

The population served and the services offered through New York's FSET program remain consistent with our previously approved plan.

New York will continue to operate an FSET program that is integrated with TANF and Safety Net work programs. This integration is reflected in the services available, the decision to serve food stamp applicants and recipients, as well as volunteers, and use of the Simplified Food Stamp Program for TANF recipients assigned to work experience. New York State will continue to focus its FSET services on individuals receiving both food stamps and temporary assistance as this population is most financially needy.

## **2. Able-Bodied Adults without Dependents (ABAWD) Population**

### Number of ABAWDs

As of April 30, 2011 New York's ABAWD population was approximately 148,617 persons. New York State qualifies for a statewide ABAWD waiver through September 30, 2012 as the Department of Labor's Unemployment Insurance Service has determined that New York State meets the criteria for extended benefit compensation (EB). It is anticipated that all counties will accept the statewide ABAWD waiver through September 30, 2012 with the exception of New York City. We expect New York City will continue to apply ABAWD requirements. As of April 30, 2011, approximately 51,918 ABAWDs were affected by the waiver/suspension.

New York State also allows up to 15 percent of the non-waived ABAWD population to be exempt from the ABAWD eligibility requirements. The number exempted shall not exceed the amount authorized by USDA. Each social services district is allowed the option of applying the exemptions and in those areas where the ABAWD requirement has not been waived many districts have chosen to do so. The categories of ABAWDs that have been exempted varied in each district, but typically include individuals living in remote areas or with extreme transportation hardships and individuals otherwise exempted for administrative ease.

### New York State Policy for Work Limited ABAWDs

According to the Food Stamp Act, individuals who are medically certified as physically or mentally unfit for employment are exempt from ABAWD requirements. New York State defines "unfit for employment" for purposes of ABAWD requirements to include individuals who are determined by the social services district to be unable to work in competitive employment for at least 20 hours weekly due to a physical or mental limitation. This policy will ensure that the federal ABAWD requirement to work at least 20 hours weekly to maintain food stamps is only applied to those individuals capable of fulfilling the requirement.

In certain instances individuals who are exempt from ABAWD requirements due to being unable to work in competitive employment for at least 20 hours weekly will be required to comply with the requirements of the Food Stamp Employment and Training program for fewer than 20 hours per week or in activities that are not work-based. Consistent with New York State's temporary assistance programs (Family Assistance and Safety Net), food stamp work registrants who are determined capable of competitive employment, but limited in either the type of work or the

number of hours of work may be required to participate in employment programs so long as his or her limitations are accommodated.

### Services for ABAWDs

FSET services are available to all food stamp work registrants, including those residing in areas with an ABAWD waiver through September 30, 2012.

Each social services district in New York is required to offer and provide a qualifying work experience, training or education opportunity to permit any non-waived, non-exempted and non-excluded ABAWD applicant and recipient to meet the ABAWD work requirement and remain eligible beyond the three-month time limit.

ABAWDs will be informed that a qualifying work assignment will be made available if necessary for them to maintain eligibility beyond the three-month time limit. ABAWDs who accept the offer will be provided a qualifying opportunity either through the FSET program or through other education and training programs available in the local districts.

### **3. Additional Allocation for "Pledge" States**

New York will offer and provide a qualifying work experience, training or education opportunity that will permit every non-waived, non-exempted and non-excepted able-bodied adult without dependents (ABAWD) applicant and recipient to meet the ABAWD work requirement and remain eligible for food stamps beyond the three-month time limit. For the period October 1, 2011 through September 30, 2012, OTDA anticipates that only New York City will apply ABAWD requirements. OTDA will notify USDA of the districts who will apply ABAWD requirements starting October 1, 2011 by August 31, 2011, as requested.

Each ABAWD will be informed that if necessary, a qualifying work assignment will be made available to them to maintain eligibility. Individuals who accept the offer may be provided a qualifying opportunity through the FSET program or through other education and training programs available in the local districts. The extent to which these procedures are appropriately implemented in each local area will be monitored as part of the State's annual Food Stamp Management Evaluation review.

As of April 30, 2011 New York's ABAWD population was approximately 148,617 persons, of which approximately 51,918 are living in waived areas. The estimated cost of serving the ABAWD population in waived and unwaived areas in FFY 2011 is \$138.7 million. Each social services district, with the exception of Hamilton County, has a variety of ABAWD-qualifying work activities available, including work experience and education and training activities, to allow ABAWDs who wish to maintain eligibility for food stamps beyond the three-month time limit to do so.