

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Initial
3. **Regulatory citation:** 7 C.F.R. § 273.15(c)(1)
4. **State:** Vermont
5. **Region:** Northeast
6. **Regulatory requirements:** 7 C.F.R. § 273.15(c)(1) requires that the state agency “assure that the hearing is conducted, a decision is reached, and the household and local agency are notified of the decision” within 60 days of the household’s request for a fair hearing.
7. **Proposed alternative procedures:** Vermont requests a waiver of the 60-day timeline for conducting a fair hearing, reaching a decision, and notification of the decision. Vermont’s Office of the Attorney General (AGO) represents the state agency in SNAP fair hearings. The Vermont AGO will file motions to continue SNAP fair hearings for 90 days from the date of the motion.
8. **Justification for request:** On March 19, 2020, the Vermont AGO issued a press release announcing that the AGO “will file motions to continue for 90 days all Economic Services cases where they provide counsel to the State of Vermont. These motions will postpone all pending cases between the State and Vermonters involving the termination or reduction of existing benefits.” Postponing fair hearings during the initial months of the coronavirus outbreak will ensure that staff resources are appropriately prioritized and offer SNAP recipients an adjustment period before benefits are terminated or reduced. Similarly, the staff who accept hearing requests, schedule the hearings and are responsible for providing the 10-day notice to households when they withdraw requests may not be able to come to work due to closure of the Department’s office or the need to stay home as a result of illness, exposure to COVID-19 or the need to care for children who are unable to attend school due to school closures.
9. **Caseload information, including percent of caseload and description of population expected to be affected by this waiver:** <1%
10. **Anticipated impact on households and State agency operations:** The waiver will allow for households to have adequate time to submit pertinent documentations for the hearing record and the hearing officer will have sufficient time to render a thorough and sound hearing decision.

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

12. Proposed quality control review procedures: None needed.

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



Sean Brown

Title: Deputy Commissioner DCF ESD

Email: Sean.Brown@vermont.gov

14. Date of request: 3/23/20

15. State agency staff contact:

Name: Aletha Cross

Title: Food & Nutrition Program Administrator

Email: Aletha.Cross@vermont.gov

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