

Title: Community Services Block Grant State of Emergency Guidance Memorandum
Purpose: For the Tennessee Department of Human Services (TDHS) to provide Tennessee's network of Community Services Block Grant (CSBG)-eligible Community Action Agencies (CAAs) with guidance to aid in service delivery during a time of emergency circumstances

Effective Date: April 20, 2020

References: IM-ACF-OA-2020-01; OMB Memo M-20-17; 2 CFR 200, Uniform Administrative Requirements, Cost principles and Audit Requirements for Federal Awards, CSBG IM #154 Disaster Flexibilities and Waivers, 2 CFR Part 200 Subpart A, specifically, Section 200.75.

Background

During times of emergency, low-income and vulnerable populations are can be affected disproportionately. Numerous CSBG-eligible CAAs have reached out to request guidance and waivers for supporting the communities they serve. Helping in times of a crisis, meeting emergency needs, and assisting with subsequent recovery are key missions of the Community Action Network and CSBG-eligible CAAs. We have been in regular communication with and received advice from our Program Specialist at the Office of Community Services (OCS) and CSBG State Assistance Director of the National Association for State Community Services Programs (NASCSPP) on how to implement procedures in a time of emergency circumstances.

This guidance is to be used for and is effective only during the COVID-19 pandemic and the response to the severe and devastating tornadoes from March 3, 2020 (specifically for Nashville and rural areas of Wilson and Putnam County). These changes will overwrite existing policy and procedure. They remain in effect until TDHS states otherwise in writing. This policy is subject to updates as more information becomes available.

SAFE PRACTICES DURING COVID-19

CAAs are identified as essential critical infrastructure workers under the CSBG Act providing emergency services, housing, nutrition, healthcare, transportation, and other anti-poverty programs to low-income individuals and families. CAAs are also classified as essential critical infrastructure workers during the State of Tennessee COVID-19 pandemic. Your agency is instructed to adhere to the following guidance while maintaining emergency services to low-income individuals and families.

- Employers should explore whether they can establish policies and practices, such as flexible worksites (e.g., telecommuting, remote workstations) and flexible work hours (e.g., staggered shifts), to reduce the amount of staff in the business site and increase the physical distance among employees and between employees to ensure social distancing strategies are followed.
- Where social distancing is difficult to maintain, the Centers for Disease Control have issued guidance on face masks and coverings. That can be accessed at the following link:
<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>

- Promote frequent and thorough hand washing, including by providing workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand rubs containing at least 60% alcohol.
- Encourage workers to stay home if they are sick.
- Encourage respiratory etiquette, including covering coughs and sneezes.
- Provide customers and the public with tissues and trash receptacles and equipment, when possible.
- Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment.

ELIGIBILITY DETERMINATIONS

Per OCS IM#154, TDHS will follow Section 673(2) of the CSBG Act concerning flexibility with CSBG funding to support agency disaster responses within existing funding allocations, if the use of such funds aligns with the statutorily allowable activities. CAAs do **NOT** have to request a federal waiver to utilize their existing CSBG funding to support disaster response and assistance to eligible low-income individuals and families.

If a displaced individual or family does not have the eligibility documentation in-hand, emergency procedures may include flexibility in accepting signed statements from the family attesting to eligibility information, pending availability of necessary documents to meet immediate emergency needs.

ALLOWABLE RELIEF EFFORTS

All services provided using CSBG funds must still be permissible expenditures under the CSBG Act. In our efforts to provide immediate assistance to CSBG eligible families, TDHS is providing the below list of examples of permissible services that ***CSBG eligible families*** may need at this time:

- Non-perishable and food items, including boxed goods, canned goods, bottled water, and disposable paper/plastic products
- Medications and Medical Supplies
- Cleaning supplies – brooms/mops, work gloves, garbage bags, dish detergent, laundry detergent and bleach
- Clothing (men, women, children) – t-shirts, socks, shoes, pants/skirts, underwear
- Baby Supplies – baby food/formula, baby wipes, pampers/pull-ups
- First Aid – insect repellent, first-aid items
- Household Items, Supplies, Appliances, Furniture – pots, pans, dishes, silverware, can openers, plastic totes, dish towels, fans, batteries, blankets, cell phone chargers, flashlights/lamps, curtain rods, irons, ironing board, household tools, bed/mattress, bedding, sofas, chair, dinette sets
- School Supplies – paper, notebooks, pens, pencils, backpacks
- Employment Supplies – Work boots, uniforms, work tools
- Rental/Mortgage/Housing/Shelter Assistance
- Utility Assistance
- Transportation Assistance – (bus tokens and gas cards)
- Laundromat Tokens

All other services including, but not limited to, case-management, financial assistance, housing, education, and any other services being provided not otherwise mentioned above, should maintain the practice of client eligibility and income verification consistent with Financial Eligibility and Verification.

Other CSBG documentation requirements for household members issued by the State of Tennessee may be waived on a case-by-case basis if provided to TDHS for prior approval.

INCOME VERIFICATION

OCS has approved the use of **200 percent of the Federal Poverty Level (FPL)**, as opposed to the usual 125 percent of FPL, as income eligibility for CSBG applicants for both FY20 and FY21 regular CSBG funds and the upcoming Supplemental funds through the CARES Act.

When a state of emergency has been declared for Tennessee and if it is no longer possible or practical to obtain income documentation from individuals and/or households needing assistance, a self-declaration of income may be accepted. This self-declaration must be written and include: date; signature; and indication that the client/household meets the required FPL cut-off for CSBG services. The method for acquiring this declaration (may be a log or separate form) should clearly indicate this is an alternative process put in use due to state of emergency. This process may only be used while the state of emergency is in effect, unless TDHS provides other guidance.

In an effort to further decrease administrative burden, the following CSBG Income Exclusions also apply until further notice:

- Zero Income can be determined with proof of client employment termination or the Zero Income Form. Zero Income can be determined at the time of application and projected forward instead of using the past 30 days. If applicable, clients should note the reason for zero income related to COVID-19.
- Direct stimulus benefit payments from the State or Federal Government due to COVID-19 are excluded from countable income.
- Any type of unemployment payments **will** be counted as income.
- Although not counted as income for CSBG purposes, excluded income sources may be used to determine how a household is meeting its expenses.

Agencies can use a modified CSBG application and Income Verification form with the approval of TDHS. This form can be used as documentation if a client is unable to obtain paystubs from their employer. Subgrantees are not required to call and verify. This is for recorded documentation in the client file only.

WAGES AND BENEFITS

You may continue to charge salaries and benefits as long as it is allowable under the CSBG Act and is consistent with your current policy of paying salaries (under unexpected or extraordinary circumstances)

from all funding sources (both federal and non-federal). See [IM-ACF-OA-2020-01](#); [OMB Memo M-20-17](#) for additional information.

Federal grant funds may be used to pay for different types of leave (e.g. sick, emergency closures, etc.) so long as the grant recipient follows criteria for leave policy as set forth in the OCS guidance above.

Federal guidance provides that the cost of leave may be charged to federal grants if:

- The leave is provided under the established written leave policies;
- The costs are equitably allocated to all related activities; and
- The organization uses a consistent accounting basis for costing each type of leave.

The costs must also meet the basic considerations for cost allowability in 45 CFR § 75.402-411, requiring that all costs be necessary, reasonable, and allocable.

CAAs should revise or put in place a formal policy that provides for paying staff in light of sick leave, emergency closure, or other reduction in staffing, and such policies should include the criteria above in this section.

SIGNATURES

The following practices can be used to temporarily substitute as client approval until the client signature can be obtained in person:

- Notary Signatures
 - All required notary signatures are temporarily waived.
- Client Signatures
 - Digital, electronic, scanned or photographed copies of signatures are allowed on applications and all forms. Agencies should have a dedicated email address that is used for clients to send applications.
 - Verbal verification via telephone can be taken for application signatures and form verification. The person obtaining verbal confirmations/verifications must document the following on each item verified:
 - Date of initial contact by client
 - Name of person taking the verbal information (subgrantee)
 - Person they are receiving information from (applicant)
 - Date verbal verification received
 - Time of verbal verification
 - Method of receipt (i.e. Telephone)
- The CAA must receive verbal consent from the client to allow verbal verification on each form. The client's consent to allowing verbal verification must be documented on each form in the steps outlined above and noted in the Thomas H O'Neil (THO) system. If a client refuses to allow verbal verification another intake method must be provided. (i.e. mail, drop off, electronic)
- Emailed documents, scanned documents, faxed documents and photographed documents should all be accepted. CAAs should have one dedicated email address for applications and documents to be sent to. CAAs must notify clients that the application and/or documents have been received

and document the date and individual who provide the notification or receipt. (i.e. phone call or return email.)

- In case-by-case situations the client's bank statements or other non-standard documentation could be used to verify income if approved by TDHS. Requests to use bank statements or other non-standard documentation must be sent to CSBG.DHS@tn.gov on a case-by-case basis.

Agencies must supply sufficient reasoning, documented in writing and kept with the approval, as to why the specific method of obtaining temporary approval was used. This information must be retained and kept along with the documentation signed in person (when it is obtained) as this will be subject to the normal monitoring procedures and will be used to support the start date for services. During this time, please reach out to TDHS for verification and exception requests based on extenuating circumstances due to COVID-19. Any rule exception request must be emailed to CSBG.DHS@tn.gov and will be decided on a case-by-case basis.

ADMINISTRATIVE REPORTING AND DUE DATE EXTENSIONS

During this time, we know that your agency will need to re-evaluate priorities to focus on the high-demand of varying needs in your community due to COVID-19. TDHS will be approving amended Community Action Plans (CAPs). Upon receiving approval of your Amended CAP (to be handled via email to expedite the process), you will be able to begin serving families with these approved services.

Please note that TDHS will still need to review your budget modifications for any CAP amendments, but we will approve CAPs prior to the approval of budget modifications so agencies can begin implementing new or modified services more quickly.

Agencies should work with your assigned Program Coordinator to develop a tentative plan of activities, services, and budget **NOT TO EXCEED** the current FY20 contract allocation. Agencies should be prepared for a separate contract and submission process of the Attachment A Budget Sheet for the CARES Act Supplemental funding for CSBG.

Agency quarterly financial reports are due as regularly scheduled and must include reference to how much FY20 CSBG funding was expended to COVID-19 related assistance during that quarter. A separate quarterly report will be expected for the CARES Act funding expenditures.

COMMUNITY NEEDS ASSESSMENTS

It is expected that agencies will continue to conduct community needs assessments within the required three-year timeframe. If you run into an issue, please contact your CSBG Program Coordinator.

ORGANIZATIONAL STANDARDS AND DESK REVIEWS

It is expected that agencies will continue to follow the Organizational Standards. Agencies scheduled for desk reviews have been granted an extension until **April 30, 2020**. All other agencies will be monitored by the TDHS Office of Inspector General, which will contact selected agencies directly for monitoring and

auditing purposes. If you run into an issue, please contact your CSBG Program Coordinator.

BOARD ISSUES

Temporarily during this pandemic, agencies will be able to hold virtual board meetings through conference calls or webinars regardless of inclusion in their articles or bylaws. Quorums will be determined by who is on the conference call. Board meeting minutes should note if the meeting was held virtually and should include a list of participants.

Board vacancies must be filled within 180 days during this time. Agencies should make every effort to fill a vacancy as soon as possible.

TDHS will issue further guidance as the situation evolves. As always, we appreciate agencies' commitment to supporting Tennessee families.

Sincerely,



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