

# SNAP Time Limit for ABAWDs: What Community Groups Should Know



## ***Who is an ABAWD?***

Under federal SNAP rules, an able-bodied adult without dependents (ABAWD) is a SNAP applicant or recipient between 18 and 49 years old who is: not disabled, not pregnant, not living in a household with children.

## ***What is the ABAWD time limit?***

In January of 2016, many states were required to implement this federal SNAP rule. ABAWDs can only get **3 months of SNAP** over a 3 year period—UNLESS the individual meets an exemption from the time limit or certain work rules.

### **In January 2018, two important things are happening for ABAWDs:**

1. More areas of the state will be subject to the 3-month time limit, impacting more low income adults.
2. ABAWDs who lost SNAP since the time limit went into before can **reapply for SNAP again**. January 2018 is the start of a new 3-year period for ABAWDs who lost SNAP before.

## ***Who is exempt from the time limit and work rules?***

ABAWDs do not have to meet the work rules if they:

- Are under age 18 or over age 49
- Live with a child under 18 (even if not their child)
- Getting a disability-based benefit (eg. SSI, VA pension, EAEDC)
- Have a short or long term disability or illness that makes it hard to work
  - To verify this, DTA has an ABAWD Medical Report Form that can be signed by a wide range of health care providers including psychologists, nurses, nurse practitioners, LICSWs, etc.
- Are homeless (no permanent address)
- Are pregnant
- Live in certain MA cities or towns where unemployment is high. See [Mass.gov/DTA](http://Mass.gov/DTA) for a list.
- Earn over \$217.50/week before taxes
- Applied for or get Unemployment Compensation
- Participate in a drug addiction or alcohol treatment program
- Are a student at least half-time (high school or college)
- Care for a disabled person, or a child under age 6 (the ABAWD does not have to live with the person).

## ***How can an ABAWD meet the work rules?***

1. **Work** at least 80 hours/month - roughly 20 hours/week (including in-kind or unpaid work). But, if the ABAWD makes more than \$217.50 per week before taxes, they are exempt.
2. Attend a DTA **employment and training** program for an average of 20 hours/week **OR**
3. **Volunteer** with a non-profit organization a few hours a week to “work for benefits.”

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**MLRI**  
Massachusetts Law Reform Institute

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### ***What is “community service” and how many hours are required?***

- Community service is volunteer work at a non-profit or public organization. Federal SNAP law does not require DTA to find community service placements.
- The number of hours required is based on the ABAWD’s monthly SNAP benefit divided by the state minimum wage (\$11/hour as of January 2017 in MA). For example, an ABAWD getting \$192 in SNAP per month must volunteer 17 hours/month –or about 4 hours/week.
- The community organization needs to sign the ABAWD Work Program Participation Report each month.

To find possible Employment and Training Programs or community service slots, visit [SnapPathToWork.org](http://SnapPathToWork.org) or call 1-888-483-0255

### ***What if my client had a good reason for missing work?***

An ABAWD can claim “good cause” if they are working but not doing 20 hours per week of work. Good cause for missing hours of work includes illness, transportation issues or bad weather bad weather that shut down the workplace. As long as the ABAWD had a job but missed work hours for reasons “beyond his or her control,” DTA should not terminate the SNAP benefits. DTA will ask for proof of the good cause.

### ***What else should I know?***

- **ABAWDs who lost SNAP since the time limit started in MA in January 2016 may be eligible for at least 3 more months of SNAP, starting in January 2018.** If a low income adult does not get SNAP, encourage them to apply.
- An ABAWD may qualify for a second 3-month period of SNAP if they met the work rules in the past. Tell DTA if the ABAWD met the work rules while they were not on SNAP to make sure they get the second 3 months.

### ***What are my client’s rights if SNAP benefits are denied or closed?***

- Help the client download the **DTA Connect** mobile app to send DTA proofs, look at the SNAP case information, and see DTA notices.
- Call the DTA Assistance Line at **1-877-382-2363** to talk with a SNAP worker about why the SNAP was denied. If you disagree with what the SNAP worker says or they cannot answer your questions, you can ask to speak to a Supervisor or the Office Director (make sure to have a signed consent form sent to DTA so you can talk about the case).
- Call the DTA Ombudsman’s office at **617-348-5354** and ask them to review the case.
- Request a hearing if your client disagrees with DTA’s decision. There is an appeal form on the back of the DTA notice. Fill this out and fax or mail it back to DTA. The client can have the hearing by phone or in person. You can also attend the hearing.
- Contact a local Legal Services office for more information: [www.masslegalhelp.org](http://www.masslegalhelp.org)

For more Information and updates, visit [www.Masslegalservices.org/ABAWD](http://www.Masslegalservices.org/ABAWD)