



## SNAP 800

# ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)

## Overview

**Supersedes:** SNAP 800 (02/13/17)

**Reference:** 7 CFR 273.7, 7 CFR 273.24, FS Act section 6 (D)(2)

**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 determined its first 36 month period to be a fixed period starting January 1, 2015 through December 31, 2017. **The current 36 month period under this policy begins again January 1, 2018 through December 31, 2020. ABAWD individuals who received all countable months in the first fixed period ending December 31, 2017 could be eligible again for three initial months and up to three extended months beginning January 1, 2018.**
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 unless 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. If a person becomes ABAWD exempt during an ABAWD month, the exemption takes effect the month following the month the exemption is reported. An exception is the month of the 50<sup>th</sup> birthday when the exemption begins the first of the month in which the participant turns 50 years of age.

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:** January 1, 2018