

COVID-19 Questions and Answers

Food and Nutrition Services

1. Income

1. How are Stimulus payments counted for FNS purposes?

Stimulus checks are not counted as income, they are being looked at as a one-time lump sum payment so are therefore are being counted as a resource 12 months following receipt of the payment.

Per Integrated Eligibility Manual (IEM) Section 4040, these rebates are excluded from consideration as lumpsum payments. A household would not be considered to have exceeded the income limit due to these payments because they are excluded, but receipt of these payments could affect a household's eligibility after 12 months if the payments cause the household to exceed the resource limit.

2. How is pandemic unemployment assistance counted for FNS purposes?

These payments are treated the same as non-pandemic unemployment benefits and are not excluded from income for FNS purposes. Unless listed in IEM section 4040 Non-countable Income or listed on an Administrative Letter all income is counted for FNS, this includes income related to the pandemic.

3. We are trying to determine how we should look at self-employment income for hair stylists and other self-employed persons who are unable to work due to COVID-19 restrictions.

For all income, regardless of type, wages, self-employed, or unearned count representative income. IEM 4070.1 Representative income:

Income from the base period that is reflective of the future. Representative income can be used to calculate and budget an amount that is reasonably expected to be available to the household during the certification period. See 4070.2 Base Periods for more detail.

With COVID-19 the current stay at home order started March goes into April maybe longer (probably until the end of April) which is more than a month. When the individual returns to work and reports the change, you will address the self-employment again at that time considering what is representative.

4. We are needing clarity on what to do and how to deal with recent changes due to COVID- We have numerous clients that are calling in who have either been laid off or are out of work due to this pandemic, which leads them to having no income coming into the household.

There are no special guidelines for reacting to changes due to the COVID-19 pandemic. Use the regular FNS policy and timeframes outlined in FNS section 450.

5. **We are conflicted on what we should or should not be counting if a client has applied for UIB. Per OVS, some show that an application for UIB has been submitted and clients have confirmed, as well. To the best of my knowledge, none of our clients have started receiving payments yet. We normally do not count UIB because we do not know if they will be approved, the correct weekly amount, etc. Should we be following the same procedure during the current pandemic?**

Per the IEM 4030.2, Unemployment insurance is countable once it is received. Therefore, if there have been no payments issued, there would be no unemployment income to count for ongoing cases. For applications, if the income can be reasonably anticipated to be received during the certification period, it may be projected. Document your reason for counting or not counting clearly in the notes. This section also lists what is acceptable verification of the UIB.

Unemployment Insurance	Public or private income received by an individual as compensation for loss of employment due to layoff, suspension, or firing. It may include additional amounts paid by unions or employers.
<u>Verification Method</u>	

2. Emergency Allotments

1. What are pandemic supplements?

Pandemic supplements are supplements to a household's FNS benefits, similar to supplements authorized during disasters under Sec. 5(h)(3)(A) of the Food and Nutrition Act of 2008 (FNA). The supplement is being issued by NC FAST and is the amount that takes the household up to the maximum benefit amount for their household. If the household already receives the maximum amount, they will not receive a supplement.

2. When will North Carolina begin issuing pandemic supplements?

As of March 18, 2020, NC issued supplements for March from April 1, 2020 through April 10, 2020 and will begin issuing April benefits on April 22, 2020 through May 1, 2020. They will continue to run extra batches to incorporate any applications that were approved after the original batches were run.

3. How long can North Carolina issue pandemic supplements?

North Carolina plans to issue pandemic supplements for up to 2 months due to funding constraints. USDA only approved 2 months of emergency benefits, any possibility for extensions will be communicated to County agencies as more information is available.

4. Do Counties need to send a special notice to all households receiving pandemic supplements?

These supplements are to be treated as a mass change and mailing notices to households is an option, but not a requirement. NC opted not to send individual notices but did a new media campaign, posted on the NC DHHS website, and send text messages and emails to participating households.

5. When a household stops receiving a pandemic supplement and their benefit amount decreases, would they receive a Notice of Adverse Action (NOAA)?

Since these supplements are considered a mass change, a NOAA is not required when a household stops receiving them, and benefits are due to decrease.

6. How are pandemic amounts calculated?

Pandemic supplements, combined with the household's monthly FNS benefit, would equal up to the maximum benefit amount for their household size based on the number of eligible household members in the household. This is to be calculated in the same way that supplements are calculated during a disaster.

7. When a County is processing an application should they calculate the benefit amount for new households as normal, even though they will receive the maximum benefit for their household size with emergency allotments?

Yes, Counties must still calculate a household's benefit amount based on their household circumstances. The pandemic supplement acts as a supplement to that amount and does not change how eligibility and benefit amounts are normally determined.

3. Verifications.

1. If a business has recently closed due in part to a COVID-19 outbreak, how can County agencies verify a recently terminated applicant's income?

Per Integrated Eligibility Manual (IEM 4050), in the event that income verification cannot be completed through routine verification procedures, such as contacting the employer, agencies shall determine an amount to be used for certification purposes based on the **best available** information. Examples of how agencies may do this include:

- Using readily available data matches to verify household-reported information; or
- Use of collateral contacts; or
- Use of client's statement, if the employer refuses or after the worker has made attempts and client states they cannot obtain the information.

2. Can a State or local "Stay at Home", "Shelter in Place", or comparable order be used to verify job loss?

In the event attempts to verify income have been unsuccessful because the person or organization providing the income has failed to cooperate, per IEM 4050 the caseworkers are in the best position to determine which businesses are considered non-essential and impacted by "Stay at Home" and "Shelter in Place" orders in their County. If employment status remains questionable (such as the individual is employed by a hospital and claiming loss of job due to COVID-19), the caseworker would follow routine procedures for verifying questionable information.

3. Are counties to key applications taking client's statement for allowable deductions such as rent if they are not able to reach the landlord, or would they need to pend applications requesting these verifications before allowing the deduction?

Normal methods to verify deductions should be attempted, however if those methods are not available due to current circumstances alternative methods to verify income deductions can be used. Client's statement is not acceptable unless the source has refused to provide the verification or the client has requested help and the worker has attempted to obtain the verification directly from the source. Example of methods for rent - may include but not limited to – a lease, old receipt, bank statement, copy of check, copy of money order receipt, etc. – document what you used and why.

4. Able Bodied Adults Without Dependents (ABAWDs)

- 1. If the client has received their 3 Free Months prior to March 1, 2020, and were ineligible for benefits in March 2020, but apply for new benefits starting April 1, 2020, is the COVID-19 exemption used? Or are they no longer eligible even if they reapply starting April 1, 2020?**

Yes; If an ABAWD does not meet any other exemption as listed in section 245.01, then they may use the COVID-19 exemption. The COVID-19 exemption is applied the same as any other exemption, if they are exempt for one day or more than they are exempt for the entire month and when exempt they are not considered ABAWD for that period of time and no ABAWD rules apply.

5. Students

- 1. Are students still not being counted on applications due to COVID-19?**

FNS policy has not changed concerning student status. Continue to evaluate student status based on manual policy. A waiver was submitted to USDA to waive the work requirement however; that waiver was denied.

- 2. Have there been any recent policy changes due to COVID that would allow foreign college students to qualify for FNS?**

No, FNS policy has not changed concerning student status.

- 3. We have a student (single parent household) with a 12-year-old child. She has been eligible student because she previously has been able to work. She has lost her job now, so she is an ineligible student. Do you know of any waivers (coming) that would apply to students? she meets no exemptions.**

FNS policy has not changed concerning student status. Continue to evaluate student status based on manual policy. A waiver was submitted to USDA to waive the work requirement however; that waiver was denied.

6. Controlled Substance Felons

- 1. I just wanted some advice in regard to QPSA for FNS applicants during the COVID-19 pandemic.**

An administrative letter 11-2020 released on April 20, 2020 to address QPSA activities during the COVID-19 pandemic.

7. Changes

- 1. Does Admin letter 1-2020 apply to changes reported in March? Should workers be reacting to all changes reported for April under the normal rules for reacting to changes, or would they only react if the change results in an increase until this pandemic is over?**

Regular reporting requirements have not changed. If the report is made outside the SR mentioned in the letter, you must react regardless of the outcome. Refer to Admin Letter 1-2020.

2. **So just for clarification- if we find out information outside the recert period that decreases the benefits we should not act on it? Also, any evidence that would decrease or increase the benefits during the recert period, we should not act on?**

The FNS policy regarding reacting to changes during the certification period has not changed. Please follow the guidance in 450 regarding these situations. The AL 1-2020 was only speaking to March/April recertifications when information was reported via the 2435.

8. County Agency Operations

1. **Our agency has adjusted operating hours and is closed on Fridays until further notice. Will the FNS overdue report be adjusted to account for the office being closed on Fridays?**

There are no adjustments made to the overdue reports, the expectation is the county must meet all normal timeliness standards. Applications should be processed on the day before the closure if being approved and the day after if being denied.

Work First (WF) Family Assistance

A. Treatment of payments under the Coronavirus Aid, Relief, and Economic Security (CARES) Act

1. **How are Stimulus payments counted for WF purposes?**

The stimulus payments are excluded from consideration as income in the month of receipt and as a resource for 12 months following receipt for WF purposes. A household would not be considered to have exceeded the income limit due to these payments because they are excluded.

2. **How is pandemic unemployment assistance counted for WF purposes?**

These payments are not counted as income for the WF program. States have the flexibility to disregard these benefits under the CARES Act as income or resources when determining TANF eligibility and benefit amounts. North Carolina opted to disregard pandemic unemployment assistance. Regular unemployment benefits continue to be countable income and are not excluded from income for WF purposes.

3. **Full-time child-care employees will receive bonus pay of \$300 per month for all teaching staff and \$200 per month for all non-teaching staff for April and May 2020 for the Subsidized Child Care Assistance Program. How will these bonus payments be counted for WF purposes?**

These payments are not counted as income for the WF program because they are not representative of the income to be received by the budget unit member during the certification period.

B. Automatic Payment Issuance Process

1. **We understand the WF program will automatically issue Work First Benefits (WFB) payments during the COVID-19 pandemic crisis to reduce the worker responsibilities during this time of crisis, but what if the client was in non-compliance with their Mutual Responsibility Agreement (MRA) in February 2020. The worker did not find out about the non-compliance until March and terminated the case effective 3/31/2020. What do we do?**

If the client was sanctioned for a benefit month prior to March 2020, the March 2020 payment would not be automatically issued by NC FAST. This action was based on whether a sanction was imposed, and the payment cancelled.

- 2. Client applied for WF on 3/2/2020 and was scheduled to begin WF Employment Services activities on 3/3/2020, but never started the activity. Good cause was not established. Would the March 2020 payment be issued since the participant never complied with the MRA prior to the public health emergency?**

Although the application was submitted prior to the state of emergency declaration, the COVID-19 changes are effective beginning with March 2020. If a sanction was not imposed or a period of ineligibility established for the application and the payment for March 2020 cancelled, the NC FAST system would automatically issue the March payment.

- 3. Client had a WF benefit payment on hold. However, the client notified the worker at the beginning of March 2020 they did not want to participate because they did not want to comply with child support requirements. Would the March 2020 payment automatically issue due to WF Administrative Letter 4-2020?**

For March 2020, if the WF payment was showing with an “on hold” status, the payment would not be issued via the automated process described in WF Administrative Letter 4-2020. For the payment to be automatically issued, the worker must resolve the “on hold” payment by close of business on the day of the automatic payment process for it to be automatically issued by NC FAST. Additionally, workers must understand that cases with an “on hold” status or showing a duplicate issuance will not have payments automatically issued.

C. WF Employment Services

- 1. If WF participants have submitted participation hours, are those hours required to be entered in NC FAST?**

Yes. Participation hours must be recorded in NC FAST throughout the pandemic period. The policy regarding the requirement to submit attendance verification and/or complete activities listed on the MRA Plan of Action has not changed.

- 2. Since NC FAST will be applying the COVID-19 exemption coding and this coding will not be viewable to users, does this mean that these cases will not be reflected in the Work Participation Rates (WPR)?**

No. Our federal partner, the Administration of Children and Families (ACF) has not issued any waivers to states regarding the WPR requirements. Therefore, the WPR will continue to be calculated.

- 3. With the automatic release of WF benefits on the first day of the month due to COVID-19, are workers still required to document in NC FAST that the benefits were released?**

Yes. Workers must continue to document in the Case Details in NC FAST citing the monthly benefit was released documenting good cause exemption due to COVID-19.

- 4. Are MRA Plan of Action/Outcome Plans required to be updated every 12 weeks during the pandemic or should all updates be postponed until the public health emergency declaration has been lifted?**

Yes. The policy regarding MRA Plan of Action/Outcome Plan updates has not changed. Workers should still engage with families and make attempts to make appropriate referrals for services. It is important to consider/ensure during this time of social distancing that individuals don't feel

isolated. Which makes safe case management essential right now while understanding that the WPR may not be met. Workers should engage participants to revise MRA Plan of Action activities to provide more attainable goals during this period, even though payments will be automatically released. Items to consider when revising MRAs could be encouraging workers to request weekly/bi-weekly/monthly updates from their participants by phone or secured email. A few important notes to consider during this period of social distancing:

- How are families doing, especially having children home from school?
- Are there any mental health opportunities which are available as a resource?
- Is there a helpline available for families to access?
- Are there any stress management suggestions?
- Is the family connected to a faith community?
- Has the family been able to engage with other individuals through Zoom, Skype or other video platforms?

D. Applications

- 1. Please clarify the order of mailing out documents for WF applications requested by phone? Administrative Letter WF 3-2020 states to mail out the DSS-8228 first, but we are connecting anyone who calls to apply with a worker right away to get the DSS-8228 questions answered to ensure it is completed properly and to save time for the applicant, then mailing it out with the supporting documents for signatures. What day would be the official date of application?**

Refer to Dear County Director Letter dated 4/16/2020, which provides a step-by-step application process for WF applications to assist counties with streamlining their processes. Complete the DSS-8228, WF Cash Assistance Application and Review Documentation Workbook and the Intelligent Evidence Gathering (IEG) interview while the applicant is on the telephone. The date of application is the date the IEG is completed in NC FAST. Conduct all required assessments and screenings according to policy while conducting the telephone interview. Mail the DSS-8146-A, Notice of Information Needed to Determine Your Eligibility for Work First Family Assistance along with a self-addressed envelope, the DSS-8228, the signature page of the IEG and required assessments for signatures. The applicant must sign and return the IEG along with all the required documents to complete the application process. The signed IEG protects the date of application. Signatures are required for the DSS-8228 and the IEG signature page before the WF application can be processed. If the applicant fails to return the signed DSS-8228 and/or IEG, the application is denied. Local agencies may accept an electronic signature from the applicant.

- 2. Our local Qualified Professional in Substance Abuse (QPSA) states they can't assess clients right now due to COVID-19. Can we grant good cause, or will the applicant be ineligible because they can't complete the QPSA requirement?**

Refer to WF Administrative Letter 2-2020 which provides guidance for the provision to grant good cause when a client is unable to complete the QPSA substance use assessment appointment or the substance use testing requirement due to limitations and unavailability of a QPSA and drug testing sites to provide the required services. Thoroughly document the case to explain the circumstances preventing the applicant from meeting the requirement. Use the good cause reason "Families in Crisis" in NC FAST. Once the public health emergency declaration is lifted, the worker will issue a DSS-8146-A following the policy in WF Manual Section 104B requiring that the assessment by the QPSA or substance use testing requirement to be completed. If the verification is not returned timely, the worker will terminate the case based on WF policy.

E. Sanctions

1. Will WF workers disregard sanctions due to COVID-19. If yes, for what reasons?

Yes. Refer to WF Administrative Letter 5-2020 which provides guidance for the suspension of sanctions during the pandemic. The letter includes a list of the sanctions that are affected by the temporary suspension. Note that if a specific circumstance is not included on the list, then the sanction is still imposed. Local agencies must end date current sanctions related to child support and/or failure to meet work requirements. NC FAST will reinstate these sanctions when the public health emergency period is ended. For new applications that are in non-cooperation with child support and/or failure to meet work requirements, the local agency must not impose the sanction, but must manually track the case to impose the sanction in compliance with WF policy when the COVID-19 health emergency ends.

2. If a caretaker fails to return the DSS-8228 WF Cash Assistance Application and Review Documentation Workbook, does the worker still impose the penalty (sanction) month for failure to complete the recertification?

Yes. Failure to complete the WF recertification is not listed with WF Administrative Letter 5-2020 as one of the sanctions temporarily suspended due to COVID-19. Follow regular policy to impose the penalty month and terminate the case if the caretaker fails to complete the recertification.

3. Client failed to report timely a change in income. We are working up an April WF recertification and found out the client began new employment in February 2020 and remains employed. Do we impose a sanction or not?

There have been no changes in policy regarding waiving the requirement to report changes in situation timely. Failure to report changes in situation is not listed in WF Administrative Letter 5-2020 as a situation in which the sanction would be suspended until the COVID-19 emergency declaration is lifted. Therefore, the worker should impose a sanction for failure to report changes in situation in a timely manner as required by the MRA-A core requirements. In addition to imposing a sanction, the worker must also determine if an overpayment has occurred.

F. Terminations

1. Will WF workers disregard terminations due to COVID-19. If yes, for what reasons?

Yes. WF Administrative Letter 7-2020 published 4/17/2020 provides guidance for the temporary suspension of WF cash assistance terminations for cases who has exhausted the 24-month State time limit, 60-month State time limit and the 60-month Federal time limit. The temporary suspension of WF cash assistance terminations is also applicable to paperwork and/or procedural terminations including failure to sign the MRA, failure to include all required family unit members, failure to apply for other benefits the assistance unit members may be eligible for and failure to provide proof of citizenship and/or identity. In addition, hardship extension requests and hearings are not required during the COVID-19 public health emergency. This policy is effective with cases that terminated effective 3/31/2020 and later due to the reasons referenced. Once the COVID-19 emergency declaration is lifted, workers will reinstate terminations due to paperwork and/or procedural requirements. NC FAST will terminate cases who have exhausted their time limits. Counties must manually track terminations not imposed for new applications and impose the termination once the emergency declaration is lifted.

G. Miscellaneous

1. If a business has recently closed due in part to a COVID-19 outbreak, how can County agencies verify a recently terminated applicant's income?

Refer to IEM Manual Section 4050.3 which lists the hierarchy of acceptable verification of income allowing acceptance of client statement as a last resort. Workers should document clearly their efforts to verify the income before accepting client statement.

2. Can a State or local “Stay at Home”, “Shelter in Place”, or comparable order be used to verify job loss?

In the event attempts to verify income have been unsuccessful because the person or organization providing the income has failed to cooperate. Agencies are in the best position to determine which businesses are considered non-essential and impacted by “Stay at Home” and “Shelter in Place” orders in their County. If employment status remains questionable (such as the individual is employed by a hospital and claiming loss of job due to COVID-19), the State Agency would follow normal policy requirements for verifying questionable information.

3. We are trying to determine how we should look at self-employment income for hair stylists and other self-employed persons who are unable to work due to COVID-19 restrictions.

For all income, regardless of type, wages, self-employed, or unearned count representative income. Refer to IEM 4070.1 Representative income from the base period that is reflective of the future. Representative income can be used to calculate and budget an amount that is reasonably expected to be available to the household during the certification period. See 4070.2 Base Periods for more detail.

With COVID-19 the current stay at home order started March goes into April maybe longer (probably until the end of April) which is more than a month. When the individual returns to work, you will address the self-employment again at that time considering the change and looking at what is representative.

4. When it shows the client has applied for UIB and it shows the account as active, but no payment has been received are we to start counting their UIB when processing the application?

Refer to IEM 4030.2, Unemployment insurance is countable once it is received. Therefore, if there have been no payments issued, there would be no unemployment income to count. This section also lists what is acceptable verification of the UIB.

Unemployment Insurance Verification Method	Public or private income received by an individual as compensation for loss of employment due to layoff, suspension, or firing. It may include additional amounts paid by unions or employers.
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5. We are conflicted on what we should or should not be counting if a client has applied for UIB. Per OVS, some show that an application for UIB has been submitted and clients have confirmed, as well. To the best of my knowledge, none of our clients have started receiving payments yet. We normally do not count UIB because we do not know if they will be approved, the correct weekly amount, etc. Should we be following the same procedure during the current pandemic?

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