



Food and  
Nutrition  
Service

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**APRIL 17, 2017**

**SUBJECT:** SNAP – Requirements for Informing Households of ABAWD Rules

**TO:** Regional Directors  
Supplemental Nutrition Assistance Program  
All Regions

Section 6(o) of the Food and Nutrition Act of 2008, as amended (the Act), limits the time able-bodied adults without dependents (ABAWDs) can receive Supplemental Nutrition Assistance Program (SNAP) benefits to 3 months in any 36-month period, unless the individual meets the ABAWD work requirement or is otherwise exempt. The Food and Nutrition Service (FNS) has recently received questions about the State agency's responsibility to inform SNAP households about the ABAWD time limit and work requirement. While Federal policy provides clear rules on what the State must do to inform applicants and clients about SNAP, FNS recognizes that administering the program for ABAWDs can be particularly complex and administratively challenging. This memorandum addresses these State concerns by clarifying what they must do in regard to informing and notifying applicants and clients about ABAWD policy. Please note that this memorandum does not concern identifying ABAWDs subject to the time limit or screening for exemptions from the time limit; guidance on those topics is available under *ABAWD Policy Resources* at: <https://www.fns.usda.gov/snap/able-bodied-adults-without-dependents-abawds>.

In the context of informing households of ABAWD policy, the State agency must do the following:

**1. Inform ABAWD households of the time limit, work requirement, and exemptions.** The State must inform ABAWD and potential ABAWD households<sup>1</sup> of the time limit, exemption criteria (including exemptions from the general work requirements), and how to fulfill the ABAWD work requirement, as these rules and responsibilities are fundamental to their eligibility for SNAP. At a minimum, this must take place during the eligibility interview. Relevant Federal policy is provided by regulations at 7 CFR 272.5(b)(1) and 273.2(e)(1); FNS' March 2015 *Expiration of Statewide ABAWD Time Limit Waivers*; FNS' June 2015 *ABAWD Questions and Answers*; and FNS' November 2015 *ABAWD Time Limit Policy and Program Access*.

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<sup>1</sup> An existing ABAWD household includes an individual who is clearly an ABAWD at the time of certification. A potential ABAWD household includes an individual who can be reasonably anticipated to become an ABAWD at some point within the certification period.

**2. Inform ABAWD households of the requirement to report whenever their work hours fall below 20 hours per week, averaged monthly.** This requirement applies regardless of the type of reporting system that the State assigns to potential ABAWDs, and must take place at application, recertification, and when the State agency transfers households to a new reporting system. Under simplified reporting, the State must explain this reporting requirement both orally and in writing. Relevant Federal policy is provided by regulations at 7 CFR 273.12(a)(1)(vii) and 273.24(b)(7).

**3. Provide written notice of adverse action (NOAA) before applying the time limit.** The NOAA that is used before applying the time limit must explain in clear and understandable terms that the individual is ineligible because he or she is subject to the 3-month ABAWD time limit and has failed to fulfill the ABAWD work requirement. This NOAA must also include the action the household must take to end the ineligibility (or regain eligibility), the benefit level of any remaining households members (if applicable), and other information prescribed by 273.13(a) and 273.11(c)(4)(ii), such as the right to a fair hearing. This notice must be mailed at least 10 days prior to the date the action takes effect on the case. Relevant Federal policy is provided by regulations at 7 CFR 273.13(a)(1) and (a)(2); 273.11(c)(4)(ii).

Please distribute this guidance to your State agencies and advise them to contact their respective FNS Regional Office (RO) points of contact with any questions and for technical assistance. FNS RO should contact Sasha Gersten-Paal at [sasha.gersten-paal@fns.usda.gov](mailto:sasha.gersten-paal@fns.usda.gov) with any questions.



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