

WAIVER REQUEST - NEW JERSEY

1. **TYPE OF REQUEST:** Initial
2. **REGULATION CITATION:** 7 CFR 273.5(a) and (b)
3. **STATE:** New Jersey
4. **REGION:** Mid-Atlantic Region
5. **REGULATORY REQUIREMENTS:**

In accordance with 7 CFR 273.5(a) indicates that students enrolled at least half-time at an institution of higher education are ineligible for SNAP unless they meet an exemption.

In accordance with 7 CFR 273.5(b) provides exemptions for students who are of a certain age, are physically/mentally unfit, are in receipt of TANF, are participating in a JOBS program from SSA – Title IV, are working for a minimum of 20 hours/week, are participating in federal/state work study, are participating in an OJT, are responsible for the care of household member under 6 y/o, are a single parent with a child under 12 y/o, or are placed in college as a result of a work requirement.

6. **DESCRIPTION OF ALTERNATIVE PROCEDURES:** New Jersey is operating under a State of Emergency declared by Governor Murphy on March 9, 2020 relating to the public health crisis caused by the coronavirus. There are currently 4,402 people in NJ who are positive for COVID-19 with positive cases reported in every county. (Retrieved from <https://covid19.nj.gov/> on March 25, 2020 at 16:00 hours). Social distancing is the primary non-hygiene related preventative measure identified to prevent the spread of this communicable disease. As such, all New Jersey colleges have closed campuses.

On March 13, 2020, President Trump declared, “that the COVID-19 outbreak in the United States constitutes a national emergency” retroactive to March 1, 2020. On Saturday March 21, 2020, Governor Murphy issued Executive Order 107 referred to as the Stay At Home order. EO 107 closed all non-essential retail operations in the state.

New Jersey college students will suffer a disparate impact from this public health crisis as the college/university schools closing campuses and moving to remote learning, in conjunction with the closure of all non-essential businesses, have left these individuals without a satisfactory opportunity to qualify for a student exemption. New Jersey college students cannot complete a work study, nor are they able to comply with the hours per week requirement.

In an effort to provide for equitable access to the program and equal treatment under the rules of the program, New Jersey proposes to classify all college students applying for, or currently excluded as a member of an existing household, as meeting the student exemption provision by virtue of good cause

7. **JUSTIFICATION FOR REQUEST:** This request is justified pursuant to 7 CFR 272.3(c)(1)(iii) which permits FNS to authorize waivers when “unique geographic or climatic conditions within a State preclude effective implementation of the specific regulatory provision and require an alternate procedure.” The COVID-19 pandemic has caused significant disruptions in the administration of SNAP offices throughout

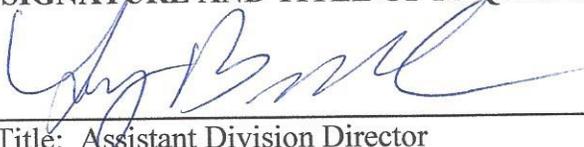
the state of New Jersey. Additionally, the Families First Coronavirus Response Act (P.L. 116-127) which permits broad authority for the USDA to approve adjustments in “issuance methods and application and reporting requirement under the Food and Nutrition Act of 2008”.

- 8. ANTICIPATED IMPACT ON HOUSEHOLDS AND STATE AGENCY OPERATIONS:** New Jersey believes that this waiver will improve the public health response to the spread of the coronavirus.
- 9. CASELOAD INFORMATION, INCLUDING PERCENT, CHARACTERISTICS, AND QUALITY CONTROL ERROR RATE FOR AFFECTION PORTION:** There are approximately 340,000 households, and 670,000 recipients, currently receiving NJ SNAP. It is impossible to gauge the number of individuals who may be eligible as a result of this waiver. Students would still be subject to household composition rules, and would need to apply as part of the entire household.

ANTICIPATED IMPLEMENTATION DATE AND TIME PERIOD FOR WHICH WAIVER IS NEEDED: This waiver would be implemented immediately upon approval and would remain in effect until August 31, 2020 when colleges/universities resume normal operations.

- 10. PROPOSED QUALITY CONTROL REVIEW PROCEDURES:** This waiver is not subject to quality control review or procedures. No special QC procedures are required for cases subject to the provisions of this waiver. Cases will be reviewed using standard review procedures in the FNS Handbook 310.
- 11. STATE AGENCY SUBMITTING WAIVER REQUEST AND STATE CONTACT PERSON:**
New Jersey Department of Human Services, Division of Family Development
Natasha Johnson, Assistant Commissioner

12. SIGNATURE AND TITLE OF REQUESTING OFFICIAL:



Title: Assistant Division Director

Email for transmission of response: Larry.braasch@dhs.nj.gov

13. DATE OF REQUEST: March 25, 2020

14. REGIONAL OFFICE CONTACT PERSON (TO BE COMPLETED BY FNS REGIONAL OFFICE)