

STATE WAIVER REQUEST

1. **Waiver Serial Number:** N/A
2. **Type of request:** New
3. **Regulatory citation:** 7 CFR 272.4
4. **State:** Ohio
5. **Region:** Midwest Region
6. **Regulatory requirements:** Under the current Supplemental Nutrition Assistance Program (SNAP), States are required to ensure “agency personnel used in the certification process shall be employed in accordance with the current standards for a merit system of personnel administration or any standards later prescribed by the U.S. Civil Service Commission under section 208 of the Intergovernmental Personnel Act of 1970.” Importantly, other than requiring States to use merit staff in the certification process, the regulation does not specify the *manner* in which the state may rely upon merit staff. In fact, the only specific duty the regulation requires merit staff to perform is the interview required by 7 CFR 273.2(e).
7. **Description of alternative procedures:** Ohio requests a waiver to allow greater automation in the SNAP eligibility and benefit determination processes by eliminating the requirement that a caseworker “push the button” in the system that determines eligibility and calculates the benefit. In other words, we are asking for FNS to interpret the eligibility system designed and tested by merit state staff to be considered a part of the certification process.
8. **Justification for request:** Ohio shares the goals of issuing accurate and timely benefits. However, caseworkers are already constrained on time to process as many applications as fast as possible leaving room for error. Granting this waiver will allow Ohio to increase automation, with tools, processes, and innovative solutions like batch jobs, bots, and artificial intelligence (i.e. computer systems to perform tasks - but not applying machine learning techniques, to balance the needs of timely processing of applications with fewer errors.

FNS has previously taken a broad interpretation of the state merit staff provisions to place symbolic emphasis on state staff “pushing the button” that kicks off an otherwise entirely automated process. This interpretation leads to administrative inefficiencies and payment errors. It fails to harness the benefits of technology and relegates the SNAP program to one of the most archaic and least innovative in terms of public benefits program. FNS allows States to calculate benefits in an automated system for an entire caseload in lieu of a merit staff manually calculating benefits—it also should allow for an automated process for an individual case.

“Pushing the button” is not a certification function because the system ultimately calculates eligibility—the caseworker is not manually determining the benefit amount and entering it into the system. Caseworkers are relying on the system to determine eligibility and calculate the benefit amount. Caseworkers only perform data entry for benefit certification and serve as a “button pusher.” The system is doing the work already.

FNS already requires states under 7 CFR 273.12(e) to run “batch jobs” (which is a form of automation in the eligibility systems) to make changes to the SNAP caseload (all households) when the allotment amounts, income eligibility levels, and standard utility allowances change annually. It would be administratively burdensome to have caseworkers touch all cases at one time. Further, FNS recognizes that the *eligibility system has been designed and tested by state merit staff to ensure the correct outcomes occur through rule engines*. And if there is an issue in the system, States must still pursue the overpayment to households and fix the system. Ohio only seeks permission to act on individual cases in the same way that FNS already permits it to act upon its entire caseload. Ohio does not propose to replace merit staff in the certification process, only the manner in which FNS has required them to participate.

7 USC 2020(e)(6) provides as follows:

- (A) the State agency shall undertake the certification of applicant households in accordance with the general procedures prescribed by the Secretary in the regulations issued pursuant to this chapter; and
- (B) the State agency personnel utilized in undertaking such certification shall be employed in accordance with the current standards for a Merit System of Personnel Administration or any standards later prescribed by the Office of Personnel Management pursuant to section 4728 of title 42 modifying or superseding such standards relating to the establishment and maintenance of personnel standards on a merit basis;

This section, which also refers to 42 USC 4728, establishes that States administer the SNAP program, hire the staff to administer the SNAP program, and that the federal government cannot control the States hiring practices. Section 42 USC 4728 further emphasizes this and includes other federal agencies/programs, including the Medicaid program administered by the Center for Medicare & Medicaid Services (CMS). CMS currently allows and requires States to have a percentage of applications go through a “no-touch” eligibility determination (i.e., automation) while also subject to 42 USC 4728. CMS has interpreted the merit staff requirements with an eye towards increasing administrative efficiencies in the Medicaid program. FNS should do the same.

In order to achieve the current administration’s goals of efficiency, increasing use of automation, timely processing of applications for clients, and reduction in payment errors, FNS should approve this waiver and modernize the SNAP program as it does not run afoul of the United States Code provisions regarding state merit staff.

9. Anticipated impact on households and State agency operations: This waiver applies to all SNAP households. This waiver will reduce errors and streamline administrative work and allow cases to be processed faster.

10. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable): The latest caseload data released is from May 2025. At that time, Ohio had a SNAP caseload of 720,833 households. Ohio's error rate for FFY 2024 was 9.01%.

11. Anticipated implementation date and time period for which waiver is needed: September 1, 2025 until further notice.

12. Proposed quality control review procedures: QC reviewers will review cases in accordance with this waiver.

12. State agency submitting waiver request and State contact person: Ohio Department of Job and Family Services, Bobbie Lorenz

13. Signature and title of requesting official:

Hannah Knies

Title: Hannah Knies

Bureau Chief, SNAP/TANF Policy

Office of Family Assistance

Email for transmission of response: Hannah.Knies@jfs.ohio.gov

14. Date of request: 08/4/2025

15. State agency staff contact (name/email/telephone):

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16. Regional office contact person: Unknown