statements or information. The State agency must give households at least 10 days to provide required verification. Paragraph (i)(4) of this section contains verification procedures for expedited service cases.

(1) Mandatory verification. State agencies shall verify the following information prior to certification for households initially applying:

(i) Gross nonexempt income. Gross nonexempt income shall be verified for all households prior to certification. However, where all attempts to verify the income have been unsuccessful because the person or organization providing the income has failed to cooperate with the household and the State agency, and all other sources of verification are unavailable, the eligibility worker shall determine an amount to be used for certification purposes based on the best available information

Requirements at 7 CFR 273.2(f)(4)(i) state:

(4) Sources of verification—(i) Documentary evidence. State agencies shall use documentary evidence as the primary source of verification for all items except residency and household size. These items may be verified either through readily available documentary evidence or through a collateral contact, without a requirement being imposed that documentary evidence must be the primary source of verification.

Documentary evidence consists of a written confirmation of a household's circumstances. Examples of documentary evidence include wage stubs, rent receipts, and utility bills. Although documentary evidence shall be the primary source of verification, acceptable verification shall not be limited to any single type of document and may be obtained through the household or other source. Whenever documentary evidence cannot be obtained or is insufficient to make a firm determination of eligibility or benefit level, the eligibility worker may require collateral contacts or home visits. For example, documentary evidence may be considered insufficient when the household presents pay stubs which do not represent an accurate picture of the household's income (such as out-dated pay stubs) or identification papers that appear to be falsified.

- 7. Proposed alternative procedures:** Kentucky proposes to accept client statement as verification of income for all case processing when system matches (Eligibility Advisor, SDX, BENDEX, State Wage Records Interface, Unemployment Insurance Interface, Child Support Enforcement Interface) or available tools cannot verify. No case will pend for income verification.

- 8. Justification for request:** Kentucky is in a Public Health State of Emergency due to the (COVID-19-Coronavirus Pandemic). The (COVID-19- Coronavirus disease) is a respiratory illness that can spread from person to person, between persons who are in close contact with each other. The Families First Coronavirus Act of 2020, section 2302, permits the USDA to adjust administrative requirements upon state request. As of March 26, 2020, there are more than 82,000 confirmed COVID-19 cases and 1,195 deaths in the U.S. As of March 26, 2020, the Kentucky Department of Public Health reports there are 248 confirmed COVID-19 cases and 5 deaths in Kentucky. This virus has caused many agencies and companies to shut down. Schools have also closed and are requiring students to learn virtually from home. While some employees can work from home, many are out of work during the time of the shutdown. The growing number of businesses and schools closing will increase the number of public assistance applications submitted online which includes SNAP. With the growing number of COVID-19 cases in Kentucky, there is a need for social distancing to prevent the spread of the virus. All social events throughout the state such as school activities, athletic events, church services and other social events have been cancelled. Additionally, the state will to state call center to limit the spread of COVID-19 and to protect both staff and the public. DCBS staff who would normally work in the local offices are calling in due to their inability to come to work due to childcare and school issues.

The agency is seeking to help maintain stability in the public while managing anticipated caseloads in excess of any prior SNAP participation levels by streamlining as many of the administrative processes as possible.

The President declared a National Emergency on March 13, 2020, and Governor Beshear declared a State of Emergency for the state of Kentucky on March 6, 2020. Due to the coronavirus spreading from person to person, social distancing measures have taken place to prevent the spread of the virus. All social events throughout the

state such as school activities, athletic events, church services and other social events have been cancelled in the state for a period determined by the Governor of Kentucky. Numerous restrictions have been placed on non-essential businesses, citizens are being laid off or seeing a reductions in work hours and the agency anticipates a large increase in applications and case changes, while battling a reduced staff and new operating procedures. Applicants in need may experience difficult in obtaining income verification from employers temporarily closed due to the crisis. The Families First Coronavirus Act of 2020, Section 2302 permits the USDA to adjust administrative requirements upon state request. Additionally, the state will refer clients to the state's call center and online application to limit the spread of COVID-19 and to protect both staff and the public. This request is due to local office staff who would normally work in the local county offices are working remotely or unable to work due to illness, lack of childcare, and other issues arising due to COVID-19.

By teleworking or remotely working, eligibility staff will be able to process online applications offsite while the ability to request client statement as verification for income will ensure eligible households receive SNAP benefits to meet their nutritional needs. This waiver will help the state to focus its effort on processing applications accurately and timely as the volume of online applications increases and provide less barriers to program access due to the COVID-19 pandemic.

- 9. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:** This waiver will apply to 100% of the SNAP caseload.

- 10. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):**
The waiver will be effective immediately upon approval.

- 11. Proposed quality control review procedures:** For Quality Control reviews, exclude for 3 months (April, May, June) all reviews for variances and only review for timeliness. Quality Control will report any reviews subject to a claim.

- 12. Name, title, and email of requesting official:**
Name: Eric C. Friedlander

Title: Acting Secretary, Cabinet for Health and Family Services

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- 13. Date of request:** March 27, 2020

- 14. State agency staff contact:**

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