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March 24, 2020

Dana Platin
Regional Division Director
USDA – Food & Nutrition Services
1244 Speer Boulevard
Denver, CO 80204

Dear Ms. Platin:

North Dakota is requesting to waive the following regulations in response to COVID-19. The requests will prevent negative impacts to SNAP households during this crisis period.

- Regulatory citation 7 CFR 273-13. This request will put a hold on all adverse actions on cases during the COVID-19 crisis period. These cases will be reviewed at 90 days or after the crisis has ended. Deceased cases will continue to be closed.
- Regulation citation 7 CFR 273.5(a). This request will waive work requirements for students enrolled at least half-time in an institute of higher education and allow students to be eligible for SNAP without having to meet an exemption in 7 CFR 273.5(b).

North Dakota is requesting that these waivers remain in place until the COVID-19 crisis is over, with review at 90 days.

If you have any questions, please contact Deb Kramer at (701) 328-3272 or by email at debkramer@nd.gov.

Sincerely,



Michele Gee
Director of Economic Assistance

cc: Phil Fraley
Samantha O'Brien
Deb Kramer
JoAnna Lonski

ECONOMIC ASSISTANCE DIVISION

600 E Boulevard Ave Dept 325 | Bismarck ND 58505-0250

701.328.2332 | Fax 701.328.1060 | 800.755.2716 | 711 (TTY) | www.nd.gov/dhs

STATE WAIVER REQUEST

1. Waiver Serial Number (if applicable):

2. Type of request:

Initial

3. Regulatory citation:

7 CFR 273.5(a)

4. State:

North Dakota

5. Region:

Mountain Plains Region

6. Regulatory requirements:

Regulation at 7 CFR 273.5(a) states that an individual who is enrolled at least half-time in an institution of higher education shall be ineligible to participate in SNAP unless the individual qualifies for one of the exemptions contained in paragraph (b) of this section.

7. Proposed alternative procedures:

North Dakota is requesting a waiver be granted to waive regulations at 7 CFR 273.5(a) to allow students who are enrolled at least half-time in an institute of higher education to be eligible to participate in SNAP without being required to meet one of the exemptions in regulation at 7 CFR 273.5(b).

8. Justification for request:

This request is justified pursuant to 7 CFR 272.3(c)(1)(ii) which permits FNS to authorize waivers that result in a more effective and efficient administration of the program. As a result of the COVID-19 pandemic, many businesses, employers and schools are closed. This makes it virtually impossible to verify if the student is enrolled in an institute of higher education, if the student is approved to participate in a work study program, or if the student is assigned to or placed in an institute of higher education through or in compliance with one of the programs identified in paragraphs 2 CFR 273.5(b)(11)(i) through 273.5(b)(11)(iv). In addition, with many

businesses closed, it is nearly impossible for a student to be employed a minimum of 20 hours per week.

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

North Dakota currently has 22,910 active SNAP households with 47,740 individuals. NDDHS cannot quantify the percentage of recipients that this waiver might impact. The waiver will be applied statewide.

10. Anticipated impact on households and State agency operations:

The waiver will allow students enrolled in an institute of higher education to be eligible for SNAP without the requirement to meet an exemption in 7 CFR 273.5(b) or for the agency to verify the student meets one of these exemptions.

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

Will be implemented upon waiver approval for the period of 90 days or until COVID-19 health crisis has passed. Waiver will be re-evaluated at 90 days.

12. Proposed quality control review procedures:

No special QC procedures are required for cases subject to the provisions of the waiver

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

Name: Michele Gee

Title: Director of Economic Assistance

Email: mgee@nd.gov

14. Date of request: 3/25/2020

15. State agency staff contact:

Name: Deb Kramer

Title: SNAP Program Administrator

Email: debkramer@nd.gov

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

Philip Fraley, Philip.fraley@usda.gov, 303.844.0341