

## STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2150037
2. **Type of request:** Extension and Modification
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** Kentucky
6. **Region:** Southeast
7. **Regulatory requirements:** Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides that no able-bodied adult without dependents (ABAWD) shall be 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 months during any 3-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) also provides that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Description of alternative procedures:** The State of Kentucky is requesting to exempt able-bodied adults without dependents (ABAWDs) residing in 39 counties from SNAP time limits under 7 CFR 273.24.
9. **Justification for request:**  
Under SNAP regulations at 7 CFR 273.24(f)(2), areas may qualify for an ABAWD time limit waiver if they have insufficient jobs. To support this claim, states may submit evidence that an area has an average unemployment rate for a 24-month time period that is at least 20 percent above the national average for the same 24-month period. 7 CFR 273.24(f)(6) provides that States may define areas to be waived.

The State of Kentucky seeks a waiver for a region of 38 contiguous counties based on its average unemployment rate that is 20 percent above the national average for the 24-month period of September 2020 to August 2022. The national average unemployment rate for this 24-month period was 5.1 percent; 20 percent above this was 6.1 percent. The region's unemployment rate was 6.1 percent for the same period.

| <b>Bureau of Labor Statistics Local Area Unemployment Data<br/>September 2020 to August 2022</b> |                         |                          |
|--------------------------------------------------------------------------------------------------|-------------------------|--------------------------|
| <b>County</b>                                                                                    | <b>Total Unemployed</b> | <b>Total Labor Force</b> |
| Bath County                                                                                      | 5,982                   | 106,455                  |
| Bell County                                                                                      | 10,297                  | 189,001                  |
| Boyd County                                                                                      | 23,505                  | 398,476                  |
| Bracken County                                                                                   | 3,955                   | 86,646                   |
| Breathitt County                                                                                 | 6,263                   | 74,770                   |
| Carter County                                                                                    | 16,978                  | 223,191                  |
| Clay County                                                                                      | 7,603                   | 118,989                  |
| Elliott County                                                                                   | 3,593                   | 43,438                   |
| Estill County                                                                                    | 5,943                   | 118,296                  |
| Fleming County                                                                                   | 6,603                   | 139,226                  |
| Floyd County                                                                                     | 16,970                  | 248,584                  |
| Greenup County                                                                                   | 19,530                  | 300,005                  |
| Harlan County                                                                                    | 12,112                  | 149,079                  |
| Harrison County                                                                                  | 7,376                   | 201,563                  |
| Jackson County                                                                                   | 5,731                   | 94,143                   |
| Johnson County                                                                                   | 10,667                  | 152,609                  |
| Knott County                                                                                     | 6,783                   | 98,245                   |
| Knox County                                                                                      | 13,582                  | 231,781                  |
| Lawrence County                                                                                  | 7,536                   | 123,115                  |
| Lee County                                                                                       | 2,533                   | 46,299                   |
| Leslie County                                                                                    | 4,520                   | 58,195                   |
| Letcher County                                                                                   | 9,988                   | 138,998                  |
| Lewis County                                                                                     | 7,869                   | 107,866                  |
| Magoffin County                                                                                  | 9,192                   | 74,819                   |
| Martin County                                                                                    | 4,755                   | 53,835                   |
| Mason County                                                                                     | 8,172                   | 155,515                  |
| Menifee County                                                                                   | 3,526                   | 53,173                   |
| Montgomery County                                                                                | 13,634                  | 266,003                  |
| Morgan County                                                                                    | 5,502                   | 99,954                   |
| Nicholas County                                                                                  | 3,236                   | 76,101                   |
| Owsley County                                                                                    | 1,678                   | 24,198                   |
| Perry County                                                                                     | 11,077                  | 183,948                  |
| Pike County                                                                                      | 26,543                  | 438,105                  |
| Powell County                                                                                    | 5,530                   | 117,997                  |
| Robertson County                                                                                 | 817                     | 18,408                   |
| Rockcastle County                                                                                | 7,159                   | 149,053                  |
| Rowan County                                                                                     | 11,545                  | 227,944                  |
| Wolfe County                                                                                     | 2,853                   | 50,821                   |

|                                             |                |                  |
|---------------------------------------------|----------------|------------------|
| <b>Total</b>                                | <b>331,138</b> | <b>5,438,844</b> |
| <b>Combined Unemployment Rate</b>           | <b>6.1%</b>    |                  |
| <b>20% Above National Average Threshold</b> | <b>6.1%</b>    |                  |

The State of Kentucky also seeks a waiver for Muhlenberg County based on its average unemployment rate that is 20 percent above the national average for the 24-month period of September 2020 to August 2022. The county's unemployment rate was 6.4 percent for the same period.

| <b>Bureau of Labor Statistics Local Area Unemployment Data<br/>September 2020 to August 2022</b> |                         |                          |                          |
|--------------------------------------------------------------------------------------------------|-------------------------|--------------------------|--------------------------|
| <b>County</b>                                                                                    | <b>Unemployed Total</b> | <b>Labor Force Total</b> | <b>Unemployment Rate</b> |
| Muhlenberg County                                                                                | 14,342                  | 224,102                  | 6.4%                     |
| <b>20% Above National Average Threshold</b>                                                      | <b>6.1%</b>             |                          |                          |

**10. Anticipated impact on households and State agency operations:**

This waiver will provide consistency for households and State agency operations.

**11. Caseload information, including percent, characteristics, and quality control error rate for affected portion (if applicable):**

The caseload for these areas, as of **August 2022**, represent **29%** of the caseload for the state. There are no quality control procedures involved.

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

The State is requesting a one-year waiver, from December 1, 2022 through November 30, 2023.

**13. Proposed quality control review procedures:**

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

**14. State agency submitting waiver request and State contact person:**

Kentucky Cabinet for Health & Family Services  
Department for Community Based Services (DCBS)  
275 East Main St  
Frankfort, KY 40621  
Clarizza Singayao, Public Assistance Program Specialist

**15. Signature and title of requesting official:**

A handwritten signature in blue ink that reads "Marta Miranda-Straub".

Marta Miranda-Straub

Title: DCBS Commissioner

Email for transmission of response: [marta.mirandastraub@ky.gov](mailto:marta.mirandastraub@ky.gov)

**16. Date of request:** September 30, 2022

**17. State agency staff contact (name/email/telephone):**

Clarizza Singayao, Public Assistance Program Specialist

[Clarizza.Singayao@ky.gov](mailto:Clarizza.Singayao@ky.gov)

502-564-4679

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