



## SNAP 800

# ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)

## Overview

**Supersedes:** SNAP 800 (07/01/2023)

**Reference:** 7 CFR 273.7, 7 CFR 273.24, Food Stamp Act section 6 (D)(2), Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, [PL 104-193](#) (PRWORA), Fiscal Responsibility Act of 2023.

**Overview:** The Able-Bodied Adults Without Dependents (ABAWD) provision limits the receipt of SNAP benefits to three initial months and up to three extended months in a 36-month period. Montana is granted waivers from this limit in geographic areas for one year at a time based on labor market statistics (SNAP 802-1). Any ABAWD meeting the work requirements (801-1) will not have time limits.

### **THREE-MONTH RULES:**

The following rules apply to ABAWD time limits.

1. Montana's new ABAWD span will run from 07/01/2023 through 06/30/2026.
2. The three initial months do not need to be consecutive.
3. The extended months must be consecutive, only apply in particular circumstances (SNAP 803-1), and can only be used once in the three-year period.
4. Prorated months do not count as an ABAWD month.
5. A countable month will not be counted if it can be verified that the benefit wasn't added to the EBT card.
6. Any month of participation in which an individual is exempt from ABAWD provisions due to either a personal exemption or a waiver provision does not count toward the individual's three-month participation limit.
7. Months in which an individual is disqualified for any reason are not counted as ABAWD months for that individual.
8. For individuals **regaining** an ABAWD exemption:
  - A) For individuals regaining eligibility by working, participating in a work program, or combining hours worked and hours participating in a work program, the State agency will either prorate benefits from the day the 80 hours are completed or from the date of new application. 7 CFR 273.24(d)(2)

- B) For a person turning 53, the exemption begins on the first of the month in which the participant turns 53.
9. In a SNAP E&T County, individuals are exempt from time limits by participating in a SNAP E&T qualifying activity or by meeting the work requirements (or any combination thereof).
  10. When the ABAWD period has expired a timely notice of adverse action must be sent.

**EVALUATION OF ABAWD STATUS:**

1. Evaluate each ABAWD applicant/participant for ABAWD exemptions. If an individual is Work Registration Exempt (701-1) they are also ABAWD exempt. All exemptions must be verified and/or narrated per policies 701-1 and 801-1. ABAWD status must also be evaluated at Simplified Report and Recertification.

**NOTE:** If an eligibility staff member has reason to believe an applicant or new household member might have received SNAP benefits in another State, the other State must be contacted to confirm the closure date and number of ABAWD months used. The only exception to this requirement is if the individual has a hard copy verification from the other state confirming the closure date and ABAWD months used.

2. Montana will only count ABAWD months from another State if the months were counted or should have been counted based on the other State's regulations.
3. ABAWD status must be documented in case notes at application, when status changes, at Simplified Report, and Recertification. The case note must state which exemption was claimed and verified. The case note must also indicate ABAWD policy has been explained to non-exempt individuals.

**Effective Date:** April 9, 2024