



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

DEC 12 2017

Linda Watts
Commissioner
Bureau for Children and Families
West Virginia Department of Health and Human Resources
350 Capitol Street, Room 730
Charleston, West Virginia 25301-3711

RE: SNAP – West Virginia Request to Waive Able-Bodied Adults without
Dependents Time Limit – Approval

Dear Commissioner Watts:

This is in response to the West Virginia State agency's request to waive the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents in 46 counties from January 1, 2018, through December 31, 2018.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving West Virginia to waive the time limit in the 46 counties for the requested 12-month period. The approval amends and extends waiver number 2150031. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. If you have any questions please contact Kelly Boger at Kelly.Boger@fns.usda.gov.

FNS is reviewing its policies regarding ABAWD time limit waivers. Moving forward, FNS will be taking actions to support the Administration's priority to provide able-bodied Americans a path to self-sufficiency. This goal requires that we establish a clear and mutual commitment to moving SNAP participants to meaningful employment.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Enclosure

WAIVER RESPONSE

1. **Waiver serial number:** 2150031
2. **Type of request:** Amendment and extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** West Virginia
6. **Region:** Mid-Atlantic
7. **Requirement:** 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. **Proposed alternative procedures:** The West Virginia State agency is requesting to waive the ABAWD time limit in 46 contiguous counties from January 1, 2018 through December 31, 2018. The State agency has supported its request based upon the 46 counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of June 2015 through May 2017. During this time period the national average unemployment rate was 4.9 percent; 20 percent above that rate is 5.9 percent. As detailed in the following table, the combined 46 county area had an aggregate unemployment rate of 6.9 percent during the selected 24-month time period.

Bureau of Labor Statistics Local Area Unemployment Data June 2015 – May 2017*		
County	Unemployment	Labor Force
1. Barbour County	10,908	165,066
2. Berkeley County	16,676	193,956
3. Boone County	10,987	132,152
4. Braxton County	16,357	240,371
5. Brooke County	7,609	64,059
6. Cabell County	7,782	77,808
7. Calhoun County	4,399	89,486
8. Clay County	29,467	383,739

9. Doddridge County	4,856	61,331
10. Fayette County	8,629	142,480
11. Gilmer County	20,099	373,988
12. Grant County	10,450	239,139
13. Greenbrier County	21,293	307,601
14. Hampshire County	7,840	135,967
15. Hancock County	18,386	286,486
16. Hardy County	13,168	163,035
17. Harrison County	14,736	175,182
18. Jackson County	26,485	267,243
19. Jefferson County	13,998	121,520
20. Kanawha County	25,824	334,339
21. Lewis County	17,231	239,730
22. Lincoln County	33,979	525,891
23. Logan County	17,177	283,317
24. McDowell County	19,595	161,898
25. Marion County	6,600	142,940
26. Marshall County	19,484	228,986
27. Mason County	26,501	494,151
28. Mercer County	3,477	87,956
29. Mineral County	5,609	70,862
30. Mingo County	5,974	88,441
31. Monongalia County	19,948	357,480
32. Monroe County	47,608	716,291
33. Morgan County	17,256	290,197
34. Nicholas County	6,932	109,978
35. Ohio County	12,517	125,484
36. Pendleton County	6,786	109,729
37. Pleasants County	10,396	187,194
38. Pocahontas County	4,519	83,624
39. Preston County	7,335	86,297
40. Putnam County	17,086	235,736
41. Raleigh County	24,038	374,109
42. Randolph County	6,275	83,587
43. Ritchie County	15,362	171,684
44. Roane County	4,798	53,831
45. Summers County	50,661	883,206
46. Taylor County	16,652	178,224
Total	713,745	10,325,771
Combined Area Unemployment Rate	6.9%	

*Data extracted from Bureau of Labor Statistics Local Area Unemployment survey (<http://www.bls.gov>) on November 8, 2017.

- 9. Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the West Virginia State agency's request to waive the ABAWD time limit in the 46 county area because it meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 10. Regulatory or legislative basis for action:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008, as amended and 7 CFR 273.24(f).
- 11. Information required for an extension:** To receive an amendment or extension the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.
- 12. Implementation date and expiration date:** The waiver is effective January 1, 2018 through December 31, 2018.
- 13. Limitation if any on Regional Office approval of like requests:** The waiver is limited to the West Virginia State agency.
- 14. Date of National Office action:** DEC 12 2017
- 15. Date of State agency's request:** September 29, 2017
- 16. Date of Regional Office transmittal of request:** October 2, 2016
- 17. State agency contact:**
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- 18. FNS regional contact:**
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