

March 28, 2023

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

The purpose of this All County Welfare Directors Letter is to provide County Welfare Departments with guidance regarding one new federal waiver and two federal waiver extensions to support the unwinding of the federal COVID-19 Public Health Emergency. The new waiver is for alternate procedures when a change of address is reported. The extensions are for a waiver of the initial application and recertification interview (if certain criteria are met) and a waiver of the recording requirement for telephonic signatures (if certain criteria are met). This letter also addresses the approval of the waiver of the requirements to conduct a face-to-face interview for Quality Control active case reviews.



KIM JOHNSON
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

March 28, 2023

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JULIANNA VIGNALATS, ACTING DEPUTY DIRECTOR
FAMILY ENGAGEMENT AND EMPOWERMENT DIVISION

SUBJECT: CALFRESH WAIVERS TO SUPPORT THE UNWINDING OF
FEDERAL PUBLIC HEALTH EMERGENCY: ALTERNATE
PROCEDURES WHEN CHANGE OF ADDRESS IS REPORTED,
INITIAL AND RECERTIFICATION INTERVIEW, TELEPHONIC
SIGNATURE, AND QUALITY CONTROL FACE-TO-FACE
INTERVIEW REQUIREMENTS

REFERENCE: [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) 273.2\(a\)\(2\);](#)
[7 CFR 273.2\(e\); 7 CFR 273.2\(f\)\(1\); 7 CFR 273.2\(e\)\(2\)\(i\);](#)
[7 CFR 272.3\(c\)\(1\)\(i\); 7 CFR 273.7\(c\)\(1\)\(ii\); 7 CFR 273.7\(c\)\(1\)\(iii\);](#)
[7 CFR 273.7\(c\)\(2\); 7 CFR 273.12\(a\)\(5\)\(ii\); 7 CFR 273.12\(c\)\(3\);](#)
[7 CFR 273.12\(c\)\(3\)\(i\)\(B\); 7 CFR 273.12\(c\)\(4\)\(i\);](#)
[7 CFR 275.12\(c\)\(1\);](#)
[UNITED STATES DEPARTMENT OF AGRICULTURE \(USDA\)](#)
[FOOD AND NUTRITION \(FNS\) MEMO - SNAP TEMPORARY](#)
[ADMINISTRATIVE WAIVERS AVAILABLE TO STATE AGENCIES](#)
[TO SUPPORT UNWINDING FROM THE COVID-19 PUBLIC](#)
[HEALTH EMERGENCY DATED AUGUST 15, 2022;](#)
[USDA FNS MEMO – SNAP EXTENSION OF WAIVER OF](#)
[QUALITY CONTROL \(QC\) FACE-TO-FACE INTERVIEW WAIVER](#)
[REQUIREMENT FOR OCTOBER 2023 – SEPTEMBER 2024](#)
[DATED FEBRUARY 10, 2023;](#)
[MANUAL OF POLICIES AND PROCEDURES \(MPP\) 63-300.5\(e\);](#)
[ALL COUNTY LETTER \(ACL\) 22-74; ALL COUNTY WELFARE](#)
[DIRECTORS LETTER \(ACWDL\) DECEMBER 21, 2022](#)

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide County Welfare Departments (CWDs) with guidance regarding current CalFresh waiver

authority granted to support the unwinding from the federal COVID-19 Public Health Emergency (PHE). Waiver authority is requested by the California Department of Social Services (CDSS) and approved by the United States Department of Agriculture, Food and Nutrition Service (FNS).

BACKGROUND

The Families First Coronavirus Response Act (FFCRA) authorized FNS to approve adjustments of program procedures if the federal PHE is active and a state issues an emergency or disaster declaration based on a COVID-19 outbreak. However, once the federal PHE declaration or State emergency or disaster declaration expires, FNS can no longer authorize States to operate FFCRA adjustments.

California's broad COVID-19 State of Emergency ended on February 28, 2023. The federal PHE is set to expire on May 11, 2023. In preparation for the ending of the federal PHE, FNS offered state agencies administrative waivers for certification processes to support the unwinding of temporary COVID-19 flexibilities for CalFresh. FNS authorized these administrative waivers under [7 CFR 272.3\(c\)\(1\)](#) due to extraordinary temporary situations or when they would result in a more effective and efficient administration of the program.

WAIVER APPROVALS

FNS approved one new waiver and two waiver extensions for California:

- A waiver for alternate procedures when a change of address is reported (new)
- A waiver of the initial application and recertification interview (extension)
- A waiver of the recording requirement for telephonic signatures (extension)

There is also a policy change with the waiver extension of the initial application and recertification interview. The policy change is detailed in the Waiver Extensions section of this letter.

NEW WAIVER: ALTERNATE PROCEDURES WHEN CHANGE OF ADDRESS IS REPORTED

Existing Procedures Without the Waiver

CWDs are required to act on potential changes in shelter costs when a household reports a change of address. If the CWD receives a verified change in address from the household or another source but does not receive updated shelter cost information, the CWD must send a notice to the household asking for the updated shelter cost information and inform them that:

- The monthly allotment will be recalculated without the shelter cost deduction if the household does not provide the updated shelter costs within 10 days.
- They can report changes in shelter costs at any time.

The CWD must send a notice of adverse action to the household if the household does not respond to a request for contact to clarify unclear information or refuses to clarify the unclear information per [7 CFR 273.12\(c\)\(3\)\(i\)\(B\)](#).

New Procedures Under the Waiver

Effective April 1, 2023 through March 31, 2024, if the CWD receives a verified change of address during a household's certification period but does not receive updated shelter costs, the CWD must send a notice encouraging the household to report any changes in shelter costs.

If the household responds with the updated shelter cost information, the CWD must update the case. If the household does not respond to the notice, the CWD will update the address, **but make no change to the household's shelter cost information at that time**. The CWD must then follow up on shelter cost changes at the next recertification or periodic report, whichever is sooner. If the household provides the updated shelter cost information at any time, the CWD must update the case.

If the CWD receives change of address information that is questionable or unclear, the CWD must follow the requirements at [7 CFR 273.12\(c\)\(3\)](#) to determine next steps. The waiver does not change CalFresh procedures for handling questionable, unclear, or unverified address change information.

Example 1: A Non-Assistance CalFresh (NACF) household messages their worker that they have moved and provides the new address. The household does not provide any information about an updated shelter cost along with the change of address. At the previous certification, the household reported paying rent of \$2000. The reported address change is considered Verified Upon Receipt (VUR). The worker must update the address and send a Request for Verification (CW 2200) to the new address encouraging the household to report any changes in shelter cost. However, the worker must not change the household's shelter cost. If the household does not respond to the notice, the worker must follow up at the next recertification or periodic report, whichever is sooner.

Example 2: The CWD receives a change of address reported through United States Postal Service (USPS) returned mail with a forwarding address for a NACF household. This information from USPS is not considered VUR for the CalFresh program. The waiver does not apply. No action should be taken, and the county worker must follow up at the next recertification or periodic report, whichever is sooner.

Example 3: The CWD receives a change of address reported to Medi-Cal, such as through USPS returned mail with a forwarding address, for a dual Medi-Cal/CalFresh

household. Under the 'Information Known to the Agency' rule, the county worker must update the household's address for CalFresh. The CWD must also send a CW 2200 to the household encouraging them to update their shelter costs. If the household does not respond to the CW 2200, their shelter expense is not changed. The county worker must follow up at next recertification or periodic report, whichever is sooner.

WAIVER EXTENSIONS

Policy Change: Initial Application and Recertification Interview Waiver

The waiver of the initial application and recertification interview has been extended until March 31, 2024. The previous interview waiver implementation and extensions did not require CWDs to provide a written explanation of the simplified reporting requirements or an oral explanation of the work requirements when the interview was waived. CWDs must follow additional procedures relating to simplified reporting and work requirements, even if the interview is waived, starting April 1, 2023 or upon completion of automation, if applicable:

- Send a written explanation of simplified reporting to all households per [7 CFR 273.12\(a\)\(5\)\(ii\)](#).
- Provide an oral explanation of the work requirements if the CWD contacts the household or if a household member is subject to the mandatory employment and training (E&T).
- Send the consolidated written notice to all households subject to the general work requirements, the Able-Bodied Adults without Dependents (ABAWD) work requirements, and mandatory E&T per [7 CFR 273.7\(c\)\(1\)\(ii\)](#) and [7 CFR 273.7\(c\)\(1\)\(iii\)](#).
- Screen all households subject to the general work requirements for exemptions from work requirements and ABAWD time limit, which includes referring individuals to CalFresh E&T if appropriate, per [7 CFR 273.7\(c\)\(2\)](#).

As a reminder, the implementation of the [CalFresh Notice of Work Rules \(CF 886\)](#) and the comprehensive oral explanation is effective upon the completion of automation in the California Statewide Automated Welfare System (CalSAWS), which is expected Fall 2023. CWDs will follow the additional procedures related to work requirements once automation is completed. For more information on work registrants, ABAWD, and E&T requirements, refer to [ACL 22-74](#) issued on September 2, 2022.

Telephonic Signature Waiver

The waiver of the recording requirement for telephonic signatures for both initial application and recertification (if certain criteria are met) has been extended until March 31, 2024. The policy for this waiver has not changed.

For detailed guidance on implementation of these waiver extensions, refer to the [ACWDL issued on April 2, 2020](#); [ACWDL issued on May 28, 2020](#); [ACWDL issued on October 21, 2020](#); [ACWDL issued on April 15, 2021](#); [ACWDL issued on July 1, 2021](#); [ACWDL issued on December 30, 2021](#); [ACWDL issued on March 29, 2022](#); [ACWDL issued on June 21, 2022](#); [ACWDL issued September 26, 2022](#); and [ACWDL issued December 21, 2022](#).

QUALITY CONTROL (QC) FACE-TO-FACE INTERVIEW WAIVER

FNS has approved an extension of the waiver of the requirement at [7 CFR 275.12\(c\)\(1\)](#) to conduct a face-to-face interview for QC active case reviews for the period of October 1, 2023 through [September 30, 2024](#). This waiver will allow Performance Measurement Counties the flexibility to conduct telephone interviews in lieu of face-to-face interviews for all QC interviews conducted through September 2024, regardless of sample month.

REPORTING REQUIREMENTS

Within 45 days of the expiration, withdrawal, or termination of each waiver, CDSS must report to FNS the outcome of the waivers. To fulfill this reporting requirement, the CDSS will develop an electronic survey that must be completed by all counties by April 26, 2024. If the waiver expires sooner than anticipated or is extended, the CDSS will adjust the survey due date accordingly.

The electronic survey will request the following information from CWDs for each waiver implemented:

- Estimated number of households affected by the waiver.
- Any issues associated with the waiver, including the number of client complaints (verbal or written).
- A narrative on the utility of the interview waiver, including the impact on administrative efficiency and on providing timely, accurate benefits.
- A narrative explaining the impact of the change of address waiver on the number of errors and payment accuracy, with supporting data if available.

COPIES AND TRANSLATIONS

Forms referenced in this letter are available on the [CDSS Forms/Brochures](#) webpage. When CDSS completes all translations of a form, they are posted on the [Translated Forms and Publications](#) webpage. When made available by CDSS, forms translated into an individual's preferred language must be provided to the individual pursuant to [Manual of Policies and Procedures \(MPP\) Section 21-115.2](#). For questions on translated materials, please contact Language Services at (916) 651-8876. If translations are not available, recipients who have elected to receive materials in

languages other than English should be sent the English version of the form or notice along with the [GEN 1365-Notice of Language Services](#) and a local contact number.

Per [Government Code Section 7290, et seq.](#), the County Welfare Departments (CWDs) must ensure that effective bilingual services are provided. This requirement may be met through utilization of paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. These services must be provided, free of charge, to the applicant/recipient. If CDSS does not provide translations of a form, it is the county's responsibility to read and interpret the form if an applicant or recipient requests it.

Additionally, the CWDs must provide auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision, or manual skills, where applicable. More information regarding provisions for services to applicants and recipients who have limited English proficiency or who have disabilities can be found in [MPP Section 21-115](#) and [ACL 19-45](#).

If you have questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at CalFreshPolicy@dss.ca.gov.

Attachments



United States Department of Agriculture

Food and
Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

March 9, 2023

Andrea Brayboy
Chief
CalFresh and Nutrition Branch
Department of Social Services
744 P Street
Sacramento, California 95814

RE: Supplemental Nutrition Assistance Program (SNAP) – California Request to Alter Procedures When Change of Address is Reported – Initial– Approval

Dear Chief Brayboy:

This letter transmits the approval of the California Department of Social Services' request to waive Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.12(c)(4)(i) and (iv). Under this waiver, the State agency may use alternate procedures when a household updates their address and does not provide updated shelter costs to streamline operations between SNAP and Medicaid.

The Food and Nutrition Service (FNS) is approving this waiver for a period of 12 months, effective April 1, 2023, through March 31, 2024. FNS approves this waiver under 7 CFR 272.3(c)(1)(i), which allows FNS to approve waivers based on extraordinary temporary situations. In this instance, SNAP State agencies currently face challenges in meeting SNAP Federal requirements due to the end of the public health emergency and requirements associated with Medicaid unwinding and initiating Medicaid redeterminations.

FNS also recognizes the State agency may have challenges returning to routine SNAP operations from the Families First Coronavirus Response Act (FFCRA) adjustments and other flexibilities made available during the COVID-19 public health emergency. This waiver is intended to provide the State agency with temporary administrative relief as it rebuilds capacity to operate under regular SNAP rules and operations. Therefore, FNS is unlikely to extend the waiver. The approval is contingent upon the State agency's compliance with the waiver conditions and data reporting components in item 9 of the Enclosure. A detailed waiver response is enclosed.

Andrea Brayboy
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If you have questions or need additional information regarding this waiver, please contact your Regional Office representative.

Sincerely,

DocuSigned by:

Catrina Kamau

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Catrina L. Kamau

Chief

Certification Policy Branch

Program Development Division

Enclosure

ALTER PROCEDURES WHEN CHANGE OF ADDRESS IS REPORTED WAIVER RESPONSE

- 1. Type of request:** Initial
- 2. Regulatory citation:** 7 CFR 273.12(c)(4)(i) and (iv)
- 3. State:** California
- 4. Region:** Western
- 5. Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.12(c)(4)(i) and (iv) require State agencies to investigate and act on potential changes in shelter costs when a household reports a change of address. When the State agency receives a verified change in address from the household or otherwise but does not receive a corresponding update to shelter costs, the State agency must send a notice to the household asking for updated shelter cost information. This notice must also inform the household that the State agency will recalculate their allotment without the deduction if the household does not provide the updated shelter costs within 10 days. The notice should also inform the household that they can report changes in shelter costs at any time.
- 6. Description of alternative procedures:** When the State agency receives a verified change in address during a household's certification period but does not receive their updated shelter costs, the State agency must send a notice encouraging the household to report any changes in shelter costs. The State must update the case with the new shelter costs if the household responds with the updated shelter cost information. If the household does not respond to the notice, the State agency will update the address but make no change to the household's shelter cost information at that time. The State agency must follow up on shelter costs changes at the next recertification or periodic report, whichever is sooner. If the household provides the updated shelter cost information at any time, the State must update the case.

If the State agency receives change of address information that is questionable or unclear, the State agency must follow the requirements at 7 CFR 273.12(c)(3) to determine next steps. This waiver does not allow the State agency to waive unclear information procedures and act on questionable, unclear, or unverified address change information.

Enclosure

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- 7. Action and reason for approval or denial:** The Food and Nutrition Service (FNS) approves this waiver under 7 CFR 272.3(c)(1)(i), which allows FNS to approve waivers based on extraordinary temporary situations. In this instance, SNAP State agencies currently face challenges in meeting SNAP Federal requirements due to the end of the public health emergency and requirements associated with Medicaid unwinding and initiating Medicaid redeterminations. FNS also recognizes the State agency may have challenges returning to routine SNAP operations from the Families First Coronavirus Response Act (FFCRA) adjustments and other flexibilities made available during the COVID-19 public health emergency. Based on the challenges associated with this transition, FNS is approving the request to implement the alternative procedures in Item 6. FNS is approving this waiver for period of 12 months, effective April 1, 2023, through March 31, 2024. State agencies may request to operate this waiver for a period of up to 12 months. The 12-month period must end by 12 months after the end of the Federal public health emergency.
- 8. Regulatory or legislative basis for action:** Approval is based on 7 CFR 272.3(c)(1)(i), which gives FNS the discretion to waive specific regulations when a State agency cannot implement those regulations due to extraordinary temporary situations.
- 9. Conditions and reasons:** Approval is contingent on the following conditions:
- The State agency must send a notice encouraging the household to provide the updated shelter costs;
 - The State agency must update the excess shelter deduction if the household reports updated shelter costs;
 - The State agency updates shelter costs at the household's next recertification or periodic report, whichever comes sooner;
 - When the address change information is unclear, the State agency must follow unclear information regulations at 7 CFR 273.12(c)(3) before acting on the information; and
 - FNS reserves the right to revoke waivers that are not used appropriately.

Within 45 days of the expiration, withdrawal, or termination of this waiver, the State agency must provide to FNS the information listed below for the required evaluation:

- Estimated number of households affected by this waiver;
- A 3-5 sentence narrative explaining the impact of the waiver on the number of errors and payment accuracy. The State agency should include any supporting data if available; and
- Any issues associated with this waiver, including the number of client complaints (verbal or written).

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10. Information required for extension: This waiver is intended to provide the State with temporary administrative relief as it rebuilds capacity to operate under traditional SNAP rules and operations. Therefore, FNS is unlikely to extend this waiver.

11. Expiration date: March 31, 2024

12. Limitation(s) on approval: Approval is limited to the California Department of Social Services. The State agency is limited to the alternative procedures in this approval. The State agency must submit a modification request for FNS approval prior to making any changes to these approved procedures. The State agency must also notify FNS if it encounters issues or delays in implementation.

13. Quality control (QC) procedures: No special QC procedures are required for cases subject to the provisions of this waiver. Cases should be reviewed using the standard review procedures, modifying any eligibility requirements according to the terms and conditions of the waiver, and following the requirements for verification and documentation as contained in the FNS Handbook 310 to include documenting the QC review record with the certification waiver name or description and the period for which the applicable waiver was in effect, or when an approved waiver has been terminated or withdrawn as it pertains to the case under review.

14. Date of State agency's request: February 1, 2023

15. Anticipated implementation date (*notify FNS if actual date differs*): April 1, 2023

16. State agency contact (name/email/telephone):

Name: Yazmin Saenz

Email: Yazmin.Saenz@dss.ca.gov

17. FNS regional contact (name/email/telephone):

Name: Barbara Smith

Email: barbara.smith2@usda.gov



United States Department of Agriculture

Food and
Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

March 8, 2023

Andrea Brayboy
Chief
CalFresh and Nutrition Branch
Department of Social Services
744 P St
Sacramento, California 95814

**RE: SNAP – California Request to Waive the Interview at Initial and
Recertification Application – Initial – Approval**

Dear Branch Chief Brayboy:

This letter transmits the approval of the California Department of Social Services' request to waive Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.2(a)(2), 273.2(e), 273.14(b)(3), 273.7(c)(1)(ii), 273.12(a)(5)(ii)(A), and 273.12(a)(5)(ii)(B). Under this waiver, the State agency will not be required to interview a household at initial application or recertification, provided that the State agency completes all mandatory verifications in 7 CFR 273.2(f). The State may not waive the oral explanation of work requirements for households with members subject to mandatory Employment and Training (E&T).

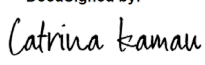
To transition to routine SNAP operations, the State agency may also submit a modification request to apply this waiver to a portion of the caseload. In that circumstance, the State agency must apply the policy fairly, equitably, and consistently across the State. The State agency must receive FNS approval prior to changing any approved procedures.

The Food and Nutrition Service (FNS) is approving this waiver for a period of 12 months, effective April 1, 2023, through March 31, 2024. FNS approves this waiver under 7 CFR 272.3(c)(1)(i), which allows FNS to approve waivers based on extraordinary temporary situations. In this instance, SNAP State agencies currently face challenges in meeting SNAP Federal requirements due to the end of the public health emergency and requirements associated with Medicaid unwinding and initiating Medicaid redeterminations.

FNS also recognizes the State agency may have challenges returning to routine SNAP operations from the Families First Coronavirus Response Act (FFCRA) adjustments and other flexibilities made available during the COVID-19 public health emergency. This waiver is intended to provide the State agency with temporary administrative relief as it rebuilds capacity to operate under regular SNAP rules and operations. Therefore, FNS is unlikely to extend the waiver. The approval is contingent upon the State agency's compliance with the waiver conditions and data reporting components in item 9 of the Enclosure. A detailed waiver response is enclosed.

If you have questions or need additional information regarding this waiver, please contact your Regional Office representative.

Sincerely,

DocuSigned by:

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Catrina L. Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

Enclosure

**WAIVE INTERVIEW AT INITIAL AND RECERTIFICATION APPLICATION
WAIVER RESPONSE**

- 1. Type of request:** Initial
- 2. Regulatory citation:** 7 CFR 273.2(a)(2), 273.2(d)(1), 273.2(e), 273.14(b)(3), 273.7(c)(1)(ii), 273.12(a)(5)(ii)(A), and 273.12(a)(5)(ii)(B)
- 3. State:** California
- 4. Region:** Western
- 5. Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.2(a)(2) require that the application process includes an interview, among other requirements.

Regulations at 7 CFR 273.2(d)(1) require that to determine eligibility, the application form must be completed and signed, the household or its authorized representative must be interviewed, and certain information on the application must be verified. If the household refuses to cooperate, the State agency shall deny the application. This provision details the difference between failure and refusal to cooperate.

Regulations at 7 CFR 273.2(e) require that households certified for less than 12 months have an interview with an eligibility worker at initial certification and at least once every 12 months after. Households certified for 24 months are not required to interview during the certification period. This provision also details the requirements for conducting the interview, including using telephone interviews and scheduling interviews.

Regulations at 7 CFR 273.14(b)(3) require State agencies to conduct an interview as part of the recertification process.

Regulations at 7 CFR 273.7(c)(1)(ii) require State agencies to provide an oral explanation and written notice to the household of all applicable work requirements for all members of the household during the certification process, when a previously exempt household member or new household member becomes subject to these work requirements, and at recertification.

Regulations at 7 CFR 273.12(a)(5)(ii)(A) and (B) require State agencies to provide an oral and written explanation to the household of how simplified reporting works and reporting requirements, at initial certification, recertification and when the State transfers the household to simplified reporting.

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- 6. Description of alternative procedures:** The State agency is not required to interview a household at Initial and Recertification Application provided that the State agency has completed all mandatory verifications in 7 CFR 273.2(f)(1). The State agency must contact the household if any information on the application is questionable. The State agency will make every attempt to verify household circumstances through available sources.

The State agency is not required to provide the oral explanation of the simplified reporting requirements or the work requirements if the interview is waived; however, there are some exceptions the State must consider when implementing this waiver. The State agency must provide the oral explanation of the work requirements if it contacts the household or if there is a household member subject to mandatory employment and training (E&T). The State agency must send the consolidated written notice to all households subject to the general work requirements, the able-bodied adults without dependents (ABAWD) work requirements, and/or mandatory E&T per 7 CFR 273.7(c)(1)(ii) and (iii), screen for exemptions from general SNAP work requirements and ABAWD time limit, including screening to determine if is appropriate to refer individuals to SNAP E&T per 7 CFR 273.7(c)(2). In addition, the State agency must send the written explanation of simplified reporting per 7 CFR 273.12(a)(5)(ii).

- 7. Action and reason for approval or denial:** The Food and Nutrition Service (FNS) approves this waiver under 7 CFR 272.3(c)(1)(i), which allows FNS to approve waivers based on extraordinary temporary situations. In this instance, SNAP State agencies currently face challenges in meeting SNAP Federal requirements due to the end of the public health emergency and requirements associated with Medicaid unwinding and initiating Medicaid redeterminations. FNS also recognizes the State agency may have challenges returning to routine SNAP operations from the Families First Coronavirus Response Act (FFCRA) adjustments and other flexibilities made available during the COVID-19 public health emergency. Based on the challenges associated with this transition, FNS is approving the request to implement the alternative procedures in Item 6. FNS is approving this waiver for period of 12 months, effective April 1, 2023, through March 31, 2024. State agencies may request to operate this waiver for a period of up to 12 months. The 12-month period must end by 12 months after the end of the Federal public health emergency.
- 8. Regulatory or legislative basis for action:** Approval is based on 7 CFR 272.3(c)(1)(i), which gives FNS the discretion to waive specific regulations when a State agency cannot implement those regulations due to extraordinary temporary situations.

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9. Conditions and reasons: Approval is contingent on the following conditions:

- The waiver is limited to those households for which mandatory verifications have been completed and the applicant's identity has been verified;
- The State agency will ensure that sufficient controls in their policy and automation are in place to implement the terms of this waiver correctly;
- The State agency will contact the household to resolve questionable information and to obtain required verification for household circumstances outlined at 7 CFR 273.2(f) not provided by the household;
- The State agency cannot request that households that are not required to complete an interview under this waiver to complete the interview. However, the State agency must contact the household if information supplied by the household or authorized representative is questionable;
- If the household requests an interview, the State agency must conduct an interview with the household;
- The State agency must provide an opportunity for the household to ask questions about the work requirements, including SNAP E&T, and about the simplified reporting requirements, even if the interview is waived;
- The State agency must provide a consolidated written notice to households subject to the general work requirements, including mandatory SNAP E&T, and/or the ABAWD work requirements, as required by 7 CFR 273.7(c)(1)(ii). The consolidated written notice of the work requirements must include all the information required by 7 CFR 273.7(c)(1)(iii);
- The State agency must screen for exemptions from the general work requirements at 7 CFR 273.7(b) and the ABAWD time limit at 7 CFR 273.24(c). The State agency must also screen to determine if it is appropriate to refer individuals to E&T per 7 CFR 273.7(c)(2), and must exempt individuals from mandatory participation in E&T if their expenses to participate would exceed what the State agency is able to pay, in accordance with 7 CFR 273.7(d)(4)(v);
- The State agency must provide a written notice of simplified reporting as required by 7 CFR 273.12(a)(5)(ii); and
- FNS reserves the right to revoke waivers that are not used appropriately.

Within 45 days of the expiration, withdrawal, or termination of this waiver, the State agency must provide to FNS the information listed below for the required evaluation:

- Estimated number of households affected by this waiver;
- A narrative on the utility of the waiver, including the impact on administrative efficiency and on providing timely, accurate benefits; and
- Any issues associated with this waiver, including the number of client complaints (verbal or written).

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10. Information required for extension: This waiver is intended to provide the State agency with temporary administrative relief as it rebuilds capacity to operate under traditional SNAP rules and operations. Therefore, FNS is unlikely to extend this waiver.

11. Expiration date: March 31, 2024

12. Limitation(s) on approval: Approval is limited to the California Department of Social Services. The State agency is limited to the alternative procedures in Item 6 and conditions in Item 9. The State agency must submit a modification request for FNS approval prior to making any changes to these approved procedures. The State agency must also notify FNS if it encounters issues or delays in implementation.

13. Quality control (QC) procedures: No special QC procedures are required for cases subject to the provisions of this waiver. Cases should be reviewed using the standard review procedures, modifying any eligibility requirements according to the terms and conditions of the waiver, and following the requirements for verification and documentation as contained in the FNS Handbook 310 to include documenting the QC review record with the certification waiver name or description and the period for which the applicable waiver was in effect, or when an approved waiver has been terminated or withdrawn as it pertains to the case under review.

14. Date of State agency's request: February 15, 2023

15. Anticipated implementation date (*notify FNS if actual date differs*): April 1, 2023

16. State agency contact (name/email/telephone):

Name: Yazmin Saenz

Email: yazmin.saenz@dss.ca.gov

17. FNS regional contact (name/email/telephone):

Name: Barbara Smith

Email: barbara.smith2@usda.gov

Phone: 415-705-2229



United States Department of Agriculture

Food and
Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

March 7, 2023

Andrea Brayboy
CalFresh and Nutrition Branch
Department of Social Services
744 P Street
Sacramento, California 95814

**RE: SNAP – California Request to Waive the Telephonic Signature Audio
Recording – Initial– Approval**

Dear Branch Chief Brayboy:

This letter transmits the approval of the California Department of Social Services' request to waive Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.2(c)(7)(viii)(A), (B), and (C). Under this waiver, the State agency may record telephonic signatures through means other than creating an audio recording of the client's verbal attestation. The State agency will document the verbal attestation in the case file and provide the client a written copy of the completed application, with instructions for correcting errors or omissions.

The Food and Nutrition Service is approving this waiver for a period of 12 months, effective April 1, 2023, through March 31, 2024. The approval is contingent upon the State agency's compliance with the waiver conditions and data reporting components in item 9 of the Enclosure. A detailed waiver response is enclosed.

If you have questions or need additional information regarding this waiver, please contact your Regional Office representative.

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Catrina L. Kamau". The signature is written in a cursive style with a large initial "C".

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Catrina L. Kamau

Chief

Certification Policy Branch
Program Development Division

Enclosure

Enclosure

**WAIVE THE TELEPHONIC INTERVIEW AUDIO RECORDING
WAIVER RESPONSE**

- 1. Type of request:** Initial
- 2. Regulatory citation:** 7 CFR 273.2(c)(7)(viii)(A), (B), and (C)
- 3. State:** California
- 4. Region:** Western
- 5. Regulatory requirements:** Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.2(c)(7)(viii)(A) require that a State agency that chooses to accept telephonic signatures must specify that it has chosen this option in its State plan of operation.

Regulations at 7 CFR 273.2(c)(7)(viii)(B) require the State agency to include a recorded summary of the telephone conversation and an audio recording of the household's verbal approval of the summarized information. An example of a telephonic signature is a recording of the household member saying "I agree" or "I do not agree" during an interview over the telephone. An example of a summary of the information is a recording reiterating the details the household provided during the telephone conversation.

Regulations at 7 CFR 273.2(c)(7)(viii)(C) require a telephonic signature system to link the audio file of the recorded verbal approval to the application.

- 6. Description of alternative procedures:** The State agency may record telephonic signatures through means other than creating an audio recording of the client attestation. The State agency will document the verbal attestation in the case file and provide the client a written copy of the completed application, with instructions for correcting errors or omissions. The documentation will include a case note in the State agency's eligibility system to demonstrate that the client has signed the application. The information the State documents in the case file must include the client's name, date and time of application, a summary of the information provided to the client for verbal approval, and the client's responses indicating agreement or disagreement. If a client submits an application without a signature and the State agency is able to connect with the client over the phone, the State agency will also note on the application that verbal attestation of the signature was given. The State agency is not required to amend its State Plan of Operation to indicate it is taking the telephonic signature option.

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7. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) recognizes the need for State agency measures for effective and efficient program management. FNS is approving this waiver for period of 12 months, effective April 1, 2023, through March 31, 2024.
8. **Regulatory or legislative basis for action:** Approval is based on 7 CFR 272.3(c)(1)(ii), which allows FNS to approve waivers that would result in a more effective and efficient administration of the program.
9. **Conditions and reasons:** Approval is contingent on the following conditions:
 - The State agency must provide the client a written copy of the completed application, with instructions for correcting errors or omissions per 7 CFR 273.2(c)(7)(viii)(D);
 - Households will still be permitted to submit an application over the telephone with only name, address and signature to establish a filing date;
 - The State agency will continue to accept all other types of signatures per 7 CFR 273.2(c)(7).
 - The State agency will ensure that sufficient controls are in place to implement the terms of this waiver correctly, including sufficient lines and eligibility workers to accept applications through the telephone;
 - The State agency will continue to comply with all other applicable interview and signature requirements;
 - The State agency will not accept an application without a signature, in accordance with 7 CFR 273.2(c)(7)(i);
 - The State agency will consult with their legal counsel to determine if this alternate approach constitutes a valid legal signature in their State;
 - The State agency has the capacity to provide to FNS the data required for evaluation of the caseload; and
 - FNS reserves the right to revoke waivers that are not used appropriately.

Within 45 days of the expiration, withdrawal, or termination of this waiver, the State agency must provide to FNS the information listed below for the required evaluation:

- Estimated number of households affected by this waiver; and
- Any issues associated with this waiver, including the number of client complaints (verbal or written).

10. **Information required for extension:** FNS will consider an extension of this waiver based on the impact of the waiver on program access and program integrity and on the conditions at the time related to the end of the public health emergency.

State agencies must submit waiver extension requests to the Regional Office at least 60 days prior to the expiration date (January 31, 2024).

11. **Expiration date:** March 31, 2024.

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12. Limitation(s) on approval: Approval is limited to the California Department of Social Services. The State agency is limited to the alternative procedures in this approval. The State agency must submit a modification request for FNS approval prior to making any changes to these approved procedures. The State agency must also notify FNS if it encounters issues or delays in implementation.

13. Quality control (QC) procedures: No special QC procedures are required for cases subject to the provisions of this waiver. Cases should be reviewed using the standard review procedures, modifying any eligibility requirements according to the terms and conditions of the waiver, and following the requirements for verification and documentation as contained in the FNS Handbook 310 to include documenting the QC review record with the certification waiver name or description and the period for which the applicable waiver was in effect, or when an approved waiver has been terminated or withdrawn as it pertains to the case under review.

14. Date of State agency's request: February 17, 2023.

15. Anticipated implementation date (*notify FNS if actual date differs*): April 1, 2023.

16. State agency contact (name/email/telephone):

Name: Yazmin Saenz

Email: Yazmin.saenz@dss.ca.gov

17. FNS regional contact (name/email/telephone):

Name: Barbara Smith

Email: barbara.smith2@usda.gov