



NC Department of Health and Human Services

# ABAWD New and Updated Exemptions and Other Updates and Reminders

## In-Person Regional Meeting

October 2023

**General FNS Work Requirements vs. ABAWD Work Requirements Applies to Individuals Who Are:**

<b>General Work Requirements</b>	<b>ABAWD Work Requirements</b>
Age 16-59	Age 18-52
Fit for employment	Fit for employment
Working under 30 hrs per week	Not working 20hrs. per week or 80hrs. month
Not already complying with work requirements of another program	Do not live in a FNS household with a minor
Not Students	Not Pregnant
Not responsible for a child under 6	Not already exempt from general work requirement
	Not covered by time limit waiver or 8% exempt
	Not homeless lacking a fixed and regular nighttime residence
	Not an individual 24 years of age or younger in Foster Care on their 18 <sup>th</sup> birthday
	Not a veteran who served in the United Armed Forces regardless of the conditions of discharge or release

# New Homelessness ABAWD Exemption

Homelessness for the purposes of ABAWD Exemption is defined as an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is:

a. A supervised shelter designed to provide temporary accommodations (such as a welfare hotel or congregate shelter);

b. A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized;

c. A temporary accommodation for not more than 90 days in the residence of another individual; or

# New Homelessness ABAWD Exemption Continued

d. A place not designed for, or ordinarily used, as a regular sleeping accommodation for human beings (a hallway, a bus station, a lobby, or similar places). Unfit for employment due to alcohol or drug dependence addiction.

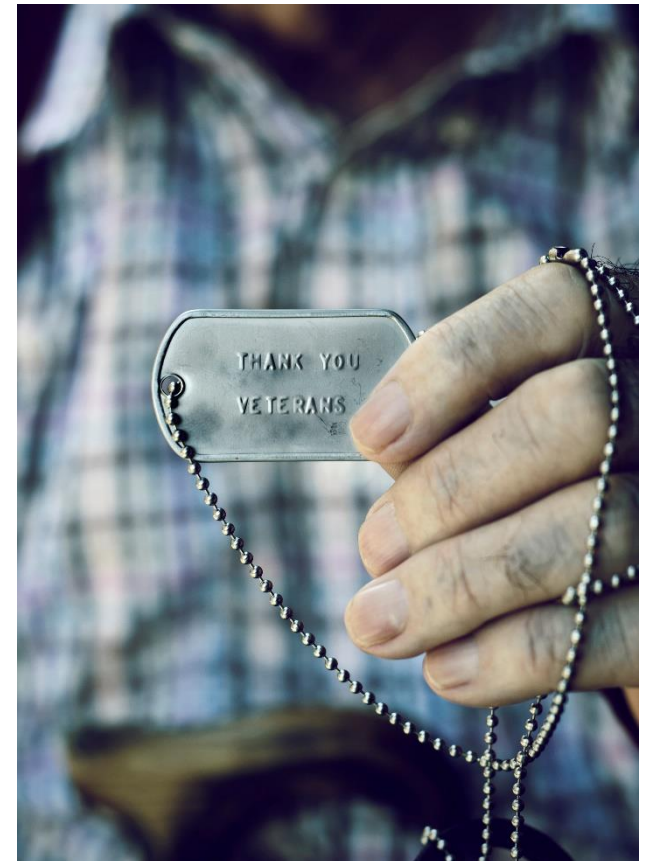


**Note: Chronic homelessness is no longer a requirement.**

# New Veteran ABAWD Exemption

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**Veterans are defined as individuals who served in the United States Armed Forces (such as Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, and National Guard), including an individual who served in a reserve component of the Armed Forces, and who was discharged or released therefrom, regardless of the conditions of such discharge or release.**



# New Foster Care ABAWD Exemption



**Foster Care -  
Individuals who are  
24 years of age or  
younger and in  
Foster Care on their  
18th birthday.**

**This covers individuals  
through the age of 24 and  
who was in foster care under  
the responsibility of ANY  
state ON the date of their  
18th birthday. Remember if  
exempt for one day in the  
month exempt for the entire  
month for ABAWD.**

# Updated Pregnancy ABAWD Exemption

**There is no minimum length of pregnancy to meet the exemption. The exemption is effective beginning the month of conception, includes the month of the child's birth and applies until the individual is no longer pregnant. Verification: Client statement is sufficient, unless questionable. An individual must be allowed 10 days to provide verification if required. A medical statement verifying pregnancy will be necessary if the pregnancy is not obvious.**



# Class H & I Drug Felon Good Cause

The DSS-9001, Food and Nutrition Services (FNS) Qualified Professional in Substance Abuse Request for Good Cause. QPSA will have access to this form to complete and provide it to caseworkers. If good cause can be determined by QPSA the applicant/recipient will not lose their benefits due to the following reason(s):

- Unable to schedule an assessment within 30 days, or
- if the applicant/recipient unable to complete assessment due to health/transportation, or
- other reason

**Note: Caseworkers are also able to determine good cause for the reasons above, this does not just apply to the QPSA worker. If the worker determines good cause, they will need to document the case regarding how good cause was determined. Caseworkers are not required to complete the DSS-9001. This has been verified with the FNS Policy Consultant and in the process of being added to FNS policy.**



# County FNS Transfer Process

## In-person FNS Applications:

1. If worker determines during an in-person interview but **before starting the application in NC FAST** that the applicant resides outside their county, they may refer the applicant to the county Department of Social Services in their county of residence and provide information on mailing, faxing and filing an online application to the applicant.
2. If the worker determines that the applicant resides outside their county **after starting the application process in NC FAST**, the application must be taken, processed and transferred to the household's county of residence upon disposition.

**All applications in NC FAST or receive via ePASS must be processed before being transferred to another county.**

# County FNS Transfer Process

## Paper, Email, and Fax Applications:

1. Applications submitted by mail, fax, email, or dropped off in a county in which the household does not reside must be faxed to the county of residence within **one business day**.
2. The receiving county must process the application and transfer upon disposition if they fail to fax the application within **one business day** to the actual county of residence.
3. The application date is the date received by first county.

# County FNS Transfer Process

## Online Applications:

Applications filed online through the state website [ePASS.nc.gov](https://ePASS.nc.gov) must be processed by the county that receives the application, regardless of the county of residence. The receiving county must transfer the application to the county of residence after disposition.

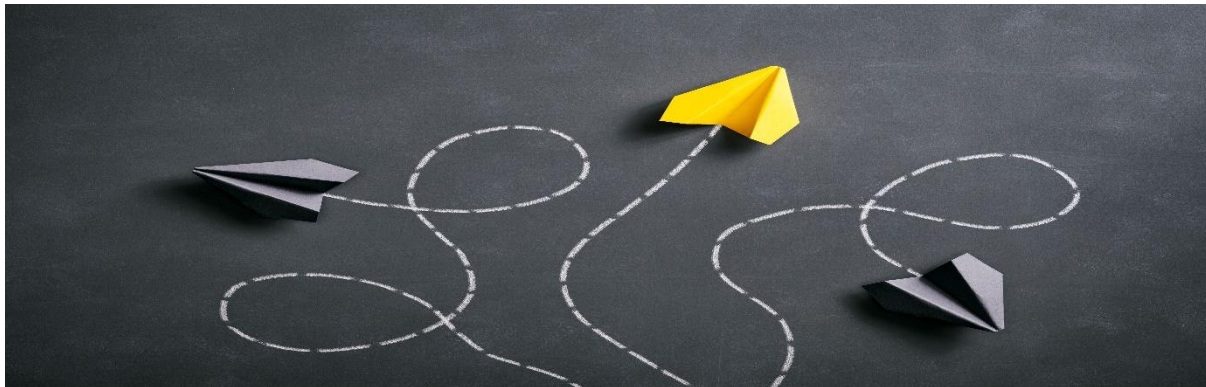


# County FNS Transfer Process

**Recertifications submitted to the original county of residence:**

**The FNS household has not visited or submitted a reapplication to the new county of residence:**

- 1. Do not refer the client or the application/recertification to the new county of residence.**
- 2. The county in which the client is active is responsible for completing the recertification.**
- 3. Complete the transfer after the recertification is disposed**



# County FNS Transfer Process

## **Recertifications submitted to the new county of residence:**

**The FNS household has submitted an application or visited the new county of residence in-person:**

- 1. Do not refer the client back to the active county.**
- 2. The new county is responsible for the recertification.**
- 3. A supervisor in the new county must contact the county in which the household is active within 3 days of receipt of the application/recertification or office visit.**
- 4. The county in which the client is active is responsible for changing the address and the owner of the income support and product delivery case.**

# **5-Year Waiting Period for Cuban/Haitian Entrants**

**The following Qualified non-citizens are exempt from the 5-year waiting period and 40 qualifying quarters for FNS eligibility:**

- Cuban or Haitian entrants. Their status may be varied, including but not limited to, Public Interest Parolee, pending a 240 Hearing, Asylee or Pending Asylee, Refugee, Lottery Winners.**

**There has been an increase in denied applications for Cuban/Haitian Entrants for failure to meet 5-year waiting period. If you are unsure if the applicant is eligible under this policy, please reach out.**

**When in doubt, please reach out**

# Questions??

