

Division of County Operations (DCO)
COVID-19 Response Manual

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Proposed

DCO COVID-19 RESPONSE CONTENTS

200.000 **OVERVIEW**

- 201.000 Authority
- 202.000 Purpose
- 203.000 Appeals
- 204.000 Severability

250.000 **MEDICAID ELIGIBILITY**

- 251.000 Section A-200 Medicaid Coverage Periods
- 252.000 Section F-130 Child Support Enforcement Services
- 253.000 Section F-172 Adjustments of Premiums
- 255.000 Section L-120 Continuation of Assistance or Services During Appeal Process

280.000 **SNAP**

- 282.000 Provision for Impacted Students
- 284.000 Work Participation for Able-Bodied Adults Without Dependents
- 285.000 Supplemental Benefits

290.000 **TEA**

- 291.000 Section 2004 Application Interview and 2004.1 Personal Responsibility Agreement

200.000 OVERVIEW

201.000 Authority

The following rules are duly adopted and promulgated by the Division of County Operations (DCO) of the Arkansas Department of Human Services (DHS) under the authority of Arkansas Code Annotated §§ 20-76-201, 20-76-401, 20 77-107, and 25-10-129.

Applicable Guidance:

Families First Coronavirus Response Act (Public Law 116-127 – March 18, 2020)

CMS Families First Coronavirus Response Act – Increased FMAP FAQ (question 6):
<https://www.medicaid.gov/state-resource-center/downloads/covid-19-section-6008-faqs.pdf>

Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law No. 116-136 – March 27, 2020)

42 C.F.R. § 433.400; 45 C.F.R. § 260-265, § 286; and TANF-ACF-PI-2007-08

202.000 Purpose

In response to the COVID-19 pandemic, DHS identified programs and services that required additional flexibility or changes to adapt to ensuring the health and safety of our clients. This manual details them so that DHS may render uninterrupted assistance and services to our clients.

203.000 Appeals

Appeal requests for the COVID-19 response policies must adhere to the policy set forth in the Medicaid Provider Manual Section 160.000 Administrative Reconsideration and Appeals which can be accessed at <https://medicaid.mmis.arkansas.gov/Provider/Docs/all.aspx>.

204.000 Severability

Each section of this manual is severable from all others. If any section of this manual is held to be invalid, illegal, or unenforceable, such determination shall not affect the validity of other sections in this manual and all such other sections shall remain in full force and effect. In such an event, all other sections shall be construed and enforced as if this section had not been included therein.

250.000 MEDICAID ELIGIBILITY

Centers for Medicaid and Medicare Services (CMS) provided guidance that outlines the allowances States are permitted to use for standards required for both eligibility and enrollment of beneficiaries during the National Health Emergency. The threat is that during the COVID-19 Pandemic, the State and/or beneficiaries may not be able to comply with eligibility and enrollment procedures regarding timeliness, renewals, asset verification, other verification policies, or change in circumstances, causing Medicaid cases to be denied or close, which will affect the household's access to health care.

The suspension of the following Medical Services Policy Sections is part of the Families First Corona Virus Response Act enhanced FMAP requirement.

Applicable Guidance: Families First Coronavirus Response Act (Public Law 116-127 – March 18, 2020), Section 6008(b), Coronavirus Aid, Relief, and Economic Security (CARES) Act

See also the CMS Families First Coronavirus Response Act – Increased FMAP FAQ (question 6): <https://www.medicaid.gov/state-resource-center/downloads/covid-19-section-6008-faqs.pdf>

251.000 Section A-200 Medicaid Coverage Periods

Medical Services Policy A-200 details the Medicaid coverage periods for eligible beneficiaries. Due to the National Health Emergency, coverage periods affected due to ineligibility will be extended; except for closure requested by client, death, out-of-state residence, or incarceration. This policy is suspended until the end of the National Health Emergency.

252.000 Section F-130 Child Support Enforcement Services

Medical Services Policy F-130 has a requirement which mandates a beneficiary to cooperate with the Office of Child Support Enforcement. This requirement is suspended until the end of the National Health Emergency.

253.000 Section F-172 Adjustments of Premiums

Medical Services Policy F-172 requires TEFRA beneficiaries to pay a premium in order to receive coverage. TEFRA premium adjustments and case closures for non-payment of premiums are suspended until the end of the National Health Emergency.

255.000 Section L-120 Continuation of Assistance or Services during the Appeal Process

While the appeal is pending, the continuation of assistance (coverage) will be automatic for beneficiaries during the National Health Emergency.

280.000 SNAP

The Supplemental Nutrition Assistance Program (SNAP) guidance that has been provided by Food and Nutrition Services (FNS) outlines the allowances States are permitted to use for standards for both eligibility and enrollment of recipients and the operation of the State Agency. The COVID-19 pandemic has altered the standard procedures of the Agency and has affected the compliance processing standards of the Agency and its recipients. The suspension of the following SNAP policy sections is in response to the National Health Emergency.

Applicable Guidance: Families First Coronavirus Response Act (Public Law 116-127 – March 18, 2020) and Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136 – March 27, 2020)

282.000 Provision for Impacted Students

The Supplemental Nutrition Assistance Program (SNAP) Policy 1622.2 describes the criteria that students must meet to be eligible for the program. A household member who is enrolled in an institution of higher education or an institution of post-secondary education is defined a student. Students are eligible to participate in SNAP if they:

- A. Meet employment criteria
- B. Are approved to participate in a state or federally financed work-study program
- C. Are responsible for the care of a dependent under the age of six or under the age of 12 if adequate childcare is unavailable or if the student is unable to meet the employment criteria due to caring for the child
- D. Are receiving TEA Benefits, or
- E. Participating in an on-the-job training program

This suspension will end at the conclusion of the National Health Emergency unless the regulating agency (FNS) ends suspension earlier.

284.000 Work Participation for Able-Bodied Adults Without Dependents

The Supplemental Nutrition Assistance Program (SNAP) Policy 3503 states that Able-Bodied Adults without Dependents are ineligible to receive SNAP benefits beyond a three-month period unless they meet the following criteria:

- A. Work at least 20 hours per week
- B. Participate and comply with a Workforce Investment Opportunities Act (WIOA)
- C. Participate and comply with SNAP Employment and Training Program
- D. Participate in and comply with a Workfare Program
- E. Participate at least half-time in a recognized refugee training program operated by the Office of Refugee Resettlement (ORR).

The Families First Coronavirus Response Act, March 2020, allowed flexibilities to States to grant good cause to individuals who were not able to comply with work requirements due to the National Health Emergency. In response to the National Health Emergency, DCO has suspended the work requirements for this group until the Secretary of the United States Department of Agriculture declares the National Public Health Emergency has ended.

Applicable Guidance: Families First Coronavirus Response Act (Public Law 116-127 – March 18, 2020)

285.000 Supplemental Benefits

Supplemental Nutrition Assistance Program (SNAP) Policy 13200 states that supplemental benefits are issued to a household to correct errors made by the agency or the automated system.

In response to the National Public Health Emergency, and provisions made in the Families First Coronavirus Response Act of 2020 (FFCRA), the agency will grant the maximum benefit amount the SNAP participants based on their household size.

The additional benefits will remain while both the National Public Health Emergency and State Public Health Emergency are in effect. The benefits end upon conclusion of either emergency.

290.000 TEA

The Administration of Children and Families (ACF) provided guidance to States outlining broad flexibility for adjustments to the TANF program due to the National Health Emergency. This guidance allows the States to make eligibility and enrollment adjustments for TANF applicants and recipients to be less burdensome. This is due to the extensive requirements to maintain eligibility or become eligible in TANF as households were affected by the National Health Emergency.

291.000 Section 2004 Application Interview and Section 2004.1 Personal Responsibility Agreement

TEA Policy Section 2004 and 2004.1 addresses TEA interviews and the requirement that TEA interviews be face to face with the applicant. Due to the National Health Emergency, telephone interviews are allowed regardless of the application origin (paper or online). This suspension will remain in effect until the end of the National Public Health Emergency.