

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Initial
3. **Regulatory citation:**
 - 7 CFR 272.3 (c) (1) (i) - Waivers
 - 7 CFR 275.10 – Scope and Purpose
 - 7 CFR 273.11- Sampling
 - 7 CFR 275.12 – Review of Active cases
 - 7 CFR 275.13 – Review of Negative cases
 - 7 CFR 275.16 (b) (4) – Corrective Action Planning

4. **State:** Vermont

5. **Region:** Northeast Region

6. **Regulatory requirements:**

7 CFR 272.3 (c) (1) provides that the Food and Nutrition Service (FNS) may authorize waivers that deviate from specific regulatory provisions, such as 272.3 (c) (1) (i), approval when specific regulatory provisions cannot be implemented due to extraordinary temporary situations.

7 CFR 275.10 provides that as part of the Performance Reporting System, each state agency is responsible for conducting SNAP quality control reviews.

7 CFR 275.11 states that each state agency shall have a minimum number of cases to be selected and reviewed during each annual review period.

7 CFR 275.12 provides review procedures and requirements for active cases. Cases shall be reviewed to determine if the household is eligible and, if eligible, whether the household is receiving the correct allotment.

7 CFR 275.13 provides review procedures and requirements for negative cases. A sample of actions to deny, terminate or suspend households are reviewed to determine whether the agency's decision was correct and procedurally appropriate.

7 CFR 275.16 (b) (4) requires state agencies to implement corrective action on identified deficiencies including those that result from 5 percent or more of the State agency's caseload being coded as not complete as defined in 275.12(g)(1).

7. Proposed alternative procedures:

Vermont is requesting a waiver to exempt all March, April, May and June 2020 active cases from the Quality Control (QC) sample. As a result of eliminating four months from the annual sample selection, Vermont is requesting to reduce our positive FFY 2020 SNAP QC reviews from 659 to 457.

Due to the reduction in households that are being denied, terminated, and suspended the number of negative cases selected monthly has decreased. Vermont intends to continue to conduct QC negative case reviews, but we are requesting to reduce our FFY 2020 negative SNAP QC reviews from 430 to 261.

Vermont is also requesting to waive the 95% completion rate requirement for FFY 2020.

8. Justification for request:

The Vermont Quality Control Unit is in an extraordinary situation due to the nationwide COVID-19 pandemic and the various eligibility policy waivers that have been implemented as a result of the Families First Coronavirus Response Act. The numerous policy waivers and relaxations that have been implemented will inhibit our ability to complete QC reviews. These factors could also result in inconsistent QC review processes nationwide and in turn, directly affect the accuracy of nationwide payment error rates. In addition to the state waivers, the executive orders put into place by the Governor have created additional barriers for both QC staff and the customer's ability to complete QC reviews.

On March 13, 2020 Governor Phil Scott issued an executive order that declared a state of emergency in Vermont in response to COVID-19. Effective March 25, 2020 the Governor issued a "Stay Home, Stay Safe" order that was recently extended until May 15, 2020. As a result of the pandemic and these orders all QC staff are currently teleworking, which presents additional challenges in completing the QC review process.

Vermont Department for Children and Families (DCF) has implemented the following waivers and measures:

- Extension of certification periods by 6-months for March – May recertifications
- Waive Interim Reports for March – May
- Emergency allotments increasing benefits for March, April and May
- Waiver of interview requirement through May 31st. VT intends to resume interviews May 1st.
- Pandemic EBT benefits for households with school-aged children
- Good cause allowances for all Time-Limited customers

9. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:

The current caseload size in Vermont is 39,657, which is approximately 69,603 individuals.

All SNAP households have the potential to be selected for a QC review and are subject to be affected by this waiver.

10. Anticipated impact on households and State agency operations:

Vermont is committed to the safety of our staff and customers, reducing the burdens on customers attempting to complete QC reviews and ensuring the QC review process is consistent and in accordance with FNS 310 Handbook procedures. The proposed alternative procedures will assist Vermont in obtaining these goals.

11. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):

The alternative procedures outlined will be implemented upon waiver approval. The time period will be March through June 2020 Quality Control sample months. The waiver will be re-evaluated at the end of this period.

12. Proposed quality control review procedures:

Upon approval, Vermont will not conduct active QC reviews for March, April, May and June 2020 and will reduce the active and negative annual sample sizes.

13. Name, title, and email of requesting official:

Name: Sean Brown

Title: Deputy Commissioner, Economic Services Division

Email: Sean.Brown@vermont.gov

14. Date of request: April 24, 2020

15. State agency staff contact:

Name: Jennifer Dansereau

Title: QC/Fraud Chief

Email: Jennifer.Dansereau@vermont.gov

16. Regional Office contact person (*to be completed by FNS regional office*):