



## General Information System (GIS) Message

### Section 1

<b>Transmittal:</b>	23DC067 Upstate and New York City
<b>Date:</b>	September 26, 2023
<b>To:</b>	Subscribers
<b>Suggested Distribution:</b>	Commissioners, Temporary Assistance Directors, SNAP Directors, Employment Coordinators
<b>From:</b>	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
<b>Subject:</b>	Statewide Waiver of the Able-Bodied Adults Without Dependents (ABAWD) Time Limit Extension
<b>Effective Date:</b>	Immediately
<b>Contact Information:</b>	Employment and Advancement Services Bureau 518-486-6106 or <a href="mailto:otda.sm.eisp.eas@otda.ny.gov">otda.sm.eisp.eas@otda.ny.gov</a>
<b>Attachments:</b>	None

### Section 2

The purpose of this GIS is to inform social services districts (districts) that the New York State (NYS) Office of Temporary & Disability Assistance (OTDA) 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 28, 2025.

The Food and Nutrition Act of 2018 limits 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. This is referred to as the ABAWD time limit.

On August 8, 2023, the NYS OTDA submitted a request to USDA to modify and extend the current approved statewide waiver of the ABAWD time limit through February 28, 2025. Prior to this approval, NYS’ federally approved waiver of the ABAWD time limit in all areas of the State was for the period October 1, 2022, through February 29, 2024.

This newly approved waiver request was based upon NYS’ average unemployment rate during a 24-month period that exceeded the national average for the same 24-month period by 20 percent (June 2021- May 2023). This criterion for statewide waiver approval is 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 28, 2025. Therefore, **ABAWDs residing in all areas of NYS will continue to not be subject to the ABAWD Time limits through February 28, 2025.**

Please note that waiving the ABAWD requirement 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, job search assistance is available to SNAP participants.

All districts are required to continue to screen SNAP applicants and recipients for an exemption from SNAP work requirements and/or an exemption from the ABAWD time limit and correctly note 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 the individual's SNAP employability and/or ABAWD status is reported and documented. As a reminder, districts were informed in [GIS 23DC063](#) of changes to the ABAWD exemptions that resulted from the Fiscal Responsibility Act of 2023.

Districts must continue to 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. During the period of the statewide ABAWD waiver districts should continue to use the LDSS-5193A notice. This notice should be provided to households where at least one household member is subject to the general SNAP work requirement or mandatory SNAP E & T. Districts are also not required to offer and provide an ABAWD qualifying work activity by sending the [LDSS-5127](#) *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 requirements for every district in the State.