

Get the Facts: HOPWA and COVID-19 Response



SELF CERTIFICATION OF INCOME & HIV

On April 1, 2020, the U.S. Department of Housing and Urban Development HUD issued a memorandum providing regulatory waivers of certain Housing for Persons With AIDS (HOPWA) requirements to help with the nation's response to the COVID-19 global pandemic. One of these waivers is for the **Self-Certification of Income and Credible Information on HIV Status** requirement.

Grantees wishing to utilize any of the waivers provided in the memorandum should notify their local CPD Director, by email, of their intent to utilize a specific waiver flexibility **two days** before they anticipate using the waiver flexibility. Grantees should communicate the use of waivers to their Project Sponsors.

Note to Project Sponsors: Only Grantees can make the determination to use this waiver. If they have questions about this, then they should ask their Grantee.

What the Self Certification of Income and HIV waiver addresses:

- **Waiver Justification:** The waiver permits grantees to temporarily bypass the income and HIV status documentation requirements at (24 CFR 574.530 Recordkeeping), allowing the HOPWA-eligible person and family members to self-certify their level of income and allowing acceptance of credible information on HIV status in lieu of source documentation for the purposes of establishing eligibility for HOPWA assistance of families and grantees affected by COVID-19.
- **Time Period:** Grantees/recipients 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.

Can you provide examples of credible information on HIV status? What is acceptable?

There are several ways a person could provide "credible information on HIV status." Some examples include:

- During an intake or in conversation, do they seem to know about things like:
 - HIV medications
 - Doctors in the area who treat HIV
 - Viral suppression
 - Their own status and HIV medical history
- A referral from another HIV-specific agency
- An acknowledgement from a case manager in the same agency who has already worked with the client and knows them to be HIV+

How should we utilize the HIV documentation waiver provision? Do we apply it to all applicants?

In practice, programs may still be able to obtain appropriate source documentation of HIV status for many potential clients through testing centers or medical facilities, so those options should still be pursued whenever possible.

When source documentation is not attainable or timely, grantees making use of this waiver provision should have policies in place allowing for "other credible information" to be used to document HIV status in lieu of source documentation. These policies should include information about "other credible information" documentation requirements gathered at program entry, required timeline for collecting source documentation after COVID-related restrictions in the community are lifted (3 months), and actions to be taken if HIV status cannot be documented, via source documentation, at that time.

Additional notes:

- If you can obtain appropriate source documentation on HIV status, you should continue to do so, but do not delay approvals if not.
- Use what self-certification or information people have; but make sure you note in records that you are making use of the waiver and that policies are in place to obtain the source documentation once community restrictions are lifted.

What ramifications are there for our program if a project sponsor is unable to obtain a proper document to support eligibility on HIV status after the 3-months?

If there are cases where source documentation verifying HIV status cannot be obtained within the required 3-month period, as would occur if the client is found not to be HIV+, the client will cease to meet HOPWA program eligibility, should be terminated based on program procedures and directed to other, non-HIV-specific program resources.

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.

Does self-certification of income apply only during intake to determine HOPWA program eligibility?

No, self-certification of income in lieu of source documentation, when needed, applies to any program delivery activities in which documentation of income is a factor, including:

- Intake and overall HOPWA program eligibility
- Income and rent calculation for TBRA, Master Leasing or Facility-Based Housing
- Annual and interim reassessments for rental assistance

In practice, programs should continue to collect appropriate source documentation for household income whenever possible. When such documentation is unavailable, the waiver allows self-certification of income in order to expedite delivery of needed housing and services during the COVID-19 pandemic.

The contents of this fact sheet reflect guidance presented in a series of HOPWA/COVID-19 Q&A webinars available at: <https://www.hudexchange.info/programs/hopwa/covid-19/#webinars>