SNAP Time Limits

Certain individuals without children are subject to a 3-month time limit on receipt of SNAP (Supplemental Nutrition Assistance Program, or food stamp) benefits. This time limit has been law since 1996, but in recent years, most states have qualified for a statewide waiver because of high unemployment rates. With a few exceptions, the statewide waiver will no longer be available in most states after December 2015. CBPP has estimated that 1 million childless adults will lose benefits in 2016 due to this time limit. Those subject to the time limit are sometimes referred to as “Able Bodied Adults Without Dependents (ABAWDs)”.

For many childless individuals with work limitations who do not qualify for disability benefits, or who have a pending application, SNAP may be the only benefit they can access so the loss of food assistance through this program has a significant impact on their lives.

Understanding the Time Limits

Time limits apply to SNAP recipients ages 18 through 49 who do not live in households with children, are not pregnant, and who are not “physically or mentally unfit for employment,” or meet another exception. Individuals subject to the time limits may only access SNAP benefits for a total of 3 months in any 36 month period unless they are employed or are participating in a qualified work or training program for at least 20 hours a week, or are participating in workfare for the required number of hours. States are not required to offer qualifying activities to those subject to the time limits.

Although the "able-bodied" in ABAWDs implies that individuals with disabilities are not affected by the time limits, this may not always be the case. Unless individuals are receiving disability benefits, SNAP agencies will often not know that they have work limitations and may impose the time limits. The definition of “unfit for employment,” is not the same as used elsewhere in the SNAP program. While receipt of temporary or permanent public or private disability benefits can be used to determine “unfit for work,” states also must exempt an individual whose unfitness for work is “obvious”. If it is not obvious, statements from a physician, physician’s assistant, nurse, nurse practitioner, representative of a physician’s office, licensed or certified psychologist, a social worker or any other medical personnel determined appropriate by the state may be provided to identify that an individual is physically or mentally unfit for employment. Homeless is not an automatic basis for exemption, but the Food and Nutrition Services (FNS) has issued guidance stating that chronic homelessness may be considered “unfit for employment” as determined by the state.

Because individuals who face disabilities and/or homelessness can be devastated by the loss of nutrition benefits, it is important to ensure states are adequately screening individuals, informing them how to claim an exemption, and minimizing the burden involved in documenting that they qualify.

What can be done?

There are a number of things that advocates and states can do to ensure that those who are facing the time limits have access to the employment and training activities to maintain SNAP or are not cut off if they meet an exemption. For additional recommendations, see CBPP’s publication, SNAP’s Three Month Time Limit: Implementation Toolkit.

What states can do:

- Take advantage of time limit waivers when available. Even when statewide waivers are unavailable, partial waivers may still be applied to areas with high unemployment.
- Allow flexibility in determining when a recipient is considered “unfit for work” and exempt from the time limit.
- Avoid requiring medical verification of those who are obviously physically or mentally unfit for work. If documentation or medical verification is needed, case workers should assist individuals to obtain the needed information.
- Use discretionary exemptions thoughtfully. States are allowed to provide benefits to a limited number of recipients who have reached their time limit (by using what are often called “individual” or “15%” exemptions). This allows states to continue benefits to some recipients even if they do not qualify for a categorical exemption. Some states have chosen to use these exemptions to serve individuals experiencing homelessness or domestic violence.
• Identify people who are exempt for other reasons, such as receipt of unemployment benefits or participating in substance abuse treatment.
• Provide meaningful employment and training opportunities to those subject to the limit.

What advocates can do:
• Learn whether your state is eligible for state wide or partial time limit waivers and whether it is taking them up. Encourage your state to make use of the waivers that are available to it.
• Ask to review notices and information the state plans to send to individuals subject to the time limit. Ensure that these notices are accurate and make clear how individuals can contact the state agency to claim an exemption.
• Learn your state’s criteria for “unfit for employment” and ensure that your state is adequately screening and exempting individuals who meet the criteria.
• Urge your state to provide employment and training opportunities for all individuals who face the time limit and are at risk of losing their SNAP benefits. SNAP Employment and Training funds may be available to create new opportunities, or recipients can receive credit for participation in other education and training activities, including Workforce Innovation Opportunity Act (WIOA) funded employment and training programs.

What case workers, service providers, and application assisters can do:
• Help clients understand and prepare for time limits.
• Help clients identify and receive credit for appropriate employment-related activities.
• Document disabilities as basis for exemption, when appropriate.

This chart shows the status of ABAWD time limit waivers in the first quarter of Fiscal Year 2016. Note that a number of states that do not have waivers are eligible for partial or state-wide waivers but have chosen not to request them. The majority of states that currently have statewide waivers will no longer be eligible staring January 2016; many will still be eligible for partial waivers instead. Only a few states are anticipated to have statewide waivers through Fiscal Year 2016.

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