

March 16, 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,

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