

MANUAL MATERIAL TRANSMITTED					
MANUAL: INCOME MAINTENANCE			CHANGE NUMBER: 97		
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
10 a - 10 h	9	10/97	10 a - 10 h	9	1/98
Appendix A	10	1/98	Appendix A	10	1/98
IM-NL-ABAWD-1	FORM	10/97	OFS-ABAWD-1	FORM	1/98
DATE: December, 1997			TO: All Income Maintenance Manual Holders		

The original waiver request for ABAWD expired December 31, 1997. This change is based on a renewal of that request for 1998.

Effective January 1, 1998, the following counties are ILC's:

Berkeley	Jefferson	Morgan
Brooke	Kanawha	Ohio
Cabell	Mercer	Pendleton
Hampshire	Mineral	Putnam
Hancock	Monongalia	Wood
Hardy	Monroe	

All of Wood County is now an ILC. Counties that were NILC's in 1997 but are ILC's effective January, 1998 are: Brooke, Cabell, Hancock, Mercer, Mineral, Monroe, Morgan and Ohio. At redetermination, active cases must be advised that the next month will be the first month of the 3-month limit on receiving Food Stamps as an ABAWD without meeting the work requirement in the new ILC's. For applicants in the new ILC's, the 3-month limit on participation without meeting the work requirement begins with the first month for which full benefits are received, but no earlier than January, 1998.

Chapter 10, Appendix A has been revised to correct two amounts for LIEAP and to update the SSI maximum payment amounts.

Questions should be directed to the OFS Policy Unit.

Convicted on or after 8/23/96 of trafficking in Food Stamps involving \$500 or more.	Permanent
Convicted on or after 8/23/96 of any felony offense which involved possession, use or distribution of a controlled substance as defined by section 102(6) of the Controlled Substance Act.	Permanent

g. Unborn Children

The benefit group cannot receive Food Stamps for an unborn child.

h. Work Requirement Sanctioned Individuals

Persons against whom a sanction is imposed for failure to comply with work requirements found in Chapter 13 may not be separate benefit groups, even when living with others not affected by the sanction.

i. Others

Other individuals who share living quarters with the benefit group, but who do not customarily purchase and prepare food with them. These individuals may apply as a separate benefit group. However, the parent/child/parental control relationship described in item 1,c,(2) and (3) must be considered.

j. Able-Bodied Adults Without Dependents (ABAWD)

NOTE: All work requirements in Chapter 13 apply to ABAWD.

(1) Definition of ABAWD

An ABAWD is any individual age 18 or over and not yet age 50 who is not included in the same benefit group with a child under age 18.

A child who turns 18 becomes an ABAWD in the month following his birthday. An

(3) Issuance Limited Counties (ILC) and Non-Issuance Limited Counties (NILC)

The following are ILC counties and the only ones in which the 3-month limit applies.

Berkeley	Jefferson	Monroe
Brooke	Kanawha	Ohio
Cabell	Mercer	Pendleton
Hampshire	Mineral	Putnam
Hancock	Monongalia	Wood
Hardy	Morgan	

All other counties are Non-Issuance Limited Counties (NILC).

(4) Determining The 36-Month Period

The first 36-month period is determined as follows:

- For all recipients who received a full month's benefits for December, 1996, regardless of the county or state of residence, the first 36-month period begins December, 1996 and ends November, 1999.
- For all individuals who meet the definition of an ABAWD who applied after December 1, 1996, regardless of the county or state of residence, the first 36-month period begins with the first month of receipt of full benefits.

Once the 36-month period begins, it remains fixed regardless of the ABAWD's recipient status or regardless of county or state of residence.

EXAMPLE: An ABAWD resides in an ILC and was receiving benefits on December 1, 1996. His 36-month period begins December 1, 1996 and ends November 30, 1999. During this period, he is eligible to receive benefits for 3 months without meeting the work requirement.

- He no longer meets the definition of an ABAWD; or
- He resides in an NILC; or
- He meets the ABAWD work requirement as specified in item (2); or
- He becomes exempt as specified in item (7) below; or
- He has worked 80 hours in a 30-day period. This does not have to be the 30 days immediately preceding the date of application; or he participates for a month in employment or training activities.

Only individuals who have regained eligibility in this manner can qualify for the additional 3-month period specified in item (6) below.

(6) Qualifying For An Additional 3-Month Period While Not Meeting the Work Requirement or Being Exempt

When eligibility is regained by having worked 80 hours in a 30-day period, or by participating for a month in an employment or training program, the individual is eligible to receive FS for up to 3 consecutive months without meeting the work requirement. This is the last time in the 36-month period that he may be eligible without meeting the work requirement. After this second 3-month limit expires, he may only become eligible again by complying with the work requirement, residing in an NILC, or becoming exempt as specified in item (7) below.

EXAMPLE: An ABAWD uses his 3 months of eligibility in May, June and July, 1997, without meeting the work requirement and his case is closed effective July. He completes 80 hours of work between August 10 and August 31. He reapplies September 1. If otherwise eligible, he may participate and has gained eligibility for the additional period of

required to complete any work hours to become eligible again. However, this does not qualify the individual for the additional 3 month period specified in item (6) above until he has worked 80 hours in 30 days.

EXAMPLE: An ABAWD residing in an ILC is a recipient of Food Stamps on December 1, 1996 with a redetermination due in March, 1997. At the March redetermination, it is determined the individual did not meet the ABAWD work requirement and was not exempt during December, January and February. His eligibility ends effective March, 1997.

EXAMPLE: An ABAWD receives his first full month's benefits in March, 1997. His 36-month period begins March, 1997. He is certified through May, when it is determined he did not meet the ABAWD work requirement for March, April and May, 1997. His eligibility ends effective May, 1997.

EXAMPLE: The same individual in the example above moves to an NILC and applies for Food Stamps in August, 1997. If otherwise eligible, he may receive for Food Stamps while he resides in the NILC or while the county remains an NILC.

EXAMPLE: An ABAWD receives Food Stamps in January and February, 1997 without meeting the work requirement. These are his first and second months of eligibility. He finds part-time employment of 20 hours per week in March. He is otherwise eligible and receives Food Stamps until October, 1997, when his job ends. He then receives Food Stamps in November, 1997, his third month of eligibility without meeting the work requirements. November, 1997 is his last month of eligibility.

EXAMPLE: The same individual in the example above has worked 80 hours between January 1 and January 31, 1998.

**IMPORTANT FOOD STAMP INFORMATION
FOR ABLE-BODIED ADULTS WITHOUT DEPENDENTS**

The welfare reform law enacted in August, 1996 changed some eligibility requirements for the Food Stamp Program that may affect you if you:

- Are between the ages of 18 and 50; and
- Are not in a benefit group with a child under age 18.

You may receive Food Stamp benefits for no more than 3 months out of 36 months if you are otherwise eligible and you:

- Do not work at least 20 hours per week, averaged monthly; or
- Do not participate in a work program such as JTPA for at least 20 hours per week.

NOTE: This policy that may limit the time you receive Food Stamps does not apply in all counties of West Virginia. Your Worker must tell you whether you live in a county with time-limited eligibility. These counties are subject to change.

If you lose eligibility because of the time limit, one way you can become eligible again is by working 80 hours in a 30-day period or participating in a work program for a month. If you become eligible again this way, you can continue to receive Food Stamps for as long as you meet all other eligibility requirements including the work requirements. Should you lose your job, you may be eligible for up to an additional 3 consecutive months without having to meet the work requirement.

You are exempt or become exempt from this work requirement and may continue to receive Food Stamps if otherwise eligible and if one of the following applies to you:

- You are responsible for the care of an incapacitated adult;
- You have been medically certified as unfit for work;
- You are receiving Unemployment Compensation and are registered with the Bureau of Employment Programs;
- You are pregnant;
- You are a student enrolled at least half-time in an institution of higher education;
- You are a regular participant in a drug addiction or alcoholic treatment and rehabilitation program;
- You are hired for work of at least 30 hours per week;
- You are hired for work paying the equivalent of at least 30 hours times the minimum wage per week.

If you have any questions, please contact the county office listed on the enclosed notice.

APPENDIX A - INCOME LIMITS

NUMBER OF PERSONS	100% FPL	120% FPL	133% FPL	150% FPL	185% FPL	200% FPL	300% FPL	C/U PAY-MENT	C/U 100% SON	C/U 185% SON	TRIP
1	658	789	875	987	1,217	1,316	1,974	149	581	1,075	514
2	885	1,061	1,176	1,327	1,637			201	786	1,454	766
3	1,111		1,478	1,667	2,056			253	991	1,833	841
4	1,338		1,779	2,007	2,475			312	1,196	2,212	916
5	1,565		2,081	2,347	2,894			360	1,401	2,592	991
6	1,791		2,382	2,687	3,314			413	1,606	2,971	1,066
7	2,018		2,684	3,027	3,733			462	1,811	3,350	1,141
8	2,245		2,985	3,367	4,152			477	2,016	3,729	1,216
9	2,471		3,287	3,707	4,572			477	2,221	4,108	1,291
10	2,698		3,588	4,047	4,991			477	2,426	4,487	1,366

NUMBER OF PERSONS	MAXIMUM COUPON ALLOTMENT	FOOD STAMP GROSS/NET TEST						MNIL		QMB	SLIMB	SSI MAX	EMER. ASST.	LIEAP
		GROSS	NET	E & D	1 MO.	6 MOS.								
1	122	855	658	1,085	200	1,200	658	659-789	494	355	724			
2	224	1,150	885	1,459	275	1,650	885	886-1,061	741	533	973			
3	321	1,445	1,111	1,833	290	1,740				566	1,221			
4	408	1,739	1,338	2,207	312	1,872				711	1,472			
5	485	2,034	1,565	2,581	360	2,160				819	1,721			
6	582	2,329	1,791	2,955	413	2,478				939	1,970			
7	643	2,623	2,018	3,329	461	2,766				1,046	2,220			
8	735	2,918	2,245	3,703	477	2,862				1,165	2,469			
9	827	3,213	2,471	4,077	527	3,162				1,273	2,718			
10	919	3,508	2,698	4,451	547	3,462				1,394	2,968			

NURSING HOMES

Min. SMS - \$1,327
 Max. SMS - \$2,019
 MAX. FMA/each - \$443
 OLE - \$175