



United States
Department of
Agriculture

DEC 01 2015

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Teresa C. James
Commissioner
275 East Main Street, 3W-A
Frankfort, Kentucky 40621

Re: SNAP – Kentucky Request to Waive Able-Bodied Adults without Dependents Time Limit – Extension and Modification – Approval

Dear Ms. James:

This is in response to the Kentucky Department for Community Based Services' request to extend waiver number 2150037, which would allow Kentucky to exempt able-bodied adults without dependents (ABAWD) in a total of 95 counties from the Supplemental Nutrition Assistance Program time limit at 7 CFR 273.24 for calendar year 2016.

The Kentucky State agency has supported its request to waive the time limit in 91 contiguous counties based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. Similarly, the State agency has supported waiving the time limit in another four contiguous counties based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period.

The Bureau of Labor Statistics data provided by the State demonstrates that each combined area's aggregate average unemployment rate reached 20 percent above the national average for the selected 24-month period. Therefore, the Food and Nutrition service is approving the State agency's request to waive the ABAWD time limit in all 95 requested counties for 12 months, effective January 1, 2016, through December 31, 2016. The attached response lists all 95 counties and details the terms and conditions of the waiver approval. If you have any questions, please contact Robert Caskey at Robert.Caskey@fns.usda.gov.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 2150037
2. **Type of request:** Extension and modification
3. **Regulatory citation:** 7 CFR 273.24
4. **State:** Kentucky
5. **Region:** Southeast
6. **Regulatory requirement:** Federal regulations at 7 CFR 273.24 provide 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 three months during any three year period in which the individual was subject to, but did not comply with the ABAWD work requirement. Regulations at 7 CFR 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 at least 20 hours per week; any combination of working and participating in a work program for a total of 20 hours per week; or participating and complying with a workfare program.

Regulations at 7 CFR 273.24(f) also provide 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 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.

7. **Description of proposed alternative procedures:** The Kentucky Department for Community Based Services has requested to waive the ABAWD time limit at 7 CFR 273.24 in 95 counties from January 1, 2016 through December 31, 2016. The Kentucky State agency has supported its request to waive the time limit in 91 contiguous counties based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. Similarly, the State agency has supported waiving the time limit in another four contiguous counties based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period.

The State agency selected the same 24-month period – January 2013 through December 2014 – for each of the combined areas. During this 24-month

period the national average unemployment rate was 6.8 percent; 20 percent above this is 8.1 percent. As detailed in the tables that follow, each combined area qualifies based upon having an aggregate average unemployment rate 20 percent above the national average from January 2013 through December 2014.

Bureau of Labor Statistics Local Area Unemployment Data January 2013 through December 2014*		
91 County Group	Labor Force Totals	Unemployed Totals
1. Adair	176,924	16,049
2. Allen	212,948	14,435
3. Barren	461,416	32,576
4. Bath	113,616	11,011
5. Bell	230,064	27,188
6. Boone	1,568,120	92,997
7. Bourbon	234,660	14,953
8. Boyd	462,210	38,319
9. Boyle	300,997	24,010
10. Bracken	93,017	8,172
11. Breathitt	104,012	13,847
12. Breckinridge	195,731	15,780
13. Butler	127,273	10,481
14. Caldwell	133,154	9,698
15. Campbell	1,158,725	69,066
16. Carroll	120,319	9,867
17. Carter	258,069	30,351
18. Casey	160,664	12,527
19. Christian	631,078	53,945
20. Clark	411,523	28,177
21. Clay	135,429	17,496
22. Clinton	97,113	9,502
23. Cumberland	71,952	6,606
24. Edmonson	118,467	10,803
25. Elliott	52,852	6,882
26. Estill	131,160	11,217
27. Fleming	154,290	13,461
28. Floyd	306,943	36,239
29. Franklin	584,538	34,983
30. Gallatin	93,267	7,475
31. Garrard	184,217	13,721

County	Labor Force Totals	Unemployed Totals
32. Grant	272,352	19,973
33. Grayson	264,973	24,903
34. Green	125,187	9,276
35. Greenup	347,341	31,721
36. Hancock	96,699	6,433
37. Harlan	216,690	34,818
38. Harrison	205,789	13,956
39. Hart	190,290	13,529
40. Hopkins	505,632	36,262
41. Jackson	113,603	13,108
42. Jessamine	598,371	35,386
43. Johnson	197,273	19,925
44. Kenton	2,020,146	127,457
45. Knott	128,567	17,261
46. Knox	247,873	28,570
47. Larue	139,150	10,142
48. Laurel	582,994	50,547
49. Lawrence	130,879	13,650
50. Lee	55,386	6,201
51. Leslie	80,078	12,301
52. Letcher	184,567	26,998
53. Lewis	125,526	13,724
54. Lincoln	232,796	22,668
55. Livingston	91,327	8,107
56. Lyon	73,091	5,514
57. Madison	1,088,252	65,237
58. Magoffin	92,994	14,730
59. Marion	220,144	15,917
60. Martin	85,533	8,138
61. Mason	186,184	16,399
62. McCreary	124,900	14,913
63. McLean	105,861	7,569
64. Meade	296,230	23,810
65. Menifee	58,208	6,410
66. Mercer	241,301	17,066
67. Metcalfe	102,002	7,100

68. Monroe	112,127	7,171
69. Montgomery	285,659	22,766
70. Morgan	118,657	11,946
71. Muhlenberg	305,185	25,842
County	Labor Force Totals	Unemployed Totals
72. Nelson	517,530	35,533
73. Nicholas	84,085	7,095
74. Ohio	232,367	19,376
75. Owsley	30,249	3,483
76. Pendleton	166,257	12,538
77. Perry	240,082	29,354
78. Pike	544,983	60,843
79. Powell	120,054	11,589
80. Pulaski	642,996	53,398
81. Robertson	19,859	1,834
82. Rockcastle	167,798	13,931
83. Rowan	257,157	19,483
84. Russell	165,121	17,693
85. Scott	627,185	34,776
86. Taylor	269,945	22,352
87. Trigg	143,187	11,356
88. Washington	147,099	9,291
89. Wayne	175,498	19,207
90. Whitley	328,128	31,612
91. Wolfe	49,879	6,380
Combined Area Total	42,790,692	3,446,747
Combined Area Unemployment Rate	8.1%	
20% Above National Average Unemployment Threshold	8.1%	

*Data extracted from <http://www.bls.gov> on November 24, 2015

Bureau of Labor Statistics Local Area Unemployment Data January 2013 through December 2014*		
Four County Combined Area	Labor Force Total	Unemployed Total
1. Ballard	90,219	7,697
2. Fulton	55,684	5,358
3. Graves	389,322	31,387

4. Hickman	51,500	3,464
Combined Area Total	586,725	47,906
Combined Area Unemployment Rate	8.2%	
20% Above National Average Unemployment Threshold	8.1%	

*Data extracted from <http://www.bls.gov> on November 24, 2015

8. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the State agency's request to waive the ABAWD time limit in all 95 counties because the areas meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance. The two combined areas and the 95 counties therein qualify for the waiver extension because each had an aggregate average unemployment rate 20 percent above the national average for the 24-month period of January 2013 through December 2014.
9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension the State agency must provide FNS with a formal waiver request supported by data or other information as described in 7 CFR 273.24(f). If the State requests an extension based upon unemployment rates, it must provide FNS with all supporting documentation, including data spreadsheets.
12. **Expiration date:** The waiver extension is effective January 1, 2016, through December 31, 2016.
13. **Limitation, if any, on regional office approval of like requests:** The waiver is limited to the Kentucky State agency.
14. **Date of national office action:** DEC 01 2015
15. **Date of State agency's request:** August 7, 2015
16. **Date of regional office transmittal of request:** October 1, 2015
17. **Implementation date:** January 1, 2016
18. **State agency contact:**
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2150037

Page 6

- 19. FNS regional contacts:**
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