

Department of Social and Health Services

Olympia, Washington

EAZ Manual

Revision #945
Category ABAWDs- Able-Bodied Adults Without Dependents
Issued
Revision Author: Corinna Adams
Division CSD
Mail Stop 45440
Phone 360-725-4640
Email adamsc2@dshs.wa.gov

Summary

Updating “Unable to Work” section regarding chronic homelessness and the incapacitation exemption. Adding a section regarding FAP recipients. Updates to the TANF section per Clarification Request #4174. Updating the Workfare section. Other grammar fixes.

.....
Revised ~~May 12, 2016~~[November 15, 2016](#)

Purpose:

[WAC 388-444-0030](#) Do I have to work to be eligible for Basic Food benefits if I am an able-bodied adult without dependents (ABAWD)?

- [Clarifying Information and Worker Responsibilities](#)

[WAC 388-444-0035](#) Who is exempt from ABAWD work requirements?

- [Clarifying Information and Worker Responsibilities](#)

[WAC 388-444-0040](#) Can I volunteer for an unpaid work program in order to meet the work requirements under [WAC 388-444-0030](#)?

- [Clarifying Information and Monitoring](#)

[WAC 388-444-0045](#) How does an ABAWD regain eligibility for Basic Food after being closed for the three-month limit?

- [Clarifying Information and Worker Responsibilities](#)

Administrative Hearing Procedures

Clarifying Information - [WAC 388-444-0030](#)

Countable Months

A *countable month* or *non-qualifying month* refers to any month in which an ABAWD receives Basic Food benefits for the full benefit month while not:

- Being exempt from the 3-month time limit
- Fulfilling ABAWD work requirements
- Being covered by a waiver of the ABAWD time limit
- Being exempted for the month using one of the State's 15 percent exemption

If a client enrolls into a qualifying program to participate, but does not reach the full participation for that month, then they will accrue a countable month against the three month time limit.

36-Month Period

~~The current~~[The current](#) 36-month time limit period began January 1, 2015 and ends December 31, 2017.

Another 36-month period will begin January 1, 2018.

Even though the current 36-month period is in effect, we **do not** count any month before January 2016 against an ABAWD's three-month time limit.

NOTE:

ABAWDs and households that contain ABAWDs receive a certification period as described under [WAC 388-416-0005](#), but they cannot receive more than three full months of benefits without meeting the ABAWD work requirements.

Children in the home

When an Assistance Unit (AU) includes a member that is under age 18, all adults in the AU are exempt from ABAWD participation and are not considered ABAWDs, regardless of their responsibility to care for the child. Sometimes the child may not be eligible, such as due to alien status or failure to provide their Social Security number; this does not affect the ABAWD status of the adults in the home. If the child is not on the AU, such as in a roommate situation where the adults purchase and prepare separately, the client will still be considered an ABAWD.

NOTE: If there is a child in the AU there are not any ABAWDs. However, this does not automatically exempt the adult(s) in the AU from work registration. The work screen should still be correctly coded to reflect the adult(s) work registration status.

State Funded Food Assistance Program (FAP) Clients

FAP ~~must~~ follows the same rules as ~~the~~ federally funded food assistance ~~program (SNAP)~~ except for ~~the the~~ citizenship requirements (WAC 388-400-0050 #2). ~~This means that~~ To maintain eligibility, FAP recipients ~~can~~ be that meet the definition of ABAWD ~~ABAWDs~~ in non-exempt areas are required to:

- ~~w~~Work,
- ~~p~~Participate in a-n approved employment and training program~~back to work programs,~~
- ~~v~~Volunteer in Workfare, or
- ~~q~~Qualify for a personal exemption. ~~in order~~

to maintain eligibility.

NOTE: FAP clients are not eligible for BFET or RISE. See the ABAWD section for a list of other state approved employment and training activities. ~~Only SNAP recipients are eligible for BFET or RISE. FAP clients may be eligible to participate in another State approved Employment and Training program.~~

Temporary Assistance for Needy Families (TANF) Clients

TANF clients aren't ~~not~~ subject to ABAWD time limits because they have children or meet the pregnancy exemption for ABAWD participation. ~~If a pregnant TANF recipient does not have any other children and they are sanctioned for non-participation in Work first activities they- Do not code them as an ABAWD.~~

A pregnant TANF recipient, with no other children, that who is sanctioned for non-participation in Workfirst WorkFirst activity can be disqualified from Basic Food under the Work Registration rules. ~~-Do not exempt them from Work Registration as Ppregnancy is not an exemption, from work registration. If a pregnant TANF client is the only person on the AU, they would not accrue ABAWD non-qualifying months even if they fail to cooperate with WorkFirst. They still may be disqualified from Basic Food under non-ABAWD work registration rules if they are sanctioned from TANF and not otherwise exempt from work registration.-~~

Moving Between Non-Waived and Waived Areas

A n waived area:	A non-waived area:
<ul style="list-style-type: none"> • Are not required to meet <u>Exempt from</u> ABAWD work requirements while they live in an exempt area. 	<ul style="list-style-type: none"> • Must meet ABAWD requirements to stay eligible for Basic Food.

1. If an ABAWD moves to a waived area, the person becomes exempt from ABAWD work requirements.
2. If an ABAWD moves from a waived to a non-waived area during the 36-month period, they must meet ABAWD work requirements or have a personal exemption from ABAWD requirements. The three-month period starts with the first full month of benefits in this status received in the non-waived area.
3. If a client has previously used countable months during the same 36-month period, those months of non-participation still count toward the three-month limit.
 - Moving between waived and non-waived areas does not restart the 3-out-of-36 month clock.

- The months stop or start based on the exemption for the area where the person now lives.
- 4. If an ABAWD loses eligibility for Basic Food due to the three-month limit and later moves to an exempt area, they are eligible to receive Basic Food while living in any exempt area.

Employment or Work:

Work means providing a paid service to an employer.

- This also includes in-kind work and rental income, based on the actual number of hours the client works.
- The wage offered should not be less than the state minimum wage or in-kind goods or service of equal value.
- ABAWDs can work an average of 80 hours per month to avoid gaining countable months. For example the work could be 20 hours per week, or even 39 hours if the client is paid every other week (39 x 2.15).
- Self-employed persons must work 20 hours or more per week (averaged monthly or 80 hours per month) to meet the ABAWD work requirement. Annual hours cannot be averaged for ABAWD participation.

Worker Responsibilities - [WAC 388-444-0030](#)

Out of State Countable Months

If there is evidence the ABAWD received food benefits in another state, verify any non-qualifying months received from that state. If the months accrued during Washington's current 36 month period update the clients Worker Registration Details screen.

A written or verbal statement from the other state agency of countable months is acceptable proof. This should be checked at application despite the client moving to a waived area in Washington.

- Verify with that state the number of months the ABAWD has received benefits without participating in work requirements; and
- Input the months that were accrued after 1/1/2016. Document the information.
- Expedited cases can be approved with postponed verification.

NOTE:

If the client was not exempt and had a countable month in another state, we count that month, even if the client would have been exempt had they been receiving the benefits in Washington [stateState](#).

EXAMPLE:

Joe is an [ABAWD who ~~chronically~~ is chronically homeless and unable to work ABAWD](#) that was receiving benefits in Idaho. He is now applying for benefits in Washington. The worker verifies that Joe accrued two countable months in Idaho, as he lived in a non-exempt area and did not participate. Idaho does not explicitly exempt chronically homeless as Washington does.

The worker records Joe's two countable months in Idaho despite the difference in exemption policy.

Now that Joe lives in Washington [stateState](#), he is coded exempt for the current and ongoing months as he is unable to work due to his living situation.

Clarifying Information - [WAC 388-444-0035](#)

Consideration of Exemptions

ABAWD participation exemptions are ~~considered as~~ reasons that an ABAWD client is not able to participate in work or work activities for 80 hours a month.

Personal Exemptions

Personal exemptions apply in both exempt and non-exempt areas.

The priority for exemptions is:

1. Use any personal exemption the ABAWD may have. The personal exemptions include:

- Caretaker of an incapacitated person;
- Physically or Mentally unable to work;
- Pregnancy;

~~If the ABAWD does not have a personal exemption, there may be one more exemption they can qualify for. This is they may qualify for the limited “15% additional exemption” and is currently reserved for clients who if they are participating in less than 80 hours a month in the Resources for Initiating Successful Employment (RISE). A specialized unit will be responsible for identifying and documenting when a client receives this exemption. Please contact RISE at _____ to review each case before entering this exemption.~~

~~3-2. Use exempt area if the client can't meet no other exemptions can be met and the client lives in an area waived by the USDA; use exempt area.~~

NOTE:

See [APPENDIX I](#) for a complete list of counties and other areas that are exempt from ABAWD requirements. [the ABAWD website](#) for more information about exempt and nonexempt areas.

Caretaker for a disabled adult

Only the individual(s), ~~not the entire household, with~~ responsibility for ~~the care of an incapacitated person determined to be incapacitated~~ is exempt from the ABAWD ~~provisions; not the entire household.~~ The ~~incapacitated person being cared for~~ does not have to reside in the same household [as the responsible individual](#).

Physically or Mentally Unfit for Employment

~~This means that the~~ client is physically or mentally unfit [for employment if unable](#) to work for at least twenty (20) hours per week ~~or 80 hours a month to meet the ABAWD work requirements.~~ [Examples of reasons they are unfit for employment](#) ~~This~~ can include:

- Going through Drug/Alcohol Treatments
- Receiving L&I, Veterans, or private disability insurance
- ~~Chronic homelessness~~ [Chronically Homeless \(see link for more information before apply this exemption\).](#)

See more in the [Unable to Work](#) section.

Worker Responsibilities - WAC 388-444-0035

Verifying a Personal Exemption

1. Accept a client's statement for personal exemptions, such as pregnancy or inability to work, unless it is questionable.
2. To verify questionable information have the client provide:
 - a. Proof of the claimed exemption; or
 - b. An acceptable collateral source who we can contact for further verification.
3. If a client claims to be physically or mentally unable to work please refer to the **Unable to Work** section.
4. If the client is not able to verify their claim for an exemption, make a decision using the available information that is in the client's case file. Document your decision on the exemption.
5. The client is exempt from ABAWD requirements pending aif they are sent for a HEN/ABD determination ~~until the determination is made.~~
 - a. If the client is denied HEN/ABD:
 - Review the reason for denial. Even though the client ~~may not be~~ is not eligible for HEN/ABD, they ~~client~~ may still be ~~eligible for a worker determined~~ "unable to work" exemption based on the Unable to Work exemption. Follow the steps in the ~~next~~ Unable to Work section.
 - ~~If t~~The client is ~~not eligible for an exemption they are~~ required to participate in work requirements if they are not eligible for an exemption.
 - a. If non-qualifying months remain:
 - i. Send a notice to the client giving 10 days advanced notice that they must participate
 - ii. Participation is required the first of the month following the end of the 10 day advanced notice
 - b. If no non-qualifying months remain:
 1. Send a notice to the client to terminate Basic Food for reason, "Failed ABAWD Requirement" effective the end of the month after 10 day Advanced Notice.
 - b. If the client is approved HEN/ABD:
 - For HEN the client is exempt from work registration for reason "unable to work".
 - For ABD the client is exempt from work registration for reason "federally/state determined disabled"
6. Clients that are ineligible due to having reached the three month time limit are not eligible based on an unverified questionable exemption claim, even if the client is expedited.

EXAMPLE:

On March 14th, ~~you review a worker reviews John's a person's~~ denial for ABD and determines that he that the person is an ABAWD who does ~~n't not~~ qualify for the "federally/state determined disabled" -exemption. The worker sends John ~~Send them~~ a letter on March 15th to inform ~~them him~~ that ~~they he~~ must meet ABAWD work requirements to remain eligible for Basic Food. Since the letter provides at least 10 ~~days notice~~ days' notice before the beginning of the next full month, ~~tell them in the the~~ letter should include text that ~~they he~~ must start meeting the work requirements on April 1st.

Unable to Work

ABAWD personal exemption from participation due to being **unable to work**:

Note: for the purposes of documenting ABAWD personal exemptions in the system “Temporarily Incapacitated” or the “TI” coding is equal to “unable to work.” This **is not the same** as ABD or HEN definitions of incapacity determined by social workers.

Unable to work means that the client is physically or mentally not able to work due to a physical or mental barrier, at least eighty-80 hours a month as required by the ABAWD rules.

If a client states they are unable to work and there isn't a reason to question the claim, document that the client is “*exempt from ABAWD participation due to not being able to work*” and use the appropriate coding on the work screen for this.

If the client's statement is questionable, attempt to get a collateral contact from someone aware of the person's circumstances / condition. If you cannot make this contact by telephone, you can advise the client to get collateral contact from a reliable source and provide DSHS 14-541 (www.dshs.wa.gov/forms).

NOTE:

We **cannot** require a particular type or form of verification. See [WAC 388-490-0005](#).

We automatically consider someone as unable to work if they receive any of these disability benefits ~~with verification of this income:~~

- Veterans Disability Benefits (*any level*)
- L&I or other Worker's Compensation
- Private disability insurance benefits

Collateral contact can come from:

- A medical professional: nurse, doctor, psychologist, psychiatrist, etc.
- Drug or alcohol treatment professional
- **Any reliable medical source** that is familiar with the circumstances that make the client unable to work twenty hours a week.

When further verification is needed:

1. If the client has non-qualifying months left (WORK Registration/ Participation Screen) and is otherwise eligible for benefits, ~~then a~~ Approve Basic Food with the client coded as a non-exempt ABAWD ~~if they have non-qualifying months left (WORK Registration/ Participation Screen) and are otherwise eligible for benefits~~. Set a communication ~~set~~ to the ABAWD specialized team for review of verification. Send a request for verification notice to the client. ~~If the client does not provide this verification, they~~ The client ~~is~~ ~~are~~ not exempt from the ABAWD time limits ~~if they fail to provide verification~~. When ~~the~~ deadline for the third month approaches, ~~the~~ client will receive notification that their benefits will terminate if they do not participate or meet a personal exemption.
2. If the client doesn't have countable months available, pend the case to the ABAWD Specialized Team for further determination. Send ~~a~~ request for verification notice to the client. ~~The specialized team will deny benefits if~~ the client does not provide this verification benefits will be denied.

NOTE:

If the client's statement changes, ~~to~~ ~~to~~ able to work, they can meet participation with any qualified work activity to remain qualified for basic food.

Chronic Homelessness:

A chronically homeless client may have a personal exemption for ABAWD work participation because they be are unable to work at least 80 hours a month. Homelessness on its own is not an exemption. due to chronic homelessness and therefore have a personal exemption from ABAWD work participation. ~~A “chronically~~

homeless” This determination should be made after completing the interactive interview involving the entirety of the person’s situation or through a thorough case review when a client is determined to be an ABAWD. Staff will use all aspects of the client’s situation and prudent person to decide if the client is homeless and unable to work. Homelessness on its own is not enough to be an exemption. food assistance employment and training to

Examples of chronic homelessness:

- The client states they are homeless and do not have a regular nighttime place to sleep, “living on the streets”
- The client’s residence or mailing address is a shelter location
- The client has a history of homelessness
- The client is homeless with housing or “couch surfing”

AND one or more of the following:

- The client requires an Equal Access Plan
- The client has a(n) diagnosed or undiagnosed mental or physical barrier
- The client is obviously not work ready in appearance or behavior

Staff will document eClearly document your their decision exempt the client for using the “unable to work” exemption.

NOTE:

A person’s inability to work does not have to be for a specific duration of time to meet the exemption. Simply, the client will be Staff will -asked about the client’s ability to work during their next certification or re-certification. If it is questionable at that time, then updated verification will be required.

Clarifying Information - WAC 388-444-0040

Volunteer and unpaid work programs.

ABAWDs can combine work and work programs to fulfill the 80 hour per month requirement.

Workfare

Workfare is unpaid work performed by an ABAWD for a public or private non-profit organization. Workfare is available to non-exempt ABAWDs **only**. Workfare is not available The activity is not available to non-ABAWDs, since ABAWDs are limited to only three months of benefits without participating in work, job search, or a work-like program. and they cannot volunteer for workfare.

1. **Self-directed uUnpaid work in the community** - ABAWDs can meet their work requirement by completing volunteer hours at a non-profit or public agency.

- a. The number of Workfare hours ~~an ABAWD is required to volunteer to retain benefits~~ is the amount of the assistance unit's Basic Food allotment divided by the state minimum wage. There is a [reconciliation chart](#) for reference.
- b. An ABAWD may volunteer at any non-profit agency that agrees to provide volunteer work ~~Workfare~~ opportunities for ABAWDs to meet their work requirements. The non-profit must ~~complete the~~ have an current Workfare Site agreement 09-866 and communicate with the ABAWD Specialized Unit.
- ~~b.c.~~ Clients must receive a referral from DSHS to that site before their hours will begin to "count".

If you are a non-profit agency interested in becoming a Workfare Site please inquire with jobhelp@dshs.wa.gov.

Non-profit agencies agree to verify that the ABAWD has met their hourly requirement. Upon verification we will not count a month against the three-month limit. The Workfare nonprofit agencies also agree to notify us when a participant is no longer meeting the required hours.

State approved Employment and Training programs for ABAWD Participation

There are a number of programs that ABAWDs can participate in to meet participation.

- Basic Food Employment and Training (BFET) – This is a statewide program managed by DSHS, community based organizations and colleges that provide training, retraining, job search and other supplemental support services to Basic Food recipients. This is not available to FAP clients.
- Resources for Initiating Successful Employment (RISE)- This is a pilot study implemented by DSHS and DSHS, community based organizations and colleges that provide barrier reduction, training, retraining, job search and other supplemental support services to Basic Food work registrants in King, Pierce, Spokane and Yakima counties. This is not available to FAP clients.
- Limited English Proficiency (LEP) Pathway- This program is for refugees and other special immigrants (under the five year bar) to gain English skills and other trainings and support to join in the workforce. Available to some FAP clients; please check with the Office of Refugee and Immigrant Assistance (ORIA) for more information.
- Programs included with the Workforce Investment and Opportunity Act (WIOA)
- Program included under Section 236 of the Trade Act of 1974
- Washington Service Corps/AMERICORPS;
- Corrections Clearinghouse;
- NAFTA Transitional Adjustment Assistance Programs;
- Seattle Jobs Initiatives (SJI);
- And others as they apply

ABAWD Participation in BFET or RISE

Participating in Basic Food Employment and Training (BFET) ~~or the Resources to Initiate Successful Employment (RISE) pilot~~ in King or Pierce County can be used to meet work requirements for ABAWDs as an approved Employment and Training Program. The Resources to Initiate Successful Employment (RISE) pilot in King countyCounty can also be used to meet ABAWD requirements. To be eligible for Basic Food, an ABAWD must participate in BFET or RISE before losing eligibility for Basic Food.

Enrolling in BFET or RISE before Basic Food Closes due to the three-month limit:

If an ABAWD client enrolls in BFET or RISE before the end of their 3rd month of non-participation in work requirements, the participant will qualify for an exemption until they are ready to participate enough hours that their participation meets the 20-hour work requirement.

Enrolling in BFET or RISE AFTER Basic Food Closes due to the three-month limit:

If an ABAWD client enrolls in BFET or RISE after Basic Food closes due to non-participation in work requirements, they must engage in work activities for a minimum of 80 hours in a month period or 16 hours of workfare, before they would be eligible to receive basic food assistance. Once the client has been approved for Basic Food, they may engage in pilot services through a contracted provider.

Individuals who apply for the pilot (RISE (treatment group) or BFET (control group)) ~~are~~ are eligible for an exemption in their ABAWD status if they do not have enough participation hours.

Job Search Services for ABAWDs:

Job search hours are only countable for less than half of the total time a client is participating in BFET or RISE. For example, if a client is participating in BFET twenty hours a week, then only up to nine hours of Job Search can be counted as “participation” for ABAWD requirements. The other eleven must be in another activity such as training, or a separate program such as Workfare.

Employment Pipeline:

Employment Pipelines are pathways to employment for Department of Social and Health Services clients. DSHS works with employers in different fields to provide clients with a choice of career opportunities. This is not an allowable program activity for ABAWD clients as hours and participation are not tracked, however this could be a great transition to employment for ABAWD clients. ABAWD clients interested in Employment Pipeline should be sent the brochure, or directed to our Publications Library to download it.

Worker Responsibilities - WAC 388-444-0040

Monitoring ABABWD Participation

If a client fails to participate in the month the ABAWD Specialized Team will:

1. Record on the ~~Work Registration~~ Work Registration/Participation screen the month and year of non-participation under the appropriate 1st, 2nd or 3rd month. ACES will automatically terminate the case when the third date is entered.
2. Terminate benefits to clients who have regained eligibility but failed to participate, unless they are receiving the subsequent additional three months.
3. Send a termination letter with an explanation as to how to regain eligibility.

Clarifying Information - WAC 388-444-0045

Ineligibility Due to ABAWD Requirements

1. If a client exhausts the 3-out-of-36 months eligibility limit, we must terminate the person's Basic Food benefits as soon as we become aware of this information. We must also deny this person Basic Food at application or recertification if they do not have a personal exemption and they do not live in a waived area, unless they requalify under Regaining Eligibility
2. If a client is not eligible because the client does not participate, the person is an ineligible household member. We count this person's income to any remaining persons in the Basic Food Assistance unit as

described under [WAC 388-450-0140](#). How does the income of an ineligible assistance unit member affect my eligibility and benefits for food assistance?

Regaining Eligibility

There ~~are no~~ ~~isn't any~~ limits to the number of times a client can regain eligibility. To regain eligibility a client must perform one of the following:

1. Complete 80 hours of training within a 30-day period;
2. Work 80 hours in a 30-day period; or
3. Participate in Workfare for the required number of hours per month or, at a minimum, the number of required Workfare hours based on the benefit amount on the reconciliation chart.

Reconciliation Chart

If an ABAWD client does not received the maximum Basic Food allotment they must participate based on the household's food benefit allotment divided by the state minimum wage (rounded down):

This chart is based on the state minimum wage of \$9.47 an hour effective January 1, 2015.

Workfare Reconciliation Chart for ABAWDs

Basic Food Benefits	Workfare Hours	Basic Food Benefits	Workfare Hours
\$1 - 18	1	\$105 - 113	11
\$19 - 28	2	\$114 - 123	12
\$29 - 37	3	\$124 - 132	13
\$38 - 47	4	\$133 - 142	14
\$48 - 56	5	\$143 - 151	15
\$57 - 66	6	\$152 - 160	16
\$67 - 75	7	\$161 - 170	17
\$76 - 85	8	\$171 - 179	18
\$86 - 94	9	\$180 - 189	19
\$95 - 104	10	\$190 - 198	20

EXAMPLE:

Bill is an ABAWD whose ~~receives \$115 in monthly~~ Basic Food benefits each month. ~~it is \$115 monthly. He completes 12 Workfare hours in a month.~~ According to the chart, ~~Bill has worked enough~~ Bill would need to ~~must volunteer~~ volunteer for 12 hours of workfare per month, since that is his ~~thee~~ required number of Workfare hours for benefit falls with-in the range of ~~range for 12 hours is~~ \$114 - \$123, ~~in benefits.~~

Eligibility for a Second 3-month period for ABAWDs

This section only refers to those ABAWDs who are eligible for a second three-month period as described in [WAC 388-444-0045](#)(1) & (3). If an ABAWD becomes eligible for a second 3-month period the 3 months are consecutive months. A partial month of benefits does not count toward this second 3-month period. The client receives this second 3-month period whether or not the client is participating in work requirements.

If the ABAWD cannot use the additional 3-month eligibility period due to a disqualification, the ABAWD may work another 80 hours in a 30-day period again to become eligible for the second 3-month period.

Worker Responsibilities - [WAC 388-444-0045](#)

1. If the client has completed the necessary participation and regained eligibility at the time of application and is otherwise eligible for Basic Food:
 - a. Remind them of the ongoing participation requirements; and
 - b. Certify the case for Basic Food.
2. If the client has not regained eligibility at the time of application:
 - a. Deny the application until we receive verification that they have met participation;
 - b. Inform them how they can regain eligibility through participation activities;
 - c. They must regain eligibility within thirty days of the application or they will need to reapply once they have met participation.
3. If the applicant completes the required number of hours for Workfare within the 30-day application period, follow the procedures in (1) of this section.
4. Once the requirements for regaining eligibility are met by work or an employment and training activity:
 - a. The client with a closed Basic Food case may, if otherwise eligible, receive benefits from the date they completed the necessary hours of participation (either 80th hour for work like activities or required amount of Workfare hours as determined by the Specialized ABAWD Team).
 - b. The client in an open Basic Food case, if otherwise eligible, is added back to the household following [WAC 388-418-0020](#). *How the department determines the date of change affects the benefit level.*

Good Cause:

Please see Chapter [WAC 388-444-0050](#) What is good cause for failing to meet Basic Food work requirements?

Administrative Hearings

If an ABAWD requests an administrative hearing:

1. The client's three-month clock is paused by removing the 3rd non-qualifying month and benefits will continue until there is a hearing decision.
2. If the Department is upheld, the original 3rd non-qualifying month is counted and the case will close establishing an overpayment; or
3. If the client is upheld, benefits received are retained and we will review ABAWD participation status for the on-going month.

ACES Procedures

See [Basic Food Assistance - Able Bodied Adults Without Dependents \(ABAWD\)](#)