



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

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BILL LEE
GOVERNOR

DANIELLE W. BARNES
COMMISSIONER

June 29, 2020

Willie Taylor, Regional Administrator, Supplemental Nutrition Assistance Program
Southeast Region, Food and Nutrition Services
United States Department of Agriculture
61 Forsyth Street, Suite 8T36
Atlanta, Georgia 30303

Dear Mr. Taylor:

Please accept this letter as a request to waive Initial and Recertification Interviews for July and August 2020. On June 29, 2009, the Governor extended the Tennessee State of Emergency through August 29, 2020. The Tennessee Department of Health's website states in the past day there have been 1,212 new COVID-19 cases, along with 12 deaths, and 66 hospitalizations.

We are making every effort to mitigate potential COVID exposure for staff and customers, and as such local offices are available to customers by appointments only. We have experienced the need to temporarily close local offices due to exposure as well as quarantine staff due to exposure. These occurrences reduce the number of staff available to process the increased applications TN continues to receive, and the high volume expected as a result of the Federal Pandemic Unemployment Compensation ending this upcoming month. Historically, July and August have been high volume months for SNAP applicants. This waiver allows staff to process applications more expeditiously by reducing the effort and number of attempts to reach customers to complete telephone interviews.

Lastly, this waiver will also allow us time to develop a more detailed transition plan that encompasses the use of technology and respond to the new normal post COVID-19. We have attached a brief summary of our transition plan that addresses future operations and the waiver request that provides more justification.

Thank you for your assistance in this matter. If you have any questions, please contact Lisa Cowell at 615-741-5934.

Sincerely,

Lisa A. Cowell

Lisa Cowell, Director
SNAP Policy

Enclosure

cc: Keisha Thaxton



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 50

**AN ORDER TO FACILITATE AND RESPOND TO CONTINUING EFFECTS OF COVID-19
BY EXTENDING EXECUTIVE ORDER NOS. 36 & 38 (AS AMENDED BY EXECUTIVE
ORDER NO. 49)**

WHEREAS, each Tennessean should continue to protect themselves and others by following applicable health guidance from the Centers for Disease Control and Prevention (CDC) and other leading medical experts to slow the spread of this virus, including practicing social distancing, effective personal hygiene practices, and other measures to contain Coronavirus Disease 2019 (COVID-19); and

WHEREAS, COVID-19 remains a threat to our citizens, our healthcare systems, and our economy, requiring ongoing regulatory flexibility to cope with continuing effects and risks due to the COVID-19 emergency; and

WHEREAS, in addition to the other powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides, among other things, that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with an emergency, utilize all available state and local resources needed to combat an emergency, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the ongoing effects of the emergency resulting from COVID-19.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare a continuing state of emergency and major disaster in order to facilitate the response to COVID-19 and accordingly order the extension of the provisions of Executive Order No. 36 and Executive Order No. 38, as amended by Executive Order No. 49, subject to minor amendments

reflected below, until 11:59 p.m., Central Daylight Time, on August 29, 2020, and, to implement this extension, more specifically order the following:

Effective at 11:59 p.m., Central Daylight Time, on June 30, 2020, Paragraph Nos. 7.4 and 41 of Executive Order No. 36, dated May 12, 2020, are hereby deleted and the following language is substituted instead:

- 7.4 In-person and live continuing education requirements are suspended for health care professionals. The provisions of the rules and policies adopted pursuant to Tennessee Code Annotated, Titles 63 and 68, regarding continuing education credits and hours for health care professionals are hereby suspended to the extent necessary to suspend the requirement that any continuing education credits and hours be obtained in-person or at a live event for credit and hours earned from March 12, 2020, through the expiration of this Order. Such rules and policies are further suspended to the extent necessary to allow the Commissioner of Health to adopt policies necessary to comply with the suspension of in-person and live continuing education requirements, and the Commissioner of Health is hereby directed to adopt policies to that effect. Nothing in this provision suspends the requirements that health care professionals obtain a certain number of continuing education credits or hours.
41. Term and effective date. Except as otherwise provided herein, this Order shall remain in effect until 11:59 p.m., Central Daylight Time, on August 29, 2020.

Effective at 11:59 p.m., Central Daylight Time, on June 30, 2020, Paragraph No. 17 of Executive Order No. 38, dated May 22, 2020, is hereby deleted and the following language is substituted instead:

17. Term and effective date. This Order shall remain in effect until 11:59 p.m., Central Daylight Time, on August 29, 2020.

The provisions of Executive Order No. 49 amending Executive Order Nos. 36 and 38 remain in full force and effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 29th day of June, 2020.

Bill Lee

GOVERNOR

ATTEST:

The Honorable Kay R. Ivers
SECRETARY OF STATE



Tennessee's Statewide Transition Plan

Tennessee is currently under the Initial and Recertification Interview waiver through June 30, 2020. In order to have time to transition off this waiver and resume normal operations, Tennessee has developed a transition plan to be able to adjust staffing and caseloads for when the extension waiver expires.

Currently under the waiver, we have a Statewide Intake team for SNAP/TANF application processing. These staff can process 100% or 72,412 applications per month with number of Eligibility Counselors currently assigned. But, compared to normal application processing, outside of this waiver where an interview is required, our Eligibility Counselors can only contact 60% of the customers the same day by telephone when their application is submitted. The remaining 40% of the customers are required to be scheduled a future date appointment due to no telephone contact, decreasing the number of new applications that can be assigned to and processed by an Eligibility Counselor each day.

If Tennessee can extend this waiver for the months of July and August 2020, this will allow us time to work through our transition plan having staff able to resume operations and handle caseload assignments. Our plan to transition forward consists of:

Case Maintenance Teams: A statewide Case Maintenance team will be deployed in September 2020. This team will give staffing to the Statewide Intake Team and will reallocate workload assignments to those in the unit. They will handle work such as data matches, changes and simplified reporting forms.

Renewal team: In order to prepare for the increased renewal applications expected from the households who have been approved for SNAP and TANF as a result of the increased applications received due to the COVID-19 Pandemic the Renewal Team will be transitioned from Districtwide to Statewide beginning in December 2020. By moving to statewide case and application processing, the ability to rotate staff from one team to another can be accomplished quickly and smoothly in order to meet the changes in staffing levels as well as the needs of the citizens of Tennessee. Because our schedules are set two months in advance, staying under the waiver will allow us to have time to adjust to equally distribute the set renewal appointments starting in September 2020 so each Eligibility Counselor can process 175 appointments each month.

Initial applications: Each Eligibility Counselor will be transitioned to accept 175 each month. There will be an additional 67 Eligibility counselors added to this unit from the restructuring of the Renewal Team processing. An additional 35 Eligibility Counselors will be identified from our Case Maintenance Teams as well as from the Family Assistance Service Center.

The extension of the Initial and Recertification no interview waiver through August 2020 will allow for continued timely processing of applications, time for workload reassignments to occur and for statewide teams to be implemented.

STATE WAIVER REQUEST

- 1. Waiver Serial Number (if applicable):**
- 2. Type of request:** Extension (Amendment)
- 3. Statutory citation:** Food and Nutrition Act of 2008, as amended
- 4. Regulatory citation:** 7 CFR 273.2(a)(2), 7 CFR 273.2(e), and 7 CFR 273.14(b)(3)
- 5. State:** Tennessee
- 6. Region:** SERO
- 7. Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 C.F.R. 273.2(a)(2) requires that the application process include an interview.

Regulations at 7 C.F.R. 273.2(e) requires that the State agency interview households for eligibility before certifying.

Regulations at 7 C.F.R. 273.14(b)(3) requires that State agencies interview households as part of the recertification process.

- 8. Description of alternative procedures:**

The State will not be required to interview a household at initial application or recertification, provided that the applicant's identity has been verified and all other mandatory verifications in 7 C.F.R. 273.2(f)(1) have been completed. The State will be required to contact the household if any information on the application is questionable and cannot be verified. The State will make every attempt to verify household circumstances through data matching and mailing or uploading verifications to the State system.
- 9. Justification for request:**

The COVID-19 pandemic has significantly impacted the United States and has required every state agency to do its part to maintain access to vital supports like SNAP, while taking proactive measures to reduce further transmission of the virus. The State of Tennessee has sustained such provisions to reduce the proliferation of this virus amongst those in the State and remains under a State of Emergency through August 29, 2020.

The state has seen an exponential increase in the number of both SNAP and TANF applications over the course of this pandemic. For example, 5/31/20 to 6/6/20 approximately 11,832 applications were received. In the weeks of 6/7/20 to 6/13/20 and 6/14/20 to 6/20/20 this jumped to 12,357 and 15,341 respectively. And these numbers only tell a part of the story. Historically, July and August have been high

volume months for SNAP applicants. The TN Department of Labor and Workforce Development reports 643,799 new unemployment claims have been filed as of March 15th, with a weekly average of approximately 20,800 new claims filed for June 2020. As of June 20, 2020, there are 266,596 claims continued with weekly certifications. We anticipate several claimants will apply for SNAP when the Federal Pandemic Unemployment Compensation ends in July.

All Tennessee Department of Human Services' (TDHS) lobbies are only available for those requesting an appointment. Although staff have the capability to work remotely and have been doing so for the past four months, eliminating the need to make several phone attempts to customers increases productivity. Increased productivity that allows for customers to receive benefits sooner, and staff to complete eligibility for other programs such as TANF.

In the end, the agency remains committed to our most vulnerable citizens. However, it is essential that we maintain congruent practices with CDC guidelines and reduce the stress already being felt by our staff. It is then of the utmost importance that the State not only continue to be able to issue benefits, but that we assure the safety and well-being of the people on the front lines assisting those of greatest need in our state. This alternative of continuing the waiving of the interview requirements ensures the State is able keep up with the high demand during this time of uncertainty in our country.

10. Anticipated impact on households and State agency operations:

This waiver will assure access to vital program supports are maintained so there is consistency for households. Furthermore, State agency operations remain streamlined by waiving the interview requirement for this limited time, aiding in the agency's response to the COVID-19 outbreak. Finally, these measures reduce the spread of COVID-19 reducing potential instances of exposure for both customer and staff. Thus, allowing the State to have sufficient staff working remotely to process applications and minimal staff in local offices to respond as needed. This will also allow us time to develop a more detailed transition plan that encompasses the use of technology and respond to the new normal post COVID-19.

11. Anticipated implementation date and time period for which waiver is needed:

The State is requesting a short-term waiver, from July 1, 2020 through to August 31, 2020 for the continuation of the state waiving interview requirements.

12. Proposed quality control review procedures:

There are no special quality control procedures needed in conjunction with this waiver.

13. State agency submitting waiver request and State contact person:

State Agency: State of Tennessee, Department of Human Services

State Contact: Lisa Cowell, SNAP Program Director

14. Signature and title of requesting official:

Lisa A. Cowell

Name: Lisa Cowell

Title: SNAP Program Director 4

Email for transmission of response: Lisa.Cowell@tn.gov

15. Date of request: June 29, 2020

16. State agency staff contact (name/email/telephone):

Lisa Cowell, Lisa.Cowell@tn.gov, 615-741-5934

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