

## B Exemptions from ABAWD Work Requirement and Time Limit



When an ABAWD participant meets an exemption from the ABAWD work requirement, the participant is exempt from the work requirement. When exempt, the ABAWD participant is not limited to a three-month time limit.

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NOTE During the 2022 ABAWD time limit waiver, the ABAWD participant can receive more than three months of NA benefits.

The entire month is exempt when an exemption occurs any time during the benefit month.

An ABAWD participant could qualify for more than one ABAWD exemption. The worker uses the ABAWD exemption that exempts the participant for the longest time. For exemptions that require verification, the participant is exempt once the proof is received.

### ABAWD Exemptions

The following participants are exempt from the ABAWD work requirement. FAA applies the exemptions in the following order:

#### 1) Age

Participants are exempt from ABAWD work requirements when they meet **either** of the following:

- Under 18 years of age

The 18-year-old participant is exempt through the month in which they turn 18.

- Age 50 and over

The 50-year-old participant becomes exempt the month in which they turn 50.

## 2) Residing with a Minor Child (Under Age 18)

When a participant resides with a minor dependent child, the minor participant is not required to be eligible for NA benefits but must be included in the same budgetary unit. This exemption applies through the month in which the minor turns 18.

## 3) Mentally or Physically Unfit for Work

Participants who are mentally or physically unfit for work are exempt from the ABAWD time limit and work requirements. Unfit for work can include anything that affects the ability to work, maintain employment, or restricts the range of employment opportunities including, and not limited to, **any** of the following:

- Mental conditions
- Learning disability
- Emotional challenge
- Difficulty handling stressful situations, or being around people
- Physical condition
- Recovering from surgery
- Physical limitations due to disability
- Receipt of temporary or permanent disability benefits from a governmental or private source
- Life circumstances
- Homelessness
- Victim of domestic violence

A participant does not need to have a disability to be unfit for work. Unfitness for work may not always be visible. Unfitness for work may be temporary or permanent.

Participants considered temporarily unfit for work are exempt until renewal unless verification is received that specifies a different expected end date for the exemption reason.

Participants with a long-term or permanent disability are exempt from the ABAWD work requirements and the ABAWD three-month time limit.

## 4) Pregnancy Exemption

Participants who are pregnant in any trimester are exempt from ABAWD work requirements.

## 5) Exempt from the NA Work Requirements

See [NA Work Requirement Exemptions](#) for additional exemptions which can be

used for ABAWD.

6) Geographical Exemption for 2022

Participants who reside in a geographical, exempt area are exempt from the ABAWD work requirements.

ARCHIVED (Valid Until 02/27/23)

In 2022, the Food and Nutrition Service (FNS) has approved an ABAWD time limit waiver. During 2022, ABAWD participants who do not meet a work requirement or an ABAWD exemption can receive more than three months of benefits.

The Geographical Exemption is active for the entire state only during the 2022 ABAWD time limit waiver.

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## Procedures

An obvious determination of unfit for work may be made during a face-to-face or telephone interview. When unfitness for work is obvious, documentation must include at least one of the following:

- Details of the interview with the participant that support unfitness for work.
- The reason a participant statement was accepted.
- Observations made during the interview such as cast, sling, wheelchair, or behavioral health issues.
- Why further verification was not requested.

## Tracking ABAWD Countable Months

A countable month is any month in which an ABAWD participant receives a whole month of NA benefits. AZTECS tracks countable months over the three years even while NA benefits have stopped.

Months from other states that have implemented ABAWD time limits are countable when **both** of the following apply:

- When the NA benefits were received, during the three years which were in use by Arizona.
- When the other state has implemented ABAWD time limits.

Contact the state agency that provided NA benefits when the budgetary unit includes an ABAWD participant who received NA in another State. (See [Duplicate Participation](#) for state contact information)

AZTECS displays the benefit indicators on CODF depending on the Exemption Code keyed in the EXPT RSN field on WERE. CODF summarizes the months of benefits received by each participant as follows:

- X displays when the month is countable toward the three-month limit.

NOTE After 2022, contact FAA Systems Help Desk to request the month be changed to a discretionary exemption when an ABAWD participant has received an exemption in error and the participant does not qualify for another exemption. (For more information, see [Discretionary Exemption](#).)

- E displays when the ABAWD participant has received an ABAWD extension month.

- F displays when the ABAWD discretionary exemption is applied (entered by Help Desk and designated staff only).
- O displays when the month is not countable because the participant received prorated benefits, the participant received terminated income, or the participant qualified for an exemption.

AZTECS deauthorizes NA benefits and sets an ACTS alert when a participant has reached the countable three-month time limit. When a review determines that the budgetary unit does not qualify for an ABAWD extension or exemption, complete **one** of the following:

- For budgetary units with ABAWD participants only, key the AB Denial Closure Reason Code to deny the application or stop NA benefits.
- For Budgetary units with ABAWD participants and other participants, key the Participation Code DE in the PT field on SEPA to disqualify the ABAWD participant.
- Send the appropriate notice allowing for NOAA.

Complete the following at each interview or reported change to determine whether the participant received three countable months of NA in the three years:

- Key Y in the TIME LIMIT DISPL FS column on the WERE screen.
- Press ENTER to access CODF. Review CODF to determine the COUNTABLE months.
- Begin reviewing the month before the NA benefit month to be determined. Do not include months before 01/2022.

NOTE Because of the 2022 ABAWD time limit waiver, ABAWD participants are not closed for receiving three-countable months.

### **Discretionary Exemption**

The State of Arizona can use a limited number of exemptions at discretion. The discretionary exemption is evaluated, on a case-by-case basis, by the FAA Systems Help Desk. The discretionary exemption is used for nonexempt ABAWD participants for months in which **all** of the following apply:

- The ABAWD participant does not qualify for any other exemption
- The ABAWD participant is not meeting the ABAWD work requirement
- The month is not an extension month

ABAWD benefit months that are classified as discretionary exemptions are not overpayments.

Discretionary exemptions are indicated as F months on the AZTECS CODF screen. Only FAA Systems Help Desk staff or designated staff enter discretionary exemptions.

The CODF screen may show that an ABAWD participant who does not meet any exemption received more than three countable months of NA benefits. An ABAWD participant may receive an exemption in error, and the participant does not qualify for another exemption.

When this occurs, contact the FAA Systems Help Desk and complete the following:

- Request that the month is changed when the ABAWD was not meeting an exemption to the discretionary exemptions.
- Explain why the ABAWD exemption given is not valid.
- Confirm that the information in the case file shows the ABAWD does not qualify for a different exemption.

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## Verification

The following exemptions need verification:

- ABAWD Exemption Pregnancy

The participant is not required to verify pregnancy unless the pregnancy is [questionable\(g\)](#).

- ABAWD Exemption Unfit for Work

When unfitness for work is obvious and not questionable, participant statement verification is acceptable.

When unfitness for work is not obvious or is questionable, document or collateral contact verification is needed. Verification can include, and is not limited to, **one** of the following:

- Insurance or police reports supporting the unfit for work claim.
- The Verification of Unfitness for Work for Adults (FAA-1533A) form.
- The Verify Unfit for Work for Adults (A024) notice.
- A written statement or collateral contact completed by a [medically qualified source\(g\)](#) for unfit for work must include **all** of the following:

The condition, circumstance, illness or disability that impedes the participants ability to participate in employment or work.

The projected duration of the condition, circumstance, illness or disability.

When the duration for the condition, circumstance, illness or disability cannot be determined at the present time, includes an indication of re-examination and reevaluation.

- Proof of receipt of temporary or permanent disability benefits from governmental or private sources including, and not limited to, **one** of the following:
  - VA disability benefits
  - Workers Compensation
  - SSI (or pending application for SSI)
  - State-issued temporary or permanent disability benefits
  - Participation in a Vocational Rehabilitation program
  - Social Security Disability benefits

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### AZTECS Keying Procedures

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### The COUNTER DISPLAY FOR FS (CODF) TI-BEGIN Date

Before determining an ABAWD exemption, complete **all** of the following at each interview or reported change:

- Check to ensure that a month and year after 01/2022 is in the TI-Begin date on the CODF Screen for each participant 18 years of age or older.

NOTE An asterisk displays on WERE, next to the participant's name, when the TI-BEGIN date field is blank on the CODF screen.

- When there is not a date displayed in the TI-BEGIN field on the CODF screen, complete the following for each participant, one participant at a time:

On WERE key Y next to a participant, under the column, FED LIMIT DISPL in the FS field. Then press ENTER to access the CODF screen.

In the TI BEGIN field, key the month and year (MMYYYY) of the first whole month of NA benefits issued on or after 01/01/2022.

NOTE When no date is in the TI-BEGIN field, AZTECS does not allow the authorization of NA benefits. The following message displays on FSAD:  
\*ERROR\* INVALID TIME-LIMITED REQUIREMENTS (CHECK WERE/CODF).  
Once keyed, AZTECS updates the TIME-LTD MONTHS USED field and updates the Xs and Os.

## Keying ABAWD Exemptions on WERE

The ABAWD exemptions must be assigned in the following order:

1) Age

Keying an Exemption Reason Code on WERE is not required. AZTECS allows the age exemption based on the participant's identified age keyed on SSDO.

2) Residing with a Minor Child (Under Age 18)

Key CH in the EXPT RSN FS field on WERE.

3) Mentally or Physically Unfit for Work

Key UF in the EXPT RSN FS field on WERE.

AZTECS auto populates the UF Exemption Reason Code in the EXPT RSN FS field on WERE and the PAR/EXEM field on WORW when the AZTECS screens include **one or more** of the following:

- Y in the HOMELESS field on INDA
- Y in the DS/FS field on SSDO
- SI or SS DS income is keyed on UNIN

When verification of the unfit for work is requested for regular and expedited applications, do not key the UF Exemption Reason Code until verification is received. Leave the field as auto populated by AZTECS.

4) Pregnant

Key PG in the EXPT RSN FS field on WERE.

5) Exempt from NA Work Requirements

See [NA Work Requirement Exemptions](#) for keying of the additional exemptions which can be used for ABAWD.

6) Geographical Exemption for 2022

Key GE in the EXPT RSN FS field on WERE.

NOTE Use the Geographical Exemption when an ABAWD participant does not meet any other ABAWD Exemption during 2022.



### Keying WORW to Refer an ABAWD Participant to the SNAP CAN Program

The ABAWD work requirement applies to participants who do not meet an ABAWD exemption. When an ABAWD participant does not meet the ABAWD work requirement, create a referral to the SNAP CAN program by keying **both** of the following:

- Key GE (No Exemption) in the EXPT RSN FS field on the WERE screen.
- Key RA in the PAR/EXEM FS field on the WORW screen.

An ABAWD participant who is exempt or meets the ABAWD work requirements can still participate in the SNAP CAN program. Key the Y indicator in the VOL field on WORW.

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#### Legal Authorities

7 CFR 273.24(b)(1)

7 CFR 273.24(b)(2)

7 CFR 273.24(b)(3)

7 CFR 273.24(c)

7 CFR 273.24(g)

FNS Waiver

#### [Prior Policy](#)

*last revised 12/27/2021*