

From: Pisarik, Holly
To: Glaccum, David <DavidGlaccum@gov.sc.gov>
Date: 3/30/2016 4:39:14 PM
Subject: FW: Regulation re: ABAWDs and Waiver

Let's discuss.

From: Wingo, Karen [mailto:Karen.Wingo@dss.sc.gov]
Sent: Wednesday, March 30, 2016 4:22 PM
To: Pisarik, Holly
Cc: Gillum, Amber
Subject: Regulation re: ABAWDs and Waiver

Holly,
Per our conversation, below highlighted in yellow is the relevant Regulation that Amber's team brought to our attention. After you have had a chance to review, give me a call and I would be happy to set up a meeting with Amber to discuss in more detail and answer any questions.

All the best,
Karen

FOOD STAMP PROGRAM

114-1300 General.

A. The Food Stamp Program (FSP) is administered by the Food and Nutrition Service, United States Department of Agriculture. The Food Stamp Program (FSP) is authorized by the Food Stamp Act of 1977, as amended. The eligibility provisions of the Act are further developed in Title 7, Code of Federal Regulations, Parts 210 through 299.

(1) If an alternative is provided and the State does not select the alternative, the primary federal regulation prevails.

(2) Certain parts of these regulations permit the State to select options regarding FSP eligibility criteria. The State follows the federal regulations where no options are permitted.

(3) The State may also submit "waivers" of federal regulations to Food and Nutrition Service for approval that will permit the State to operate certain parts of the FSP according to regulations developed by the state and different than those specified in the Code of Federal Regulations. Such "waivers" are approved for a certain period of time and must be resubmitted for renewal prior to the end of the approved time period.

The State Regulations for the FSP address only the areas where the federal regulations allow the State to choose an option or where the State has obtained a waiver from those regulations.

The Department of Social Services is the designated single State Agency to operate the FSP.

B. Each of the forty six counties is considered to be a project area for the Food Stamp Program. Applicants may apply for food stamps in any of the forty six counties within the state. Their eligibility will be determined and maintained in the county in which they currently reside. When a food stamp household moves from one county to another county the food stamp case will remain open. The Department of Social Services County Office will review the household's circumstances and act on any changes resulting from the move.

C. The Department will extend categorical eligibility to any household in which all members receive or are authorized to receive non cash or in kind services from a program that is less than 50 percent funded with Title IV A money and that is designed to further purposes one and two of the TANF block grant.

D. The Department will use TANF vehicle allowance rules when determining whether a vehicle is an excluded resource. These rules will exclude one licensed/registered vehicle per licensed driver in the household

E. The Department may opt to provide households leaving Temporary Assistance to Needy Families (TANF) with transitional food stamp benefits. When the household leaves TANF, the Department will freeze the household's food stamp benefit amount at the level the household received when it received TANF. This does not apply to households that, at the time the household leaves TANF, are noncompliant with TANF requirements and the Department is imposing a comparable food stamp sanction, households who have violated a food stamp work requirement, households where a member has committed an intentional program violation, or households where the TANF case is

being closed because the household failed to comply with food stamp reporting requirements.

F. The Department of Social Services may opt to operate a Simplified Food Stamp Program to conform FSP regulations to the State regulations used to determine eligibility for the Temporary Assistance for Needy Families (TANF) Program. At such time as requirements for such a program are developed, the Department will provide an opportunity for public input. The State Regulations contained in Chapter 114, Article 13, Food Stamp Program, apply to all Food Stamp Program recipients except for those who would receive food stamps under the provisions of the Simplified Food Stamp Program (Section 26 of the Food Stamp Act of 1977, as amended) at such time as it is developed.

G. The State will submit to FNS for renewal annually, the "waiver" to exempt all counties with an annual unemployment rate greater than ten percent and all counties identified as labor surplus areas from policy pertaining to individuals identified as Able bodied Adults Without Dependents (ABAWDs). Individuals identified as ABAWDS are limited to receipt of three months of food stamp benefits in a three year period unless they are complying with minimum work requirements.

HISTORY: Added by State Register Volume 19, Issue No. 5, eff May 26, 1995. Amended by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998; State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002.

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