

From: Smith, Austin <AustinSmith@gov.sc.gov>
To: Pisarik, HollyHollyPisarik@gov.sc.gov
Date: 10/31/2015 10:13:59 AM
Subject: Fw: DSNAP Summary

Holly,

FYI - as you may get pulled into this with FEMA legal. I'm going to set up a call today with Mike Moore and Shwedo to hash this out, but he may defer to his legal team. Will you buzz me after you've had a chance to read this? Happy Saturday!

Thanks!

Austin

From: Glaccum, David
Sent: Saturday, October 31, 2015 9:55 AM
To: Baker, Josh
Cc: Smith, Austin; Soura, Christian
Subject: Re: DSNAP Summary

I agree with Josh. FEMA can do this even without cost sharing, so the fact that we have offered to reimburse them really should not hold them up. 402 - "President may direct any Federal agency, with or without reimbursement, to utilize ... The resources granted to it under Federal law (including personnel...) in support of State and local assistance response and recovery efforts."

I also still think volunteers should also be asked, unless it really true that they will get angry for being asked to volunteer for a mission separate from their core mission.

If it has not happened, I think either NRH or Col. Schwedo need to talk with the SC FEMA person (Matt?) and ask exactly what they see as the holdup, legally speaking. Then I can reach out to the delegation and ask they help out. But I prefer to have FEMA's legal justification for not being able to assist (if they have one) when I call.

Y'all let me know what you need me to do.

DMG

Sent from my iPhone

On Oct 31, 2015, at 9:17 AM, Baker, Josh <JoshBaker@gov.sc.gov> wrote:

I think that there's a good argument here for the FEMA corps to provide the initial assistance, as long as the state agrees (which it already has) to reimburse FEMA for expenses.

Section 401(a) of the Stafford Act requires that the state comply with any cost-sharing provisions of a program, which may be the hang-up they're unable to get over, however Section 402 specifically contemplates the ability to redirect resources from any federal agency to (4) assist state and local

governments in the distribution of medicine, food, and other consumable supplies, and emergency assistance. Section 623 of the Act specifically considers the need to maximize the use of existing governmental facilities and personnel, subject to non-duplication provisions in other sections.

In supporting regulations, 44 CFR 206.5 explicitly gives the FEMA Administrator or an enumerated Assistant Administrator the authority to redirect resources of Federal agencies in (c)(3) for "Performing the work or services to provide emergency assistance authorized in the Stafford Act". Section 412 Authorizes D-SNAP in the Stafford act, making this benefit inclusive of Stafford Act emergency assistance.

I think that as long as we agree to comply with cost-sharing provisions of the D-SNAP program (50/50 for administration), in this case in the form of a personnel reimbursement to FEMA, I think our request to the FEMA Corps for personnel assistance is reasonable. Given that there's 1400 of them on the ground, I think pressure from us as well as the delegation is reasonable as well.

jdb

From: Smith, Austin
Sent: Saturday, October 31, 2015 6:02 AM
To: Soura, Christian
Cc: Baker, Josh; Glaccum, David
Subject: Re: DSNAP Summary

Josh and David,

Given that FEMA "cannot use their Stafford Act funding for this mission," and FNS/DSS can't execute this on a reasonable staffing model, I think we should involve the delegation. FEMA still seems like the only way to get 100 people in the mix, but I agree with Christian that we should confirm the DSS understanding of the rules with FNS and push back where appropriate. Thoughts?

Austin

On Oct 31, 2015, at 4:17 AM, Christian L. Soura <Christian.Soura@scdhhs.gov> wrote:

When it comes to the representations being made about who FNS will/won't allow to do certain things...is all the conversation just between DSS and FNS or have you or anyone else been in the mix?

CLS

Christian L. Soura
Director
SC Department of Health and Human Services

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Christian.Soura@scdhhs.gov

From: Bryan Kost
Sent: Friday, October 30, 2015 7:32 PM
To: Christian L. Soura
Cc: Jan Polatty
Subject: Fwd: DSNAP Summary

Sent from my iPhone

Begin forwarded message:

From: Michael Jones <JONEST@scdhhs.gov>
Date: October 30, 2015 at 7:21:58 PM EDT
To: Bryan Kost <kostbr@scdhhs.gov>, Jim Coursey <Jim.Coursey@scdhhs.gov>, Beth Hutto <huttob@scdhhs.gov>
Subject: DSNAP Summary

Jim, Bryan and I visited Amber Gillam at DSS. We explained that we would be willing to assist with the infrastructure, logistics, planning and implementation of the DSNAP process. Due to constraints, we are not able to provide man power resources from Eligibility for keying and explained that. She understood. We discussed our recent events with staffing thru temp agencies but this is not an option for DSS since FNS requires the keyers to be "certified" employees. DSS was hopeful that DHHS Medicaid processors would be allowed this classification to satisfy the FNS criteria. We did offer that we would solicit volunteers from inside our agency that may assist with this process.

Jim and I met with Rick Lawson (DSS CIO), Robin Vereen and another IT staff member to discuss the options for additional training rooms for DSS staff to use. DSS will be setting up one of their training rooms to accommodate overflow processing of these apps. DHHS has offered to set up Training Room A to be another overflow processing center. This will be where our volunteers would work if needed. Rod Davis and his team is working with DSS to facilitate the VPN and security. The testing will take place on Monday and be available for implementation for Tuesday.

We asked DSS if they needed any assistance with reviewing their forms, etc but they passed. We also offered advice on how to track these documents since they will be moving from location to location. They have our contact information in case they want any more assistance.

I do understand the Governor's Office concern with implementation of this process and the risk for public demand being extremely high and the preparedness of the staff for this endeavor.

We will await further guidance. Please let me know if you have any further questions.

Thanks
Michael

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