



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Earl Ray Tomblin
Governor

Bureau for Children and Families
Office of Children and Family Policy
Division of Family Assistance
350 Capitol Street, Room B-18
Charleston, West Virginia 25301-3705
Telephone: (304) 356-4619 Fax: (304) 558-2059

Karen L. Bowling
Cabinet Secretary

August 22, 2016

Mr. Eric Ratchford, Regional Director
Supplemental Nutrition Assistance Program
Mid-Atlantic Region, USDA-FCS
Food and Nutrition Service
Mercer Corporate Drive
Robbinsville, New Jersey 08691-1598

Dear Mr. Ratchford:

I am writing to request an extension for waiver number 2150031 in the State of West Virginia for the Able Bodied Adults Without Dependents (ABAWDs).

The State of West Virginia is requesting to exempt able-bodied adults without dependents (ABAWDs) in 46 of the 55 counties in the state from SNAP time limits at 7 CFR 273.24. Under SNAP regulations at 7 CFR 273.24(f)(2), areas may qualify for an ABAWD time limit waiver if they have insufficient jobs. This request is based on the Department of Labor's Unemployment Insurance Services determination that West Virginia qualifies for extended unemployment benefits.

Thank you for your consideration to our request. If you have additional questions, please contact Monica Hamilton at (304) 356-4619.

Sincerely,

A handwritten signature in blue ink that reads "Nancy N. Exline".

Nancy N. Exline
Commissioner

Enclosure

cc: Linda Watts, Tina Mitchell, Tanny O'Connell, Monica Hamilton,
Kent Wakefield

STATE WAIVER REQUEST

1. **Waiver Serial Number:** 2150031
2. **Type of request:** Extension
3. **Regulatory citation:**
7 CFR 273.24
4. **State:**
West Virginia
5. **Region:**
MARO
6. **Regulatory requirements:**

Under 7 CFR 273.24(b) individuals are not eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than 3 countable months during any 3 year period in which the individual was subject to, but did not comply with, the SNAP work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

Under 7 CFR 273.24(f), upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the time limit described above for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside does not have a sufficient number of jobs to provide employment for the individuals.
7. **Description of alternative procedures:**

The State of West Virginia is requesting to exempt Able-Bodied Adults Without Dependents (ABAWDs) in 46 of the 55 counties in the state. The ABAWD program will be operated in the following 9 counties: Berkeley, Cabell, Harrison, Jefferson, Kanawha, Marion, Monongalia, Morgan and Putnam.
8. **Justification for request:**

West Virginia is requesting this waiver to exempt residents residing in the 46 counties of the State from the time limit due to having insufficient jobs. Under 7 CFR 273.24(f)(2)(ii), a State can support a claim of a lack of jobs in the State by providing evidence that the State "is determined by the Department of Labor's Unemployment Insurance Service as qualifying for extended unemployment benefits". West Virginia qualified for Extended Benefits (EB) in the unemployment

insurance program on a trigger notice from the Department of Labor dated January 24, 2016.

26 USC 3304 (Public Law 102-318) allows States the option of providing an additional alternative trigger for the extended benefits program, based on the State's seasonally adjusted total unemployment rate (TUR) for the most recent three months reaching at least: (1) 6.5 percent; and (2) 110 percent of such TUR for the corresponding three-month periods ending in either or both of the two preceding calendar years. States can qualify for a waiver of the time limit if they qualify for extended benefits based on these criteria, which shows evidence of insufficient jobs, regardless of whether they offer this alternative trigger.

The Department of Labor's Trigger Notice No. 2016 – 2¹ shows the State's 3-month average total unemployment rate (TUR) was: (1) 6.9 percent and (2) 113 percent of the 3-month average for the corresponding period in the first preceding year, meaning that the State qualified for extended unemployment benefits under the TUR trigger described above.

9. Anticipated impact on households and State agency operations:

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

10. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):

The caseload for these areas, as of **July 31, 2016**, represents **70%** of the caseload for the state. There are no quality control procedures involved.

11. Anticipated implementation date and time period for which waiver is needed:

The State is requesting a one-year waiver from January 1, 2017 through December 31, 2017.

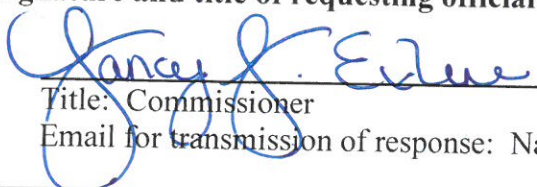
12. Proposed quality control review procedures:

There is no special quality control procedures needed in conjunction with this waiver.

13. State agency submitting waiver request and State contact person:

The State of West Virginia, Department of Health & Human Resources.
State contact person: Monica Hamilton

14. Signature and title of requesting official:

 823-16
Title: Commissioner
Email for transmission of response: Nancy.N.Exline@wv.gov

¹ Trigger notice 2015-32 was issued the week of August 23, 2015, and can be found here: http://www.ows.doleta.gov/unemploy/trigger/2015/trig_082315.html.

15. Date of request: August 22, 2016

16. State agency staff contact (name/email/telephone): Monica Hamilton,
Monica.A.Hamilton@wv.gov, (304) 356-4619

17. Regional office contact person *(to be completed by FNS regional office):*

TRIGGER NOTICE NO. 2016- 2
STATE EXTENDED BENEFIT (EB) INDICATORS UNDER P.L. 112-240
Effective January 24, 2016

		INDICATORS					STATUS	
		13 Weeks Insured Unemployment Rate	Percent of Prior Years	3 months S.A. TUR	Percent of Prior Year	Second Year	Available Weeks	Begin Date(B) End Date(E)
&	Alabama	1.26	76	6.0	97	85		E 04-21-2012
	Alaska	4.10	85	6.4	96	93		E 05-04-2013
&	Arizona	1.07	80	6.1	92	84		E 06-11-2011
&	Arkansas	1.84	79	5.1	88	73		E 09-26-2009
&	California	2.27	81	5.8	81	69		E 05-12-2012
&	Colorado	1.19	79	3.8	86	62		E 05-12-2012
	Connecticut	2.30	74	5.1	81	69		E 05-12-2012
*	& Delaware	1.55	76	5.0	93	79		E 04-21-2012
&	District of Col	1.55	74	6.6	86	80		E 06-09-2012
*	& Florida	0.67	56	5.1	88	77		E 05-12-2012
*	& Georgia	0.98	72	5.7	84	75		E 04-21-2012
	Hawaii	1.10	64	3.3	80	69		E 01-24-1981
&	Idaho	1.53	76	4.1	89	72		E 08-11-2012
&	Illinois	2.29	85	5.5	87	64		E 05-12-2012
&	Indiana	0.86	65	4.4	76	65		E 04-21-2012
*	& Iowa	1.60	93	3.5	81	78		E 06-04-1983
	Kansas	1.07	72	4.1	98	84		E 04-07-2012
*	& Kentucky	1.17	62	4.9	86	63		E 04-07-2012
&	Louisiana	1.17	99	6.1	87	102		E 02-25-2006
&	Maine	1.33	66	4.3	77	68		E 02-18-2012
&	Maryland	1.63	73	5.1	91	81		E 04-21-2012
&	Massachusetts	2.07	77	4.6	84	72		E 04-07-2012
*	& Michigan	1.62	74	5.0	76	60		E 02-18-2012
	Minnesota	1.84	90	3.7	100	80		E 01-14-2012
&	Mississippi	1.22	71	6.0	82	74		E 07-16-1983
&	Missouri	1.23	71	5.0	91	79		E 04-07-2012
&	Montana	2.37	95	4.1	89	77		E 06-19-2010
&	Nebraska	0.69	67	2.9	94	81		E 01-24-1981
&	Nevada	2.14	85	6.6	92	74		E 07-07-2012
*	New Hampshire	0.82	68	3.3	80	67		E 08-14-2010
	New Jersey	2.65	81	5.4	84	72		E 07-07-2012
&	New Mexico	1.66	86	6.8	110	101		E 01-28-2012
&	New York	1.85	77	4.9	83	68		E 12-09-2012
	North Carolina	0.70	48	5.7	100	80		E 05-12-2012
*	& North Dakota	1.16	131	2.8	100	100		E 06-11-1983
&	Ohio	1.30	81	4.4	85	62		E 04-07-2012
&	Oklahoma	1.41	124	4.3	105	84		E 01-24-1981
	Oregon	1.92	75	6.0	88	80		E 04-07-2012
&	Pennsylvania	2.48	85	5.1	98	76		E 05-12-2012
&	Puerto Rico	2.98	86	12.1	87	82		E 12-18-2010
	Rhode Island	1.92	77	5.3	75	60		E 07-07-2012
&	South Carolina	0.98	72	5.6	85	81		E 04-07-2012
*	& South Dakota	0.52	84	3.2	97	86		E 01-24-1981
&	Tennessee	0.90	74	5.6	85	77		E 04-07-2012
&	Texas	1.50	112	4.4	94	76		E 05-12-2012
*	& Utah	0.91	75	3.6	100	86		E 06-25-1983
	Vermont	1.53	78	3.7	88	86		E 07-10-2010
&	Virgin Islands	2.18	74	7.6	79	69		E 08-06-1983
&	Virginia	0.80	79	4.2	86	78		E 05-14-2011
*	Washington	1.89	83	5.2	83	78		E 04-21-2012
&	West Virginia	2.47	102	6.9	113	106		E 06-09-2012
&	Wisconsin	1.71	65	4.3	81	67		E 04-07-2012
*	& Wyoming	2.11	124	4.1	95	91		E 06-13-1987
Total Number 'ON': 0			0		0			

* - State does not have 6 % IUR option in law.

& - State does not have TUR option in law.

USDOL/ETA/OUI/DFAS
1/21/2016

@ - State "ON" by 3-month average TUR.

- State "ON" by 13-week IUR.

IUR reflects 13-week period ending January 9, 2016.

TUR reflects avg. seasonally adjusted TUR for 3-month period ending November 2015.