

Checklist to Help Unemployed Adults (ABAWDs) Requalify for SNAP Benefits

In January of 2016, Massachusetts and many other states implemented the federal “3-month time limit” for SNAP (food stamp) benefits. The 3-month rule affects certain childless individuals ages 18 to 50 (Able Bodied Adults Without Dependents, or ABAWDs). Many ABAWDs who have lost SNAP can get back on if they are now exempt, meet the work rules, or qualify for a **second 3-month period** of SNAP benefits. Three steps:

1. Does the individual meet ANY of the exemptions listed below? **If YES, then SNAP eligible!**

- homeless (lacking stable nighttime residence)
- has an illness or injury that reduces his/her ability to work, or individual gets a disability-based benefit
- lives in the same household as child under 18, or is pregnant (any stage of pregnancy)
- provides care for a child (outside the home) under age 6 or cares for a disabled individual
- participates in a substance abuse disorder program, or mental health treatment program
- lives in Berkshire, Hamden, Dukes, Nantucket Counties or one of the cities or towns in Massachusetts with high unemployment (see [MAP](#) of areas exempt for calendar year 2017)
- in school at least half time, including most community college degree or certificate programs
- is unable to work due to domestic violence (a DTA DV specialist will determine), OR
- receives or is awaiting Unemployment Insurance (UI) benefits.

2. Does the individual meet any of the SNAP “work rules” now? **If YES, then SNAP eligible!**

- Is working 20 hours a week (80 hours/month) or more, includes in-kind work and self-employment
- attends an education/training program (20 hrs/week), or has finished and is looking for work
- is doing community service for up to 4.5 hours/ week (17 hours/month) – depends on SNAP amount
- is working with an organization to revise or seal a CORI (criminal offender record)

3. Does the individual meet the rules to get an **additional THREE months of SNAP** – even if not currently meeting the ABAWD work rules? **If YES, they should be SNAP eligible.**

Both state and federal SNAP rules¹ allow ABAWDs to qualify for three additional months of SNAP benefits – even if the ABAWD is not currently meet the work rules. Known as “regaining” benefits under the SNAP rules, ABAWD can qualify for more SNAP if they got back on SNAP while meeting a work rule, OR they were off SNAP but worked enough hours in 30 days. This is confusing, but here’s how MLRI thinks it works:

- Individuals who reapply for SNAP, find a DTA-approved community service placement and will complete up to 17 hours within the month², or will complete an employment/training program.** After the month(s) of qualifying work, this individual should qualify for the additional 3 consecutive months of SNAP. This is true, even if the community service activity or ET program ends.
- Individuals who did at least 80 hours of work within any 30 day period – at ANY time since losing their regular SNAP.** If an individual reapplies for SNAP and can show 80 hours of work (paid, in-kind, self-employed) during ANY 30 day period, that individual should qualify for the additional 3 months.

Examples of how ABAWDs “regain” SNAP for the extra three months:

- **Regain eligibility through community service:** Mary, age 27, lost her nursing license in 2015 and used her initial 3 months of SNAP in 2016. Still unemployed, Mary reapplied for SNAP on April 1, 2017 with the help of a local food pantry. The food pantry also offered Mary 5 hours/week of community service for April. DTA approved her application after they got proof she would be doing at least 17 hours of community service (enough hours for the max \$194 SNAP). At the end of April, the food pantry tells Mary they do not have any more volunteer hours for May and beyond. DTA should approve Mary for the three (3) additional full months of SNAP – even if she is NOT doing any more community service or work.
- **Regain eligibility after completing an employment or training program:** Sarah, age 42, raised two children but they have moved on. She used up her 3 months of SNAP in 2016. Sarah heard about a two month tractor-trailer certificate program offered by Jewish Vocational Service. She reapplied for SNAP in mid-February and was told that she could do the certificate program if she got proof from JVS that she was enrolled and participating in the same month. Sarah completed the certificate program and got SNAP for those two months. After the program is done in mid-April, Sara was still looking for work, but not meeting the work hours. DTA should approve Sarah for SNAP while looking for work, and also offer her the 3 consecutive months of SNAP after that if she needs it³.
- **Regain eligibility through proof of past work:** Tom, age 20, got his 3 months of SNAP in the summer of 2016. In January of 2017, Tom borrowed a friend’s car and did over 80 hours of work. He was not receiving SNAP when he worked. His job did not last and Tom reapplied for SNAP on May 10, 2017. DTA should approve Tom for his month of application (a partial SNAP month), plus three additional months of SNAP – as long as he shows DTA that he worked 80 hours or more in a single 30 day period since he last lost SNAP. He does not need to meet the work rules the month he reapplies for SNAP.

The extra 3-months of SNAP are consecutive one-time benefits. These extra benefits can help clients put food on the table while looking for work! Also important, “partial months” of SNAP benefits (e.g. less than 30 days) should not count in calculating the three additional SNAP months.

NEXT STEPS: If you are helping an individual who might be currently exempt, who is willing to do immediate community service, or who has proof of past work (80 hours in a 30 day period), file a new SNAP application! If your client is denied SNAP, contact Legal Services.

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For more information: www.masslegalservices.org/ABAWD

¹ The State SNAP rules on “regaining” eligibility for the three additional months are found at 106 CMR §362.320(F) and (H), the federal SNAP regulations at 7 CFR §273.24(d) and (e).

² For maximum SNAP grant of \$194, 17 hours/month of community service is required. Less if SNAP grant would be lower.

³ DTA currently provides a special “15% exemption month” for job search done after completing an employment and training program, so the 3 months should follow that.