

TO: Judy Seymour COMPANY: USDA/FSP/PDD

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Fax Notes:

Judy,

Attached is Kentucky's request to extend waiver #970046. KY is requesting to exempt 53 counties, along with the City of Henderson, and Warren County less the City of Bowling Green as LSA's. We recommend approval.

Charlotte Duncan
FSP, SERO

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CABINET FOR FAMILIES AND CHILDREN
COMMONWEALTH OF KENTUCKY
FRANKFORT 40621

DEPARTMENT FOR COMMUNITY BASED SERVICES
AN EQUAL OPPORTUNITY EMPLOYER M/F/D

December 2, 1999

Mr. Virgil Conrad
Regional Administrator
USDA, Food and Nutrition Service
Southeast Regional Office
61 Forsyth Street, S.W., Room 8T36
Atlanta, Georgia 30303

Dear Mr. Conrad:

Enclosed please find our request to extend waiver #970046 for calendar year 2000. The waiver has been modified to conform to the revised labor surplus area list, "Area Trends In Employment and Unemployment," as published by the U.S. Department of Labor in October 1999.

Thank you for your cooperation in this matter. If you have any questions, please contact Cathy Mobley, Director, Division of Policy Development, at (502) 564-3556.

Sincerely,

A handwritten signature in cursive script that reads "Dietra Paris".

Dietra Paris
Commissioner

Enclosure

cc: Patrick Waldron,
Food Stamp Program I-Team Leader

1. **Waiver serial number:** 970046.
2. **Type of request:** Extension/Modification
3. **Primary regulation citation:** Section 6(o) of the Food Stamp Act, as amended.
4. **Secondary regulation citation:** None
5. **State:** Kentucky
6. **Region:** SERO
7. **Regulatory requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193, mandates that no individual, who is not otherwise exempt, shall be eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual: received food stamp benefits for not less than 3 months (consecutive or otherwise) and was not working 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with the requirements of a program under section 20 or a comparable program established by a State.

Section 6(o) of the Food Stamp Act, as amended, also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision for any group of individuals in the state if the Secretary determines that the area in which these individuals reside has an unemployment rate exceeding 10 percent or has insufficient jobs to provide employment for these individuals.

8. **Description of proposed alternative procedures:** Kentucky is requesting to exempt individuals residing in 58 counties from the work requirement provisions of Section 6(o) of the Food Stamp Act. In its annual report on *Area Trends in Employment and Unemployment*, the U.S. Department of Labor (DOL) has identified 58 counties, along with the City of Henderson (less Henderson County) and Warren County (less the City of Bowling Green) as *Labor Surplus Areas*. The Department of Labor deems these areas to have insufficient jobs to provide the resident population with employment. **Table I** lists these areas. County shown in bold print was not exempt in 1999.

Table I

Adair	Clinton	Hancock	Lyon	Pike
Ballard	Crittenden	Harlan	Magoffin	Powell
Bath	Cumberland	Henderson City	Marion	Russell
Bell	Edmonson	Johnson	Marshall	Taylor
Boyd	Elliott	Knott	Martin	Union
Breathitt	Fleming	Knox	McCreary	Warren
Breckinridge	Floyd	Lawrence	McLean	Wayne
Butler	Fulton	Lee	Menifee	Webster
Carlisle	Graves	Leslie	Morgan	Whitley
Carter	Grayson	Letcher	Muhlenberg	Wolfe
Casey	Green	Lewis	Ohio	
Clay	Greenup	Livingston	Perry	

County in Bold Type was not exempt in 1999
Henderson City, less Henderson County
Warren County, less Bowling Green City

9. **Justification for request:** Section 6(o) of the Food Stamp Act, as amended by PRWORA, provides that upon the request of a State agency the Secretary may waive the applicability of paragraph (2) to any group of individuals residing in areas determined by the Secretary to have insufficient jobs. Approval of this waiver would exempt individuals from meeting unrealistic work requirements in order to participate in the Food Stamp Program. It would also allow the State agency to focus its efforts on households living in areas most likely to benefit from Food Stamp Employment and Training Program.
10. **Anticipated impact on households and State agency operations:** The waiver will prevent individuals living in economically depressed areas of the State from being denied access to a nutritious diet because they are unable to comply with the work requirements of Section 6(o) of the Food Stamp Act. Approval of this waiver should result in a more efficient and effective operation of the Food Stamp Program by removing the burden from local offices to development employment and training slots in areas with high unemployment.
11. **Caseload information, including percent, characteristics, and quality control error rate for affected portion:** As of November, 1999, 167,861 households, or 406,463 individuals, received food stamp benefits. The Kentucky State agency has determined that this waiver would potentially exempt approximately 16,578 individuals, which represents about 4.08 percent of the caseload, who are potentially subject to the above-referenced provision of the Act. This waiver extends the exemption for fifty-seven counties, or portions thereof, that were waived during 1999 and would implement the waiver for one county, or portions thereof, that were not waived during 1999. The individuals affected by this waiver are work-registered men and women between the ages of 17 and 50 who have no dependent children and work less than 20 hours per week.
- Out of 1667 quality control cases reviewed during October 1998 through September 1999, no primary errors were coded to ABAWD criteria.
12. **Anticipated implementation date and time period for which the waiver is needed:** The State agency request that the waiver be implemented effective January 1, 2000. The period of time for which the waiver is needed is January 1, 2000 through December 31, 2000.
13. **Proposed quality control review procedures:** The State agency is also requesting a waiver to allow for deviations from the FCS Handbook in order for the quality control reviews to conform to the provisions of this waiver. Individuals residing in areas of the State that are included in this waiver would be eligible to participate in the Food Stamp Program, provided that these individuals meet all other eligibility requirements.
14. **Signature and title of requesting official:**
- _____
15. **Date of request:**
- _____

	COUNTIES	TOTAL ABANDONS		COUNTIES	TOTAL ABANDONS
1	Adair	62	41	Martin	449
2	Ballard	30	42	McCreary	312
3	Bath	145	43	McLean	55
4	Bell	412	44	Menifee	104
5	Boyd	452	45	Morgan	319
6	Breathitt	480	46	Muhlenberg	157
7	Breckinridge	82	47	Ohio	144
8	Butler	116	48	Perry	1083
9	Carlisle	9	49	Pike	1096
10	Carter	552	50	Powell	224
11	Casey	52	51	Russell	164
12	Clay	617	52	Taylor	111
13	Clinton	166	53	Union	114
14	Crittenden	72	54	Warren County, less Bowling Green City	315
15	Cumberland	100	55	Wayne	157
16	Edmonson	63	56	Webster	52
17	Elliott	185	57	Whitley	499
18	Fleming	65	58	Wolfe	185
19	Floyd	850			
20	Fulton	81			
21	Graves	188			
22	Grayson	95			
23	Green	87			
24	Greenup	218			
25	Hancock	26			
26	Harlan	1154			
27	Henderson City, less Henderson County	118			
28	Johnson	510		TOTAL	16,578
29	Knot	585			
30	Knox	582			
31	Lawrence	514			
32	Lee	10			
33	Leslie	478			
34	Letcher	857			
35	Lewis	400			
36	Livingston	12			
37	Lyon	18			
38	Magoffin	380			
39	Marion	162			
40	Marshall	50			