

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF ECONOMIC ASSISTANCE

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March 19, 2020

Dana Platin
Division Director
Supplemental Nutrition Assistance Program
Mountain Plains Regional Office
1244 Speer Blvd 903
Denver, CO 80204

Dear Ms. Platin,

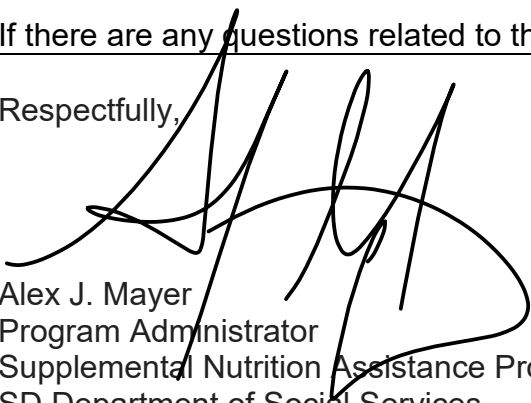
Please find the attached waiver request. The State is requesting to waive the regulation at 7 CFR 273.10(t), 7 CFR 273.10(t)(5), 7 CFR 273.12(a)(5)(iii)(B), 7 CFR 273.14(a). The COVID-19 pandemic has significantly impacted the United States and has required every state agency to do its part to maintain access to vital supports like SNAP, while too taking proactive measures to reduce further transmission of the virus. The State of South Dakota has begun implementing such provisions to reduce the proliferation of this virus amongst those in the State, most recently issuing an Executive Order closing all South Dakota Department of Social Services' (DSS) offices.

The closure of our State offices has created a unique program constraint when attempting to certify households because much of our State staff are unable to work remotely. This leaves a limited team made up of supervisors and regional managers able to complete all aspects of SNAP certifications, while also ensuring access is maintain to our other programs like TANF and Medicaid. The agency remains committed to our most vulnerable citizens. It is then of the utmost importance that the State not only continue to be able to issue benefits, but that we assure accurate and timely determination for our citizens who are in need of food assistance during this time.

Please find the enclosed waiver related to the extension of SNAP certification periods beyond the 12 and 24 month time periods.

If there are any questions related to this request, please let me know.

Respectfully,



Alex J. Mayer
Program Administrator
Supplemental Nutrition Assistance Program
SD Department of Social Services

Division of Economic Assistance

cc: Philip Fraley, FNS USDA Regional Office, SNAP Operations Branch Chief
Kari Mardyla-Goddard, FNS USDA Regional Office, Acting Operational Team Lead
Virginia Hanson, SD Department of Social Services, SNAP Program Specialist II

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Initial
3. **Statutory citation:** Food and Nutrition Act of 2008, as amended
4. **Regulatory citation:** 7 CFR 273.10(f), 7 CFR 273.10(f)(5), 7 CFR 273.12(a)(5)(iii)(B), 7 CFR 273.14(a)
5. **State:** South Dakota
6. **Region:** MPRO
7. **Regulatory requirements:**

7 CFR 273.10(f) states households must be certified for a definite period of time, not to exceed 12 months unless the household is elderly/disabled or residing on a reservation, in which certification periods cannot exceed 24 months. Regulations at 7 CFR 273.10(f)(5) specifically indicate that SNAP certification periods may not be lengthened to exceed 12 months, unless the household contains an elderly/disabled member, in which certification periods may not exceed 24 months. 7 CFR 273.12(a)(5)(iii)(B) indicates that a periodic report form must be filed by the end of month 3 for households that are subject to a 12- month certification period, or that a periodic report must be submitted by the end of month 12 for a 24-month certification period. 7 CFR 273.14(a) forbids households participating beyond the expiration of the certification period assigned.
8. **Description of alternative procedures:**

This waiver will allow for a temporary, 3-month extension of certification months beyond 12 or 24 months for all households impacted by the declared public health emergency. Additionally, any periodic report forms otherwise due within this period would be waived. Certification periods will be automatically extended by 3 months to ensure that case closures do not occur because of a client's inability to go into a DSS office or otherwise submit paperwork to recertify or meet periodic report requirements. Periodic report forms will not be issued nor required to be sent back prior to this 3-month period.

South Dakota will maintain mandatory reporting requirements that take place in between certification periods. However, households will not be required to file a 6-month report or recertification nor be subject to those additional reporting requirements.
9. **Justification for request:**

South Dakota is experiencing unique and unprecedented circumstances with the onset of COVID-19. As of 3/16/20, in SD, all DSS State offices have been closed until 3/30/20. Due to the rapid transmission of the virus, SD wants to ensure that individuals and families that are affected by COVID-19, through transmission or lifestyle impacts, are able to maintain their SNAP benefits without undue burden. SD wants to ensure barriers are reduced as much as possible to assure food access during this period of uncertainty.

South Dakota is also looking to limit the amount of individuals coming in to the local service centers, which could accelerate the spreading of this virus. By extending certification periods and waiving periodic report requirements for 3 months, SD will ensure that fewer individuals enter service centers and risk the spread of the virus. Furthermore, by waiving the periodic report and extending certification periods, SD will prioritize new applications coming in to the state agency. Many businesses and agencies are closing for an unexpected period to prevent the unnecessary spread of COVID-19. This may bring about a loss of wages that may require families to apply for SNAP when they have a limited or no other source of income. In order to ensure the timeliness of a projected influx in new applications during this time of temporary unemployment, SD is requesting to temporarily waive the 6-month report and extend certification periods in order to direct attention to initial application processing. This waiver will also prepare for administrative burdens during times where SD itself may lose a portion of the workforce due to lack of childcare or staff illness. SD wants to ensure that they are meeting application timeliness requirements and by temporarily waiving the 6-month report and automatically extending certification periods out 3 months, this provides active clients with SNAP benefits, enabling staff to focus attention on determining eligibility for any newly eligible applicants.

10. Anticipated impact on households and State agency operations:

This waiver will assure access to vital program supports are maintained so there is consistency for households. Furthermore, State agency operations will be streamlined by removing reporting and recertification requirements for this limited time, aiding in the agency's response to the COVID-19 outbreak. Finally, these measures reduce the spread of COVID-19 reducing potential instances of exposure for both customer and staff. This allows the State to have sufficient staff in local offices and maintains timely access to SNAP throughout this moment of uncertainty.

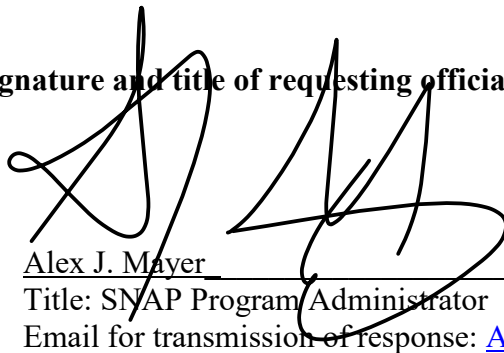
11. Anticipated implementation date and time period for which waiver is needed:

South Dakota will initiate implementation effective March 19, 2020 to July 1, 2021. The State believes this will improve the public health response to the spread of COVID-19. This will also reduce the number of staff and SNAP recipients potentially exposed to COVID-19, minimizing its spread as well as a possible workforce shortage in the State Agency. As a response to unexpected unemployment, it will also allow newly eligible households to apply and be

certified in a timely manner to assure benefits are provided quickly and efficiently.

- 12. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:** For February 2020, the South Dakota caseload included 78,006 people in 37,002 SNAP households. For the period of 10/1/19 - 12/31/19, an average of 2,733 recertifications were processed each month.
- 13. Time Period for which Waiver is needed:** We are requesting approval as soon as possible and will implement the 3-month certification extension as soon as approval is received. The effective period of this waiver will be March 19, 2020 to July 1, 2021.
- 14. Proposed Quality Control Review Procedures:** We are requesting that Quality Control be held harmless for the extension in certification procedures and waiver of the periodic report, including reporting requirements at these two touchpoints. Quality Control will still assess for mandatory reporting requirements during this period. However, SD is requesting that the state be held harmless for any untimely processing of changes reported as there may be a limited workforce and SD wants to focus on ensuring all newly eligible applicants receive priority and have access to food.
- 15. State agency submitting waiver request and State contact person:**
State Agency: State of South Dakota, Department of Social Services
State Contact: Alex Mayer, SNAP Program Administrator

- 16. Signature and title of requesting official:**



Alex J. Mayer
Title: SNAP Program Administrator
Email for transmission of response: Alex.Mayer@state.sd.us

- 17. Date of request:** March 19, 2020
- 18. State agency staff contact (name/email/telephone):**
Alex Mayer 605-773-5468
- 19. Regional office contact person (to be completed by FNS regional office):**
Philip Fraley, Philip.fraley@usda.gov, 303.844.0341