

WAIVER REQUEST - NEW JERSEY

1. **TYPE OF REQUEST:** Initial

2. **REGULATION CITATION:** 7 CFR §273.2(c)(7)(viii)(A), 7 CFR §273.2(c)(7)(viii)(B), 7 CFR §273.2(e)(7)(viii)(C)

3. **STATE:** New Jersey

4. **REGION:** Mid-Atlantic Region

5. **REGULATORY REQUIREMENTS:**

- 7 CFR §273.2(c)(7)(viii)(A) requires State agencies that choose the option to accept telephonic signatures to specify in their State plans of operation that they have taken the option.
- 7 CFR §273.2(c)(7)(viii)(B) requires that to constitute a valid telephonic signature, the State agency's telephonic signature system must make an audio recording of the household's verbal assent and a summary of the information to which the household assents. An example of a telephonic signature is a recording of "Yes" or "No", "I agree" or "I do not agree", or otherwise clearly indicating agreement or disagreement during an interview over the telephone.
- 7 CFR §273.2(c)(7)(viii)(C) requires that a telephonic signature system must provide for linkage from the audio file of the recorded verbal assent to the application so that the State agency has ready access to the household's entire case file.

6. **DESCRIPTION OF ALTERNATIVE PROCEDURES:** New Jersey is operating under a State of Emergency declared by Governor Murphy on March 9, 2020 relating to the public health crisis caused by the coronavirus. There are currently 44,661 people in NJ who are positive for COVID-19 with positive cases reported in every county. (Retrieved from <https://covid19.nj.gov/> on April 6, 2020 at 07:00 hours). Social distancing is the primary non-hygiene related preventative measure identified to prevent the spread of this communicable disease. As such, all New Jersey colleges have closed campuses.

On March 13, 2020, President Trump declared "that the COVID-19 outbreak in the United States constitutes a national emergency" retroactive to March 1, 2020. On Saturday March 21, 2020, Governor Murphy issued Executive Order 107 referred to as the Stay At Home order.

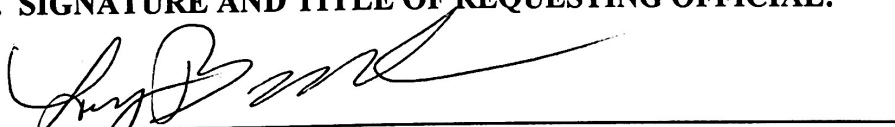
To accommodate the social distancing response to the current public health crisis, and to ensure that those without access to submitting an application online can have equal access to the program, New Jersey proposes to not be required to create an audio recording of the client attestation or link that recording to the client case file. The State will summarize the information to which the household assents and allow a verbal signature from the client that is documented by the eligibility worker. The documentation will include a note in the case record to demonstrate that the client has verbally signed the application. The information the case note must include the client's name, date and time of the client's verbally assent to submitting the application.

If a household submits a paper application without a signature and the State is able to connect with the client over the phone, the State will also note on the application that verbal attestation of the signature was given.

The State is not required to amend its State Plan of Operation to indicate it is taking the telephonic signature option.

7. **JUSTIFICATION FOR REQUEST:** This request is justified pursuant to 7 CFR 272.3(c)(1)(iii) which permits FNS to authorize waivers when “unique geographic or climatic conditions within a State preclude effective implementation of the specific regulatory provision and require an alternate procedure.” The COVID-19 pandemic has caused significant disruptions in the administration of SNAP offices throughout the state of New Jersey. Additionally, the Families First Coronavirus Response Act (P.L. 116-127) which permits broad authority for the USDA to approve adjustments in “issuance methods and application and reporting requirement under the Food and Nutrition Act of 2008”.
8. **ANTICIPATED IMPACT ON HOUSEHOLDS AND STATE AGENCY OPERATIONS:** New Jersey believes that this waiver will improve the public health response to the spread of the coronavirus.
9. **CASELOAD INFORMATION, INCLUDING PERCENT, CHARACTERISTICS, AND QUALITY CONTROL ERROR RATE FOR AFFECTION PORTION:** Information is available for online applications; however, there is no record of the number of households seeking to apply over the telephone.
10. **ANTICIPATED IMPLEMENTATION DATE AND TIME PERIOD FOR WHICH WAIVER IS NEEDED:** This waiver would be implemented immediately upon approval and would remain in effect for six months or until the New Jersey State of Emergency is lifted, whichever is later.
11. **PROPOSED QUALITY CONTROL REVIEW PROCEDURES:** This waiver is not subject to quality control review or procedures. No special QC procedures are required for cases subject to the provisions of this waiver. Cases will be reviewed using standard review procedures in the FNS Handbook 310.
12. **STATE AGENCY SUBMITTING WAIVER REQUEST AND STATE CONTACT PERSON:**
New Jersey Department of Human Services, Division of Family Development
Natasha Johnson, Assistant Commissioner

13. **SIGNATURE AND TITLE OF REQUESTING OFFICIAL:**


Title: Assistant Division Director
Email for transmission of response: Larry.braasch@dhs.nj.gov

14. **DATE OF REQUEST:** April 6, 2020

15. **REGIONAL OFFICE CONTACT PERSON (TO BE COMPLETED BY FNS REGIONAL OFFICE)**