

DATE: February 5, 2019

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: Exemption from Supplemental Nutrition Assistance Program (SNAP) Work
Requirements for Individuals who are a Regular Participant in a Drug or Alcohol
Treatment Program.

EFFECTIVE DATE: Immediately

CONTACT PERSON: Employment and Advancement Services Bureau at: 518-486-6106

The purpose of this GIS is to provide social services districts (districts) with policy clarification on the exemption from SNAP work requirements for individuals who are regular participants in a drug addiction or alcoholic treatment and rehabilitation program.

Federal regulations at 7 CFR 273.7(b)(vi) state *a regular participant in a drug addiction or alcoholic treatment and rehabilitation program* is exempt from the general SNAP work provisions. The federal regulations do not require an additional assessment as to whether or not the individual who is a regular participant in drug or alcohol treatment is fit for work.

Districts must consider all SNAP recipients who are regularly participating in a drug or alcohol treatment program as exempt from SNAP work registration, (SNAP employability code 63, exempt) **and** exempt from the Able-Bodied Adults Without Dependents (ABAWD) time limit, (ABAWD code N, non-ABAWD). There is no minimum weekly amount of time that a person must be attending treatment. Individuals who attend Alcoholics Anonymous (AA) or Narcotics Anonymous (NA), but do not attend a drug or alcohol treatment program, do not fall under this exemption.

Individuals who are concurrently receiving Temporary Assistance (TA) and SNAP, and are non-exempt from TA work requirements and assigned TA employability code 64, substance abuser (determine able to work), would still be subject to TA work requirements, unless determined exempt from TA work requirements in accordance with 18 NYCRR 385.2.

A revision to the [LDSS-5062A](#) *SNAP Employability/ABAWD Code Desk Guide* to reflect this change will be forthcoming.