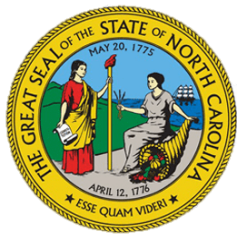


# Preparing for the End of the Public Health Emergency: FNS Waivers

Social Services Institute – August 4,  
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NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**



# FNS Waiver Overview

**What are some of  
NC's COVID waivers?**

# NORTH CAROLINA'S FNS COVID WAIVERS

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- Emergency allotments
- Extend certification periods up to 6 months and adjust periodic reports
- Waive eligibility interview if all mandatory verifications are completed
- Telephonic signature
- Temporary suspension of claims activity
- Waiver of fair hearing time frames
- Extension of administrative disqualification hearing (ADH) timeframes
- Pandemic-caused overissuance waiver
- ABAWD waiver
- College student waiver

# NORTH CAROLINA'S FNS COVID WAIVERS

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<b>Waiver</b>	<b>End Date for Flexibility (if PHE ends on October 13, 2022)</b>
<b>Emergency allotments</b>	<b>November 30, 2022</b>
<b>Extend certification periods up to 6 months and adjust periodic reports</b>	
<b>Waive eligibility interview if all mandatory verifications are completed</b>	
<b>Telephonic signature</b>	
<b>ABAWD waiver</b>	

# NORTH CAROLINA'S FNS COVID WAIVERS

Waiver	End Date for Flexibility (if PHE ends on October 13, 2022)
<b>Suspension of claims activity</b>	September 30 (unless extension received)
<b>Waiver of fair hearing time frames</b>	
<b>Extension of administrative disqualification hearing (ADH) timeframes</b>	
<b>Pandemic-caused overissuance waiver</b>	April 1, 2020 – July 31, 2022
<b>College student waiver</b>	November 13 (30 days after PHE ends)

# Before and After the PHE Ends – FNS Waiver Activities

## BEFORE AND AFTER PHE – WAIVE INTERVIEW

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### Currently: EFS-FNSEP-31-2020

- The requirement to conduct interviews (face-to-face or telephone) at initial application or recertification is waived for all applications or recertifications, providing that the applicant's identity has been verified and all other mandatory verifications completed.
- If identity has not been verified and all mandatory verifications are incomplete, contact the household for an interview.



## BEFORE AND AFTER PHE – WAIVE INTERVIEW

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### After Waiver Ends: FNS 415 Interviewing

- **Start:** Caseworkers must resume all interviews all applications and recertifications including those submitted by mail, email, or drop off prior to the issuance of FNS benefits. The interview may be conducted in-person, by telephone, or video conference.

# BEFORE AND AFTER PHE – TELEPHONIC SIGNATURE FLEXIBILITIES

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## Currently: EFS-FNSEP-44-2021

- County staff can document in writing in the case file that a client verbally attested to the information provided on the application, instead of requiring an audio recording of the verbal attestation to constitute a valid telephonic signature.
- Caseworkers document “Telephonic Signature” on the Income Support Application-Case Details-Notes in NC FAST in order to meet the USDA reporting requirements for this waiver.

# BEFORE AND AFTER PHE – TELEPHONIC SIGNATURE FLEXIBILITIES

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## After Waiver Ends: FNS 405 Applicant Responsibilities and FNS 505 SR Recertifications Requirements

### **Start:**

- Caseworkers will begin requiring signatures on all FNS applications and recertifications.
- Counties will encourage the client to sign application and recertification forms before submitting. Failure to provide signature could cause a delay in benefits or denied benefits.

**Note:** NCDHHS is working to build telephonic signature capability in NC FAST using SNAP ARPA funding, but timeline for implementation is TBD.

## BEFORE AND AFTER – CERTIFICATION PERIODS

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### Currently: EFS-FNSEP-36-2020

- Each month, DHHS automatically extends the certification period for eligible FNS recertification cases by 6 months through NC FAST.
- DHHS issues a notification through NC FAST each month after the cases have been extended.
- For recertifications that have not been extended, caseworkers must conduct interviews for 50% of 6-month certifications cases must be interviewed to meet the USDA requirement (odd number cases).

## BEFORE AND AFTER – CERTIFICATION PERIODS

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**After Waiver Ends: FNS 500 SR Category & Reporting Requirements, FNS 505 SR Recertifications Requirements, FNS 510 SR Recertifications Procedures, FNS 515 SR Changes During the Certification Period**

**System change:** NC FAST will no longer automatically extend recertifications.

**Start:** Caseworkers will be responsible for conducting 100% of interviews.

## BEFORE AND AFTER – SUSPENSION OF CLAIMS WAIVER

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### Currently: EFS\_FNS\_AL-9-2020

- The approved waiver suspends the collection of all current FNS and WF overpayments, and delays collection of newly established FNS and WF overpayments until after the PHE.
- NC FAST automatically suspends collections and does not consider late payments on established FNS and WF overpayments as delinquent for the duration of the waiver period.
- The system has applied a block of “Litigation” to every debtor’s indicators on any Product Liability Claim in Active status.

# BEFORE AND AFTER – SUSPENSION OF CLAIMS WAIVER

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## After Waiver Ends: FNS 800 Claims

- **System change:** NCFAST will remove the COVID litigation indicator on TOP and DOR, resume the VRA batch, restart the delinquency clocks, resume the offset and delinquency reports, and resume the deduction batch (for recoupments).
- **Continue:**
  - Make clients aware of repayment methods and agreement of repayment.
  - Advise clients as they communicate with them that payments need to resume according to the VRA. VRAs will revert to their status prior to COVID Litigation blocks being added; payments and dates will remain the same as what was previously entered.

# BEFORE AND AFTER PHE - HEARINGS

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## Currently: [EFS FNS AL-6-2020](#)

### Administrative Disqualification Hearing (ADH)

- USDA allowed local agencies to conduct ADH by telephone. Counties have to send notification with insert explaining due to COVID-19 hearing is recommended by telephone.

### Fair Hearing

- Fair hearings can be conducted by telephone.
- Fair hearing process was extended from 60 up to 120 days from the receipt of the request.
- The time frame for sending notices confirming oral withdrawal requests may be extended up to 30 days from the receipt of the request during the same timeframe.



## BEFORE AND AFTER PHE - HEARINGS

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### **After Waiver Ends: FNS 700 Hearings, FNS 705 Administrative Disqualification Hearings**

**Start:** Resume regular fair hearing timeframes (60 days) and ADH timeframes (30 days)

**Continue:** Allow alternative procedures for fair hearings and Administrative Disqualification Hearing such as telephone or video conference.

## BEFORE AND AFTER PHE – ABAWD FLEXIBILITIES

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### **Current Policy:** EFS FNS AL-2-2020

- This waiver temporarily and partially suspends time limit for work requirements for Able-Bodied Adults Without Dependents (ABAWD) participating in FNS, except in certain circumstances.
- Caseworkers enter work non-participation evidence of “COVID-19” with a start date (this will exempt the ABAWD).
- Counties review the ABAWD report that is published in FAST Help monthly to ensure that work non-participation evidence has been entered for all ABAWDs.

# BEFORE AND AFTER PHE – ABAWD FLEXIBILITIES

## After Waiver Ends: FNS 260 Able-Bodied Adult Without Dependents (ABAWD)

- **System change:** NC FAST will systematically remove all countable months for ABAWDs.
- **Stop:** Caseworkers will no longer enter work non-participation evidence of “COVID-19”.
- **Start:**
  - Explain the ABAWD eligibility requirements for Food and Nutrition Services (FNS) is limited to any 3 months in a 36-month period (considered the 3-month time limit) unless the individual meets the ABAWD work requirements or qualifies for a second 3-month period of eligibility (bonus months).
  - Explain the changes that must be reported and how to regain eligibility.

## BEFORE AND AFTER PHE – COLLEGE STUDENT FLEXIBILITIES

### **Current Policy (COVID Waiver): EFS-FNSEP-28-2021**

- During the PHE, this waiver allowed states to implement 2 additional exemptions for students in higher education\*:
  - If the individual is eligible to participate in a State or Federally financed work study program during the regular school year, as determined by the institution of higher education or
  - The individual has an expected family contribution (EFC) of \$0 in the current academic year.

\*Anyone enrolled in an institution of higher education and enrolled at least half time, as defined by the institution of higher education (FNS 235.01)

## BEFORE AND AFTER PHE – COLLEGE STUDENT FLEXIBILITIES

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### After Waiver Ends: FNS 235 Student of Higher Education

- **Continue** to review exemptions for work study, as this was previously in North Carolina's policy
- **Continue** to review other exemptions for college students shown in FNS Policy 235 (e.g., working 20 hours per week, below age 17 or older than 50)
- **Stop** considering for expected family contribution of \$0

# Emergency Allotments

## WHAT ARE FNS EMERGENCY ALLOTMENTS?

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- Since start of the pandemic, all FNS households have received emergency allotments (supplemental benefits, up to the maximum allowable FNS benefit for a household's size)
- For each month that NC is approved to issue EA, NC FAST automatically issues the supplements to active FNS households beginning the 22<sup>nd</sup> of each month, over course of 8-10 days.

**Requirements:** Federal PHE + state declaration in place

**Approval period:** Currently approved through September 2022 (shared 8/19/2022 through [EFS-FNSEP-57-2022](#))

## WHY DO EMERGENCY ALLOTMENTS MATTER?

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- **All FNS households will be impacted when EA ends**
  - Average benefit reduction will be about \$80/month per person, and \$110/month for elderly/disabled members
  - Nationally, current FNS benefit is about \$8.12/person/day; when EA ends, that will be \$5.45/person/day
- **EA comprises about \$150M** in additional benefit that directly supports households and stimulates local retail economy
- **Inflation** (overall, food, energy) at record high in June 2022
- **Continued need for food assistance** – record high in June/July 2022



# WHAT THE STATE WILL DO IN PREPARATION OF EMERGENCY ALLOTMENTS ENDING

- **Mail general notices** to all households about ending of EA about 1-2 months before final EA issuance month
- **Issue press release** about ending of EA and alternative food resources
- **Communicate** about ending of EA and share fact sheet with alternative food resources for households
  - On DHHS website, social media, and through partners (e.g., DSS, food banks, CAA, AAAs, CBOs, grocer's association)
- **Prepare scripts** for State Call Center & County Offices with common questions

## WHAT COUNTY DSS AGENCIES CAN DO TO PREPARE

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- **Tell households** that EA benefits are temporary and will decrease when the federal PHE ends
- **Issue county press release** about ending of EA and alternative food and nutrition resource programs that individuals may be eligible for (e.g., WIC, TEFAP, Commodity Supplemental Food Program, local programs)
- **Communicate** about ending of EA (county website, social media); share DHHS fact sheet with alternative food resources for households
- **Contact local food bank/pantry partners** to inform them they may see an increase in needs or referrals
- **Prepare for influx of calls** to your offices; **provide scripts** to staff fielding questions

**Panel Discussion –  
Supporting Seniors  
When Emergency  
Allotments End**