Corrected Bulletin 20-68-12
Waiver of Requirements for cash programs during COVID-19 response

TOPIC
Clarifications regarding policies for verifying citizenship, negative actions on cash assistance cases, and suspending recoupments on agency error overpayments. Amended policies for the COVID 19 public health emergency for applications, recertifications and renewals, reporting, and other administrative procedures for the Minnesota Family Investment Program (MFIP), Diversionary Work Program (DWP), General Assistance (GA), Minnesota Supplemental Aid (MSA), Refugee Cash Assistance (RCA), and Housing Support for the duration of the public health emergency.

PURPOSE
These amended processes will:

- Ensure Minnesotans have access to critical public assistance programs at a time when they need it most;
- Maintain uninterrupted benefits for Minnesotans relying on public assistance during the public health emergency;
- Allow flexibility for eligibility workers to respond to new applications and process applications, recertifications, and other changes quickly; and
- Reduce the number of face-to-face contacts in county, tribal, and community partner offices.

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TERMINOLOGY NOTICE
The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.
I. Amended Policies

On March 20, 2020, Gov. Walz issued executive orders, enabling the commissioner of the Minnesota Department of Human Service to “seek federal authority to change or waive federal requirements applicable to its programs and services” and waive some state statutes. For more information and links to the executive orders, visit the department’s COVID-19 webpage.

These policies will ensure that Minnesotans continue to receive assistance through the Minnesota Family Investment Program (MFIP), Diversionary Work Program (DWP), General Assistance (GA), Refugee Cash Assistance (RCA), Minnesota Supplemental Aid (MSA), and Housing Support without interruption during the public health emergency. These policies do not apply to the Supplemental Nutrition Assistance Program (SNAP), Child Care Assistance Program, or Medical Assistance. Instructions for SNAP will be released soon.

Clarifications to the previous version of this bulletin are highlighted in gray.

A. Applying for assistance and interviews

Waive the requirement to submit a signed application for MFIP, DWP, RCA, GA, MSA and Housing Support per 256J.09, 256D.07, 256D.395, 256I.04, and 256I.06.

County, tribe, and community partner eligibility workers may complete an application over the phone when a potential applicant calls and expresses a need for help with cash or food. Eligibility staff should ask the caller if they wish to apply for assistance. If yes, complete the Combined Application Form (CAF) on the phone with the applicant, and case note that the applicant confirmed the accuracy of the information. Indicate on the CAF, in the agency signature area, that the CAF was completed by the agency with the applicant via phone and that a verbal signature is being accepted. The date of the application is the date the application is completed on the phone with the applicant. Send the completed application to the applicant by mail, email, or fax.

What’s different?

- Waive the requirement for an applicant’s signature (see letter B), complete the application for the applicant while on the phone.
- This should allow same-day approvals.

B. Allow verbal confirmations of information in place of signatures

Since eligibility workers will not be doing face-to-face interviews during the public health emergency, accept verbal confirmation that the information reported by an applicant or participant is true and note that in case notes. A signature on the application or other documentation is not required (256J.09, subd. 3, clause (b), 256D.07, 256D.395, 256I.04, and 256I.06).
C. Verification requirements

Verify as much as you can electronically or through phone calls with third parties, such as employers. Allow signed personal statements as permitted under 256P.04, subd. 15, clause (4) from applicants or participants. This applies to all programs addressed in this bulletin including MFIP-only verifications. When you cannot get third party verifications electronically or through phone calls, use self-attestation for any required verification. This can be written or verbal attestation and should be documented in case notes.

The factors required to be verified include the following:

- Identity of adults
- Age
- Immigration status*
- Income
- Spousal support and child support payments made to persons outside the household
- Vehicles
- Checking and savings accounts
- Residence
- Social security number (Current law already waives verification for documented noncitizens and victims of domestic violence.)
- Use of non-recurring income
- The presence of a minor child in the home
- Relationship of the minor child to caregivers in the household
- Pregnancy
- School attendance
- A claim of family violence (Self-attestation is already an option allowed in current law if confirmed by a sworn statement from another person (256J.545). Waive the sworn statement from another person.)
- Disability
- Personal property
- Any information inconsistent with information already known to the county or tribe

If verifications are not received using the methods outlined above, do not close the case, except for the reasons listed under item F.

* For verifying immigration status:

While verbal attestation from an applicant may be accepted for immigration status, eligibility workers must continue to use SAVE as the third-party verification system to verify the immigration status or naturalized/derived citizenship of applicants. Also use SAVE to verify a change in participants’ immigration status. SAVE requires that cases not be denied unless the entire SAVE process is completed and SAVE cannot verify the individual’s immigration status. Submit a PQ before a case is denied due to an issue with documentation.
D. Contacting third parties

Waive the requirement to have an applicant's or participant’s written consent to contact third parties to verify information (256P.04, subd. 12). Allow verbal consent if written consent is not possible. Third party verifications may be provided by text, email, fax, or verbally when written forms are not possible. For verbal consent, conference calls should be used with the participant, third party, and eligibility worker when possible. Always case note the verbal consent from the applicant or participant. The verbal consent remains in place for the duration of the public health emergency.

The department will provide instructions on how to handle applications from individuals who are also applying for unemployment insurance.

E. Addendum to existing applications for MFIP, DWP, and RCA

Waive the requirement for an addendum to add persons to an assistance unit. This will reduce the amount of paperwork and face-to-face contact. The eligibility worker should accept the information via phone contact, text, or email (256J.09, subd. 9).

F. Reporting changes

Waive requirements under 256P.04, subd. 11 that requires a participant to complete a household report form. Waive requirements under 256P.07, subd. 3 that the following changes must be reported by applicants or participants:

- A change in earned income of more than $100 a month
- A changed in unearned income of $50 per month
- A change in employment status
- A change in address or residence
- A change in household composition
- A receipt of lump sum payments
- An increase in assets if over $9,000
- A change in citizenship or immigration status
- A change in family status
- A change in disability status
- A new rent subsidy
- A sale, purchase or transfer of real property
- A pregnancy not resulting in a birth
- A change in school attendance of a parent younger than 20 or an employed child
- Shelter expenses
- Utility expenses
Participants have the right to report changes. Counties, tribes and community partners should allow verbal reports. The eligibility worker should act on that information.

If verifications are not received using the methods outlined in item C in this bulletin, do not close the case except for reasons listed below.

**Closure of cash cases should occur in the following situations.**
- The household moves out of Minnesota.
- A fraud disqualification occurs.
- A client requests closure.

**MFIP case closures should also occur in the following situations.**
- Member 01 leaves the household, including for incarceration (unless they meet temporary absence policies as outlined in chapter 14.09 of the Combined Manual).
- A pregnant woman on MFIP with a “pregnant woman basis” reports that her pregnancy did not result in a live birth.
- No children remain in the household, including when the youngest child in the household turns 18 or 19 and has graduated.
- Counted income exceeds the MFIP transitional standard.

**RCA case closures should also occur in the following situations.**
- The entire household begins receiving SSI.
- The RCA unit becomes MFIP eligible.
- The eight-month timeline has been exhausted.
- Counted income exceeds the RCA income standard.
- Participant leaves the household, including incarceration and death.

**GA case closures should also occur if the participant:**
- Becomes eligible for SSI or other maintenance benefits
- Violates the drug felon policy
- No longer meets a GA basis of eligibility
- Leaves the household, including incarceration and death.

**MSA case closures should also occur if the participant:**
- Violates the drug felon policy
- No longer meets a MSA basis of eligibility (i.e. they no longer receive SSI)
- Leaves the household, including incarceration and death (unless they meet the temporary absence provisions as outlined in chapter 14.09 of the Combined Manual).

**Housing Support case closures should also occur when a client reports that they are no longer living in their Housing Support setting.**
G. Monthly reporting requirements for households with earnings

Households with earnings are not required to complete and submit monthly household report forms (256P.07, 256J.30, subd. 5 and subd. 7). Participants still have the right to contact the county, tribe or community partner if their income decreases.

H. Recertification

For cases with a recertification date that falls during the public health emergency, postpone the recertification and reschedule it for 6 months later. All new applicants should have their eligibility set to be recertified for cash assistance programs at 6 months. There will be no reporting requirements during the 6 month period and we will re-evaluate these applications at 6 months (256P.04, subd. 8).

What’s different?

- Removes monthly reviews of cases (reduces paperwork burden to county and tribal workers as well as participants)
- No reporting requirements for 6 months
- Re-evaluate the situation in 6 months

I. Do not enroll applicants in the Diversionary Work Program (DWP)

During the public health emergency:

- **For families currently on DWP:** Waive the requirement that families have to submit a Minnesota Transition Application Form (MTAF) to apply for MFIP at the end of the four month Diversionary Work Program. By May 1, 2020, convert all families on the Diversionary Work Program (DWP) to MFIP if the family meets eligibility requirements. This will ensure that there are no families falling in between program gaps at the end of their four month eligibility.

- **For new applicants:** Enroll all applicants for cash assistance directly on the Minnesota Family Investment Program. Current law allows that action if the participant is “determined unlikely to benefit” (256J.95, subd. 12). Given that the Diversionary Work Program is intended to provide intensive job search services to divert families from MFIP, in a period of rapidly escalating unemployment, the program is unlikely to benefit any applicants.

J. Apply good cause exemption from sanction to all MFIP, DWP, and RCA participants

Minnesota statute (256J.57, subd. 1, clause (6)) recognizes an emergency situation as a good cause reason for failure to comply. The federal and state declarations of emergency apply to all Minnesotans. Do not impose sanctions on MFIP or RCA households and do not disqualify any DWP households during
the public health emergency. Remove sanctions and issue supplements for March and do not impose new sanctions beginning April 1, 2020.

K. Do not sanction MFIP or DWP participants for refusal to cooperate with child support

For the duration of the public health crisis, refusal to cooperate with child support is not a basis for sanctions. After the public health crisis, sanctions for non-cooperation with child support can be pursued (256J.46, subd. 2).

L. Lift work requirements as a condition for receiving assistance in MFIP, DWP, and RCA

Work requirements are not a participation requirement for MFIP, DWP, or RCA for the duration of the public health emergency (256J.561).

M. Waive referrals to family violence specialists in MFIP

Waive the requirement to meet with a family violence specialist for participants experiencing family violence if such a specialist cannot be reached. Approve the family violence waiver for families who are eligible. If the participant is developing an employment plan, include any activities that the participant identifies as needing for their safety (256J.521, subd. 3).

N. Ensure pregnant women and their newborns receive MFIP assistance

Do not end benefits to pregnant women who have not reported the birth of a child by the due date anticipated in MAXIS. Eligibility workers should attempt to contact the mother to determine the result of the pregnancy and accept verbal confirmation from the mother of the birth of a baby.

O. Extend all MFIP households reaching their 60th month during the public health emergency

Since the face-to-face assessments cannot occur to determine whether the parent in this household has a serious mental illness, a low IQ, a serious and incapacitating illness, family violence, or the responsibility for caring for a serious ill family member, eligibility workers should designate these participants as unemployable (256J.425, subd 3, paragraph (a), clause (2)(i)). Set a date six months out to review their status for a continuing extension.
P. Allow families that have reached the 60th month MFIP time limit to apply using unemployable category

If a family is due to have their extension reviewed for continuation during the public health emergency, automatically renew their extension. If there is question about whether they continue to qualify under their current extension reason, extend them as unemployable.

If a family who has already used 60 months of MFIP or TANF assistance applies for MFIP, find them eligible for extended MFIP under the unemployable category (256J.425, subd 3, paragraph (a), clause (2)(i)).

Q. All cash assistance overpayments caused by local agency, DHS, or systems errors should not be charged to the participant

All agency error overpayments should be coded as non-collectible until further notice. Stop recoupments on any current agency overpayments that were established on or after Aug. 1, 2016. See instructions posted to SIR on March 13, 2020.

R. Notify people applying for and receiving assistance that they will still be subject to conviction of fraud if they provide false information

Penalty warnings and qualification questions are included on page 8 of the Combined Application Form (CAF). If completing the CAF over the phone with applicants, be sure to review this section with applicants and case note that the applicant acknowledges and understands the information.

Americans with Disabilities Act (ADA) Advisory

This information is available in accessible formats for people with disabilities by calling (651) 431-4630 (voice) or by using your preferred relay service. For other information on disability rights and protections, contact the agency’s ADA coordinator.