

## **WAIVER REQUEST**

- 1. Waiver Serial Number:** 2150031
- 2. Type of Request:** Renewal
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** West Virginia
- 5. Region:** MARO
- 6. Regulatory Requirements:**

Under 7 CFR 273.24(b), certain individuals are not eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than 3 countable months during any three year period in which the individual was subject to, but did not comply with, the SNAP ABAWD work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

Under 7 CFR 273.24(f), upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the time limit described above for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside does not have a sufficient number of jobs to provide employment for the individuals.

### **7. Description of Alternative Procedures:**

The State of West Virginia is requesting to exempt Able-Bodied Adults Without Dependents (ABAWDs) in 15 of the 55 counties in the state. The ABAWD time limits will be operated in the following forty counties: Barbour, Berkeley, Boone, Brooke, Cabell, Clay, Doddridge, Fayette, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Marion, Marshall, Mercer, Mineral, Monongalia, Monroe, Morgan, Ohio, Pendleton, Preston, Putnam, Raleigh, Randolph, Ritchie, Summers, Taylor, Tucker, Upshur, Wayne, Wirt, and Wood.

**8. Justification for Request:**

West Virginia is requesting this waiver to exempt residents residing in 15 counties of the State from the time limit due to having insufficient jobs. Under 7 CFR 273.24(f)(2)(ii), areas may be exempt if "Data from the BLS or a BLS-cooperating agency that shows an area has a 24-month average unemployment rate 20 percent or more above the national rate for a recent 24-month period, but in no case may the 24-month average unemployment rate of the requested area be less than 6 percent. In order for the 24-month data period to be considered recent, the number of months from the end of the last month of the 24-month data period through the last month that the waiver would be effective must not exceed 21 months." This is being used to request waivers for the following counties: Braxton, Calhoun, Gilmer, Logan, Mason, Mingo, McDowell, Nicholas, Pleasants, Pocahontas, Roane, Tyler, Webster, Wetzel, and Wyoming.

**9. Anticipated Impact on Households and State Agency Operations:**

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

**10. Caseload Information, Including Percent, Characteristics, and Quality Control Error Rate for Affection Portion (If Applicable):**

The caseload for these areas, as of November 2019, represents 19.74% of the ABAWD population caseload for the State. There are no quality control procedures involved.

**11. Anticipated Implementation Date and Time Period for Which Waiver is Needed:**

The State is requesting this waiver from April 1, 2020 through December 31, 2020.

**12. Proposed Quality Control Review Procedures:**

There are no special quality control procedures needed in conjunction with this waiver.

**13. State Agency Submitting Waiver Request and State Contact Person:**

The State of West Virginia, Department of Health and Human Resources.  
State contact person: Monica Hamilton

**14. Signature and Title of Requesting Official:**

Linda Watts

Linda Watts, Commissioner  
Bureau for Children and Families  
West Virginia Department of Health and Human Resources

**15. Date of Request: January 17, 2020**

**16. State Agency Staff Contact (Name/Email/Telephone):**

Monica Hamilton, Monica.A.Hamilton@wv.gov, (304) 356-4620

**17. Regional Office Contact Person (to be completed by FNS Regional office):**

**Governor Approval:**

James Justice  
The Honorable Jim Justice, Governor

01-20-20  
Date