

### ABAWDs Frequently Asked Questions

<b>1.</b>	<p><b>Q:</b> The Report gave two options to correct cases in which the case county did not match the mailing address county-one is to correct the address and the other is to transfer the case to the correct county. It did not however provide clarification on what is to be done for cases that are in the correct county but have a mailing address outside the county that is also correct. For Instance – Client is residing in Henderson County – Because she is in a shelter she has her mail going to a PO Box in Polk County. Nothing in policy states that client have to get mail in the same county they reside in – so in terms of this report do we just ignore it or what do you want us to do?</p> <p><b>A:</b> The most important thing is that the information is correct. If it is correct then there is nothing you need to do.</p>
<b>2.</b>	<p><b>Q:</b> Question is will the system automatically send a NOAA to the household letting them know that the benefits will be ending, or reducing for households that have other eligible members?</p> <p><b>A:</b> The system will certify the HH for 6 months and automatically send a notice of Adverse Action to terminate or reduce benefits after the ABAWD has received their 3 free months. This process is automated and will not require any action by the worker.</p>
<b>3.</b>	<p><b>Q:</b> Client is an ABAWD and hours were reduced by employer to less than 20 hours (15) weekly. The client decides to return to school to get his G.E.D. and participates at least 5 hours weekly. Would this satisfy the ABAWD FNS work requirements? Can continuing education count as volunteer hours?</p> <p><b>A:</b> One of the ways an ABAWD can fulfill the ABAWD work requirement is in section 245.01 A. 3. An ABAWD is fulfilling the ABAWD work requirement if they are in any combination of working and participating in a work program for a total of 20 hours per week (80 per month). If the 5 hours per week meets the definition of a work program as outlined in policy then you can count it.</p>
<b>4.</b>	<p><b>Q:</b> In manual section 245, an ABAWD is defined as someone age 18 through 49 who lives in a FNS household without a dependent or child under the age of 18 and is able to work. It also states this applies even if the individual is neither the parent of the child nor responsible for the child and applies even if the child is ineligible.</p> <p>The ABAWD policy clarifications training webinar states the ABAWD work requirement and time limit applies to people age 18-49, fit for employment, do not live in a FNS household with a minor, not pregnant, and not already exempt from general work requirement (slide 4) This seems to match the above definition of an ABAWD However, it also defined a ABAWD as a FNS member who is included in a FNS unit that does not contain an individual under age 18 (slide 7) which sounds like a minor would have to be included in the individual's FNS case to meet the exemption.</p> <p>For example, if a 25 year old FNS individual who is able to work and claims separate household status because he eats/cooks separately (He is only person in the FNS case) , is currently living in the same residence with another household (other individuals which includes a minor ) is he an ABAWD?</p> <p><b>A:</b> You base the ABAWD determination on the FNS household not the physical household. If there is a child under 18 in the FNS household then no one in that FNS household is considered an ABAWD so ABAWD rules do not apply. In the example given the individual is the only person in the FNS household so he would be an ABAWD.</p>
<b>5.</b>	<p><b>Q:</b> For applications processed at this time for clients that would be considered ABAWD on January 1<sup>st</sup>: Will the system shorten the cert period to 3/31/16?</p> <p><b>A:</b> No the system will not shorten certification periods.</p>
<b>6.</b>	<p><b>Q:</b> Should the worker shorten the cert period to 3/31/16?</p> <p><b>A:</b> No workers are not allowed by policy to shorten certification periods.</p>
<b>7.</b>	<p><b>Q:</b> We had a client that came in to discuss the ABAWD requirements/Student requirements and I need to get some clarification on the FNS ABAWD policy and FNS Student Policy and need</p>

	<p>clarification on the relation between the two policy requirements and what is stated on the notice that was mailed to the clients.</p> <p>Client was just terminated from FNS benefits because she is a full time student and not working 20 hours. The client has now disclosed that she is a full time student at CPCC and was placed in the program through Vocational Rehabilitation. Client has not filed for any disability programs. The notice on the ABAWD letter mailed states “Individuals who are able to work must do so unless you meet one of the following conditions:..... In school at least half time” Client is enrolled in school for more than half time. However, the FNS student policy states that the client must work at least 20 hours per week or meet one of the exemption requirements in the student policy, which references the exemptions in the Work Registration as Physically or Mentally Unfit for Employment. With these policies relating to each other, if the client brings in the DSS-8655 stating she is not able to physically work, would she be exempt from the student policy and the ABAWD policy?</p> <p>Also, in cases that the client is <i>not</i> physically or mentally unfit for employment, but is a full time student, will the clients still be required to also work the 20 hours as before the ABAWD policy took effect, even though the letter mailed states “Individuals who are able to work must do so unless you meet one of the following conditions:..... In school at least half time” and doesn’t mention the Student policy requirement to work the 20 hours per week.</p>
	<p><b>A:</b> They are two separate policies and for Student or any other policy you would evaluate the client separately for each. Because ABAWD policy doesn’t replace other eligibility requirements you would evaluate under normal policy first and ABAWD separate.</p> <p>245.00 “.....ABAWD policy does not replace any other eligibility requirement, nor does it create eligibility where it does not otherwise exist.”</p> <p>You will evaluate the client for eligibility based on policy as usual, if they are otherwise eligible then you would evaluate to determine if they are ABAWD and subject to participation limitation. There are no short cuts, even if a worker knows that the client has used all of their ABAWD months they should still evaluate for benefits and deny if they fail another policy.</p> <p>So in your example. The first step is determining if they are eligible for FNS. From your description it sounds like they would not be an eligible student. There would be no step two you would stop there and deny the case for being an ineligible student. ABAWD policy doesn’t even enter into it because the client can’t be an ABAWD if they are not eligible to start with.</p> <p>An alternative example would be if she is a full time student that is working 20 hours per week.</p> <p>Step one: She would be an eligible student and meets all other eligibility requirements so she passes the first part of the process.</p> <p>Step two: Is she an ABAWD or not? She is between the ages of 18 and 49 and lives alone so she is an ABAWD. Determine if she is an eligible ABAWD. She would be fulfilling the ABAWD work requirements with her 20 hours per week. (245.01 1.) and be an eligible ABAWD.</p>
8.	<p><b>Q:</b> Legal services is stating that per Federal policy, a person can keep coming in on the second day of the month following the use of their free and/or bonus months and keep getting expedited FNS (for the 29 days).</p> <p><b>A:</b> Once a client has used their free months they must meet one of the exemptions to ABAWD policy or regain eligibility to receive their bonus months.</p>
9.	<p><b>Q:</b> During a recent Supervisor meeting within Lincoln County, we discussed our concern with physically or mentally unfit for employment within the ABAWD Policy.</p> <p>Section 245.03, A, Item 4:  <b>245.03 EXEMPTIONS FROM ABAWD WORK REQUIREMENTS</b></p>

	<p>All FNS unit members between the ages of 18 and 49 continue to be subject to the FNS work requirements described in Section 240, regardless of whether or not they are subject to or exempt from the ABAWD FNS work requirements listed below:</p> <p>A. An individual is exempt from the ABAWD FNS work requirements if the individual is:</p> <p>.....</p> <p>4. Medically-certified as physically or mentally unfit for employment. Confirm by a doctor's statement if not obvious. Accept a signed medical statement from a nurse, nurse practitioner, designated representative at a doctor's office, or other appropriate medical personnel. If the medical condition is obvious, document in NC FAST.</p> <p>.....</p> <p>The concern is the statement that if the condition is obvious, the caseworker can document in NCFAST. Are there any guidelines being offered to counties as to what QC will be considering obvious, and not require a medical statement? A condition that one person might see as obvious may not be considered as obvious to another person, as this is individual judgement based. We would like to seek guidance on the matter to clarify and set agreement among the agency as when to require the client to provide the medical statement.</p>
	<p><b>A:</b> QC will be looking at the worker's documentation and will not question it unless it is not documented or it is not a reasonable determination. Except where there is no leeway the policy is written now and future policy will be written in general terms and will not have restrictive language or examples. There are a couple of reasons for this, first it is impossible to account for all situations that may occur. Second, it has been found that when we try to put examples in policy workers impose those examples as the only guidelines or situations that the policy applies to and they do not evaluate the household's situation on an individual basis and make prudent decisions. Workers should have the flexibility to use their prudent judgement whenever possible. I would suggest that you discuss it with your workers and if you feel that they need stricter guidance than develop some guidelines that your county will use to be consistent within your county.</p>
<p><b>10.</b></p>	<p><b>Q:</b> We have a 21 year old that applied today and is eligible for expedited benefits. Benefits for December have been issued. At Intake C/S he will begin college full time on January 6<sup>th</sup>. NCF makes him an ineligible student after January.</p> <p>In the past we have given high school graduates that were enrolled in college in the fall a full certification period, per policy.</p> <p>Now that he touches work registration, student and ABAWD policy one way or the other would we just terminate the case after January?</p>
	<p><b>A:</b> The system is correct that policy has not changed. If the client is an ineligible student then they would only be eligible for the one month and the application would be denied ongoing.</p> <p>C. Enrollment begins the first day of the school term at the institution of higher education and ends when the student graduates, is suspended or expelled, drops out, or decides not to register for the next normal term (except summer school). Enrollment status during vacations and recess is determined based on the student's status just prior to the school break.</p>
<p><b>11.</b></p>	<p><b>Q:</b> The ABAWD webinar (as well as OST at their last visit) seemed to indicate that they were going back on their original guidance that they gave us to certify all FNS hh's for the normal 6-month certs. Back in September, we were told to do normal certs and that NCF would <b>automatically</b> send timely termination notices to affected hh's in early March and individually terminate people from cases etc. They said at our meeting that they were reconsidering this. We need to confirm: whether we should give all hh's the normal 6 month cert at review or application OR if we know there is an ABAWD to limit the cert only through their free ABAWD or bonus months What happens</p>

	<p>to cases that were already certified beyond March 31<sup>st</sup>? We cannot shorten the certs, so what happens at review? Are any overpayments created? Will they be “automatically” terminated?</p> <p>The slide says MAY be and CAN be- we need to know if we would be in error for certifying people beyond their eligible months AND if the system will automatically terminate anyone. Legal services is very much involved in this... Legal services is also stating that per Federal policy, a person can keep coming in on the second day of the month following the use of their free and/or bonus months and keep getting expedited FNS (for the 29 days). Way back in the day, we would not approve anyone, even if they were potentially eligible for expedite FNS, unless they provided the verification that they were either now exempt from ABAWD or that they were eligible for the bonus months. Please find out if this is still the case or if we are going to have to see 14000 people each month applying for and receiving FNS one month at a time to get around the ABAWD requirements...</p>
	<p><b>A:</b> You will evaluate any ABAWDs for continued eligibility at review. There will be no overpayments created as a result. As applications and Recertifications are approved the system will read the evidence and notify the client on the approval letter of what months they are eligible for and will terminate the case when appropriate. This will be automated and not require the worker to take any action. Once a client has become an ineligible ABAWD they must become a non-ABAWD or meet one of the exemptions or meet the conditions to receive the bonus months to become eligible again. If a client comes in on the 2<sup>nd</sup> of the month and they don’t have or anticipate becoming non-ABAWD or meeting an exemption or meeting the conditions to receive bonus months then the application would be denied.</p>
12.	<p><b>Q:</b> In the Q&amp;A section of the NC Fast Communication letter, FNS was instructed to enter ABAWD evidence ASAP.</p> <p>First of all, we need a report that contains the names of the ABAWDS for Rutherford County. Second, what evidence is required and will the failure to have this evidence entered by 01/01/2016 cause the ABAWD cases to become ineligible in Jan 2016 or in April 2016 once the 3 month time limit has been reached?</p> <p>Third, Has there been any decisions on when our county will enact the ABAWD policy? I know it is not Jan 2016 but would like more info if will be April or July for Rutherford.</p> <p><b>A:</b> You will not receive an ABAWD report until a month or two before your county is slated to go live with ABAWD.</p> <p>Until your county goes live ABAWD policy does not apply to the citizens of your county and there is nothing you need to do. For now it is important that workers make sure they have the work registration and disability evidences correct on cases as they process them. If the system will not process correctly without them incorrectly entering WR then they need to submit help desk tickets on those cases.</p> <p>It is not a matter of not notifying the counties the decisions have not been made to date and when the decisions are made about what and when counties will go live the counties will be notified.</p>
13.	<p><b>Q:</b> Is there any possible way to send us a copy of the webinar for ABAWD? We have so many people who need to take that training that it would be more effective for us to be able to take a copy and launch through our own on-line learning platform so that we have a record of who took it etc. Please let us know ASAP if this may be possible.</p> <p><b>A:</b> The ABAWD webinar has been posted and can be viewed on the NC FAST Learning Gateway.</p>
14.	<p><b>Q:</b> ABAWD work hours can include time worked as a volunteer at an approved site (by the county). We are not currently an E&amp;T County and do not already have worksites approved. As we are looking at sites, is there any particular criteria we are required to use? And is there</p>

	<p>any particular method of tracking required? Will the worksite be required to be a part of any audits/ME evaluation?</p> <p><b>A:</b> There are no state requirements outlined in policy, it is up to the county to determine what meets the definition of work. Tracking is incorporated into NC FAST and doesn't require any separate tracking. The ME looks at your management of the program so evaluating your determination of what is considered approved will not be part of that evaluation.</p>
15.	<p><b>Q:</b> We have a client who has two children in the home, one is 13 yrs and one is 16 years old. The job aid for Work Registration exemption lists how to enter in evidence the work registration for a parent with children under age 12. With policy (below), will client be affected by abawd if we enter work registration evidence for him?</p> <p><b>A:</b> If there is a minor child in the FNS unit then no one in that FNS unit is an ABAWD and none of the ABAWD rules apply.</p>
16.	<p><b>Q:</b> We are in the process of changing some things around to get better equipped for the ABAWD clients. I know the state is providing reports of clients to counties that will begin 01/2016. Is there a way we can get a report of potential ABAWD clients in Brunswick quicker than 2016 so that we can get a jump start on building an ABAWD caseload? Do you have any advice for this?</p> <p><b>A:</b> You can make your own reports in Data Warehouse but the state provided reports will not be available until a month or two before you go live with ABAWD.</p>
16.	<p><b>Q:</b> We have a local organization, Watauga Opportunities (website: <a href="http://www.woiworks.org/">http://www.woiworks.org/</a>), that allows folks with disabilities and folks who have been in prison to work. Some folks who work at Wat Opp are not paid hourly, but by the piece they make. The person may or may not work 20 hours. We are not sure how this fits into the ABAWD requirements. I understand if a person is disabled it will not matter, but not sure about the other folks.</p> <p><b>A:</b> There is no minimum dollar amount or pay rate attached to work for ABAWD purposes, it only states "paid" so this would be considered a job like any other.</p> <p>245.01 ABAWD Requirements</p> <p>B. Work Can Be:</p> <ol style="list-style-type: none"> <li>1. Paid employment for an average of 20 or more hours per week or 80 hours per month, regardless of earnings. Request verification of income and hours worked. Include income in FNS budget and document the number of hours worked in NC FAST.</li> </ol>