



SNAP 803-1

ABLE BODIED ADULTS WITHOUT DEPENDANTS

Disqualification/Regaining Eligibility

Supersedes: SNAP 803-1 (01/01/2018)

Reference: 7 CFR 273.7, 7 CFR 273.24, 7 CFR 273.11, P.L. 104-193 Section 824, Food Stamp and Nutrition Act of 2008, Section 6 (D)(2)

Overview: Individuals who have exhausted all three (3) countable Able-Bodied Adults Without Dependents (ABAWD) months are disqualified from receiving SNAP until they:

- meet an ABAWD exemption (listed in section SNAP 801-1), *or*
- meet the regaining criteria at application (see regaining eligibility section below), *or*
- live in a geographically waived area (listed in section SNAP 802-1), *or*
- the ABAWD span in which the individual accumulated the countable months has ended.

A prorated share of the ineligible person's income will be counted. All the ineligible person's resources will be counted. The disqualified person is not included in the household size when determining eligibility and allotment. All households must report changes, including the disqualified individual's changes, according to the household's reporting requirements.

ABAWD SPAN:

Montana's first fixed 36-month period was January 1, 2015 through December 31, 2017.

Montana CURRENTLY has a fixed 36-month period: January 1, 2021 through December 31, 2023.

REGAINING ELIGIBILITY CRITERIA:

An ABAWD individual must meet any combination of the work requirements (see SNAP Policy 801-1) for a minimum of 80 hours during any 30 consecutive days to regain SNAP eligibility. An ABAWD individual can also regain eligibility if they verify that they will meet any combination of the work requirements (Policy 801-1) within 30 days after application. An ABAWD may continue to receive SNAP if they continue to meet the work or training requirement (see SNAP Policy 801-1). There is no limit to how many times an individual may regain eligibility.

However, if an ABAWD regained eligibility and then is no longer fulfilling the work requirement, that individual is then eligible for a period of three consecutive countable months.

NOTE: The individual must have completed the 80-hour requirement within the 30 consecutive days at application. The individual does not have to be currently enrolled in training or working at application.

NOTE: An individual is not eligible for the three additional months if all other SNAP eligibility requirements are not met. For example, an individual cannot receive extended ABAWD months if they are currently disqualified for another reason.

SNAP EMPLOYMENT & TRAINING:

An ABAWD may choose to meet the work requirement through E&T **or** independently (see SNAP Policy 801-1 for work requirement details). An ABAWD who resides in one of the SNAP E&T counties (SNAP 701-2) may extend their SNAP eligibility by participating in a qualifying component of the SNAP E&T Program. SNAP eligibility is not delayed to verify SNAP E&T participation when an ABAWD in a SNAP E&T county has been referred before having exhausted their three ABAWD months. The ABAWD individual is referred to SNAP E&T and, as long as they comply with SNAP E&T or independently meet the work requirements, the ABAWD time clock will not increment (SNAP 700).

NOTE: ABAWDs residing in SNAP E&T counties are referred to SNAP E&T prior to exhausting their three ABAWD months. If the ABAWD chooses to participate in a qualifying component or meet the work requirement independently, their SNAP eligibility continues, and the ABAWD time clock does not increment (SNAP 700).

ABAWDs residing in SNAP E&T counties who choose not to enroll and participate in a SNAP E&T qualifying component or meet the work requirement independently are limited to three months of SNAP benefits in a 36-month period, unless they meet another work registration or ABAWD exemption.

WORK REGISTRATION OPEN CASE:

When an ABAWD gains a work registration exemption (SNAP 701-1), the ABAWD time limited provision does not apply. The exemption is effective in the month following the month it is reported and verified (see SNAP Policy 800).

OPEN CASES:

When an individual gains an ABAWD exemption after exhausting their three ABAWD months and the remaining members are still open on SNAP, the ABAWD is added according to the following:

1. ABAWD exemption due to employment – the ABAWD is added the month after they report and verify (SNAP 1501-5) they are working 20 hours a week, averaged monthly.
2. ABAWD exemption for attending a work program (SNAP E&T, WIOA or TAA) –the ABAWD is added the month after they report and verify enrollment.

3. Other ABAWD exemption – the ABAWD is added the month after the exemption is reported and verified (SNAP 1501-5).

SIMPLIFIED REPORTING:

ABAWDs are informed of the ABAWD time limit provision and necessary reporting requirements prior to or upon approval via an eligibility staff member and written notice. ABAWDs are required to report:

- when their household income exceeds the GMI, and/or
- when their hours of work decrease below 20 hours a week, 80 hours averaged monthly.

The eligibility staff member must determine if the ABAWD meets an individual time limit exemption at each point of contact.

NON-REPORTABLE CHANGES DURING THE REPORT PERIOD:

When a non-reportable change that results in an ABAWD losing an exemption is not reported, ABAWD months are recalculated retrospectively. However, if the ABAWD exhausted their ABAWD months and received more than three month's benefits, an overpayment is not established. When a non-reportable change occurs and is reported, the change is acted on within 10 days of receiving the reported change.

STATUS CHANGE:

The eligibility staff member must evaluate an individual's work registration, E&T and ABAWD exemptions at Simplified Report and Recertification. Recalculate ABAWD months if necessary.

ADDING AN ABAWD INDIVIDUAL:

When an ABAWD in a multiple member household isn't initially eligible but later reports employment, this change is acted upon under the 'adding a household member' rules (SNAP 1501-5).

COUNTABLE ABAWD MONTHS FROM ANOTHER STATE:

When an ABAWD applies for SNAP and they indicate that they received SNAP in another State, the eligibility staff member must verify the number of countable ABAWD months received in the other State. The countable ABAWD months from another state must fall within same time period as Montana's fixed ABAWD clock. Once verified, these months are added manually to the ABAWD time clock by the eligibility staff member.

Effective Date: August 1, 2021