

The Trump Administration's 3 Rules Cutting SNAP: Overview & Harm in Massachusetts

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Rule	General Overview	What the Rule Would Change	Status of Rule	Estimated Harm in MA
<p>Able Bodied Adults Without Dependents (ABAWDs) – Three month time limit</p>	<p>3 months of SNAP in 3 years for 18-49 year old “ABAWDs” not otherwise exempt (eg. disabled, living with a child, pregnant, homeless) <u>or</u> meeting rigid work rules.</p> <p>But states can exempt ABAWDs from time limit a) in areas of the state with elevated rates of unemployment <u>or</u> b) grant certain individual exemptions.</p>	<ul style="list-style-type: none"> USDA rule drastically shrinks criteria states use to exempt ABAWDs living in areas with elevated unemployment (called “geographic waivers”). Reduces ability of states to grant individual exemptions for ABAWDs with special situations (eg. in training program with hours less than 20/week, sealing a CORI). 	<p>Federal comment period ended April 10, 2019. Final rule issued Dec. 5, 2019.</p> <p>Unless halted by court, restrictions go into effect 4/1/20. ABAWDs subject to rule lose SNAP starting 7/1/20. Lawsuit filed on 1/16/20 by 15 AGOs including MA AGO).</p>	<ul style="list-style-type: none"> MA to lose all geographic waivers. Approx 16K-20K MA individuals likely to lose SNAP.¹ Approx \$30M-\$40M/year annual loss of fed SNAP in MA. State will lose most unused “individual exemption” months on 10/1/20.² In future, prevents DTA from providing SNAP to individuals during economic downturns.
<p>Broad Based Categorical Eligibility (BBCE)- Higher SNAP gross income, no asset test</p>	<p>State SNAP option to:</p> <ul style="list-style-type: none"> Use higher gross income limit for SNAP households (federal limit is 130% of the Federal Poverty Level - FPL) No asset test for SNAP.³ <p>42 states have option. MA has a 200% FPL gross income limit & waives asset test.</p>	<ul style="list-style-type: none"> Would restrict state option to allow low-wage worker households with gross income above 130% FPL to qualify, even if household has very low <u>net</u> income. Would restrict state option to waive SNAP asset test. 	<p>Federal comment period ended Nov. 1, 2019.</p> <p>Final rule NOT issued.</p>	<ul style="list-style-type: none"> DTA approximates 50K MA households (100K individuals) would lose all SNAP. DTA approximates \$124M/year loss of fed SNAP in MA.⁴ Loss of automatic free meal status for approx. 8,000 MA children; families between 130%-175% FPL must pay co-pay for school meals.⁵
<p>Standard Utility Allowance (SUA) – Shelter costs & SNAP math</p>	<p>Utility costs are part of shelter cost calculation for SNAP math (heating, cooling, electricity, cooking gas, trash collection, phone, etc). SNAP benefit based on countable net income. The “SUA” standardizes utility costs so households don’t have to verify actual costs - saving energy/time for states & households, and reducing errors.</p>	<ul style="list-style-type: none"> Would require USDA to set the heating/cooling SUA based on a federal methodology. States not allowed to use state energy data to inform the federal calculation. New England states & other high energy cost states would have to use a lower SUA value that does not fully capture utility expenses, triggering SNAP loss. 	<p>Federal comment period ended Dec. 2, 2019.</p> <p>Final rule NOT issued.</p>	<ul style="list-style-type: none"> DTA approximates 220K MA households would lose some SNAP and 78% of these would lose about \$60/month.⁶ Approx \$130M/year loss of fed SNAP in MA. Disproportionately harms low income older adults and persons with disabilities.⁷

MORE INFORMATION:

Mass Law Reform resources:

- MLRI webpage on ABAWDs, including FAQs on 2019 geographically waived areas of MA and current exemptions: [Masslegalservices.org/ABAWD](https://masslegalservices.org/ABAWD)
- MLRI infographic on impact of “broad-based categorical eligibility” SNAP rule change on MA families with children: [Masslegalservices.org/system/files/blog/BBCE- Taking_Away_Food_From_Massachusetts_Working_Families_7-29-19.pdf](https://masslegalservices.org/system/files/blog/BBCE-Taking_Away_Food_From_Massachusetts_Working_Families_7-29-19.pdf)
- MLRI flier on impact of “standard utility allowance” rule on Massachusetts posted here: [Masslegalservices.org/SUAFAQ](https://masslegalservices.org/SUAFAQ)
- MLRI comments submitted to USDA in opposition to the three proposed SNAP rules: [Masslegalservices.org/MLRI-2019-SNAPcomments](https://masslegalservices.org/MLRI-2019-SNAPcomments)

National partner resources:

- Food Research and Action Center (FRAC) webpage on SNAP-related cuts and regulatory action: <https://www.frac.org/action/regulatory-action>
- Center for Budget and Policy Priorities (CBPP) webpage on SNAP/food assistance, proposed rules, chart books and program data: <https://www.cbpp.org/topics/food-assistance>
- Coalition on Human Needs (CHN) webpage on food and nutrition, media releases and action steps <https://www.chn.org/issues/food-nutrition/>

¹ Impact estimate based on approximate numbers from DTA in Jan 2020, plus anticipated impact from temporarily expanded waived areas for 2020.

² If MA doesn't use its accrued “individual exemption SNAP months” by Oct 1, 2020, MA faces a potential loss of an additional (approximately) **\$12.5 million** of SNAP benefits (benefits the state can no longer extend to ABAWDs) in the last quarter of 2020 or carry over into 2021.

³ Without the cat el option, the SNAP asset test otherwise is \$3,500 for elder/disabled households and \$2,250 for non-elder/disabled households (families with children, childless individuals).

⁴ SNAP impact on caseload and costs from DTA's 9/23/19 public comments with USDA on the proposed rule broad-based categorical eligibility rule.

⁵ Ibid.

⁶ SNAP impact on caseload and per case SNAP drop from DTA's 11/22/19 comments filed with USDA on the proposed changes to the standard utility allowance (SUA).

⁷ Under the SNAP math, most households are only allowed to claim a maximum of \$569/mo shelter costs (fed law caps the deduction at this amount).

However, SNAP households with a member age 60 or severely disabled (SSI severity of disability) are allowed to claim “uncapped” shelter costs that exceed 50% of pre-net income. This rule will lower the value of the shelter costs counted in the SNAP math, artificially increasing the net income used in the SNAP math and lowering the SNAP benefit.