

Janet T. Mills  
Governor

Jeanne M. Lambrew, Ph.D.  
Commissioner



Maine Department of Health and Human Services  
Office for Family Independence  
19 Union Street  
11 State House Station  
Augusta, Maine 04333-0011  
Tel.: (207) 624-4168; Toll-Free: (800) 442-6003  
TTY: Dial 711 (Maine Relay); Fax: (207) 287-3455

Bonnie Brathwaite  
Regional Division Director  
Supplemental Nutrition Assistance Program  
Northeast Regional Office, FNS/USDA

Director Brathwaite:

Enclosed, please find Maine's request to waive telephonic signature requirements at 7 CFR § 273.2(c)(7)(i-viii) . Please contact Ian Miller, Senior Food Supplement Program Manager, at [ian.miller@maine.gov](mailto:ian.miller@maine.gov) or (207) 624-4138 if you have any questions. Thank you for considering this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Pelotte'.

Anthony Pelotte, Director  
Office for Family Independence

Cc: Dan Cohen, Chief Operating Officer, OFI  
Liz Ray, Associate Director of Policy and Programs, OFI  
Jeff Farnsworth, Associate Director of Regional Operations, OFI  
Jamie Pruet, Associate Director of Business Technology, OFI  
Amber McAllister, Assistant Director of Business Technology  
Julian Baer, Senior TANF and ASPIRE Program Manager  
Lea Studholme, Senior MaineCare Program Manager  
Esther Bullard, MaineCare Program Manager  
Alexandria Lauritzen, TANF Program Manager, OFI  
Rene Bernard, Training Program Manager

## Waiver Request

- 1. Waiver serial number:** TBD
- 2. Type of request:** Waiver of Telephonic Signature Application Requirements - Initial Request
- 3. Primary regulation citation:** 7 CFR § 273.2(c)(7)(i-viii)
- 4. State:** Maine
- 5. Region:** NERO
- 6. Regulatory requirements:** 7 CFR § 273.2(c)(7)(i-viii) requires that households physically sign applications or sign applications via telephone with a verbal recording that is linked to the application and/or case file by the state agency.
- 7. Proposed alternative procedures:** The Maine Department of Health and Human Services (DHHS), Office for Family Independence (OFI) specifically proposes to waive the requirements at 7 CFR § 273.2(c)(7)(viii)(b and c) to record the applicant's assent to the application information provided and to link that recording to the application and/or case file.

When applicants have been unable to submit a paper or electronic application, due to limitations and/or restrictions caused by COVID-19, Maine DHHS-OFI will offer the applicant the option to apply over the telephone. These applications will be accepted and processed by Eligibility Specialists who have received SNAP training. The Eligibility Specialist will complete an interview that addresses all aspects of SNAP eligibility. When the application and interview are complete, the Eligibility Specialist will repeat back to the applicant the case aspects that they will need to attest to as well as a statement that educates them to the penalties that can be assessed for fraudulent statements and/or the acquisition of SNAP benefits under false pretenses. This discussion and acknowledgment of those penalties will be case noted for each application that is signed in this manner. The applicant will then be mailed a copy of the application that they attested to.

The Maine Office of the Attorney General has provided a legal opinion that this process and telephonic assent by applicants is as effective as a formal signed application in providing security against false statements. Specifically, that Office has advised the Department that Maine's criminal law, at 17-A M.R.S. § 452 provides that a false statement "made with the intention to mislead a public servant performing the public servant's official duties" is a Class D crime, and that this is true irrespective of whether the statement is written or oral, signed or unsigned. Accordingly, the process described above effectively serves as a substitute for a formal signature.

**8. Justification for request:** Due to the rapid spread of COVID-19, the Maine Department of Health and Human Services requests this waiver in order to minimize the spread of the virus, maximize efficiencies and reduce administrative burden. It is our priority to ensure Maine's most vulnerable residents have access to needed benefits that they are eligible for during this

pandemic. We request this waiver to reduce administrative burden and ensure that the residents of the State of Maine will maintain the ability to purchase food. Many Maine residents are unable to apply for SNAP on-line or are unable to access, fill out and/or mail an application, at this time. This waiver will assist our most needy residents and help to slow the spread of COVID-19.

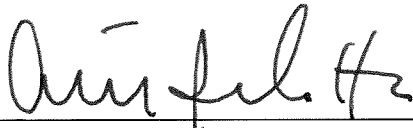
**9. Anticipated impact on households and State agency operations:** Eligible households will receive SNAP and access to healthy foods when they are unable to access MyMaineConnection, Maine's online application portal or paper applications. Maine's limited staff will have a reduced workload allowing them to better serve our applicants and recipients.

**10. Caseload information, including percent, characteristics, and quality control error rate for affected portion:** This proposed waiver is for Maine's entire SNAP population (100%).  
17.83% PER

**11. Anticipated implementation date and time period:** If approved, the waiver would be implemented on March 26, 2020. Maine requests that this waiver be approved until the month after the emergency is lifted.

**12. Proposed quality control review procedures:** There will be no change to the quality control review procedures due to this waiver. They will continue to be conducted in accordance with the FNS Handbook 310.

**13. Signature and Date:**



\_\_\_\_\_  
Anthony Pelotte, Director, Office for Family Independence  
Department of Health and Human Services

3/25/20  
\_\_\_\_\_  
Date