

December 16, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-103

The purpose of this All County Letter is to inform County Welfare Departments that the U.S. Department of Agriculture, Food and Nutrition Service has approved a two-year statewide waiver of the Able-Bodied Adult Without Dependents time limit requirement under [Title 7 Code of Federal Regulations Section 273.24](#). The waiver is effective November 1, 2022, through October 31, 2024. A copy of the approved waiver is attached to this letter.



KIM JOHNSON
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

December 16, 2022

ALL COUNTY LETTER (ACL) NO. 22-103

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM SPECIALISTS
ALL CONSORTIA REPRESENTATIVES
ALL QUALITY CONTROL COORDINATORS

SUBJECT: CALFRESH TWO-YEAR STATEWIDE ABLE-BODIED ADULT
WITHOUT DEPENDENTS TIME LIMIT WAIVER

REFERENCE: [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) SECTION 273.24](#); [ALL COUNTY LETTER \(ACL\) NO. 19-93](#); [ACL NO. 22-40](#); [ACL NO. 22-74](#).

The purpose of this ACL is to inform County Welfare Departments (CWDs) that the U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS) has approved a two-year statewide waiver of the Able-Bodied Adult Without Dependents (ABAWD) time limit requirement under [Title 7 Code of Federal Regulations \(CFR\) Section 273.24](#).

The two-year statewide ABAWD waiver is effective November 1, 2022 through October 31, 2024. This waiver was approved based on having an average state unemployment rate of 7.2 percent, greater than 20 percent above the national average of 5.7 percent during the 36-month period of August 2019 through July 2022. This new waiver will replace the existing 12-month waiver transmitted via [ACL No. 22-40](#), issued on May 20, 2022. A copy of the approved two-year waiver is attached to this letter.

CALIFORNIA WAIVER IMPLEMENTATION POLICIES

Regardless of waiver status, counties must remain ready to transition off the waiver when it expires and reintroduce the time limit. All counties must continue to:

- Identify ABAWDs, screen for exemptions, and inform clients of ABAWD rules.

- Provide the CalFresh Informational Notice – CalFresh Time Limit for ABAWDs (CF 377.11C) to ABAWD households. Once the CalFresh Notice of Work Rules (CF 886) is automated in the California Statewide Automated Welfare System (CalSAWS), the CF 377.11C will become obsolete, and counties must then provide the CF 886 with a comprehensive oral explanation of each applicable work rule to all household members subject to the CalFresh work rules.
- Track and report work registrant, ABAWD, and Employment and Training (E&T) data on the Non-Assistance CalFresh Work Registrants, Able-Bodied Adults Without Dependents, and Employment and Training Program Quarterly Statistical (STAT 47) report.

For more information on county responsibilities pertaining to ABAWDs, see [ACL No. 19-93](#) and [ACL No. 22-74](#).

If you have questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at CalFreshPolicy@dss.ca.gov.

Sincerely,

Original Document Signed By

JENNIFER TROIA
Chief Deputy Director
California Department of Social Services

Attachment



United States Department of Agriculture

Food and
Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

October 21, 2022

Kathy Yang
Acting Chief
CalFresh and Nutrition Branch
Department of Social Services
744 P Street
Sacramento, California 95814

RE: SNAP – California Request to Waive Able-Bodied Adults Without Dependents
Time Limit – Initial – Approval

Dear Acting Chief Yang:

This is in response to the California agency's September 21, 2022, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs) for two years. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. This approval, effective November 1, 2022, through October 31, 2024, replaces California's current Statewide ABAWD waiver, approved for July 1, 2022, through June 30, 2023.

FNS also reminds the State agency that it must measure the 3-year period and track ABAWDs on a continuous basis, even in areas under a waiver. The State must continue tracking so that the State will be ready to transition off the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:

Catrina Kamau

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Catrina Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

Enclosure

**ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)
WAIVER RESPONSE**

- 1. Request Type:** Initial
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** California
- 5. Food and Nutrition Service (FNS) Region:** Western
- 6. Requirement:** Section 6(o) of the Food and Nutrition Act of 2008 and regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than 3 months during any 3-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) and 7 CFR 273.24 also provide that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
- 7. Requested Area(s) and Support:** The State agency requested to replace an approved 12-month Statewide waiver of the ABAWD time limit that expires on June 30, 2023 (Waiver Information Management System Case 00003696) with a 24-month Statewide waiver of the ABAWD time limit from November 1, 2022, through October 31, 2024. The State agency supported its request based upon the State having an aggregate average unemployment rate 20 percent above the national average for the 36-month period of August 2019 through July 2022. During this period, the national average unemployment rate was 5.7 percent; 20 percent above that rate is 6.8 percent. The average unemployment rate for the State was 7.2 percent during the 36-month period.

**Table 1: State (Bureau of Labor Statistics Local Area Unemployment Data,
August 2019 – July 2022)**

State	Unemployment Rate
California	7.2%
<i>Data extracted from http://www.bls.gov on October 5, 2022</i>	

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8. FNS Action and Justification: FNS is approving the State agency's request to waive the ABAWD time limit. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.

9. Authority: The waiver is approved pursuant to Section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).

10. Implementation Date: November 1, 2022

11. Expiration Date: October 31, 2024

12. Information Required to Submit a Modification, Extension, or New Waiver: To receive a modification, extension, or submit a new waiver to replace the current waiver, the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.

13. State Agency Contact Information:

Name: Louise Thao

Phone Number: 916-809-5922

Email: Louise.Thao@dss.ca.gov

14. FNS Regional Office Contact Information:

Name: Barbara Smith

Phone Number: 415-705-2229

Email: barbara.smith2@usda.gov