

REPORTING REQUIREMENTS ADJUSTMENT REQUEST

1. **Adjustment serial number:**
2. **Type of request:** Initial
3. **Regulatory citation:** 7 CFR § 273.12(a)(5)(iii)
4. **State:** District of Columbia
5. **Region:** Mid-Atlantic
6. **Regulatory requirements:** Supplemental Nutrition Assistance (SNAP) regulations at 7 CFR § 273.12(a)(5)(iii) require a periodic report in the sixth month for households assigned to simplified reporting (SR), if the certification period exceeds 6 months. Households that fail to file a complete report by the specific filing date must receive a reminder notice advising the households that it has an additional 10 days to complete the report. If a household does not respond to the reminder notice, the household's participation must be terminated, and an adequate notice of termination must be sent to the household.

SNAP regulations at 7 CFR 273.10(f)(1) require at least one contact in the twelfth month for households assigned 24-month certification periods in which all adult members are elderly or disabled.

7. **Description of alternative procedures:** The District of Columbia (District) Department of Human Services (DHS) estimates a backlog of case actions by the end of September 2020 and October 2020. As a result, DHS will not know if a household has submitted a periodic report and any required verifications or be able to record all completed interim contact¹ timely for households that DHS has not been able to process by the end of the respective months. DHS will suppress reminder and termination notices for every household whose periodic report or interim contact due in September and October has not been recorded in the DC Access System (DCAS) as having been worked by September 30 or October 31. DHS will continue benefits for these households until DHS is able to determine whether the households timely completed the periodic reporting or interim contact process, assess Agency versus household fault for any delays, and made a correct determination of ongoing eligibility and benefits levels.
8. **Justification for request:**

Pursuant to section 2302(a)(2) of the Families First Coronavirus Response Act of 2020 (Pub. L. No. 116-127), the Secretary of Agriculture is provided authority to adjust the application and reporting requirements under the Food and Nutrition Act of 2008, as amended, to be consistent with what is practicable under actual conditions in areas affected by the COVID-19 Public Health Emergency. In the District, the Mayor of the District of Columbia declared

¹ In the District, an interim contact is required by households in which all members are elderly/disabled with no earned income and assigned 24-month certification periods.

a Public Emergency and a Public Health Emergency as a result of COVID-19 through Mayor's Orders 2020-045 and 2020-046, dated March 11, 2020, respectively, and subsequent Orders extending those declarations, which are currently extended through October 9, 2020.

DHS estimates an overall workload increase of 117 percent for September and 186 percent for October. Based on staffing levels with overtime and typical return rates from customers, DHS expects an overall backlog of case actions between 13,754 – 19,406 for September and 39,941 – 27,921 for October. Combined with DHS' case action priority (initial applications, recertifications, periodic reports/interim contacts, changes), we expect between 7,743 – 10,234 periodic reports/interim contacts will not be worked by the end of September and between 18,477 - 21,484 periodic reports/interim contacts will not be worked by the end of October. DHS plans to work as hard as possible to process all case actions on time, but is cognizant that the workload will exceed capacity resulting in a backlog. This adjustment ensures customers relying on food assistance and who are eligible for ongoing benefits are not negatively impacted by DHS' backlog.

Reminder Notice

DHS' eligibility system is designed to send a reminder notice automatically, in accordance with 7 CFR § 273.12(a)(5)(iii)(E), by the 11th day of the month a periodic report is due if DHS has not registered a household's submitted periodic report. In September and October, DHS will not be able to register all submitted periodic reports by the 11th of September and October. If DHS does not suppress this notice, DHS anticipates a majority of households that have submitted their periodic report by the deadline will incorrectly receive this notice causing confusion that will result in households re-submitting their periodic reports and/or calling the DHS Call Center further increasing the overall workload and backlog.

Termination Notice

DHS' eligibility system is designed to send an adequate notice of termination automatically, in accordance with 7 CFR § 273.12(a)(5)(iii)(E), on the last day of the month a periodic report or interim contact is due if 1) DHS has not registered a household's submitted periodic report or interim contact, or 2) if DHS has registered a household's submitted periodic report or interim contact but outstanding verifications have not been processed. In September and October, DHS will not be able to register all periodic reports/interim contacts and process all submitted verifications by the last day of September and October. If DHS does not suppress this notice, DHS anticipates a majority of households that have submitted their periodic report/interim contact and associated verifications by the deadline will incorrectly receive this notice causing confusion that will result in household re-submitting their periodic reports/interim contact and/or calling the DHS Call Center further increasing the overall workload and backlog.

Ongoing Eligibility and Benefit Levels

DHS' eligibility system is designed to terminate a household's participation, in accordance with 7 CFR § 273.12(a)(5)(iii)(E), on the last day of the month a periodic report/interim contact is due if DHS has not processed the household's periodic report/interim contact. In September and October, DHS will not be able to register all submitted periodic

reports/interim contacts and process all submitted verifications by the last day of September and October. As a result, DHS will be unable to determine if these households submitted a complete periodic report/interim contact timely and can therefore not make a determination on ongoing eligibility and benefit levels in order for eligible household's to receive ongoing benefits in accordance with the household's normal issuance cycle. In addition, DHS expects that issuing a termination notice and terminating benefits under these expected conditions will result in thousands of fair hearings against DHS from eligible customers who timely submitted completed periodic reports/interim contacts further straining DHS resources.

9. Anticipate impact on households and State agency operations:

DHS anticipates this adjustment will prevent households who have submitted their periodic reports/interim contacts timely, but could not be worked timely by DHS due to workload capacity, from losing food security to which they are entitled during a pandemic. DHS anticipates that continuing benefits for these households will help ensure they are able to meet basic needs for their families.

DHS anticipates this adjustment will help mitigate duplicate submissions of periodic reports/interim contacts and increases in calls to DHS' Call Center that would further strain DHS resources.

10. Caseload information, including percent, characteristics, and quality control error rate for affected portion:

The adjustment will affect on-going SNAP customers with a periodic report or interim contact due in September and October 2020 that DHS has been unable to process.

September

- 9,058 simplified reporting households are due to submit periodic report
- 1,176 elderly or disabled households without earned income are due to complete an interim contact

October

- 10,000 simplified reporting households are estimated to be due to submit periodic report
- 1,250 elderly or disabled households without earned income are due to complete an interim contact

QC Rates

- DC's most recent Quality Control Application Processing Timeliness rate is 95.83 percent (March 2019)
- DC's FY 2019 Quality Control Payment Error Rate is 15.74 percent

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

DHS is requesting expedited approval of this request for the month of September and October 2020 contingent on both the public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act related to an outbreak of COVID-19 and the District's Public Health Emergency Declaration remaining in effect.

12. State agency submitting waiver request and State contact person:

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Economic Security Administration
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15. Signature and title of requesting official:

Name: Anthea Seymour
Title: Administrator, Economic Security Administration, Department of Human Services,
District of Columbia Government
Email for transmission of response: Anthea.seymour@dc.gov

13. Date of request:
August 24, 2020

14. State agency staff contact (name/email/telephone):

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Evidence of Specific Operational Constraints

The U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS) is requiring the District of Columbia (District) Department of Human Services (DHS) to demonstrate need for flexibilities for the month of September through data meeting at least one of the following criteria. DHS data is provided below demonstrating need for continued flexibilities for the months of September and October for each of the following four criteria.

1. 50 percent increase in anticipated recertification applications for the month(s) requested, compared to the same month(s) last year;

- a. DHS anticipates a **182** percent increase in recertification applications for the month of September compared to the same month last year
 - i. In September 2019, there were 2,784 recertification applications
 - ii. In September 2020, we expect 7,863 recertification applications
 - iii. This represents a 182 percent increase
- b. DHS anticipates a **139** percent increase in recertification applications for the month of October compared to the same month last year
 - i. In October 2019, there were 3,629 recertification applications
 - ii. In October 2020, we expect 8,677 recertification applications
 - iii. This represents a 139 percent increase

For details, please see the *Number of Certification Actions Due/Expected* chart in the District's SNAP COVID Adjustment Request and Transition Plan Summary

2. 50 percent increase in certification actions (such as recertifications or periodic reports), for the month(s) requested, compared to the same month(s) last year;

- a. DHS anticipates an overall **117** percent increase in certification actions for the month of September compared to the same month last year
 - i. In September 2019, there were 18,894 certification actions caseworkers completed
 - ii. In September 2020, we expect 40,981 certification actions for caseworkers to complete
 - iii. This represents a 117 percent increase
- b. DHS anticipates an overall **186** percent increase in certification actions for the month of October compared to the same month last year
 - i. In October 2019, there were 23,315 certification actions caseworkers completed
 - ii. In October 2020, we expect 66,692 certification actions for caseworkers to complete
 - iii. This represents a 186 percent increase

For details, please see the *Number of Certification Actions Due/Expected* chart in the District's SNAP COVID Adjustment Request and Transition Plan Summary

Evidence of Specific Operational Constraints

3. 50 percent increase in new applications in the previous three months prior to the months(s) requested, compared to the same month(s) last year; or

Applications submitted in August (the month prior to September in which DHS is requesting an adjustment) will not be known until the end of August, therefore data on the number of new applications for the three months prior to the month requested is not yet available. DHS is asking FNS to accept data on the three months preceding the month prior to the month requested, which is reported below.

- a. DHS has a **125** percent increase in applications in the previous three months preceding the month prior to the month requested compared to the same months last year.

Month	2019	2020	Percent Increase
August	3,525	TBD	TBD
July	3,135	6,621	111 percent
June	3,113	6,732	116 percent
May	3,321	8,196	147 percent
Total (-Aug)	9,569	21,549	125 percent

4. 20 percent loss in State SNAP workforce.

- a. DHS currently has a **32** percent loss in the District's SNAP workforce.
- i. DHS currently has 125 caseworkers available to process cases out of a total of 185 prior to March 2020.

SNAP COVID Adjustment Request and Transition Plan Summary

State Agency and Region:

- **State Agency:** District of Columbia (District) Department of Human Services (DHS)
- **Region:** Mid-Atlantic Region

What Adjustment(s) is the State Requesting (e.g. core verification and interview adjustment)

- Reporting Requirements Adjustment (New; September – October)
- Recertification Requirements Adjustment (New; September – October)
- COV-090: Interview Adjustment (Extension; September – October)
- COV-187: Periodic Report Flexibility for Non-Extended Recertification Cases (Extension; October)

Demonstrated Need for Extension of the Adjustment

Number of Certification Actions Due/Expected												
Certification Action	Without Adjustments				Comparison: 2019 vs 2020				With Adjustments			
	Sept 2020		Oct 2020 ⁴		Sept		Oct		Sept 2020		Oct 2020 ⁵	
	Due	Expected (73% Return Rate)	Due	Expected (73% Return Rate)	2019 Worked	% Change from 2019	2019 Worked	% Change from 2019	Due	Expected (73% Return Rate)	Due	Expected (73% Return Rate)
SNAP Recertifications	7,863	5,740	8,677	6,334	2,784	182%	3,629	139%	2,986 ¹	2,180	4,018	2,933
SNAP Periodic Reports	5,176	3,778	20,234	14,771	1,919	170%	2,505	708%	9,058 ²	6,612	14,659	10,701
SNAP Interim Contacts	1,176	858	1,250	913	795	48%	1,030	21%	1,176	859	1,250	913
TANF Recertifications	2,005	1,464	2,000	1,460	832	141%	1,041	92%	707 ³	516	707	516
Returned Verifications	13,061	10,870	21,031	16,689	2,800	366%	3,278	542%	11,914	10,033	15,268	12,482
Changes*	1,800	1,800	3,600	3,600	3,894	-54%	4,726	-24%	1,800	1,800	3,600	3,600
Initial Apps (SNAP & TANF) Est*	8,100	8,100	8,100	8,100	3,784	114%	4,557	78%	8,100	8,100	8,100	8,100
Initial Apps (Medical)*	1,800	1,800	1,800	1,800	2,086	-14%	2,549	-29%	1,800	1,800	1,800	1,800
Total	40,981	34,410	66,692	53,667	18,894	117%	23,315	186%	37,541	31,900	49,402	41,045

* Estimated from June 2020 total initial SNAP and TANF apps from PathOS

¹ Under DC's COV-187 approved adjustment, all recerts extended in March 2020 by 6 months will complete their recert in September 2020

² Under DC's COV-187 approved adjustment, all recerts normally due in Sept have been converted to Periodic Reports (PRs) and extended 6-months; this number represents normal PRs due plus those converted

³ Under DC's adjustment request, TANF cases will be treated the same as SNAP cases. TANF cases extended 6 months in March 2020 will be due to complete a recert in September; normal TANF customers due to recert in Sept 2020 will be extended 6 months (no PRs required for TANF)

⁴ Includes backlog of PRs, Verifications, and Changes from September 2020

⁵ Includes backlog of Changes from September 2020 and conversion of recerts not extended in April 2020 to PRs

Staff Shortfall and Backlog September and October 2020

Accounts for all initial apps, returned verification, changes, and recerts, periodic reports (PRs), interim contacts (ICs) due/expected in Sept and Oct with staff overtime

Shortfall and backlog are ranges: # of cert actions expected (73% return rate) - # of cert actions due

	Without Adjustments		With Adjustments	
	Sept ¹	Oct ^{2,3}	Sept ¹	Oct ^{2,3}
Staffing Shortfall %	39% - 57%	105% - 130%	30% - 47%	69% - 99%
Staffing Shortfall #	49 - 72	158 - 194	38 - 59	103 - 148
Backlog Total	13,754 - 19,406	39,941 - 48,133	11,176 - 17,510	31,022 - 43,965
Initial Apps	0	0	0	0
Recerts	0 - 1,503	5,780 - 8,204	0 - 239	0 - 767
Periodic Reports/ICs	7,743 - 10,234	18,477 - 21,484	6,250 - 10,234	18,281 - 26,143
Other	5,785 - 7,669	15,714 - 18,085	4,926 - 7,037	12,741 - 17,055

¹ Considers DC's COV-187 approved adjustment

² Considers backlog from September 2020

³ Considers an additional 25 staff

SNAP COVID Adjustment Request and Transition Plan Summary

How Does the State Plan to Transition to the New Normal

August – September 2020

Increase Capacity & Monitoring

As DHS is unable to hire additional staff due to District-wide budget restrictions, DHS is working to increase the number of caseworkers to process cases and is currently working on the following actions:

- DHS Call Center staff shift: The DHS Call Center switched to inquiry only in March 2020. As the DHS Call Center includes caseworkers, these staff will be moved from the Call Center to case processing full time. To avoid increased Call Center wait times, non-caseworkers will be shifted to the Call Center and current contract staff functions will expand (still limited to functions that do not require US Department of Agriculture (USDA) Food and Nutrition Services (FNS) approval).
- Train staff that have been shifted
 - New DHS Call Center staff will receive program, policy, system, and customer service training in order to perform DHS Call Center functions
- Acquire and provide necessary equipment to new DHS Call Center staff
- Explore the implementation of flexible schedules with extended hours to increase productivity for staff with children who will also be at home for virtual school
- DHS has authorized overtime for caseworkers to provide additional capacity
- DHS has setup daily and weekly monitor of case processing in order to make staffing adjustments

DHS anticipates that the above actions will reduce the estimated staffing shortfall in time for October certification actions but will likely not be enough to clear any backlogs on a consistent basis.

October

Increase Capacity & Monitoring

- DHS Call Center staff shift: 25 caseworkers from the DHS Call Center will switch to full-time case processing providing additional capacity
- DHS will continue to offer overtime to caseworkers, contingent on funding
- DHS will continue daily monitoring of case processing and will adjust staffing as necessary

November

At this time, DHS is unable to predict the actual conditions the District, DHS staff, and our customers will be facing beyond October. As a result, DHS cannot provide FNS a date when DHS will return to a “new normal” that does not require adjustments or waivers. DHS plans to closely monitor case processing and will adjust staffing and request modifications or extensions to any FNS approved adjustments and waivers with the goal of returning the certification process back to pre-COVID standards to the extent practicable under the actual conditions in the District.