



Food and
Nutrition
Service

JAN 22 2015

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

Mr. David Locklear
Acting Chief
Economic and Family Services
Division of Social Services
North Carolina Department of
Health and Human Services
820 S. Boylan Avenue – MSC 2420
Raleigh, North Carolina 27699

RE: SNAP – North Carolina Request to Waive Able-bodied Adults without
Dependents Time Limit - Extension - Approval

Dear Mr. Locklear:

This is in response to the North Carolina Department of Health and Human Services' request for an extension of its waiver to exempt able-bodied adults without dependents (ABAWD) throughout the State from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24.

The North Carolina State agency has requested an extension of its current statewide waiver of the ABAWD time limit. North Carolina's current waiver is effective through September 30, 2015. North Carolina has provided a copy of the Department of Labor's Emergency Unemployment Compensation (EUC) trigger notice 2013-49, effective December 22, 2013, showing that the State's unemployment rate exceeded the threshold required to qualify for EUC, an extended unemployment benefit program. As provided by SNAP regulations at 7 CFR 273.24, States that meet the trigger threshold for extended unemployment benefits can qualify for an ABAWD time limit waiver. Following longstanding Food and Nutrition Service (FNS) policy, States can qualify for a 12-month Statewide waiver for up to 12 months after the trigger date, regardless of whether the State has taken the option to offer the extended unemployment benefit program itself. Therefore, based upon EUC trigger notice 2013-49, North Carolina is eligible for a Statewide ABAWD time limit waiver from December 2014 through December 2015, which would extend the State's current ABAWD time limit waiver by 3 months.

FNS is approving North Carolina's request to extend its waiver of the ABAWD time limit by 3 months, from October 1, 2015 through December 31, 2015. Please note

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that FNS has assigned waiver number 2150039 to this extension approval for tracking purposes. The detailed waiver response is attached. If you have any questions, please contact Gwen Daniels at Gwen.Daniels@fns.usda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sasha Gersten-Paal', with a long horizontal flourish extending to the right.

Sasha Gersten-Paal

Chief

Certification Policy Branch

Program Development Division

Attachment

KAP

WAIVER RESPONSE

1. **Waiver Serial Number:** 2150039
2. **Type of Request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** North Carolina
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 3 months during any 3-year period in which the individual was subject to, but did not comply with the ABAWD work requirements. 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 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 SNAP regulations at 7 CFR 273.24(f)(2)(ii), a State can qualify for a 12-month statewide waiver of the ABAWD time limit if the Department of Labor's Unemployment Insurance Service determines that the State qualifies for extended unemployment benefits. The Food and Nutrition Service (FNS) can approve a waiver if the State qualifies for extended benefits, regardless of whether the State has elected the option to offer the benefit itself. States that meet the extended benefit criteria can qualify for a 12-month statewide ABAWD waiver up to 12 months after the trigger date.

7. **Description of proposed alternative procedures:** The State of North Carolina is requesting to waive the ABAWD time limit at 7 CFR 273.24 from October 1, 2015 through December 31, 2015.
8. **Action and reason for approval or denial:** FNS is approving the North Carolina State agency's request to waive the ABAWD time limit because the State meets the requirements for approval provided at 7 CFR 273.24(f)(2)(ii). North Carolina has provided a copy of the Department of Labor's Emergency Unemployment Compensation (EUC) trigger notice 2013-49, effective December 22, 2013, showing that North Carolina's unemployment rate exceeded the threshold required to qualify for EUC, an extended unemployment benefit program.

9. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(1)(ii).
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 extension based upon unemployment rates, it must provide FNS with all supporting documentation, including data spreadsheets.
12. **Expiration date:** This waiver extension is effective October 1, 2015 through December 31, 2015.
13. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the North Carolina Department of Health and Human Services.
14. **Date of national office action:** JAN 22 2015
15. **Date of State agency's request:** December 18, 2014
16. **Date of regional office transmittal of request:** January 6, 2015
17. **Implementation date (notify FNS if actual date differs):** October 1, 2015
18. **State agency contact:**

Betsy Moore Betsy.E.Moore@dhhs.nc.gov (919) 527-6316	Kathy Evans Kathy.Evans@dhhs.nc.gov (919) 527-6318
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19. **FNS regional contact:**

Gwen Daniels Gwen.Daniels@fns.usda.gov (404) 562-7107	
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