



## Policy Levers for State Human Service Agencies in Response to COVID-19

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This is a working document for state human service agencies to consider policy options in response to COVID-19 impacts in their communities. Policy options are organized by both **policy domain** (SNAP, TANF, Child Care, and Child Welfare) and **action needed** (federal approval not required, waiver or state plan approval needed, Congressional authorization needed).

As this is a working document, APHSA will be actively editing and adding new options and clarifications on existing ones. The specific options do not necessarily reflect an endorsement by APHSA and should be considered by states based on their specific needs. States should also consider impacts of state-specific regulatory or legislative mandates when considering the viability of each policy option. To be sure that you are viewing the most recent version of this document, please visit our [COVID-19 Resource Page](#). For questions or to contribute to additions to this working document, please contact Matthew Lyons at [mlyons@aphsa.org](mailto:mlyons@aphsa.org).

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## SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

### SNAP - Actions with No Federal Approval Required\*

Action	Authority for Action
Suspend the ABAWD Work Requirement	<a href="#">Families First Coronavirus Act – Title 3, Section 2301</a>
Utilize previous ABAWD waiver for 12 months from first implementation date	USDA FNS Guidance
Waive SNAP QC Face-to-Face Interview Requirement	USDA FNS Blanket Waiver
Waive SNAP Interview	USDA FNS Blanket Waiver
Extend Current Certification Periods to Maximum Allowable Periods	<a href="#">7 CFR §273.10(f)</a> – 12-month limit except for 24 months in which all household members are elderly or disabled or residing on a reservation
Provide Flexibility in Time Frame for Establishing and Disposing of New Claims	USDA FNS Blanket Waiver
Temporarily Suspend Active Collections and Repayment of SNAP Benefits	USDA FNS Blanket Waiver
Extend the Timeline for Fair Hearings Process for Up to 120 Days from Receipt of Request	USDA FNS Blanket Waiver
Continue to Pay SNAP-Ed Vendors who are No Longer Implementing Emergency Response Activities as Deemed Appropriate for MOA/Us	USDA FNS SNAP-Ed Q&A
Continue to Pay State SNAP Outreach Providers Even if Unable to Continue Work	USDA FNS Payments Q&A
QC - Delay Processing and Transmission of QC Review Reports	USDA FNS Blanket Waiver
QC - Waive QC reporting for March, April, and May, and reduce required sample size to only 9 months for FY 2020	USDA FNS Blanket Waiver

\* For blanket waivers, states generally need to notify their FNS regional office of their decision to utilize such flexibility

**SNAP - Actions Requiring Waiver or State Plan Approval**

Action	Authority for Action	Status
Provide a Short-Term Extension of Certification Periods Concluding During a Public Health Emergency	<a href="#">7 CFR §273.10(f)</a> – Waiver approval required if extension lengthens certification period beyond maximum limits	FNS is only approving waivers to push back certification deadlines by 6 months for cases due in March, April, May, and June.
Waive Periodic Reporting	<a href="#">7 CFR §273.12(a)(5)</a> – Waiver approval required to waive periodic reports required for non-exempt households in simplified reporting	FNS is approving waiver requests on an individual basis to waive reporting for March, April, May, and June.
Substitute Telephonic/Electronic Signatures for Written Signatures	<a href="#">7 CFR §273.2</a> – Waiver approval needed to accept unwritten signatures	FNS is approving waiver requests on an individual basis for telephonic signatures.
Issue Emergency Allotments to SNAP Recipients Up to the Maximum Monthly Allotment	<a href="#">Families First Coronavirus Act – Title 3, Section 2302</a> – Requires emergency or disaster declaration by state and request to be sent to USDA	Most states have been approved for two months (March/April or April/May) to issue Emergency Allotments to households not already receiving the maximum monthly benefit. To extend to additional months, there must be both a national and state declaration of a public health emergency.
Issue Temporary Benefits During Extended School Closures to Students Who Previously Received Free and Reduced-Price Meals (P-EBT)	<a href="#">Families First Coronavirus Act – Title 1, Section 1101</a> – Requires states to submit Plans for implementation to USDA and school closures for at least 5 consecutive days	States continue to submit plans and first states have been approved to proceed to implementation.
Permit Additional States to Join Online Purchasing Pilot (OPP) to Allow for SNAP Online Ordering and Delivery of Groceries	<a href="#">Online Purchasing Pilot</a> originally partnered with 6 states as part of an initiative in 2014 Farm Bill	Waivers have been approved to join the OPP and start with previously contracted national retailers – Walmart and Amazon. New retailers must apply separately.
Permit Purchase of Hot Foods	<a href="#">7 CFR §271.2</a> – Waiver needed to amend definition of “eligible foods” to include “hot foods and hot food products prepared for immediate consumption”	FNS currently does not believe it has authority to approve waivers without a disaster declaration for Individual Assistance. Waivers are currently being left open, with no acceptances nor denials.

Action	Authority for Action	Status
QC - Waive Minimum Annual QC Review Requirements	<a href="#">7 CFR §275.11</a> – Sample size of 1200 actives (1020 reduced) and 800 CAPERs (680 reduced) cases	Waivers have been submitted, but not yet responded to. Many cases will need to be dropped during the review process in months of the pandemic. This will likely lead to a large increase in reviews needing to be conducted at the end of the fiscal year.
QC - Waive QC 98% Completion Rate Requirement	<a href="#">7 CFR § 275.23</a> – Determination of state agency program performance	Waivers have been submitted, but not yet responded to. QC expects an increase in incomplete cases due to people’s inability to provide income and expense verification because of business closures. Inability to meet the 98% completion rate results in an increased state error rate.
QC - Exclude Variances of Cases with an Extended Certification Period for QC Review	<a href="#">7 CFR § 275.12</a> – Review of active cases	FNS has approved state waivers to extend SNAP certification periods. This will lead to an increase in variances that will be counted in state error analyses.
QC - Waive Requirement to Cite as Invalid a CAPER in which SQC Cannot Obtain Local Agency Record	<a href="#">7 CFR § 275.13</a> – Review of negative cases and error analysis and <a href="#">QC 310 Section 1333</a> Incomplete Cases considers the system to be considered an electronic record, thus the case is not reported as incomplete	This will increase the negative review error rate because of the inability to obtain local agency records due to business closures. Teleworking may also leave QC reviewers unable to reference information in the eligibility system, which would skew failed case results.
QC - Expand Likely Conclusion Policy to Include Fluctuating Income	<a href="#">QC 310 Section 442.3</a> – Use of information that supports a reasonable judgement of eligibility	This will expand QC reviewers’ ability to verify case record information, such as with the recently released availability of using “shelter in place” or other stay at home orders as collateral contact to verify job loss.

**SNAP - Actions Requiring Congressional Authorization**

Action	Authority for Action
Temporary Increase Minimum and Maximum SNAP Benefits	For reference – ARRA package used 113.6% of Thrifty Food Plan.
Increase SNAP Administrative Match Rate	Federal match rate of 50% may not be adequate for increased costs for P-EBT implementation, system changes, and caseload increases.
Expand Access to P-EBT Food Benefits for Young Children	Expand authorization of P-EBT created in <a href="#">Families First Coronavirus Act – Title 1, Section 1101</a> to cover additional children under school age that otherwise would receive meals in a child care setting.
Exclude Pandemic Unemployment Insurances from Consideration in Countable Income	Under Medicaid, Pandemic UIB is not counted as income but FNS Q&A clarifies that it will be counted as unearned income for SNAP.
Exempt College Students from Work Requirements	Create a temporary exemption of work requirements for college students, similar to the ABAWD exemption. <i>A mass denial has been issued to these waivers.</i>
Exempt Small Retailers from Requirement to Purchase Point of Sale Devices to Support Online SNAP Purchases	Expand provision in <a href="#">2014 Farm Bill Section 4002(b)</a> that permits states to purchase wireless point of sale systems that accept EBT for farmers markets and direct-marketing farmers.

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

### TANF - Actions with No Federal Approval Required

Action	Authority for Action
Grant Good Cause for Cash Assistance Recipients that do not Meet Work Requirements	<a href="#">TANF-ACF-PI-2020-01</a>
Switch from In Person to Telephonic Interviews	<a href="#">TANF-ACF-PI-2020-01</a>
Continue Payments for Federal Work Study and Subsidized Employment	States can opt to continue issuing payments for Federal Work Study participants and those in subsidized employment while unable to participate due to closures.
Establish or Expand On Emergency Assistance Benefits	<a href="#">TANF-ACF-PI-2020-01</a> – Nonrecurrent, short-term benefits designed to deal with a specific crisis situations are excluded from the TANF definition of “assistance”.
Increase Cash Assistance Benefits	<a href="#">TANF-ACF-PI-2020-01</a> – For TANF recipients that have reduced income or increased needs due to COVID-19.
Provide Remote Options for Participation in Work Activities	<a href="#">TANF-ACF-PI-2020-01</a>
Waive IEVS Timeline Requirements	<a href="#">TANF-ACF-PI-2007-08</a> – IEVS requirement should not prevent States from adopting streamlined application process during a disaster or emergency declaration.
Lift Sanctions	States may opt to suspend sanctions during the public health emergency and may opt for non-enforcement of existing cases that are sanctioned.
Exercise Flexibility in 60 Month Time Limits	States may use <a href="#">hardship extensions to extend the 60 month limit</a> for up to 20% of the TANF case load. States may also extend life-time time limits that are set shorter than the federal 60 month limit and may use segregated MOE funds to additionally serve families beyond 60 months.

### TANF - Actions Requiring Waiver or State Plan Approval

Action	Authority for Action
Continue Issuing TANF Payments to Closed Child Care Vendors Based on Enrollment, Not Participation	Consistent with guidance issued for <a href="#">CCDF payments</a> .

Action	Authority for Action
Request Reasonable Cause for State Relief from Work Participation Rate Non-Compliance	<a href="#">TANF-ACF-PI-2020-01</a> – ACF will exercise its authority to the extent possible for COVID-19-related issues with WPR compliance.

**TANF - Actions Requiring Congressional Authorization**

Action	Authority for Action
Establish TANF Emergency Fund	ARRA package created Emergency Fund to reimburse 80% of state’s increased TANF or MOE spending on basic assistance, short-term, non-recurrent benefits, and subsidized employment.
Temporarily Suspend 24 and 60 Month Time Limits	<a href="#">42 USC 602 (a)(1)(A)(ii)</a> requires parents to engage in work activities within 24 total months of receiving benefits; <a href="#">42 USC 608 (a)(7)(A)</a> 60-month lifetime time-limit for receiving cash assistance.
Exclude FMAP Increase from TANF Child Support Collections	<a href="#">42 U.S.C. 657</a> ties the federal share of child support collected from families receiving assistance to FMAP.

## CHILD CARE

### Child Care - Actions with No Federal Approval Required

Action	Authority for Action
Use CCDF Quality Dollars for Families not on CCDF (Including Essential Workers)	<a href="#">45 CFR §98.53(a)(4)</a> – Provide immediate assistance based on need to retain child care supply. May require State Plan amendment.
Continue Providing Assistance to Families Experiencing Temporary Job Loss	<a href="#">45 CFR §98.21</a> – Agencies may not terminate assistance due to temporary job loss or change in participation in training/education. Parents with non-temporary loss of job may remain eligible through end of redetermination period or qualify under “protective services” definition.
Waive Families’ Co-Payments if Affected by COVID-19	CCDF rule allows copayments to be waived for families whose incomes are at or below the poverty level for children in protective services or other criteria established by the Lead Agency.
Maintain Payments to Child Care Providers During Closures	Language in <a href="#">CARES Act</a> authorize uses of CCDBG for continued payments during closures or reduced enrollment.

### Child Care - Actions Requiring Waiver or State Plan Approval

Action	Authority for Action
Waive Specific Requirements within the Child Care Development Fund	<a href="#">CCDF-ACF-IM-2017-02</a> – Broad flexibility for temporary suspension of CCDF provisions and sanctions
Broaden Eligibility or Priority Criteria for Uninterrupted Child Care	<a href="#">45 CFR §98.16</a> – Broaden definition of “working” when defining eligibility
Waive Income Eligibility and Work Requirement for Children In Need of Protective Services Due to Emergency	<a href="#">CCDF-ACF-IM-2017-02</a> – Children affected by federal or state declared emergency can be waived from income eligibility and work requirement when defined as in need of “protective services”
Waive Disaster Relief and Other Temporary Forms of Assistance from Income	<a href="#">CCDF-ACF-IM-2017-02</a>
Enroll Temporary Unlicensed Child Care Providers to Meet Additional Need, Including Waiving Health and Background Check Requirements	<a href="#">45 CFR §98.19</a> – Agencies may apply for temporary waivers for extraordinary circumstances in response to emergency situations
Extend Certification Beyond 12-Month Minimum	<a href="#">45 CFR §98.21</a> – May require State Plan approval to extend



**Child Care - Actions Requiring Congressional Authorization**

Action	Authority for Action
Hazard Pay for front line childcare workers	Would require additional funding, provisions in 4 <sup>th</sup> stimulus.
Additional funding to support small child care providers.	Additional funding for Payment Protection Program in CARES Act, expanding funding for SSBG.

## CHILD WELFARE

### Child Welfare - Actions with No Federal Approval Required

Action	Authority for Action
Expand Allowance for Child Personal Incidents within Foster Care Maintenance Payments	<a href="#">CWPM 8.3B.1#9</a> – Agencies may amend allowance for child’s personal incidents, including over-the-counter medications, infant and toddler supplies, and special dietary foods. Payment may be part of or separate from basic maintenance payment
Waive Non-Safety-Related Licensing Requirements for Foster Placements of Children with Relatives	<a href="#">CWPM 8.3A.8.c #1</a> – Requirements must be waived on a case-by-case basis
Alternative Procedures for Obtaining Judicial Determinations	Title IV-E agencies may establish alternative procedures for obtaining judicial determinations regarding contrary to the welfare and reasonable efforts, including reasonable efforts to achieve permanency, as there is no Federal requirement that these determinations be made at a court hearing
Delay in Conducting Case Review Requirements	If unable to, periodic reviews and permanency hearings can be delayed, as these activities will not adversely affect a child's eligibility for Title IV-E
Temporarily extend eligibility for IV-E foster care for youth 18 and older	<a href="#">ACYF-CB-PI-20-10</a> - Title IV-E agencies may request a simplified process for extending title IV-E assistance, instead of submitting a title IV-E plan amendment to temporarily extend eligibility for title IV-E foster care maintenance payments, adoption assistance, and guardianship assistance for youth up to age 19, 20, or 21
Temporarily waive education and employment requirements for extended foster care	<a href="#">ACYF-CB-PI-20-10</a> - The Children’s Bureau has identified education or employment conditions outlined in §475(8)(B)(iv) of the Social Security Act as an administrative condition that it may modify under the Stafford Act authority for youth who are unable to fulfill this requirement as a direct result of the pandemic.
Temporarily claim IV-E reimbursement for non-accredited QRTPs	<a href="#">ACYF-CB-PI-20-10</a> - If conditions related to the COVID-19 pandemic prevent a facility from completing its accreditation or reaccreditation as a QRTP, Title IV-E agencies may request flexibility under the Stafford Act to allow claiming reimbursement of title IV-E expenses

	only during the time the requirement is unable to be met as a result of the major disaster.
Provisional licensure for conditional foster family homes	<a href="#">ACYF-CB-PI-20-10</a> - Title IV-E agencies may request flexibility under the Stafford Act to allow claiming of title IV-E reimbursement on behalf of an otherwise eligible child who is placed in a foster family home that is provisionally or conditionally approved or licensed, if the declared major disaster precludes full completion of the licensing process.
Enhanced foster care maintenance payment (FCMP) rates for children positive for COVID-19	<a href="#">Child Welfare Policy Manual (CWPM) section 8.3B.2</a> - Title IV-E agencies can establish a rate structure to provide an enhanced title IV-E foster care maintenance payment (FCMP) rate for children who have tested positive for COVID-19. If the child is eligible and in an allowable placement, title IV-E reimbursement is available for that enhanced payment
Claim Title IV-E FCMP for temporary absences from title IV-E foster care placements due to COVID-19	<a href="#">Child Welfare Policy Manual (CWPM) section 8.3B, Q/A #7</a> - A title IV-E agency may claim a full month's title IV-E FCMP if a child's brief absence from a an otherwise allowable provider does not exceed 14 days, and the child's placement continues with the same provider after the absence
Provider hazard pay for frontline child welfare workers	<a href="#">ACF Letter on Title IV-E Flexibilities</a> - States and tribes determine worker salaries, and title IV-E agencies may claim any allowable title IV-E administrative costs associated with child welfare caseworkers who will continue to make in-person contact with families and children.

**Child Welfare - Actions Requiring Congressional Authorization**

Action	Authority for Action
Increase Funding for Kinship Navigator Programs to Help Support Family Connections and Access to Resources During COVID-19 Response	<a href="#">ACYF-CB-PI-19-01</a> – Congressional appropriation of \$20 million in FY 2019 for Kinship Navigator Programs could be expanded upon.
Waive Spending Limit on Housing for Youth Aged Out of Foster Care	<a href="#">42 USC 677(b)(3)</a> – Waive requirement that no more than 30% of John H. Chafee Foster Care Program allocations be spent for housing or youth aged out of foster care.

Action	Authority for Action
Additional funding/support for child welfare service providers, including those with over 500 employees	Modify CARES Act to include larger providers, special funding for child welfare agencies to help providers continue services at the discretion of agency.