

# Coronavirus: Protecting Safety-Net Public Benefits During the Pandemic

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# Unemployment Insurance: New Programs

- \$260 billion in enhanced and expanded UI benefits to workers because of COVID-19 and the public health response.
- **Three new, federally funded UI programs:**
  - **Pandemic Unemployment Compensation** (Additional \$600 per week, on top of regular benefits, to all UI recipients)
  - **Pandemic Emergency Unemployment Compensation** (Additional 13 weeks of UI benefits, beyond the regular 26 weeks already provided, for a total of 39 weeks of coverage)
  - **Pandemic Unemployment Assistance** (Extended eligibility for individuals who have traditionally been ineligible for UI benefits (*e.g.*, self-employed workers, independent contractors, workers with insufficient work history).

# Pandemic Unemployment Compensation (PUC)

- Through July 31, 2020, all regular UI, PUA, and Pandemic Unemployment Assistance claimants will receive their usual calculated benefit plus an additional \$600 per week in compensation.
- PUC is not income for purposes of Medicaid or CHIP eligibility.
- The additional \$600 per week:
  - Will be automatically added to benefits
  - Will not reduce any UI or PUA benefits

# Pandemic Emergency Unemployment Compensation (PEUC)

- **Additional 13 weeks of state UI benefits**, available after exhausting all regular benefits.
- Must be actively engaged in searching for work. **However** –
  - States must be flexible in meeting work search requirements for people unable to search for work **because of COVID-19**;
  - One-week waiting period waived;
  - States may not decrease weekly benefits or maximum number of weeks of UI.
- Anyone exhausting UI benefits after July 1, 2019 is eligible to receive 13 additional weeks, until Dec. 31, 2020.
- Will also include the additional \$600 per week until July 31, 2020.

# Pandemic Unemployment Assistance (PUA)

- **Up to 39 weeks of emergency unemployment assistance** to workers who are **typically left out of regular state UI** or who have exhausted their state UI benefits, including -
  - Self-employed workers, independent contractors, freelancers, workers seeking part-time work, and workers without sufficient work history to qualify for state UI benefits.
- Minimum benefit equal to one-half the state's average weekly UI benefit.
- Will also include the additional \$600 per week until July 31, 2020.
- Program will run from Jan. 27 – Dec.,31, 2020, unless otherwise extended.

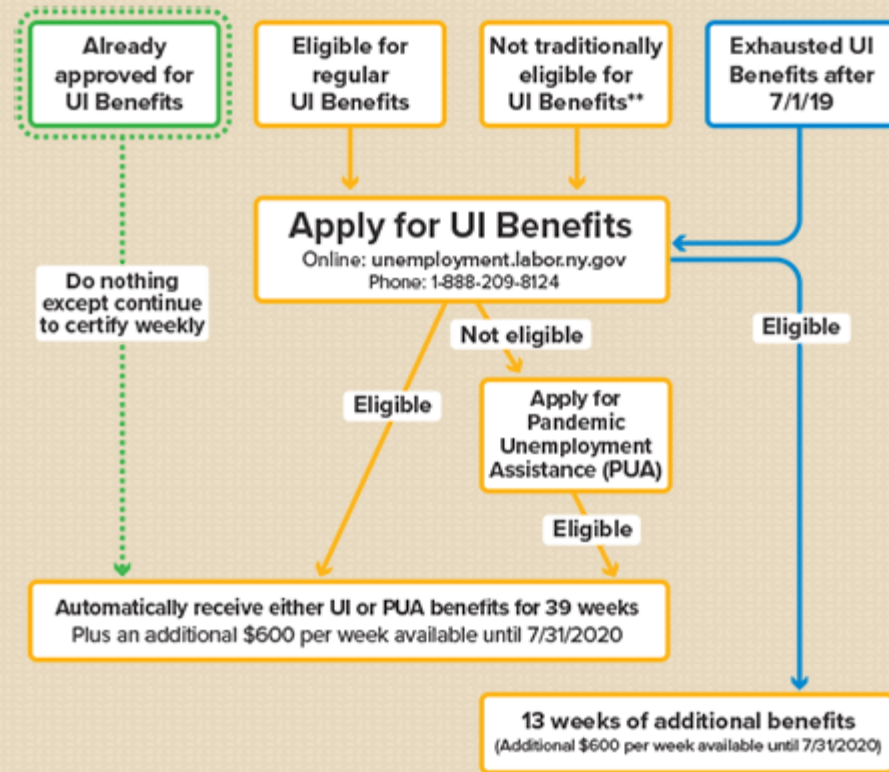
# PUA Covered Conditions

- **Applicants will need to self-certify that they are: (1) partially or fully unemployed, OR (2) unable and unavailable to work because of one of the following circumstances:**
  - Diagnosed with COVID-19 or have symptoms of it and are seeking diagnosis;
  - A member of their household has been diagnosed with COVID-19;
  - Providing care for someone diagnosed with COVID-19;
  - Providing care for a child or other household member who can't attend school or work because it is closed due to COVID-19;
  - Quarantined or have been advised by a health care provider to self-quarantine;
  - Scheduled to start employment and do not have a job or cannot reach their job as a result of a COVID-19 outbreak;
  - Have become the breadwinner for a household because the head of household has died as a direct result of COVID-19;
  - Had to quit their job as a direct result of COVID-19;
  - Place of employment is closed as a direct result of COVID-19; **or**
  - Meet other criteria established by the Secretary of Labor.

# UI Access Conditions

- The Families First Coronavirus Response Act (FFCRA) provides \$1 billion in federal funding to help states process huge numbers of UI claims, **conditioned on compliance with basic standards of fair administration and expanded access:**
  - **Employer Notification:** Employers notify individuals of the availability of UI benefits, at time of separation from employment.
  - **Alternative Filing Options:** Applications for benefits and assistance with the application process must be accessible in at least two of the following mediums: in-person, phone, or online.
  - **State Notification:** If an application cannot be processed, state must tell the worker why and what can be done to speed up the processing.
- States must show specific steps to ease UI eligibility requirements and access.

# UI: “What You Need to Know and Do About the CARES Act”





# Paid Leave

- FFCRA requires certain employers to provide employees with **paid sick leave or expanded family and medical leave** for specified reasons related to COVID-19, through Dec. 31, 2020.
- Two weeks and specified rates of pay –
  - Unable to work due to quarantine;
  - Experiencing COVID-19 symptoms;
  - Caring for a quarantined person or child whose school is closed;
  - Additional 10 weeks of family and medical leave.
- Applies to private employers with fewer than 500 employees.
- Small businesses with fewer than 50 employees may be partially exempt.

# Other Access Issues – The Example of SNAP

- USDA/FNS “**SNAP Pandemic Planning Guidelines**”
  - **States must update their pandemic plans:**
    - Assess business processes and technology for capacity
    - Mail, call centers, outreach, web-based/online systems, staffing
- Consequences for access where states don’t have a plan:
  - Fewer application/verification options
  - EBT card issuance problems
- New York –
  - Offices must be open and staff available
  - Dropboxes are OK, but clients must get receipts

# Processing Delays

- Federal law sets specific timelines for SNAP processing for eligible persons and households:
  - 30 calendar days after application, or
  - Seven calendar days after application, for certain destitute individuals and households in immediate need who are eligible for expedited processing.
- COVID-19 will greatly increase SNAP enrollments and further impact states already stressed by loss of staff and funding, and dysfunctional “modernization” efforts.
- Benefit processing delays will be an inevitable result.

# Fair Hearings

- **New York –**
  - “The OTDA Office of Administrative Hearings (OAH) will conduct a demonstration project designed to ascertain the viability of conducting fair hearings to the greatest extent possible utilizing **telephone, video, and other means of communication.**”
  - “The current health crisis related to the **COVID-19 virus** . . . emphasizes the need to limit unnecessary public transit and gathering of individuals. Conducting hearings utilizing telephone, video, and other means should reduce density at locations where hearings are held in-person.”
- **In-person options**
- **Submission of evidence, witness testimony**
- **Issuance of defaults**

# Shutting Down the Agency: A Case Study

- State has closed 5 offices, due to staff testing positive for COVID-19 . Remaining offices have skeletal staff, and they're trying to get staff out of there as well.
- Expanding telework for staff, but they have finite amounts of equipment. Staff are uncomfortable doing interviews on personal phones.
- Fewer staff in central locations are available to mail out documents.
- Relaxing of verification requirements has resulted from the fact that many businesses aren't currently functioning. Case notes should reflect that decisions are being based on the best information obtainable.
- The call center is also functioning remotely. Unclear whether they're keeping track of call center wait times.
- Clients can't bring in documents for verification. All offices closed to foot traffic. They have drop boxes for clients to use.
- No SNAP applications by phone.
- No pandemic plan (?)

# Access Issues: Applicants/Recipients with Disabilities

- **Title II of the Americans with Disabilities Act** requires that public entities, like public benefits agencies, provide **reasonable modifications** in policies, practices, and procedures, if necessary to avoid discrimination based on disability.
- This includes basic measures:
  - Helping clients gather third-party verification
  - Helping to explain and fill out applications and other forms
  - Sign language interpreters
  - Documents converted into alternate formats for persons who are blind/visually impaired
- **COVID-19 will mean that applicants and recipients with disabilities will have a harder time getting the help they need.**

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