



MEPD and TW Bulletin 21-21

Date: October 18, 2021

To: Eligibility Services Supervisors and Staff
Program Managers
Regional Directors
Regional Attorneys
Hearings Officers

From: Access and Eligibility Services Program Policy
State Office 2115

Subject: **1. COVID-19 Update: Extended Supplemental Nutrition Assistance Program (SNAP) Certification Periods**
2. Health Insurance Portability and Accountability Act (HIPPA) – Notice of Privacy Practices

The information in this bulletin will be included in a future handbook revision. Until the handbook is updated, staff must use the information in this bulletin. If you have any questions regarding the policy information in this bulletin, follow regional procedures.

Active bulletins are posted on the following websites:

- [Medicaid for the Elderly and People with Disabilities Handbook \(MEPDH\)](https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins) at <https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins>;
- [Texas Works Handbook \(TWH\)](http://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins) at <http://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins>.

1. COVID-19 Update: Extended Supplemental Nutrition Assistance Program (SNAP) Certification Periods

Background

On January 27, 2020, the Secretary of the U.S. Department of Health and Human Services declared that a public health emergency exists nationwide due to the novel coronavirus (COVID-19) outbreak. Additionally, on March 13, 2020, Governor Greg Abbott also declared a state of disaster for all counties in Texas due to the COVID-19 outbreak. HHSC is providing the following temporary guidance regarding policies and procedures for processing case actions during the COVID-19 public health emergency.

COVID-19 Policy

[Supplemental Nutrition Assistance Program \(SNAP\)](#)

House Resolution (HR) 8337, Continuing Appropriations Act, 2021 and Other Extensions Act, give states the flexibility to extend certification periods for SNAP during the COVID-19 public health emergency. SNAP certification periods due for renewal in December 2021 will be extended by six months. This policy applies to all SNAP households, including SNAP-SSI and SNAP-CAP Eligibility Determination Groups (EDGs), with recertifications due in December 2021.

Households with certification periods ending in December 2021 are automatically extended through June 2022.

No action is needed to extend SNAP certification periods. TIERS automation will adjust the recertification due dates for households who receive the extension. TIERS will not send redetermination packets for SNAP renewals due in December 2021.

Staff Procedures

If a redetermination packet is received:

- and the review has been initiated, continue processing the SNAP redetermination.
- and the review has **not** been initiated, do not initiate the redetermination. These cases will be extended automatically. Review the redetermination packet for reported changes and requests for other programs. Process any changes in Change Action mode when redetermination packet does not include any requests for new programs.

Automation

TIERS automatically extended active SNAP EDGs with recertifications due in December 2021 beginning on October 15, 2021.

Correspondence

Households will receive a notice informing them of the extension and their new certification period.

Handbook

Handbook updates are not required.

Training

Training is not required.

Effective Date

This policy is effective with the release of this bulletin for SNAP recertifications due in December 2021.

2. Health Insurance Portability and Accountability Act (HIPAA)– Notice of Privacy Practices

Background

The HIPAA privacy rule requires HHSC to protect the privacy of a person's health information and limit the use and disclosure of that information without the person's permission.

HHSC is required to provide a notice that describes how a person's medical information may be used and disclosed and how the person can access their medical information.

The Notice of Privacy Practices explains the following:

- the person's privacy rights;
- the duties of HHSC to protect health information; and
- how HHSC may use or disclose health information without authorization. For example, HHSC may share a person's health information with their provider to arrange for Medical services or with other government entities to report suspected abuse or neglect.

Current Procedures

[All Medical Programs](#)

Staff must send the [Notice of Privacy Practices](#) or [Notice of Privacy Practices \(Spanish\)](#) to each person enrolled in a medical program.

[MEPD](#)

Staff must send each person a copy of the HIPAA – Notice of Privacy Practices at certification. ([MEPDH C-4100](#), Privacy Notice)

[TW Medical Programs](#)

Staff must send each applicant the HIPAA – Notice of Privacy Practices at initial certification and after breaks in certification of one or more months. ([TWH A-136](#), Eligibility Decision)

New Procedures

[All Medical Programs](#)

Provide [Form 0401](#), Notice of Privacy Practices (English), or [Form 0401S](#), Aviso de Normas Sobre la Privacidad (Spanish), as appropriate, with Form TF0001, Notice of Case Action, to each applicant:

- at initial certification; and
- at recertification after a break in service of 181 days or more.

Provide [Form 0403](#), Explanation to Health Information Privacy Rights, with Form TF0001 to each recipient:

- at each recertification;
- after a break in services of at least 30 days but not more than 180 days; or
- when a new person is added to a case.

Form 0403 provides a reminder of privacy practices and explains how to get a copy of the Form 0401.

Note: Effective September 13, 2021, TIERS will automatically generate both Form 0401 and 0403 at disposition. Staff action is not required.

Automation

Changes to TIERS were implemented with Release 110.1 on September 13, 2021.

Correspondence

Form 0401 and Form 0403 are maintained by the HHS Privacy Division. Correspondence changes are not required.

Handbook

The MEPDH is currently scheduled to be updated in the December 2021 revision.

The TWH is currently scheduled to be updated in the January 2022 revision.

Training

Training is not required.

Effective Date

This policy is effective with the implementation of TIERS Release 110.1 on September 13, 2021.