

**DSS ADMINISTRATIVE LETTER NO. ECONOMIC SERVICES 12-2005, 2006 Regional ABAWD Waiver (November 8, 2005)**

**(Food Stamps)**

**TO:** County Directors of Social Services

**ATTENTION:** Food Stamp Supervisors

**DATE:** November 8, 2005

**RE:** 2006 Regional ABAWD Waiver

**EFFECTIVE DATE:** December 1, 2005

**I. Background**

Each year, the Department of Labor releases a national list of counties that have a 24-month average unemployment rate that exceeds the national average by 20 percent. Seven areas within North Carolina were on the August 15, 2005 list. Each is a contiguous sub-area of one of the seven economic development regions in the state. The seven regions are West, Piedmont Triad, Charlotte, Research Triangle, Northeast, Eastern, and Southeast. Eighty seven North Carolina counties meet the high unemployment criteria.

USDA has approved a waiver request to exempt Able Bodied Adults without Dependents (ABAWDs) from the three-month time limits in these areas. The waiver is effective December 1, 2005 through November 30, 2006, and is called the 2006 Regional ABAWD waiver.

Last year, 77 counties exempted ABAWDs from the time limits either through the ABAWD waiver for Labor Surplus Areas or because some NC citizens received extended unemployment benefits. That waiver ends November 30.

Five counties, Durham, Forsyth, Orange, Union and Wake, who were on the waiver last year are not eligible for the 2006 Regional waiver. These counties will be allowed to continue exemption of their ABAWD population by utilizing the ABAWD 15% exemption. Under this exemption, USDA allows states to exempt no more than 15% of a state's ABAWD population from the three month time limits. These counties, along with Carteret and Chatham, will be allowed to exempt ABAWDs from the time limits through November 30, 2006.

Under the 2006 Regional ABAWD waiver and the 15% exemption, ABAWDs can continue to receive Food Stamp benefits beyond the three months out of thirty-six months regulatory restriction. These ABAWDs maintain eligibility and aid in your county's efforts to increase participation in the Food Stamp Program by exempting as many ABAWDs as possible from the time limits.

A chart is attached to identify each county's status regarding treatment of ABAWDs.

## **II. POLICY AND PROCEDURES**

A. For all counties covered by the Regional Waiver or who are covered by the 15% exemption, certify households containing an ABAWD according to the household's recertification type. Work registration requirements are still applicable under the ABAWD waiver and the 15% exemption, and Food Stamp Employment and Training (E&T) requirements and sanctions for non-compliance continue to apply.

B. During the month of December, ABAWDs (except geographically exempt and Workfare counties) will be eligible using the state's 15% ABAWD exemption. All individuals with an ABAWD code will be counted electronically; no manual case adjustment is necessary.

C. Regional Waiver Counties: Effective December 1, 2005, enter code 13 in the work registration field (80E) for newly eligible ABAWDs. Enter code Z in field 80K to track the ABAWD. The code will be entered automatically the night of November 30 for those individuals who currently have an ABAWD code. Because your county is a waiver county, there is no need to change the code until the waiver expires or the eligibility of the ABAWD changes. For Quality Control purposes, please note the waiver date on each individual ABAWD tracking form.

D. 15% Exemption Counties: Effective December 1, 2005, enter the new code 16 in the work registration field (80E) for newly eligible ABAWDs. Enter code Z in field 80K to track the ABAWD. The code will be entered automatically the night of November 30 for those individuals who currently have an ABAWD code. Because your county is waived by the 15% exemption, there is no need to change the code until the waiver expires or the eligibility of the ABAWD changes. For Quality Control purposes, please note the waiver date on each individual ABAWD tracking form.

E. Geographically Remote and Workfare Counties: There are no procedural changes as a result of the approval of the Regional Waiver. However, code 11 will be entered automatically the night of November 30 for those individuals who currently have an ABAWD code and live in the Workfare counties (Mitchell and Surry).

F. January 2006 through December 2008 starts a new thirty-six month period for ABAWD eligibility. Use an ABAWD tracking chart to document and track the new 36-month period.

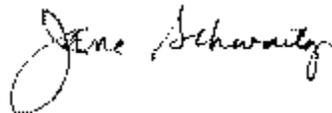
### III. IMPLEMENTATION INSTRUCTIONS

Effective December 1, 2005, at each application, recertification, and change in situation, evaluate each potential ABAWD. Determine eligibility as appropriate. Use the appropriate two-digit numerical ABAWD work registration code found in Food Stamp Manual Section 245 to track ABAWDs.

At each application, recertification, and change in situation, if there is an ABAWD whose dependent relationship code is J (ineligible ABAWD), add the ABAWD back to the food stamp case after verifying all other eligibility factors. Change the dependent relationship code (field 80K) to Z, and use the appropriate work registration code (field 80E) on the DSS-8590 and ABAWD tracking form. Re-register the ABAWD with the Employment Security Commission using the NCSES-2624 or refer the ABAWD to Career Start, if appropriate.

If you have any questions concerning the policy contained in this letter, please contact your Food Assistance and Energy Programs Representative.

Sincerely,

A handwritten signature in cursive script that reads "Jane Schwartz". The signature is written in black ink and is positioned above the typed name.

Jane Schwartz, Chief

Economic Services Section

[Attachment](#)