

SNAP Time Limit: What Providers Should Know About the Impact on Individuals with Disabilities – Live Captioning Transcript – 1.20.16

Good afternoon, everyone. Thank you so much for joining us today for SNAP Time Limit: What Providers Should Know About the Impact on Individuals with Disabilities. Today we are going to take a quick look at poverty a disability. We are going to talk about a little bit of background on SNAP and ABAWD time limits and we are going to -- explain what ABAWD is. We're going to get lessons from Massachusetts and equip you with resources to help you share what you learn today and take action as you see fit we are going to leave a good amount of time for questions and answers about this very important topic. My name is Elizabeth Jennings, deputy director here at National Disability Institute and this is the first webinar partnership with our partner over at CLASP the Center for Law and Social Policy so we are very happy to have with us today Helly Lee, the senior policy analyst at CLASP and Pat Baker, senior policy analyst with Massachusetts Law Reform Institute. I would like to invite my colleague Nakia Matthews to share with you some housekeeping tips before we get started.

Thank you, Elizabeth, and good afternoon, everyone. The audio for today's webinar is being broadcast through the computer. Please make sure that your speakers are turned on or that your headphones are plugged in. you can control the audio broadcast by the audio broadcast panel which you can see below. If you accidentally close the panel, you can open it by going to the communicate menu at the top of the screen, and you can choose a join audio broadcast. If you do not have sound capabilities on your computer, or if you prefer to listen by telephone, you can dial the toll or toll-free number and enter in this meeting code. Please note that you do not need to enter an attendee ID. Real-time

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Thank you so much, Nakia Matthews. And so for those of you who are new to National Disability Institute, our mission is to drive social impact, build economic future for people with disabilities and their families and we do this through a myriad of ways, although not the least of which is training and technical assistance on important topics, that impact the financial well-being of individuals, both with and without disabilities and strategic partnerships like today's event with CLASP. The mission of CLASP is to improve the lives of low income people and we are thrilled to have them with us today to provide their technical knowledge. I also -- it before we handed over to CLASP, I just wanted to take a moment to talk about poverty and disability. Again, for those of you who may be new to us and have not looked at the poverty rates of people with disabilities, the best data, the most recent that we can access is from 2013. You can see the poverty rate of people with disabilities was 28%, more than twice that of people without disabilities, which was 12.5%. And not surprisingly, the employment rate of people with disabilities was much lower than those without. Just 34.5%, for people with

disabilities, compared to 76.8% for those without. It is no surprise, then, to understand about it food and security and disability often go hand-in-hand. The USDA's economic research service and food research action center had some data in a report that they published that share that one third of households with a working age adult who is out of the labor force due to disability experienced -- with the security. A quarter of a households with a working adults with disabilities who has remained in -- those are folks that are working, still one fourth of those households and in 2013, approximately 20% of SNAP households, 4.6 million each month which was -- I am not -- I am not an expert in SNAP, and I thought that that was an incredible number. 4.6 million each month, including nonelderly member with a disability and so we wanted to bring this topic to you today so that you could better understand the number of people that you may be serving as a service provider who does not focus on people with disabilities. But also those of you who are in the disability field, how important SNAP is to the population of people that we serve. It is a very cool day here in DC, the time of the -- where people have to make hard choices about choosing between food and heat or making some other critical financial decisions. So whatever we can do to help people keep a safety net while they tried to build a better financial capability, make their return to work -- we are happy to share with you. So thank you so much, Helly Lee, for joining us today and I'm going to hand it off to you.

Thank you so much. And good afternoon, everyone, and first I would like to thank NDI in Massachusetts Institute for their collaboration in putting this webinar together. I just wanted to give a quick

background on the CLASP and Elizabeth mentioned our mission but it is a national nonprofit organization that works to develop an advocate for federal, state, and local policies and assisting families in creating pathways to education and work and part of the efforts are to ensure a strong

system of work support for low-income workers, ensure access to nutrition through the supplemental nutrition assistance program also known as SNAP. The time limits on SNAP receipt for certain individuals have a deep impact on those affected and we are happy to share what some of those impacts are today. So first, just a little background on the SNAP program overall. The Supplemental Nutrition Assistance Program also known as food stamps or SNAP is one of the nation's largest and most important anti-hunger and anti-poverty program. It served over 46.5 million people and low income households on average, in a month in 2014. It served a monthly average of 1.6 million households with nonelderly individuals with disabilities in 2014 as well as Elizabeth mentioned. These are identified as households with nonelderly members -- who have individuals who are nonelderly SSI recipients, those with a medical expense deduction and no elderly individuals are nonelderly adults who were to fewer than 30 hours a week and we see Social Security, veterans benefits, workers compensation. These households as Elizabeth mentioned represent 20% of all SNAP households and agree that that is a very significant number. On average, these households receive a monthly SNAP benefit of \$187 a month. In 2014, SNAP provides a small amount of nutrition support for eligible households. And allotments are certainly not enough to supplant nutrition budgets but it is simply a supplement to help individuals and families make ends meet. SNAP a maximum monthly allotments for a household of 1 in 2014 was \$194 a month. \$354 for a household of two and \$511 for household of three and so on. On average, SNAP benefits amounted to less than \$1.40 per person per meal. So it is certain -- certainly a small amount. The majority of SNAP recipients are individuals who are not expected to work. That is to say that they are either children, so 44.2%, or elderly adults and that is 10.1%. 45.7% of our SNAP recipients are considered working aged between the ages of 18 to 59. SNAP is one of the few means benefits programs that is available to nonelderly, nondisabled adults without children and these are often referred to as able-bodied adults without dependence. Or ABAWDs as Elizabeth mentioned. But such individuals are subject to time limits on SNAP if they are

not exempt or not working or participating in a qualified training activity for at least 20 hours per week and we will go into a little bit more details about that later out. They are limited to three months of SNAP in a 36 month period. I just want to -- while we are here, clarified the time limit a little bit.

What I want to note is that the ABAWD provisions in SNAP, we consider it a time limit and not a work requirement and in this webinar, we will refer to it as a time limit and this is because the provision is often characterized by the work requirements and calling it a work requirement suggests that it encourages people to look for work and provides training or workforce positions to everyone subject to the time limit so this is not the case in the situation. In fact, states are not required to offer employment and training activities to all who are affected by this ABAWD time limit and in addition, individuals who are already working but are working less than 20 hours per week and those who are looking for work are still terminated from SNAP after three months. They do not meet those stipulations. Therefore the ABAWD time for -- the provision is a time limit and not a work requirement and this is a very important message that I want to make sure that it is out here early on. A little bit of background on the time limits. The time limits on SNAP received have been in effect since the welfare reform. The personal responsibility and work opportunity reconciliation act of 1996 or PRWORA limited SNAP receipt benefits to three months, in a 36 month period for certain able-bodied adults and not working for participating in employment and training activity or volunteering so it is roughly 2007 -- states started experiencing higher unemployment due to the economic downturn and many states operated under statewide waivers of the ABAWD rules. This meant that in states that had high unemployment that qualify for and took up the statewide waivers, though subject to the three months time limit were not automatically cut off of SNAP if they were not in employment training activities. Or working for more than 20 hours a week or more. Most statewide waivers expired on December 31, 2015 and, again, we will go into some of those details later on as

well. Subject to the time limits. Working age adults without children are subject to the time limit on receiving SNAP benefits. Federal regulations referred to this group as ABAWDs were able-bodied adults without dependence and applied to applicants who are 18 until 49 years old

childless. Are working less than 20 hours a week, and have no documented disability. There are exemptions from the time limits. Federal regulations exempt certain individuals who are under 18 or over 50 years of age for the 50th birthday marks the date of exemption. Individuals who are determined by the state agency to be medically certified as physically or mentally unfit for employment and I just want to point out that unfit is the term that is used in regulations. It is not a term that we have come up with. And individual is medically certified, physically or mentally unfit for employment -- if he or she is receiving temporary or permanent disability benefits issued by government or private sources, is obviously mentally or physically unfit for employment as determined by the state agency or a caseworker, if the

unfitness is not obvious, a statement is needed for one of a number of professionals such as a physician, physicians assistants, nurse, nurse practitioners, other designated representative of a physician's office. Licensed and certified psychologists, social workers, other medical personnel that the agency determines appropriate that they are physically, mentally unfit for employment. One thing to note for the obvious doesn't work language is that it may be difficult for some states to make an observation. Of obvious unfitness if they no longer do face-to-face interviews. Many states have modernized processing with application processes online or by mail and interview is done by telephone so that obvious unfit -- unfitness for work through observation is harder to come by. However, the Food and Nutrition Service which administers the SNAP program has given states more discretion to define obvious unfitness and as we will discuss later, with the policy on chronically homeless populations, and pass can talk a little bit more about how that has been applied in her

state. In addition, to those exemptions, an individual residing in the same SNAP household with a child under 18 is exempt even if they are not related to the child and even if the child is not receiving SNAP. Individuals do not need to be providing care for the child in the home. So the children in the home -- in order to be exempt and this can largely include older siblings who have turned 18 or nonparent partners, biological parents, relatives living in the home, et cetera. Individuals who are pregnant are exempt and individuals already working or participating in unemployment training activity for an average of 20 hours a week. They are exempt some of the 20 hours of the week can include a job search but not more than 9.5 hours a week of job search. Can be included. ABAWDs are a subset of a broader population of SNAP participants who are subject to work requirements as a condition of eligibility so if they are exempt from the broader SNAP work requirement there are also exempt from the SNAP time limits. And those include individuals who are caregivers of someone with a disability, note that the regulations do not require caregivers to live with those who they are caring for in order to be exempt. Individuals receiving unemployment compensation, including those who have applied for but are not yet receiving compensation, participants in a drug addiction or alcoholic treatment and rehabilitation program, individuals who are employed or self-employed, students enrolled at least half-time in school, training program or institution. Of higher education. And then, as I mentioned earlier, it is important to note that states also have discretion and may exempt individuals who are chronically homeless from being subject to the time limit on SNAP and in November 2015, the Food and Nutrition Service released a memo that stated that a chronically homeless individual who is living on the street may be considered unfit for employment as determined by the state. And Pat will share more about how Massachusetts has addressed this in her presentation following line. -- Following mine. As mentioned briefly earlier, throughout the recession, many states receive statewide waivers of the ABAWD time limits but as the economy rebounds the statewide waivers are largely ending and in most states, time limits are returning for the first time in

many years and starting this month, January 2016. Many states still have the option to request partial waivers from USDA, the US Department of Agriculture. Which is the department that FNS is housed in and administers the SNAP program. These are statewide waivers and partial waivers -- applicable in areas of high unemployment and some are declining waivers or only taking up some of the partial waivers where they are eligible and some states, however, are taking them up in all places where they are eligible. We will look at this map -- who is receiving waivers, you can see them those who are receiving no waivers at all -- the maroon states are not receiving any time waivers on this SNAP time limits. But the khaki colored states, tan colored looking states are receiving partial waivers, which means they are receiving waivers and parts of the state where there is high unemployment and then the blue ones -- dark blue ones, receiving statewide waivers. When you look at this map of who is receiving the waivers, you notice that in 2016, starting this month, only a handful of states are receiving a statewide waiver of the ABAWD time limits. That is California, Nevada, Missouri, Illinois, Michigan, and South Carolina. So the District of Columbia, Guam, and the Virgin Islands also have statewide waivers and you will see that Louisiana is blue and it has remained eligible for a statewide waiver, but the previous administration implemented a time limit and, again, in October 2015, and began to cut off individuals from the SNAP program earlier this year. Louisiana is blue because it is included as a state that has a statewide waiver because they are new governor who was sworn in just this month, earlier this month, probably -- I think it was last week, has pledged to take up the statewide waiver once he takes office so we are hopeful about that and have colored it blue code -- blue there.

For the states to do not have a waiver, 23 of the states are implementing a statewide -- that were once implemented in the statewide waiver as early as December 2015 and are now experiencing the

return of the time limits just this year. What does all of this mean? When states lose their waivers or they do not take up waivers, there are eligible for and do not have resources in place to support individuals facing the time limits -- many lose benefits. Again, as I mentioned, states are not required to offer employment and training services for individuals facing the time-limited people willing to participate in employment training are actively seeking work and may still be cut off from SNAP and people working but are unable to -- only able to find intermittent work, less than 20 hours a week, may still be cut off of SNAP and the Center on budget and policy priorities estimates that between 500,000 and 1 million individuals may lose SNAP benefits in 2016 because of the ABAWD time limits. So what does an individual affected by the time limit have to do if they are in no other way exempt? So that they do not lose the SNAP benefits. They need to spend 20 hours a week and qualified work or training programs. Other qualified programs determined by the state can count as a qualified worker training program. WIOA is the Workforce Innovation and Opportunity Act which was reauthorized this year which has a lot of language run serving individuals with barriers to employment and -- SNAP employment and training is a federal dollars, through the SNAP FNS to offer employment training programs, services, for individuals on SNAP. These qualified work training programs can be combined with other qualified training activity such as volunteer work and job search and I will go through -- into the volunteer pieces a little bit more in the next slide. Workfare or volunteer work can also count as qualified work in training programs and this is significant because workfare and volunteer work do not require the 80 hours of participation or the 20 hours per week as it was described in the previous slide. As required by other qualified employment training programs. It requires hourly participation equal to the household allotment a divided by the minimum wage. So basically and generally, this means it is the lower -- lower than the 20 hours a week or 80 hours a month. States have the flexibility to consider it on paid or volunteer work at a public or nonprofit institution as workfare and comparable to workfare which presents a lower hourly burden as well as

mentioned in the bullets above. Finally, I just wanted to make one final note, for those working within the disability community, for those subject to the SNAP time limits, this is a separate definition of disability. That is used. Unfit for work is used rather than disability. It has a separate definition than those based on the SSA rules and as the same defines disability as inability to engage in substantial -- that can result in death and the last -- thresholds do not apply for SNAP and the state has flexibility in determining who is unfit for work so I wanted to make that distinction so that it is clear as well. I will turn it over to pat to share a little bit more about what her state has been experiencing and some of the ways in which this plays out on the ground. >> Hello, Helly. Can you hear me?

Yes.

Hello, everybody, from Massachusetts. It is also freezing here just before I start, I want to underscore a lot of what Helly mentioned about the very punitive and harsh nature of this three-month time limit and not only does it cut off access to basic food programs. It doesn't regardless of an individual's efforts to look for work. There is no obligation on the part of states to offer any jobs to ensure that there is employment in training programs to even find community service sites. It is quite intense and mean spirited and perhaps someday can get revisited, but we do want to underscore some of the harsh nature of it and how labor-intensive it is to keep benefits of both for the recipient and for state agencies trying to administer the program. So Massachusetts was under a statewide waiver of the ABAWD rules since June since June 2008, like a number of states. We elected and took advantage of those waivers about that expired December 31. This past fall, Massachusetts initiated a plan to alert a lot of stakeholders about the ABAWD rules and offer multiple workshops. By stakeholders, I mean legal services communities, homeless shelters, healthcare agencies, job training programs, all invited

to come to the table to learn about what was happening the state also formed with MLRI and shelters and ABAWD working group to advise them on policy and back in December, November, they sent two informational mailings with exemption forms and brochures. They also made two robo calls to the ABAWD that had phone numbers. And fairly successful pickup rate tracking that and now, they have started what we are calling the countdown mailings. So for current recipients in Massachusetts who are identified as subject to this rule, they will get three mailings between now and April 1, advising them what is coming down the pike and what they can do to stop the benefits from terminating. In Massachusetts, our state identified

about 62,000 potential ABAWDs out of -- we have roughly 780,000 individuals SNAP recipients. Based on the data that the state knows about the individuals, not half of the -- about half of them appear to be exempt so the other half may be subject to this requirement.

What the state believes, looking at the individuals that they have information on, is that a huge percent are homeless, about 12,000. Homeless men, women, many homeless veterans. A lot of individuals who have had difficulty in the workforce, chronic unemployment, many lack access to regular healthcare, even though we are a state with robust health insurance. And, based on our experience and there's, many cannot navigate, particularly the SSI or Social Security disability process which can take some time as does the veterans administration service and non-service-connected disability process. So Massachusetts, as I mentioned, did use its own data to identify and exempt the ABAWDs. For persons receiving any kind of disability benefit, the state immediately exempted them. So the common ones are SSI, Social Security, our SDI, retired senior disability insurance coverage, workers comp, also was an exemption, individuals getting a private disability-based pension. For veterans administration, there is both service and non-service-connected disability pension and compensation, and, again, if the veteran is receiving any amount of them VA service or non-service-

connected disability, they would be exempt as you may know if you work on veterans issues that this could be 10% disability up to 100% of disability. Those individuals have a reduced ability to work, they are exempt. Our state general assistance program, some states call it home relief and we have a crazy acronym for it -- it is emergency aid to others, disabled, and children and that also provides benefits only two people who are seniors, age 65 or older, persons with disabilities or caring for disabled person and that, as Helly said, we have an exemption for people receiving unemployment or pending a request and that is because the unemployment comp program has a very robust work search requirement and reporting requirements so they are already in compliance with other programs. Then, we use additional data to identify anyone who is living with a child and that does not need to be one's own child. You do not need to be a parent of the child. We have seen guidance from other states that very much narrows it and the federal regulations do not provide this provision and they do not there'll into the caregiver as a child. The household that we see typically our families with older children, kids who have returned home after leaving, kids who have never left home, and they are part of the SNAP household and maybe under 22. They could be exempt because of they are living with the younger siblings. Again, students living -- excuse me, students attending at least half-time any kind of education or training program for college -- in the case of a college student, there are additional requirements. The student must meet to be eligible for SNAP, unfortunately, receiving work-study is one of them. Working part-time is another and in Massachusetts, we also do allow students in community college programs that are career or technical vocation-based to also qualified students and they are exempt. Interestingly, I think that states may not be aware of individuals in college because they do not have any financial aid that is countable. We find families often don't realize that they need to report student

status so they sort of uncovered themselves through the ABAWD process. Individuals working 20 hours a week, of course, and then we do have a large number of self-employed people, the fishing

industry, from -- up through Cape Cod, New Bedford area, it lot of self employed fisherman and fishing women who again would be exempt if they are earning at least 30 times the federal minimum wage and we also have a lot of farmers in the western part of the state as well so, again, to the extent that they have information, they may be exempt, we often find that some of the populations are hidden to the state until they dig in and realize who they are Massachusetts also sought USDA approval for the labor surplus areas based on high unemployment. This was information that the Center on budget and policy priorities crunched the data for Massachusetts. And provided that to USDA as they have done for other states. We have many pockets of the state that our vacation destinations and really mask long-term and chronic poverty such as Cape Cod and the Berkshires and these are areas that you will see on the next map, that have been designated as labor surplus areas as well as urban pockets that have suffered from loss of industry or business as. As certain companies have moved out of the state or shutdown. Massachusetts has determined about 12,000 of our ABAWDs live in those areas, but it's important to remember that this is something that has to be renewed and assessed annually. So what is in the blue area on this map now may be shifting a year from now but individuals right now whose home address is based in these areas can claim an exemption or automatically exempt and that is programmed by the state. So that they are not subject to the work requirement or time limit based on their residents or ZIP Code. So as Helly said earlier, there are a couple of options for determining people to be medically unfit. That should say unfit, not unit. My apologies and that is a rather archaic term but I think it was intended to distinguish this population from SSI recipients. Who have to show not only an impairment that is or will last a year or longer or end in depth but are also unable to engage in Substantial Gainful Activity so Massachusetts has come up with a couple of, I think, helpful tools to screen individuals and as Helly noted with states that have modernized, we don't have direct contact often between SNAP recipients or applicants and their workers. In our state, there is no assigned worker. It is a task-based system versus a case based

system which makes it impossible for anyone to make any kind of meaningful observation. So you can be exempt if it is obvious that you are unfit which is unusual, and I will show you how Massachusetts implemented the rest of this. In the state, you are also unfit and this is federal option to back or federal requirement if you are in a vocational rehabilitation program, drug or alcohol treatment program and if you are a pregnant woman, you are exempt at any stage of pregnancy which distinguishes it from the TNF program which is in Massachusetts, the last trimester. So on fitness, for Massachusetts, it is a reduced ability to support oneself financially. And in Massachusetts, you do not need a specific diagnosis. You do not need supporting medical tests which is quite different than the SSI process. The box in front of you ask three questions. Is the individual pregnant? Are they in a vocational rehab? Mental health or drug or treatment program? What your question is, do you have mental or physical illness or disability, temporary

or permanent that reduces your ability to support? Yes or no? And then duration. That is it. Paycheck off yes or no and duration and that makes it a very simple and straightforward form for providers to fill out. It can be signed by a wide range of providers as is listed here and also listed on the medical report itself. So the physician or any designee if a medical office, physician assistant, nurse practitioner, osteopath, psychologist, substance abuse counselor, social workers, midwife or director of a rehab program, substance abuse or mental health program, wide range of individuals can sign this report. And on the report itself, it identifies the scope of allowable signers who can check off those boxes. It can also be in a separate piece of paper and it does not need to be a specific report. We have done a lot of work in Massachusetts, reaching out to our managed care providers. There are really six core managed care organizations in Massachusetts. Partisan help. Health plan is a third and we ask them if they would reach out to all of the healthcare networks that has the Medicaid population. And advise them of the ABAWD three-month time limit restrictions. Celtic air was first out of the chute and they did a huge blast with materials and that we drafted. To all of their healthcare

providers, this morning, Boston medical care, health net, confirmed that they have announcements to their providers, trying to encourage their providers to look out for these patients. To understand that they can help easily. By checking off this form if their patients appear to have any illness or impairment, temporary or longer term which reduces their ability to work and those materials will include in the follow-up. As Helly noted before, we also exempt individuals who are considered chronically homeless. I think that USDA recognized when it issued its guidance in November that it because states don't see individuals face-to-face, it is very hard for them to make an observation so Massachusetts has determined that individuals who do not have a stable nighttime residence can be treated as exempt from the ABAWD rules as an observation that the state is making that they may be unfit for work. And we happened to code many of our SNAP recipients with a special income deduction that federal law permits for homeless households which is one way that we have identified the homeless population, about 13,000, and we also have a screening form that is now being widely circulated to the shelters and homeless community. There are five questions that are on this screening form. Do you have a stable nighttime residence? Yes or no. If no, do you have a high school diploma? Or equivalency?

That is another question during the last three years -- have you been steadily employed? For six months or more? Do you regularly access health care that you need? Have you been hospitalized? If two of those five questions are answered correctly, you are exempt. So if you have no stable nighttime residence and you have been unemployed for six months or more, you are exempt. If you have no stable nighttime residence and you have been hospitalized in the past six months, you are exempt. This is a fairly straightforward way of getting to these exemptions as best we can. Because people are encouraged to call in, to a phone line, to answer the questions or to fill out a form. Finally, I want to focus a little bit on caregivers of seniors and persons with disabilities. This is a separate exemption. That is allowed. I think it is highly underutilized. We continue to discover many clients

who, indeed, are providing critical caregiving role for a spouse, and elderly parents, a disabled child, of a relative. And they are not recognized in any professional way, being paid for those services or going through personal care attendant training and things like that. So they are also able to continue their SNAP benefits if they can identify that they are caregiving. They are not required to be part of the same SNAP household as the person -- household as the person who needs care or do they have to live in the same residence as the caregiver and at least in Massachusetts they can verify that by a statement from the person who needs the care or a healthcare provider who attests that that caregiving is being provided. When Massachusetts started doing the stakeholder meetings, they not only identified the time limit provisions, who is exempt, and who is required to do the job search -- they identified the labor surplus areas, but they also wanted to advise the stakeholders of what the impact of this would be in Massachusetts, particularly at 25,000 individuals in April lose their benefits. Suddenly. So they and we fully expect to see an increase in food demands at food banks and pantries and soup kitchens. We expect to see an increase in the shelter demands if people start shifting whatever limited money they have from paying rent to buying food. Healthcare providers would also know the impact of loss of access to food on a patient's ability to manage their medications or other treatment. And we recognize that even a job search process is when to be difficult when people cannot afford the pass or gas for their car as they look for work as the resources are shifted into purchasing food. So we do see this as a train wreck. It is really quite an onerous and harsh policy. And our hope is that by educating not only the provider community who can maybe stand with us down the road as we seek to modify this, but also drawing attention to it with members of our congressional delegation, we will shed light on how punitive and restrictive this three-month time limit is. While we seek and work closely with our partners to exempt as many people as we can. And on that, I will turn it back to Helly.

Great. Thank you. I just wanted to take the last a few slides to just reiterate, Massachusetts that -- the example shows that direct service providers and advocates have a big stake in how -- in the role of shaping how information gets out to affected individuals and how states respond to individuals that are affected by the time limits. So we wanted to have a few moments to just reiterate some items that can be -- that you can take some action that you can take. And that is to minimize people affected by the time limits. Through waivers, exemptions, to make sure that people are ready and -- accountable activities, getting the credit that they are in those activities and they are not cut off or unintentionally cut off of snap benefits, to expand and implement opportunities for individual so they are not affected by the time limits and to share stories of individuals affected by the time limits with members of Congress to show the impact of the time limits and I think that that is a simple ask but I think that one that remains very, very important to our policymakers. The last few slides just go into a few more details, states should take up waivers in all areas

that they qualify for, based on unemployment and labor surplus. And an action that you can do is find out where your state is in taking up the waivers and in all of the areas that they are eligible and if they are not, I would urge them to produce states should develop processes to identify those who are exempt from the time limit including those unfit for work. Participating as -- in substance abuse treatment and receiving UI. Et cetera. And learn what the states -- in action you can do is learn what the states processes are to identify those who are exempt from these time limits. Another thing that you can do is identify those already participating

in employment and training activities, help individuals who access your services and programs who may be affected by the time limits identify -- identify if they should be exempt or are already in -- participating qualifying activities such as working more than 20 hours a week or in a qualified employment training program, attending school, and if there is a combination of any of those that

they are already in. And states can expand employment and training activities. States do not have to provide a qualifying employment training activities for individuals for the time limits and what advocates can do is learn what qualifying employment training activities your state is providing to those affected by the time limit and encourage them to provide and strengthen opportunities for individuals affected by these time limits. When program -- one program that states can take advantage of is the SNAP employment training program which uses activities for individuals receiving SNAP. On the last slide, additional resources and there is a wealth of resources on these links in websites and we encourage you to Peru's through them. If you have additional questions or contact us directly. And with that, I will turn it back over to you, Elizabeth, for Q&A.

Grade. Thank you so much, Helly and Pat. I think was an incredibly -- informative conversation. I do not know about the rest of you working in the disability field but I was really struck by the understanding that SNAP is, again, another system that might use a different definition of disability which we see often. And so it is really helpful to have this conversation and to think through how we might support people to make sure that they don't inadvertently lose something that they really could be eligible for. So it is that time where you can send in your questions if you have not already. Please send them to us in the Q&A box or you can send them to us in the chat box and we will be happy to ask some of our speakers. One of the questions that we got in already -- I will leave it for either Helly or pad and the question is, the rules shared about being a caregiver for a person with a disability or for those who live in a household with a child, are those true of every state? >> Yes. Those are in the federal guidance. It should be true of every state. I will say that there is a little bit of confusion between two sets of the federal SNAP regulations. For ABAWDs and exemptions for the employment and training program. And I would be happy to follow up with whoever is struggling with

that discrepancy off-line. Because the regulations are not worded exactly on both sides, but the exemptions apply. As described.

Great. Thank you. Another person in the audience wonders if you could take just a second to help folks understand the language, the difference between -- the lack of difference between food stamps and SNAP.

The 2008 farm bill changed the name of the food stamp program through the supplemental nutrition assistance program. Many years ago,

when I started doing this advocacy, there were, in fact, food stamps that were multicolored, it different denominations of money, and the electronic benefit transfer program, EBT, eliminated the paper but did not change the name and Congress changed the name and 2008 to be Supplemental Nutrition Assistance Program or SNAP recognizing both of that it is supplemented and often people's income and it was not through stamps. Most states have chosen to keep the name SNAP but some states will call the program Cal fresh. In California, three squares Vermont, in Vermont, and different names across the country. But I believe more than half the states call the former food stamp program SNAP.

Great. Thank you. Another question that came through is, how do I find out what the exemption process is in my own state? >> Helly -- do you want to?

Yes. My suggestion would be to connect with your state. In each state, think that there is a state SNAP director and I think that that person would know the most about what is happening with your state.

I would also suggest contacting the Center for budget and policy priorities. They have an excellent website that has every single state online information, both regulations, sub regulatory materials, policy guidance, forms, to the extent that your estate post that information. I might also talk with the antihunger organizations in your state. I know that both the food research action center is connected with every state and feeding America is also putting out information to the food banks as well. I am pretty certain that a lot of the food banks are very worried about this, and they may have staff that are following what each state is doing. >> Thank you, Pat and for those of you in the audience, any time that we give you a suggestion, we hope that it is enough for you to follow and if you find that it is not and you do need a little bit more assistance, please feel free to email back into us at NDA I and we will be happy to try to help you and get you connected to where you need to be so you can do the best you can for yourself or for those that you are serving. Can you help folks understand where they could find household income limit to qualify for SNAP in their local area?

Or their state? >> This is another area where there is some variation. Most states have elected a federal option for slightly higher gross income Tax. In Massachusetts, our gross income test is 200% of poverty. Other states maybe 150% of poverty or 130% of poverty. So the growth -- gross income test may vary by each state. Meeting the gross income test does not mean that you are eligible. You still have to have low enough net income to get a benefit, but there is no single gross income test in the country, particularly for states that have elected a federal option to waive the 130% gross income

test and the asset test. USDA does a good job of putting the states gross income test online and we can share that information as well. >> Thank you very much. I also want to share with folks, it is tax time and a lot of times the folks that are doing free tax filing work also incorporate other supports into the centers where they are providing this. And one of the things that I have done in previous years is due foodstamp or SNAP outreach. At the tax sites and it is a really great way to better understand the benefits and it is a wonderful way to be a support to folks as they are getting their taxes done, and it was really incredible to see how many people actually did qualified but did not understand the rules and so had not applied. So just watch for those opportunities in your local area if you are interested in learning more and having better resources to help you, even if you do not decide to volunteer.

And if I could on that, first, whether or not someone appears to be eligible, everybody has a fundamental right to file an application for SNAP. I would encourage you to make you are working with low income clients, to have them file an application and see what happens. First, if you are not sure, about the benefits, and second, any tax refunds were earned income tax credit is not accountable for SNAP so that would be another nice message to give if you are doing the tax assistance as well. They do not have to worry about that tax refund coming back to cut their SNAP benefits.

Great. Thank you, Pat. So one of the folks emailed in wanting to know, how do you suggest we kind of take action in our state? How do we encourage our state to do anything or to take some of the suggestions that we have learned today from Massachusetts experience?

Well, where we have started in Massachusetts, in the past, we had one of the worst participation rates in the country in 2002. We were 51st including the District of Columbia, and we could not get the attention of our governor and administration at that point. So we went to the state legislature. We pointed out the federal dollars on the table. We pointed out the economic multiplier effect of those federal dollars on the communities in Massachusetts that have the highest poverty rates, and that helped to get their attention, because this was 100% federal dollars. Beyond that, I think, if there is very few pressure points with your legislature unwilling to help you capture the federal dollars, sometimes there is sympathetic ears in the medium or perhaps your members of Congress. Each state is different so it is hard to know where the Achilles' heel is but in our state are woefully low participation rate was very embarrassing. If your state is willing to elect federal options, then the state can certainly explore the geographics -- labor surplus area waivers. The state can come up with flexible policy around who they determine to be, quote unquote, unfit for employment. They can do

broad outreach to key stakeholders that work with low income communities, particularly individuals chronically unemployed, homeless, in substance abuse treatment programs and part of it is going to depend on the willingness of your state to recognize the harmful effect of this and that may vary depending on the climate in each state. >> This is Helly and I just want to add that in addition to what Pat has already said, I think that it is important for those advocates to connect with each other so I think one of the very first steps could be

to look at if other advocates in your state are working on these issues and if they are, how you may plug-in and if they are not, where the void is and where you need to emphasize more of your voice, and I want to reiterate the importance of the stories of how people are affected. I think that that is a simple request but I too often -- policymakers do not really know what is happening on the

ground and those stories are really helpful to reiterate the importance of these policies. For those who are affected. So I think that there are opportunities and importance in connecting with what is happening, learning where your state is already, whether or not they are taking up the waiver, whether or not they are eligible for a statewide waiver but have chosen not to take it up, just looking at where your state is and where you might want to focus your energy in doing the advocacy work and pushing some of these very important pieces that Pat and I have mentioned.

And I would agree with Helly, connecting with partners is key and storytelling is keeper we are working with a number of veterans groups to try and lift up some examples that hopefully can explore more exemptions. And it is really a shame and embarrassment in this country that we have homeless veterans who will not be able to eat. So I think that that is a story that very few people can turn their backs on. >> Thank you, ladies, both. So we are going to go back into the weeds and we have got a couple of questions that are a little bit more in the weeds for just a few minutes. One is have the SNAP earning disregards as a work support for SSI and SSDI recipients changed?

Pat, you might have a better focus.

Have -- I'm sorry -- have the SNAP earnings disregards for SSI and SSDI recipients changed?

And I think --

I mean, there is only, there is no difference in the earnings disregards based on the population. There is a 20% earnings disregard off of gross income regardless of whether an individual receives SSI or SSDI and perhaps of the question has to do with the past program. Which is a much more complicated answer I would be happy to get an email on that.

Okay. Very good. That would be great. So if anybody wants to email in for a little bit more detail, just let us know.

Just to clarify, it is the

PASS program which is a special program, a special option for disregarding certain earnings.

For individuals who are not citizens, is there information within the community or are there -- do they have any special rules, anything that we should be aware of for that population of people?

Absolutely. There are very important policies involving eligibility for noncitizens. The national immigration law center has some excellent materials online. The eligibility conditions and restrictions are not the same between SSI and SNAP and even Medicaid. In the SNAP program, individuals who are legal permanent residents, parolees, humanitarian parole, for example, are eligible for SNAP but they may have to wait five years from when they entered into that status, unless they receive a disability-based benefit or have a work history that qualifies. Other individuals who enter the country

as refugees who were granted asylum or other statuses do not have to wait. It is a complicated maze.

And

there are some excellent materials that the national immigration law center provides and we provide in our state on who is in and out of the immigrant bucket to qualify for SNAP. It is very clear that individual immigrants who themselves are not eligible for SNAP can still apply for their dependent spouses or children who are US citizens or otherwise legally present so it is a complex set of rules. But it is important, if you work with the immigrant community, to understand which populations are eligible, and which are not. It is also important to note that SNAP does not create any public charge or negative consequences for individuals adjusting their status because it is not a cash-based benefit. Lots of rules there that we could spend another hour on.

[Laughter]

I agreed with Pat that this in itself could be its own webinar. But I also want to reiterate that -- parents might not be lawfully present, but where children are citizens or lawful permanent residents, children are eligible. And I think for a lot of families,

they are deterred from applying, even if their children are eligible, because of the numerous myths and misconceptions out there for immigrant families so I just want to reiterate that. >> Great. Thank you but maybe the topic of our next partner webinar. We will see. So another question that we had was, however the -- sorry -- I am sorry everybody. Bear with me just one second. I have got a lot of questions I'm trying to go through them. Is that exception for the homeless population applied in every state?

This is Pat. I'm not sure . It is applied in every state USDA issued its guidance in November, November 19, 2015, and in recognizing that states might be struggling with how to make observation of unfitness, it gave by way of example, that a state could confirm a chronically homeless individual living on the street as unfit for employment. As determined by the state. So that suggests a very big advocacy opportunity in your state and I think working with the homeless shelters, the veterans programs, to sit down with the state and ask them, should we stop getting benefits to this population who will have a significant challenge finding work? Is a good place to start. But there is very little uniformity right now I'm these exemptions. There are opportunities right now.

I agree. This is Helly. It is not in every state and it is at stake discretion so states can provided and I think that with a lot of these rules, states do have some discretion in deciding and so that is one of those.

Really interesting how all of this plays out. Thank you so much. So we have a question from one of the participants that asks, when you have somebody who is living in a household with a child, now that we kind of understand this a little bit more, but to have -- they have applied before -- they make a little bit too much -- should you encourage the person to apply? Should we follow, Pat, your advice that says everybody has the right to apply? Let's have folks applying and just see what happens? Do you have any guidance for folks who are working with individuals who seem to be just a little bit over the income limits?

Well, I think that you don't want to set up frustration for individuals or families who are not going to qualify. It is just if you are unsure, about the eligibility rules, I think that one should err on the side of encouraging an application. The first to step, if you want to go further, is to figure out in your state what gross income thresholds the state uses for SNAP and that is because states have special federal options also known as categorical eligibility, which allows them to both wave the asset test and use a gross income test of two 200% of poverty, but the states are different on that. So I can only say that Massachusetts uses the highest possible test of 200%. After that, I think it is important to come again, to get into the weeds, some income cows. Some income doesn't count. That is hard to follow, which sources of income is countable or not in determining SNAP, so come again, I think if you are not sure, there on the side of follow -- filing an application and then, if you have a family oriented to -- an individual that is age 60 or over or has a member of disabilities, special rules apply at that point for allowing uncapped shelter costs and medical expenses including private transportation in a car at the federal mileage rate to the pharmacy and the doctor et cetera, all of which can bring down the accountable net income and really boosted the SNAP benefits. It is hard to keep track of all of the rules, so I think that if you have a client or a family close to the gross income test, I would suggest applying, and then examining what happens to the application and how the state calculates the benefit amount. This is also another training that we could offer.

Absolutely. On that note, we did want to let you all know that we do offer trainings here at National Disability Institute every month. If you have not already signed up to join is, then I hope that you will. You can join us through our REI Network. It is about 4500 members across the country. They join us for topics such as this and other issues related to disability and poverty. And I think that we have one more question. Really it is a comment that households containing an elderly individual or someone

who meets the SNAP definition of disability may not have to pass the gross income test. So Pat and Helly, is that something we can expect in every state or just in some states?

That is absolutely correct that that is a federal rule that there is no gross income test for household with a senior or person with disabilities. However, to waive the asset test, the state would have to elect a gross income test no higher than 200% of poverty. In my experience, it is a rare day to find a household with a senior or person with disabilities of 200% of poverty that actually gets a qualifying for any SNAP benefits but that is just kind of the SNAP math peculiarities. But that is correct. Legally under the federal statute there is no gross income test for households with seniors and persons with disabilities.

Excellent. Thank you.

Very astute listener.

[Laughter]

Good job, participants. So that is all of the questions that we have had and I wanted to see, Pat, and Helly if you have some final words on this topic to help folks take this information and move forward in their local areas.

My email. Send me an email and happy to answer any questions for Massachusetts perfect and this is Helly, and I will echo that and please feel free to reach out to us with any questions or any additional questions that you might have an thank you to both you, Elizabeth, and Pat for this opportunity to put this information out there.

Well, thank both of you so much. It was really an incredible information and to receive, very helpful, especially as people coming into the new year and need to make some choices around their goals for the year. Hopefully some of those our financial goals and understanding what you have. When you are getting started, that is critically important. For those of you on the line, I wish you could see how many attendees at their word today and who in your own state was also on. If you are interested in information like that , please let us know and I know that this is tough to get the attention of policymakers so we will do what we can to help you but you should know that for all of you that were on, there were almost a 200 people on, so you have a lot of colleagues who are interested in this topic and I also want -- they want to understand how they can make this easier for those that they serve. I'm going to put the emails of there one more time. If you missed a website or a bit of information, the slides for today's webinar are available. On the website. And Nakia Matthews put the link in the chat box. Thank you to Helly Lee with CLASP and to Pat Baker with that law Institute and a special thank you to Nakia Matthews for your technical support and thank you to all of us -- all of you for joining us. Please reach out if there is anything that we can do for you and we hope you join us again next month. Take care, everyone. [Event Concluded]