

Get the Facts: HOPWA and COVID-19 Response



HOPWA Remote Methods Webinar: Common Questions and Answers

Does HIV verification need to be reassessed annually or when a household returns to the program?

No, HOPWA regulations do not require that HIV verification be obtained annually if HIV verification remains on file and is a part of all documentation of assistance. HOPWA regulations do not require re-verifying HIV status if a household leaves the program and returns at a future date, though if a new file is created, then documentation of HIV status will need to be contained in that file.

If we are using remote methods to assess for HOPWA eligibility, is third-party documentation of HIV status required for the file or can participants self-certify?

Documentation of HIV status is always required, as a part of determining eligibility for HOPWA assistance, regardless of the method used to assess for HOPWA eligibility. However, the [CPD Memo dated March 31, 2020](#) announcing various waivers related to the administration of the HOPWA program does allow for the *self-certification* of HIV-status under limited conditions. Please note that such self-certification would still need to be physically present in a HOPWA client's file. The waiver permits HOPWA grantees and project sponsors "to rely upon a family member's self-certification of income and credible information on their HIV status (such as knowledge of their HIV-related medical care) in lieu of source documentation to determine eligibility for HOPWA assistance of families and grantees affected by COVID-19." This waiver is in effect for recipients who require written certification of the household seeking assistance of their HIV status and income. HOPWA grantees and project sponsors who use this waiver must "agree to obtain source documentation of HIV status and income eligibility within 3 months of public health officials determining no additional special measures are necessary to prevent the spread of COVID-19." To use the waiver flexibility, grantees must provide notification in writing, either through mail or e-mail, to the CPD Director of the HUD Field Office serving its jurisdiction no less than two days before the grantee anticipates using the waiver flexibility.

What are examples of reasonable self-certification of HIV status?

Under the conditions of the March 31, 2020 HUD Memo, "other credible information" may be used to verify HIV status, - including self-certification - if source or third-party verification is not available or obtainable due to local public health restrictions.

There are several ways a person could provide "credible information on HIV status." For example, during an intake or in conversation, an applicant credibly appears to know about things like:

- HIV medications
- Doctors in the area who treat HIV
- Viral suppression
- Their own status and HIV medical history

Other credible information may include a referral received from another HIV-specific agency with knowledge of the person's HIV status or case management staff working in the same agency who has already worked with the client and knows them to be HIV+.

All other credible information forms of verification should be documented in writing and maintained in the client's file.

After local public health officials determine that no additional special measures are necessary to prevent the spread of COVID-19, what if a household fails to provide source or third-party documentation of HIV status? Will programs be required to repay money expended on behalf of the household?

If source documentation verifying HIV status cannot be obtained within the required 3-month period after local public health officials determine that no additional special measures are necessary to prevent the spread of COVID-19, as would occur if the client cannot independently document HIV status, the client will cease to meet HOPWA program eligibility and should be terminated and directed to other, non-HIV-specific program resources.

Regarding repayment due to lack of documentation, while HUD expects such cases to be rare, programs should nonetheless be prepared to take appropriate actions. Documentation throughout this time period should be placed in client records, stating clearly that the credible information on HIV status was accepted per the HOPWA waiver. With this documentation in place, Grantees and project sponsors providing HOPWA assistance to clients who ultimately are shown to be ineligible based on HIV status should not be subject to corrective actions such as repayment of grant funds.

Do income assessments need to be completed annually if the household remains in HOPWA services beyond one year?

Yes, income recertifications (assessments) need to be completed annually for all HOPWA activities except for Housing Information Services, which does not have an income eligibility requirement.

Can income, including the income of minors and dependents, be documented through remote methods?

Yes, the income all of individuals (including minors and adults who qualify as dependents) who are or will be residing in the household with the HOPWA eligible individual can be documented using remote methods.

For more information on the definition of income, including income inclusions and exclusions, please see [24 CFR. 5.609](#) or [Exhibit 5-1: Income Inclusions and Exclusions](#).

Is there software or online tools to virtually verify household income and assets?

While there are some employment verification websites, these websites do not generally include information about all employers and non-employment income sources. We are not aware of any software or online tools available to verify assets.

If a program confirms HOPWA eligibility using remote methods or client self-certification, can assistance be provided before third-party documentation is obtained for the file?

Yes, assistance may be provided before source or third-party documentation is obtained for the file. As a reminder, documentation of HIV status for the HOPWA eligible individual and income documentation for the client and all other individuals who are or will be living with the client is always required, as a part of determining eligibility for HOPWA assistance, regardless of the method used to assess for HOPWA eligibility. If a program is using any form of remote method to determine HOPWA eligibility, programs should first attempt to obtain source or third-party documentation. When that is not possible due to the current pandemic, self-certification of income and credible information about HIV status may be used to determine HOPWA eligibility, as described further below.

However, the [CPD Memo dated March 31, 2020](#) announcing various waivers related to the administration of the HOPWA program does allow for the self-certification of HIV-status under limited conditions. Please note that such self-certification would still need to be physically present in a HOPWA client's file. The waiver permits HOPWA grantees and project sponsors "to rely upon a family member's self-certification of income and credible information on their HIV status (such as knowledge of their HIV-related medical care) in lieu of source documentation to determine eligibility for HOPWA assistance of families and grantees affected by COVID-19." This waiver is in effect for recipients who require written certification of the household seeking assistance of their HIV status and income. HOPWA grantees and project sponsors who use this waiver must "agree to obtain source documentation of HIV status and income eligibility within 3 months of public health officials determining no additional special measures are necessary to prevent the spread of COVID-19." To use the waiver flexibility, grantees must provide notification in writing, either through mail or e-mail, to the CPD Director of the HUD Field Office serving its jurisdiction no less than two days before the grantee anticipates using the waiver flexibility.

That said, if a program is using video-conferencing, such as the example included in the webinar titled Remote Methods, and an applicant or assisted household does have source or third-party documentation for both income and HIV status, program staff may VIEW those documents to determine if someone appears initially eligible for HOPWA assistance. However, because those documents are available, programs should work with clients to obtain copies for review to make a final eligibility determination.

Should programs have a Confidentiality Agreement in place that clients should sign?

All HOPWA grantees and project sponsors are required to have policies and procedures that outline the rules and measures to protect people's protected health and other identifying information. These policies and procedures can be turned into a 'Confidentiality Agreement' that is reviewed with and provided to applicants and assisted HOPWA households at intake and annual recertifications.

HOPWA grantees and project sponsors should look at all reasonable remote methods that will allow critical program activities to continue, including ways to temporarily bypass in-person physical signature requirements. Remote methods to obtain signatures may include documents signed/scanned and emailed back to the program or the use of electronic signatures.

Please remember that when these methods are not possible, programs may allow a household's verbal agreement to sign, documented by the program staff, and placed in the household's file.

If using electronic or verbal signatures, be sure to document these transactions carefully. [Policies on remote methods, including electronic signatures and verbal attestation of signatures, should be set by grantees and followed uniformly by their project sponsors.](#)

The [HOPWA Confidentiality User Guide](#) provides in-depth information regarding HOPWA privacy practices and confidentiality requirements.

Are electronic signatures allowed for remote intakes, interims, annuals, and other paperwork?

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Can HOPWA pay for technology to assist with remote methods?

Yes, the purchase of tablets, cell phones, and wireless service plans/phone cards for households is allowed when needed to enable the provision of HOPWA services necessary to carry out an eligible HOPWA activity. Devices must be owned by the grantee or project sponsor, may be loaned to the household, and must be returned to the program when the households need or local health emergency ends.

Phone cards or minutes may be purchased for households who already own phones when needed to access HOPWA activities necessary to obtain and retain housing and ensure client safety and stability.

What if loaned technology is not returned?

Project sponsors must retain ownership of any devices/phone plans purchased with HOPWA funds and request they be returned as indicated above, though HUD does understand phones will not always be successfully returned.

HOPWA programs should have a process in place to support due diligence in attempting to reclaim program property and include such documentation in the household's record. If loaned technology is not returned, HOPWA programs should have written policies and procedures for equipment that meet requirements at [2 CFR 200.313](#) regarding Equipment (as well as any local requirements) and follow those policies.

Where can programs find information regarding remote habitability inspections?

For information on complete remote habitability inspections, including lead-based paint visual assessments, please refer to the [HOPWA Flexibilities: Virtual Inspections Webinar on the HUD Exchange](#).

This resource is prepared by technical assistance providers and intended to help grantees and project sponsors understand guidance related to the HOPWA Program and COVID-19. The contents of this document, except when based on statutory or regulatory authority or law, do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.