



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

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. For questions or to contribute to additions to this working document, please contact Matthew Lyons at mlyons@aphsa.org.

Last Updated April 6, 2020

Potential Actions that do not Require Federal Approval

Policy Domain	Action	Authority for Action
Supplemental Nutrition Assistance Program	Waive the ABAWD Work Requirement	Families First Coronavirus Act – Title 3, Section 2301
	Waive SNAP QC Face-to-Face Interview Requirement	USDA FNS Blanket Waiver
	Waive SNAP Interview if Verification/Identity are Complete	USDA FNS Blanket Waiver
	Extend Certification Periods to Maximum Allowable Periods	7 CFR §273.10(f) – 12 month limit except for 24 months in which all household members are elderly or disabled or residing on a reservation
Temporary Assistance for Needy Families	Grant Good Cause for Cash Assistance Recipients that do not Meet Work Requirements	TANF-ACF-PI-2020-01
	Switch from In Person to Telephonic Interviews	TANF-ACF-PI-2020-01
	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

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		employment while unable to participate due to closures
	Establish or Expand On Emergency Assistance Benefits	TANF-ACF-PI-2020-01 – Nonrecurrent, short-term benefits designed to deal with a specific crisis situation are excluded from the TANF definition of “assistance”
	Increase Cash Assistance Benefits	TANF-ACF-PI-2020-01 – For TANF recipients that have reduced income or increased needs due to COVID-19
	Waive IEVS Timeline Requirements	TANF-ACF-PI-2007-08 – IEVS requirement should not prevent States from adopting streamlined application process during a disaster or emergency declaration
Child Care	Use CCDF Quality Dollars for Families not on CCDF (Including Essential Workers)	45 CFR §98.53(a)(4) – 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	45 CFR §98.21 – 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
Child Welfare	Expand Allowance for Child Personal Incidents within Foster Care Maintenance Payments	CWPM 8.3B.1#9 – 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	CWPM 8.3A.8.c #1 – 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

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		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.

Potential Actions that Require Waiver or State Plan Approval

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Supplemental Nutrition Assistance Program	Provide a Short-Term Extension of Certification Periods Concluding During a Public Health Emergency	7 CFR §273.10(f) – Waiver approval required if extension lengthens certification period beyond maximum limits
	Permit Expedited Applications with Verification Performed to the Extent Practical	7 USC 2020(e)(9)(A-C) – With USDA discretion given in HR6201, permit states to include new SNAP applicants expedited processing during public health emergency with verification performed to the extent practical
	Allow for Alternative Methods of Verification if Electronic Interfaces Become Unavailable	7 CFR §273.2 – If states are unable to access automated verification tools, permit temporary use of alternative methods of verification, including self-attestation if needed
	Exempt College Students from Work Requirements	7 CFR § 273.5 – Waiver approval required to exempt eligible college students from 20-hour per week work requirement
	Temporarily Suspend Collections and Repayment of SNAP Benefits	7 CFR §273.18(e) – Waiver approval required to suspend pre-established cost-effectiveness plans for collecting overpayments and classifying repayments as delinquent
	Permit Flexibility in Fair Hearings Timeframes	7 CFR §273.15 – Grant flexibility in timelines for state and local hearings during public health emergency
	Issue Temporary Benefits to Eligible Students for FRPMs During Extended School Closures	Families First Coronavirus Act – Title 1, Section 1101 – Requires states to submit Plans for implementation to

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		USDA and school closures for at least 5 consecutive days
	Issue Emergency Allotments to SNAP Recipients Up to the Maximum Monthly Allotment	Families First Coronavirus Act – Title 3, Section 2302 – Requires emergency or disaster declaration by state and request to be sent to USDA
	Early Issuance of SNAP Benefits	7 CFR §274.2 – State-by-state or blanket waiver needed for changes to issuance schedule
	Permit Purchase of Hot Foods	7 CFR §271.2 – Waiver needed to amend definition of “eligible foods” to include “hot foods and hot food products prepared for immediate consumption”
	Hold Harmless for QC Error Reviews	7 CFR §275.12 – Hold harmless during QC reviews any verification requirements waived as a result of flexibilities authorized for COVID-19 response
	Hold Harmless Reduction in Benefits Due to Change Reporting in QC Error Rate	7 CFR §273.12 – Permit states to opt to not reduce benefits during change reporting while a public health emergency designation is in effect, and exclude from QC error rate the suspension of such reductions
	Delay Processing and Transmission of QC Review Reports	7 CFR §275.21 – Waiver needed to extend 115-day limit to complete and dispose of individual cases and exempt submission of individual late reports
	Permit Providing Meals through SNAP-Ed Contracts	7 CFR §272.2 – Expand use of funds to permit handing out meals for SNAP-eligible households
	Permit Providing Meals through SNAP Outreach Contracts	SNAP State Outreach Plan Guidance Section B Item 1 – Allowable Activities
	Permit Expedited Online Purchasing using EBT	Implementation of Expedited Online Purchasing Option for SNAP due to COVID-19 and the National Emergency declared on March 13, 2020
	Substitute Telephonic/Electronic Signatures for Written Signatures	7 CFR §273.2 – The State agency made decide to accept unwritten signatures
Allow for Simplified Reporting	7 CFR §273.12 – For households with six months of longer certification	

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		periods, only require reporting of change in monthly income
	Suspend QC Reviews for Months during Pandemic	Create new “Pandemic Review” process that allows months during the pandemic to be disregarded
	Waive QC Penalty for Refusal to Cooperate if Refusal is Pandemic-Related	7 CFR § 275.12 – Review of Active Cases and 7 CFR § 273.2 – Do not terminate households from receiving SNAP due to refusal to cooperate Provide guidance on determining when ‘failure’ can be used
	Waive Minimum Annual QC Review Requirements	7 CFR §275.11 – Sample size
	Waive QC Completion Rate Requirement	7 CFR § 275.23 – Determination of state agency program performance
	Exclude Variances of Cases with an Extended Certification Period for QC Review	7 CFR § 275.12 – Review of active cases
	Exclude Variances of Cases with Suspended Periodic Reports for QC Review	7 CFR § 275.12 – Review of active cases
	Waive Requirement to Cite as Invalid a CAPER in which SQC Cannot Obtain Local Agency Record	7 CFR § 275.13 – Review of negative cases and error analysis and QC 310 Section 1333 Incomplete Cases considers the system to be considered an electronic record, thus the case is not reported as incomplete
	Expand Likely Conclusion Policy to Include Fluctuating Income	QC 310 Section 442.3 – Use of information that supports a reasonable judgement of eligibility
Temporary Assistance for Needy Families	Continue Issuing TANF Payments to Closed Child Care Vendors Based on Enrollment, Not Participation	Consistent with guidance issued for CCDF payments
	Request Reasonable Cause for Relief from Work Participation Rate Non-Compliance	TANF-ACF-PI-2020-01 – ACF will exercise its authority to the extent possible for COVID-19-related issues with WPR compliance
Child Care	Maintain Payments to Child Care Providers During Closures	45 CFR 98.16.bb – Change payment practices based on enrollment, not participation
	Waive Specific Requirements within the Child Care Development Fund	CCDF-ACF-IM-2017-02 – Broad flexibility for temporary suspension of CCDF provisions and sanctions

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	Broaden Eligibility or Priority Criteria for Uninterrupted Child Care	45 CFR §98.16 – Broaden definition of “working” when defining eligibility
	Waive Income Eligibility and Work Requirement for Children In Need of Protective Services Due to Emergency	CCDF-ACF-IM-2017-02 – 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	CCDF-ACF-IM-2017-02
	Enroll Temporary Unlicensed Child Care Providers to Meet Additional Need, Including Waiving Health and Background Check Requirements	45 CFR §98.19 – Agencies may apply for temporary waivers for extraordinary circumstances in response to emergency situations
	Extend Certification Beyond 12-Month Minimum	45 CFR §98.21 – May require State Plan approval to extend

Potential Actions that Require Congressional Authorization

Policy Domain	Action	Authority for Action
Supplemental Nutrition Assistance Program	Exclude Stimulus Payments from Consideration in Countable Income	7 CFR §273.9 – Exclude stimulus payments in response to COVID-19 from countable unearned income
	Temporary Increase in SNAP Benefits	For reference – ARRA package used 113.6% of Thrifty Food Plan
Temporary Assistance for Needy Families	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
Child Welfare	Increase Funding for Kinship Navigator Programs to Help Support Family Connections and Access to Resources During COVID-19 Response	ACYF-CB-PI-19-01 – 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	42 USC 677(b)(3) – 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

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	Waive Work and Education Requirement for Older Youth in Extended Care Beyond Age 18	42 USC 675(8)(B)(iv) – Waive the IV-E requirement for older youth in extended care that requires enrollment in secondary education program, enrollment in vocational education and 80 hours employment per month.