



ABAWDs and Emerging from the Public Health Emergency

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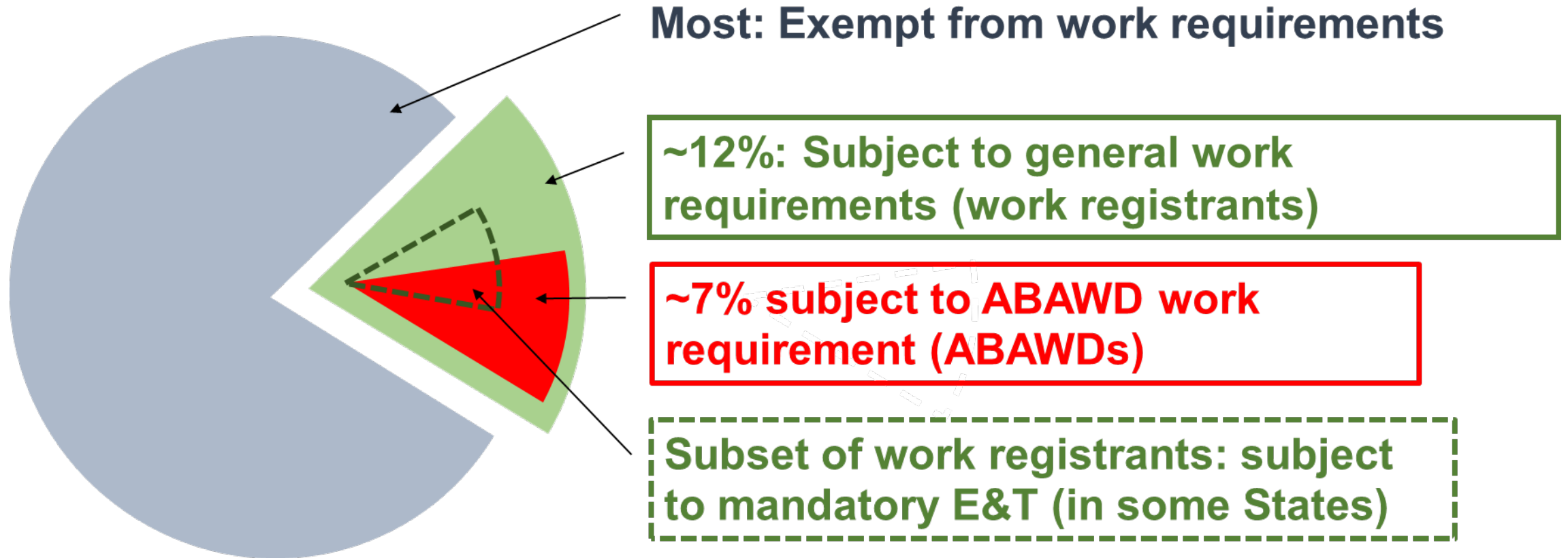
FNS-SNAP Program Development Division

Agenda

- Able-Bodied Adults Without Dependents (ABAWDs) Policy Overview
- COVID Federal Public Health Emergency (PHE) Policy Changes
- Preparing to Apply the Time Limit
 - Screening for Exemptions
 - Reviewing Tracking, Systems, Notices, and Training
 - Considering Waivers and Discretionary Exemptions
- Q&A

Policy Overview

SNAP Work Requirements



Most: Exempt from work requirements

~12%: Subject to general work requirements (work registrants)

~7% subject to ABAWD work requirement (ABAWDs)

Subset of work registrants: subject to mandatory E&T (in some States)

SNAP Work Requirements

General Work Requirement

- Includes work registration; accepting suitable employment; **mandatory E&T, if assigned**; etc.
- Noncompliance → Various disqualification periods

ABAWD Work Requirement

- Includes working or participating in a work program for 80 hours a month, or workfare
- Noncompliance → 3 “countable months,” then disqualification

PHE Policy Changes

ABAWD Time Limit Suspension

- Generally, States cannot assign countable months during the Federal PHE.
- The suspension ends 1 month after the Federal PHE.
- However, States must assign a countable month if they offer an individual a slot in a qualifying work program and the individual does not meet the work requirement without good cause.

Removing Countable Months

- States must remove all countable months the month after the PHE ends.
- States must inform the Regional Office if the State switches the ABAWD clock.

Example Timeline



April:

Federal
PHE Ends

May:

State resets clock
(all ABAWDs have
zero countable
months)

June:

Time limit resumes in
unwaived areas (some
ABAWDs get 1st
countable month)

Preparing to Apply Time Limit

Screening for Exemptions



Screening for Exemptions

- States must screen all household members for exemptions from work requirements.
- Poor screening can lead to:
 - Program access issues: Eligible individuals not receiving benefits
 - Program integrity issues: Individuals who are subject to requirements incorrectly receiving benefits
- States should screen for exemptions even when the time limit is suspended.

List of Exemptions

Is someone exempt from the General Work Requirements?

- <16 or >59
- Physically/mentally unfit for work
- Enrolled in a school/training program at least half-time
- Working at least 30 hrs./wk. (or equivalent)
- Meeting TANF work requirements
- Receiving unemployment compensation
- Caring for a child <6 or an incapacitated person
- Participating regularly in an alcohol/drug treatment/rehab program

If not, is the person exempt from the ABAWD Work Requirement?

- <18 or >49
- Member <18 in SNAP household
- Pregnant (all trimesters)
- Physically/mentally unfit for work:
 - Receiving disability
 - Obviously unfit (determined by State)
 - Statement from medical personnel

Exempt from Mandatory E&T

- Individuals exempt from the general work requirements are exempt from mandatory E&T. States also set State-specific exemptions. Ex:
 - All work registrants (voluntary E&T)
 - Individuals in certain geographic areas
 - Individuals without English language proficiency
- States must exempt individuals whose participant reimbursement needs exceed what the State agency will reimburse.
- If a State refers an individual to mandatory E&T and there is not an appropriate and available opening in an E&T program, the State agency must give the participant good cause for failure to comply.

Screening Tips

Consider where workers should source information for each exemption and how they would analyze that information.

- Application, periodic report, and recertification forms are good sources for:
 - Household composition
 - Age
 - Disability
 - Employment status and income
 - Enrollment in school
- Interviews are good sources for:
 - Responsibility for care of child under 6 or incapacitated person
 - Physical/mental fitness for work (not necessarily “disabled”)
 - Pregnancy
 - Drug/alcohol treatment/rehab program
 - Work program/volunteer hours

Screening Tips

Screen by asking clear questions. For example:

Don't just ask: Are you a student?

Do ask:

- If you are a student, are you enrolled:
 - Full time
 - At least half-time
 - Less than half-time
 - Not sure

Don't just ask: Are you disabled?

Do ask:

- Are you disabled?
- Do you have a condition that limits your ability to work?
 - Physical condition
 - Mental condition
 - Not sure

Preparing to Apply Time Limit

Reviewing Tracking, Systems, Notices,
and Training



Tracking

- States need to track whether ABAWDs are meeting the work requirement and the number of countable months.
- ABAWDs can meet the work requirement by:
 - Spending at least 80 hours each month working and/or participating in a work program, or
 - Participating in workfare
- Work includes both volunteering and in-kind work

Tracking Example

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Year 1	ABAWD Waiver		Countable Month 1	Meeting Work Requirement								
Year 2	Meeting Work Requirement				Not Participating in SNAP							
Year 3	Not Participating in SNAP			Partial Month	Countable Month 2	Countable Month 3	Ineligible for SNAP					

System Review

- Check codes and programming for recording exemption status
- Cross-check system with training materials
- Consider system enhancements for efficiency and accuracy

Notices

- Review the consolidated written notice and oral explanation
- Send a notice before the time limit resumes (both with the PHE suspension and with ABAWD waivers)
- Consider sending an extra notice in ABAWDs' 2nd countable month
- Post information on websites and in waiting rooms
- Share information with community partners



Sample Notice



State Department of Human Services
123 Main Street
Hometown, ST 12345-6789

Case ID Number: 12345A
Letter Date: [Insert date]
Program: Supplemental Nutrition Assistance Program (SNAP)

SNAP Time Limit Rules

You Must Follow These Rules to Continue to Receive SNAP Benefits

Dear [Name],

This letter is to tell you that we will resume the **Time Limit Rules** for the Supplemental Nutrition Assistance Program (SNAP) on [insert date]. **If you don't follow these rules, your SNAP benefits may decrease or end.** Different people in your house may need to follow different work rules. This letter tells you what you need to do.

What do you need to know?

Beginning on [insert date], you must follow the **Time Limit Rules**. These apply to you because you are between ages 18 and 49, do not live with a child under 18, and are considered physically and mentally able to work. This is often called the Able-Bodied Adult Without Dependents (ABAWD) work requirement.

You can only get SNAP benefits for 3 months in 3 years unless you meet the Time Limit Rules. Keep reading to find out what to do.

Worker Training

- Regular, repeated training is crucial
- Provide tools workers can reference quickly such as an interview script and exemptions checklist
- Ensure workers know where to go with questions

Sample Training Document

ABAWD Summary Checklist For Caseworkers

This checklist is intended to provide a quick reference and summary of ABAWD policy for caseworker training. It does not replace policy. Eligibility determinations should not be made without proper consideration of all relevant Federal and State policy.

Is the individual an able-bodied adult without dependents (ABAWD)?

Able-bodied adults without dependents are subject to the special ABAWD work requirements, unless they are exempt from the time limit. The time limit does not apply to an individual if he/she is:

- Under age 18, or age 50 or older.
- In a household with another member who is under age 18, even if the youth is not eligible for SNAP.
- Pregnant.
- Exempt from the general work requirements. This includes an individual who is:
 - Responsible for the care of a child under 6 or an incapacitated person
 - A student enrolled in school at least half-time (although students may be subject to other work rules)
 - Regularly participating in an alcohol or drug treatment program
 - Already working at least 30 hours a week
 - Complying with work requirements for another program
- Determined to be physically or mentally unfit for employment. This includes someone who:
 - Is obviously mentally or physically unfit for employment.
 - Is receiving temporary or permanent disability benefits issued by governmental or private sources.
 - If the unfitness is not obvious, provides a statement from medical personnel (physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, licensed or certified psychologist, social worker, or any other medical personnel the State determines appropriate) that he or she is physically or mentally unfit for employment.

Tips for Identifying Physical or Mental Unfitness

- Screen for indicators of physical or mental unfitness.
 - Is the person experiencing chronic homelessness?
 - Has the person been steadily unemployed in recent years?
 - Is the person in need of healthcare for a physical or mental health issue?

Preparing to Apply Time Limit

ABAWD Waivers and Discretionary Exemptions



ABAWD Waivers

- States can request a waiver for any area at any time – including during the PHE
- Waivers will remain in effect when the PHE ends
- Contact your Regional Office with questions early

Discretionary Exemptions

- States can use a discretionary exemption to extend eligibility to one ABAWD for one month
- FNS publishes the total number of discretionary exemptions available in each State annually
- States may use discretionary exemptions in many ways
 - Ex: If the State has sufficient discretionary exemptions and is worried about screening, the State may give all at-risk ABAWDs discretionary exemptions until the next recertification.

Resources



ABAWD Policy Readiness Tool

Policy Area / Requirement	State's Description of Operational Procedures	State's Concerns and Questions
<p>(1) Exemptions (exceptions) from ABAWD requirements</p> <p>Summary</p> <p>7 CFR 273.7(b) and 273.24(c)</p>	<p><i>Please describe how your State effectively screens for and records exemptions. For example:</i></p> <ul style="list-style-type: none"> • <i>Does the application include questions to screen for exemptions?</i> • <i>How do EWs screen for exemptions in the interview?</i> • <i>How/where does the eligibility system record/indicate/code that a person is exempt versus an ABAWD?</i> • <i>What questions does the application include that help screen for exemptions?</i> 	<p><i>Please describe State concerns/challenges and list any questions.</i></p>
<p>(2) Meeting the ABAWD work requirement</p> <p>Summary</p> <p>7 CFR 273.24(a)</p>	<p><i>Please describe how your State determines and records if an ABAWD is meeting the ABAWD work requirement. For example:</i></p> <ul style="list-style-type: none"> • <i>Does the application include questions to identify work hours?</i> • <i>Do EWs ask if individuals are working (paid or in-kind, or unpaid/volunteering) or participating in work/employment training and for how many hours?</i> • <i>What verification do EWs use to verify work hours?</i> • <i>How do EWs refer individuals to voluntary or mandatory E&T?</i> • <i>How/where does the eligibility system record/indicate/code that an ABAWD is meeting the ABAWD work requirement?</i> 	<p><i>Please describe State concerns/challenges and list any questions.</i></p>

Resources

- Accessible from Regional Office:
 - ABAWD Policy Readiness Tool
 - Model Notice for ABAWD Time Limit Return
- FNS Work Requirement Policy Resources Webpage - <https://www.fns.usda.gov/snap/work-requirements-policies>
 - Preparing for Reinstatement of the Time Limit for Able-Bodied Adults without Dependents (ABAWDs)
 - Families First Coronavirus Response Act and Impact on Time Limit for Able-Bodied Adults Without Dependents (ABAWDs)
 - Best Practices and Resources for Informing Households of ABAWD Rules
 - Guide to Serving ABAWDs Subject to the Time Limit
 - Guide to Supporting Requests to Waive the Time Limit for Able-Bodied Adults without Dependents (ABAWDs)



Questions?

