



# Office of Temporary and Disability Assistance

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## Administrative Directive

### Section 1

<b>Transmittal:</b>	17-ADM-01
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Integrated Family Assistance Programs Employment and Income Support Programs
<b>Date:</b>	April 13, 2017
<b>Subject:</b>	Requirements for Able-Bodied Adults Without Dependents (ABAWDs)
<b>Suggested Distribution:</b>	Employment Coordinators Temporary Assistance Directors SNAP Directors Staff Development Coordinators WMS Coordinators
<b>Contact Person(s):</b>	Employment Services Advisor or Employment and Advancement Services: (518) 486-6106 for questions regarding the ABAWD requirement SNAP Policy Liaison (518) 473-1469 for questions regarding SNAP eligibility and reporting
<b>Attachments:</b>	
<b>Attachment Available Online:</b>	<input type="checkbox"/>

### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
16 ADM-01 16 INF-09 15 INF-11 13 ADM-04 97 ADM-16	16-INF-09 15 INF-11 GIS 09 TA/DC014 97-ADM-16	18 NYCRR 385.3	PRWORA of 1996 (P.L. 104-193) Sec. 6 of Food Stamp Act	TA and SNAP Employment Policy Manual Section 385.3, Section 385.16 SNAP Source Book	7 CFR 273.24

## **Section 2**

### **I. Summary**

This Administrative Directive (ADM) is to inform social services districts (districts) of policies and procedures associated with implementation of federal requirements for Able Bodied Adults without Dependents (ABAWDs). The ADM also informs districts of a federally directed change in the process for determining that an ABAWD is no longer eligible for Supplemental Nutrition Assistance Program (SNAP) benefits. The United States Department of Agriculture (USDA) has directed New York State that steps must be taken to prevent the issuance of a fourth month of benefits for any ABAWD not eligible for the benefits due to not meeting the ABAWD work requirements. Therefore, a Notice of Adverse Action (NOAA) must be issued by the district within the third month when an individual subject to ABAWD requirements has received SNAP benefits for 3 months in a 36-month period and based on the information available to the district is not meeting the federal ABAWD requirement. This ADM also provides a summary of ABAWD policy and procedures that districts must use to monitor compliance with the ABAWD requirement.

Note: This ADM replaces [97-ADM-16](#) issued on August 6, 1997 and [15-INF-11](#) issued on December 17, 2015. The Questions and Answers regarding ABAWD policy released under [16-INF-09](#) have also been updated and are being added to Section 385.3 of the Temporary Assistance (TA) and Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Employment Policy Manual.

### **II. Purpose**

The ADM provides policies and procedures associated with implementation of federal ABAWD requirements implemented as of January 1, 2016. This ADM also informs districts of a federally directed change in the process that must be used to determine whether or not an ABAWD continues to be eligible for SNAP benefits for more than for 3 months in a 36-month period while not meeting the ABAWD requirement.

### **III. Background**

Federal statute and regulations limit an ABAWD's eligibility for SNAP benefits to three months in a 36-month period, unless the individual resides in an area that has an approved ABAWD waiver; the ABAWD is granted an exclusion from the ABAWD requirement for the calendar month consistent with the exclusion policy established by the district; or, is meeting the ABAWD requirement each month. The current 36-month period for New York State is a fixed period that started on January 1, 2016. The ABAWD must also otherwise be eligible for SNAP benefits.

### **IV. Program Implications**

All districts, including those that qualify for a waiver of the federal ABAWD requirement, must evaluate each SNAP applicant or recipient's employability and ABAWD status and enter the appropriate SNAP employability and ABAWD codes on the Welfare Management System (WMS).

Additionally, districts that do not have an approved ABAWD waiver for all residents of the district must monitor each ABAWD's compliance with the ABAWD requirement on a monthly basis, provide an ABAWD qualifying work activity when requested by an ABAWD to maintain SNAP eligibility, and notify a SNAP household when an ABAWD becomes ineligible for SNAP benefits due to not meeting the ABAWD requirement.

Based on USDA's recent direction, the NOAA to inform a SNAP household that an ABAWD is no longer eligible for SNAP benefits because the ABAWD is subject to, but not meeting the ABAWD requirement must be issued before the end of the 3<sup>rd</sup> month of SNAP benefits. The NOAA must be issued on a timely and adequate basis, unless the action is being taken at application or recertification for SNAP benefits. USDA has directed New York State that the NOAA must be issued in time to preclude an unauthorized issuance of a 4<sup>th</sup> month of SNAP benefits.

### **Temporary Assistance (TA) Implications**

The ABAWD requirement does not apply towards TA eligibility. As long as the TA recipient is compliant with TA program requirements, including employment requirements, TA benefits will remain unaffected by non-compliance with the ABAWD requirement. Please see section VI. B for additional information on WMS implications.

## **V. Required Action**

Districts must ensure that workers are correctly evaluating each individual's SNAP employability and ABAWD status and entering the appropriate SNAP employability and ABAWD codes on WMS (or myWorkspace) as this information is used to identify which individuals are subject to the ABAWD requirement on a monthly basis. Districts are also required to ensure that workers are updating an individual's SNAP Employability and ABAWD code on a timely basis when changes in either status are reported and documented.

Districts that do not have an approved ABAWD waiver for all residents of the district are also required to implement and monitor each ABAWD's compliance with the ABAWD requirement on a monthly basis. Additionally, these districts must provide an ABAWD qualifying work activity when requested by an ABAWD to maintain SNAP eligibility, and must properly notify a SNAP household when an ABAWD becomes ineligible for SNAP benefits due to not meeting the ABAWD requirement. Districts must conduct a review of the case record and issue the NOAA before the end of the 3<sup>rd</sup> month, as required by federal law, federal regulations, and USDA guidance, when an ABAWD has received SNAP benefits (either individually or as part of a multi-person SNAP household) for 3 months without meeting the ABAWD requirement and is subject to, but based on information available to the district, is not meeting the ABAWD requirement.

### **A. Able Bodied Adults Without Dependents (ABAWDs)**

ABAWDs are individuals who are subject to SNAP work requirements and meet certain additional criteria. The definition of who is subject to SNAP work requirements can be found in Section 385.3 of the Temporary Assistance and SNAP

Employment Policy Manual. Districts must ensure that the correct SNAP employability and ABAWD code are entered on WMS (or through myWorkspace).

ABAWDs are individuals who are subject to SNAP work requirements (do not meet any of the exemptions from SNAP work requirements as listed in 18 NYCRR§385.3) and who are **NOT**:

1. Under 18 or 50 years of age or older:

- a. The month in which an individual turns 18 is an exempt month for the ABAWD requirement, unless the individual turns 18 on the first of the month. An individual turning 18 during a certification period, and any other individual who will become an ABAWD when the only individual who is under 18 in the SNAP household turns 18 years old during the certification period, will be subject to the ABAWD requirement (unless otherwise exempt). They become subject to the ABAWD requirement the month following the month the individual turns 18, unless the individual turns 18 on the first of the month.

Note: The district must track the continued SNAP eligibility of all ABAWDs through the certification period. Districts are encouraged to use an anticipated future action code when the youngest member of a SNAP household will turn 18 and must ensure that workers are monitoring each ABAWD's compliance with the ABAWD requirement. An overpayment may need to be established (see [05-ADM-15](#) and [04-ADM-01](#) for the relevant threshold amounts) for any SNAP benefits issued beyond the 3<sup>rd</sup> month since an ABAWD is only eligible for SNAP benefits for 3 months in the 36-month period, unless meeting the ABAWD requirement each month, documents that he/she is exempt, is granted an ABAWD exclusion by the district for the month or resides in an area with an approved ABAWD waiver. The SNAP household that includes the ABAWD must also be otherwise eligible for SNAP benefits.

- b. An individual becomes exempt from the ABAWD requirement in the month that he/she turns 50 years of age.

Note: An ABAWD who was determined to be ineligible for SNAP benefits because he/she had received SNAP benefits for 3 months in the 36-month period and was not meeting the ABAWD requirement, but turns 50 during a certification period is no longer subject to the ABAWD requirement from the month of his/her 50th birthday and becomes eligible upon application, if otherwise eligible for SNAP benefits.

2. Medically certified as physically or mentally unfit for employment:

An individual receiving SNAP benefits is exempt from the ABAWD requirement from the date he/she documents that he/she is not able to work at least 80 hours per month, but may still be subject to SNAP work requirements, unless documentation is provided to confirm that he/she is exempt from SNAP work requirements consistent with 18 NYCRR §385.3.

An individual must provide documentation to be identified as exempt from the ABAWD requirement because a physical or mental health condition prevents the individual from working 80 or more hours per month unless the district worker identifies the individual as being obviously unfit for employment due to a physical or mental health condition and medical documentation was requested, but is not available. For example, a medical statement should be maintained in the case record in those instances where an individual is unable to work at least 80 hours in the month. In those instances, where documentation is not available and the district worker identifies that the individual is obviously unfit for employment due to a physical or mental health condition, the worker must document the basis for exempting the individual from the ABAWD requirement in the case record. The individual's status must be reevaluated whenever a change is reported and at recertification.

This exemption from the ABAWD requirement also includes an individual who is receiving disability benefits that have been issued by a government or private source, including Veterans Affairs disability compensation, NYS disability benefits, Social Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits. Any month in which documentation is provided to the district to confirm that an individual is unable to work at least 80 hours per month because of a physical or mental health condition is an exempt month from the ABAWD requirement.

Note: An individual receiving worker's compensation benefits at less than a full (100%) benefit rate is not exempt from the ABAWD requirement on the basis of receiving worker's compensation, but may be exempt from the ABAWD requirement if the medical documentation provided to the district indicates that the individual is not able to work at least 80 hours per month or the SNAP household documents that the individual is exempt from the ABAWD requirement for another reason as described in this section.

3. An adult member of a **SNAP** household that includes an individual who is under the age of 18, even if the SNAP household member that is under age 18 is not eligible for SNAP benefits; or,

Note: All adult members of a SNAP household would be exempt from the ABAWD requirement, if the **SNAP** household includes an individual who is under the age of 18. However, the individual under the age of 18 must be a member of the SNAP household. The adult member of the SNAP household would not be exempt from the ABAWD requirement if the individual who is under the age of 18 lives in the residence, but is not part of the SNAP household.

4. A pregnant woman.

A woman is exempt from the ABAWD requirement throughout the entire pregnancy. The first exempt month is the month in which the household provides the required medical documentation.

Note: Individuals who meet at least one of the criteria noted above and provide the necessary documentation to the district are exempt from the ABAWD

requirement, but may still be subject to SNAP work requirements, unless the SNAP household documents that the individual is exempt from SNAP work requirements consistent with 18 NYCRR §385.3.

Proper coding and monitoring of each SNAP applicant and recipient's SNAP employability and ABAWD status is important because this information is used to identify which individuals are subject to the ABAWD requirement on a monthly basis. Failure to enter and maintain the correct SNAP employability code and/or ABAWD code may result in incorrect ABAWD tracking and require the processing of override transactions to correct an individual's ABAWD counter (see Section 385.16 of the TA and SNAP Employment Policy Manual).

## **B. Informing SNAP Households of the ABAWD Requirement**

Information to explain the ABAWD requirement including which individuals are subject to the ABAWD requirement, the consequences for refusing or failing to comply with the ABAWD requirement without good cause and the action that may be taken by the ABAWD to maintain or re-establish eligibility for SNAP benefits for more than 3 months in the 36 month period is provided to all SNAP households through information included in the "What You Should Know About Your Rights and Responsibilities" ([LDSS-4148A](#)) and "How to Complete the Supplemental Nutrition Assistance Program (SNAP) Application/Recertification and Applicant/Recipient Rights and Responsibilities for SNAP" ([LDSS-4826A](#)). Information regarding the ABAWD requirement and the consequences for not complying with the ABAWD requirement is also included in the SNAP opening and recertification letters that are generated through the Client Notices System (CNS).

OTDA also encourages districts to provide the "ABAWD Informational Letter" ([LDSS-5072](#)) to SNAP households that include an ABAWD and to verbally relay information on ABAWD status to households containing an ABAWD during the application and recertification interview.

## **C. ABAWD Requirement**

Effective January 1, 2016, an ABAWD is only eligible for SNAP benefits for 3 months in the 36-month period unless the ABAWD is meeting the ABAWD requirement each month, has been granted an ABAWD exclusion for the month consistent with the district's exclusion policy and to the extent that the district has not exhausted the number of exclusions allotted to the district, or resides in an area with an ABAWD waiver that has been approved by USDA.

An ABAWD may meet the ABAWD requirement for a calendar month through one of the following methods:

- Work (including "in-kind" work and volunteer work) for at least 80 hours per month;
- Participate in a qualifying work/training program approved by the district for at least 80 hours per month;



- Comply with a Work Experience Program (WEP) assignment for the number of hours per month equal to the SNAP benefit, divided by the higher of the federal or State minimum wage (see information below for calculating the required number of hours in work experience for purposes of meeting the ABAWD requirement when the SNAP household includes more than one active adult);
- Participate in a program under the Workforce Innovation and Opportunity Act which may include: job search, job readiness, occupational skills training, and education activities or the Trade Act for at least 80 hours per month; or,
- Participate in a combination of work or qualifying work programs for at least 80 hours per month.

Note: Regarding Limitation on job search and/or job readiness training provided under TA or SNAP E&T: Participation in stand-alone job search or job readiness training that is provided under the TA or SNAP E&T program does not qualify for the purpose of meeting the ABAWD requirement according to federal rules. For purposes of meeting the ABAWD requirement, work programs may contain job search and job readiness training as a subsidiary component as long as the number of hours of participation in job search and/or job readiness training provided under TA and/or SNAP E&T is less than one-half of the total monthly hours. For example, an ABAWD would need to participate in an ABAWD qualifying activity, such as paid employment or volunteer work for a minimum of at least 41 hours and an additional 39 hours of job search and/or job readiness training during the month to be determined to have met the ABAWD requirement for the calendar month.

The ABAWD remains eligible for SNAP benefits, provided that the SNAP household that includes the ABAWD is otherwise SNAP eligible, if the ABAWD meets the ABAWD requirement through one of these methods each calendar month, is granted an ABAWD exclusion for the calendar month, documents they reside in an area that has an approved ABAWD waiver during the calendar month, had good cause for not meeting the ABAWD requirement, or documents that he/she is exempt from the ABAWD requirement for the calendar month.

#### Requirement to Provide an ABAWD Qualifying Activity

Districts are required to provide an ABAWD qualifying work or training opportunity to all ABAWDs who are subject to the ABAWD requirement and request such an activity to maintain or re-establish eligibility for SNAP benefits. SNAP households are informed of the availability of an ABAWD qualifying work activity through information included in the [LDSS-4148A](#) and in the SNAP opening and recertification letters generated through CNS. Districts are encouraged to discuss the availability of a qualifying work activity during the eligibility interview or during other discussions that occur with an ABAWD. These assignments will allow ABAWDs to retain eligibility for SNAP benefits beyond the three-month federal time limit. Districts may provide the ABAWD qualifying work or training opportunity through the SNAP E&T program or other programs for which the individual is eligible.

## Compliance with the ABAWD requirement applies to each individual

An ABAWD is not allowed to participate on behalf of another ABAWD in the SNAP case. Each ABAWD subject to the ABAWD requirement must meet the ABAWD requirement for the calendar month to maintain SNAP eligibility for more than 3 months in the 36-month period, unless the individual has documented that he/she is exempt from the ABAWD requirement, resides in an area with an approved ABAWD waiver, or has been granted an ABAWD exclusion consistent with the district's exclusion policy.

## Determining the Number of Work Experience Hours Required to Meet the ABAWD Requirement

An ABAWD may meet the ABAWD requirement by participating in work experience, if offered by the district, for the number of hours per month determined by dividing the household's SNAP benefit by the higher of the federal or State minimum wage, even if less than 20 hours per week. Two ABAWDs in the same SNAP household can maintain their individual SNAP eligibility by participating in work experience for a total of the maximum hours allowed by the household's SNAP benefit. To allow multiple ABAWDs in a household to meet the ABAWD requirement, districts should apportion the hours of work experience among the active adult SNAP household members by dividing the household's SNAP benefit by the number of active adult individuals in the SNAP household and then divide the result by the higher of the federal or State minimum wage and round the hours down to the nearest whole hour. As noted above, an ABAWD is not allowed to participate on behalf of another ABAWD. Therefore, an ABAWD who is assigned to work experience must participate for the number of hours per month based on the calculation described above to meet the ABAWD requirement (see information provided below when an ABAWD who has been assigned to work experience participates for less than the required hours during the calendar month).

For example, a SNAP household in Albany County consisting of 2 adults receives \$328 in SNAP benefits each month. The district would divide the \$328 by the 2 adults and then divide the \$164 by the State minimum wage, (which is currently higher than the federal minimum wage) = 16.9 hours per month (rounded down to 16 hours) to calculate the number of hours that an ABAWD in that SNAP household would need to participate to meet the ABAWD requirement for the month.

### Notes:

- Districts are reminded that the State minimum wage varies by region (see [16 INF-14](#) for additional information). Therefore, districts should ensure that the calculation to determine the number of hours that an ABAWD is required to participate in work experience for purposes of meeting the ABAWD requirement is based on the higher of the federal or State minimum wage that is in effect for their region of the State.
- If the ABAWD does not participate in work experience for the number of hours required as described above to meet the ABAWD requirement for the month, the



individual must participate in ABAWD qualifying activities for at least 80 hours in the month to meet the ABAWD requirement for the month. Additionally, the calculation to determine the number of hours that an ABAWD would need to participate in work experience during the month to meet the ABAWD requirement does not preclude districts from assigning individuals to additional SNAP E&T activities (or additional TA work activities if the ABAWD is concurrently receiving TA benefits), as appropriate.

#### **D. Countable Months (Months Not Meeting the ABAWD requirement)**

For purposes of tracking an ABAWD's three months of SNAP eligibility without meeting the ABAWD requirement, a month does not count as one of the three months in the 36-month period under the following circumstances:

- A calendar month during which the household did not receive SNAP benefits for the full month, including the month of application (unless the SNAP application is filed on the 1<sup>st</sup> of the month);
- A calendar month during which an individual documents that he/she is exempt from the ABAWD requirement for all or any part of the month;
- A calendar month during which an individual documents that he/she resided in an area of the state with an approved ABAWD waiver or has been granted an ABAWD exclusion by the district (see ABAWD Waivers/ABAWD Exclusions section below).
- A calendar month during which an individual had good cause for missing some work/work assignment hours, as long as the absence is temporary and the individual retains his or her job or otherwise resumes participation in an ABAWD qualifying work activity. Good cause includes circumstances beyond the individual's control, such as, but not limited to, illness of the individual, illness of a household member that required the presence of the individual, or a household emergency. The good cause must be reported timely to the district and documentation to support the claim of good cause may be required.

When determining the number of months an ABAWD has received SNAP benefits (either individually or as part of a multi-person SNAP household) in the current 36-month period without meeting the ABAWD requirement, districts are required to investigate whether an ABAWD has received SNAP benefits in other districts within New York State. The ABAWD tracking information on the WTRK31 screen which is available through the Employment Tracking Inquiry (Selection 17 on ROS WMS/Selection 11 of NYC WMS), Selection P, FS ABAWD Tracking may be used to help monitor an ABAWD's compliance with the ABAWD requirement in New York State during the current 36-month period.

#### **E. ABAWD Waivers**

Some districts or areas within a district may be eligible for a waiver from the ABAWD requirement based on their rate of unemployment or their designation as a labor surplus area consistent with the requirements of 7 CFR 273.24(f). Information

regarding eligibility for a waiver is provided to districts on an annual basis, subject to USDA review and approval of the waiver request submitted by OTDA. Districts and areas within a district with an ABAWD waiver approved by USDA for the calendar year are listed on the OTDA website at: <http://otda.ny.gov/programs/snap/qanda.asp>.

Districts approved to waive the ABAWD requirement for a jurisdictional area for the calendar year, but not the balance of the district, must enter an ABAWD code of “W” on WMS (or myWorkspace) for ABAWDs who live in a jurisdictional area with an approved ABAWD waiver. Use of this ABAWD code is necessary to ensure that ABAWDs who reside in a waived jurisdictional area are removed from the ABAWD selection process that is used by OTDA to identify which ABAWDs are trackable for each calendar month. Districts must evaluate an individual’s ABAWD status at application, recertification and any time that a change in address or other change that may impact an individual’s ABAWD status is reported and documented to the district and update the code on WMS/myWorkspace accordingly.

Note: Districts with a full county based waiver are required to use an ABAWD code of “N” for non-ABAWDs, but have the option of using an ABAWD code of “A” or “W” for ABAWDs during the period covered by the full county based ABAWD waiver. Use of an ABAWD code of “A” for an ABAWD in a district with a full county based ABAWD waiver will alleviate the district from having to update the ABAWD code from a “W” to an “A” if the district loses the full county based ABAWD waiver in the future. An ABAWD who resides in a district with a full county based waiver is removed from the ABAWD selection process used by OTDA regardless of whether the ABAWD code for the ABAWD is a “W” or an “A”.

An individual who moves into a jurisdictional area with an approved ABAWD waiver is no longer required to fulfill the ABAWD work requirement to maintain SNAP eligibility beginning the month the individual moves to the waived area. ABAWDs who are not subject to the ABAWD requirement due to living in a waived area must still be assigned the appropriate SNAP employability and ABAWD code for reporting purposes and remain subject to SNAP E&T requirements as assigned by the district, unless the SNAP household documents that the individual is exempt from SNAP work requirements consistent with 18 NYCRR §385.3.

## **F. ABAWD Exclusions**

Federal law and regulations provide an allotment of ABAWD exclusions to each state based on fifteen percent of a state’s ABAWD caseload in non-waived areas as of July 1<sup>st</sup> of each year. States do not earn ABAWD exclusions in areas that are covered by an ABAWD waiver. OTDA distributes the ABAWD exclusions allotted to New York, if any, to districts that do not have an approved district-wide ABAWD waiver.

An ABAWD exclusion allows a district to exclude one ABAWD from the ABAWD requirement for one calendar month. Districts that do not have an approved district-wide ABAWD waiver have the option to exclude a portion of non-waived ABAWDs from the ABAWD requirement to the extent that the district has a sufficient number

of ABAWD exclusions available for the year. The total number of exclusions used by a district must not exceed the number approved for use by OTDA.

The availability of exclusions provides districts with a great deal of flexibility. Each district is responsible for establishing its own exclusion criteria. For example, a district may wish to exclude ABAWDs who are working, but do not meet the required number of hours to maintain eligibility under the ABAWD provisions, or ABAWDs who have transportation barriers of an ongoing nature. Districts also have the flexibility to establish a limit on the number of months that an ABAWD will be excluded from the ABAWD requirement. The criteria chosen by the district must also account for the limit on the number of exclusions that are available to the district for the year.

Each district is required to monitor the use of ABAWD exclusions to ensure that the ABAWD exclusion policy is applied consistently on a monthly basis and that the district does not exceed the number of ABAWD exclusions made available to the district by OTDA for the year. Districts must also ensure that the use of an ABAWD exclusion is reported to OTDA. An ABAWD code of "X"-ABAWD/excluded should be entered on screen 4 of the Welfare Management System (WMS) [Individual Inquiry Screen NQIN2A for NYC WMS] or Individuals Tab on myWorkspace for each month that an ABAWD has been granted an ABAWD exclusion by the district. The use of the ABAWD exclusion must also be documented in the case record.

Districts are also responsible for updating the ABAWD code on WMS (or myWorkspace) in a timely manner when an ABAWD no longer qualifies for an ABAWD exclusion. Failure to update the ABAWD code in the same calendar month that an individual's status changes (no longer qualifies for an ABAWD exclusion) may require the processing of an ABAWD related override transaction as described below.

## **G. ABAWD Related Override Transactions**

The district must process an override transaction when an adjustment needs to be made to an ABAWD's tracking record. The following adjustments to data elements that are used as part of the ABAWD tracking process may be made through the ABAWD override process:

- Add or delete a calendar month from the ABAWD counter (Total Number of Months Non-Participating);
- Add or delete a calendar month that involved an ABAWD exclusion;
- Add or delete a calendar month that involved an ABAWD grace period month; or,
- Add a re-establish date when an ABAWD who had previously become ineligible for SNAP benefits because he/she had received SNAP benefits (either individually or as part of a multi-person SNAP household) for 3 months and was not meeting the ABAWD requirement re-establishes eligibility for SNAP benefits by meeting the ABAWD requirement.

ABAWD related overrides are processed using the WTRK43–FS ABAWD OVERRIDE INPUT screen (selection R) on the Employment Tracking Inquiry, (accessed via the Time Limit Tracking Menu, Upstate WMS Menu Selection 17/NYC WMS Menu Selection 11). ABAWD related overrides can only be made by a designated staff member using the instructions provided in Section 385.16 of the TA and SNAP Employment Policy manual.

Notes:

- The district may need to process a separate “add” override transaction following the completion of a “deletion” override transaction to add a countable calendar month or to report the use of an ABAWD exclusion. Districts are encouraged to review Section 385.16 of the TA and SNAP Employment Policy Manual for additional information.
- Districts must also ensure that overrides related to the use of ABAWD exclusions are completed no later than 30 calendar days after the end of the calendar quarter. This limit is necessary to ensure that the number of exclusion used each month during the quarter is accurately reported to USDA.

## **H. Tracking an Individual’s Compliance with the ABAWD Requirement**

Districts are required to monitor compliance with the ABAWD requirement on a monthly basis and take timely action in those instances where the district has determined that the ABAWD has received SNAP benefits for 3 months in a 36-month period, is otherwise subject to the ABAWD requirement and, based on the information available to the district at the time that the case records is reviewed, is not meeting the ABAWD requirement. OTDA previously advised districts to confirm that an ABAWD has received SNAP benefits (either individually or as part of a multi-person SNAP household) for 3 months without meeting the ABAWD requirement before taking negative action. However, USDA has informed New York State that this timeframe is not consistent with federal statute or regulations. Therefore, consistent with USDA’s direction, districts must implement changes in the district’s ABAWD tracking procedures no later than May 10, 2017 to review an ABAWD’s case record and issue an NOAA before the end of the 3<sup>rd</sup> month of SNAP benefits to inform the SNAP household that an ABAWD is ineligible for SNAP benefits because he/she is subject to, but not meeting the ABAWD requirement.

OTDA also recommends that districts limit SNAP certification periods for households that include an ABAWD to no more than six months.

ABAWDs have specific requirements for reporting changes in employment and documenting hours of participation to the district. ABAWDs are required to:

- report and provide documentation of the change to the district within 10 days after the end of the month when his/her hours of paid work fall below 80 hours for the month, and,
- provide documentation of participation in unpaid work activities on a monthly basis.

All SNAP households are informed of the requirement to notify the district when his/her hours of participation fall below 80 hours per month through information included in the “ABAWD Informational Letter” ([LDSS-5072](#)) “What You Should Know About Your Rights and Responsibilities” ([LDSS-4148A](#)), the Periodic Report ([LDSS-4310](#)) and “How to Complete the Supplemental Nutrition Assistance Program (SNAP) Application/ Recertification and Applicant/Recipient Rights and Responsibilities for SNAP” ([LDSS-4826A](#)). Information on these requirements is also included in the SNAP opening and SNAP recertification letters that are generated through CNS. ABAWDs should also notify the district of any reasons why the individual was not able to meet the ABAWD requirement for the month or of changes in the individual’s ABAWD status on a timely basis and provide documentation of the change, as requested by the district.

Note: Districts must evaluate an ABAWD’s eligibility for SNAP benefits if an ABAWD provides documentation that he/she has or will meet the ABAWD requirement in the calendar month, documents that he/she lives in an area with an approved ABAWD waiver or that he/she has become exempt from the ABAWD requirement before the end of the month in which an adverse action takes effect and issue SNAP benefits if the SNAP household is otherwise eligible for SNAP benefits (see recipient prospective compliance below). A household that provides the necessary documentation after the effective date of the case closing would need to reapply for SNAP benefits, unless the household meets the requirements for reactivation as outlined in [13 ADM-04](#).

An ABAWD who is working for eighty hours or more of paid employment during a calendar month meets the ABAWD work requirement. Individuals who are working at least 30 hours per week on average during the calendar month or earning at least 30 times the federal minimum wage per week are exempt from SNAP E&T and ABAWD requirements. Individuals who are working, but not enough to be exempt from SNAP work requirements, will meet the ABAWD requirement if the individual works at least 80 hours in the calendar month.

An ABAWD must report when his/her hours of paid employment fall below 80 hours in a month (which must be reported by the 10<sup>th</sup> of the following month). An ABAWD is also required to provide documentation of gross earned income and the hours of paid work at application, periodic report, recertification and whenever the ABAWD’s hours of paid work fall below 80 hours in a month.

Districts use the documentation provided to determine the number of hours of paid work that the individual is working on average during the month and enter the gross earnings and the number of hours of paid work on the Automated Budgeting and Eligibility Logic (ABEL) budget to determine the household’s eligibility for TA and/or SNAP benefits. The hours of paid work based on the documentation maintained in the case record should also be entered on WTCMS (NYC Human Resources Administration uses an FIA-3A form to record an individual’s hours of paid work and enters the hours of paid work on the ABEL budget), especially in those instances when the earned income/hours of paid work may not be immediately entered on the ABEL budget because of the TA administrative processing period and/or the requirement to provide timely and adequate notice when reducing or discontinuing a household’s TA and/or SNAP benefits. Districts must ensure that the hours of paid



work and the gross earnings are supported by documentation which is maintained as part of the case record and entered correctly on ABEL and WTWCMS (NYC systems in NYC).

When an ABAWD reports a change in the number of hours of paid work, the change must be documented and the hours of paid work adjusted on ABEL/WTWCMS on a timely basis, regardless of whether or not the change results in a change in TA and/or SNAP benefits otherwise payable to the household. This is to ensure that the ABAWD tracking logic used by OTDA correctly establishes whether or not the ABAWD met the ABAWD requirement for the calendar month.

#### ABAWDs participating in unpaid ABAWD qualifying work activities

When an ABAWD reports that he/she is participating in or the district provides an ABAWD qualifying activity, the district must enter the enrollment in unpaid activities in WTWCMS (NYC systems for ABAWD that reside in NYC) in a timely manner. ABAWDs are required to document the number of hours that he/she participated in unpaid work activities each month by providing written documentation of the actual hours of participation to the district by the 10<sup>th</sup> of the following month. For example, documentation of the actual hours of participation for the month of March must be submitted by April 10<sup>th</sup>. Districts should provide time sheets to be completed by the individual's work site/activity supervisor and returned to the district as described above. In many instances, districts may receive this information directly from the worksite based on an agreement with the worksite.

The actual hours of participation and any hours of excused absence in each unpaid work activity (and any hours of excused absence separately) as verified by the district must be entered on WTWCMS for each week of the calendar month by the 15<sup>th</sup> of the following month for the ABAWD tracking logic to consider this participation when establishing whether or not the ABAWD met the ABAWD requirement for the calendar month. Hours of participation must meet the work activity definition and the hours of participation must be documented as part of the case record.

### **I. Failure to Meet the ABAWD Requirement**

An ABAWD is only eligible for SNAP benefits for 3 months in the 36-month period unless the ABAWD documents that he/she is meeting the ABAWD requirement for the calendar month, has been granted an ABAWD exclusion for the calendar month, resides in an area that has an approved ABAWD waiver during the calendar month or has documented that he/she is exempt from the ABAWD requirement. Districts are required to monitor compliance with the ABAWD requirement on a monthly basis and to take appropriate and timely action when the district has determined that an individual subject to ABAWD requirements has received SNAP benefits (either individually or as part of a multi-person SNAP household) for three months in a 36-month period and based on the information available to the district is not meeting the ABAWD requirement and not excluded or living in an area with an approved waiver. (Section VII – Additional Information provides a description of the ABAWD tracking report that is available to districts through Cognos.)

If, based on the information available to the district, the district concludes that the ABAWD is not expected to participate in ABAWD qualifying work activities for a sufficient number of hours in the month to meet the ABAWD requirement, the SNAP case for a SNAP household of one individual should be closed (or the individual in a multi-person SNAP case made ineligible) before the end of the 3<sup>rd</sup> month to prevent the issuance of the fourth month of SNAP benefits. SNAP reason code F94 (ABAWD Ineligible) would be used when processing a reduction in or discontinuance of SNAP benefits when an ABAWD has become ineligible for SNAP benefits due to not meeting the ABAWD requirement. The NOAA should be issued in time to preclude the issuance of a 4<sup>th</sup> month of SNAP benefits. Any SNAP benefits received beyond the 3 months while the ABAWD is subject to, but not meeting the ABAWD requirement are subject to recoupment. Districts should refer to [05-ADM-15](#) and [04-ADM-01](#) for the relevant threshold amounts for the fourth month benefit.

Districts must also ensure that timely and adequate notice is given when reducing or discontinuing SNAP benefits other than at time of application or recertification, which require the issuance of an adequate notice.

## **J. Re-establishing Eligibility for SNAP Benefits**

An ABAWD who becomes ineligible for SNAP benefits for failing to meet the ABAWD requirement may prospectively restore eligibility in several ways.

- Applicant Prospective Compliance – Eligibility is re-established if an applicant ABAWD can verify to the satisfaction of the district that he or she will meet the ABAWD requirement within the 30 calendar days following application. For example, an individual who lost eligibility due to failing to meet the ABAWD requirement has started a new job and applies for SNAP benefits. As long as the individual can verify that he or she will work enough hours within the consecutive 30-day period following application to satisfy the ABAWD requirement, eligibility is re-established. The ABAWD must continue to work/participate in ABAWD qualifying activities for at least 80 hours per month to maintain SNAP eligibility.
- 80 Hours of Participation – Eligibility may be re-established by participating in a qualifying activity(ies) for at least 80 hours within any consecutive 30-day period since losing eligibility for SNAP benefits for not meeting the ABAWD requirement. This consecutive 30-day period does not need to be in the same calendar month. Additionally, the consecutive 30-day period does not have to immediately precede the date of application. For example, an individual who lost eligibility due to noncompliance with the ABAWD requirement 9 months ago, but has been working at least 80 hours per month for the past six months, was recently laid off from his or her job and now applies for SNAP benefits. Eligibility may be re-established if the individual provides verification that he or she worked at least 80 hours in a consecutive 30-day period since becoming ineligible for SNAP benefits due to not meeting the ABAWD requirement. The individual would then have to secure employment or request/be placed in an ABAWD qualifying work activity and participate at least 80 hours per month to maintain SNAP eligibility. An individual who is offered a work experience assignment would need to participate in work experience for the number of hours per month determined by dividing the household's SNAP benefit by the higher of the federal or State minimum wage

(see information above for calculating the required hours of work experience for purposes of meeting the ABAWD requirement when the SNAP household includes more than one active adult).

- 30-Day Job Search/Work Experience – Districts have the option to allow an applicant ABAWD the opportunity to re-establish eligibility after having exhausted the three-month time limit by participating in a 30-day period of job search followed by a work experience placement if he or she does not find a job by the end of the 30-day period. An applicant ABAWD who, except for having exhausted the time limit, is eligible for SNAP benefits, may be assigned to 30 days of job search followed by work experience. The ABAWD is required to perform job search for a minimum of 12 hours in the 30-day period to re-establish eligibility. However, districts have the discretion to require more than 12 hours of job search during the 30-day period. If the ABAWD satisfies the job search requirement, thereby re-establishing SNAP eligibility, but does not find an adequate job, he or she must be placed in a work experience assignment in the next month. No other SNAP E&T activity may substitute for work experience if this method is used to re-establish eligibility for an ABAWD.
- Recipient Prospective Compliance – A recipient who has not met the ABAWD requirement for three countable months of SNAP receipt, but who is able to provide proof before the end of the month in which an adverse action takes effect that he/she will meet the ABAWD requirement in the next benefit month (i.e., has obtained employment which will provide at least 80 hours per month, enrolled in a district approved ABAWD qualifying work program which will provide 80 hours or more of participation per month, or enrolled in a work experience activity, as long as the individual is participating the maximum number of hours per month based on the SNAP benefit divided by the higher of the State or federal minimum wage), should continue to be included in the household that receives SNAP benefits until it is determined that the employment, work activity, or work experience will not meet the ABAWD requirement. In instances in which the district has already issued an adverse action notice, the notice must be rescinded based on verification of the prospective compliance for the next benefit month.

Whenever a district authorizes continued receipt of SNAP benefits based on prospective compliance, the district must clearly document the reason for continued authorization of SNAP benefits in the case record or face a potential quality control error.

Note: SNAP benefits are issued from the date of application when an ABAWD has demonstrated that he/she has re-established eligibility by meeting the ABAWD requirement and is otherwise eligible for SNAP benefits. The date an ABAWD re-establishes eligibility for SNAP benefits by meeting the ABAWD requirement through one of the methods described above may be different than the date of application (see information below regarding the ABAWD re-establish date).

Individuals may also become eligible for SNAP benefits by documenting an exemption from the ABAWD requirement or that the individual resides in an area with an approved ABAWD waiver. ABAWDs who lose their SNAP eligibility because of noncompliance with the ABAWD requirement and subsequently become exempt

from SNAP work requirements or exempt from the ABAWD requirement or reside in an area with an approved ABAWD waiver can have their SNAP eligibility restored, provided the individual provides sufficient documentation of the exemption or that he/she lives in an area with an approved ABAWD waiver and is otherwise eligible for SNAP benefits. This restoration of SNAP benefits occurs no sooner than the date the exemption began, but not before the individual reapplies for SNAP benefits.

Note: While an individual may re-establish eligibility for SNAP benefits by documenting that he/she has become exempt from SNAP E&T and/or ABAWD requirements or resides in an area with an approved ABAWD waiver, USDA has indicated that these methods of re-establishing eligibility do not qualify an individual to receive the one-time, 3 consecutive month grace period as described below.

Once an individual's case is closed, he or she may be required to file a new application to begin receiving SNAP benefits again, unless the household meets the reactivation requirements as described in [13 ADM-04](#). By law, a SNAP application must be accepted whenever it is submitted. The normal eligibility rules apply and SNAP benefits should be issued back to the date of application after the individual has re-established eligibility through one of the previously mentioned ways, and is otherwise determined to be eligible for SNAP.

An individual purchasing and preparing food alone and whose SNAP case is closed due to noncompliance with the ABAWD requirement who then re-establishes eligibility is considered a new SNAP applicant. For example, an individual starts a 25-hour per week job on March 15<sup>th</sup>. He/she works 80 hours by April 14<sup>th</sup>, purchases and prepares meals alone, applies for SNAP on that day and is otherwise eligible. The SNAP benefits should be prorated from the date of application, April 14<sup>th</sup>. Another example is an individual applies for SNAP on May 4<sup>th</sup>, participates in the required number of hours of job search through WIOA by May 25<sup>th</sup> and is otherwise eligible for SNAP. The SNAP benefits should be issued from the date of application, May 4<sup>th</sup>. An individual who documents prospective compliance at application would also receive SNAP benefits from the date of application, if otherwise eligible.

When a member of a SNAP household is removed from the SNAP budget for failing to meet the ABAWD requirement, the household must request that the member be returned to the SNAP budget and he/she has to meet all eligibility requirements, including compliance with or documenting an exemption from the ABAWD requirement. In this instance, the new household member, if otherwise eligible should be added to the SNAP budget/household effective in the month following the month the change was reported.

## **K. Removed due to ABAWD Field**

The "Removed Due to ABAWD" field on the WTRK31 screen will display an "X" if a SNAP reason code of "F94" is entered (on screen 5 of Upstate WMS or through NCEM15-Individual Data Screen at eligibility/NUCMCL-Undercare Maintenance on NYC WMS) at the time of the WMS transaction which reduced or discontinued SNAP benefits for noncompliance with the ABAWD requirement is processed.

Districts should include a review of the number of months that an ABAWD has received SNAP benefits (either individually or as part of a multi-person SNAP household) in the 36-month period without meeting the ABAWD requirement (as displayed through the WTRK31 screen and on WTCMS), the SNAP employability code and ABAWD code when determining whether or not an ABAWD is eligible for SNAP benefits and not rely solely on the “Removed Due to ABAWD” field.

The “Removed Due to ABAWD” field will become null when the individual has re-established eligibility for SNAP benefits. An ABAWD re-establish date may also be displayed in the designated field that is on the WTRK31/WTRK43 screens the first time that the ABAWD re-establishes SNAP eligibility by meeting the ABAWD requirement during the 36-month period. The ABAWD re-establish date is used to identify when an ABAWD who had become ineligible for SNAP benefits re-establishes eligibility through one of the methods described in Section J of Program Implications for the first time in the 36-month period consistent with 18 NYCRR 385.3. The ABAWD re-establish date may be system generated or manually entered as described below.

#### System Generated ABAWD Re-establish Date

The ABAWD re-establish date may system generate if the individual has met the ABAWD requirement for a calendar month as determined through the ABAWD tracking logic used by OTDA for districts outside of New York City. The ABAWD re-establish date will not be system generated in the Welfare Reporting and Tracking System (WRTS) for ABAWDs in NYC, but will be displayed on the WTRK31 and WTRK43 screen in those instances where the NYC HRA reports that an ABAWD has re-established eligibility by meeting the ABAWD requirement as described above.

#### Manual Entry of ABAWD Re-establish Date

Districts also have the ability to add a re-establish date to indicate an ABAWD’s eligibility for the one-time, 3 consecutive month grace period in those instances where the re-establish date is not system generated by the ABAWD tracking logic used by OTDA and displayed on the WRTS screens WTRK31 and WTRK43. The ABAWD re-establish date when entered by the district should be the beginning date of the period that the ABAWD re-established eligibility by meeting the ABAWD requirement through one of the methods described in paragraph J of Program Implications above. For example, an ABAWD who was previously determined ineligible for noncompliance with the ABAWD requirement reapplies for SNAP benefits and provides documentation to verify that he/she met the ABAWD requirement by working at least 80 hours in a consecutive 30-day period since becoming ineligible for SNAP benefits due to noncompliance with the ABAWD requirement. The ABAWD tracking logic will not generate the re-establish date in this instance because the hours of paid employment documented by the applicant are outside of the time that the household which included the individual received SNAP benefits and therefore not entered on WTCMS/ABEL. The worker would enter the ABAWD re-establish date in the field provided on the WTRK43 screen (see Section 385.16 for additional information regarding the process of manually entering the re-establish date through the WTRK43 screen).



Note: An ABAWD re-establish date will not be system generated and should not be manually entered when an individual re-establishes eligibility for SNAP benefits by documenting that he/she resides in a waived area or is exempt from the ABAWD requirement.

## **L. ABAWD Grace Period**

An ABAWD who has become ineligible for SNAP benefits because of noncompliance with the ABAWD requirement, who re-established eligibility through compliance with the ABAWD requirement during a consecutive 30 day period as described above and subsequently loses a job or is otherwise not meeting the ABAWD requirement is eligible for SNAP benefits for one 3-consecutive month period in the 36 month period even though the individual may not be meeting the ABAWD requirement during the 3 consecutive month period. The SNAP household that includes the ABAWD must also be otherwise eligible for SNAP benefits.

This additional period of SNAP eligibility is referred to as the “grace period.” The 3-month grace period begins the month an ABAWD who had re-established eligibility for SNAP benefits by meeting the ABAWD requirement as described above and is subject to, but does not subsequently meet the ABAWD requirement in another calendar month in the same 36-month period. The grace period must be used consecutively, unlike the first 3-month period of SNAP eligibility. Once the individual has used one month of the grace period, the remainder of the 3-month grace period continues.

An individual is eligible for this 3-month grace period only one time in a 36-month period. The 36-month period related to the grace period is the same 36-month period that applies for the initial 3 months of SNAP eligibility. Once an individual is eligible again for the initial 3-month period after the current 36-month period (the new 36-month period starts January 1, 2019), he/she is eligible for a grace period in the new 36-month period, if the conditions for receipt of the grace period as described above are met.

Note: Individuals who were previously determined to be ineligible for SNAP benefits because of noncompliance with the ABAWD requirement and re-establish his/her eligibility for SNAP benefits by documenting an exemption from SNAP work or the ABAWD requirement or that he/she lives in an area with an approved ABAWD waiver are not eligible for the grace period. If the ABAWD becomes subject to, but is not meeting the ABAWD requirement for a full calendar month, the district must issue the NOAA to inform the household that the ABAWD is ineligible for SNAP benefits because of noncompliance with the ABAWD requirement by the end of that calendar month. The ABAWD may establish eligibility for the one-time, 3 consecutive month grace period if he/she becomes ineligible for SNAP benefits for failure to comply with the ABAWD requirement, re-establishes eligibility by meeting the ABAWD requirement through one of the methods described above and subsequently loses a job or is otherwise not meeting the ABAWD requirement.

## **M. Participant Reimbursements/Training Related Expenses (Supportive Services)**

All participants who are required by the district to participate in SNAP E&T activities are eligible for the reimbursement for the actual costs of transportation and other costs necessary and directly related to participation in SNAP E&T work activities. This includes applicants assigned to SNAP E&T.

Districts are not required to provide support services to ABAWDs who are meeting the ABAWD requirement through a qualifying activity unless the district has assigned the ABAWD to a required SNAP E&T or TA/SNAP work assignment.

## **N. SNAP Conciliation**

Conciliation does not apply when discontinuing SNAP benefits to ABAWDs for failure to meet the ABAWD requirement.

If a district assigns and requires a SNAP recipient who is subject to SNAP work requirements and the ABAWD requirement and the ABAWD fails to participate in the assigned work activity during the 3 months that an ABAWD may receive SNAP benefits in the 36-month period without meeting the ABAWD requirement, the individual is subject to conciliation and may be subject to a SNAP sanction. An ABAWD may avoid a SNAP sanction by demonstrating compliance, but may become ineligible for SNAP benefits after 3 months if the ABAWD is not meeting the ABAWD requirement.

If an ABAWD has received 3 months of SNAP benefits in the 36-month period and is subject to, but not meeting the ABAWD requirement, has not been granted an ABAWD exclusion, does not reside in an area with an approved ABAWD waiver, and does not document an exemption from SNAP or ABAWD requirements, the district must issue an NOAA before the end of the 3<sup>rd</sup> month to inform the SNAP household that the ABAWD is ineligible for SNAP benefits. The NOAA should be issued in time to avoid issuance of a 4<sup>th</sup> month of SNAP benefits to an ineligible ABAWD.

Districts should refer to [14-ADM-06](#) for additional information regarding SNAP conciliation and sanction procedures.

## **VI. Systems Implications**

### **A. ABAWD Tracking Information**

ABAWD tracking information is displayed on two different screens (WTRK31 and WTRK43) which can be found on the Time Limit Tracking Inquiry (selection 17 for ROS WMS and selection 11 for NYC WMS–Time Limit Tracking Inquiry). The information displayed on these screens is based on case information maintained by social services districts.

### WTRK31 FS ABAWD Tracking Screen:

Entry of selection P in the field on the Time Limit Tracking Inquiry, a valid CIN, case number and district identifier returns the WTRK31–FS ABAWD TRACKING screen. (Note: Workers in NYC must also enter the Suffix and the district identifier of “NYC” to access the WTRK43 screen.)

This screen displays detailed information for an ABAWD, including, but not limited to: case name, name of individual, CIN, SNAP employability status, ABAWD status, total number of months an individual has received SNAP benefits in the current 36-month period without meeting the ABAWD requirement, grace period indicator and an indicator for individuals who are ineligible for SNAP benefits because of noncompliance with the ABAWD requirement, current work activity enrollments/weekly schedules as entered on WTWCMS and earnings/hours of paid work for each individual based on case information maintained by districts. Information displayed on this inquiry screen is derived from the following sources:

- WTWCMS
- WMS case record
- ABEL budget

Districts can view the screen data as an accurate account of an individual’s ABAWD status and to determine if an ABAWD has received SNAP benefits during the 36-month period without meeting the ABAWD requirement. However, the participation information displayed on the WTRK31 screen is based on an individual’s enrollment and scheduled hours (not actual hours) of participation in unpaid work activities and therefore cannot be used to determine compliance with the ABAWD requirement.

Compliance with the ABAWD requirement is based on the hours of paid work (as entered on ABEL/WTWCMS) and actual hours and any hours of excused absences) of participation (and any hours of excused absence) in unpaid ABAWD qualifying work activities which have been documented by the district in the case record and entered for each week in the calendar/report month by the 15<sup>th</sup> of the following month. Entering the actual hours of participation in unpaid work activities for a calendar/report month by the 15<sup>th</sup> of the following month is necessary to ensure that the hours are considered by the ABAWD tracking logic used by OTDA to determine whether or not an ABAWD in a district outside of NYC met the ABAWD requirement for the report month. The NYC HRA uses information maintained on NYC systems to determine whether or not an ABAWD met the ABAWD requirement for the calendar month, has been granted an ABAWD exclusion for the calendar month or is determined to be in the ABAWD grace period and submits the file of ABAWDs who did not meet the ABAWD requirement, were granted an ABAWD exclusion or in the ABAWD grace period during the calendar month to OTDA. OTDA adds the individual’s status, as reported by NYC HRA, to the ABAWD tracking data that is maintained on the WRTS to determine the number of months that an ABAWD received SNAP benefits without meeting the ABAWD requirement in the 36-month period, regardless of which district authorized SNAP benefits to the household that included the ABAWD.

An ABAWD related override transaction must be processed through screen WTRK43 (Selection R on screen 17 of Upstate WMS/Screen 11 of NYC WMS) to add or remove a month from the ABAWD counter. Information on the override process is provided in Section 385.16 of the TA and SNAP Employment Policy Manual.

Note: The “current enrollment” information displayed on screen WTRK31 is based on the work activity enrollments that have been data entered in WTWCMS. The field will be blank until the district has entered an enrollment and a weekly schedule on WTWCMS. An enrollment and weekly schedule is also required before the district can enter actual hours of participation and any hours of excused absence during the week on WTWCMS. The enrollment field will also be blank for ABAWDs who are receiving SNAP benefits through NYC because engagement information is maintained separately in NYC systems.

Districts must enter and update information in WTWCMS, WMS and ABEL (NYC HRA must ensure that changes are also processed on NYC systems) in a timely manner to accurately report an individual’s SNAP employability and ABAWD status and to monitor a client’s participation and compliance with the ABAWD requirement.

#### WTRK43 FS ABAWD OVERRIDE INPUT Screen:

Entry of selection “R” in the field on the Time Limit Tracking Inquiry, a valid CIN, case number and district identifier returns the WTRK43–FS ABAWD OVERRIDE screen (Note: Workers in NYC must also enter the Suffix and the district identifier of “NYC” to access the WTRK43 screen.)

This screen is used by district staff that have been designated by the district to complete ABAWD related overrides, including overrides to the ABAWD counter and to make adjustments regarding the use of ABAWD exclusions, ABAWD grace period or to manually enter/correct a re-establish date.

The information displayed on the WTRK43 screen is based on case information maintained by districts, including ABAWD related tracking information reported by the NYC HRA. In addition to client information, such as case name, name of the individual, and CIN, the WTRK43 screen displays the individual’s ABAWD counter, a summary of the calendar months that the ABAWD did not meet the ABAWD requirement during the 36-month period, was granted an ABAWD exclusion or was in the ABAWD grace period and any deletions/additions made to the individual’s ABAWD tracking record. The WTRK43 screen will only display a month as excluded, if the ABAWD tracking logic used by OTDA (determined separately by NYC HRA) determines that the ABAWD did not meet the ABAWD requirement during the same calendar month as the exclusion was reported.

Districts will use the information provided on the WTRK31 and WTRK43 screens to monitor each ABAWD’s compliance with the ABAWD requirement and to determine when an ABAWD is ineligible for SNAP benefits because the ABAWD has received 3 months of SNAP benefits in the 36-month period (either individually or as part of a multi-person SNAP household) and is subject to, but not meeting the ABAWD requirement. The WTRK43 screen will also help districts identify ABAWDs who have

become ineligible for SNAP benefits because of noncompliance with the ABAWD requirement and need to re-establish eligibility for SNAP benefits by meeting the ABAWD requirement or documenting that he/she has become exempt or is waived from the ABAWD requirement as previously described above.

## **B. WMS Related Implications**

Districts should use WMS SNAP reason code “F94”-ABAWD ineligible when reducing or discontinuing (when SNAP household =1) SNAP benefits because an ABAWD has received SNAP benefits for 3 months in the 36-month period and is not meeting the ABAWD requirement. The use of this reason code is important to ensure that the correct notice is issued to the household and to identify ABAWDs who have become ineligible for SNAP benefits because he/she is subject to, but not meeting the ABAWD requirement.

The individual disposition status code that should be used in the same WMS transaction is dependent on the district that is providing SNAP benefits (NYC or a rest of state district) and whether or not the individual is concurrently receiving TA benefits. For districts other than NYC, the individual disposition status code of “07”-Active (includes individuals who are sanctioned prorata) would continue to be used on screen 5 of WMS when an ABAWD who is concurrently receiving TA becomes ineligible for SNAP benefits, unless the individual also becomes ineligible for TA. However, the individual would be removed from the SNAP budget for noncompliance with the ABAWD requirement and an individual reason code of F94 would be entered on screen 3 of WMS. The worker should also enter the date that the individual is ineligible for SNAP benefits in the “FS Individual Effective Date” field on screen 5 of WMS. The individual disposition status code would be changed to “10”-Ineligible or Sanctioned Incrementally for districts other than NYC when the ABAWD becomes ineligible for TA and SNAP or is on an NTA-SNAP case and is determined ineligible because of not meeting the ABAWD requirement.

For NYC, the individual’s SNAP status shown on the NQIN2A-Client Information screen would be changed to “CL” when an ABAWD on an active TA or NTA-SNAP case is determined to be ineligible for SNAP benefits because the ABAWD has received SNAP benefits for 3 months in the 36-month period (either individually or as part of a multi-person SNAP household) and is subject to, but not meeting the ABAWD requirement.

## **C. ABAWD Tracking Report**

[16 GIS TA/DC030](#) informed districts of the availability of the ABAWD Tracking Report which can be accessed through Cognos to assist districts with tracking the number of months each ABAWD has received SNAP benefits in the 36-month period without meeting the ABAWD requirement. As stated in the GIS, workers must confirm, through a review of case record information, that the individual was subject to the ABAWD requirement and based on the information available to the district at the time that the case is reviewed, did not meet the requirement before taking adverse action on the case.



## **VII. Effective Date**

This administrative directive is effective: **May 10, 2017.**

### **Issued By**

**Name:**

**Barbara C. Guinn**

**Title:**

**Executive Deputy Commissioner**