ABAWD Rule 101
The return of the 3-month time limit

A Presentation By:
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Webinar Logistics

• The webinar will be recorded and posted at http://cafoodbanks.org/calfresh-outreach-resources

• Ask questions!
  – Type them in the question pane on your control panel
Today’s Agenda

• Overview of the SNAP/CalFresh Able Bodied Adult Without Dependents (ABAWD) 3-month time limit.
• Who is impacted? Who is an ABAWD?
• Key Issues:
  – CA Waiver Status
  – Screening & Tracking ABAWDS
  – Helping ABAWDS Keep Benefits
  – Informing & Preparing Community Partners
Who is an ABAWD?

Able Bodied Adult Without Dependents

State: More than 9,000 Mainers removed from food stamps program

Adults who are not disabled and have no dependents are limited to three months of assistance unless they meet work or volunteering requirements.

Helen Hanson, an 49-year-old woman, who's studying at Husson University to become a paralegal, was eventually able to save her benefits with the help of an advocacy group. But the process she was forced to go through was infuriating and the fear that she might lose that support system was nerve-wracking, she said.

"We're not criminals," Hanson said. "I'm trying to benefit myself so I can get off food supplement. I'm tired of being poor."
Who is an ABAWD?

• Definition
  – Between 18 and 49 years old
  – Not disabled
  – Not living with children
  – Not otherwise exempt

• Characteristics
  – Very poor with average income under 20% of FPL
  – Only group taxed into poverty by federal income tax
  – Not eligible for other public benefits (CalFresh may be the only assistance they get)
What is the 3-month time-limit?

• 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)
• Benefits are limited to 3 full months per 3 year period to childless adults age 18-49
• Unless the individual:
  – Is working 20 hours a week (Job Search doesn’t count!)
  – Is in a qualifying job slot (e.g. E&T) 20 hours a week or doing workfare, volunteering
  – Homeless, or
  – Meets one of the limited exemptions
Caseloads declined drastically in states where time limit newly imposed.
Key Issues for Application Assisters

• Knowing County waiver status
• Supporting Effective County Screening
• Identifying ABAWDs Prior & Post
• Helping ABAWDs Keep or Restore Benefits
• Informing the Community
Waivers from the Time Limit

• States can request waivers from USDA for areas with insufficient jobs
• Areas can be statewide, counties, groups of counties, or sub-county areas (i.e. cities)
• California has statewide waiver through December 31, 2017
  – Will submit next waiver request probably Spring 2017
  – Likely that some counties will not receive waivers beyond Jan 1, 2018
  – Will be implementing the complex rules and procedures for first time since 2006
Distinguishing Time Limit from Work Rules

- Is ABAWD Time Limit a Work Rule?
  - ABAWD time limit is NOT a Work Rule
  - ABAWD time limit is related to work in that there is a work obligation for people receiving aid after 3-months in 3-years and not exempt.

- How is ABAWD Time Limit Related to SNAP E&T
  - Mandatory Work Rule Not in Place in CA
  - CalFresh E&T Update – Fresh Success
  - Voluntary Placement
Political Context of Time Limit

• Federal Context
  - The Beginning of ABAWD – PROWRA 1996
  - Politicizing of Work in SNAP Program
  - State Actions on ABAWD Waivers

• California Context
  – What has happened in CA in the past
  – Current Status
  – Legislation & Budget
Messaging & Federal Advocacy

• How Can California Help with Federal Context
  - Share messaging around work & SNAP relationship
  - Support Federal Legislation

**SNAP Work Opportunity Program (H.R 1025)** Requires states offer a job, an education/training program and/or a community service site before terminating SNAP.

**SNAP Work Opportunity & Veterans Protection Act of 2015 (S. 2420)** Requires states to offer job, an education/training program and/or a community service site before terminating SNAP benefits. It also includes
a Support Federal Legislation
- Document implementation, outcomes & best practices.
Identifying ABAWDs

• Counties often will not have the information needed to exempt ABAWDs in the case file (e.g. pregnant, unfit for work, homeless, volunteering)
• Sorting whether the rule applies requires an individual assessment.
• Incorrectly applying the rule may result in eligible individuals losing benefits
  – Counties need to notify well in advance to screen ABAWDs for exemptions
Helping Eligible Individuals Keep Their CalFresh Benefits

• Engage your County
  – How will counties identify and individually assess possible ABAWDs?
  – How will applications, forms, and notices change to reflect the return of the time limit?
  – How will Eligibility Workers be trained to assess ABAWDs status?

• Engage and inform ABAWDs about the time limit
  – Help educate and clarify misunderstandings
  – Help people determine if they may be exempt
  – Make sure people know where to go
Exemptions

• Reside in a household with a member under 18
• Pregnant
• Physically or mentally “unfit for work”
  – “Chronically Homeless”
  – Veterans receiving VA disability assistance (regardless of level)
• Eligible Student
• Requalifying (worked 20 hours a week in recent past)
• Already exempt from SNAP/CalFresh work requirements
  – Responsible for the care of a child under 6 or an incapacitated person
  – Receiving unemployment compensation
  – Participating in a drug or alcohol rehab program
  – Students enrolled at least half time
Exempt Because of Unfit for Work

• Medically certified as physically or mentally unfit for work
  – Receives temporary or permanent public or private disability benefits
  – Is obviously unfit as determined by the state agency
  – If not obvious, provide a statement from a:
    • Physician or physician’s assistant
    • Nurse or nurse practitioner
    • Physician’s office
    • Psychologist
    • Social worker
    • Any other medical personnel the state determines appropriate
Example Screening Forms:
Pennsylvania DHS

ABAWD Rule 101: The Return of the 3-Month Time Limit – A presentation given on June 3rd, 2016
Capturing Qualifying Work

• Ensure all application and report forms collect information on qualifying work activity (# of hours per week/month)

• Qualifying work activity includes
  – Paid, in-kind or volunteer work
  – CalFresh E&T (but not stand alone job search)
  – Workfare (divide benefit amount by state minimum wage)
  – Work and qualified training can be combined
    • E.g. person works 15 hours/week and volunteers 5
Informing the Community

- County workers
- Decision-makers
- Food pantries
- Food requests
- Work requests
- Partnering organizations
- Community members

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The federal SNAP (food stamp) time limits for able-bodied adults without dependents (ABAWDs) go back into effect January 1, 2016 in Pennsylvania. This is a federal law that was suspended for many years. Individuals considered “ABAWDs” may only receive SNAP benefits for a total of 3 full months within a 36 month period—unless the person meets an “exemption” or complies with certain work requirements.

Who is an ABAWD?
An ABAWD is an able-bodied adult between 18 and 49 years old who is not disabled, pregnant, or living in a household with minor children. Persons under age 18 or age 50 or older are not subject to this rule.

Who is exempt from the time limit?
The 3 month SNAP limit does not apply if the ABAWD meets any of the following:

- Working 20 hours or more per week, including self-employment or in-kind work;
- Receiving a disability-based benefit (SSI, social security disability, VA pension, Worker Comp);
- Certified as physically or mentally “unfit” for employment by a health professional;
  
  DHS has a special SNAP Time Limit Medical Exemption Form, form number PA 1921, that can be signed by a wide range of health care providers. Including any whose services are paid by Medicaid.
- Is homeless;
- Receiving—or has applied for—Unemployment Compensation (UC);
- Participating in a drug or alcohol treatment program or a mental health treatment program;
- Is a student enrolled at least 1/2 time in an education program;
- Lives in a household with any child under 18—does not need to be child of the ABAWD;
- Is pregnant—at any stage of pregnancy;
- Is providing care for a disabled person or a frail elder;
- Lives in any of the following cities: Allentown, Berwick Borough (Columbia County), Bethlehem, Easton, Harrisburg, Lancaster, Lebanon, McKeensport, New Castle, Reading, Williamsport, York.

Over......
Additional Resources

• Center on Budget & Policy Priorities
  – http://www.cbpp.org/research/food-assistance
  – SNAP Academy webinars

• Food Research and Action Center
  – www.frac.org

• CFPA CalFresh page
  – http://cfpa.net/calfresh
Homework for Peer to Peer Meeting

• **Ask your county:** How many ABAWDs are in your county?

• **Brainstorm:** How can you identify ABAWDs in your community?

• **Bring:** Ideas on how to reach hard-to-reach populations

• **Be prepared:** Come ready to share the number of ABAWDs in your county, and your ideas and insights
Thank You!
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