



April 20, 2020

Ms. Dana Platin  
SNAP Director  
Mountain Plains Regional Office  
United States Department of Agriculture  
Food and Nutrition Service  
1244 Speer Blvd. Suite 903  
Denver, CO 80204

Dear Ms. Platin:

Continuity of operations is critical especially in times of disaster. Ensuring those impacted by Covid-19 receive SNAP benefits is critical. Caseloads are increasing meaning more determinations of eligibility are being made in challenging circumstances. Quality Control must continue to ensure the accuracy of those determinations for program analysis and improvement.

When a state opts not to verify something, for example assets to save time, quality control must verify assets to ensure the integrity of the program. That is an option the state has taken. The fact that FNS has issued waivers to all states regarding interviews and verification standards to deal with the Covid-19 situation is significantly different. It is important to level the playing field when Quality Control evaluates these eligibility determinations without compromising the integrity of the process.

This request is to waive certain requirements in the Supplemental Nutrition Assistance Program Quality Control Review Handbook (310) to follow waivers authorized for the Supplemental Nutrition Assistance Program by FNS and follow the guidance issued to states by FNS in the Q & A's.

Without implementation of this waiver, the SNAP program will be unfairly measured and potentially penalized for using FNS authorized interview standards, delays authorized for households and relaxed verification standards. In addition, South Dakota's Quality Control compliant completion rate could change to incompliant. It is my opinion that both resulting consequences of not authorizing the adjustment adversely impact the integrity of SNAPQC.

Thank you for your consideration of this request. If you have any questions, please contact me [Mary.Davis@state.sd.us](mailto:Mary.Davis@state.sd.us) or at (605) 641-6985.

Sincerely,

*Mary Davis*

Mary Davis  
Quality Control Program Manager

## WAIVER REQUEST OUTLINE

1. **Waiver serial number (if request is extension):**
2. **Type of request:**  
Initial
3. **Primary regulation citation:**  
7 CFR 272.3 (c) (1)(i), 7 CFR 275.12 , Sec 2302 of FFCRA , 2200007 - Flexibility to Allow Telephone Interviews In lieu of Face-to-Face Interviews, FNS South Dakota approved SNAP waivers, FNS Covid Q & A
4. **Secondary regulation citation, if any:**
5. **State:**  
South Dakota
6. **Region:**  
MPRO
7. **Regulatory requirements:**  
Requirements for Quality Control reviews are listed in the Supplemental Nutrition Assistance Program Quality Control Review Handbook (310)
8. **Proposed alternative procedures:**  
The Quality Control review would be conducted following the standards as outlined in the 310. The deviation from the standards outlined in the 310 for completing the review without an interview and/or without the standard verifications required would be used only when all options to complete the interview and/or standard verification following the SNAP Quality Control handbook have been exhausted and documented. This waiver would apply for QC review months for April, May and June. These provisions will also apply in the future when QC reviews comparison 2 when the comparison 2 action was taken during the months of March, April and May.

### ***Completing the review without an interview***

South Dakota SNAP program has received approval from FNS in response to the Families First Coronavirus Response Act that allows the state agency to:

- Eliminate the requirement that a household complete an interview prior to approval, provided the applicant's identity has been verified and all other mandatory verifications have been completed.

All South Dakota Quality Control staff have been working remotely since March 16<sup>th</sup> and will continue to work remotely through at least May 31, 2020. The ability to use videoconferencing was restricted to the DSS offices to comply with standard requirements for videoconferencing. There are many individuals who do not have telephones, do not have a calling plan attached to their telephones, and/or only purchase minutes as they have available funds.

South Dakota Quality Control is requesting a modification/extension to FNS waiver approval which allows Quality Control the flexibility to allow telephone interviews in lieu of face-to face interviews for Quality Control. The modification would allow completion of the review without an interview when the agency completed the case without an interview and/or when the inability of Quality Control to complete the telephone interview does not compromise the outcome and integrity of the

review. Prior to completing without the interview, the Supervisor and/or Program Manager will review the case to ensure all available options to complete the interview have been exhausted. The extension to the FNS waiver would include the review month of June 2020.

***Completing the review without standard verification***

South Dakota SNAP program has received approval from FNS in response to the Families First Coronavirus Response Act that allows the state agency to:

- Adjust certification periods expiring March, April and May and periodic reports due March – May. These provisions impact QC review months for April, May and June. These provisions will also impact QC reviews that proceed to comparison 2 when the comparison 2 action was taken during the months of March, April and May.

Supplemental Nutrition Assistance Program – Questions and Answers, COVID-19, Set #1 Guidance issued by FNS in Set 1, section D & E provided guidance regarding verification of income and job loss standards which should be acceptable for Quality Control.

Prior to completing a review without standard verification, the Supervisor and/or Program Manager will review the case to ensure all available options to complete the interview and/or review utilizing likely conclusion and/or standard verification processes have been exhausted.

**9. Justification for request:**

The first cases of Covid-19 were confirmed in South Dakota on March 10th and as of April 17th, there are 1311 confirmed cases. The Governor issued executive orders on March 13th declaring a state of emergency and ordering all state employees work remotely and not report to state offices. South Dakota Quality Control staff who were in offices transitioned to remote work on March 16th and will remain working remotely until at least May 31st. On March 23rd, the Governor issued an executive order that required many businesses to suspend or modify business practices following CDC guidance that involves ten or more people to be in an enclosed space where physical separation of at least six feet is not possible and that order also continues until May 31st. This resulted in reduced hours for many businesses and/or closures until at least May 31st. Customers and Quality Control staff will face difficulties in gathering required verifications since employers, property management companies, medical providers, pharmacies and governmental agencies are impacted by illness, minimal staffing or closure.

This request is based on the Families First Coronavirus Response Act (P.L. 116-127), which allows FNS to approve adjustments that would result in a more effective and efficient administration of the program. Quality Control is a reporting system which is responsible for reviewing the accuracy of determinations made during this time and should be allowed to use the same standards FNS authorized for the SNAP program.

This request is pursuant to 7 CFR 272.3 (c) (1) , waivers that allows the Food and Nutrition Service to authorize waivers to deviate from specific regulatory provisions that can be approved for specific situations including, 7 CFR 272.3 (c) (1) (i) as the specific regulatory provision cannot be implemented due to extraordinary temporary situation. It is too early to determine whether this situation is temporary, but it is a serious and extraordinary situation which seems to require exploration of revised procedures that adjust to the reality of the impact on normal SNAP operations of an unprecedented crisis.

**10. Anticipated impact on households and State agency operations:**

The State does not anticipate that the waiver will have any negative impact on the households or State agency operations.

The waiver will allow South Dakota to maintain compliant completion rate.

The waiver will result in an equitable review of the work of the SNAP program during this crisis.

The waiver will reduce or eliminate potential penalties against SNAP customers when they may be unable to cooperate with QC reviews.

Without implementation of this adjustment/waiver, the SNAP program will be unfairly measured and potentially penalized for using FNS authorized interview standards, delays authorized for households and relaxed verification standards. In addition, the Quality Control completion rate would face a dramatic decline. Both resulting consequences of not approving the adjustment/waiver would adversely impact the integrity of SNAPQC.

**11. Caseload information, including percent, characteristics, and quality control error rate for affected portion:**

FFY 2019- South Dakota had 743 SNAP active cases selected with 27 error cases reported, with a total incorrect payment error rate of 3.85%. FFY2020 estimated sample as 722. The estimated number of cases selected for March-June is 228 cases. March cases are in process and early indications are that in less than 50% we would be unable to reach the customer and/or obtain verifications following the standards outlined in the SNAP Quality Control 310.

**12. Anticipated implementation date and time period for which waiver is needed:**

The waiver will be implemented upon approval for the review months of March, April, May, and June 2020 or until the Covid-19 situation is mitigated – whichever comes first.

**13. Proposed quality control review procedures:**

All SNAP active and negative quality control cases are 100% reviewed by the Supervisor and/or the Program Manager

**14. Signature and title of requesting official:**

Mary Davis, Quality Control Program Manager

Email: [Mary.Davis@state.sd.us](mailto:Mary.Davis@state.sd.us)

**15. Date of request: 4/20/20**