

DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 8-2019
Food and Nutrition Services EFS_FNS_AL-8-2019

TO: County Directors of Social Services

ATTENTION: Food and Nutrition Services

DATE: December 2, 2019

SUBJECT: Able Bodied Adults Without Dependents (ABAWDs) Coded in Error

EFFECTIVE DATE: December 16, 2019

I. GENERAL INFORMATION

On January 1, 2019 NC FAST automatically began counting “free months” for the new Able Bodied Adults Without Dependents (ABAWD) 36-month period for all ABAWDs that were included in an active Food and Nutrition Services (FNS) case, including those that were ineligible to receive in the month of December 2018.

The United States Department of Agriculture (USDA) provided clarification that any ABAWD that was ineligible in the month of December 2018 must have had a recertification, application, or assessment completed prior to being considered eligible for the “free months” in the new 36-month ABAWD period. As a result, those individuals had “free months” counted in the new 36-month ABAWD period in error. North Carolina will use its 15% ABAWD exemption allotment to correct this error and allow proper assessment for ongoing benefits for this group of individuals.

II. IMPLEMENTATION INSTRUCTIONS

A. What group of ABAWDs were affected?

This policy only applies to ABAWD individuals that meet the following criteria:

1. An ABAWD individual that was included in a FNS Unit with other non-ABAWD individuals or an ABAWD only case that had an active certification period, **AND**
2. The ABAWD individual was not eligible in the month of December 2018, **AND**
3. The ABAWD individual was automatically made eligible in January, February, or March of 2019 without completing a recertification, application, or assessment.

B. How are these ABAWDs affected?

1. Due to no recertification, application, or assessment being completed prior to the restart of the new 36-month period, these individuals may have received up to three “free months” in error.

2. The “free months” received in error will be automatically recoded by NC FAST as 15% ABAWD Exempt months and will no longer count toward their three “free” month limit.
3. After recertification, application, or assessment, these individuals may receive up to three “free months”, if they meet all eligibility criteria.

C. How to determine the number of months received in error:

1. All members of this group received January 2019 in error. January 2019 will be systematically recoded as a non-countable month using the 15% ABAWD exemption.
2. Any member of this group that received in January 2019 and did not have a recertification, assessment, or termination of their case in January 2019 received January and February 2019 in error. January and February 2019 will be recoded as 15% ABAWD exempt months.
3. Any member of this group that received in January and February 2019 and did not have a recertification, assessment, or termination of their case in February 2019 received January, February, and March in error. January, February, and March 2019 will be recoded as 15% ABAWD exempt months.

D. NC FAST Process:

1. NC FAST has determined which individuals in this group received benefits in the month(s) of January, February, March 2019 without an assessment.
2. On the night of December 14, 2019 NC FAST will systematically recode the appropriate month(s) as 15% ABAWD exempt months. NC FAST will automatically add a Work Non-participation evidence called “ABAWD 15% Exemption” that will prevent the system from including those individuals in an FNS case until a recertification, application, or assessment is performed by the caseworker. This exemption will be system generated and cannot be selected by the worker.
3. All ABAWDs in this group that have at least one month recoded using the ABAWD 15% exemption will receive a notice informing them that they may be eligible for additional months. To be determined eligible the ABAWD must be evaluated at recertification, change, or application. A copy of the notice is attached to this letter.
4. Any ABAWD included in this group that received “Bonus” months after March 2019 will have those months recoded using the “ABAWD 15% Exemption” Work non-participation evidence.
5. NC FAST will generate a report titled “15% ABAWD Exemption Report”. The report will list all FNS cases that contain an ABAWD that received free or bonus months automatically and the “ABAWD 15% Exemption” Work Non-Participation evidence was entered. The report will also list the total number of 15% exemption months used.

E. Worker's actions:

Systematically recoding these individual's as 15% ABAWD exempt will simplify the evaluation process for the worker by allowing NC FAST to correctly assess the eligibility of the individuals at the next recertification, application, or change in situation. The worker will take the following actions:

1. Recertification or Change in situation: For individuals that are members of a FNS unit with other non-ABAWD members, the worker will assess the situation to determine if the individual meets eligibility requirements to be included in the FNS case. The worker will take the following actions:
 - a. End date the "ABAWD 15% Exemption" Work Non-participation evidence using the last workday of the month prior to the month the ABAWD will be included as the end date.
 - b. Process the recertification, application, or assessment as usual. NC FAST will automatically recode the prior months and evaluate for ongoing assistance.

Example:

Jane Smith provided her recertification form on 1/10/2020. Jane's household consist of herself and her son. Jane's son is not included in the benefit calculation because he was originally coded as using his "free months" in January, February, and March of 2019.

On the night of December 14, 2019 NC FAST entered "ABAWD 15% Exemption" Work Non-participation evidence for January, February, and March of 2019. This recoded those three months as non-countable months.

If Jane's son meets all other eligibility criteria, the worker will end date the "ABAWD 15% Exemption" Work Non-participation evidence using the date 1/31/2020. By end dating the evidence the system will recode the previous months as exempt non-countable months and evaluate Jane's son to determine if he is eligible for three "free months" starting in February 2020.

2. Application: If the ABAWD individual is not included in an active FNS unit, the worker will take no action until the individual reapplies for benefits. If the individual reapplies and is found eligible, the worker will take the following actions:
 - a. End date the "ABAWD 15% Exemption" Work Non-participation evidence on the ABAWD's closed case using the last workday of the month prior to the month the ABAWD will be included as the end date.
 - b. Process the application as usual. NC FAST will automatically recode the prior months and evaluate for ongoing assistance.

Example:

Tom Jones applies for benefits on January 12, 2020. Tom was previously coded as using his "free months" in January, February, and March of 2019.

On the night of December 14, 2019 NC FAST entered "ABAWD 15% Exemption" Work Non-participation evidence for January, February, and March of 2019. This recoded those three months as non-countable months.

If Tom meets all other eligibility criteria the worker will end date the "ABAWD 15% Exemption" Work Non-participation evidence using the date 12/31/2019. By end dating the evidence the system will recode the previous months as exempt non-countable months and evaluate Tom to determine if he is eligible to receive three "free months" starting in February 2020.

III. EFFECTIVE DATE

This policy is effective December 16, 2019 for all applications, recertifications, and changes in situation. Submit any questions regarding this policy to Operational Support Team (OST) at DSS.Policy.Questions@dhhs.nc.gov.

Sincerely,

A handwritten signature in blue ink that reads "David Locklear".

David Locklear, Deputy Director
Economic and Family Services Section

DL/rc

Attachments (2)
Client Notice English
Client Notice Spanish