



SNAP 803-1 Disqualification/Regaining Eligibility

References:	7 CFR 273.7, 7 CFR 273.24, 7 CFR.11, P.L. 104-193 Section 824, Food Stamp Act Section 6 (D)(2)
Overview:	<p>GENERAL RULE: Individuals who have exhausted all Able Bodied Adults Without Dependent (ABAWD) months count the prorated share of income and count all resources of the disqualified individual, but will not include that person in the household size when determining eligibility and allotment. Households must report changes of the disqualified individual according to the household’s reporting requirements. ABAWDS who have exhausted all initial ABAWD months are disqualified from receiving SNAP until they meet one of the following:</p> <ol style="list-style-type: none"> 1. A new ABAWD span begins (SNAP 800). 2. Qualifies for extended ABAWD months (see page 2 of this section). 3. Participates in the SNAP Employment and Training Program (SNAP E&T) (SNAP 701-2). 4. Meets an individual exemption (SNAP 801-1). 5. Lives in a geographically exempt county (SNAP 802-1). 6. Gains a work registration exemption (SNAP 700).
Policy:	<p>ABAWD SPAN Montana has determined the 36 month period to be a fixed period starting January 1, 2015 through December 31, 2017.</p>
	<p>EXTENDED MONTHS A person can be authorized for up to an additional three consecutive months of SNAP benefits after receiving the initial three months once in a 36 month period. In order to receive this extension the individual must meet one of the following requirements.</p> <ol style="list-style-type: none"> 1. Worked 80 or more hours in any 30 consecutive day period after exhausting the initial three months benefits; 2. Participated/complied with SNAP E&T, Workforce Investment Act (WIA), or Trade Adjustment Assistance Act (TAA) program an average of 20 hours a week for 80 hours in a 30 day period after exhausting the initial three months benefits; 3. Any combination of work, in-kind work, and/or participation in a work program for a total of 80 hours in a 30 day period after exhausting the initial three months benefits; or, 4. Worked in exchange for goods or services (“in kind” work) or performed unpaid (volunteer) work for more than 80 hours in a 30 day period after exhausting the initial three months benefits. <p>NOTE: The additional three consecutive months benefits apply to those individuals who met the above criteria, and are no longer fulfilling those work requirements.</p> <p>NOTE: An individual is not eligible for a three month extension if all eligibility requirements are not met. For example, an individual cannot receive extended ABAWD months if he/she is currently disqualified for a probation or parole violation.</p> <p>NOTE: The individual does not have to be receiving SNAP at the time the employment or participation in the work program ends. The individual could have had a closed case due to separate household status during the employment or</p>

	<p>participation in the work program.</p>
	<p>SNAP E&T If an ABAWD applies in one of the four SNAP E&T counties listed in SNAP 701-2, he/she may regain eligibility by participating in the SNAP E&T Program. (See 'Expedite' page 4 of this section.) When an ABAWD individual, who has not used up his/her three initial ABAWD months, applies in one of the SNAP E&T counties, and is eligible for SNAP, do not withhold SNAP for verification of enrollment in SNAP E&T. The ABAWD individual will be referred to SNAP E&T and, as long as he/she complies with SNAP E&T, the ABAWD time clock will not increment (SNAP 700). NOTE: If an ABAWD living in a SNAP E&T county chooses not to enroll in SNAP E&T and has no other exemptions, he/she will be limited to three months of benefits in a 36 month period.</p>
	<p>INDIVIDUAL AND GEOGRAPHIC EXEMPTIONS If an ABAWD gains an individual exemption according to those listed in section SNAP 801-1 or moves to a geographically ABAWD exempt area listed in section SNAP 802-1, he/she would regain eligibility as long as he/she continues to have the exemption. NOTE: When an ABAWD chooses not to enroll in SNAP E&T and has no other exemption, he/she will be limited to three months of benefits in a 36 month period.</p>
	<p>WORK REGIS-OPEN CASES When an ABAWD gains a work registration exemption (SNAP 701-1), the ABAWD time limited provision does not apply. The exemption is effective in the month following the month it is reported and verified.</p>
	<p>OPEN CASES When an individual gains an exemption after exhausting his/her ABAWD months and the remaining members are still open on SNAP, he/she will be added according to the household's reporting requirements one of the following dates: 1. If the ABAWD exemption is due to employment - The month after the individual reports and verifies that he is working 20 hours a week. 2. If it is an ABAWD exemption for attending a work program (SNAP E&T, WIA or TAA) -The month after the individual reports and verifies enrollment. 3. If it is any other ABAWD exemption - The month after the exemption is reported and verified.</p>
	<p>CLOSED CASES When an ABAWD gains an exemption after his/her initial and extended ABAWD period has expired and the case has been closed, he/she must reapply and verify the exemption.</p>
	<p>EXPEDITE An ABAWD <u>with time clock limits</u> who has exhausted all of his/her months is not eligible for SNAP benefits including expedited services. NOTE: In any one of the four SNAP E&T counties, ABAWD individuals who have exhausted their months <u>must be allowed the opportunity</u> to establish eligibility by participating in SNAP E&T. If the applicant agrees to comply with the SNAP E&T program at the time of the interview, he/she will be given a referral to SNAP E&T. In the event that an applicant cannot schedule an immediate intake appointment with SNAP E&T, he/she will be instructed by OPA to begin job search activities an average of 20 hours per week, keeping a log of employer contacts, until the</p>

	<p>enrollment date. SNAP benefits will not be authorized until the SNAP E&T Case Manager verifies the applicant has complied by enrolling in the program; and, when appropriate, submitting job search verification to SNAP E&T. Upon verification, if otherwise eligible, SNAP will be authorized following expedited policy effective the date of application. The date of discovery for entitlement to expedited service will be the date SNAP E&T verifies compliance and benefits will be paid back to the date of application. Benefits must be authorized the date of notification from SNAP E&T.</p> <p>NOTE: When a one-person ABAWD household, who has exhausted time limits, is eligible for expedited services, but states he/she does not intend to comply with SNAP E&T, the application must be denied. In a case where there are other eligible household members, the application will be approved, but the ABAWD is ineligible.</p>
	<p>SIMPLIFIED REPORTING</p> <p>At the time of the interview CSC must inform all ABAWDS of the ABAWD time limited provision and that the ABAWD households are only required to report when their household income exceeds the GMI or when their hours of work decrease below 20 hours a week. CSC will determine if the ABAWD has an individual exemption to the time limit.</p>
	<p>NON-REPORTABLE CHANGES DURING REPORT PERIOD</p> <p>When a non-reportable change occurs <u>and is not reported</u> that causes an ABAWD to lose an exemption, the ABAWD months are re-calculated retrospectively. However, when re-calculating retrospectively, if the ABAWD exhausted his/her ABAWD months and continued to receive more than three months benefits, an overpayment is not established. When a non-reportable change occurs and <u>is reported</u>, the change is acted on with-in 10 days of receiving the reported change.</p>
	<p>STATUS CHANGE</p> <p>When a six month report is processed and it is determined that the client's ABAWD status changed, the OPA Case Manager will re-calculate the ABAWD months.</p>
	<p>ADDING ABAWD INDIVIDUAL</p> <p>In a multiple member household when an ABAWD is not eligible and later reports employment, this change is acted upon under the rules of adding a household member (SNAP 1501-5).</p>
Date Revised	April 2009