

DEPARTMENT OF HUMAN SERVICES FAMILY INVESTMENT ADMINISTRATION	SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) MANUAL	
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106.1 Purpose

Individuals who are identified as Able-Bodied Adults Without Dependents (ABAWDs) may not participate in the Supplemental Nutrition Assistance Program (SNAP) if they have received SNAP benefits for more than three (3) countable months during a set 3 year (36 month) period except under certain circumstances detailed in this policy.

106.2 General Requirements

ABAWD requirements apply statewide unless a particular area is awarded a waiver by the Food and Nutrition Service (FNS). The current 36 month period began July 1, 2023 and continues through June 30, 2026. A new 36 month period will begin on July 1, 2026. During these 3 year spans, an individual who is an ABAWD is only eligible for 3 months of SNAP benefits without being in compliance with or exempt from work requirements. Once their 3 months are used, the ABAWD is not eligible for SNAP benefits (including Expedited SNAP) until they either are in compliance with work requirements (detailed below in section 106.6) or meet an ABAWD exception. See section 106.10 for more information about regaining SNAP eligibility.

- A. Countable months are months where an individual receives SNAP benefits for the full month while not:
 - a. Exempt from work activity due to one (1) of the exemptions/exceptions listed in section 106.4,
 - b. Covered by a waiver awarded by FNS,
 - c. Fulfilling the work requirements detailed in section 106.6,
 - d. Receiving prorated benefits for a part of a month, or
 - e. In the month of notification from a SNAP Employment and Training (SNAP E&T) provider determining non-compliance or unsuitability of the individual.
- B. Countable months do not have to be consecutive.

106.3 Screening

Screening is critical to the successful implementation of ABAWD policy and is **required at each SNAP application and redetermination** or when adding an individual to an active SNAP case. Identifying customers who are not subject to ABAWD requirements can help local departments reduce the number of customers who must be tracked and monitored for compliance with work

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106.3 Screening (continued)

requirements. Failure to screen individuals may result in households being under or overpaid SNAP benefits. Payment errors will count toward our Quality Control (QC) payment error rate.

The Eligibility and Enrollment (E&E) system is automated to complete ABAWD screening for each individual based on the case information entered.

A Local Department of Social Services (LDSS) may elect to use an ABAWD screening tool separate from E&E. A printable copy of a screening tool is available for the LDSS office, SNAP outreach partners, and other community partners who assist us with screening when they complete an application for a customer requesting SNAP benefits. Whenever a screening tool is used, it must be scanned or uploaded to Case Documents.

NOTE: Remember that if the information in E&E is not correct and/or verification is not scanned and uploaded into Case Documents, it is the same as if it doesn't exist.

106.4 ABAWD Exceptions

The 3 month ABAWD time limit does not apply to an individual if they are:

- A. Under age 18,
- B. Age 65 or older,
- C. Determined by the state agency to be medically certified as physically or mentally unfit for employment. An individual is medically certified as physically or mentally unfit for employment if they:
 - a. Are receiving temporary or permanent disability benefits issued by governmental or private sources,
 - b. Is obviously mentally or physically unfit for employment as determined by the state agency or eligibility worker,
 - c. If the unfitness is not obvious, they provide a statement from a (licensed) physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, psychologist, social worker, or any other medical

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106.4 ABAWD Exceptions (continued)

personnel the state agency determines appropriate, that they are physically or mentally unfit for employment.

- D. Residing in the household of a member under age 14, even if the household member who is under 14 is not eligible for SNAP themselves,
 - a. This exception expires the month after the youngest child in the SNAP household turns 14.
- E. Pregnant,
- F. Exempt from Work Registration for one of the following reasons:
 - a. Experiencing physical or mental barriers to work,
 - b. Responsible for the care of a child under age 6 or a person who needs help caring for themselves,
 - c. Going to school, college, or a training program at least half-time (student policy prevails),
 - d. Receiving or have applied for unemployment benefits,
 - e. Meeting the work requirements for Temporary Cash Assistance (TCA),
 - f. Working 30 hours or more per week or earning at least \$217.50 per week (federal minimum wage times 30 hours), or
 - g. Participating in a drug addiction or alcohol treatment and rehabilitation program.
- G. Indian: Any individual who is:
 - a. A member (or whose parents or grandparents were) of an Indian tribe, even if they are not currently recognized by the federal government right now or if they were terminated,
 - b. An Alaska Native (including Eskimos, Aleuts, or other Alaska Natives),
 - c. Considered an Indian by the Secretary of the Interior, or

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106.4 ABAWD Exceptions (continued)

- d. Determined to be an Indian under regulations by the Secretary of the Interior.
- H. California Indian: Any individual who is:
 - a. A member of a federally recognized California Indian tribe,
 - b. A descendant of an Indian who was residing in California on June 1, 1852, if the descendant is either part of a local Indian community program or is considered an Indian by their community,
 - c. An Indian who holds trust interests in public land, national forest land, or reservation allotments in California, or
 - d. Listed for asset distribution from California reservations under the Act of August 18, 1958, or if they are a descendant of someone on that list.
- I. Urban Indian: Any individual who is an Indian (as defined above) **AND** is living in any community that the Secretary of the Interior determines has enough of an urban Indian population with unmet health needs to warrant assistance.
- J. Each year, the Food and Nutrition Service (FNS) awards every state an allotment of Discretionary Exemptions with the goal to prevent SNAP recipients from losing benefits due to their inability to find appropriate work activities. A Discretionary Exemption is counted for each month used by each ABAWD individual. Discretionary Exemptions are exclusively applicable to ABAWDs who do not qualify for any other exemption or exception as outlined in the ABAWD policy.

Reminder: Verification is only required in instances where information is questionable. See [SNAP Manual Section 408 Verification](#) for additional information.

106.5 Notices

Once an ABAWD is identified, the agency is required to inform them of the ABAWD work requirement and the three month ABAWD time limit both in writing and orally. An eligibility worker must provide a verbal explanation of the work requirements and rule out available exceptions. To satisfy the

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106.5 Notices (continued)

written component, E&E will automatically generate a Consolidated Work Notice as part of the SNAP approval letter once the case is finalized.

Warning notices are automatically generated when an ABAWD uses a countable month. The notice explains the work requirements and informs the customer of the number of months remaining out of the 3 month ABAWD time limit.

106.6 Meeting Work Requirements

An ABAWD is compliant with work requirements when they have documented that they participate in any combination of the following work activities for a total of 20 hours per week or an average of 80 hours per month.

- A. Working (at a job or self-employed),

NOTE: Self-employed ABAWDs who are working only 20 hours a week must register for work. Working 20 hours per week meets the ABAWD requirement, but not the Work Registration requirements.

Self-employed ABAWDs are not exempt from Work Registration unless they are working at least 30 hours per week.

- B. Participating in and complying with a Workforce Innovation and Opportunity Act (WIOA) program, Trade Adjustment Assistance Act program, or SNAP Employment and Training program (other than job search or job search training program),
- C. Participating in a work experience program governed by the Fair Labor Standards Act (FLSA) requirements, or
- D. Volunteering at a non-profit organization.

NOTE: ABAWD customers follow simplified reporting requirements **and** must report if their work activity hours drop below 20 hours per week or 80 hours per month. ABAWD customers must also verify weekly participation in a work activity if the activities are outside of a SNAP E&T training program (local in-house programs and third-party partners).

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106.7 Work Activity Tracking

When the SNAP case is finalized, E&E will automatically transmit case information to WORKS, the system that Maryland uses to track work activity and compliance. For ABAWDs that are not meeting the work requirement through employment and are not exempt, work activity is managed in WORKS by the LDSS or a SNAP Employment and Training (SNAP E&T) vendor contracted by the state.

106.8 Good Cause

If an ABAWD would have fulfilled the ABAWD work requirement but missed some hours for good cause, the agency may consider the ABAWD to have fulfilled the requirement as long as the absence is temporary and they expect to return to the activity.

- A. If the ABAWD is granted good cause, the eligibility worker must narrate the reason thoroughly in E&E.
- B. Verification is only required if the situation is questionable.
- C. Good cause includes circumstances beyond the ABAWD's control such as, but not limited to:
 - a. Illness,
 - b. Illness of another household member requiring the presence of the member,
 - c. A household emergency, or
 - d. The unavailability of transportation.

106.9 Verifying Work Activities

Once an employer or vendor verifies that the ABAWD is meeting the ABAWD work requirements, ongoing verification throughout the certification period is not required. ABAWDs follow simplified reporting requirements with the additional requirement to inform the agency if their participation hours drop below 20 hours per week or an average of 80 hours per month.

DHS created two forms for the LDSS and/or vendor to use to verify ABAWD work activity information. Workers must assist the customer in completing their portion of the form, if necessary. Completed forms must be returned to

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106.9 Verifying Work Activities (continued)

the LDSS and are accepted by mail, fax, in-person, or by uploading them directly into the [Maryland Benefits Consumer Portal](#).

- A. The **Verification of Participation in an Activity form (FIA 500-B)** contains two sections that require both the customer and the customer's supervisor to complete. The supervisor's signature is also required in each section.
- B. The **Verification of Disability form (FIA 500-A)** contains one section that the customer completes, and a second section that must be completed and signed by a certified, licensed health professional. A physician does not have to sign the form. Examples of acceptable non-physician health care providers include, but are not limited to: Licensed Clinical Social Workers (LCSW), midwives, Registered Nurse Practitioners (RNP), therapists, and acupuncturists.

Reminder: An obvious or an otherwise known disability does not require verification. Eligibility workers have discretion when applying an ABAWD exemption due to a disability. Eligibility workers are required to narrate all actions and include the type of disability exemption in E&E.

106.10 Regaining Eligibility

- A. When an ABAWD uses the third countable month of the 3 month time limit because they are not exempt from work requirements and are not meeting the work requirements, E&E will automatically close the SNAP case. The ABAWD customer will regain eligibility for SNAP benefits after the date the case closes by re-applying for SNAP and:
 - a. Verifying that they worked or participated in a work activity for 20 hours per week or an average of 80 hours per month in the last 30 days or
 - b. Meeting the criteria for an exemption.
- B. ABAWD Notices, mailed to the customer each month during their 3 month ABAWD time limit, explain how the customer can re-apply to regain eligibility.

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106.10 Regaining Eligibility (continued)

- C. Once eligibility is regained, the ABAWD is eligible for continued SNAP benefits as long as they continue to meet the ABAWD requirements.
- D. If eligibility was regained through employment and the ABAWD subsequently stops meeting the work requirements again, they are eligible for one set of 3 additional months of consecutive SNAP benefits beginning the next month.

Example: Ms. Forrester used all three months in her three month ABAWD time limit in July 2023, and then in April 2024, and May 2024. Her SNAP case closed on May 31st because she was not meeting SNAP work requirements. In July 2024, Ms. Forrester reapplied for SNAP benefits. She verified that she was working 40 hours per week beginning June 2024 and was laid off of work and is not eligible for Unemployment Insurance. She is eligible for her second 3 ABAWD months of benefits in September 2024, October 2024 and November 2024. She must meet ABAWD work requirements to continue to receive benefits after that time.

Reminder: ABAWDs must comply with or be exempt from work requirements before receiving any additional SNAP benefits (including Expedited SNAP) after using their 3 ABAWD months (and 3 additional months, if applicable).

106.11 Reporting Changes

ABAWDs are subject to simplified reporting with the exception of reporting when their work hours drop below 20 hours per week or an average of 80 hours per month. ABAWDs must also verify their weekly activity hours completed outside of a SNAP E&T Program.

106.12 Benefits Received in Error

If a customer who is subject to the ABAWD work requirement receives SNAP benefits when they are not eligible, then the benefits are overpaid. The customer must repay the SNAP benefits received in error whether the agency or the customer made the mistake. The eligibility worker must process the benefit error in E&E. For detailed procedures on overpayments, please see Section 490 of this manual on Claims.