



STATE OF NEW MEXICO
Human Services Department
Governor Michelle Lujan Grisham
David R. Scrase, M.D., Cabinet Secretary
Angela Medrano, Deputy Cabinet Secretary
Kari Armijo, Deputy Cabinet Secretary

June 17, 2020

Dwight Crudup
Regional Director
Southwest Region US DA/FNS
110 Commerce Street, Room 5-C- 30
Dallas, Texas 75242

Dear Mr. Crudup:

New Mexico Human Services Department (NMHSD) is respectfully requesting an extension of the following COVID-related adjustments and waivers.

- NMHSD submitted the original request on 6.8.2020. On 6.11.2020 NMHSD received a couple of emails requesting further clarification and information for the *Waive Fair Hearing Timeframes* and *Waiver to Extend Certification Periods and Waive the Interim Report (IR)* requirement; see attachment.
- In addition, NMHSD is adding a request for the Blanket Waiver approval that was received March 26, 2020, as that was not in our original request.

Tier I:

- Telephonic Signature

Tier II:

- Temporary Suspension of Claims Activity
- Waive Fair Hearing Timeframes

Tier III:

- Eliminate Face to Face Interviews
- QC Face to Face Interviews

Additional Adjustment Extension Request:

- Although not mentioned in the above Tiers, NMHSD is also requesting an extension of the *Waiver to Extend Certification Periods and Waive the Interim Report (IR)* requirement. NMHSD will use the Tier I data to justify this extension.

AMENDMENT submitted 6.15.2020:

- *Blanket Approval issued on March 26, 2020 and extended on May 26, 2020 to extend through June 2020.* NMHSD will use Tier III data to justify this extension. *The blanket approval allows NMHSD to adjust:*

- SNAP regulations at 7 C.F.R. 273.2(a)(2), 273.2(e), and 273.14(b)(3) by not requiring a household to complete an interview prior to approval, provided the applicant's identity has been verified and all other mandatory verifications in 7 C.F.R. 273.2(f)(1) have been completed.
- SNAP regulations at 7 C.F.R. 273.2(e)(2)(i) by not offering a face-to-face interview or granting a request for a face-to-face interview to any household at application or recertification.
- SNAP regulations at 7 C.F.R. 273.2(i)(3)(iii) and 7 C.F.R. 273.2(i)(4)(iii)(A) and (B) by not requiring households that are eligible for expedited service to complete an interview prior to approval, provided that an applicant's identity has been identified and an attempt has been made to contact the household for an interview.

Below is the requested information to justify NMHSD's request for the extension of each of the listed waivers/adjustments.

Thousands of New Mexicans have been granted the Pandemic Unemployment Compensation Benefits (P-UCB). This has temporarily decreased the submission of new applications for NMHSD benefits for May. The additional P-UCB that is received weekly is scheduled to end in July 2020. Once this weekly benefit is lost, the need for SNAP will increase. NMHSD is anticipating that a large increase in addition to the already seen increase from March and April, will be seen in July and August.

Tier I:

Adjustments included: Telephonic Signature; Waiver to Extend Certification Periods and Waive the Interim Report (IR)

To receive approval of this adjustment beyond June 2020, States would need to submit the following:

1. An emergency or disaster declaration by a State based on an outbreak of COVID-19.
2. A detailed description of the past month's operational challenges due to COVID-19, such as capacity of workforce, increased call volume, decreased application and/ or recertification processing timeliness, challenges accessing eligibility system remotely, difficulty processing paper applications, document imaging challenges, etc.

NMHSD response to #1: The emergency declaration issued by Governor Michelle Lujan-Grisham on June 1, 2020 is attached. NM will immediately forward any further declaration that extends this order.

NMHSD response to #2: On April 10, 2020, the Department received approval of the *Telephonic Signature* adjustment. This adjustment allowed NMHSD to document in the case file that a client verbally attested to the information provided on the application. NMHSD established procedures to fulfill the requirements for a signed application for households who submit an application over the phone or for those applications submitted without a signature. NMHSD was able to document the client's name, date and time of application, a summary of the information to which the client verbally attested, and the client's responses indicating agreement or disagreement.

On March 20, 2020, NMHSD received approval of our adjustment request to extend certification periods and adjust periodic reporting requirements for ongoing SNAP households statewide. NMHSD extended certification periods for households scheduled to expire in March, April and May 2020, for 6 months until September, October and November 2020. NMHSD received an extension to also waive June's IR's and extend June recerts until December. Once this waiver expires NMHSD anticipates that an increase in applications will be seen will be due to administrative closures at IR and recertification.

NMHSD Operation Challenges due to COVID – 19:

March and April, NMHSD saw an increase of total applications submitted; as seen below. March, NMHSD received a total of 41,555 applications which was an increase of 15,786 applications from 41,555 total applications in February. In March, the Department received 57,341 applications. April reflected an increase of 1,656 to 58,997.

Operational challenges and Waiver effectiveness are identified as:

- Capacity of workforce was impacted due to limited daycare options and the uncertainty of schools reopening. The anticipated surge in COVID-19 cases in July/August 2020 and continuing into the winter months, will result in the NMHSD facing the same challenge; resulting in a decrease in productivity and a reduction in staff.
- The NMHSD invested time developing processes, procedures, and training staff to ensure correct implementation of the waivers. Continuation of the waiver processes and procedures is ideal for consistency of administration of the SNAP program by field staff.
- The implementation of this waiver encourages and supports social distancing for customers and staff by reducing the need to visit local offices. Curfews and travel restrictions in some communities makes it difficult for customers to visit local offices. Many of these communities are rural areas and do not have access to technology.
- The telephonic signature waiver allows the NMHSD to accept applications telephonically, as well as process unsigned applications without delaying the application process and support social distancing.
- Due to the increased call volume as shown below, field staff were moved from other processes to cover CSC:
 - NMHSD’s CSC staffing from 2019 to 2020 has increased 179%.

Capacity of workforce: CSC Staffing

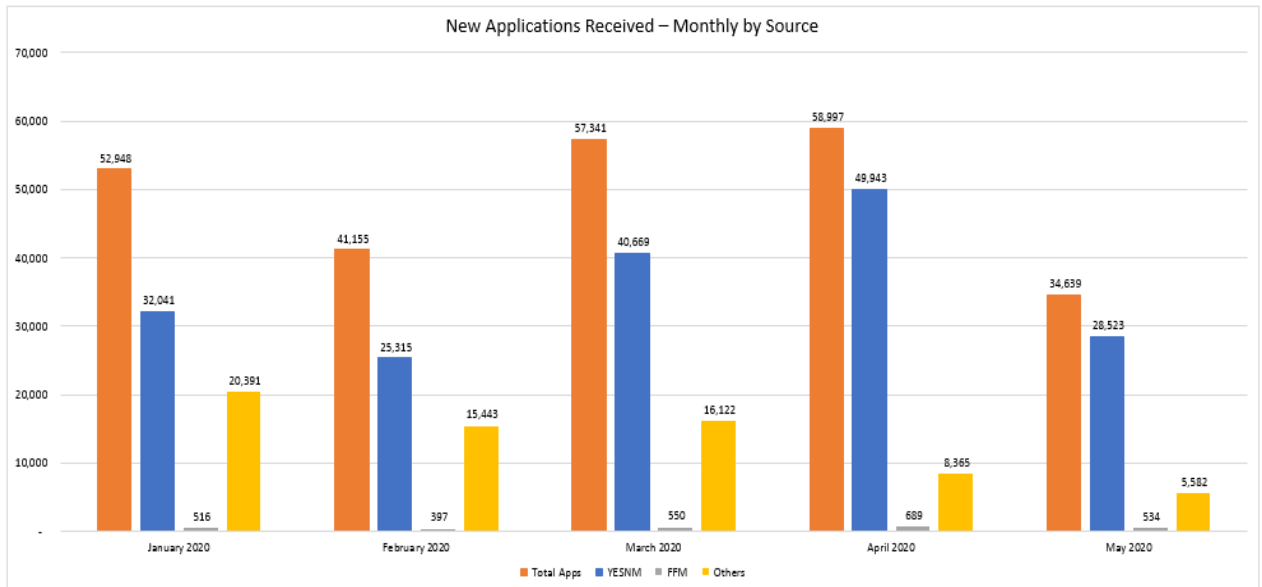
	April	May
2020	150	135
2019	51	51

Increased call volume:

	April	May
2020	88199	65660
2019	48419	51073

- The call volume increased 55% from 2019 to 2020.
- As a result of the call volume increase the CSC staff has also increased to support the influx.

Reporting Date - Jun 3rd, 2020



Tier II:

Adjustments included: Temporary Suspension of Claims Activity; Waive Fair Hearing Timeframes

To receive approval of this adjustment beyond June 2020, States would need to submit the following:

1. An emergency or disaster declaration by a State based on an outbreak of COVID-19.
2. A detailed description of the past month's operational challenges due to COVID-19, such as capacity of workforce, increased call volume, decreased application and/ or recertification processing timeliness, challenges accessing eligibility system remotely, difficulty processing paper applications, document imaging challenges, etc. In the case of the Extend SSN Good Cause Period adjustment, the State should also indicate if SSA offices are still closed or operational.

NMHS D response to #1: The emergency declaration issued by Governor Michelle Lujan-Grisham on June 1, 2020 is attached. NM will immediately forward any further declaration that extends this order.

Adjustment:

Temporary Suspension of Claims Activity

NMHS D response to #2: On April 13, 2020, the Department received approval of the Blanket Waiver *Temporary Waiver of Claims Collection Activities*. This adjustment allowed flexibility in the time frame for establishing or disposing of new claims. NMHS D is issuing emergency SNAP supplements to allow all households to receive the maximum amount of SNAP benefits. The collection of claims would negatively impact our already financially struggling customers.

Adjustment:

Waive Fair Hearing Timeframes

NMHS D response to #2: April 13, 2020, the Department received approval of the *Blanket Waiver Temporary Waiver of Time Frames for Fair Hearings*. This adjustment allowed NMHS D to use existing flexibility to conduct hearings by alternate means, such as telephone or video conference, when possible, to meet the standard required time frames. NMHS D was able to extend the fair hearings process up to 120 days from receipt of the request for fair hearings that were already in process or for which requests are received from March 1 through May 31, 2020. The time frame for sending notices confirming oral withdrawal requests were also extended up to 30 days from receipt of the request for such requests received during this same time period.

NMHS D Operation Challenges due to COVID – 19:

The Fair Hearings Bureau (FHB) has experienced the following Operational Challenges:

- Increase in time to process a case due to the FHB teleworking.
- Technical delays caused by teleworking impacts the amount of time to process a case.
- FHB staff is reduced by 66% operational rate due to the statewide hiring freeze.
- The delay in the delivery of postal mail during the past three months has caused a delay in notification to our customers; this includes notification of scheduling of hearings. Due process needs to be maintained during the current crisis and additional time guarantees that process is kept in place.
- Many of the outside entities (Legal Aid, Legal guardians) involved in the cases are also teleworking and/or experiencing technical and postal delays. The extension of the timeframe ensures “Due process”.

Tier III:

Adjustments included: Eliminate Face to Face Interview; QC Face to Face Interview

AMENDMENT 6.17.2020 adding additional adjustments:

Adjustments added: Blanket Approval issued on March 26, 2020 and extended on May 26, 2020 to extend through June 2020. The blanket approval allows NMHSD to adjust:

- SNAP regulations at 7 C.F.R. 273.2(a)(2), 273.2(e), and 273.14(b)(3) by not requiring a household to complete an interview prior to approval, provided the applicant's identity has been verified and all other mandatory verifications in 7 C.F.R. 273.2(f)(1) have been completed.
- SNAP regulations at 7 C.F.R. 273.2(e)(2)(i) by not offering a face-to-face interview or granting a request for a face-to-face interview to any household at application or recertification.
- SNAP regulations at 7 C.F.R. 273.2(i)(3)(iii) and 7 C.F.R. 273.2(i)(4)(iii)(A) and (B) by not requiring households that are eligible for expedited service to complete an interview prior to approval, provided that an applicant's identity has been identified and an attempt has been made to contact the household for an interview.

To receive approval of this adjustment beyond June 2020, States would need to submit the following:

1. An emergency or disaster declaration by a State based on an outbreak of COVID-19.
2. A declaration that offices remain closed or have limited hours/staffing capacity due to social distancing.

NMHSD response to #1: The emergency declaration issued by Governor Michelle Lujan-Grisham on June 1, 2020 is attached. NM will immediately forward any further declaration that extends this order.

NMHSD response to #2: See attached Press Release issued on March 30, 2020. NMHSD Income Support Divisions (ISD) began limited lobby hours effective April 1, 2020 for customers who do not have a cell phone or internet access. The Department implemented curbside services for the safety of our employees and our customers.

If additional information is needed, your staff may contact Gavino Archuleta, SNAP Program Manager, at 505-827-7244 or via e-mail at Gavino.Archuleta@state.nm.us.

Thank you for your assistance in processing this request.



Karmela Martinez, Division Director
New Mexico Human Services Department
Income Support Division