

## WAIVER REQUEST OUTLINE

1. **Waiver serial number:** *N/A*
2. **Type of request:** Initial
3. **Primary regulation citation:** Title 7 - Agriculture Subpart C - QC Reviews (275.10 Through 275.14)
4. **Secondary regulation citation, if any:** *N/A*
5. **State:** West Virginia
6. **Region:** Mid-Atlantic Region
7. **Regulatory requirements:** As part of the Performance Reporting System, each State Agency is responsible for conducting Quality Control Reviews.
8. **Proposed alternative procedures:** West Virginia, like most other states, is operating under a State of Emergency relating to the public health crisis caused by the Coronavirus. There are currently 483 residents that have tested positive and 4 deaths resulting from COVID19. Statistics show that West Virginia will see a surge of the COVID19 cases in May. Our proposal is to suspend Quality Control reviews for the remainder of FFY 2020.
9. **Justification for request:** With the expected increase in SNAP applications , social distancing policies, lack of documentation , lack of verification information, operational waivers, and the unknown factors of the pandemic, we do not believe that our Quality Control reviews will achieve the stated objectives of creating a (1) systematic method of measuring the validity of the SNAP caseload, (2) a basis for accurately determining error rates, (3) a timely continuous flow of information on which to base Corrective Action at all levels of administration, and (4) a basis for establishing a true State agency liability for errors that exceed the National Performance Measure.

**Social Distancing Policy.** The Governor for West Virginia has ordered social distancing for all non-essential business in the state through April 30<sup>th</sup>. Local county offices are using limited staff on alternating days to follow the guidelines established for social distancing. Businesses statewide have closed or reduced their workforce to a minimum. Over 90,000 new claims have been filed for unemployment benefits in the last two weeks. Quality Control staff are working from home with their laptops. They are permitted to go into the office if needed. This time is used to send letters, process mail received and attempt to complete telephone interviews (they do not have state issued phones).

**Lack of Documentation.** West Virginia has many rural areas that lack mail delivery. Many of the persons living in these areas are reliant on benefits provided by the State. Their only access to mail is for them to go to the post office. This is a problem under normal circumstances and has increased with the stay at home order during the pandemic.

**Lack of Verification.** Verification of income will be very difficult. Many clients work for small businesses or Mom and Pop shops. These businesses have closed as most are non-essential type businesses. When they do reopen, their focus will be to reestablish business and not completing paperwork that is unrelated to their operation. Some landlords are not requiring tenants to pay their monthly rent, and some are delaying payments. This will make it difficult to properly verify rental expenses if the verification forms are returned.

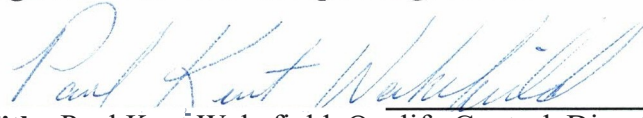
**Operational Waivers.** The state of West Virginia requested and received approval to extend certification periods for households due for a review in the months of March, April and May. They are extended until September, October and November respectfully. Based on the Quality Control procedures, the cases will remain in certification, however there will be a much greater chance that the cases will have changes that could have been reported for the reviews that will now be unreported. Although there was not a waiver received for ABAWD work requirements, the Governor's stay at home order and the closing of all non-essential businesses will create unavoidable errors in the tracking and possible good cause for failing to comply with the work requirements by no fault of the client. This will cause many cases to be found in error resulting from inaccurate information.

**Unknown Factors.** There are many unknown factors with the COVID-19 pandemic. West Virginia is expected to surge with positive test in the middle of April 2020. We have begun to see clusters of the virus in several counties of the state. The Governor has used his Executive Power to issue an order that all businesses have workers, work from home. Groups of people can be no more than 5 and the State Police are to assist local law enforcement agency's in the enforcement of the order. Although West Virginia was the last state to have persons test positive, we are at very high risk due to the number of persons who are elderly and/or disabled that make up our population.

10. **Anticipated impact on households and State agency operations:** This request will allow us to improve our public health response to the spread of the coronavirus. We will also be able to develop procedures to more accurately assess corrective actions and errors moving forward during the state of emergency.
11. **Caseload information, including percent, characteristics, and quality control error rate for affected portion:** This will include all SNAP Quality Control reviews in FFY 2020.
12. **Anticipated implementation date and time period for which waiver is needed:** This will start immediately upon approval of this waiver request and will go through the end of FFY 2020.

13. **Proposed quality control review procedures:** Quality Control reviews will begin October 1, 2020 under normal procedures.

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

A handwritten signature in blue ink that reads "Paul Kent Wakefield". The signature is written in a cursive style and is positioned above a horizontal line.

**Title:** Paul Kent Wakefield, Quality Control Director

**Email:** [Kent.p.wakefield@wv.gov](mailto:Kent.p.wakefield@wv.gov)

15. **Date of request:** April 9, 2020