



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

SUSAN OSBORNE • Assistant Secretary for County Operations for
Human Services

Date: May 25, 2021

Dear County Directors of Social Services:

Attention: Food and Nutrition Services and Work First Family Assistance, Managers and Supervisors

Subject: **(Corrected) Waivers Extended Through December 31, 2021 or Until the Governor Lifts the Emergency Declaration**

Priority: Information and Action

I. GENERAL INFORMATION

Based on the state's continued economic status due to COVID-19 North Carolina Department of Health and Human Services (DHHS) requested waivers to extend the suspension of claims collections, the administrative disqualification hearing timeframes, and fair hearing timeframes, telephonic signature for FNS applications/recertifications, application/recertification interview waiver extension, and FNS certification period extension. These waivers were approved through December 31, 2021 or when the Governor lifts the COVID-19 public health emergency declaration whichever is sooner.

II. POLICY PROCEDURES

All waivers approved do not have policy procedure changes for the waivers addressed in this letter. All terms and conditions outlined within the previously approved adjustment(s) apply. Guidance on resuming normal procedures will be provided prior to the termination of the waivers, once the COVID-19 public health emergency declaration is lifted.

III. IMPLEMENTATION INSTRUCTIONS

The following Administrative Letters and Dear County Director Letter provide implementation instructions:

[**EFS FNS AL-9-2020 Suspension of Claim Collections**](#)

[**EFS-WF-AL-13-2020 Suspension of Claims Collections**](#)

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES • ECONOMIC AND FAMILY SERVICES

LOCATION: 820 S. Boylan Avenue, McBryde Building, Raleigh, NC 27603
MAILING ADDRESS: 2420 Mail Service Center, Raleigh, NC 27699-2420
www.ncdhhs.gov • TEL: 919-527-6300 • FAX: 919-334-1265

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

The approved waiver for Suspension of Claims Collections suspends the collection of all current FNS and WF overpayments, and delays collection of newly established FNS and WF overpayments.

EFS FNS AL-6-2020 Administrative Disqualification Hearing (ADH) by Telephone

This administrative letter outlined alternative procedures for conducting Administrative Disqualification Hearings (ADH) by telephone and referred to this as a waiver of regular scheduling procedures. USDA clarified a waiver was not required to make this change as it is considered an option available to the state. This option has been accepted as a permanent alternate procedure for conducting an ADH. The option of conducting an ADH by telephone will not expire and is available to the local agencies ongoing.

USDA did provide a blanket waiver for Administrative Disqualification Hearing timeframes. This waiver allows States to extend the timeframe for the full ADH process to a maximum of 180 days from the time of the hearing notification, and the potential postponement period up to 60 days. This waiver was extended through December 31, 2021.

EFS FNS AL-10-2020 FNS State Fair Hearings Conducted by Telephone (State Fair Hearing Timeliness)

The approved waiver for FNS State Fair Hearings Timeframes suspends fair hearing timeframes. The fair hearings process may be extended up to 120 days from receipt of the request for fair hearings that were already in process or for which requests are received from March 1, 2020 through December 31, 2021.

Conducting fair hearings by telephone is also a state option that NC has elected to continue ongoing. The option for state fair hearing by telephone will not expire. Submit any questions regarding this information to the Hearings & Appeals Section at Medicaid.DSS.State.Appeals@dhhs.nc.gov.

EFS-FNSEP-44-2021 TELEPHONIC SIGNATURE FOR FNS APPLICATIONS/RE-CERTIFICATION

The Division has accepted the extension of the telephonic signatures waiver to provide workers more flexibility to receive and process the applications and recertifications while still promoting social distancing through **December 31, 2021**.

EFS-FNSEP-31-2020 APPLICATION/RE-CERTIFICATION INTERVIEW WAIVER EXTENSION

The Division has accepted the extension of the interview waiver. The requirement to conduct interviews (face-to-face or telephone) at initial application or recertification is waived for all pending applications or recertifications that have not been processed by the effective date of this policy. The interview may be waived for all applications and recertifications currently pending and received up to and including **December 31, 2021**.

EFS-FNSEP-36-2020 FNS CERTIFICATION PERIOD EXTENSION

The Division has accepted the extension of the additional six-month certification period. **This automatic extension will apply to all FNS cases with a six-month certification period that ends between July 1, 2021 and December 31, 2021.**

The automatic extension does not apply to FNS cases with 12-month certification period or Simplified Nutritional Assistance Program (SNAP) cases.

If you have any questions, please submit to the Operational Support Team (OST) at dss.policy.questions@dhhs.nc.gov.

Sincerely,

A handwritten signature in blue ink that reads "Carla West".

Carla West, Senior Director for Economic Security
Division of Social Services, Economic and Family Services

CLW/vd

EFS-FNSEP-54-2021