



FAMILY INDEPENDENCE ADMINISTRATION

Matthew Brune, Executive Deputy Commissioner


James K. Whelan, Deputy Commissioner
Policy, Procedures, and Training

Stephen Fisher, Assistant Deputy Commissioner
Office of Procedures

POLICY BULLETIN #13-14-ELI

(This Policy Bulletin Replaces PB #11-07-ELI)

REVISIONS TO THE NOTICE OF ABLE-BODIED ADULT WITHOUT DEPENDENTS (ABAWD) STATUS (FIA-1021)

Date: February 28, 2013	Subtopic(s): Forms
<p> This procedure can now be accessed on the FIAweb.</p>	<p>Revision to the Original Policy Bulletin:</p> <p>This policy bulletin is being revised to advise staff of changes to the Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (FIA-1021).</p> <p>Purpose:</p> <p>The purpose of this policy bulletin is to inform Job Center and Non Cash Assistance (NCA) Supplemental Nutrition Assistance Program (SNAP) Center staff about the Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (FIA-1021), which is mailed to SNAP participants who have been determined to be ABAWDs. This notice is mailed to the ABAWD after the case is accepted, after successful completion of the recertification and when a determination of ABAWD status is made outside of application and recertification.</p> <p>The following revisions have been made to Form FIA-1021:</p> <p>Page 1:</p> <ul style="list-style-type: none"> • The first bullet under the first paragraph was changed to: “18 years of age or older, but under 50 years of age”; • The third bullet under the first paragraph was changed to: “not residing in a SNAP household that contains a child under 18 years of age”; • The last bullet under the first paragraph was changed to: “physically and mentally able to work for at least 80 hours per month”;

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

- The last bullet under the question “What does this mean you have to do?” was changed to: “Comply with a Work Experience Program (WEP) assignment for the number of hours equal to your SNAP grant divided by the minimum wage”;
- The statement “In addition to complying with the requirements listed above, you must report to us if your work hours go below 80 hours a month within 10 days after the end of that month” was added above the question “Do you think you are exempt from the ABAWD status?”;
- The fifth bullet under the question “Do you think you are exempt from the ABAWD status?” was changed to: “Physically or mentally unfit for employment”;
- The last bullet on the page was changed to: “Employed or self-employed and working a minimum of 30 hours per week or receiving weekly earnings at least equal to the Federal minimum wage times 30.”

Page 2:

- The first sentence under the question “What happens if you become ineligible?” has been changed to: “If you become ineligible for SNAP benefits after failing to meet the ABAWD eligibility requirements, you may re-establish eligibility by doing any one of the following.”;
- The first bullet has been changed to: “Verifying that you will work or participate in a work/training program for at least 80 hours within the 30 days following the date you applied for SNAP benefits”;
- The second bullet has been changed to “Verifying that you have worked or participated in a work/training program for at least 80 hours within a consecutive 30 day period since losing your eligibility for SNAP benefits”;
- The third bullet has been changed to “Performing job search for a minimum of 12 hours in the 30-day period following the date you applied for SNAP benefits. The 30-day job search period must be followed by a work experience program assignment in the following month if you are unable to find employment after your 30-day period of job search.”;
- The following paragraphs below the bullets have been revised as follows:

“If you have re-established eligibility, you will be required to meet the ABAWD eligibility requirements in order to continue to receive SNAP benefits.

However, if you have re-established eligibility and subsequently lose a job or a work program assignment, you may be eligible to receive SNAP benefits for a grace period of three consecutive months beginning with the month following the month that you notify us that you lost a job or a work program assignment.

If you are currently receiving SNAP benefits and have not met the ABAWD requirements for 3 months in the last 36 months, but can verify that you will meet the ABAWD requirements in the next month, you will continue to receive SNAP benefits as long as you meet the ABAWD eligibility requirements.

HRA will make a qualifying work activity available to you, so that you may remain eligible for SNAP benefits beyond the 3-month limit.”

Form **FIA-1021** informs SNAP participants who have been identified as ABAWDs, of their responsibility to comply with certain eligibility requirements. This form also provides a list of criteria for exemption from these eligibility requirements.

SNAP participants who are ABAWDs will be mailed a copy of Form **FIA-1021** by Management Information Systems (MIS) when their application has been accepted for ongoing SNAP benefits and when the ABAWD has been authorized to receive continued SNAP benefits at recertification.

If an active SNAP participant becomes an ABAWD at any time other than at recertification, the Worker must mail the ABAWD a copy of Form **FIA-1021**. The form must be sent whenever the determination is made that the individual is an ABAWD.

In Job Centers, the JOS/Worker or Separate Determination Liaison must mail Form **FIA-1021** to ABAWDs who have been determined ineligible for Cash Assistance (CA), but have been determined eligible for SNAP benefits after a separate SNAP determination. Form **FIA-1021** must be sent when the separate determination is made.

Samples of the revised form are attached.

Effective Immediately

🖨 Please use Print on Demand to obtain copies of forms.

Attachments:

FIA-1021(E)

Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (Rev. 2/22/13)

FIA-1021(S)

Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (Spanish) (Rev. 2/22/13)

Date: _____
Case Number: _____
Center: _____
Applicant/
Participant Name: _____

Notice of Able-Bodied Adult Without Dependents (ABAWD) Status

The Human Resources Administration (HRA) has determined that you are an Able-Bodied Adult without Dependents (ABAWD) because you are subject to Supplemental Nutrition Assistance Program (SNAP) work rules and you are:

- 18 years of age or older, but under 50 years of age;
- not pregnant;
- not residing in a SNAP household that contains a child under 18 years of age; and
- physically and mentally able to work for at least 80 hours per month.

What does this mean you have to do?

As a condition of SNAP eligibility, you must comply with the requirements listed below. Failure to comply with these requirements without good cause may result in the loss of SNAP benefits until eligibility has been re-established. As an ABAWD, you will lose eligibility for SNAP if for more than three (3) months in the last thirty-six (36) months you did not perform one of the following:

- Work (including "in-kind" work and volunteer work) for a total of at least 80 hours per month. There is no hourly wage requirement, but the work performed must not violate any State or Federal law(s) and/or regulation(s).
- Participate in a work/training program approved by the Human Resources Administration for at least 80 hours per month.
- Comply with a Work Experience Program (WEP) assignment for the number of hours equal to your SNAP grant divided by the minimum wage.

In addition to complying with the requirements listed above, you must report to us if your work hours go below 80 hours a month within 10 days after the end of that month.

Do you think you are exempt from the ABAWD status?

Please contact your SNAP Center if you believe that you are exempt from these requirements because you are:

- A person under 18 years of age, or 50 years of age or older; or
- An adult in a SNAP household with a child under 18 years of age; or
- A caretaker of incapacitated persons; or
- A pregnant woman; or
- Physically or mentally unfit for employment; or
- Participating in a drug/alcohol treatment or rehabilitation program and deemed unable to work; or
- A recipient of Unemployment Insurance Benefits (UIB), or applicant for unemployment compensation and required to register for work as part of the application process; or
- A student enrolled at least half-time in any recognized school, training program, or institution of higher education, provided you have met the student eligibility criteria for SNAP or
- An applicant for SSI and SNAP until deemed eligible or ineligible for SSI; or
- Employed or self-employed and working a minimum of 30 hours per week or receiving weekly earnings at least equal to the Federal minimum wage times 30.

What happens if you become ineligible?

If you become ineligible for SNAP benefits after failing to meet the ABAWD eligibility requirements, you may re-establish eligibility by doing any one of the following:

- Verifying that you will work or participate in a work/training program for at least 80 hours within the 30 days following the date you applied for SNAP benefits;
- Verifying that you have worked or participated in a work/training program for at least 80 hours within a consecutive 30-day period since losing your eligibility for SNAP benefits; or
- Performing job search for a minimum of 12 hours in the 30-day period following the date you applied for SNAP benefits. The 30-day job search period must be followed by a work experience program assignment in the following month if you are unable to find employment after your 30-day period of job search.

If you have re-established eligibility, you will be required to meet the ABAWD eligibility requirements in order to continue to receive SNAP benefits.

However, if you have re-established eligibility and subsequently lose a job or a work program assignment, you may be eligible to receive SNAP benefits for a grace period of three consecutive months beginning with the month following the month that you notify us that you lost a job or a work program assignment.

If you are currently receiving SNAP benefits and have not met the ABAWD requirements for 3 months in the last 36 months, but can verify that you will meet the ABAWD requirements in the next month, you will continue to receive SNAP benefits as long as you meet the ABAWD eligibility requirements.

HRA will make a qualifying work activity available to you, so that you may remain eligible for SNAP benefits beyond the 3-month limit.

SAMPLE

Fecha: _____
Número del Caso: _____
Centro: _____
Nombre del Solicitante/
Participante: _____

Aviso de Estado de Adulto Sano Sin Dependientes (ABAWD)

La Administración de Recursos Humanos (HRA) ha determinado que usted es un Adulto Sano sin Dependientes (ABAWD) porque está sujeto a los reglamentos de empleo del Programa de Asistencia de Nutrición Suplementaria (SNAP), y usted:

- tiene 18 años de edad o más, pero menos de 50 años de edad;
- no está embarazada;
- no reside en un hogar de SNAP con un niño menor de 18 años de edad; y
- apto física y mentalmente para trabajar por lo menos 80 horas al mes.

¿Qué tiene que hacer usted?

Como condición de elegibilidad de SNAP, usted tiene que cumplir los requisitos citados abajo. El incumplimiento de estos requisitos sin causa válida puede resultar en la pérdida de beneficios de SNAP hasta que la elegibilidad sea establecida de nuevo. Como ABAWD, usted perderá la elegibilidad de SNAP si por más de tres (3) meses en cada treinta y seis (36) meses usted no realiza uno de los siguientes:

- Trabajar (incluidos trabajo "a cambio de servicios" y trabajo voluntario) por un total de por lo menos 80 horas al mes. No existe ningún requisito de sueldo por ahora, pero el trabajo realizado no debe desacatar las leyes o reglas Estatales o Federales y/o reglamento(s).
- Participar en un programa de trabajo/capacitación aprobado por la Administración de Recursos Humanos por lo menos 80 horas al mes.
- Cumplir con la asignación del Programa de Experiencia Laboral (WEP) por el número de horas que equivalgan a su asignación mensual de SNAP dividida por el salario mínimo.

Además de cumplir los requisitos listados más arriba, usted debe informarnos, dentro de 10 días del fin de ese mes, cuando sus horas de trabajo se reducen a menos de 80 horas al mes.

¿Cree usted que está exento(a) del estado de ABAWD?

Por favor comuníquese con su Centro de SNAP si cree que usted está exento de estos requisitos porque usted es:

- Una persona de 18 años o de 50 años de edad o mayor; o
- Un adulto de un hogar que recibe beneficios de SNAP con un niño menos de 18 años de edad; o
- Un proveedor de cuidado a personas incapacitadas; o
- Una mujer embarazada; o
- Una persona no apta física o mentalmente para trabajar; o
- Participa en algún tratamiento de droga/alcohol o programa de rehabilitación y que se determine que no esté en condiciones para trabajar; o
- Un beneficiario de Seguro de Desempleo (UIB), o solicitante de compensación de desempleo a quien se requiere se registre para trabajar como parte del proceso de solicitud; o
- Un(a) estudiante inscrito(a) por lo menos a tiempo parcial en cualquier centro educativo reconocido, programa de capacitación, o universidades, siempre que haya reunido los requisitos de elegibilidad para SNAP; o
- Un solicitante de SSI y SNAP hasta que sea considerado elegible o inelegible para recibir SSI; o
- Está empleado o trabaja por cuenta propia un mínimo de 30 horas por semana o esté recibiendo ingresos semanales que por lo menos equivalgan el salario mínimo Federal por 30.

¿Qué pasa si usted pierde su elegibilidad?

Si después de no cumplir los requisitos de elegibilidad de ABAWD, usted pierde la elegibilidad para beneficios de SNAP, puede restablecer la elegibilidad tomando cualquier de los siguientes pasos:

- Confirmando que usted trabajará o participará en un programa de trabajo/capacitación por lo menos 80 horas dentro de los 30 días a partir de la fecha en que usted presentó solicitud para beneficios de SNAP;
- Confirmando que usted ha trabajado o participado en un programa de trabajo/capacitación por lo menos 80 horas dentro de un período de 30 días consecutivos, desde haber perdido su elegibilidad de beneficios de SNAP; o
- Llevando a cabo una búsqueda de trabajo por un mínimo de 12 horas durante el período de 30 días a partir de la fecha en que usted presentó solicitud para beneficios de SNAP. A la búsqueda de trabajo de 30 días le debe seguir una asignación a un programa de experiencia laboral el mes siguiente, si usted no puede conseguir empleo después de su período de 30 días de búsqueda de trabajo.

Si usted ha restablecido su elegibilidad, tendrá que cumplir los requisitos de elegibilidad de ABAWD para que pueda seguir recibiendo beneficios de SNAP.

Sin embargo, si usted ha restablecido elegibilidad y posteriormente pierde un trabajo o asignación del programa de trabajo, usted puede ser elegible para recibir beneficios de SNAP por un período de gracia de tres meses consecutivos a partir del mes siguiente al mes en el cual nos notifique que ha perdido su trabajo o asignación del programa de trabajo.

Si usted actualmente está recibiendo beneficios de SNAP y no ha cumplido los requisitos de ABAWD por 3 meses dentro de los últimos 36 meses, pero puede comprobar que cumplirá los requisitos de ABAWD en el mes siguiente, seguirá recibiendo beneficios de SNAP, siempre que cumpla los requisitos de elegibilidad de ABAWD.

La HRA le brindará una actividad de trabajo que le cualifique, de manera que usted pueda seguir elegible para beneficios de SNAP, más allá del límite de 3 meses.

SAMPLE