



Office of Temporary and Disability Assistance

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General Information System (GIS) Message

Section 1

Transmittal:	23 TA/DC014 Upstate and New York City
Date:	February 13, 2023
To:	Subscribers
Suggested Distribution:	Commissioners, Temporary Assistance Directors, SNAP Directors, Employment Coordinators
From:	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
Subject:	Statewide Waiver of the Able-Bodied Adults Without Dependents (ABAWD) Time Limit Extension
Effective Date:	Immediately
Contact Information:	Employment and Advancement Services Bureau 518-486-6106 or otda.sm.eisp.eas@otda.ny.gov
Attachments:	None

Section 2

The purpose of this GIS is to inform social services districts (districts) that New York State has received approval from the United States Department of Agriculture (USDA) to extend New York's statewide waiver of the ABAWD time limit through February 29, 2024.

Section 6(o) of the Food and Nutrition Act of 2008 and federal regulations at 7 CFR 273.24 limit an ABAWD to 3 months of Supplemental Nutrition Assistance Program (SNAP) benefits in a 36-month period unless the individual is working or participating in certain employment and training activities for a designated minimum number of hours per month. This is referred to as the ABAWD time limit. Federal statute authorizes the ABAWD time limit to be waived in states or areas within a state which are determined to meet or exceed certain unemployment rates. New York State was previously approved for a waiver of the ABAWD time limit in all areas of the State for the period October 1, 2022, through September 30, 2023.

On January 13, 2023, the New York State Office of Temporary and Disability Assistance (OTDA) submitted a request to USDA to modify and extend the current approved statewide waiver of the ABAWD time limit through February 29, 2024. This waiver request was based upon New York State's eligibility for extended unemployment benefits, a criterion for statewide waiver approval provided by SNAP regulations at 7 CFR 273.24. USDA has approved OTDA's request to waive the ABAWD time limit in all areas of the State through February 29, 2024. Therefore, **ABAWDs residing in all areas of New York State are not subject to the ABAWD requirements through February 29, 2024.**

Please note that waiving the ABAWD time limit does not preclude districts from offering or requiring non-exempt SNAP applicants and recipients to participate in work activities consistent with the local Temporary Assistance (TA) and SNAP employment plan approved by OTDA for the district. Districts accessing SNAP Employment & Training (E&T) funds are reminded of the need to ensure that, at a minimum, supervised job search and case management assistance are available to SNAP applicants and recipients.

All districts are required to continue to screen SNAP applicants and recipients for an exemption from general SNAP work requirements and/or an exemption from the ABAWD time limit and correctly assign the SNAP employability and ABAWD status codes to each individual applying for or receiving SNAP benefits, including those individuals who are concurrently applying for or receiving TA benefits. Districts must ensure that the correct SNAP employability and ABAWD status codes are entered on the Welfare Management System (WMS) at the time of opening and recertification for SNAP benefits even while under a waiver. The SNAP employability and ABAWD status codes must also be updated in a timely manner whenever a change in an individual's SNAP employability and/or ABAWD status is reported and documented.

In addition, districts must also adhere to the guidance outlined in [22-ADM-01](#) to provide a written notice and a comprehensive oral explanation of the pertinent SNAP work requirements to all households where at least one member is subject to a work requirement.

As a reminder, districts are not required to offer and provide an ABAWD qualifying work activity by sending the LDSS-5172 *ABAWD Work Activity Letter* during the period of the statewide ABAWD waiver.

OTDA will continue to adjust the ABAWD tracker in the Welfare Reporting and Tracking System (WRTS) to reflect a full district waiver of the ABAWD time limit for every district in the State.