



SNAP 801-1 ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)

Countable Months/Exemptions

Supersedes: SNAP 801-1 (02/13/2017)

Reference: 7 CFR 273.7; 7 CFR 273.24; FS Act section 6 (D)(2)

Overview: GENERAL RULE- ABAWDS are limited to three months of Supplemental Nutrition Assistance Program (SNAP) benefits in a three year period unless they are:

1. Fulfilling the work requirement as defined in this policy.
2. Meet an exemption as defined in this policy.
3. Covered under a current geographic waiver (SNAP 802-1).
4. Receiving benefits for prorated months.

FULFILLING THE WORK REQUIREMENT:

1. Employed, either for wages, self-employment enterprise, in-kind services or non-compensation/volunteer or any combination of the above a monthly average of 20 hours per week. (This means a person who worked 80 hours in four weeks would have an average of 20 hours per week for the month.) This must be verified via pay stubs, written statement from the employer, self-employment records, or verbal or written statement from the volunteer organization or individual for whom volunteer work is being done. Unpaid or volunteer work can be provided at religious or community organizations **or for private individuals**. Case notes must be entered to indicate specifically what verification was used.

NOTE: For verification of volunteer hours, do not use any form which ties the agency to the volunteer site (i.e., do not use department or state letterhead or a notice). Due to Worker's Compensation concerns, there should be no document that could be considered an agreement between an employer and the department.

NOTE: For individuals hired under contract, view the contract to determine the anticipated number of weeks the individual will be working in the position. Then determine the number of hours per week to evaluate this exemption.

2. Participating in and complying with a Title 1 of the Workforce Investment Opportunities Act (WIOA) Program, Section 26 of the Trade Adjustment Assistance Act (TAA) program, or SNAP Employment and Training (SNAP E&T) qualifying activity 20 hours a week, averaged monthly.

NOTE: A combination of employment, volunteering or compliance with a work program can be used to meet this requirement. (e.g., 20 hours per week volunteering at the hospital the first two weeks of the month can be combined with 20 hours per week of WIOA the last two weeks of the month to allow for the entire month to meet this requirement.)

GOOD CAUSE

If an individual would have worked an average of 20 hours per week but missed some work for good cause, the individual shall be considered to have met the work requirement if the absence from work is temporary and the individual retains his or her job. Good cause shall include circumstances beyond the individual's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency, or the unavailability of transportation. See SNAP 703-1 for a complete list of good cause circumstances. A 10-day notice requesting verification of good cause is sent when it has been reported or discovered that the ABAWD is no longer meeting the work requirement. This notice must be sent before a Notice of Adverse Action (NOAA). See SNAP 1501-1.

EXEMPTIONS:

Any Work Registration Exemption in 701-1 **OR** one of the following exemptions will exempt an ABAWD from the three month time limit. **If an individual is Work Registration exempt, narrate in case notes that the same exemption applies for ABAWD time limit provision.** If they are not Work Registration exempt, assess whether the individual meets one of the exemptions below:

1. Age 17 or younger. The month following the month of the 18th birthday is the first month counted toward the three month limit unless the individual meets another exemption.
2. Age 50 or older. The month of the 50th birthday counts as an exempt month.
3. Physically or mentally unfit for employment. If mental or physical unfitness is claimed or discovered and the unfitness is not evident, verification may be required. Appropriate verification may consist of entitlement to temporary or permanent disability benefits issued by government or private sources including receipt of VA disability compensation regardless of disability percentage. Vocational Rehabilitation services, Workers' Compensation payments or Developmental Disability services may also be used as verification. An individual does not need to be receiving disability benefits for this exemption. Eligibility staff can exempt an individual as unfit for work if they are obviously mentally or physically unfit for employment or, if the unfitness is not obvious, based solely on a statement from OR collateral contact with a physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, a licensed or certified psychologist, a social worker, or any other medical personnel that he or she is physically or mentally unfit for employment. Chronically homeless

individuals may be considered unfit for employment. This can be determined based on the client's history in the eligibility record (they have reported homelessness consistently in the past) or verified by collateral contacts such as family, shelter personnel, etc. The determination for this exemption needs to be narrated in the case note.

4. Is a parent (natural, adoptive, or step) of a household member under age 18, even if the household member who is under 18 is not himself eligible for SNAP.
5. Is residing in a SNAP household where a member is under age 18, even if the household member who is under 18 is not himself eligible for SNAP.
6. Is pregnant and have provided medical documentation of the estimated date of delivery.

Effective Date: August 1, 2021