

Webinar hosted by:



Understanding the “New” SNAP Time Limit for ABAWDs



Louise Hayes
Supervising Attorney
lhayes@clsphila.org
www.clsphila.org



Kathy Fisher
Policy Director
kfisher@hungercoalition.org
www.hungercoalition.org



Ann Sanders
Public Policy Advocate
anns@justharvest.org
www.justharvest.org

Overview

1. Basics of the SNAP Time Limit Rule
2. Implementation in Pennsylvania
 - How ABAWDs can qualify for exemptions
 - How ABAWDs can comply with the rule through work and/or volunteer hours
3. Examples of Exemptions
4. Items still to be determined
5. What you can do to help clients now
6. Questions

The Basics

The federal SNAP time limit for “ABAWDs,” so-called Able Bodied Adults without Dependents, goes into effect April 1, 2020 in almost all of Pennsylvania.

An ABAWD is an individual between 18 and 49 years old who is not disabled, pregnant, or, receiving SNAP with a child under age 18.

Those considered ABAWDs may only receive SNAP benefits for a total of 3 months in 3 year period, unless the individual:

- Meets an “exemption,” or,
- Complies with certain work or volunteer requirements

Previously, this rule did not apply in most of the state because of high unemployment. Those areas can no longer be protected.

SNAP 3-month Time Limit: Who?

The rule applies to so called “Able-Bodied Adults without Dependents” (ABAWDs).

ABAWDs are individuals receiving SNAP who:

- Are 18-49 years old
- Does not receive SNAP with a child under age 18 (does not have a minor child as part of their SNAP household)
- Are able to work

ABAWDs

There are an estimated 92,000 across PA (34,000 in Philadelphia)

They are some of our most vulnerable residents

- Many need additional training or education for today's jobs

Unstable living situations



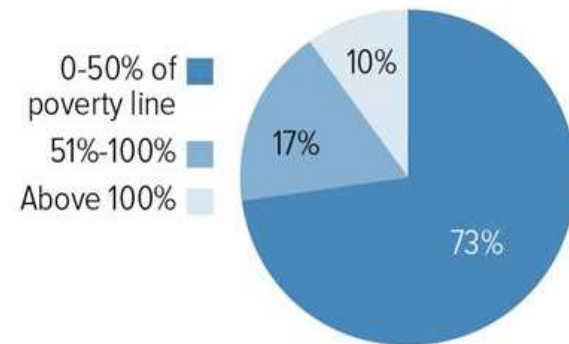
Mental and physical health problems



Lack of transportation



Individuals Subject to SNAP Time Limit Have Very Low Household Incomes



Source: CBPP analysis of the 2014 SNAP household characteristics data.

CENTER ON BUDGET AND POLICY PRIORITIES | CBPP.ORG

Nationally, almost 75% live in deep poverty (*income below \$12,140/year for one person*)

SNAP 3-month Time Limit: What Is It?

It is a federal rule that limits ABAWDs to 3 months* of SNAP benefits in a 3 year (36 month) period unless they:

- Qualify for an “exemption”
- Work or participate in a work program at least 20 hours per week (averaged monthly)
- Are in school or training at least half-time (must meet other eligibility rules for students)
- Volunteer or perform community service to “work” for benefits, usually for 26 hours per month
- Live in an area waived due to insufficient jobs (very few will be as of April 1)

**Partial months of benefits do not count toward the 3 month limit*

SNAP 3-year Time Limit: When?

- Congress created the rule as part of welfare reform in 1996
- New rule goes into effect **April 1, 2020**; with a 3-month time limit, the earliest an ABAWD would lose SNAP is July
- PA has carry-over exemptions from prior years it must use by end of Sept.
- DHS is evaluating whether it can use exemptions to delay implementation in some counties that face a large impact (possibly Allegheny, Cambria, Fayette, and Philadelphia)
- Even with delayed implementation, ABAWDs who can qualify for exemptions should report the reason(s) to the CAO as soon as possible
- PA will have a limited number of exemptions each year and plans to use those to help particularly vulnerable ABAWDs keep their SNAP benefits

When does the 3-month period run?

The 3-month clock starts with the first full month of SNAP benefits and adds to the count each full month benefits are received

- If SNAP benefits are not received each month, the clock stops
- The clock ends the last day of the third month

Once an ABAWD receives 3 countable months of benefits, he/she will not be eligible again until:

- The new three-year fixed period begins, OR
- They regain eligibility by meeting an exemption or the work and/or community service requirement
- They can get another 3 months if they've worked 80 hours/month (even if they leave the job)

When does the 3-year period run?

The 3-year clock is a fixed period for everyone in the state

- The current 3-year fixed period is from Jan. 1, 2018 through Dec. 31, 2020 for the entire caseload
- A new 3-year clock will begin Jan. 1, 2021 and run through Dec. 31, 2023
- Each fixed 3-year fixed period, an ABAWD can receive a new count of 3-months of benefits

SNAP 3-month Time Limit: Where?

- Many counties in Pennsylvania have always qualified for a waiver from this rule
- In 2019, 63 of 67 counties in Pennsylvania, as well as a few smaller municipalities, were waived from the rule
- Starting April 1, just two counties – Forest and Mercer – are expected to qualify for a waiver (Mercer will lose it Dec. 31, 2020)
- This is a tremendous change – and challenge – for PA and states around the country

SNAP 3-month Time Limit: Why?

- Changes to the ABAWDs rule were considered by Congress during Farm Bill negotiations
- Those changes were rejected when Congress passed the Farm Bill in Dec. 2018
- Instead, the Trump administration has used the rule making process to make this change
- Areas now must have much higher levels of unemployment to qualify for a waiver

SNAP 3-month Time Limit: How?

In the next section, we'll discuss:

- How the rule will be implemented in PA
- How you can help clients keep their SNAP

Quick rule review: ABAWDs can get SNAP benefits for just 3 months in a 3 year period. To continue to get SNAP for longer, they must:

- Qualify for an “exemption”
- Work or participate in a work program at least 20 hours per week (80 hours/month)
- Be in school or training at least half-time
- Volunteer or perform community service for about 26 hours per month

Categories of Exemptions

Now is the time to help individuals start to get their paperwork in if they qualify for an exemption.


Exemption	Explanation
“Unfit for Work”*	Medical professional certifies individual will have trouble working (or unfitness is obvious)
Pregnancy	Being pregnant (may need to provide proof)
Meets another Exemption	Additional exemptions are listed on slide 15

[* See slide 14](#)

Medical Exemption Form – PA 1921

ABAWDs who cannot work due to medical reasons should have a medical provider complete an Medical Exemption Form

- This includes those in drug or alcohol treatment or mental health treatment
- The form should be submitted to the CAO as soon as possible
- ABAWDs can also call the customer service center (Statewide: 877-395-8930; Philly: 215-560-7226) to ask that the form be mailed to them
- Also available at www.clsphila.org/ABAWDS - or - www.hungercoalition.org/ABAWDS

 **ABAWD Time Limit Medical Exemption Form**

Dear Medical Provider:

The Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp program), limits Able-Bodied Adults without Dependents (ABAWD) to only 3 months of SNAP within 36 months. This rule applies unless the adult is working a minimum of 20 hours per week or is exempt from the time limit because the individual is medically certified as physically or mentally unfit for employment or falls within another exemption. Please help us determine whether your patient meets the exemption due to medical or mental issues and can be exempted from the ABAWD provisions.

Patient's name: _____ Date of birth: _____

Patient/participant's authorization:
I hereby authorize the release of the medical information and/or rehabilitation participation requested to the Pennsylvania Department of Human Services.

Signature: _____ Date: ____/____/____

Please answer one or more of the following questions in the box below. Please sign and date this form including your title or position in your agency*.

1. Is this individual pregnant?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No If yes, due date? ____/____/____
2. Is this individual a participating in drug/alcohol treatment or counseling program; mental health counseling program; or a vocational rehabilitation program?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No If yes, specify program: _____
Is this program ongoing? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, date program will end: ____/____/____	
3. Does this patient have a mental and/or physical illness or disability which reduces his or her ability to financially support him or herself?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No If yes, specify disability: _____
Is this condition ongoing? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, date it is expected to end: ____/____/____	

I certify that the information provided above is true and accurate.

Name (please print) _____ Title/position _____

Signature _____ Date form signed ____/____/____

Address and phone number _____

* This form may be signed by any of the following: physician, physician's assistant, designated representative of the physician's office, nurse practitioner, nurse, psychologist, drug and alcohol abuse counselor, mental health counselor, social worker, midwife, podiatrist, audiologist, physical therapist, occupational therapist, optometrist, or any other medical personnel whose services may be reimbursed by Medicaid Assistance.

PA 1921 12/05

Other Exemptions

(These are the “ETP” exemptions on earlier slide)

- Homeless
- Experienced domestic violence
- Cares for ill or incapacitated person in the same home (*does not need to be same SNAP household*)
- Enrolled in school or training at least half time (must meet other rules for students)
- Expected to return to work within 60 days
- Cares for a child in the household under age 6
- Applying for or receiving Unemployment Compensation
- Travel to work, education, training, or volunteer site is 2 or more hours (round trip)
- Migrant/seasonal farm worker expected to work within 30 days

Time Limit Implementation at CAOs

SNAP applications & re-certifications* will include an ABAWD determination.

CAO workers will review all individuals age 18-49 to determine what category they are in:

Exempt

- Has a child under 18 in the SNAP household
- Disabled or “unfit for work”
- Is pregnant
- Meets another exemption (see slide 15)

Has met ABAWDs requirements

- Works at least 20 hrs/week averaged monthly
- Participates in an approved education or training program 20 hours/week*
- Performs community service or volunteers for required hours (typically 26 hours/month)
**Job search does not count*

The 3-month time limit applies

- Is not exempt and does not live in a waived area
- Has not met work, education, training or volunteer requirements

** Re-certifications occur every 3 months, rather than annually, for non-exempt ABAWDs*

CAOs will inform ABAWDs of Time Limit

For individuals that do not meet an exemption during the SNAP interview, CAO workers are to:

Explain that starting April 1, they can receive just 3 months of SNAP benefits in the 3 year period if they do not:

- Qualify for an exemption
- Meet an ABAWD work, education/training, or volunteer requirement

DHS will mail ABAWDs a notice and survey (CM-558):

- When approved, informing them of the 3-month limit
- We are working to learn more about DHS' exact process and pressing for clear and frequent communication to clients

ABAWD Exemption – Example 1

For all examples, assume the person lives in a county where the rule applies.

- Derrick: 34-year-old man
- Lives with his girlfriend, Amber, and her 13-year-old son, Jeremiah
- They purchase and prepare meals together
- They apply for SNAP benefits and are found eligible
- Is Derrick an ABAWD?



ABAWD Exemption – Example 1

- No
- Derrick is not considered an ABAWD because he receives SNAP with Jeremiah, who is under age 18 (they are part of the same SNAP household)



ABAWD Exemption – Example 2

- Kevin applies for SNAP benefits for himself and his minor son, Cory, in July for that month
- Cory's mom has custody of him during the school year and receives SNAP benefits for Cory and herself
- Kevin has custody during the summer
- Kevin thinks the ABAWDs rule does not apply to him because of Cory. Is that right?



ABAWD Exemption – Example 2

- No
- Because Cory is already part of his mom's SNAP household, Kevin considered an ABAWD
- Kevin is subject to the 3-month time limit, unless:
 - Cory is under age 6 (meets the caring for a child under age 6 exemption) – OR –
 - Cory's mom agrees to let Kevin get SNAP for Cory in the summer



ABAWD Exemption – Example 3

- Janice is a single 47-year-old woman, has no children, lives in Philadelphia
- Applied for SNAP and has a mental disability that prevents her from working, but the disability is not obvious
- Was given a PA 1921 to have completed by her medical provider but has not returned it to the CAO
- Does she meet any exemptions?



ABAWD Exemption – Example 3

- No
- Janice **does not** meet any other ABAWD exemptions, and has not yet provided certification of her disability
- If she gets the PA-1921 filled out and submitted, she can remain eligible
- Community groups can help! (Many providers can sign the PA-1921)



Meeting required hours through work

What if an ABAWD works fewer than 20 hours/week?

If an ABAWD is scheduled for 20 hours/week but misses hours through no fault of his/her own (holidays, illness, transportation problems):

- He or she should report this to the CAO, and ask for a GOOD CAUSE review so that he/she can continue to qualify for SNAP

If an ABAWD is regularly scheduled for less than 20 hours/week:

- He or she must do other permitted activities, such as volunteering or training, to get up to 20 hours a week.
- Job search can count for up to 10 hours/week

Non-Work Activities that meet the 20 hour/week requirement

Activities that can meet 20 hours/week requirement (*alone or in combination*):

- Advanced degree (college) classes
- Skill/Vocational training classes
- English-as-a-Second Language (ESL) classes
- Adult Basic Education (ABE)/ Literacy classes
- GED/High school remediation classes
- Work experience/vocational experience
- Programs through Career Links (WIOA programs)
- Community service/ workfare

**Remember, those in school at least half time are exempt. They do not need to combine hours with other activities.*

Community Service/Workfare

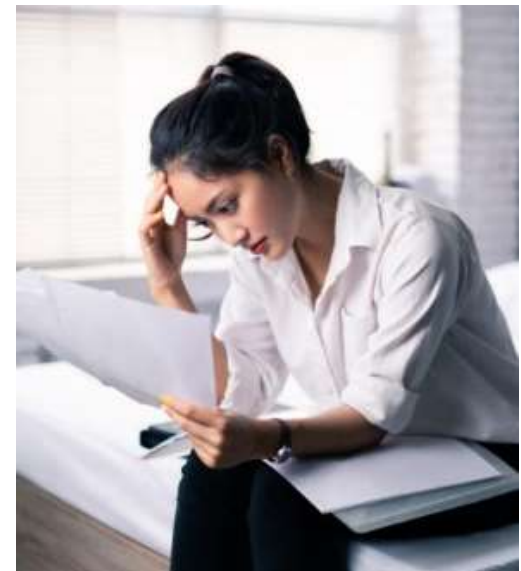
- ABAWDs can comply with the rule by volunteering with a non-profit or government site
- Required hours are the monthly SNAP grant divided by the minimum wage (the \$194 maximum grant for one person, divided by \$7.25 = **26 hours/month**)
- ABAWDs will be allowed to find volunteer sites/opportunities on their own (“self-directed community service”)
- Details for how ABAWDs will report hours are still being finalized (we will update our websites when new information is available)
- Volunteer sites may be asked to sign a Community Service Agency Agreement (PA 1694 is currently being revised)

SNAP Employment & Training

- DHS has some employment and training slots to help ABAWDs comply and continue to receive SNAP
- There are a limited number of programs and slots, and some have specific requirements clients must meet to be accepted
- Clients who are interested must be referred to employment and training by the CAO
- He/she can ask at the CAO, or, call the customer service center and ask that “a ticket be sent to their CAO worker for an E&T referral” to start the process
 - Statewide: 877-395-8930
 - Philly: 215-560-7226

Complying with Hours – Example 1

- Rose is a 35-year old single woman
- She receives full months of SNAP benefits in Aug., Sept., and Oct. and has a renewal interview on Oct. 21
- At the interview, Rose reports having worked 20 hours in the previous week and expects to continue to work 20 hours/week
- The CAO verifies the employment
- Can Rose continue to receive SNAP?



Complying with Hours – Example 1

- Yes
- Rose is now meeting the work requirement
- Her SNAP eligibility now continues uninterrupted



Regaining SNAP After a Cutoff

ABAWDs can reapply and get SNAP back if:

- Become exempt
- Meet the 20 hour/week work requirement (or work off the SNAP through community service)
- Move to an area with a geographic waiver

Even if an ABAWD doesn't otherwise qualify, he/she can get another 3 months of SNAP if in any 30-day period since last got SNAP, have:

- Worked 80 hours, or
- Participated in a training program for 80 hours

A new 3-year period for all ABAWDs will start 1/1/2021.

Regaining SNAP – Example 1

- Anthony is a 46-year old single man He receives three full months of SNAP benefits in Jan., Feb., and March, and benefits stop due to the time limit
- Anthony reapplies for SNAP in Nov. of the same year and is now receiving unemployment compensation
- His unemployment compensation income is within SNAP income limits
- Is Anthony eligible?



Regaining SNAP – Example 1

- Yes
- Receiving Unemployment is a federal E&T exemption from ABAWD requirements
- Anthony's SNAP eligibility has been regained because he is now meeting an exemption
- SNAP benefits can be authorized on an ongoing basis



Recap: What you can do to help clients now

- Inform clients this rule is coming
- Help them understand the rule
- Help them establish exemptions, including assisting with paperwork (like submission of the PA-1921)
- Help them identify community service or volunteer opportunities
- Some agencies may be able to provide community service/volunteer slots

Additional Information & Updates

For more information:

- www.clsphila.org/ABAWDs
- www.hungercoalition.org/ABAWDs

Websites will be updated as new information becomes available

Questions? Email: Lhayes@clsphila.org – or – kfisher@hungercoalition.org

Coalition Against Hunger SNAP Hotline: 215-430-0556

Additional SNAP Hotlines:

- Central PA Food Bank: 877-999-5964 (*serving Central PA*)
- Just Harvest: (412) 431-8960 x 602
- Greater Pittsburgh Community Food Bank: 1-833-822-SNAP (7627) (*Southwest PA*)
- Second Harvest Food Bank of the Lehigh Valley: 866-203-3323 (*Northeast PA*)
- Second Harvest Food Bank of Northwest PA 814-459-3663 x 118 (*Northwest PA*)