



Food and  
Nutrition  
Service

Park Office  
Center

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Alexandria  
VA 22302

**MAY 31 2018**

Linda Watts  
Commissioner  
Bureau for Children and Families  
West Virginia Department of Health and Human Resources  
350 Capitol Street, Room 730  
Charleston, West Virginia 25301-3711

RE: SNAP – West Virginia Request to Waive Able-Bodied Adults without Dependents Time Limit – Corrected Approval

Dear Commissioner Watts:

This is in response to the West Virginia State agency's request to waive the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents in 46 counties from January 1, 2018, through December 31, 2018.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. FNS approved the request on December 12, 2017. However, due to an FNS processing error, that approval did not accurately reflect all approved 46 counties in the State.

Therefore, FNS is issuing this correction, affirming that West Virginia is approved to waive the time limit in the 46 counties requested by the State for a 12-month period. West Virginia will not waive the time limit in the remaining nine counties in the State (Berkeley, Cabell, Harrison, Jefferson, Kanawha, Marion, Monongalia, Morgan, and Putnam Counties). This waiver response replaces the response issued on December 12, 2017. The terms and conditions of the waiver remain the same.

The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. If you have any questions please contact Kelly Boger at [Kelly.Boger@fns.usda.gov](mailto:Kelly.Boger@fns.usda.gov).

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FNS is reviewing its policies regarding ABAWD time limit waivers. Moving forward, FNS will be taking actions to support the Administration's priority to provide able-bodied Americans a path to self-sufficiency. This goal requires that we establish a clear and mutual commitment to moving SNAP participants to meaningful employment.

Sincerely,

A handwritten signature in black ink that reads "Sasha Gersten Paal". The signature is written in a cursive, flowing style.

Sasha Gersten-Paal  
Chief  
Certification Policy Branch  
Program Development Division

Enclosure

## WAIVER RESPONSE

1. **Waiver serial number:** 2150031
2. **Type of request:** Amendment and extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** West Virginia
6. **Region:** Mid-Atlantic
7. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides that no able-bodied adult without dependents (ABAWD) shall be 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 months during any 3-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) also provides that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Proposed alternative procedures:** The West Virginia State agency is requesting to waive the ABAWD time limit in 46 contiguous counties from January 1, 2018 through December 31, 2018. The State agency has supported its request based upon the 46 counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of June 2015 through May 2017. During this time period the national average unemployment rate was 4.9 percent; 20 percent above that rate is 5.9 percent. As detailed in the following table, the combined 46 county area had an aggregate unemployment rate of 6.9 percent during the selected 24-month time period.

<b>Bureau of Labor Statistics Local Area Unemployment Data June 2015 – May 2017*</b>		
<b>County</b>	<b>Unemployment</b>	<b>Labor Force</b>
1. Barbour County	10,908	165,066
2. Boone County	16,676	193,956
3. Braxton County	10,987	132,152
4. Brooke County	16,357	240,371
5. Calhoun County	7,609	64,059
6. Clay County	7,782	77,808
7. Doddridge County	4,399	89,486
8. Fayette County	29,467	383,739

9. Gilmer County	4,856	61,331
10. Grant County	8,629	142,480
11. Greenbrier County	20,099	373,988
12. Hampshire County	10,450	239,139
13. Hancock County	21,293	307,601
14. Hardy County	7,840	135,967
15. Jackson County	18,386	286,486
16. Lewis County	13,168	163,035
17. Lincoln County	14,736	175,182
18. Logan County	26,485	267,243
19. McDowell County	13,998	121,520
20. Marshall County	25,824	334,339
21. Mason County	17,231	239,730
22. Mercer County	33,979	525,891
23. Mineral County	17,177	283,317
24. Mingo County	19,595	161,898
25. Monroe County	6,600	142,940
26. Nicholas County	19,484	228,986
27. Ohio County	26,501	494,151
28. Pendleton County	3,477	87,956
29. Pleasants County	5,609	70,862
30. Pocahontas County	5,974	88,441
31. Preston County	19,948	357,480
32. Raleigh County	47,608	716,291
33. Randolph County	17,256	290,197
34. Ritchie County	6,932	109,978
35. Roane County	12,517	125,484
36. Summers County	6,786	109,729
37. Taylor County	10,396	187,194
38. Tucker County	4,519	83,624
39. Tyler County	7,335	86,297
40. Upshur County	17,086	235,736
41. Wayne County	24,038	374,109
42. Webster County	6,275	83,587
43. Wetzel County	15,362	171,684
44. Wirt County	4,798	53,831
45. Wood County	50,661	883,206
46. Wyoming County	16,652	178,224
<b>Total</b>	<b>713,745</b>	<b>10,325,771</b>
<b>Combined Area Unemployment Rate</b>	<b>6.9%</b>	

\*Data extracted from Bureau of Labor Statistics Local Area Unemployment survey (<http://www.bls.gov>) on November 8, 2017.

9. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the West Virginia State agency's request to waive the ABAWD time limit in the 46 county area because it meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008, as amended and 7 CFR 273.24(f).
11. **Information required for an extension:** To receive an amendment or extension the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.
12. **Implementation date and expiration date:** The waiver is effective January 1, 2018 through December 31, 2018.
13. **Limitation if any on Regional Office approval of like requests:** The waiver is limited to the West Virginia State agency.
14. **Date of National Office action:** **MAY 31 2018**
15. **Date of State agency's request:** September 29, 2017
16. **Date of Regional Office transmittal of request:** October 2, 2016
17. **State agency contact:**  
Monica Hamilton  
(304) 356-4620  
Monica.A.Hamilton@wv.gov
18. **FNS regional contact:**  
Kelly Boger  
(609) 259-5009  
Kelly.Boger@fns.usda.gov