



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ROBERT GORDON
DIRECTOR

Jenie Farinas
Program Specialist
Program Operations Branch
SNAP – Midwest Region
Food & Nutrition Service
United States Department of Agriculture

Dear Ms. Farinas,

In these unprecedented times, it is imperative to ensure processes and procedures are collaborative in nature, flexible, and responsive while ensuring program guidance and any executive orders are being followed. The waiver will allow the Michigan Department of Health and Human Services (MDHHS) to grant temporary approval to SNAP-Ed State Implementing Agencies (SIA) and Local Implementing Agencies (LIAs) to compensate salary, benefits, in-state travel, and reasonable and necessary supplies (not including food except for food demonstrations) to support food distribution and offer social/emotional wellbeing content and mindfulness strategies alongside nutrition education, as well as provide community gardening support and promote physical activity with limited nutrition education.

Please find attached Michigan's waiver request of:

2 CFR §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 need to be authorized by the federal awarding agency.

7 CFR §272.2 (d)(2)(vii)(B) SNAP-Ed services are “a combination of educational strategies, accompanied by supporting policy, systems, and environmental interventions, demonstrated to facilitate adoption of food and physical activity choices and other nutrition-related behaviors conducive to the health and well-being of SNAP participants and low income individuals eligible to receive benefits under SNAP or other means tested programs and individuals residing in communities with a significant low income population.”

After seeing examples from other States, we questioned if we should also be including the below regulations as well.

- 2 CFR § 200.405(c): Any cost allocable to a particular Federal award under the principles provided for in this part may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.
- 2 CFR § 200.405(d): Direct cost allocation principles. If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then, notwithstanding paragraph (c) of this section, the costs may be allocated or transferred to benefitted projects on any reasonable documented basis.
- 7 CFR 272.3(c): upon request of the State agency, the Food and Nutrition Service (FNS) may waive the requirement that SNAP-Ed staff not serve meals or perform food service duties.

If you require additional information, please contact me at (517) 243-5560 or sweeneyd1@michigan.gov.

Sincerely,
Dawn M. Sweeney

Dawn M. Sweeney
Field Operations Administration

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** N/A
2. **Type of request:** Initial
3. **Regulatory citation:** 2 CFR §200.430; 7 CFR §272.2 (d)(2)(vii)(B)
4. **State:** Michigan
5. **Region:** Midwest
6. **Regulatory requirements:**

2 CFR §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 need to be authorized by the federal awarding agency.

7 CFR §272.2 (d)(2)(vii)(B) SNAP-Ed services are “a combination of educational strategies, accompanied by supporting policy, systems, and environmental interventions, demonstrated to facilitate adoption of food and physical activity choices and other nutrition-related behaviors conducive to the health and well-being of SNAP participants and low income individuals eligible to receive benefits under SNAP or other means tested programs and individuals residing in communities with a significant low income population.”

7. **Proposed alternative procedures:** In these unprecedented times, it is imperative to ensure processes and procedures are collaborative in nature, flexible, and responsive while ensuring program guidance and any executive orders are being followed. The waiver will allow the Michigan Department of Health and Human Services (MDHHS) to grant temporary approval to SNAP-Ed State Implementing Agencies (SIA) and Local Implementing Agencies (LIAs) to compensate salary, benefits, in-state travel, and reasonable and necessary supplies (not including food except for food demonstrations) to support food distribution and offer social/emotional wellbeing content and mindfulness strategies alongside nutrition education, as well as provide community gardening support and promote physical activity with limited nutrition education.

Expand 2 CFR §200.430 to allow for SNAP-Ed staff to be compensated for activities outside of the federal award, such as food distribution. Allow flexibility in 7 CFR §272.2 (d)(2)(vii)(B) to broaden the definition of SNAP-Ed services to include food distribution, social/emotional wellbeing topics, mindfulness strategies alongside nutrition education activities, and the promotion of physical activity, including non-traditional outdoor recreation activities with limited nutrition education.

SIA and LIA will partner with food access organizations to pack, move, and deliver food as well as provide nutrition education materials and promote virtual learning opportunities alongside food distribution. They will also use social media and other digital platforms to promote physical activity and explore delivering social/emotional wellbeing content and mindfulness strategies where relevant. SNAP-Ed staff will play a role in creating and maintaining community gardens so that when face-to-face interaction is again possible, there will be gardens for experiential nutrition education.

The established monitoring processes already being used by the SA and two SIAs will be adapted to include activities resulting from expanding the definition of SNAP-Ed services. All activities would be pre-approved by the SIA with consultation with the SA and FNS, if indicated. Substantive adjustments to state plans would be submitted as plan amendments to FNS.

8. Justification for request:

Per Governor Whitmer's Executive Order 2020-21(COVID-19) on March 24, 2020, Michigan residents are required to shelter in place and suspend activities deemed not necessary to sustain or protect life in order to dampen the spread of COVID-19. These temporary restrictions have caused a disruption in typical SNAP-Ed programming that relies on face-to-face interactions with participants. In addition, Governor Whitmer issued Executive Order 2020-35 (COVID-19) on April 2, 2020 that suspended in-person K-12 instruction for the remainder of the 2019-2020 school year. While efforts to deliver programming content virtually have been fast-tracked, SNAP-Ed implementers, who are already embedded in the communities they serve, have an opportunity to respond to and be engaged in meeting expanded community needs due to COVID-19.

Allowing for limited support to local food access efforts delivered alongside relevant SNAP-Ed delivery strategies would allow much needed flexibility for SNAP-Ed providers to follow guidance for delivery of SNAP-Ed while helping to abate hunger by working aside food distribution efforts. The Michigan Community Service Commission is working with the Food Bank Council of Michigan and its seven partner food banks, which are in critical need of essential volunteers to support the distribution of food during the COVID-19 pandemic. Further demonstrating a gap in capacity, Governor Whitmer announced on March 30, 2020 that Michigan National Guard members would help to staff food banks in four communities.

Executive Order 2020-21 (COVID-19) states that critical infrastructure workers [and volunteers] include those that provide food to economically disadvantaged or otherwise needy individuals and that those worker or volunteers may leave their home or place of residence, and travel as necessary to provide that service. SNAP-Ed providers are requesting to be able to expand the scope of SNAP-Ed to provide expanded services and be well-positioned to help with local food access needs

because they are already working with food access organizations to connect people to food resources. These services would be determined at the local level in order to provide relevant, necessary services based on community need and capacity.

During a time of crisis, it is imperative to overall health that the social and emotional needs of people kept are at the forefront. The COVID-19 pandemic has diminished social connectedness because of sheltering in place and increased stress and anxiety for children and families. Offering instruction about mindfulness strategies to help SNAP-Ed participants cope with stress could help them build simple strategies into their daily routines that will support positive health behaviors. Expanding the definition of SNAP-Ed services to include social/emotional wellbeing topics as well as mindfulness strategies alongside nutrition education would allow SNAP-Ed providers to consider and respond to the wide range of needs residents are currently experiencing.

Regular participation in moderate to vigorous physical activity has been shown to decrease tension, enhance mood, elevate self-esteem, and improve sleep. Executive Order 2020-21 (COVID-19) closed non-essential places, including those for physical activity such as gyms and recreation centers. These closures, coupled with families sheltering in place, have caused many Michiganders to seek non-traditional indoor and outdoor recreation activities that require little or no specialized equipment, group interaction, or can be done in a small living area. SNAP-Ed providers already promote physical activity, but within the context of nutrition education. Broadening the definition of SNAP-Ed services to include physical activity promotion not linked to nutrition education will allow SNAP-Ed providers flexibility to better meet the needs of families who are looking for ways to engage in physical activity within the constraints stipulated in the Executive Order.

Many local SNAP-Ed programs include policy, systems, and environmental change work related to gardens and offer garden-based direct education during the summer and fall. During the COVID-19 pandemic, expanding the ability of SNAP-Ed staff to allocate time to leading the creation of new gardens and/or maintain existing gardens will help ensure that there are gardens in place when SNAP-Ed programming can be reestablished when shelter in place restrictions are lifted. In addition, allowing SNAP-Ed funds to be used to purchase garden supplies not currently allowable (e.g., seed starter kits) and that are typically supplied by community partners will support the creation and maintenance of gardens.

Allowing SNAP-Ed staff to assist in meeting local food access needs, support food distribution and offer social/emotional wellbeing content and mindfulness strategies alongside nutrition education, as well as provide community gardening support and promote physical activity without the context of nutrition education will bring necessary resources to communities and also help retain existing local SNAP-Ed staff, provide continuity of services, and diminish longer-term training costs related to the need to hire new staff.

9. Caseload information, including percent of caseload and description of population expected to be affected by this waiver:

While caseload information is not directly applicable, Michigan SNAP-Ed reached over 7.7m people in Fiscal Year 2019.

2019 Reach by Type of Programming

Direct Education	323,433
Policy, Systems, Environmental change strategies & Indirect Channels	1,043,546
Social Marketing	4,080,484
Total	7,738,326

The primary audience for SNAP-Ed is residents eligible for SNAP. Nearly one in seven Michigan residents currently receive SNAP. About one quarter (26%) of Michigan SNAP households receive Social Security Income. Almost 62% of Michigan SNAP participants are in families with children; 34% are in families with members who are elderly or have disabilities; and 46% are in working families (Center on Budget and Policy Priorities, 2018). SNAP recipients are primarily white (62%); however, African American and Hispanic residents are disproportionately more likely to receive benefits.

Over 75% of SNAP participants and households are concentrated in 14 of Michigan’s 83 counties, making these priority counties for SNAP-Ed activities (Michigan Department of Health and Human Services, 2019). In Fiscal Year 2019, programming was delivered in all of Michigan’s 83 counties in 4,286 sites, including schools, community centers, worksites, faith organizations, farmers markets, grocery and corner stores, community gardens, health care, and emergency food distribution sites. SNAP-Ed operates in 40% of the 288 census tracts in identified Opportunity Zones. This demonstrates that SNAP-Ed communities are low-resource and might disproportionately be impacted by the COVID-19 pandemic.

10. Anticipated impact on households and State agency operations:

Fiscal Year 2019 SNAP-Ed programming in Michigan included 2,242 principal partners from: public health, health care, education, agriculture, tribal, food systems, community service, and food assistance. These existing relationships throughout the state position SNAP-Ed staff to further support low-income populations experiencing heightened vulnerability during the COVID-19 pandemic.

The COVID-19 pandemic is causing businesses to temporarily (or permanently) close and lay off employees. According to a Department of Labor News Release, unemployment insurance weekly claims increased in Michigan from 5,338 the week ending March 14th to 311,086 for the week ending March 28, 2020 (https://oui.doleta.gov/unemploy/claims_arch.asp). Nationally, unemployment rates are reaching record highs, which could increase how many Michigan residents meet SNAP eligibility and respectively increase the SNAP-Ed primary audience. This new

surge of people will include many who are facing food insecurity, possibly for the first time. The expanded services described in this waiver would allow SNAP-Ed staff to support people unfamiliar with food insecurity to access food during the COVID-19 pandemic.

In addition to a growing number of Michigan residents experiencing joblessness and food insecurity, the COVID-19 crisis is creating stress with disruptions to routines and concerns for the health and well-being of self and loved ones. A Michigan COVID-19 survey project is reporting that respondents are *very* or *extremely concerned* about: a family member contracting COVID-19 (71%); they personally will contract COVID-19 (49%); and personal financial security (37%) (<https://altarum.org/covid/results>, accessed on 4/3/20).

This waiver will allow SNAP-Ed staff to positively impact Michigan residents by helping address the foundational human need of access to food. This is the most urgent demand and the way SNAP-Ed can best support vulnerable communities. Building on that foundational support, the core efforts described in section eight will allow staff to help people build healthy habits to lessen the emotional and psychological stress of COVID-19. Long-term, SNAP-Ed programs will benefit from deepened relationships and the trust building that will occur between staff and communities by being present and engaged during this time of crisis.

11. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):
April 1 to September 30, 2020

12. Proposed quality control review procedures:

The SA and the SIAs will continue requiring sound documentation of time and effort, travel, and program expenses. This documentation will reflect the total activity for which the employee is compensated by the federal award and which activities they are allocated. All expenses for compensation will be supported by records indicating total number of hours worked each day and kept on file. Actual travel costs and allowable program expense incurred will be reimbursed. All expenses for reimbursement will be reviewed and approved by the SIAs before being included on the monthly FSR to the SA.

Nationally, COVID-19 has precipitated modified or new approaches to SNAP-Ed programming, much like Michigan's SNAP-Ed response during the Flint, Michigan water crisis. To tell the story of Michigan SNAP-Ed in the time of COVID-19, both SIAs will continue to use their online data collection systems to collect, compile, and synthesize program outcomes for reporting. Furthermore, process evaluation methods are more important than ever to document SNAP-Ed program modifications, understand how these are being implemented at the local level, and highlight how SNAP-Ed is continuing to have a positive impact.

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

Name: Dawn M. Sweeney

Title: SNAP State Administrator

Email: Sweeney1@michigan.gov

14. Date of request: April 3, 2020

15. State agency staff contact:

Name: Jeff Anders

Title: SNAP Education Grant Specialist

Email: Andersj2@michigan.gov

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