

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Extension
3. **Regulatory citation:** 7 CFR 273.12(a)(5)
4. **Secondary regulation citation, if any:**
5. **State:** Indiana
6. **Region:** Midwest Region
7. **Regulatory requirements:** The Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.12(a)(5) requires certain reporting requirements for households while receiving benefits, including submitting an interim report in the middle of the certification period. The State must act on changes and benefits are adjusted accordingly.
8. **Proposed alternative procedures:** Indiana FSSA/Division of Family Resources is requesting to extend our waiver to suspend the requirement for Indiana to issue an interim report and for clients to complete an Interim Report through July 2020 as we continue under a public health emergency. Changes would be reported and verifications would be obtained at the next recertification subsequent to the end of the public health emergency.
9. **Justification for request:** On January 31, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern as well as Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States. The Governor of Indiana, Eric Holcomb, declared a public health emergency for the entire state of Indiana on March 6 2020, (Executive Order 20-02) to protect the well-being of the citizens of Indiana from the dangerous effects of COVID-19. Governor Holcomb has extended the state of emergency several times over the course of this pandemic (Executive Orders 20-17, 20-25 and current one 20-30 that expires on July 4, 2020). In addition to the state-declared state of emergency, on March 13, 2020, President Trump declared a national state of emergency over the COVID-19 pandemic.

Continuation of this waiver will assist in protecting the lives, safety and health of SNAP applicants and recipients as well as DFR staff due to limiting personal contact (social distancing) to further help prevent any further spread of this virus. As well, we offer the following information to support an extension of this waiver:

- It will allow our DFR county offices to begin the transition back into the local offices from being home based. This transition will occur in July.
- Due to the increase in unemployment, DFR saw an immediate increase in the number of applications for benefits. The most dramatic increase was for SNAP applications. In the month of April 2020, Indiana saw a 150% increase in SNAP applications when

compared to applications received in April 2019. For the month of May 2020, Indiana continued to see an increase in SNAP applications with a 39% increase when compared to applications received in May 2019. Lake and Marion saw the most increases in SNAP applications throughout the State.

- While dealing with the increased application volume, DFR was also dealing with some additional challenges related to COVID-19. DFR became a remote workforce with over 50% of the staff working remotely. There was a learning curve associated to this as DFR is not set up to easily access the systems remotely. Setting up remote access to continue to serve our vulnerable populations and educating staff on how to access and use their systems remotely resulted in additional down time while staff were adjusting to their new work environment. During this time we also experienced a reduction in workforce due to staff being unavailable as a result of illness, caring for a family member that was ill, and/or not having child care as all of the Indiana schools were closed for the remainder of the school year. The transition back to the local offices would be expected to encounter similar issues as was faced in the transition to being home based. Thus this waiver extension would allow us to concentrate our efforts on a successful transition back to as normal of operations as possible in the month of July 2020.

10. Anticipated impact on households and State agency operations: This waiver seeks to suspend the interim reporting requirements during the month of July 2020 while Indiana is under a public health emergency and begins the transition of local office staff back into the county offices. Additionally, this waiver will allow DFR local office staff the time to focus on the transition back to the office and continue the focus on processing new SNAP applications rather than processing interim reports and requesting/obtaining documentary or collateral contact verifications. It would also remove the potential of client's benefits terminating for failing to comply with the verification request during the emergency.

11. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable): This waiver will apply to all SNAP applicant and recipient households. Indiana's federal fiscal year (FFY) 2018 quality control error rate was 7.18%. The number of SNAP recipients as of May 2020 was 714,884 which is an increase of over 27% when compared to January 2020 recipient total which was 561,268.

12. Anticipated implementation date and time period for which waiver is needed: Immediately upon approval for the month of July 2020.

13. Proposed quality control review procedures: Cases will be reviewed in accordance with this waiver approval.

14. State agency submitting waiver request and State contact person: Indiana FSSA/Division of Family Resources. State policy contacts: David Smalley and Suzanne Tryan.

15. Signature and title of requesting official:

Adrienne M. Shields

Adrienne Shields
Director, FSSA/Division of Family Resources
Adrienne Shields@fssa.in.gov

- 16. Date of request:** June 12, 2020
- 17. State agency staff contact (name/email/telephone):** David Smalley, David.Smalley@fssa.in.gov,
(317) 232-2010
- 18. Regional office contact person:** Jenie Farinas, Jenie.Farinas@usda.gov

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Extension
3. **Regulatory citation:** 7 CFR 273.10(f)(1),(3) and (5)
4. **Secondary regulation citation, if any:**
5. **State:** Indiana
6. **Region:** Midwest Region
7. **Regulatory requirements:** The Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.10(f)(3) provide that the State agency must certify each eligible household for a definite period of time. State agencies must assign the longest certification period possible based on the predictability of the household's circumstances. The first month of the certification period will be the first month for which the household is eligible to participate. The certification period cannot exceed 12 months except to accommodate a household's transitional benefit period. Federal rule 7 CFR 273.10(f)(1) provides that a State agency may certify for up to 24 months households in which all adult members are elderly or disabled. Additionally, 7 CFR 273.(f)(5) provides State agencies the ability to lengthen a household's current certification period once it is established, as long as the total months of the certification period do not exceed 24 months for households in which all adult members are elderly or disabled, or 12 months for other households. If the State agency extends a household's certification period, it must advise the household of the new certification ending date with a notice containing the same information as the notice of eligibility set forth in paragraph (g)(1)(i)(A) of this section.
8. **Proposed alternative procedures:** Indiana FSSA/Division of Family Resources (DFR) is requesting an extension of this waiver of the regulatory requirement and is proposing to extend all certification periods by an additional twelve (12) months for recertifications that become due during July 2020 while Indiana is under a state of emergency due to COVID-19. Additionally, the waiver would not require Indiana to send a notice to households regarding the extended certification period. Rather, Indiana would not send the notice of expiration until it would be due under the extended certification period.
9. **Justification for request:** On January 31, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern as well as Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States. The Governor of Indiana, Eric Holcomb, declared a state of emergency of the entire state of Indiana on March 6, 2020, (Executive Order 20-02) to protect the well-being of the citizens of Indiana from the dangerous effects of COVID-19. Governor Holcomb has extended the state of emergency several times over the course of this pandemic (Executive Orders 20-17, 20-25 and current one 20-30 that expires on July 4, 2020). In addition to the state-declared state of

emergency, on March 13, 2020, President Trump declared a national state of emergency over the COVID-19 pandemic.

Continuation of this waiver will assist in protecting the lives, safety and health of the citizens of Indiana due to limiting personal contact (social distancing) to further help prevent the rapid spread of this virus. As well, we offer the following information to support an extension of this waiver:

- It will allow our DFR county offices to begin the transition back into the local offices from being home based. This transition will occur in early July.
- Due to the increase in unemployment, DFR saw an immediate increase in the number of applications for benefits. The most dramatic increase was for SNAP applications. In the month of April 2020, Indiana saw a 150% increase in SNAP applications when compared to applications received in April 2019. For the month of May 2020, Indiana continued to see an increase in SNAP applications with a 39% increase when compared to applications received in May 2019. Lake and Marion saw the most increases in SNAP applications throughout the State.
- While dealing with the increased application volume, DFR was also dealing with some additional challenges related to COVID-19. DFR became a remote workforce with over 50% of the staff working remotely. There was a learning curve associated to this as DFR is not set up to easily access the systems remotely. Setting up remote access to continue to serve our vulnerable populations and educating staff on how to access and use their systems remotely resulted additional down time while staff were adjusting to their new work environment. During this time we also experienced a reduction in workforce due to staff being unavailable as a result of illness, caring for a family member that was ill, and/or not having child care as all of the Indiana schools were closed for the remainder of the school year.
- At least one more month of minimizing the number of cases that have to be “worked” in order for individuals to maintain SNAP benefits is crucial in attempting to keep up with the demand.

We are requesting a full year extension for all recertifications because only extending recertifications to the month after the state of emergency ends will overwhelm the county offices and make the recovery from this pandemic continue over a longer period of time.

- 10. Anticipated impact on households and State agency operations:** This waiver will allow currently certified households that become due for a recertification during the state of emergency to continue to receive SNAP for an additional 12 months without the need to redetermine eligibility. This will help prevent exposure of our customers, as well as state employees, to COVID-19. Additionally, this will allow county offices to focus only on new SNAP applications as they continue to be received.
- 11. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):** This waiver will apply to all SNAP applicant and recipient households. Indiana’s federal fiscal year (FFY) 2018 quality control error rate was 7.18%. The number of SNAP recipients as of May 2020 was 714,884 which is an increase of over 27% when compared to January 2020 recipient total which was 561,268.

- 12. Anticipated implementation date and time period for which waiver is needed:**
Immediately upon approval for the month of July 2020 during which Indiana continues under a state of emergency due to COVID-19.
- 13. Proposed quality control review procedures:** Cases will be reviewed in accordance with this waiver approval.
- 14. State agency submitting waiver request and State contact person:** Indiana FSSA/Division of Family Resources.
- 15. Signature and title of requesting official:**



Adrienne Shields
Director, Division of Family Resources
Adrienne.Shields@fssa.in.gov

- 16. Date of request:** June 12, 2020
- 17. State agency staff contact (name/email/telephone):** David Smalley, David.Smalley@fssa.in.gov, (317) 232-2010
- 18. FNS Regional office contact person:** Jenie Farinas, Jenie.Farinas@usda.gov

STATE OF INDIANA

EXECUTIVE DEPARTMENT INDIANAPOLIS

EXECUTIVE ORDER 20-30

FOR: RENEWAL OF PUBLIC HEALTH EMERGENCY DECLARATION FOR THE COVID-19 OUTBREAK

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on March 6, 2020, I issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and a confirmed report that the disease had spread to the State of Indiana;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic, and, on March 13, 2020, the President of the United States declared a national emergency with respect to this dangerous virus;

WHEREAS, Ind. Code § 10-14-3-12(a) provides that a state of disaster emergency shall continue until the Governor: (1) determines that the threat or danger has passed or that the disaster has been dealt with to the extent that emergency conditions no longer exist; and (2) terminates the state of disaster emergency by executive order or proclamation;

WHEREAS, Ind. Code § 10-14-3-12(a) also provides that a state of disaster emergency may not continue for longer than thirty (30) days unless the state of disaster emergency is renewed by the Governor;

WHEREAS, on April 3, 2020, I issued Executive Order 20-17, which, effective April 5, 2020, renewed the state of disaster emergency for an additional thirty (30) day period beyond its original expiration date;

WHEREAS, on May 1, 2020, I issued Executive Order 20-25, which, effective May 5, 2020, renewed the state of disaster emergency for an additional thirty (30) day period beyond the renewed expiration date;

WHEREAS, as of the date of this Executive Order, the virus has now spread to every county throughout Indiana with over 35,000 confirmed cases and 2,022 deaths;

WHEREAS, despite significant steps being taken in our State, the virus remains a threat to the health, safety and welfare of all residents of Indiana such that the emergency conditions continue to exist, and further efforts are needed to address, control and reduce the threat posed by COVID-19; and

WHEREAS, in light of the above, it is necessary and proper to take further action to protect the health, safety and welfare of all Hoosiers in connection with COVID-19 and, specifically, to renew the state of disaster emergency;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby order that:

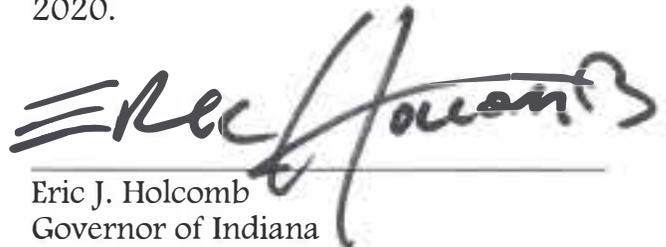
1. The declaration of a public health disaster emergency set forth in Executive Order 20-02 (dated March 6, 2020), and renewed in Executive Orders 20-17 (effective April 5, 2020) and 20-25 (effective May 5, 2020), is hereby renewed for an additional thirty (30) day period beyond its current expiration date of June 4, 2020. This public health disaster emergency declaration shall now expire on July 4, 2020, unless further renewed.

2. This renewal of Executive Orders 20-02, 20-17, and 20-25 shall become effective on June 4, 2020.
3. All other Executive Orders issued since March 6, 2020, which provide they are supplements to Executive Order 20-02, or state they will continue for the duration of the public health emergency, are hereby renewed for the same 30-day period as provided in Paragraph 1 of this Executive Order, except to the extent those Executive Orders or any provision therein have been superseded or specifically provide they expire at a date prior to July 4, 2020. The above-referenced Executive Orders are numbered 20-03 through 20-29.

IT IS SO ORDERED.



IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 3RD day of June, 2020.


Eric J. Holcomb
Governor of Indiana


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ATTEST: Connie Lawson
Secretary of State