



DEC 14 2015

Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

Ms. Rosemary Malone
Executive Director
Family Investment Administration
Maryland Department of Human Resources
311 West Saratoga St.
Baltimore, Maryland 21201-3500

RE: SNAP – Maryland Request to Waive Able-Bodied Adults without Dependents Time Limit –
Extension and Modification – Partial Approval

Dear Ms. Malone:

This is in response to the Maryland Department of Human Resources' (DHR) request to extend and modify waiver number 2150044. The Maryland State agency has requested to exempt able-bodied adults without dependents (ABAWD) in 14 counties from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24 for calendar year 2016. After careful review of the supporting data provided, the Food and Nutrition Service (FNS) is partially approving the State agency's request.

The Maryland State agency has supported its request to waive the time limit in seven contiguous counties – Caroline, Cecil, Dorchester, Queen Anne's, Somerset, Wicomico, and Worcester 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 has supported waiving the time limit in another two counties – Baltimore City and Harford County – based upon the combined area having an aggregate average unemployment rate of 20 percent above the national average for a recent 24-month period. The Bureau of Labor Statistics data provided by the State agency supports waiver approval for all nine of these counties.

In addition, the Maryland State agency has requested to waive the time limit in five counties based upon low and declining employment-to-population ratios. Based on an analysis of the data provided by the State agency and other economic indicators, FNS is approving the State's request for Allegany and Garrett Counties. However, FNS is not approving the request for Kent, Talbot, or Washington Counties because the data provided does not adequately support the lack of sufficient jobs needed for waiver approval. The State agency might consider using 15 percent exemptions to extend eligibility for ABAWDs subject to the time limit in these areas.

FNS is approving the waiver for the 11 counties referenced above for 12 months, effective January 1, 2016 through December 31, 2016. The detailed waiver response is attached. If you have any questions, please contact Mary Ann Salvatore at MaryAnn.Salvatore@fns.usda.gov.

Sincerely,

Lizbeth Silberman
Director
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 2150044
2. **Type of Request:** Extension and modification
3. **Regulatory Citation:** 7 CFR 273.24
4. **State:** Maryland
5. **Region:** Mid-Atlantic
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 3 months during any 36-month 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 in 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 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 Maryland State agency has requested to waive the ABAWD time limit at 7 CFR 273.24 in 14 counties.

Maryland has supported its request to waive the time limit in seven contiguous counties – Caroline, Cecil, Dorchester, Queen Anne's, Somerset, Wicomico, and Worcester 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 has supported waiving the time limit in another two counties – Baltimore City and Harford County – based upon the combined area having an aggregate average unemployment rate of 20 percent above the national average for a recent 24-month period.

The State agency selected the same 24-month period – April 2013 through March 2015 – for each combined area. During this 24-month period the national unemployment rate was 6.5 percent; 20 percent above this is 7.8 percent. As detailed in the following tables, each combined area qualifies for the waiver based upon having an aggregate average unemployment rate 20 percent above the national average, or higher, from April 2013 through March 2015.

Bureau of Labor Statistics Local Area Unemployment Data April 2013 – March 2015*		
Area	Labor Force Total	Unemployment Total
Caroline County	421,608	27,537
Cecil County	1,251,328	86,103
Dorchester County	380,673	33,785
Queen Anne's County	631,914	33,916
Somerset County	227,925	22,376
Wicomico County	1,197,320	94,191
Worcester County	617,059	71,691
Combined Area Total	4,727,827	369,599
Unemployment Rate for April 2013 – March 2015	7.8%	
20% Above National Threshold	7.8%	

Bureau of Labor Statistics Local Area Unemployment Data April 2013 – March 2015*		
Area	Labor Force Total	Unemployment Total
Baltimore City	7,080,883	637,640
Harford County	3,245,044	194,412
Combined Area Total	10,325,927	832,052
Unemployment Rate for April 2013 – March 2015	8.1%	
20% Above National Threshold	7.8%	

*Data extracted from <http://www.bls.gov> on December 4, 2015

In addition, the State agency has requested to waive the time limit in five counties based upon having low and declining employment-to-population ratios over the course of January 2010 through May 2015.

The Food and Nutrition Service (FNS) is approving the State's request for Allegany and Garrett Counties. The employment-to-population data provided by the State and other economic indicators adequately demonstrate a lack of sufficient jobs in these two areas. Allegany and Garrett Counties' employment-to-population ratios were more than 2 percent below the national average for the final 2 years of the reference period and each area's ratio showed a continuous decline over the entirety of the reference period. Because the employment-to-population ratio is a less straightforward measure than other established criteria, FNS also takes into consideration other economic indicators such as the unemployment rate. Both Allegany and Garrett Counties had high unemployment rates relative to the national average from 2013 through 2014.

FNS is not approving the request for Kent, Talbot, or Washington Counties because the employment-to-population data provided does not adequately support the lack of sufficient jobs needed for waiver approval.

- 8. Action and reason for approval or denial:** FNS is approving the Maryland State agency's request to waive the ABAWD time limit in 11 counties because the areas meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance. The 11 approved counties are Caroline, Cecil, Dorchester, Queen Anne's, Somerset, Wicomico, Worcester, Harford, Baltimore City, Allegany, and Garrett Counties.
- 9. Regulatory or legislative basis for this action:** This 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. Implementation date and expiration date:** This waiver is effective from January 1, 2016 through December 31, 2016.
- 13. Limitation, if any, on regional office approval of like requests:** The waiver is limited to the Maryland State agency.
- 14. Date of national office action:** **DEC 14 2015**
- 15. Date of State agency's request:** July 29, 2015.
- 16. Date of regional office transmittal of request:** August 12, 2015.
- 17. State agency contacts:**
Marilyn Lorenzo
(410)767-7333
Marilyn.Lorenzo@maryland.gov

Vesta Kimble
(410)767-7947
Vesta.Kimble@maryland.gov
- 18. FNS regional contact:**
Mary Ann Salvatore
(609)259-5051
MaryAnn.Salvatore@fns.usda.gov