

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



April 21, 2008

ALL COUNTY INFORMATION NOTICE NO. I-24-08

TO: ALL COUNTY WELFARE DIRECTORS
 ALL COUNTY FOOD STAMP COORDINATORS
 FOOD STAMP EMPLOYMENT AND TRAINING
 COORDINATORS

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation
 Change
 Court Order or Settlement
 Agreement
 Clarification Requested by One
 or More Counties
 Initiated by CDSS

SUBJECT: APPROVAL OF ABLE-BODIED ADULT WITHOUT DEPENDENTS (ABAWD)
 WAIVER FOR 2008-2009

REFERENCE: WELFARE AND INSTITUTIONS CODE SECTION 18926

This is to inform counties that the United States Department of Agriculture Food and Nutrition Service (FNS) has approved a one-year waiver from the ABAWD work requirement for 52 counties within California. The waiver will begin May 1, 2008, and end April 30, 2009.

County eligibility for the ABAWD waiver was determined by using the unemployment rate for the northern and central regions of California. Fifty-one northern and central California counties qualify for the waiver based on a collective average unemployment rate of at least 20 percent above the national average during November 2005 through October 2007. The fifty-one counties are:

Alameda	Alpine	Amador	Butte
Calaveras	Colusa	Contra Costa	Del Norte
El Dorado	Fresno	Glenn	Humboldt
Inyo	Kern	Kings	Lake
Lassen	Madera	Marin	Mariposa
Mendocino	Merced	Modoc	Mono
Monterey	Napa	Nevada	Placer
Plumas	Sacramento	San Benito	San Francisco
San Joaquin	San Luis Obispo	San Mateo	Santa Barbara
Santa Clara	Santa Cruz	Shasta	Sierra
Siskiyou	Solano	Sonoma	Stanislaus
Sutter	Tehama	Trinity	Tulare
Tuolumne	Yolo	Yuba	

In addition, Imperial County qualifies for the waiver based on having an average unemployment rate of at least 20 percent above the national average during November 2005 through October 2007.

Waiver Implementation and ABAWD Policies

Waiver counties are reminded of the following procedures, which are also contained in ACIN I-07-08:

- The county must inform the ABAWD residing in the county that they are not subject to the ABAWD work requirement for those months they reside in the county while the waiver is in effect. [Refer to the suggested language enclosed with this letter]
- The county must continue to track and report the status of any ABAWD residing in a waiver county. The status of the ABAWD must be entered as “exempt” on the Medi-Cal Eligibility Data System until April 30, 2009, or until the end of the ABAWD’s 36-month period, whichever is earlier.
- The county must not establish a 36-month calendar for a new ABAWD applicant during the waiver period or restart the 36-month calendar for any ABAWD whose 36-month period ends while the waiver is in effect.
- The county must continue to apply Food Stamp Employment and Training (FSET) program sanction requirements at Manual of Policies and Procedures (MPP) section 63-407 and voluntary quit sanction requirements at MPP section 63-408. This is because the ABAWD waiver has no effect on FSET participation requirements or program sanction rules. Persons under food stamp sanction shall not be approved until the sanction has been completed or they qualify for one of the work registration exemptions at MPP Section 63-407.21.
- Individuals, who were previously discontinued for failure to meet the ABAWD work requirement, and subsequently reapply for non-Assistance food stamps in a waiver county, shall be approved for benefits, if otherwise eligible. Such persons are not subject to the ABAWD work requirement so long as they live in a county where it is waived. FSET and voluntary quit sanctions do not stop when an individual moves to a county under a waiver.
- As appropriate, all counties, including waiver counties, must continue to report work registrant, ABAWD, and FSET data on the STAT 47 and 48 reporting forms. For purposes of completing the STAT report forms and FSET plan handbook,

persons who do not meet one of the ABAWD exemptions at MPP sections 63-410.31 or .32 are still considered an ABAWD even while residing in a county under a waiver.

Counties that are not eligible for the ABAWD waiver or opt out of the waiver can exempt a portion of their ABAWD population using the 15 percent ABAWD exemption. These exemptions allow counties to grant food stamps for additional months to an ABAWD who has used their three out of 36-months and whose circumstances make it difficult to satisfy the work requirement.

Counties are given the flexibility to set criteria used in granting the 15 percent exemption as well as the number of months the exemption will be granted. Illiteracy, living in remote areas, an inability to speak, read, or write English, seasonal employment, social and emotional barriers, and temporary employment of less than 20 hours per week are examples of criteria that counties have established in determining if an ABAWD will receive the 15 percent exemption.

If you have any questions concerning this letter, please contact Robert Nevins at (916) 654-1408.

Sincerely,

Original Document Signed By:

RICHTON YEE, Chief
Food Stamp Branch

Suggested Language for Notices to ABAWDs Regarding
Waiver of the ABAWD Work Requirement

I. Non-FSET Counties:

Starting May 1, 2008, you will not need to meet the Able-Bodied Adults without Dependents (ABAWD) work rule to get food stamps in this county. The ABAWD work rule said you could only get food stamps for three out of 36 months unless you worked or took part in training for 20 hours a week, or took part in workfare.

Here's Why:

The county's or region's unemployment rate was 20 percent above the national average, and the federal government excused this county from the ABAWD work rule. If you move to another county during this time, you may have to meet the ABAWD work rule. You will get another notice if you must meet the ABAWD work rule.

II. FSET Counties:

Starting May 1, 2008, you will not need to meet the Able-Bodied Adults without Dependents (ABAWD) work rule to get food stamps in this county. The ABAWD work rule said you could only get food stamps for three out of 36 months unless you worked or took part in training for 20 hours a week, or took part in workfare.

You may still need to take part in a food stamp training program or workfare project we send you to. We will contact you if you need to do this.

Here's Why:

The county's or region's unemployment rate was 20 percent above the national average, and the federal government excused this county from the ABAWD work rule. If you move to another county during this time, you may have to meet the ABAWD work rule. You will get another notice if you must meet the ABAWD work rule.