

DEPARTMENT OF SOCIAL SERVICES

744 P Street Sacramento, CA 95814



January 5, 1998

ALL-COUNTY LETTER NO. 98-02

Reason for this Transmittal:

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

TO: ALL COUNTY WELFARE DIRECTORSee
ALL COUNTY FOOD STAMP COORDINATORS

SUBJECT: DETERMINING COMPLIANCE WITH THE ABAWD WORK REQUIREMENT FOLLOWING
EXPIRATION OF ABAWD WAIVERS

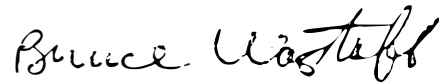
REFERENCE: ALL COUNTY LETTER NO. 97-23
ALL COUNTY LETTER NO. 97-35
ALL COUNTY LETTER NO. 97-45

This letter transmits instructions for use by counties in determining compliance with the Able-Bodied Adult Without Dependents (ABAWD) work requirement following expiration of ABAWD waivers. These instructions had been initially transmitted through an All-County Food Stamp Coordinator's letter dated November 17, 1997. These instructions apply to all counties where the ABAWD work requirement has been waived.

When an ABAWD waiver expires, the 36-month period for nonexempt food stamp recipients begins the first of the month following expiration of the waiver in that county. However, in light of recently released Federal policy, the county is not required to immediately determine compliance with the ABAWD work requirement. Instead, the county may wait as late as recertification to determine whether an individual has satisfied the ABAWD requirement. The county may also decide whether the ABAWD requirement has been met when a household reports a change and benefits are adjusted. In the case of those who apply for food stamps after expiration of an ABAWD waiver, the county must immediately begin tracking compliance with the ABAWD work requirement.

Whenever an individual is found ineligible due to failure to meet the ABAWD work rule, requirements at Manual of Policies and Procedures (MPP) Section 63-410.4 shall apply. Effective November 6, 1997 final ABAWD regulations repeal the requirement, at MPP Section 63-410.45, that food stamps received beyond the three-month limit identified in MPP Sections 63-410 and 63-410.52 be treated as an overissuance. Therefore, when an ABAWD waiver expires and the county waits until recertification to determine ABAWD compliance for food stamp recipients, food stamps received beyond the three-month limit identified in MPP Section 63-410 shall not be treated as an overissuance, unless other food stamp requirements have been violated.

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

A handwritten signature in cursive script that reads "Bruce Wagstaff".

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division