



COMMONWEALTH OF PENNSYLVANIA  
**DEPARTMENT OF HUMAN SERVICES**

March 24, 2020

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Thank you for your letter to the Department of Human Services, received March 16, 2020, outlining potential steps that could be taken to protect its clients and the community in the face of COVID-19. The Department of Human Services and all of its staff are working hard to mitigate the spread of COVID-19, protect the health and safety of those that we serve, and ensure continuity of operations and services despite these unprecedented circumstances.

Your letter included requests related to a number of programs that DHS operates, and we are including our responses below.

**Medical Assistance eligibility**

*Request a waiver from CMS to suspend all terminations of MA for the next three months at least, to ensure that needy Pennsylvanians have access to health insurance during this pandemic.*

DHS will not be closing Medicaid cases except in cases that the person voluntarily withdraws, is no longer a state resident or is deceased in compliance with the Families First Coronavirus Response Act.

*Instruct CAO workers to expedite any MA application that mentions COVID-19 as a reason for the MA application.*

This will be offered through the existing expedited MA process. Individuals can note in the comment section on the COMPASS application or, on paper applications, can note in the section asking about medical conditions that affect their ability to work, the applicant's relation to COVID-19.

*Modify verification rules by enrolling individuals based on self-attestation and seeking verification later.*

DHS has implemented guidance instructing caseworkers to accept self-attestation for all eligibility criteria, excluding verification of citizenship and immigration status when documentation is not available.

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This guidance instructs caseworkers to accept self-attestation for citizenship and immigration status if the state is unable to verify eligibility using data sources and the beneficiary is unable to provide citizenship or immigration status documentation. A Reasonable Opportunity Period will be granted when citizenship and immigration status cannot be verified at application.

*Increase the “reasonable compatibility” threshold by which electronic sources can differ from self-attestation (for individuals with income near the relevant MAGI income limit) to 10%, from 5%.*

A reasonable compatibility change would require system changes and an update to the state verification plan. Due to time and workload constraints on caseworkers, implementing this manually is not a viable option to ease Medicaid eligibility requirements.

To ensure ease of Medicaid eligibility for clients, DHS will accept a reasonable explanation between the electronic source and the client attestation (such as decreased hours due to COVID-19).

*Require Community HealthChoices MCOs to suspend making any reductions or terminations of Personal Assistance Services for the next 3 months at least.*

DHS has instructed CHC-MCOs to not make any reductions or terminations of PAS for the next three months.

*Moratorium on LTSS reassessments by CHC-MCOs except upon participant request or triggering event.*

DHS has implemented a moratorium on LTSS reassessments except upon participant request or triggering event.

*Suspend redeterminations of LTSS eligibility.*

DHS will not be closing Medicaid cases except in cases that the person voluntarily withdraws, is no longer a state resident or is deceased in compliance with the Families First Coronavirus Response Act. LTC cases are a subset of Medicaid eligibility and no redeterminations will occur unless there is good cause or a trigger event.

*Authorize Emergency Medical Assistance for diagnoses of or related to COVID-19.*

If non-clinical eligibility criteria are met, EMA may be authorized for testing, diagnosis and treatment of COVID-19.

## SNAP

*Request a waiver to extend SNAP certification periods of households whose SNAP certification periods are running out in the next three months so as not to terminate SNAP for these households during this time when many cannot work.*

This waiver has been requested and approved on 3/24. Pending implementation, we are suspending automated closures for not providing renewal documents or required semiannual reports.

*Grant good cause to all non-exempt ABAWDS for non-compliance with the 20 hour per week work requirement. At a minimum, instruct CAOs to inquire into whether the COVID-19 pandemic has affected a person's ability to work and grant good cause to all individuals in this situation. Do this pro-actively, without requiring ABAWDS to submit a renewal form after 2 months of SNAP receipt.*

On 3/13/20, DHS submitted a waiver to FNS to delay this rule. On 3/13/20, the DC Federal District Court issued an injunction for the rule. On 3/18/20 President signed the Families First Coronavirus Response Act which includes provision to waive the ABAWD time limit statewide effective April 1, 2020. The department is reviewing these developments to ensure ABAWDs do not lose benefits due to time limited eligibility.

*Remind caseworkers to boost SNAP promptly when households report reduced hours of work, and to act on reported changes right away. Emphasize that self-employed people may have limited ability to verify reduced hours of work, and accept self-declaration of reduced pay.*

DHS expects prompt action by CAO staff. Instructions have been given to staff to accept self-attestation when the job loss or reduction in hours is due to COVID-19 or in the case the person is unable to provide verification due to COVID-19.

*If Congress permits, request permission to provide emergency SNAP assistance to households with children who would otherwise receive free or reduced-price meals if not for their schools being closed due to the COVID-19 emergency.*

This was authorized in the Families First Coronavirus Response Act to be issued as Pandemic SNAP (PSNAP). DHS is working closely with the PA Department of Education to review the bill and additional guidance from FNS. We are very interested in taking advantage of this opportunity to ensure these households' food security needs are met. We would note that as we have been exploring this, it appears implementing this change could be challenging in cases where the household is not currently enrolled in SNAP.

*Facilitate supermarkets delivering food to SNAP households by promoting the use of EBT manual vouchers in these circumstances by promoting the use of manual vouchers or allowing for online purchases. –*

EBT manual vouchers, if needed, will be utilized in cooperation with FNS. FNS has not yet issued any guidance related to this.

Online grocery shopping with EBT is not available in Pennsylvania and is currently only in pilot through FNS in a handful of other states. It is not an option that states can opt into at this time. If FNS opens an opportunity to participate, DHS will evaluate our ability to do so.

## **TANF**

*Grant good cause for anyone who cannot or does not attend an EARN Center or other RESET activity, while many people are ill or being urged to stay home.*

DHS has implemented guidance that clients may be granted Good Cause for inability to participate due to the current circumstances.

*Issue a moratorium on terminations and sanctions related to compliance with RESET or child support cooperation requirements.*

DHS has implemented guidance that there will not be terminations, or sanctions related to RESET requirements.

Child support cooperation is a federal statutory eligibility requirement and cannot be waived. To mitigate this, DHS is developing a process to allow County Domestic Relations Sections to determine cooperation remotely. CAO staff have been directed to enter the information into eCIS and to authorize the TANF case. In the event the county Domestic Relations Office (DRO) and/or court is closed, the applicant/recipient is determined to be cooperating until such a time as the DRO and/or court are reopened and they have determined non-cooperation.

*Lift the requirement for face-to-face interviews, so individuals who are immunocompromised and parents of such children are not placed at risk. Conduct interviews via telephone and accept phone signatures for AMR agreements.*

DHS has lifted the requirement for face-to-face interviews. The CAO has been directed to ask for agreement orally for the AMR but will send to the applicant for signature and return. The benefit start date will be the date all verifications to establish eligibility are met exclusive of the AMR and the child support cooperation form.

## **LIHEAP**

*Extend the LIHEAP season until all LIHEAP funds are expended. If needed ask EAW staff to stay on longer than original contracts to accommodate an extended season. –*

DHS is currently evaluating the best possible way to support the needs of the LIHEAP eligible population with the limited federal funds available.

*Shift all excess LIHEAP funds set aside for administrative and IT purposes to extending the LIHEAP season now rather than waiting until the end of the fiscal year. –*

DHS is currently evaluating the best possible way to support the needs of the LIHEAP eligible population with the limited federal funds available.

### **At local CAOs:**

*Discourage in-person interactions by doing more work over the telephone.*

*Conduct all interviews over the telephone unless clients request a face-to-face interview.*

*Through use of telephonic signatures, allow for renewals to be completed through the customer service center over the telephone (combining the interview with the application).*

*Encourage and accept appeals by telephone. –*

*Widely publicize existing avenues for submitting applications by telephone: MA Consumer Service Center, SNAP outreach partners, Benefits Data Trust, DHS's customer service centers.*

*Allow community groups to attest to telephonic signatures.*

DHS supports the use of telephonic and web-based services to benefit applicants and clients.

Policy has been developed and implemented to ensure that interviews can occur over the phone and not in-person while CAOs are closed to the public.

Telephonic signatures are only available for MA and are not possible in the CAOs. Clients will still be able to complete the signature page and submit via mail.

Applicants can complete the signature page and submit by mail or, they may apply online and sign electronically.

*Reduce verification demands: Accept self-attestation for verification wherever possible to avoid office visits and transfer of documents between people and extend verification deadlines to enable more time for returning documents.*

DHS is implementing policy guidance to accomplish this. No benefit cases will be closed due to a failure to provide verification.

*Encourage use of the MyCompassPA mobile app, fax, or mail to submit verification.*

DHS is actively promoting these services on social media, signs in CAOs, and on the press releases and signs announcing CAO closures.

*Prepare for widespread CAO worker sickness and consequent reduced staffing. Facilitate work from home where possible. Consider whether LIHEAP IMCWs can stay on. –*

There are ongoing conversations among the Office of Administration, DHS, the Department of Health and the Governor's Office about protecting our CAO staff as they continue to deliver essential services to our seniors, disabled and lower-income individuals, and additional information will be disseminated as it becomes available. We have heard the concerns and are working to address them.

Regarding LIHEAP, the continued maintenance of LIHEAP staff will be considered in the department's approach to best serve the needs of the LIHEAP eligible population with the limited federal funds available.

*Suspend all appeal deadlines for at least two month.*

DHS will issue guidance to delay all hearings and extend the appeal deadline for an additional 60 days. All hearings are being set telephonically.

*If a CAO(s) closes, prominently post clear information about alternatives, such as: closest open CAO address; Customer Service Center phone number; information about COMPASS and MyCompassPA, and local community partner phone numbers for application assistance.*

DHS will continue to provide guidance to clients regarding CAO closures in the most efficient manner possible.

### **At the Bureau of Hearings and Appeals:**

*Delay all in-person hearings where benefits are open.*

With the Governor's announcement of the state closure impacting all non-essential personnel through April 1<sup>st</sup>, all BHA hearings will be rescheduled.

*Continue all in-person hearings where the appellant fails to show up at the hearing.*

All appeals will be rescheduled to occur over the phone, providing the appellant the opportunity to participate in their appeal safely and efficiently.

*Liberally grant continuance requests.*

All appeals will be rescheduled to occur over the phone, providing the appellant the opportunity to participate in their appeal safely and efficiently.

*In postponing in-person hearings, automatically authorize and issue interim benefits at the 90-day mark, if not as soon as the postponement occurs.*

DHS is evaluating this request in the context of continuing BHA operations during the disaster.

**At the Statewide and Philadelphia Customer Service Centers:**

*Increase staff to handle a larger volume of calls, as recipients may not be able to do business in person.*

DHS will continue to monitor workload and distribute it across the system as needed.

*Permit staff to accept self-attestation verification over the phone and notify local offices to act on that information.*

For Medicaid, DHS has implemented guidance instructing caseworkers to accept self-attestation for all eligibility criteria, excluding verification of citizenship and immigration status when documentation is not available.

This guidance instructs caseworkers to accept self-attestation for citizenship and immigration status if the state is unable to verify eligibility using data sources and the beneficiary is unable to provide citizenship or immigration status documentation. A Reasonable Opportunity Period will be granted when citizenship and immigration status cannot be verified at application.

For all other benefits DHS will accept self-attestation of reductions in income.

*Train staff to clearly explain temporary flexible policies during this time and encourage communication and other interaction by telephone. Consider using the wait time to speak to a representative as an opportunity for this communication. –*

Messages will be put on call center lines and the department will ensure staff have the most up-to-date information on any temporary processes.



**On DHS's web site and other communications vehicles:**

*Inform the public of DHS's planned actions, so that the public can be confident that they may safely conduct business with DHS*

DHS will work through its press office to notify the public of changes in their benefits and benefit eligibility. DHS Press has issued a number of press releases advising on guidance related to COVID. These are available online [here](#). Once a press release runs, information is also promoted on social media.

Sincerely,



Teresa D. Miller  
Secretary