

March 17, 2020

**Via E-Mail**

Teresa Miller, Secretary  
Pennsylvania Department of Human Services  
625 Forster Street  
Harrisburg, PA 17120

**Re: Department of Human Services Steps to Protect Its Clients and the Community in the Face of COVID-19**

Dear Secretary Miller:

As advocates who work with low-income individuals who receive or may be applying for benefits administered by the Department of Human Services (DHS), we are grateful for the steps you and Governor Wolf have taken so far to ensure that Medicaid recipients can access COVID-19 testing without copays or prior authorization, and to protect seniors and people with disabilities. We appreciate your public messaging and press statements. However, we are also concerned that the disruption caused by COVID-19 could result in recipients losing or going without a wide range of benefits when they are most needed, especially as Counties Assistance Offices close.

The medical, nutrition, and income support benefits that low-income people depend on will be especially critical during this uncertain time. As hourly or gig economy workers are forced to go without pay, and school and child care closings force parents to stay home to care for children, there will be an increased need for the benefits. The need for consistent, uninterrupted access to health insurance will be essential in ensuring that sick people do not go without health care and that the disease is contained. **We urge you to put a moratorium on all benefit terminations during this time.**

Further, as public health officials have encouraged social distancing and self-quarantine and as DHS closes County Assistance Offices (CAOs), we are concerned that individuals will be unable to go to local CAOs and will miss deadlines and interviews that will cause them to lose benefits, or be unable to apply for benefits in the first place. We all hope that people with symptoms will stay home and not potentially pass on the virus to CAO workers and others at CAOs.

Governor Wolf's emergency declaration gives authority to DHS to waive state regulations that interfere with addressing the current emergency. We encourage DHS to institute the following temporary policies that limit in-person interaction while continuing to provide essential benefits without interruption.

**Medical Assistance**

- 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.

- Instruct CAO workers to expedite any MA application that mentions COVID-19 as a reason for the MA application.
- Modify verification rules by enrolling individuals based on self-attestation and seeking verification later.
- 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%.
- Require Community Health Choices MCOs to suspend making any reductions or terminations of Personal Assistance Services for the next three months at least.
- Issue a moratorium on LTSS reassessments by CHC-MCOs except upon participant request or triggering event.
- Suspend redeterminations of LTSS eligibility.
- Authorize Emergency Medical Assistance for diagnoses of or related to 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.
- Immediately implement the ABAWD injunction and, when enacted, the provision of the Families First Coronavirus Response Act that will lift the ABAWD time limit in the counties where it is in effect. Inform individuals and the public of this change, including the ability of individuals already time limited off SNAP in non-waived counties to reapply.
- 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.
- 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.
- Facilitate supermarkets delivering food to SNAP households by promoting the use of manual vouchers or allowing for online purchases.

### **TANF**

- Publicize the availability of the TANF diversion program, to assist families unable to work as a result of the pandemic, whether healthy or not, and not eligible for Unemployment Compensation or the federal paid sick leave provision. Immediately start issuing up to three months of TANF benefits to families whose return to work is indefinite, make this option widely known, and require minimal documentation.
- 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.
- Issue a moratorium on terminations and sanctions related to compliance with RESET or child support cooperation requirements.
- Conduct interviews via telephone and accept phone signatures for AMR agreements, for immediate effect. Requiring hard copy signatures on AMR agreements will result in

lengthy delays in benefit authorization which will be harmful to families experiencing a sudden loss of income.

### **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.
- 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.
- Given the Public Utility Commission's recent announcement that there will be a moratorium on shut offs for all regulated residential utilities, LIHEAP should authorize crisis grants to pay past due balances. As people go without work, bills will accumulate and DHS should spend all available LIHEAP funds to mitigate this and prevent a surge of summer shut offs.

### **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, when they can be equipped to fulfill this function
  - Allow community groups to attest to telephonic signatures.
- Reduce verification demands:
  - Accept self-attestation for verification wherever possible to avoid office visits and transfer of documents between people.
  - Extend verification deadlines to enable more time for returning documents.
- Encourage use of the MyCompassPA mobile app, fax, or mail to submit verification.
- Prepare for widespread CAO worker sickness and consequent reduced staffing. Facilitate work from home where possible. Consider whether LIHEAP IMCWs can stay on. Ensure that mail is picked up regularly at any CAO office that closes.
- Suspend all appeal deadlines for at least two months.
- 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.

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

- Delay all in-person hearings where benefits are open.
- Continue all in-person hearings where the appellant fails to show up at the hearing.

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

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

**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

Thank you very much for your prompt consideration of these requests. As the COVID-19 public health situation is developing rapidly, **we request you or one of your staff members schedule a call with key advocates as soon as possible, but not later than by the end of the week.**

Please reach out to Lydia Gottesfeld at Community Legal Services, (215) 981-3707, [LGottesfeld@clsphila.org](mailto:LGottesfeld@clsphila.org). Lydia will relay any information to the larger advocacy community.

Sincerely,

Lydia Gottesfeld  
Supervising Attorney  
Community Legal Services of Philadelphia

Theresa Meder, MSW  
Adoption Specialist  
Bethany Christian Services

Louise Hayes  
Supervising Attorney  
Community Legal Services of Philadelphia

George R. Trauner  
CEO  
Bethesda Lutheran Services

Lynn A. Marks  
Consultant  
Access to Justice Initiatives

Michael Dahl  
Executive Director  
Broad Street Ministry

Reggie Shuford  
Executive Director  
ACLU PA

Joanna Doyle  
Food Delivery Driver  
Bucks County Food Runners

Ronda Goldfein  
Executive Director  
AIDS Law Project of Pennsylvania

Mariana Chilton, PhD, MPH  
Executive Director  
Center for Hunger-Free Communities,  
Drexel University

Joe Arthur  
CEO  
Central PA Food Bank

Danielle Cullen, MD, MPH, MSHP  
Attending Physician, Pediatric Emergency  
Medicine  
PolicyLab  
Children's Hospital of Philadelphia

Kathy Fisher  
Policy Director  
Coalition Against Hunger

Kathleen Daugherty  
Administrative Coordinator  
Coalition for Low Income Pennsylvanians

Gene Brady  
CEO  
Commission on Economic Opportunity

Alan Jennings  
Executive Director  
Community Action Committee of Lehigh  
Valley

Reverend Sally Jo Snyder  
Executive Director  
Community Health Coalition

Peter Zurflieh  
Community Justice Project

Kelly Darr  
Legal Director  
Disability Rights Pennsylvania

Deb Beck  
President

Drug and Alcohol Service Providers  
Organization of Pennsylvania

Deborah Klehr  
Executive Director  
Education Law Center - PA

Diane Casey  
Southeastern PA Synod Hunger Team  
coordinator  
Evangelical Lutheran Church in America

Anna Brickman  
Legal Center Director  
Face to Face

Jane Clements-Smith  
Executive Director  
Feeding Pennsylvania

Kahfii King  
Project Manager, Healthy Food Access  
The Food Trust

Laura Handle  
Managing Attorney  
Health, Education and Legal assistance  
Project: A Medical-Legal Partnership  
(HELP: MLP)

Jess Umbenhauer  
Director of Programs & Community  
Engagement  
Helping Harvest

Cathryn Miller-Wilson  
Executive Director  
HIAS Pennsylvania

Marsha I. Cohen  
Executive Director  
Homeless Advocacy Project

Sheila Christopher  
Executive Director  
Hunger-Free Pennsylvania

Michelle Faught  
Executive Director  
Indiana County Community Action Program

Ann Sanders  
Public Policy Advocate  
Just Harvest

Susan Vivian Mangold  
Chief Executive Officer  
Juvenile Law Center

Stephen Herzenberg  
Executive Director  
Keystone Research Center

Linda Peyton  
Executive Director  
Legal Clinic for the Disabled

Tracey DePasquale  
Director  
Lutheran Advocacy Ministry in Pa.

Thomas Ude Jr.  
Legal and Public Policy Director  
Mazzoni Center

Dennis Miller  
Executive Director  
Military Assistance Project

Patrick Druhan  
Director  
Montco Hunger Solutions

Melissa M Miranda, RN  
Chief Executive Officer  
Neighborhood Health Centers of the Lehigh Valley

J. Marc Rittle  
Executive Director  
New Bethany Ministries

Becca Raley  
Executive Director  
Partnership for Better Health

Marianne Bellesorte  
Vice President of Advocacy  
Pathways PA

Marc Stier  
Director  
Pennsylvania Budget and Policy Center

Deborah Moss, MD, MPH, FAAP  
President  
Annette G. Myarick  
Executive Director  
Pennsylvania Chapter of the American Academy of Pediatrics

Antoinette Kraus  
Executive Director  
Pennsylvania Health Access Network

Laval Miller-Willson  
Executive Director  
Pennsylvania Health Law Project

Su Ming Yeh  
Interim Executive Director  
Pennsylvania Institutional Law Project

Becky Ludwick  
Health Policy Director  
Pennsylvania Partnerships for Children

Elizabeth Marx  
Executive Director  
Pennsylvania Utility Law Project

Hilary Stiebel  
Manager, Programs  
Philabundance

Carl (Tobey) Oxholm III  
Acting Executive Director  
Philadelphia Lawyers for Social Equity

Sophie Bryan  
Executive Director  
Philadelphia VIP

Sonia Brookins  
Executive Director  
Philadelphia Welfare Rights Organization

Janis Komisor  
CEO  
ProJeCt of Easton, Inc.

Rachel Blake  
Associate Director  
Regional Housing Legal Services

Karen Seggi  
CEO  
Second Harvest Food Bank of Northwest PA

Steve Catanese  
President  
SEIU Local 668

Karen C. Buck  
Executive Director  
SeniorLAW Center

George Matsyik  
Executive Director  
SHARE Food Program

Sheila Forrester  
Founder  
Success Against All Odds

Sonny Consiglio  
CEO  
SVDP/Food For Families - Cambria

Maggie Livelsberger  
Public Policy Director  
United Way of Pennsylvania

Louis S. Ruilli  
Practice Professor of Law  
University of Pennsylvania Law School

Kadida Kenner  
Director  
We The People PA

Jennifer Miller  
CEO  
Westmoreland County Food Bank

Molly Callahan  
Legal Director  
Women Against Abuse

Terry L. Fromson  
Managing Attorney  
Women's Law Project

Reverend Beth Martini  
Assistant to the Bishop, Lower Susquehanna  
Synod of the ELCA  
World Hunger Committee of the Lower  
Susquehanna Synod

Theodore L. Cockley  
Co-Chair  
World Hunger Task Force