

DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 5-2015
FNS ABAWD Policy Clarifications and Procedural Requirements
(December 17, 2015)

(Food and Nutrition Services)

TO: County Directors of Social Services

ATTENTION: Food and Nutrition Services Managers, Supervisors and Program Integrity Supervisors

DATE: December 17, 2015

SUBJECT: FNS ABAWD Policy Clarifications and Procedural Requirements

EFFECTIVE: January 1, 2016

I. GENERAL INFORMATION

The purpose of this letter is to provide additional policy clarifications and procedures received from United States Department of Agriculture (USDA) regarding Able-Bodied Adults without Dependents (ABAWD) who are determined unfit for work.

II. POLICY PROCEDURES

ABAWD Exemptions

According to Federal regulations, an individual can be exempt from the ABAWD Work Requirement due to chronic homelessness or alcohol / drug addiction. These issues can result in the ABAWD being unfit for work and consequently exempt from ABAWD time limits.

If unfitness for work is obvious, this determination can be made by the FNS Eligibility worker. If unfitness for work is not obvious, a collateral statement from a Medical Professional, Social Worker, Counselor, FNS Employment and Training Assessment Worker, Homeless Shelter Worker, or Community Services Worker, etc. is acceptable.

1. **Chronic Homelessness** resulting in unfitness for work: Living on the street, in a car, or in a homeless shelter. If the ABAWD attests that s/he is homeless because s/he may not have a place of her/his own, but is living in a home with someone else, this individual is not considered "homeless" for the purpose of exemption from ABAWD time limits since s/he has a place to stay.
2. **Alcohol / Drug Addiction** resulting in unfitness for work: The ABAWD's involvement in alcohol / drug treatment is not required, however a Medical Professional, Social Worker, Counselor, etc. would need to attest that the ABAWD's alcohol / drug addiction negatively effects the individual's fitness for work.

NOTE: The exemptions from the ABAWD Work Requirement indicated above are not necessarily long-term exemptions and could be for less than a month. The FNS worker would need to speak with the individual or a collateral contact to determine the

length of the exemption. It is crucial to re-evaluate exemptions for chronic homelessness and alcohol / drug addiction at recertification. If the ABAWD is exempt from ABAWD time limits for any part of the month, the individual is exempt for the entire month.

These exemptions from the ABAWD Work Requirement are not exemptions from FNS Work Requirements. The individual would still be a work registrant if an exemption in FNS 240 Work Requirements are not met.

Volunteer Work

Approve and accept legitimate public/private nonprofits, churches, community organizations and governmental agencies as volunteer sites to enable the ABAWD to fulfill the work requirement.

An updated ABAWD Desk Reference to include the above is also attached.

Submit any questions regarding this policy to the DHHS Operational Support Team (OST) at ost.policy.questions@dhhs.nc.gov.

Sincerely,

A handwritten signature in cursive script that reads "David Locklear".

David Locklear, Chief
Economic and Family Services Section

Attachment (1): [ABAWD Desk Reference](#)