

## STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Initial
3. **Regulatory citation:** 7 CFR 273.16 (e)(2)(iv) Disqualification Hearings
4. **State:** North Carolina
5. **Region:** SERO
6. **Regulatory requirements:**

According to 273.16 (e)(2)(iv) Disqualification for intentional program violations, “within 90 days of the date, the household member is notified in writing that a State or local hearing initiated by the State agency has been scheduled, the State agency shall conduct the hearing, arrive at a decision and notify the household member and local agency of the decision. The household member or representative is entitled to a postponement of the scheduled hearing, provided that the request for postponement is made at least 10 days in advance of the date of the scheduled hearing. However, the hearing shall not be postponed for more than a total of 30 days and the State agency may limit the number of postponements to one. If the hearing is postponed, the above time limits shall be extended for as many days as the hearing is postponed.”
7. **Proposed alternative procedures:** North Carolina requesting a waiver to suspend all adjudication timeframes associated with Administrative Disqualification hearings. This will allow a temporary waiver to deviate from specific regulatory provisions when they cannot be implemented due to extraordinary temporary situations such as COVID-19 Public Health Emergency.
8. **Justification for request:** North Carolina’s request to suspend adjudication will allow the State flexibility to adjust hearings to allow for continued practicing of social distancing due to COVID-19 by conducting hearings telephonically and allow flexibility with the timeframes.
9. **Caseload information, including percent of caseload and description of population expected to be affected by this waiver:** NC currently has 677,697 FNS households. Approximately .02% of FNS households request hearings.
10. **Anticipated impact on households and State agency operations:** Allowing flexibility provides the State time to focus on ensuring the population of impacted cases are scheduled timely with proper notice and accommodation, as needed, for the SNAP recipients involved in the hearings.

- 11. Anticipated implementation date and time period for which waiver is needed (please indicate if the waiver approval is needed to make system adjustments):**  
July 1 – July 31, 2020
- 12. Proposed quality control review procedures:** The proposal does not affect quality control sampling or procedures.
- 13. Name, title, and email of requesting official:**

A handwritten signature in blue ink that reads "David Locklear".

**David Locklear**  
**Deputy Director of Economic and Family Services**  
**David.locklear@dhhs.nc.gov**

- 14. Date of request: June 18, 2020**
- 15. State agency staff contact:**  
**Jerquitta Hicks-Smallwood**  
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- 16. Regional Office contact person (to be completed by FNS regional office):**