

DATE: April 17, 2017

TO: Subscribers

SUGGESTED DISTRIBUTION: Commissioners, TA Directors, SNAP Directors,
Employment Coordinators, Staff Development
Coordinators

FROM: Jeffrey Gaskell, Assistant Deputy Commissioner
Employment and Income Support Programs

SUBJECT: Eligibility for Expedited Supplemental Nutrition Assistance Program Benefits
for Certain Able Bodied Adults Without Dependents

EFFECTIVE DATE: Immediately

CONTACT PERSON: Employment and Advancement Services (518) 486-6106 or
Employment Services Advisor for questions regarding ABAWD
requirements
SNAP Policy Liaison for questions regarding SNAP eligibility and
reporting

The purpose of this General Information System (GIS) message is to inform social services districts of a clarification received from the United States Department of Agriculture Food and Nutrition Service (FNS) that able bodied adults without dependents (ABAWDs) who were previously determined ineligible for Supplemental Nutritional Assistance Program (SNAP) benefits because of noncompliance with the ABAWD requirement may be eligible for expedited SNAP benefits as described below.

An ABAWD who was previously determined ineligible for SNAP benefits because of noncompliance with the ABAWD requirement may re-establish SNAP eligibility at any time by documenting that he/she has or will meet the ABAWD requirement under one of the designated methods as described in 17 ADM-01 or that he/she has become exempt from Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) or the ABAWD requirement consistent with 18 NYCRR §385.3 since being determined ineligible for SNAP benefits because of noncompliance with the ABAWD requirement. An ABAWD can also re-establish eligibility for SNAP benefits by documenting that he/she resides in an area with a federally approved ABAWD waiver. The ABAWD must also be otherwise eligible for SNAP benefits.

Guidance provided by OTDA previously indicated that the ABAWDs mentioned above would not be eligible for **expedited** SNAP benefits until the individual provided the required documentation. However, FNS has clarified that an ABAWD who indicates that he/she meets one of the following conditions, but does not have documentation at the time of application for SNAP benefits **must** have such documentation pending and receive SNAP benefits under the expedited processing timeframes, provided that the SNAP household is otherwise eligible for expedited SNAP benefits, and:

- Has or will re-establish eligibility by meeting the ABAWD requirement through one of the designated methods since being determined ineligible for SNAP benefits because of noncompliance with the ABAWD requirement;
- Has become exempt from SNAP E&T or the ABAWD requirement; or
- Resides in an area with a federally approved ABAWD waiver.

Districts should assist the household to obtain such documentation, if necessary, but cannot delay the issuance of expedited SNAP benefits if the pended documentation is not received before the end of the expedited processing period. In those instances, where documentation is pended, the district should include one of the following statements based on case circumstances on the notice that is provided to the household under expedited processing rules:

- Documentation that an able bodied adult without dependents (ABAWD) has met/will meet the ABAWD requirement within 30 consecutive days since receiving the ABAWD ineligible letter;
- Documentation that an able bodied adult without dependents (ABAWD) is currently exempt from the ABAWD requirement; or
- Documentation that an abled bodied adult without dependents (ABAWD) currently resides in an area with a federally approved ABAWD waiver.

Districts cannot issue ongoing SNAP benefits until the pended documentation has been received and the district has determined that all household members, including the ABAWD, are SNAP eligible.

If documentation that was pended is not received in the required timeframe, the ABAWD is not eligible for ongoing SNAP benefits. The district must still determine SNAP eligibility for any other household members provided all other documentation necessary to determining the remaining household member's eligibility for ongoing SNAP benefits has been provided. Additionally, if the documentation that was pended is not provided and the individual reapplies, documentation of compliance with or exemption or waived from the ABAWD requirement cannot be pended again. The applicant would need to provide the pended documentation, unless the district determines that the pended documentation is no longer required.

If an ABAWD who was previously determined ineligible for SNAP benefits because of noncompliance with the ABAWD requirement reapplies for SNAP benefits and does not indicate or otherwise provide documentation that he/she has met/will meet the ABAWD requirement through one of designated methods or that he/she has become exempt from SNAP E&T or ABAWD requirements, the ABAWD is not eligible for SNAP benefits, including expedited SNAP benefits until he/she documents that he/she has met the ABAWD requirement, is exempt from SNAP E&T or ABAWD requirements or resides in an area with a federally approved ABAWD waiver.