



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

Family Investment Administration
ACTION TRANSMITTAL

Control Number: #04-30

Effective Date: July 1, 2004

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

FROM: KEVIN M. MCGUIRE, EXECUTIVE DIRECTOR

**RE: LOSS OF CECIL COUNTY WAIVER TO THE WORK REQUIREMENT
FOR ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)**

PROGRAM AFFECTED: FOOD STAMP PROGRAM

ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS

SUMMARY:

Each year the State submits a new ABAWD waiver to the Food and Nutrition Service for approval. We base the waiver request on data from the U.S. Department of Labor.

Based on current data for 2004, the exempt jurisdictions are Allegany County, Dorchester County, Garrett County, Somerset County, Worcester County and Baltimore City.

Cecil County is no longer exempt from the special work requirements for ABAWDS.

ACTION REQUIRED:

Beginning July 1, 2004, Cecil County will begin to apply the ABAWD work requirements at application and the next recertification for ongoing cases.

POLICY REMINDERS:

Exempt Jurisdictions

ABAWDS who live in the six exempt jurisdictions (Allegany County, Dorchester County, Garrett County, Somerset County, Worcester County and Baltimore City):

- ◆ Are not subject to the three-month time limit on food stamp eligibility; and
- ◆ Do not have to meet the ABAWD work requirements in order to receive food stamps.

Food Stamp benefits received in any month an individual lives in an exempt jurisdiction do not count toward the three months of food stamp benefits in a 36-month period.

Nonexempt Jurisdictions

- ◆ For ABAWDS who live in any jurisdiction other than those listed above, the case manager must:
 - Review past management of each household member to determine their ABAWD status; and
 - Remember that a person moving from any exempt jurisdiction, into a non-exempt jurisdiction, may only receive two three-month certifications of food stamps, in 36 months, unless they meet the work requirements for ABAWDS.
- ◆ Work requirements for ABAWDS include:
 - Working at least 20 hours per week (averaged monthly 80 hours per month);
 - Participating in and complying with a Workforce Investment Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than job search or job search training program) for 20 hours per week;
 - Participating in vocational training for 20 hours per week;
 - Participating in a work experience program governed by the Fair Labor Standards Act (FLSA) requirements; or
 - A combination of work and participation in a work program that totals 20 hours per week averaged monthly.

36-Month Period

The current 36-month time period began November 1, 2002 and will run through October 31, 2005.

PAYMENT ACCURACY:

- ◆ Local departments must ensure that anyone who is ineligible because of the ABAWD requirements does not receive benefits.
- ◆ When a household that includes an ABAWD moves from one jurisdiction to another, before issuing benefits, the case manager must review:
 - Past receipt of food stamps; and
 - The waiver status of the prior jurisdiction.

Quality Control will:

- ◆ Verify, as of the review date the:
 - Status of individual household members as ABAWDS; and
 - Program participation history of any household member determined to be an ABAWD.

- ◆ Cite an error if it is determined that, as of the review date:
 - The household contains members who are ABAWDS who have exceeded their time limits for participation.
 - Changes that should have been reported by the household were not reported.

See Section 130 of the Food Stamp Manual for the complete policy for work requirements. You can access the manual through the DHR FIPNET. If you have Internet access, you can go to the manual at <http://www.dhr.md.state.us>.

ACTION DUE:

The change in policy is effective with applications and recertifications taken on or after July 1, 2004.

INQUIRIES:

Please direct questions to Kay Finegan at 410-767-7939.

cc: FIA Management Staff
Constituent Services
DHR Help Desk