



United States Department of Agriculture

Food and
Nutrition
Service

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SUBJECT: Supplemental Nutrition Assistance Program (SNAP) Questions and
Answers on Able-Bodied Adult without Dependents (ABAWD) Policy

TO: Regional Directors
Supplemental Nutrition Assistance Program
All Regions

Attached are questions posed by State agencies and Food and Nutrition Service responses that provide clarification on SNAP policy surrounding time-limited participation for ABAWDs.

If you have any additional questions, please contact Stephanie Davis at Stephanie.Davis@fns.usda.gov or Casey McConnell at Casey.Mcconnell@fns.usda.gov.

A handwritten signature in blue ink that reads "Lizbeth Silbermann".

Lizbeth Silbermann
Director
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Attachment

Able-bodied Adults without Dependents (ABAWD) Policy Questions and Answers

Question 1: When customer gets that 4th month but didn't actually qualify or become exempt, the State has to recoup that month, correct?

Answer 1: The State agency may, if it wishes, apply a 15% exemption to that ABAWD for the month. If no exemption applies, the ABAWD would be subject to a claim for any month(s) during which he/she participated in violation of 273.24.

Question 2: At what point of the month should the State issue the notice of adverse action (NOAA) to at-risk ABAWDs? Are States required to issue a notice each month?

Answer 2: SNAP regulations and guidance do not provide a specific strategy for States on this issue. Some strategies States use to assist with accurately accounting for work hours for ABAWD clients include:

- Review eligibility on the 20th of each month. If the ABAWD is not complying as of the 20th, the State agency then sends a NOAA and terminates eligibility as of the end of the calendar month.
- Provide ABAWDs with 3-month certification periods.
- Issue a NOAA during the last month of eligibility for ABAWDs who are not exempt and have reported that they are not meeting ABAWD work requirements.

Question 3: If an ABAWD agrees to volunteer for a SNAP Employment and Training (E&T) program, can a State count the hours needed to get a participant started in SNAP E&T as qualifying hours (such as orientation, developing an employment plan, getting training and access to computers in resource room, basic skills testing, interest surveys)? Must this be done prior to being assigned hours in actual workfare or a specific skills training course?

Answer 3: Yes, these activities would be considered job search activities and are countable as long as they are combined with other E&T components and do not exceed half of the ABAWD's participation in the E&T program components. Also, SNAP regulations provide that States may establish a job search period of up to 30 days following initial SNAP certification prior to making a workfare assignment. Since this job search activity is considered part of the workfare assignment, the hours can be used to meet the ABAWD work requirement.

Question 4: How should the State apply the expedited services provisions on postponed verification [7 CFR 273.2(i)(4)] to an applicant who has exhausted his/her three countable months?

Answer 4: The State agency may follow the regulations at 273.2(i)(4) in processing expedited service cases. The State should attempt to obtain as much verification as possible within the expedited service time frame. SNAP regulations do not prevent the State from postponing verification of an ABAWD exemption or work hours if it would delay processing expedited service eligible cases within the time frame.

Question 5: Regarding regaining eligibility, is following assumption correct? States have the option to reinstate eligibility if the ABAWD can verify that they will meet ABAWD work requirements within 30 days from the date of application. Once the ABAWD is proven to be eligible for program participation, benefits must be prorated from the date they regained eligibility. Benefits cannot go back to the filing date, because most likely work requirements were not met until after the file date.

Answer 5: States have some flexibility as to how to calculate benefits for ABAWDs who regain eligibility. Regulations at 7 CFR 273.24(d)(2) allow the State to prorate benefits from the date the 80 hours are completed or from the date of application.

Question 6: Regarding changes during the certification period, is following assumption correct?
When a non-reportable change occurs and is not reported that causes an ABAWD to lose an exemption, the ABAWD months are re-calculated retrospectively. However, when re-calculating retrospectively, if the ABAWD exhausted his/her ABAWD months and continued to receive more than three months benefits, an overpayment is not established.

Example of change that was not required to be reported: Client applied for benefits on April 3rd and is not subject to ABAWD time limits due to a child under the age of 18 residing in the home. On May 17th the child leaves the home, but this is not reported. In September the six month report is submitted. Client's ABAWD months are June, July and August. Client was not required to report the change until the six month report was submitted; therefore, an overpayment does not exist for September.

Answer 6: Yes, if a non-reportable change occurs that causes a client to be subject to the ABAWD time limit, the State must start the three countable

months from the date the State knows the individual in an ABAWD and subject to the time limit. No claim can be established.

Question 7: Suppose a simplified reporting (SR) household voluntarily reports information that also indicates that a member of the household may have become an ABAWD. Should the State agency treat the household member as an ABAWD and limit the number of months that the member can receive benefits?

For example, the household consists of a mother and child. The child moves out and the mother reports this to the food stamp office. The mother would have been an ABAWD but for the child's presence. The state agency treats the voluntary report as verified upon receipt, and reduces the food stamp benefits to a one-person allotment.

Answer 7: Yes, if the household has voluntarily reported that it experienced a change in circumstances that have made a member(s) an ABAWD subject to the time limit, the State agency must notify the household about the time limited participation and reporting requirements, and must start tracking the three countable months, if the ABAWD is not meeting an exemption.