

**STATE WAIVER REQUEST
ADJUSTMENT OF EXPEDITED SERVICE INTERVIEW REQUIREMENTS**

1. **Type of request:** Extension COV-141
2. **Primary regulation citation:** 7CFR 273.2(i)(3)(iii) and 7 CFR 273.2 (i)(4)(iii)(A)&(B)
3. **State:** Maryland
4. **Region:** Mid Atlantic
5. **Regulatory requirements:** Federal Regulations at 7CFR 273.2(i)(3)(iii) state: If a household is entitled to expedited service and is also entitled to a waiver of the office interview, the State agency shall conduct the interview (unless the household cannot be reached) and complete the application process within the expedited service standards. The first day of the count is the calendar day following the application filing. If the State agency conducts a telephone interview and must mail the application to the household for signature, the mail time involved will not be calculated in the expedited service standards. Mailing time shall only include the days the application is in the mail to and from the household and the days the application in the household's possession pending signature and mailing.

Federal regulations at 7 CFR 273.2(i)(4)(iii)(A) and (B) state: (A) For households applying on or before the 15th of the month, the State agency may assign a one-month certification period or assign a normal certification period. Satisfaction of the verification requirements may be postponed until the second month of participation. If a one-month certification period is assigned, the notice of eligibility may be combined with the notice of expiration or a separate notice may be sent. The notice of eligibility must explain that the household has to satisfy all verification requirements that were postponed. For subsequent months, the household must reapply and satisfy all verification requirements which were postponed or be certified under normal processing standards. If the household does not satisfy the postponed verification requirements and does not appear for the interview, the State agency does not need to contact the household again.

(B) For households applying after the 15th of the month, the State agency may assign a 2-month certification period or a normal certification period of no more than 12 months. Verification may be postponed until the third month of participation, if necessary, to meet the expedited timeframe. If a two-month certification period is assigned, the notice of eligibility may be combined with the notice of expiration or a separate notice may be sent. The notice of eligibility must explain that the household is obligated to satisfy the verification requirements that were postponed. For subsequent months, the household must reapply and satisfy the verification

requirements which were postponed or be certified under normal processing standards. If the household does not satisfy the postponed verification requirements and does not attend the interview, the State agency does not need to contact the household again. When a certification period of longer than 2 months is assigned and verification is postponed, households must be sent a notice of eligibility advising that no benefits for the third month will be issued until the postponed verification requirements are satisfied. The notice must also advise the household that if the verification process results in changes in the household's eligibility or level of benefits, the State agency will act on those changes without advance notice of adverse action.

6. Proposed alternative procedures: We propose to continue the waiver procedures due to the COVID-19 pandemic and Maryland State of emergency that are both still in effect, in which its 24 local departments of social services issue expedited benefits to households that meet expedited criteria, whose identity can be verified and who were contacted for a phone interview but were not reachable. Expedited benefits are issued with the understanding that the household must complete an interview during the expedited time frame in order to continue to receive benefits. Maryland continues to use the same policy outlined in the previous waiver requests. Briefly, those details include:

- The case manager must attempt to conduct an interview, either in person or by telephone whenever possible.
- The case manager must use existing sources of information to verify the customer's identity whenever possible (such as SVES, wage screen, The Work Number, and existing information stored in the State's eligibility system, CARES).
- Based on the information provided by the customer on the application, the case manager is to screen the application for expedited service as soon as the application is received, whenever possible. When immediate screening is not possible, the application must be screened within enough time to ensure that benefits are issued within seven days.
- When the waiver is used to issue the benefits, the case manager must also schedule an interview appointment for a specific date and time so that the customer can comply with the interview requirement and verification requirement before the end of the expedited service period.
- If the household fails to comply with the interview requirement, the case closes at the end of the expedited period, and the household does not receive expedited benefits again until the interview requirement is met.

Maryland has the ability to address any households that fail to comply with procedures of the waiver. Data fields already exist to record the screening result for expedited service, whether an interview was conducted, the time and date of a scheduled interview appointment, and the "date of discovery" of the expedited status.

One change made to the system was to the notice that auto-generates after expedited benefits are issued without an interview. The following text appears on the notice: "Please note: You were approved for Expedited Service before you were interviewed by a case manager. We will not issue any more Food Stamp benefits after [DATE] unless you are interviewed. Call the local department at the number above to schedule an appointment."

7. Justification for request: Governor Larry Hogan has declared a State of Emergency for Maryland, which remains in effect, due to the Outbreak of the coronavirus (COVID-19). We believe this waiver will limit exposure of State staff to this highly contagious disease, and promote the health and safety of customers as well as staff. All DHS Local Department of Social Services offices remain closed to the general public with minimal in person options for emergency situations. In addition, Local Departments of Social Services have limited hours/staffing capacity due to social distancing.

- [White House Approval of Maryland's Emergency Declaration](#)
- <https://governor.maryland.gov/wp-content/uploads/2020/03/proclamation-covid-19.pdf>
- [Maryland's Road to Recovery Guidelines](#)
https://governor.maryland.gov/wp-content/uploads/2020/04/MD_Strong.pdf

8. Anticipated impact on households and State agency operations: Maryland is confident that the continued use of the waiver will provide the staff in the local offices an additional tool that will support Maryland's efforts to maintain timely processing of applications. In addition, in reviewing the number of applications received during the waiver review periods of the past three years, Maryland does not anticipate a significant decrease in the number of applications in the foreseeable future. The average number of households receiving SNAP in Maryland has remained steady over the last two years from an average of 338,722 per month in State Fiscal Year (SFY) 2019 to 336,926 per month in SFY 2020. FFY 2020 cumulative SNAP payment error rate is 5.27% as of March 2020.

In addition to the procedures detailed in Section 8 of this Request, Maryland implemented the following operational measures. Beginning in FFY 2011, DHS included in its SNAP Management Evaluation template a review element to determine whether a denial or termination might have been prevented if the case manager had used the waiver. Several errors were identified during the first two years regarding cases in which the waiver should have been used to issue benefits timely; however, in the years subsequent to implementation, the reviewers are finding fewer errors related to use of the expedited waiver. As follow up to the findings for the SNAP Management Evaluation, all local offices which continue to have findings related to

the use of the waiver are required to complete a Payment Accuracy Plan (PAP) Strategy to address the deficiency. As a part of the PAP process, DHS reviews the local plans to determine if they will be effective in addressing the issues cited. Quality Control reviews continue to consider whether the policy could have been used to prevent a negative action. No specific Quality Control errors were identified stemming from use of the waiver.

- 9. Caseload information, including percent, characteristics, and quality control error rate for affected portion:** The number of applications in Maryland continues to be very high. In the previous evaluation, it was reported that the average number of applications per month (July 2016 – June 2017) was 28,333. Currently (based on data from July 2017 – June 2018), the average number of applications per month remains 28,333. Currently, Maryland currently receives an average of 26,561. The average number of households receiving SNAP in Maryland has remained steady over the last two years from an average of 338,722 per month in State Fiscal Year (SFY) 2019 to 336,926 per month in SFY 2020. FFY 2020 cumulative SNAP payment error rate is 5.42% as of March 2020.

- 10. Anticipated implementation date and time period for which waiver is needed:** Maryland first implemented the waiver in February 2011. That waiver expired March 31, 2020. The last issued extension expired on May 31, 2020. We are requesting an extension through September 30, 2020.

- 11. Proposed quality control review procedures:** To ensure that the front-line staff use the waiver when appropriate, DHS incorporated questions about use of the waiver into its reviews of SNAP applications. Beginning in FFY 2011, DHS included in its SNAP Management Evaluation template a review element to determine whether a denial or termination might have been prevented if the case manager had used the waiver. DHS will continue this process, as it appears to be a strong indicator of whether the local office has an effective business process in place to process the waivers. Several errors were identified during the first two years regarding cases in which the waiver should have been used to issue benefits timely; however, thus far in 2016 and 2017, the reviewers have found no errors related to use of the expedited waiver. Quality Control reviews continue to consider whether the policy could have been used to prevent a negative action. No specific Quality Control errors were identified stemming from use of the waiver.

12. Signature and title of requesting official:



**La Sherra Ayala
Acting Executive Director
Family Investment Administration
Department of Human Services**

14. Date of request: August 10, 2020

15. Regional office contact person (to be completed by FNS regional office):