

SNAP Time Limit for ABAWDs: What Community Groups Should Know



The federal SNAP (food stamp) time limits for able-bodied adults without dependents (ABAWDs) go back into effect January 1, 2016 in Massachusetts. 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?

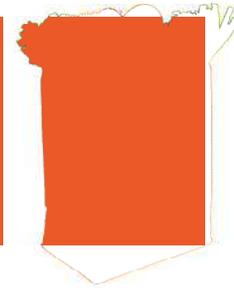
The 3 month SNAP limit does not apply if the ABAWD meets any of the following:

- Working 20 hours or more per week, including self-employment or in-kind work
- Receiving a disability-based benefit (SSI, VA pension, EAEDC, Worker Comp)
- Certified as physically or mentally “unfit” for employment by a health professional
DTA has a special ABAWD Medical Report Form that can be signed by a wide range of health care providers including psychologists, nurses, nurse practitioners, LICSWs, etc.
- Has been homeless for a period of time and meets other DTA criteria (see below)
- Receiving—or has applied for— Unemployment Insurance (UI)
- Participating in a drug or alcohol treatment program or a mental health treatment program
- Is a student enrolled at least 1/2 time in a high school or college (special rules may apply)
- 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 **OR**
- Lives in Hampden, Berkshire, Dukes Counties; or lives in Lowell, Lawrence, Gloucester, New Bedford, Fall River, Southbridge, Orange, Athol, upper Cape Cod and other cities and towns approved by USDA as exempt from the ABAWD time limit. Go to www.mass.gov/DTA for a full list of exempt locations.

What if my client is homeless or appears unable to work?

- DTA is implementing a policy to exempt individuals who are “chronically homeless” and are unemployed or under-employed. Have your client contact DTA at 1-888-483-0255 if homeless.
- If your client appears to have a physical or mental impairment that prevents working full time—even if not homeless—he or she can ask for an ABAWD “exemption” any time. Have your client bring DTA’s “ABAWD Work Program Requirement Medical Report” to his or her health care provider to sign. Remember, an ABAWD does not need to receive a disability benefit or meet the SSI disability standards to qualify as “exempt” and SNAP eligible.

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How can an ABAWD meet the work requirements?

If not exempt, there are three ways an ABAWD may be able to meet the SNAP work requirements including:

1. Working for pay at least 80 hours/month - roughly 20 hours/week
2. Participating in an eligible work training program for at least 20 hours/week **OR**
3. Volunteering with a non-profit organization a few hours a week to “work for benefits.”

For a list of SNAP Employment and Training Programs that may be available, visit www.mass.gov/dta or call 1-888-483-0255

What is “community service” and how many hours are required?

- Community service is unpaid or volunteer work at a non-profit or religious organization. An ABAWD may qualify for SNAP if performing enough hours of volunteer work each month to qualify. Note that federal SNAP law does not require state agencies (DTA) to find local community service placements.
- The number of volunteer hours required is based on the ABAWD’s monthly SNAP benefit divided by the state minimum wage — \$10.00/hour as of January 2016 in Massachusetts. For example, an ABAWD receiving \$194 in SNAP per month must volunteer 19 hours/month –or about 5 hours/week.
- The community organization needs to sign the ABAWD Work Program Participation Form for the client.

What if my client had a good reason for missing work?

- An ABAWD can claim “good cause” for not meeting the work or community service hours if he or she was sick, transportation broke down or there was bad weather that shut down the workplace. As long as the ABAWD has a job or community service slot but missed work hours for reasons “beyond his or her control,” DTA should accept this as “good cause” and not terminate the SNAP benefits.

What else should I know?

- After receiving the initial 3 months worth of SNAP benefits, an ABAWD may qualify for a second 3-month period of SNAP. The ABAWD must meet certain criteria, such as having worked 80 hours for one month or moving from a waived area, for this one-time extra 3 months of SNAP benefits.
- Call 1-888-483-0255 to speak with a DTA SNAP ABAWD specialist. They can answer questions about the exemptions, work requirements and send copies of the DTA ABAWD forms. More information is available at: www.mass.gov/eohhs/gov/departments/dta/abawd-work-program.html

Are there appeal rights?

- YES! Every SNAP applicant or recipient has the right to ask for a fair hearing to challenge any DTA decision he or she disagrees with. That includes if DTA denies or terminates SNAP benefits for alleged failure to meet an ABAWD exemption, a work or volunteer requirement. Contact a local Legal Services Office if SNAP benefits are incorrectly terminated or denied. Go to www.masslegalhelp.org

For more Information and updates: www.masslegalservices.org/ABAWD