

April 2, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

The purpose of this All County Welfare Directors Letter is to provide County Welfare Departments (CWDs) with guidance to temporarily implement the provisions of the following waivers to allow for timely processing of new applications as part of Coronavirus Disease 2019 (COVID-19) response efforts: a waiver of the initial application interview (if certain criteria are met), a waiver of the requirement to conduct a face-to-face interview if requested by the household, and a waiver of the recording requirement for telephonic signatures (if certain criteria are met). All waivers are effective March 27, 2020 through May 31, 2020.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

April 2, 2020

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JENNIFER HERNANDEZ, DEPUTY DIRECTOR
FAMILY ENGAGEMENT AND EMPOWERMENT DIVISION

SUBJECT: CALFRESH TEMPORARY WAIVER OF RULES TO SUPPORT
TIMELY PROCESSING OF APPLICATIONS IN RESPONSE TO
CORONAVIRUS: INITIAL INTERVIEW AND TELEPHONIC
SIGNATURE

REFERENCE: [FAMILIES FIRST CORONAVIRUS RESPONSE ACT \(HR 6201\)](#);
TITLE 7 OF THE CODE OF FEDERAL REGULATIONS (CFR)
SECTIONS [273.1](#) and [273.2](#); [ALL COUNTY INFORMATION
NOTICE \(ACIN\) I-45-11](#); [ALL COUNTY WELFARE DIRECTORS
LETTER \(March 27, 2020\)](#); MANUAL OF POLICIES AND
PROCEDURES (MPP) 63-300.5(e)

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide County Welfare Departments (CWDs) with guidance to temporarily implement the provisions of three federal waivers requested by the California Department of Social Services (CDSS) and granted by the US Department of Agriculture, Food and Nutrition Service (FNS) to support timely processing of CalFresh applications in response to Coronavirus Disease 2019 (COVID-2019):

- a waiver of the initial application interview (if certain criteria are met);
- a waiver of the requirement to conduct a face-to-face interview if requested; and
- a waiver of the recording requirement for telephonic signatures (if certain criteria are met.)

These waivers will allow additional flexibilities for CWDs to effectively and timely process new applications. All waivers are effective March 27, 2020 through May 31, 2020.

California has experienced a rapid increase in the spread of COVID-19. As the number of coronavirus cases tops 8,500 in California, extensive public health warnings have been issued statewide to reduce exposure, including orders to implement social distancing when conducting essential business, eliminate group gatherings, and to require home isolation for vulnerable populations, including all people aged 65 years of age or older. On March 19, the Governor of California issued a statewide “stay-at-home” order that is in effect until further notice. These restrictions may be in place for weeks or months to come. As a result, and for the protection of applicants and county employees, some CWDs have closed public facilities, including lobbies.

As well, many non-essential businesses have temporarily closed or reduced staffing, resulting in significant and immediate job loss across the state. The economic impacts of COVID-19 have hit hourly workers and the self-employed especially hard as working from home is not an option for many. Many workers will not continue to get paid as demand slows, businesses close, shifts are canceled, and workers are laid off. Many CalFresh recipients have lost essential earned income and many Californians, who were not previously CalFresh-eligible, are now turning to CalFresh for critical food assistance.

It is critical, given current health and safety risks facing our clients and the increased need, that CWDs process new CalFresh applications with limited in-person contact and as quickly as possible to provide CalFresh benefits and access to food to all qualifying Californians impacted by COVID-19.

CWDs are reminded that under a separate waiver granted by FNS the periodic report and recertification requirements have been waived for the months of March, April, and May 2020. CWDs should not be completing the recertification process, including the required interview, during the months of March, April, and May. A household whose March, April, or May recertification requirement is waived will be assigned a new six-month certification period and will complete the recertification process at the end of their new six-month certification period. More details regarding the periodic report and recertification waiver were provided via an [ACWDL issued on March 27, 2020](#).

CALFRESH INTERVIEWS

California is implementing two waivers related to CalFresh interview requirements. Both waivers, as detailed below, are effective March 27, 2020 through May 31, 2020. Waiver authority may be applied to any CalFresh case pending an interview at the time of the release of this letter even if the application was submitted before the release of this letter.

Waiver of Initial Certification Interview

Federal regulations at 7 CFR 273.2(a)(2) and 273.2(e) require households to complete an interview at initial certification. Under this waiver, CWDs may waive the interview requirement if the CWD has verified the identity of the applicant and has completed all mandatory verifications as detailed in 7 C.F.R. 273.2(f)(1) and Manual of Policies and Procedures (MPP) 63-300.5(e).

Per FNS guidance, households who are entitled to Expedited Service (ES) and whose identity has been verified within the three-day ES timeframe will have their initial interview waived prior to benefit issuance. Because verification requirements and policy have not changed under this waiver, the CWD must complete all mandatory verifications as detailed in 7 C.F.R. 273.2(f)(1) and MPP 63-300.5(e) that have been postponed due to the household's ES entitlement. The requirement to grant benefits within the three-day ES timeframe and postpone any missing mandatory verifications stands. If an ES entitled household, whose interview has been waived, does not provide missing mandatory verifications as requested by the CWD the household will be discontinued as per existing CalFresh policy.

For purposes of verifying the identity of the applicant, CWDs must accept any readily available documentary evidence which reasonably establishes the applicant's identity and, if documentary evidence is not readily available, may verify identity through a collateral contact. CalFresh identity verification policy has not changed under this waiver. See MPP 63-300.5(e)(3) and All County Information Notice (ACIN) I-45-11.

For purposes of completing other mandatory verifications, CWDs are reminded to proactively use electronic verification when available, including wage verification if necessary, through sources such as Work Number®. Verification requirements and verification policy has not changed under this waiver. See MPP 63-300.5(e) and ACIN I-45-11.

Given the significant job loss that has occurred as a result of COVID-19, CWDs are also reminded that verification of job loss is not a mandatory verification for CalFresh. Verification of job loss should only be requested if the job loss is questionable. Further, client statement on the application of a recent job loss is sufficient evidence that a household cannot reasonably anticipate income from that job during the certification period. This applies even if the client submits verification of income earned within 30 days of the date of the application if the income was earned before the job loss. Additional guidance regarding verification of income and how to address reports of no income and job loss will be issued via All County Letter as soon as is feasible.

If the CWD deems that any of the information provided on the application is questionable or cannot complete identity verification or other mandatory verifications, an interview will be required.

Waiver of Requirement to Conduct a Face-to-Face Interview if Requested

For those households whose interviews cannot be waived, CWDs may require the households to complete a telephone interview even if a face-to-face interview is requested by the household. The requirement that states conduct a face-to-face interview if requested by a household, per 7 CFR 273.2(e)(2)(i), has been waived. When a request for a face-to-face interview is denied, the CWD must adequately explain to the client that this request is being denied due to public health warnings that have been issued statewide to reduce exposure, including orders to implement social distancing when conducting essential business.

CALFRESH SIGNATURE

California is implementing one waiver related to CalFresh signature requirements. This waiver is effective March 27, 2020 through May 31, 2020. This waiver may only be applied at initial application when an application is submitted over the phone or when a paper application is submitted without a signature.

Federal regulations at 7 CFR 273.2(c)(7)(iii)(A), (B), and (C), require an audio recording of a telephonic signature. Under this waiver, the CWD may document in the case record that the client verbally attested to the information provided on the application. This flexibility must only be used when a telephonic or other electronic signature method is not available and when a wet signature has not been provided by the client because, for example, the CWD is completing the application over the phone. When employing this flexibility, the CWDs must document the:

- Applicant's name;
- Date and time of application;
- Summary of the information to which the applicant verbally assents; and
- Applicant's response indicating agreement or disagreement (i.e. Yes or No)

Such documentation will fulfill the requirements for a signed application for households who apply over the phone or who have submitted a paper application without a signature. Additionally, if the household submitted a paper application without a signature, then the CWD must also note on the paper application that verbal attestation of the signature was given.

The CWDs will continue to comply with all other application requirements.

CASE NARRATION

When implementing these temporary waivers, adequate case narration is essential. Case narration, including a reference to “COVID-19 waiver” will allow case reviewers to determine that all CalFresh requirements have been met under waiver authority.

QUALITY CONTROL

No special Quality Control procedures are required for cases subject to the provisions of these waivers. Cases should be reviewed using standard review procedures contained in the FSN Handbook 310.

PHONE SYSTEM REQUIREMENTS

The CWDs must ensure that their phone systems have the capacity and staffing to accurately implement the requirements of these waivers. Phone system performance including dropped calls, wait times, call completion times, and staff adequacy must be monitored and adjusted to adequately serve incoming calls.

REPORTING REQUIREMENTS

As a condition of approval, CDSS must report to FNS within 45 days of waiver expiration the outcomes of the waivers. To fulfill this reporting requirement, the CDSS will develop an electronic survey that must be completed by all counties by June 30, 2020. If waiver approval is extended the CDSS will adjust the survey due date accordingly.

The electronic survey will request the following information from CWDs for each waiver implemented:

- Estimated number of households affected by implementation of each of the waivers;
- A narrative on the effect of program access and client satisfaction, including an analysis of any client or advocate complaints received related to the implementation of the waiver;
- A narrative on the effect of providing timely and accurate benefits; and
- A narrative on the effect of the waiver implementation on any other aspects of the eligibility process including the ability to manage staff caseload growth and the impact on administrative efficiency.

All County Welfare Directors Letter
Page Six

If you have questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy Bureau at (916) 651-8047 or at CalFreshPolicy@dss.ca.gov.

Sincerely,

Original Document Signed By:

JENNIFER HERNANDEZ, Deputy Director
Family Engagement and Empowerment Division

Attachments



Food and Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

Date: March 26, 2020

RE: Supplemental Nutrition Assistance Program (SNAP) – Adjusting
Interview Requirements Due to Novel Coronavirus (COVID-19) –
Blanket Approval

Dear SNAP State agencies,

As authorized by section 2302 of the Families First Coronavirus Response Act (P.L. 116-127), FNS will allow State agencies 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.¹
- 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.

Under the authority of Section 2302(a)(2), FNS has determined these adjustments to be consistent with what is practicable under actual conditions in areas affected by the COVID-19 Public Health Emergency.

These flexibilities are available for all applications and recertifications requiring an interview through May 2020 and contingent upon a State agency's compliance with the conditions and evaluation requirements detailed in the attached enclosures, which are due 45 days after expiration (July 15, 2020).

If the State agency elects to implement any or all of these adjustments, it must make a request to its respective FNS Regional Office and identify which ones the State agency intends to use. Any State responses will be relayed to the FNS Certification Policy Branch.

¹ If State agencies have questions regarding other regulatory references to the interview requirement, please contact FNS.

All State Agency Directors

Page 2

FNS is ready to provide technical assistance to State agencies as they seek to maintain operations and serve clients during the current Public Health Emergency. If you have any questions or need additional information, please contact your respective Regional Office representative.

Sincerely,

SASHA
GERSTEN-PAAL

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Sasha Gersten-Paal
Director
Program Development Division
Supplemental Nutrition Assistance Program

Enclosures

ADJUSTMENT OF INITIAL CERTIFICATION AND RECERTIFICATION INTERVIEW RESPONSE

1. **Regulatory citation:** 7 C.F.R. 273.2(a)(2), 273.2(e), and 273.14(b)(3)²
2. **Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 C.F.R. 273.2(a)(2) requires that the application process include an interview.

Regulations at 7 C.F.R. 273.2(e) requires that the State agency interview households for eligibility before certifying.

Regulations at 7 C.F.R. 273.14(b)(3) requires that State agencies interview households as part of the recertification process

3. **Description of alternative procedures:** The State will not be required to interview a household at initial application or recertification, provided that the applicant's identity has been verified and all other mandatory verifications in 7 C.F.R. 273.2(f)(1) have been completed. The State will be required to contact the household if any information on the application is questionable and cannot be verified. The State will make every attempt to verify household circumstances through data matching and mailing or uploading verifications to the State system.
4. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) recognizes the need for adjustments due to the COVID-19 Public Health Emergency. As authorized by section 2302 of the Families First Coronavirus Response Act (P.L. 116-127), FNS' approval of this adjustment is based on the determination that the adjustment is consistent with what is practicable under actual conditions in areas affected by the COVID-19 Public Health Emergency. FNS is approving the adjustment for all applications and recertifications requiring an interview through May 31, 2020.
5. **Conditions of approval:** FNS is approving this adjustment subject to the following conditions:
 - The adjustment is limited to those households for which mandatory verifications have been completed and the applicant's identity has been verified;
 - The State agency will ensure that sufficient controls in their policy and automation are in place to implement the terms of this adjustment correctly;
 - The State agency will contact the household if information in the application that is required to be verified under 273.2(f)(1) is questionable and cannot be verified through a data match;
 - The State agency has the capacity to provide to FNS the data required for evaluation of the caseload for which the State agency has adjusted the interview requirements.

² If State agencies have questions regarding other regulatory references to the interview requirement, please contact FNS.

6. **Evaluation Data Requirements:** The State agency must provide to FNS the data and analysis listed below required for evaluation of this adjustment:

- Estimated number of households affected by this adjustment;
- A narrative on the effect of the adjustment on program access and client satisfaction, including an analysis of any client or advocate complaints received related to the adjustment procedure;
- A narrative on the effect of the adjustment on the provision of timely and accurate benefits; and
- A narrative on the effect of the adjustment on any other aspects of the eligibility process including the ability to manage staff caseload growth and the impact on administrative efficiency.

7. **Expiration date:** May 31, 2020

8. **Quality control procedures:** No special Quality Control (QC) procedures are required for cases subject to the provisions of this adjustment. Cases should be reviewed using standard review procedures contained in the FNS Handbook 310.

ADJUSTMENT OF FACE TO FACE INTERVIEW REQUIREMENTS

1. **Regulatory citation:** 7 C.F.R. 273.2(e)(2)(i)
2. **Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 C.F.R. 273.2(e)(2)(i) require that the State agency offer a face-to-face interview or grant a request for a face-to-face interview to any household at application or recertification, in lieu of a telephonic interview.
3. **Description of alternative procedures:** The State agency may require households to complete a telephonic interview during application and recertification. The State agency will use its existing interview procedures to allow clients to complete an interview by telephone. If requested, the State agency will schedule an interview to be conducted by telephone.
4. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) recognizes the need for adjustments due to the COVID-19 pandemic. As authorized by section 2302 of the Families First Coronavirus Response Act (P.L. 116-127), FNS' approval of this adjustment is based on the determination that the adjustment is consistent with what is practicable under actual conditions in areas affected by the COVID-19 Public Health Emergency. FNS is approving the adjustment for all applications and recertifications requiring an interview through May 31, 2020.
5. **Conditions of approval:** FNS is approving this adjustment contingent upon the following conditions. The State agency must:
 - Inform clients that the State agency will schedule the interview;
 - Screen all applications for expedited service and instruct households found eligible for expedited service to complete the interview within 7 days from the date of application. The State will also be required to cold call households eligible for expedited service to attempt an interview. Nothing in this adjustment approval will absolve the State from meeting the expedited service processing standards in 7 C.F.R. §273.2(i) that require benefits to be made available to eligible households by the seventh calendar day after their application;
 - Provide households with clear, written instructions for completing the interview and the date by which the household should complete the interview requirement (calendar day);
 - Provide households eligible for expedited service that do not complete their interview by the 7th day after application, a Notice of Missed Interview (NOMI);
 - Provide households not eligible for expedited service that do not complete their interview by the 10th day after application, a NOMI;
 - Repeat instructions for completing the interview in the NOMI and inform applicants of the date on which their application will be denied or benefits terminated if the interview is not completed;

- Ensure that recipient households that are sent a NOMI during recertification and are subsequently denied have until the end of their certification period to complete the interview without having to submit a new application form;
- Ensure that sufficient administrative and automation controls are in place so the terms of this adjustment are implemented efficiently. Phone system performance including dropped calls, wait times, call completion times, and staff adequacy must be monitored and adjusted to adequately serve incoming calls; and
- Ensure that the adjustment does not negatively impact program access or customer service.

6. Evaluation Data Requirements: The State agency must provide to FNS the data and analysis listed below required for evaluation of this adjustment:

- Estimated number of households affected by this adjustment;
- A narrative on the effect of the adjustment on program access and client satisfaction, including an analysis of any client or advocate complaints received related to the adjustment procedure;
- A narrative on the effect of the adjustment on the provision of timely and accurate benefits; and
- A narrative on the effect of the adjustment on any other aspects of the eligibility process including the ability to manage staff caseload growth and the impact on administrative efficiency.

7. Expiration date: May 31, 2020.

8. Quality control procedures: No special Quality Control (QC) procedures are required for cases subject to the provisions of this adjustment. Cases should be reviewed using standard review procedures contained in the FNS Handbook 310.

ADJUSTMENT OF EXPEDITED SERVICE INTERVIEW REQUIREMENTS

- 1. Regulatory citation:** 7 C.F.R. 273.2(i)(3)(iii) and 273.2(i)(4)(iii)(A) and(B)
- 2. Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 C.F.R. 273.2(i)(3)(iii) require the State agency to conduct the interview (unless the household cannot be reached) and complete the application process within the expedited service standards.

SNAP regulations at 7 C.F.R. 273.2(i)(4)(iii)(A) require that for households applying on or before the 15th of the month, the State agency may assign a one-month certification period or assign a normal certification period. Satisfaction of the verification requirements may be postponed until the second month of participation.

SNAP regulations at 7 C.F.R. 273.2(i)(4)(iii)(B) require that for households applying after the 15th of the month, the State agency may assign a 2-month certification period or a normal certification period of no more than 12 months. Verification may be postponed until the third month of participation, if necessary, to meet the expedited timeframe.

When a certification period of longer than 2 months is assigned and verification is postponed, households must be sent a notice of eligibility advising that no benefits for the third month will be issued until the postponed verification requirements are satisfied. The notice must also advise the household that if the verification process results in changes in the household's eligibility or level of benefits, the State agency will act on those changes without advance notice of adverse action.

- 3. Description of alternative procedures:** The State will postpone the interview for certain households eligible for expedited service, provided that an applicant's identity has been verified and the State agency has attempted to contact the household for an interview. This will allow the State agency to provide benefits within 7 days for those expedited service eligible households. In these cases, the interview would be treated similar to other verification and could be postponed during the initial one- or two-month period. Therefore, households that apply on or before the 15th of the month would complete the interview, provide necessary verification, and have their applications processed by the end of the month of application in order to continue receiving ongoing benefits. Households that apply after the 15th of the month would complete the interview, provide necessary verification, and have their applications processed prior to the end of the month following application in order to continue receiving ongoing benefits.
- 4. Action and reason for approval or denial:** The Food and Nutrition Service (FNS) recognizes the need for adjustments due to the COVID-19 pandemic. As authorized by section 2302 of the Families First Coronavirus Response Act (P.L. 116-127), FNS' approval of this adjustment is based on the determination that the adjustment is consistent with what is practicable under actual conditions in areas affected by the COVID-19 Public Health Emergency. FNS is approving the adjustment for all applications and recertifications requiring an interview through May 31, 2020.
- 5. Conditions of approval:** FNS is approving this adjustment subject to the following conditions:

- The adjustment is limited to those households who meet the criteria for expedited service in 7 C.F.R. 273.2(i)(1);
- The State agency will ensure that sufficient controls in their policy and automation are in place to implement the terms of this adjustment correctly;
- The State agency will make efforts to complete the required interview within the 7 day time-period and will attempt to contact applicants in order to interview them prior to postponing the interview;
- The adjustment only applies to those applicants whose identity can be verified;
- The adjustment only applies to the above households at initial application;
- The State agency will assign expedited service households subject to this adjustment the normal certification periods pursuant to the following procedural requirements:
 - For households that apply on or before the 15th of the month, the State agency may postpone the interview and any required verification through the end of the month. If the household fails to participate in an interview or to provide needed verification by the end of the month, then the case will be closed. In addition, under these adjustment procedures, households that apply on or before the 15th of the month must have the opportunity to be interviewed by the last day of the month and be allowed 10 days to provide any required verification documents that may arise from the interview. Thus, interviews should be scheduled such that households would be able to provide any required documentation in time to avoid a delay in the issuance of their second month's benefits;
 - For households that apply after the 15th of the month, the State agency may postpone the interview and any required verification no later than the month subsequent to the month of application after which the case is closed if the household fails to participate in an interview or fails to provide needed verification; and
 - The notice of eligibility must clearly advise households subject to this adjustment of the postponed interview requirement and provide a specific interview appointment. In addition, the notice must clearly advise households of the closure of their case should they not participate in the postponed interview.
- If the household does not satisfy the postponed verification requirements and does not participate in the postponed interview, the State agency is not required to contact the household again and the case would be closed. The State agency would process any subsequent application(s) from the household under normal processing standards in accordance with 7 C.F.R. 273.2(i)(4)(iv);
- Households whose identities cannot be determined by the State agency do not qualify for the adjustment and must be processed under normal SNAP application processing procedures;

- and
- The State agency has the capacity to provide to FNS the data required for evaluation of the expedited service caseload for which the interview adjustment has been made.

6. Evaluation Data Requirements

The State agency must provide to FNS the data and analysis listed below required for evaluation of this adjustment:

- Estimated number of households affected by this adjustment;
- A narrative on the effect of program access and client satisfaction, including an analysis of any client or advocate complaints received related to the adjustment procedure;
- A narrative on the effect of providing timely and accurate benefits; and
- A narrative on the effect of any other aspects of the eligibility process, including the ability to manage staff caseload growth and the impact on administrative efficiency

7. Expiration date: May 31, 2020.

8. Quality control procedures: No special Quality Control (QC) procedures are required for cases subject to the provisions of this adjustment. Cases should be reviewed using standard review procedures contained in the FNS Handbook 310.



Food and Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

March 27, 2020

Alexis Fernández
Chief, CalFresh & Nutrition Branch
California Department of Social Services
744 P Street, MS 8-17-11
Sacramento, California 95814

RE: Supplemental Nutrition Assistance Program (SNAP) – California Adjustment
Request for Recording of Telephonic Signature –Due to Novel Coronavirus
(COVID-19) Approval

Dear Ms. Fernández:

This letter transmits the approval of the California Department of Social Services (DSS) request to adjust SNAP regulations at 7 CFR 273.2(c)(7)(viii)(A), 7 CFR 273.2(c)(7)(viii)(B), and 7 CFR 273.2(e)(7)(viii)(C), which require an audio recording of a telephonic signature. Separate notification will be made for the other items that were contained within DSS' waiver request.

Under this adjustment (COV-050) the State can document in the case file that a client verbally attested to the information provided on the application. The State must document the client's name, date and time of application, a summary of the information to which the client verbally assents, and the client's responses indicating agreement or disagreement. Such documentation will fulfill the requirements for a signed application for households who submit an application over the phone or who have submitted an application without a signature.

The Food and Nutrition Service (FNS) is approving this adjustment under authorization of the Families First Coronavirus Response Act (P.L. 116-127) for a period of 3 months, effective March 1, 2020 through May 31, 2020. FNS has determined this adjustment to be consistent with what is practicable under actual conditions in areas affected by the COVID-19 Public Health Emergency.

The approval is contingent upon the State agency's compliance with the conditions and data reporting components in item 11 of Enclosure 1 and are due 45 days after expiration (July 15, 2020). The detailed waiver response is enclosed.

Please note that this approval may differ from the State's request. If you have questions or need additional information regarding this adjustment, please contact your respective Regional office representative.

COV-050

Page 2

Sincerely,

SASHA

GERSTEN-PAAL

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Sasha Gersten-Paal

Director

Program Development Division

Supplemental Nutrition Assistance Program

Enclosure

**RECORDING OF TELEPHONIC SIGNATURES ADJUSTMENT
RESPONSE**

1. **Waiver serial number:** COV-050
2. **Type of request:** Initial
3. **Regulatory citation:** 7 CFR 273.2(c)(7)(viii)(A), 7 CFR 273.2(c)(7)(viii)(B), 7 CFR 273.2(e)(7)(viii)(C)
4. **State:** California
5. **Region:** Western
6. **Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.2(c)(7)(viii)(A) require State agencies that choose the option to accept telephonic signatures to specify in their State plans of operation that they have taken the option.

Regulations at 7 CFR 273.2(c)(7)(viii)(B) require that to constitute a valid telephonic signature, the State agency's telephonic signature system must make an audio recording of the household's verbal assent and a summary of the information to which the household assents. An example of a telephonic signature is a recording of "Yes" or "No", "I agree" or "I do not agree", or otherwise clearly indicating agreement or disagreement during an interview over the telephone.

Regulations at 7 CFR 273.2(c)(7)(viii)(C) require that a telephonic signature system must provide for linkage from the audio file of the recorded verbal assent to the application so that the State agency has ready access to the household's entire case file.

7. **Description of alternative procedures:** The State will not be required to create an audio recording of the client attestation or link that recording to the client case file. The State will summarize the information to which the household assents and allow a verbal signature from the client that is documented by the State. The documentation will include a case note in the State's eligibility system to demonstrate that the client has signed the application. The information the State documents in the case file must include the client's name, date and time of application, a summary of the information to which the client verbally assents, and the client's responses indicating agreement or disagreement. If a client submits an application without a signature and the State is able to connect with the client over the phone, the State will also note on the application that verbal attestation of

the signature was given. The State is not required to amend its State Plan of Operation to indicate it is taking the telephonic signature option.

8. Action and reason for approval or denial: The Food and Nutrition Service (FNS) recognizes the need for adjustments due to the COVID-19 Public Health Emergency. As authorized by the Families First Coronavirus Response Act (P.L. 116-127), FNS' approval of this adjustment is based on the determination that the adjustment is consistent with what is practicable under actual conditions in areas affected by the COVID-19 Public Health Emergency. FNS is approving the State's request for a period of 3 months, effective March 1, 2020, through May 31, 2020.

9. Conditions and reasons: FNS is approving this adjustment subject to the following conditions:

- The adjustment is limited to those households who submit an application over the phone or who have submitted a paper application without a signature;
- Households will still be permitted to submit an application over the telephone with only name, address and signature to establish a filing date;
- The State will continue to accept paper applications with signatures and online applications with electronic signatures (if available in the State);
- The State will ensure that sufficient controls in their policy and automation are in place to implement the terms of this waiver correctly, including a sufficient number of lines to accept calls and any necessary staffing changes to accept applications through the telephone;
- The State will continue to comply with all other applicable interview and signature requirements;
- The State will not accept an application without a signature, in accordance with 7 CFR 273.2(c)(7)(i);
- The State will consult with their legal counsel to determine if this alternate approach constitutes a valid legal signature in their State; and
- The State agency has the capacity to provide to FNS the data required for evaluation of the caseload.

10. Evaluation Data Requirements

The State agency must provide to FNS the data and analysis listed below required for evaluation of this adjustment.

- Estimated number of households affected by this adjustment;
- A narrative on the effect of program access and client satisfaction, including an analysis of any client or advocate complaints received related to the adjustment procedure;
- A narrative on the effect of providing timely and accurate benefits; and

- A narrative on the effect of any other aspects of the eligibility process including the ability to manage staff caseload growth and the impact on administrative efficiency.

11. Expiration date: May 31, 2020

12. Quality control procedures: No special Quality Control (QC) procedures are required for cases subject to the provisions of this waiver. Cases should be reviewed using standard review procedures contained in the FNS Handbook 310.

13. Anticipated implementation date (*notify FNS if actual date differs*):
Upon receipt of approval.