



March 25, 2020

Star Morrison
Regional SNAP-Ed Nutritionist
SNAP
1244 Speer Blvd #903
Denver, CO 80204

Dear Ms. Morrison,

Colorado is experiencing unique and unprecedented circumstances with the onset of COVID-19. As of March 24, 2020, in CO, 912 individuals have tested positive for COVID-19. This is an exponential increase in the number of individuals who positively tested in Colorado as of March 12, 2020 which was 49. Additionally, as of March 23, 2020, the Mayor of the City and County of Denver issued a stay-at-home order for all residents and Colorado anticipates other municipalities will follow suit.

Due to this rapid progression of confirmed cases in Colorado, CDHS wants to prevent unnecessary barriers to food access during this period of uncertainty.

Because of these concerns, Colorado is requesting to waive the following regulation. This request is included in the waiver attached to this letter. The waiver request is:

- Waiver of compensation - personal services for SNAP-Ed staff included in 2 CFR 200.430

If you have any questions or need additional information, please contact Max Young at (303) 501-7058 or max.young@state.co.us.

Sincerely,

Karla Maraccini
Director
Food and Energy Assistance Division

cc: Max Young



STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Initial
3. **Regulatory citation:** 2 CFR §200.430 Compensation—personal services.
4. **State:** Colorado
5. **Region:** Mountain Plains
6. **Regulatory requirements:** 200.430 Compensation—personal services, states that services rendered by an employee should be compensated during the period of performance under the federal award. This regulation clarifies that professional activities needing special consideration, such as the allowability of compensation for activities outside of the federal award, need to be authorized by the federal awarding agency.
7. **Proposed alternative procedures:** This waiver will allow for the Colorado Department of Human Services (CDHS) to grant temporary approval to Colorado SNAP-Ed sub-recipients (also known as SNAP-Ed Implementing Agencies) and State Agency personnel to compensate salary and benefits and in-state travel to support the emergency food system. This system includes food banks, food pantries, schools, and other food assistance sites who deliver emergency meals/food.

CDHS will continue to maintain mandatory time and effort, and travel cost documentation. Agencies will track all hours worked each day and allocate them according to SNAP-Ed allowable activities and emergency food assistance support for documentation purposes as all associated costs will be charged to the SNAP-Ed federal award.

8. **Justification for request:** Colorado is experiencing unique and unprecedented circumstances with the onset of COVID-19. As of 03/24/2020, in CO, 912 individuals have tested positive for COVID-19. This is an exponential increase in the number of individuals who positively tested in Colorado as of 03/12/2020 which was 49. Additionally, as of 03/23/2020, the Mayor of the City and County of Denver issued a stay-at-home order for all residents and Colorado anticipates other municipalities will follow suit.

Due to this mandate and the rapid progression of confirmed cases, Colorado is seeing a shortage of staff and volunteers who are able to support the emergency food system. Simultaneously, Colorado SNAP-Ed canceled and/or postponed in-person classes in order to be in compliance with prevention mandates. These conditions

provide an opportunity for SNAP-Ed staff to support the emergency food system by packing, distributing and/or delivering food for food banks and many other emergency food sites. This helps to directly improve the effectiveness of programs such as The Emergency Food Assistance Program and school nutrition programs such as the School Breakfast Program.

Additionally, SNAP-Ed is able to use this time to partner more closely with emergency food sites which can help to educate the community and those partners about the availability of SNAP-Ed programming for the future.

- 9. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:** As a result of this waiver, SNAP-Ed does not predict any effect on the SNAP-Ed caseload. At this point, in-person programming has been canceled or postponed until this emergency has been lifted. SNAP-Ed salary and benefits will continue to be dedicated towards delivering nutrition education in innovative ways, such as through the use of technology, however, this will not require travel expenses or the same level of time and effort necessary to deliver in-person classes. This waiver will have a direct impact on the caseload for programs such as the Food Distribution Program and school nutrition programs. More participants will be able to be serviced through both programs helping to address any gaps in meal delivery.
- 10. Anticipated impact on households and State agency operations:** CDHS is able to put this waiver into effect immediately upon approval from the Federal Agency. This will require a quick training of the SNAP-Ed agencies and messaging to our partners who are currently providing emergency food resources. Additionally, this waiver will immediately provide time and effort for programs to deliver nutrition to those most in need. The adverse effect of not approving this waiver is continuing to have an emergency food system that has an increased demand without staff capacity to meet the need.
- 11. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):** This waiver will be implemented upon approval for the period of 60 days in an initial attempt to allow the COVID-19 health crisis to pass and Colorado will re-evaluate at 90 days to determine if an extension is needed.
- 12. Proposed quality control review procedures:** CDHS will continue requiring adequate documentation of time and effort and travel. This documentation will reflect the total activity for which the employee is compensated by the federal award and which activities they are allocated (i.e. SNAP-Ed or Food Emergency Support activities). All charges for salaries and wages, will be supported by records indicating total number of hours worked each day. Actual travel costs incurred by employees will be reimbursed. Time and effort and travel reports will be provided by the agency, reviewed and approved by CDHS with each monthly invoice received.

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

Name: Karla Maraccini

Title: FEAD Division Director

Email: karla.maraccini@state.co.us

14. Date of request: 3/24/20

15. State agency staff contact:

Name: Max Young

Title: SNAP Education and Outreach Administrator

Email: Max.Young@state.co.us

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