



Appendix V. American Federation of State, County, and Municipal Employees Public Comments

June 5, 2023

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Mike Yestramski
Olympia, WA

Michael Burke, Senior Social Science Research Analyst
Food and Nutrition Service
U.S. Department of Agriculture
1320 Braddock Place
Alexandria, VA 22314

Submitted via [regulations.gov](https://www.regulations.gov)

Re: Improving Coordination between SNAP and Medicaid in State Agencies, FNS-2023-0021

Dear Mr. Burke:

The American Federation of State, County & Municipal Employees (AFSCME) is pleased to respond to the Food and Nutrition Service (FNS) request for comments on the proposed information collection, “Improving Coordination between SNAP (Supplemental Nutrition Assistance Program) and Medicaid in State Agencies.” The proposed information collection would gather data from state and local agency staff involved in all levels of state and local SNAP and Medicaid program administration and private-sector organizations (“business for-profit” and “business non-profit”) described in the notice as community partners. In the face of millions of Medicaid renewals required by the end of pandemic-related flexibilities, AFSCME welcomes the gathering of this information and urges FNS to include substantial input from state and local merit-based frontline staff in both programs and from advocates for timely, accurate benefits delivery in automated decision-making systems.

AFSCME members provide the vital services that make America happen. With 1.4 million members in communities across the nation, serving in hundreds of different occupations — from nurses to corrections officers, child care providers to sanitation workers — AFSCME advocates for fairness in the workplace, excellence in public services and freedom and opportunity for all working families. Nationwide, AFSCME members serve millions of individuals and families in need of food assistance and health care through SNAP and Medicaid, respectively. As merit-based state and county employees, AFSCME members play critical roles in administering SNAP and Medicaid. Further, many AFSCME members’ families include individuals who are enrolled in these programs.

American Federation of State, County and Municipal Employees, AFL-CIO

TEL (202) 429-1000 FAX (202) 429-1293 TDD (202) 659-0446 WEB www.afscme.org 1625 L Street, NW, Washington, DC 20036-5687

The request for information seeks input on the necessity of collecting this data and how to enhance the quality, utility and clarity of information gathered. AFSCME supports the gathering of this data, especially given the significant pressures states and counties face in Medicaid and SNAP administration. During the pandemic, states paused most Medicaid terminations and eligibility reviews, placing enrollees in “continuous coverage” and resulting in the growth of enrollment by 20 million people from February 2020 to March 2023.¹ This flexibility ended on March 31, 2023, giving states 12 months to initiate renewals and 14 months to complete them. Up to 17 million people could lose coverage due to eligibility loss or administrative barriers to renewal after the end of continuous coverage.

As pandemic-era SNAP flexibilities for recertifications have also expired, state and local governments are confronting unprecedented work volumes in both programs. AFSCME members perform SNAP eligibility determinations, recertifications and other functions in 17 states. Many of these states jointly process Medicaid, for which our members also conduct eligibility determinations and renewals. Considering the pressing workload concerns in both programs, collecting data from AFSCME members working on the front lines is critical to improving their coordination.

We suggest FNS can increase the quality, utility and clarity of the information gathered by giving substantial attention to the frontline staff, especially the merit-based state and local staff who determine eligibility for SNAP, Medicaid and other programs. As federally funded, state-administered public benefit programs, SNAP and Medicaid must adhere to merit staffing requirements. The Intergovernmental Personnel Act of 1970 first ratified merit systems in SNAP and Medicaid and transferred merit authority to the Civil Service Commission (succeeded by the Office of Personnel Management).² Implementing regulations affirms the applicability of “a statutory requirement for the establishment and maintenance of personnel standards on a merit basis” in SNAP and Medicaid.³ In both programs, however, states and counties may outsource some work.

Providing an accurate portrait of the work of frontline staff and of the impact of outsourcing on benefit delivery is critical to improving coordination between SNAP and Medicaid. AFSCME recommends FNS increase the number of frontline staff interviewed in state and local government in both programs (the study’s proposed response estimate is 20 local SNAP office frontline staff and 20 local Medicaid office frontline staff). Study parameters limit the number of states examined to five. AFSCME recommends including as many states as feasible in the study (with a floor of ten states) to ensure accurate representation of state-administered, state-supervised and county-administered SNAP programs. California, Colorado, Minnesota, New Jersey, New York, North Carolina, North Dakota, Ohio, Virginia and Wisconsin operate SNAP at the county level. In February 2023, 34% of SNAP recipients nationwide resided in those states.⁴

¹ Alice Burns, Elizabeth Williams, Bradley Corallo and Robin Rudowitz, “How Many People Might Lose Medicaid When States Unwind Continuous Enrollment,” Kaiser Family Foundation, April 26, 2023, <https://www.kff.org/medicaid/issue-brief/how-many-people-might-lose-medicaid-when-states-unwind-continuous-enrollment/>.

² Intergovernmental Personnel Act of 1970 at [Pub. L. 91-648-, title II, §208](#), Jan. 5, 1971, [84 Stat. 1915](#).

³ Standards for a Merit System of Personnel Administration [5 C.F.R. Appendix A to Subpart F of Part 900](#). These regulations cite the statutory basis for SNAP ([Food Stamp Act of 1977](#), as amended; [7 U.S.C. 2020\(e\)\(6\)\(B\)](#)) and Medicaid ([Social Security Act](#) (Title XIX), as amended, section 1902 (a)(4)(A); [42 U.S.C. 1396\(a\)\(4\)\(A\)](#)).

⁴ AFSCME analysis of “SNAP Data Tables: National and/or State Level Monthly and/or Annual Data,” USDA FNS, updated May 12, 2023, <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>.

AFSCME urges FNS to examine a proportionate representation of county-administered states and states that will provide an accurate demographic and geographic portrayal of SNAP and Medicaid participation. Because Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands provide food assistance through federal Nutrition Assistance Program block grants, it is also important to include territory participation.

As state and local governments increasingly rely on automated decision-making systems to deliver public benefits, it is critical that FNS also gather accurate data on the impact such systems have on frontline staff and benefit delivery. Administrators tout these systems as a way to assist frontline staff with case management. However, AFSCME members report that automation has turned SNAP offices into call centers, removed caseloads from individual workers and pushed new unproven computer systems, leading to many more errors and problems down the line for frontline staff and recipients. Their reports also reveal that automated systems are less useful for case management than they are for worker surveillance — and then increased worker discipline. Moreover, as the Medicaid unwinding process relies first on automated renewals based on data available to agencies, e.g., information from SNAP files, and then on automated mailing or phone notices, collecting information on these systems' performance is crucial to assessing the coordination of SNAP and Medicaid programs.⁵ AFSCME recommends FNS include in its study interviews with experts who advocate for timely, accurate public benefits delivery through such systems, including U.S. Digital Response, the Electronic Privacy Information Center and the Benefits Tech Advocacy Hub.

The proposed data collection is important to gaining an accurate assessment of SNAP and Medicaid coordination as both programs experience substantial changes in the wake of the pandemic. AFSCME supports FNS's data collection efforts with substantial input from state and local frontline merit staff and advocates monitoring public benefits automation.

Sincerely,

/s/ Dalia R. Thornton

Dalia R. Thornton
Director
Research and Collective
Bargaining Services

⁵ Suzanne Wikle and Jennifer Wagner, "Unwinding the Medicaid Continuous Coverage Requirement: Frequently Asked Questions," Center On Budget And Policy Priorities, updated April 28, 2023, <https://www.cbpp.org/research/health/unwinding-the-medicaid-continuous-coverage-requirement>.