FNS 260 ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)
CHANGE #06-2026
NOVEMBER 1, 2026

260.00 GENERAL OVERVIEW OF ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD) TIME LIMITS, WORK REQUIREMENTS, AND EXEMPTIONS

Federal law limits the amount of time a time-limited participant, commonly referred to as an able-bodied adult without dependents or ABAWD, can participate in FNS to any three countable months in a 36-month period (the ABAWD time limit) unless the person meets the ABAWD work requirements.

An ABAWD is a FNS applicant or recipient, aged 18 to 64, who does not meet the criteria for an exemption from the general SNAP work registration requirements outlined in FNS Manual § 240.03 or the exceptions from the ABAWD time limit, outlined at FNS Manual § 260.01. On July 4, 2025, H.R. 1, the One Big Beautiful Bill Act of 2025 (OBBB) was signed into law. H.R. 1 amended the Food and Nutrition Act of 2008 (the Act) and significantly modified the ABAWD time limit exceptions. Revisions to FNS Manual § 260, effective December 1, 2025, implement the modified exception criteria of H.R. 1.

In addition, USDA published final regulations on December 17, 2024, *Supplemental Nutrition Assistance Program: Program Purpose and Work Requirement Provisions of the Fiscal Responsibility Act of 2023*, which implemented provisions of the Fiscal Responsibility Act (FRA) of 2023. The final rule clarifies procedures for screening for exceptions to the ABAWD time limit and clarifies verification requirements for the exceptions. The final rule is codified at 7 CFR 273.24(k) and 7 CFR 273.24(l). Revisions to FNS Manual § 260, effective December 1, 2025, clarify the ABAWD exceptions screening and verification requirements.

Please note that the Act and federal regulations refer to exemptions from the ABAWD time limits as “exceptions.” To conform to North Carolina’s current practice and to avoid confusion, the Department refers to both the work registration exemptions and the ABAWD time limit exceptions as “exemptions” for FNS policy.

Given the significant changes to ABAWD policy, FNS Manual § 260.00 summarizes the modified exemption criteria due to H.R. 1 and discusses the screening sequence that eligibility workers must conduct when assessing whether an individual is exempted from the general work registration requirements and the ABAWD time limit.

General Work Registration Exemptions

H.R. 1 did not amend the general work registration exemptions found at FNS Manual § 240. Individuals receiving FNS must follow general work registration requirements, unless

they meet an exemption from work registration under FNS Manual § 240.03.

Category	An individual is exempt from work registration requirements if…
Age	Younger than age 16, or age 60 or older. Those ages 60-64 may need to meet ABAWD work requirements.
Children	Responsible for the care of a child under age 6 or an incapacitated person.
Work	Working 30 hours or more a week or earning at least $217.50 a week.
Benefits	Receiving or have applied for unemployment benefits. Individuals receiving disability benefits that qualifies for Disabled Specified Person status under FNS Manual § 212.02, e.g., SSI, SSDI, Medicaid based on disability (MA-D), and VA disability payments rated at 100%.
Ability to work	Physically or mentally unfit for employment either verified by medical personnel, or VA disability benefits classified as unemployable but not 100% rated.
Education	Going to school, college, or training program at least half-time.
TANF	Meeting the work rules for Temporary Assistance for Needy Families (TANF).
Other	Participating in a drug addiction or alcohol treatment and rehabilitation program.

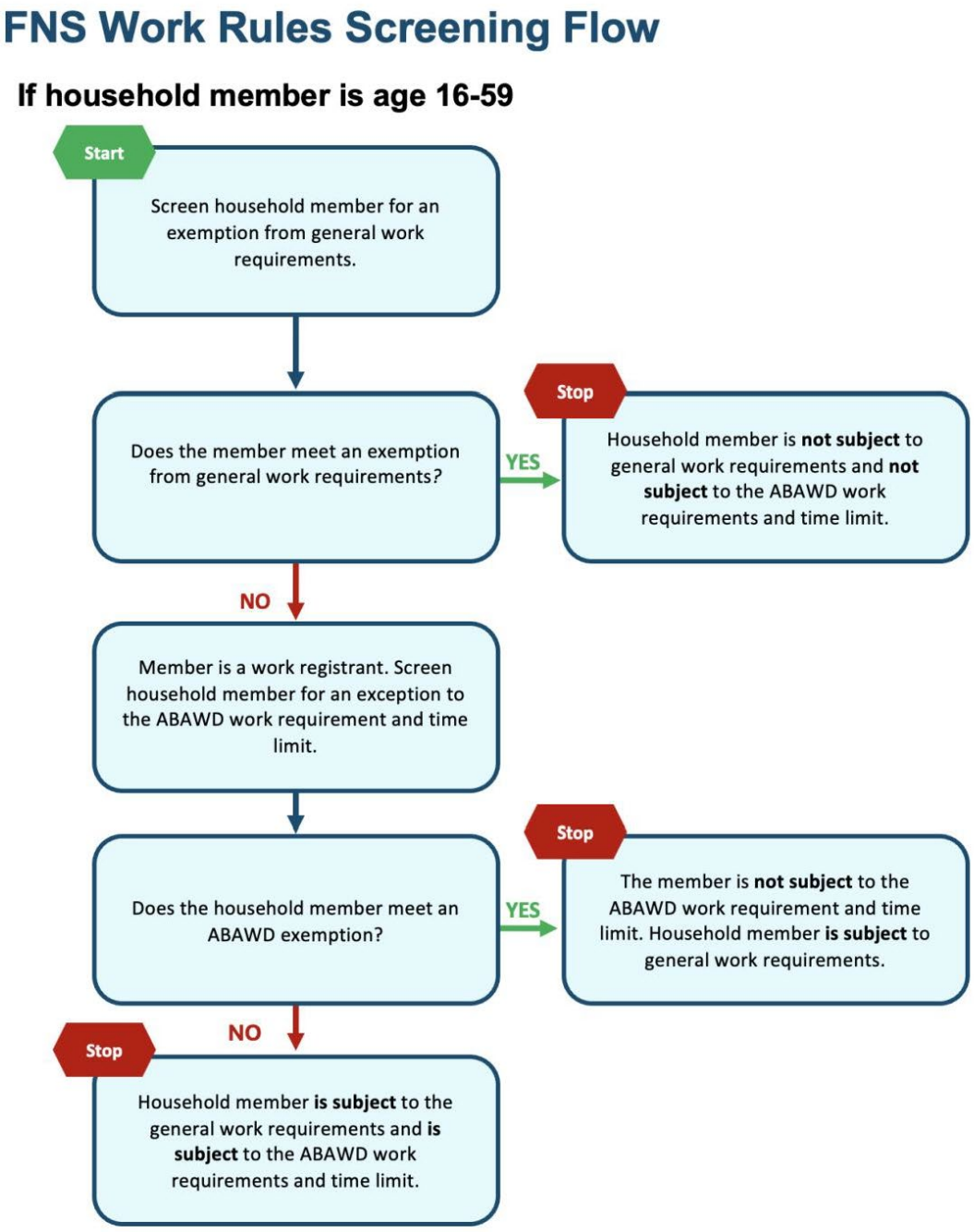
ABAWD Work Requirement Exemptions

In addition to the general work registration requirements, individuals may also be subject to the ABAWD work requirements and time limits, unless they meet an ABAWD exemption. H.R. 1 modifies the ABAWD requirements by adding exemptions for Indians, Urban Indians, or California Indians. H.R. 1 eliminates exemptions for veterans, individuals experiencing homelessness, and former foster youth. In addition, H.R. 1 increases the upper age limit exemption from age 55 to 64, and limits the exemption based on living with

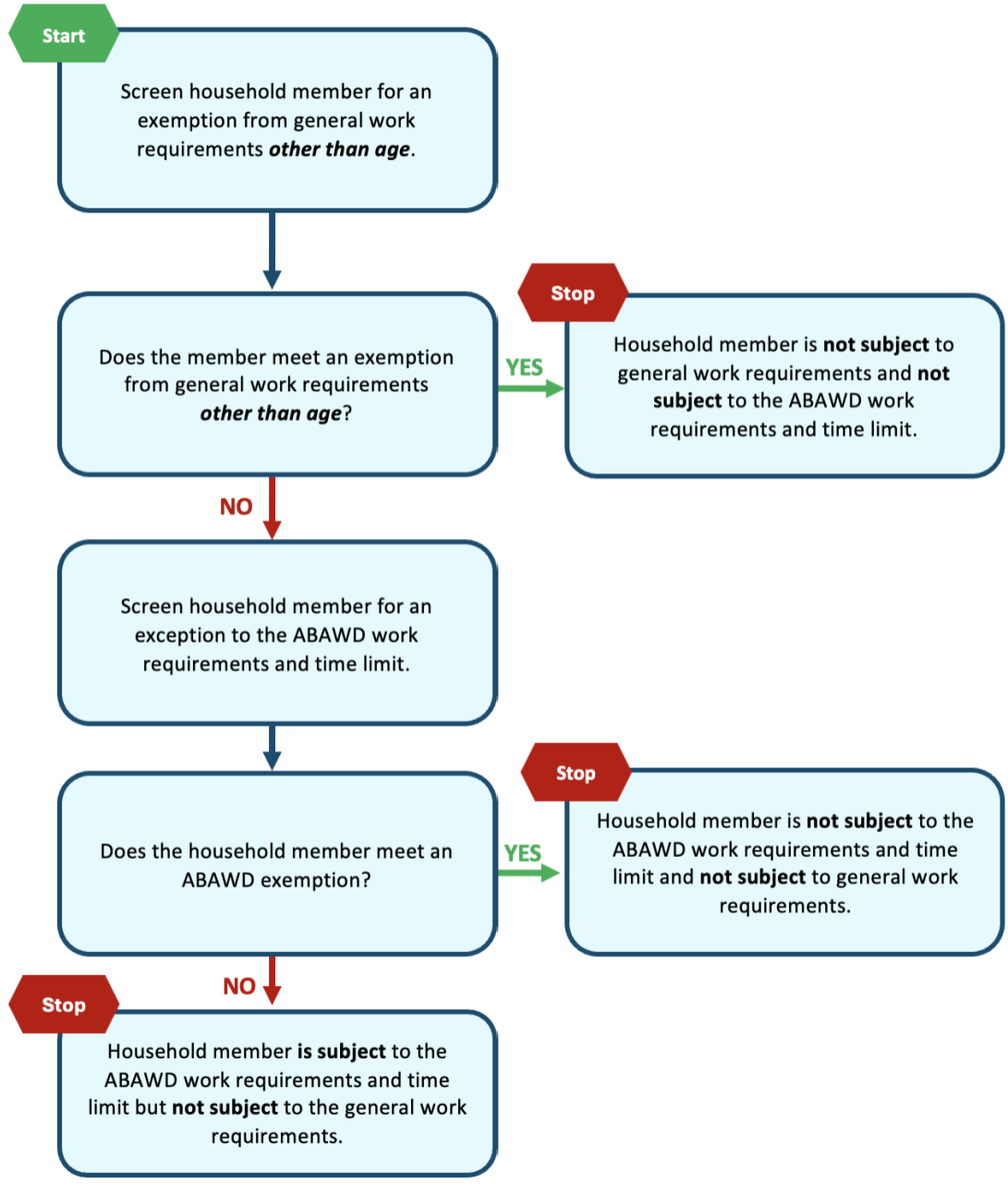
a dependent child to households with a child under age 14, instead of 18.

Category	(Pre-H.R.1) Individual is exempt from ABAWD work requirements if…	(Post-H.R.1) Individual is exempt from ABAWD work requirements if…
General	Already exempt from general work requirements under FNS 240.03.	*No changes;* **except those aged 60-64 are no longer exempt on this basis alone.**
Age	Younger than age 18 or age 55 and older	Younger than age 18 or age 65 and older; ***individuals ages 55-64 are now subject to ABAWD work requirements, unless otherwise exempt.***
Dependent age	Living with someone under age 18 in household	Living with someone under age 14 in household; ***individuals with dependents ages 14-17 in households are subject to ABAWD work requirements, unless otherwise exempt.***
Ability to work	Obviously mentally or physically unfit for employment as determined by the State agency or statement from medical personnel verifying unfitness.	
Other populations	Experiencing homelessness	N/A; ***homeless individuals are now subject to ABAWD work requirements, except North Carolina policy finds that individuals experiencing chronic homelessness have physical or mental barriers to work and may be found exempt as unfit.***
	A veteran	N/A; ***veterans are subject to ABAWD work requirements, unless receiving VA disability benefits at any rating.***
	24 years or younger and in foster care when at age 18	N/A; ***former foster youth are subject to ABAWD work requirements.***
	Receiving temporary or permanent disability benefits.	
	Pregnant	
	N/A	Indian, Urban Indian, or California Indian

FNS Work Rules Screening Flow



If a household member is age 60-64



Screening for Exemptions

All FNS participants must be screened at certification and recertification for the work registration exemptions (FNS Manual § 240.03) and ABAWD exemptions (FNS Manual § 260.01) as mandated by 7 CFR § 273.24(k).

- First, screen household members for an exemption from the general work registration requirements under FNS Manual § 240.03; and,
- Then, sequentially, screen household members for an exemption from the ABAWD work requirements under FNS Manual § 260.01.
    - Do not assign countable months unless the participant has been screened and it is determined that no exemption applies. When an individual qualifies for more than one exemption, apply the exemption that will be in effect the longest.
    - Proper screening of participants is one of the most important aspects of implementing the FNS work requirements. The Food and Nutrition Act establishes two purposes for SNAP: (1) to alleviate hunger and malnutrition among low-income households, and (2) to assist low-income adults in obtaining employment and increasing their earnings. Comprehensive screening for exemptions serves both purposes by ensuring eligible individuals maintain food security while appropriately engaging work-ready individuals in activities that support employment and self-sufficiency.
- After screening participants for exemptions, notify participants about the program rules that apply to them, such as reporting requirements. The Consolidated Work Notice (DSS-8569) must be provided to participants. A verbal explanation of all applicable work requirements, including the general work requirements and ABAWD work requirements must also be provided. Participants must be provided the Consolidated Work Notice and verbal explanation at certification, recertification, and whenever a previously exempt household member or new household member becomes subject to work requirements.
- Track and assign countable months.
- Apply the time limit to participants who have received FNS benefits while not meeting the ABAWD work requirements for three months in a 36-month period.
- Determine whether time-limited participants are meeting the ABAWD work requirement and if not, and not otherwise exempt, whether they have “good cause” for not meeting the ABAWD work requirement.

- Good cause shall include circumstances beyond the individual's control, such as, but not limited to, illness of the individual, illness of another household member affecting the individual's ability to work, a household emergency, or the unavailability of transportation. Examples of good cause are described in FNS Manual § 260.04.

ABAWD Work Requirements

Time-limited participants can meet the ABAWD work requirements in several ways:

- Working 80 hours a month. Work can be for pay, for goods or services (in kind), unpaid, volunteer work, or any combination;
- Participating in a qualifying work program for 80 hours a month; or,
- Working *and* participating in a qualifying work program for a total of 80 hours a month, as determined by the State agency.

ABAWD requirements do not replace any other eligibility requirements, nor do they create eligibility where it does not otherwise exist.

While ABAWD, Employment & Training, and Work Registration policies are related to each other, each are applied individually. Non-exempt FNS unit members will continue to be subject to the general work registration requirements described in FNS Manual § 240 Work Registration Requirements regardless of whether they are exempt from the ABAWD work requirements.

260.01 WHO IS EXEMPT FROM THE ABAWD TIME-LIMIT?

All individuals must be screened for exemptions at certification and recertification as required by 7 C.F.R. § 273.24(k). When an individual meets multiple exemptions, apply the exemption that will be in effect the longest.

An individual who meets at least one of the exemptions listed in this section is **not** subject to the ABAWD time-limit. If an individual is exempt for any part of the month, the individual is exempt for the entire month.

A. Verification of Exemption Status (7 CFR § 273.24(l))

1. Self-attestation must be accepted for verification of ABAWD exemptions, unless questionable.

   USDA promulgated 7 CFR 273.24(l) on December 17, 2024 clarifying that eligibility workers must accept an individual's attestation that they, or another household member, meet an exemption from the time limit, unless it is questionable. In addition, eligibility workers must not consider information provided through self-attestation to be questionable without

reviewing on a case-by-case basis.

a. Consistent with this regulation and subsequent USDA guidance, the Department may not set verification standards that target certain participants as a group in a discriminatory manner for more intensive verification, such as requiring all time-limited participants to verify exception status or by considering all self-attestation of an exception status to be questionable.

b. Note: Receipt of temporary or permanent disability benefits still requires verification other than self-attestation.

2. If self-attestation is questionable, attempt to verify using all available information before requiring an individual to provide verification of their exemption status.

    a. If an individual attests that they, or another household member, meet an exemption, and the statement is questionable, eligibility workers are required to attempt to verify using all available information before requiring individuals to provide verification of their exemption status. This requirement is specific to verification of exemptions from the ABAWD rules only.

3. Individuals must be given at least 10 days to return additional verification of an ABAWD exemption, but only if the self-attestation was questionable or unfitness for work is not obvious.

    a. If self-attestation regarding meeting an exemption is questionable, and the eligibility worker could not verify exemption status using information available through NC FAST or other sources, existing standards for timely verification apply and the eligibility worker must give the household at least 10 days to return additional verification. A DSS-8650 Notice of Information Needed may be used for this purpose.

4. After an individual is screened for all exemptions, do not deny or delay an application or recertification due to exemption verification, if the individual is:

    a. Not otherwise exempt based on self-attestation, because the statement is questionable because of information known to the agency or prior conflicting statements that cannot be reasonably resolved; and,

    b. Not otherwise exempt using information available to the agency,

such as information from other public assistance programs through data sharing; and,

c. Not otherwise exempt due to obvious mental or physical unfitness as determined by the State agency; and,
d. Not otherwise exempt because they have not provided requested verifications after receiving a Notice of Information Needed, and they have not requested additional assistance with obtaining such verifications.

5. An application or recertification should never be denied or delayed for failure to respond to a request for verification of an exemption if the participant is otherwise eligible for FNS. **Verification of ABAWD exemption status is not a mandatory verification.**

    a. If an individual has been screened for all exemptions at initial application and recertification, and the individual is not otherwise exempt from ABAWD time limits, then countable months can be assigned to the participant if they do not fulfill work requirements without good cause or become otherwise exempt.

B. ABAWD Exemption: Age

1. The ABAWD work requirement does not apply during any month when the individual is under age 18 or age 65 or older.

    a. Individuals aged 60 or older remain exempt from the general work registration requirements, including mandatory participation in SNAP Employment and Training (E&T), but may now be subject to ABAWD time limits, unless otherwise exempt under another exemption.

    b. H.R. 1 did not change the definition of "elderly" for FNS purposes. Individuals age 60 or older remain classified as elderly under FNS Manual § 212.02. Continue to apply all elderly-specific policies to individuals in this age group, including the excess medical expense deduction (FNS Manual § 340.13) and excess shelter deductions (FNS Manual § 340.12).

2. An individual who is under age 18 on the date of application, or at recertification on the first day of the new certification period, is exempt under this subsection for the remainder of the certification period. The individual remains exempt when the individual turns age 18 during the certification period, including when the 18th birthday falls after the date of application but before the application is approved. Exemption status is determined again at

the next recertification.

3. An individual who is age 18 or older on the date of application, or at recertification on the first day of the new certification period, is not exempt under this subsection. The month in which the individual turned age 18 is an exempt month if the individual was under age 18 for any part of that month.

C. ABAWD Exemption: FNS households with a member who is under age 14

1. An individual is exempt from the ABAWD time limit if the individual's FNS household includes a child under age 14.

2. The individual is not required to be the parent of the child.

3. The individual is not required to be responsible for the child.

4. The child can be an ineligible member of the FNS household for any reason (such as, but not limited to, being an ineligible alien).

5. The child can be temporarily absent from the home (no longer than 30 days).

6. An individual who resides in a FNS household with a child under age 14 on the date of application, or at recertification on the first day of the new certification period, is exempt under this subsection for the remainder of the certification period. The individual remains exempt when the youngest child in the household turns age 14 during the certification period, including when the child's 14th birthday falls after the date of application but before the application is approved. Exemption status is determined again at the next recertification.

7. An individual who does not reside in a FNS household with a child under age 14 on the date of application, or at recertification on the first day of the new certification period, is not exempt under this subsection. The month in which the youngest child in the household turned age 14 is an exempt month if the child was under age 14 for any part of that month.

D. ABAWD Exemption: Pregnant

1. An individual who is pregnant is exempt from the ABAWD time limit.

2. There is no minimum length of pregnancy to meet the exemption. The exemption is effective beginning the month of conception, includes the month of the child's birth, and applies until the individual is no longer pregnant.

a. Verification: Self-attestation is sufficient, unless questionable. A

medical statement is not necessary to verify pregnancy.

E. ABAWD Exemption: Exempt from FNS work registration requirements (FNS Manual § 240)

1. An individual who is exempt from the general work registration requirements under FNS Manual § 240 is exempt from the ABAWD time limit, unless the exemption was solely due to the individual being age 60 or older.

2. Follow FNS Manual § 240 Work Registration for the work registration verification requirements for this exemption.

F. ABAWD Exemption: Unfit for employment.

The State agency may determine an individual to be medically certified as physically or mentally unfit for employment if the individual is:

1. Receiving public or private disability benefits.

An individual is medically certified as physically or mentally unfit for employment if the individual is receiving temporary or permanent disability benefits issued by governmental or private sources, including but not limited to:

a. Workers' compensation and other temporary disability benefits.

b. Medicaid based on disability.

c. Supplemental Security Income benefits under title XVI of the Social Security Act, or disability or blindness payments under titles I, II, X, XIV, XVI of the Social Security Act, e.g., Social Security Disability Insurance.

d. Veterans Administration (VA) benefits (regardless of VA disability percentage).

i. A veteran receiving VA disability compensation at any disability rating percentage is exempt. The percentage of the VA disability rating is not relevant to the application of this exemption. Veterans who are not receiving VA disability compensation may still qualify for exemption under other categories in this section.

e. Short-term or long-term disability benefits from private insurance.

f. Verification of receipt of public or private disability benefit:

Requesting additional verification is not required if information regarding the receipt of disability benefits is already known to the agency through data exchanges. If the information is not known to the county, proof of receipt of disability benefits may be requested. Assist the individual with obtaining required verifications if requested.

2. Obviously physically or mentally unfit for work

An individual does not need to meet the FNS definition of “disabled” or to be receiving disability benefits to meet the physically or mentally unfit for work criteria for an ABAWD exemption.

When an individual's unfitness for work is obvious during the certification or recertification interview, the State agency does not need to require a statement or verification from medical personnel. The eligibility worker's determination that unfitness is obvious is sufficient to establish the exemption.

a. Indicators of obvious unfitness for employment as determined by the State agency.

The following conditions, when apparent to the eligibility worker or through information readily available in the case record, and depending on the totality of the circumstances, can indicate that an individual may be obviously unable to work at least 80 hours per month or 20 hours per week on average based on the worker's discretion. This list is not exhaustive.

i. Mobility limitations: Individual uses mobility aids (wheelchair, walker, crutches); reports difficulty walking or standing for extended periods; or has amputations or paralysis.

ii. Chronic pain or fatigue: Individual describes severe pain or fatigue secondary to a medical condition that would interfere with maintaining employment.

iii. Sensory impairments: Individual is blind, deaf, or has significant vision or hearing impairment that interferes with ability to work.

iv. Chronic medical conditions: Individual reports cancer, heart disease, kidney disease, liver disease, or other serious chronic conditions and describes ongoing treatment (dialysis, chemotherapy) or symptoms that limit ability to

maintain a regular work schedule.

v. Serious mental illness: Individual reports diagnosis of schizophrenia, bipolar disorder, major depression, or other serious mental illness with severe symptoms (hallucinations, severe anxiety, panic attacks) that would interfere with employment.

vi. Cognitive or developmental disabilities: Individual has intellectual or developmental disability, traumatic brain injury, or dementia and demonstrates difficulty understanding interview questions or completing application.

vii. Combined medical-vocational factors with severe impairment: Individuals aged 55-64 with a limited education (less than a high school degree or equivalent), no substantial gainful work activity in the past five years, and any health condition limiting work capacity would be considered disabled under Social Security's adverse medical-profiles and would be obviously unfit for work.

viii. Recent hospitalization or medical crisis: Individual was recently hospitalized or is recovering from surgery, stroke, heart attack, or other acute medical event.

b. Substance Use Disorders and obvious unfitness.

Individuals with an active substance use disorder that functionally impairs their ability to work are determined to be an individual obviously physically or mentally unfit for employment for purposes of the ABAWD exemption based on eligibility worker's discretion.

i. Involvement in an alcohol or drug treatment program is not required for an ABAWD work exemption.

c. Chronic homelessness and obvious unfitness.

A person experiencing chronic homelessness is an individual who lacks a fixed and regular nighttime residence, including locations such as a homeless or domestic violence shelter; outdoor or makeshift locations; vehicles; RV-type structures without active utilities or sewer or septic hookups; or other places not designed for, or ordinarily used as, regular sleeping accommodations for human beings. This includes environments

without access to toilets or where basic hygiene or stable sleep cannot be maintained. When the individual's housing situation, as described, creates barriers that prevent working 20 hours per week, they are determined to be an individual obviously physically or mentally unfit for employment for purposes of the ABAWD exemption based on eligibility worker's discretion.

d. Domestic Violence and obvious unfitness.

Survivors of recent acts of domestic violence, sexual harassment, sexual assault, or stalking that have impacted their physical or mental health and currently interferes with their ability to maintain work, are determined to be obviously physically or mentally unfit for employment for purposes of the ABAWD exemption based on eligibility worker's discretion.

e. If the individual is obviously unfit, succinctly document in the case record the basis for the determination (what made unfitness obvious).

f. No medical verification is required when unfitness is obvious.

When unfitness is obvious, workers must not request medical documentation. Requiring verification when unfitness is obvious creates an unnecessary barrier to benefits.

3. Not obviously unfit – medical statement is required.

If an individual's unfitness for employment is not obvious to the eligibility worker after thorough screening, and the individual has indicated that they are unfit to work, the individual may establish physical or mental unfitness by providing a statement from appropriate medical personnel.

a. Acceptable sources for medical statement:

i. Federal regulations provide that a statement from any of the following sources is acceptable:

(a) Physician

(b) Physician's Assistant

(c) Nurse

(d) Nurse Practitioner

(e) Designated representative of physician's office

(office staff authorized to provide statement)

(f) Licensed or Certified Psychologist

(g) Social Worker

b. The Department expands acceptable sources for purposes of this section:

i. In accordance with 7 CFR. § 273.24(c)(2)(iii), to lower undue burdens on individuals and medical providers, the Department determines that the following additional medical sources are deemed appropriate to provide statements of unfitness for employment for this section:

(a) Physical Therapist

(b) Occupational Therapist

(c) Speech Language Pathologist

(d) Licensed Professional Counselor (LPC)

(e) Licensed Marriage and Family Therapist (LMFT)

(f) Licensed Clinical Mental Health Counselor (LCMHC)

(g) Certified Addiction and Drug Counselor (CADC)

(h) Certified Substance Abuse Counselor (CSAC)

(i) Certified Community Health Worker (CCHW)

c. Content of statement of unfitness for work:

i. The statement need not be on official letterhead or use specific language. A statement may be taken verbally and telephonically attested but must be documented in NC FAST. An acceptable statement:

(a) Identifies the source (name, title, organization/credentials, and contact information)

(b) States that the individual is physically or mentally unfit to work 20 hours per week or more OR describes a condition or limitation that makes the individual unfit to work 20 hours per week or more

(c) The statement may, but need not, specify diagnosis, describe specific limitations, and state duration of unfitness.

d. Timeline for verification for Medical Statement. If unfitness for employment was not obvious to the eligibility worker, and the eligibility worker could not verify another exemption status using information available through NC FAST or other sources, existing standards for timely verification apply and the eligibility worker must give the household at least 10 days to return a medical statement from a provider. A specific form is not required for the medical statement. The DSS-8209 Medical Report may be used to obtain a medical statement and a copy of this form should be given to the individual.

G. ABAWD Exemption: An Indian, Urban Indian, or California Indian as described in the Indian Health Care Improvement Act.

1. Effective November 1, 2025, American Indians who meet the definition of "Indian," "Urban Indian," or "California Indian" under the Indian Health Care Improvement Act (IHCIA), are exempt from ABAWD work requirements. USDA guidance, as of October 3, 2025, defines Indian, Urban Indian, and California Indian as follows:

2. Indian

a. An individual is an "Indian" per 25 USC § 1603(13) if they are a member of an Indian tribe.

b. "Indian tribe" is defined as any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or group or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

3. Urban Indian

a. An individual is an "Urban Indian" per 25 USC § 1603(18) if they:

i. Reside in an urban center, defined as any community which has a sufficient urban Indian population with unmet health needs to warrant assistance under subchapter IV of the IHCIA, as determined by the Secretary of Health and

Human Services; and

ii. Meet at least one of the following four criteria:

(a) Regardless of whether they live on or near a reservation, is a member of a tribe, band, or other organized group of Indians, including those tribes, bands, or groups terminated since 1940 and those recognized now or in the future by the State in which they reside, or who is a descendant, in the first or second degree, of any such member;

(b) Is an Eskimo or Aleut or other Alaska Native;

(c) Is determined to be an Indian under regulations promulgated by the Secretary of Interior; or

(d) Is determined to be an Indian under regulations promulgated by the Secretary of Health and Human Services.

4. California Indian

a. An individual is a "California Indian" under 25 USC. § 1679(a) if they:

i. Are a member of a federally recognized Indian tribe in California.

ii. Are a descendant of an Indian who was residing in California on June 1, 1852, if such descendant: (i) is a member of the Indian community served by a local program of the Indian Health Service; and (ii) is regarded as an Indian by the community in which such descendant lives;

iii. Are an Indian who holds trust interests in public domain, national forest, or reservation allotments in California; or

iv. Are an Indian of California who is listed on the plans for distribution of the assets of rancherias and reservations located within the State of California under the Act of August 18, 1958, and any descendant of such an Indian.

5. Implementation guidance for the Indian, Urban Indian, and California Indian exemption, effective November 1, 2025.

a. Screen for the American Indian exemptions at all applications and recertifications beginning November 1, 2025.

b. Meeting the exception during the certification period. If there is clear information that an individual within their certification period meets the American Indian exemption, apply the exemption promptly and do not assign a countable ABAWD month.

c. Verification of American Indian exemption.

   Self-attestation of this exemption must be accepted, unless questionable. An individual's self-declaration of their status as an Indian, Urban Indian, or California Indian as described in the Indian Health Care Improvement Act is questionable only if it is inconsistent with other information in NC FAST or prior known statements made by individual. If the information is questionable, acceptable verification may include, but is not limited to tribal enrollment or membership card, letter from the Bureau of Indian Affairs or tribal government, and similar indicia that the individual meets the specified criteria for the exemption.

d. After screening and verifying at initial application and recertification, ensure that "American Indian/Alaskan Native" indicator is selected in the individual's demographic information in NC FAST.

e. The exemption for American Indians does not replace any other eligibility requirements, nor does it create eligibility where it does not otherwise exist. Participants exempted under the American Indian exemptions will continue to be subject to the general FNS work requirements described in FNS Manual § 240 Work Registration Requirements, unless they are otherwise exempt from the work registration requirements under FNS § 240.03.

260.02 ABAWD EXEMPTION SCREENING REQUIREMENTS

In compliance with 7 CFR § 273.24(k), which became effective on January 16, 2025, and to ensure that work registrants who can work engage in work requirements, FNS participants must be screened for all exemptions from the general work registration requirements (FNS Manual § 240) and ABAWD work requirements (FNS Manual § 260) at initial application and recertification. Screening at recertification is not optional. Screening is an independent requirement from the application and recertification interview.

A. Eligibility workers must screen for exemptions in a comprehensive, sequential manner:

   1. First, screen for exemptions from general work requirements under FNS Manual § 240, as these confer automatic exemption from ABAWD time limits, unless the individual is exempt from work registration due to being age 60 or older.

   2. Second, if the individual is not exempt from general work requirements, screen specifically for ABAWD exemptions under FNS Manual § 260.01.

   3. Continue screening even after identifying one exemption, to identify all applicable exemptions.

   4. When multiple exemptions apply, document all exemptions in NC FAST and apply the exemption that will be in effect the longest.

B. Use open-ended questions and active listening to identify potential exemptions. Examples include:

   1. "Do you have any physical or mental health conditions that affect your ability to work?"

      a. "How does this condition affect your daily activities?"

      b. "Are you currently receiving treatment or seeing a doctor for this condition?"

      c. "Do you take medications for this condition?"

   2. "Have you experienced any challenges with housing or homelessness?"

   3. "Are you currently receiving any disability benefits from any source?"

   4. "Are you a veteran? If yes, do you receive any VA benefits?"

   5. "Do you have any substance use or mental health concerns that affect your daily activities?"

C. FNS Work Rules Screening Checklist.

FNS Work Rules Screening Checklists

In compliance with 7 CFR § 273.24(k), which became effective on January 16, 2025, and to ensure that work registrants who can work, engage in work requirements, and vulnerable participants that cannot, are exempt, FNS participants must be screened for all exemptions from the general work registration requirements (FNS Manual § 240) and ABAWD work requirements (FNS Manual § 260) at initial application and recertification. Screening at recertification is not optional. Screening is an independent requirement from a recertification interview.

General Work Registration Exemptions

☑ **Review FNS Manual § 240.03 for details. The individual is exempt from the general work requirements if they are any of the following:**

- ☐ Younger than age 16, or age 60 or older
- ☐ Responsible for the care of a child under age 6 or a person who needs help caring for themselves (incapacitated)
- ☐ Working 30 hours or more a week or earning at least $217.50 a week
- ☐ Receiving or have applied for unemployment benefits
- ☐ Experiencing physical or mental barriers to work
  Remember to discuss this exemption thoroughly and comprehensively with the household
- ☐ Going to school, college, or training program at least half time
- ☐ Meeting the work rules for Temporary Assistance for Needy Families (TANF)
- ☐ Participating in a drug addiction or alcohol treatment and rehabilitation program

Screening Tips

Avoid Over-Burdening Clients

Use information from the application, case file, and data matches to see if a client meets an exemption.

Listen to the Client

If interviewing client to screen, prepare for the discussion with well-thought-out questions and actively listen. Learn more: *State SNAP Interview Toolkit*.

ABAWD Work Requirement/Time Limit Exemptions

If a FNS participant is subject to the general work requirements, then determine if the individual is also subject to the ABAWD work requirement/time limit or if they meet an exemption. Individuals that are subject to the ABAWD work requirement/time limit must either work (including volunteering and in-kind work) or participate in a work program, or any combination, for 80 hours a month.

☑ **Review FNS Manual § 260.01 for details. The individual is exempt from the ABAWD work requirement if they are any of the following:**

- ☐ Exempt from the general work requirements, unless exempt due to being age 60 or older.
- ☐ Under 18 years old or 65 years old and above.
- ☐ A child under age 14 is a member of their FNS household
- ☐ Receiving temporary or permanent disability benefits
- ☐ Experiencing physical or mental barriers to work (if obviously unfit, exempt without medical statement)
  Remember to discuss this exemption thoroughly and comprehensively with the household
- ☐ Experiencing Chronic Homelessness - Obviously Unfit
- ☐ Experiencing Domestic Violence - Obviously Unfit
- ☐ Pregnant
- ☐ American Indian, Urban Indian, or California Indian

Screening Tips

ABAWDs Facing Physical/Mental Barriers

Screen for indicators of barriers.

- Periodic unemployment
- Needs medical or mental health care
- Recent hospitalization or injury

Ask follow-up questions.

- Identify if lack of employment is due to physical or mental conditions

Consider collateral contacts if barrier is not obvious.

260.03 DETERMINING COUNTABLE MONTHS

North Carolina uses a fixed clock to measure the 36-month period. The current fixed clock is a 3-year period which is January 1st, 2025 through December 31st, 2027. The 36-month period runs continuously without a break, regardless of whether the individual receives FNS benefits.

A. 3-month participation time limit. Individuals subject to the ABAWD work requirements are generally limited to receiving 3 countable months of FNS benefits during the 36-month fixed period.

B. A countable month is a month during which an individual receives FNS benefits for the full benefit month while not fulfilling the ABAWD work requirements, without good cause, and without otherwise being exempt from the work requirements under FNS Manual § 260.01.

    a. The 3-month limit is cumulative.

    b. Countable months can be assigned non-consecutively during the fixed 36-month period if the individual subject to ABAWD rules does not fulfill the work requirements without good cause in that month.

C. Countable months must not be assigned to an individual until they have been screened for all general work registration exemptions and ABAWD work requirement exemptions at initial application or recertification, and it is determined that no exemption applies.

D. ABAWDs are required to report when they experience a reduction in work hours below 20 hours per week or 80 hours a month by the 10th of the month following the month the work hours were reduced.

    If a non-exempt ABAWD exceeds 3 countable months, explore referral for overpayment if the household failed to report or failed to timely report a reportable change. Do not explore overpayments for non-countable months or months that the individual is exempt from ABAWD requirements.

    An over issuance is not created under the following situations:

    1. If a change is reported timely or discovered within the household's reporting timeframe that requires a Notice of Adverse Action and there is not sufficient time to decrease or terminate benefits prior to the next month.

    2. If a non-reportable change is reported or discovered.

a. The loss of an exemption during a certification period, including a loss that occurs after the date of application but before the application is approved, is a non-reportable change, e.g., turning age 18, or the youngest dependent child in the household turning age 14. Countable months cannot be assigned to an individual losing an exemption during their certification period because the individual has not been screened for all other exemptions. Screening for all other exemptions will occur during the individual's next recertification.

260.04 COUNTABLE AND NON-COUNTABLE ABAWD MONTHS

A. Countable ABAWD months. Each month of the ABAWD's participation must be evaluated individually. If the individual is exempt for one day or more, they are exempt for the entire month.

A countable ABAWD month is any month that the individual:

1. Received a full month (not prorated) of FNS benefits; and
2. Was not exempt from ABAWD requirements; and
3. Did not fulfill the work requirements.

B. Non-countable ABAWD months. Any month in which the individual meets at least one of the following conditions is considered non-countable and does not count toward the ABAWDS 3-month limit.

1. Prorated months.
2. Any month in which the individual meets at least one of the following ABAWD Work Requirements:

    a. Working an average of 20 hours per week (80 hours in the month). Consider an ABAWD to have met the 80 hours per month rule when the hours worked are at least 80 hours. ABAWDs are required to report changes by the 10th of the month following the month of change when the number of hours working reduce below 20 hours a week or 80 hours per month regardless of simplified reporting requirements.

3. Work can be:

    a. Paid employment regardless of earnings.

        i. Request verification of income and hours worked.

        ii. Document the number of hours worked in NC FAST.

b. Self-employment regardless of earnings.

    i. Request the individual's statement of number of hours worked per month if the individual is self-employed or a contractor.

c. Volunteer work in a public or private organization.

    i. Accept volunteer work for any nonprofit, churches or other religious groups, community organizations, or governmental agency, or community service ordered by a court.

    ii. Request written or verbal verification from the agency of the number of hours volunteered in a month.

d. Work in exchange for goods or services (such as but not limited to, work in exchange for a place to live).

    i. Request written or verbal verification of the number of hours worked in a month. Document in NC FAST.

e. Any combination of the above.

f. Participating in and complying with the requirements of a work program for an average of 20 hours per week (80 hours per month) including:

    i. A program under the Workforce Innovation and Opportunity Act (WIOA);

    ii. A program under Trade Adjustment Assistance Act Program (TAA);

    iii. A program that includes qualifying ABAWD activities so long as job search and/or job search training is less than half of the hours required by the program (See chart below).

    iv. ABAWDs are not required to participate in a work program for longer than the 20 hours per week to fulfill the ABAWD work requirement. However, if the ABAWD has been referred to the More Than a Job NC program in order to fulfill the ABAWD work requirement, the More Than a Job NC program may require additional hours of participation.

v. An ABAWD's total hours of required participation in More Than A Job NC, together with any hours worked for compensation in cash or in-kind (including work experience) cannot exceed 120 hours per month. Participants may volunteer for additional hours of training.

vi. ABAWDs participating in a work program can combine job search and/or job search training (9 hours maximum) with other ABAWD qualifying activities to allow ABAWDs to meet the 20-hour weekly work requirement (See chart below).

C. Qualifying Work Program Activities:

Qualifying Component	Description	Hours required per week
WIOA (WIA) programs	The goal is to increase opportunities for employment, education, and training. Can include job search, occupational skills training, on-the-job training, job readiness training, adult education and literacy activities, etc.	20 hours
A program under section 236 of the Trade Act of 1974 Trade Adjustment Assistance (TAA):	Training programs for workers that have lost or may lose a job Provides aid to workers who have lost a job as a result of foreign trade.	20 hours

More Than A Job NC education or training	Aims to improve basic skills or employability and have a direct link to employment. Can include basic education, vocational or technical training, and on-the-job training. Job search activities must be less than half of required hours. Activities must be described in State SNAP E&T Plan.	20 hours, alone or combined with other activities
More Than A Job NC work experience	Designed to improve the employability of participant through actual work experience and/or training; placements can be with private, for-profit companies. Placements at public and private sector employers. Can include for-profit employers. Activities must be described in the State SNAP More Than A Job NC Plan.	20 hours, alone or combined with other activities. Mandatory unpaid work hours equal to the result obtained by dividing a household's SNAP allotment by the higher of the applicable Federal or State minimum wage.

NOTE: North Carolina currently has no counties operating a FNS Workfare program. Policy will be updated to reflect Workfare participation if any county initiates a FNS Workfare program in the future.

D. Good Cause

1. For individuals subject to the ABAWD time limit who would have worked hours in a month but missed some hours of work or participation in a work program for good cause, the county must grant good cause and the individual shall be considered to have met the ABAWD work requirements if the absence from work or work program participation is temporary. The month shall not be counted as an ABAWD countable month.

2. Good cause shall include circumstances beyond the individual's control, such as, but not limited to, illness of the individual, illness of another household member affecting the individual's ability to work, a household emergency, or the unavailability of transportation. Refer to FNS Manual § 255 Voluntary Quit and Voluntary Reduction for good cause policy.

3. For additional guidance for eligibility workers on the application of good cause, eligibility workers should apply good cause liberally, recognizing that many circumstances beyond an individual's control can temporarily prevent work. Individuals subject to the ABAWD work rules must not be held to a stricter, more restrictive standard than other workers when navigating the complexity and uncertainty of circumstances that are beyond an individual's control. Thus, good cause for the ABAWD work requirements also includes,

    a. A household emergency, including but not limited to: loss of housing due to an eviction proceeding, domestic violence situations, natural disasters, utility shutoffs, family crises, or other urgent material circumstances requiring immediate attention.

    b. The unavailability of transportation, including: lack of public transportation, vehicle breakdown, inability to afford transportation costs, distance to work location, or unsafe transportation conditions.

    c. Lack of childcare or breakdown of childcare arrangements, including situations where formal or informal childcare providers are unavailable.

    d. Caring for an incapacitated household member, including elderly parents, disabled family members, or others requiring care.

    e. Court appearances, legal proceedings, or mandatory meetings with probation officers, social workers, or other officials.

    f. Participation in medical appointments, substance use disorder treatment, mental health services, or other health-related activities necessary for the individual's wellbeing.

    g. Domestic violence, dating violence, sexual assault, or stalking that affects the individual's ability to work or participate in work programs.

    h. Any other circumstances that a reasonable person would consider to constitute good cause, as determined by the eligibility worker using prudent judgment.

4. Accept self-attestation for verification, unless questionable.

260.05 REGAINING ABAWD ELIGIBILITY

A. ABAWDs can regain eligibility to participate in FNS if they:

1. Worked (paid and unpaid) 80 hours or more in any 30 consecutive days; or

2. Participated in and complied with the requirements of a work program for 80 or more hours in any 30 consecutive days; or

3. Any combination of work and participation in a work program for a total of 80 hours or participated in and complied with a workfare program in any 30 consecutive days; or

4. Become otherwise exempt from work requirements; or

5. The 36-month (3-year) period expires.

B. Bonus Months. ABAWDs who have regained eligibility and are not meeting the FNS work requirements outlined in 260.04 can gain an additional 3 consecutive months once during the 3-year period of eligibility. These months are known as Bonus months.

1. Bonus months:

   a. Apply only to ABAWDs who regained eligibility but are no longer fulfilling the FNS work requirement.

   b. Must be consecutive months.

   c. Only full months of benefits count toward the Bonus months.

2. Bonus months start dates:

   a. If the individual was working, the consecutive 3 months must start when the participant reports that he or she is no longer in compliance with ABAWD FNS work requirements.

   b. If the individual was participating in a work program, the consecutive 3 months will start when it is determined the ABAWD is no longer in compliance.

C. An individual regaining eligibility shall have benefits calculated as follows:

1. For individuals regaining eligibility through eligibility for 3 bonus months, prorate benefits from the day the 30 days of work were completed or from the date of application (whichever comes last).

2. For individuals regaining eligibility through a new 36-month period, beginning with the first month covered by the application in the new 36-month period.

3. For individuals regaining eligibility because currently exempt, beginning

with the first month covered by the application in which an ABAWD exemption is met for at least part of the month.

4. For individuals regaining eligibility because now working, beginning with the first month covered by the application in which the individual is working.

260.06 APPLICATION / REAPPLICATION / RECERTIFICATION / CHANGE

A. At application the caseworker must explain all general work registration and ABAWD work requirements to the household including the following:

1. Explanation of each applicable work requirement;
2. Which individuals are subject to which work requirement;
3. Exemptions from each applicable work requirement;
4. An explanation of the process to request an exemption (including contact information to request an exemption);
5. The rights and responsibilities of each applicable work requirement;
6. What is required to maintain eligibility under each applicable work requirement;
7. Pertinent dates by which an individual must take any actions to remain in compliance with each applicable work requirement;
    a. Individuals subject to the ABAWD work requirements are required to report changes by the 10th of the month following the month of change when the number of hours working fall below 20 hours per week regardless of simplified reporting requirements.
8. The consequences for failure to comply with each applicable work requirement;
9. An explanation of the process for requesting good cause (including examples of good cause circumstances and contact information to initiate a good cause request); and
10. Any other information the eligibility worker believes would assist the household members with compliance.
11. The case file must be documented that this information was verbally explained and the date when explained;

12. Provide the individual with the DSS-8569 Consolidated Work Notice. The case file must be documented with the date the notice was verbally explained, how the notice was given, if by hand delivery or mailed.

B. Reapplication

1. At reapplication the worker must explore each previously countable ABAWD month to determine if the ABAWD met an exemption in one of the previous months;

2. Ask whether the applicant has completed the ABAWD work requirements within 30 consecutive days or more at any time since losing FNS eligibility, even if the applicant is not currently meeting the ABAWD work requirements;

3. Recode any previous months as exempt, but an individual cannot be retroactively assigned countable months unless they were screened for all exemptions within the prior certification period.

4. Explain all general work registration and ABAWD work requirements to the household including the following:

    a. Explanation of each applicable work requirement;

    b. Which individuals are subject to which work requirement;

    c. Exemptions from each applicable work requirement;

    d. An explanation of the process to request an exemption (including contact information to request an exemption);

    e. The rights and responsibilities of each applicable work requirement;

    f. What is required to maintain eligibility under each applicable work requirement;

    g. Pertinent dates by which an individual must take any actions to remain in compliance with each applicable work requirement;

        i. Individuals subject to the ABAWD work requirements are required to report changes by the 10th of the month following the month of change when the number of hours working fall below 20 hours per week regardless of simplified reporting requirements.

    h. The consequences for failure to comply with each applicable

work requirement;

i. An explanation of the process for requesting good cause (including examples of good cause circumstances and contact information to initiate a good cause request); and

j. Any other information the eligibility worker believes would assist the household members with compliance.

5. The case file must be documented that this information was verbally explained and the date when explained;

6. Provide the individual with the DSS-8569 Consolidated Work Notice. The case file must be documented with the date the notice was verbally explained, how the notice was given, if by hand delivery or mailed.

C. Special situations

1. Pend applications, reapplications, and late recertifications for postponed verification when an ABAWD has already been assigned 3 countable months in the 36-month period if the ABAWD claims physical or mental unfitness for work or another exemption, and the self-attestation to verify the exemption is questionable, or the individual's unfitness for work is not obvious.

a. Pend the case until the ABAWD or a collateral contact provides verification of the exemption.

b. If verification of the exemption is received within 30 days, approve the case back to the original date of application even if the onset of the exemption is after the date of application but during the same calendar month.

c. If the ABAWD has been assigned 3 countable months, they are not eligible for expedited service unless the verification (if needed) is provided within 7 days of the expedited processing requirements.

2. Pend a case when an ABAWD has been assigned 3 countable months in the 36-month period at the time of an application and has not yet become exempt or compliant but has the potential to earn 80 hours within the 30-day processing period.

a. If the ABAWD earns 80 hours within the processing time frame, and all other eligibility requirements are met, approve the reapplication from the original date of application.

b. If the ABAWD does not earn 80 hours within the 30-day processing period, deny the application.

D. Recertification:

1. At recertification the worker must explore each previously countable ABAWD month during the prior certification period to determine whether the ABAWD met an exemption or complied with the work requirement in that month.

2. If during the prior certification period an individual had a non-reportable change in circumstance that resulted in the loss of an exemption, the individual cannot be retroactively assigned countable months because the individual had not been screened to determine whether any other exemptions could have applied.

3. Reevaluate exemptions for ongoing eligibility, but do not request additional verifications of exemptions if the information is already known to the agency and sufficient for verification;

4. Recode any month in the prior certification period as exempt or in compliance, as applicable; and

5. Consider bonus month eligibility if the applicant completed the ABAWD work requirements for 30 consecutive days at any time since losing FNS eligibility, even if the applicant is not currently meeting or exempt from the ABAWD work requirements.

6. Explain all general work registration and ABAWD work requirements to the household including the following:

    a. Explanation of each applicable work requirement;

    b. Which individuals are subject to which work requirement;

    c. Exemptions from each applicable work requirement;

    d. An explanation of the process to request an exemption (including contact information to request an exemption);

    e. The rights and responsibilities of each applicable work requirement;

    f. What is required to maintain eligibility under each applicable work requirement;

    g. Pertinent dates by which an individual must take any actions to

remain in compliance with each applicable work requirement;

i. Individuals subject to the ABAWD work requirements are required to report changes by the 10th of the month following the month of change when the number of hours working fall below 20 hours per week regardless of simplified reporting requirements.

h. The consequences for failure to comply with each applicable work requirement;

i. An explanation of the process for requesting good cause (including examples of good cause circumstances and contact information to initiate a good cause request); and

j. Any other information the eligibility worker believes would assist the household members with compliance.

7. The case file must be documented that this information was verbally explained and the date when explained;

8. Provide the individual with the DSS-8569 Consolidated Work Notice. The case file must be documented with the date the notice was verbally explained, how the notice was given, if by hand delivery or mailed.

E. Changes during certification period:

1. If during the certification period, including after the date of application but before the application is approved, an individual has a change in circumstances that results in the loss of an exemption from the time limit, do not assign countable months until the individual is screened to determine whether any other exception applies at their next recertification.

2. If during the certification period an individual subject to the time limit has a change in circumstance that results in the individual now meeting an exemption, act promptly to apply the exemption and do not assign countable months once the county receives information that is not questionable. If it is determined that the information is questionable, then act promptly to verify the information. Once verified, apply the exemption and do not assign countable months.

260.07 NC FAST TRACKING ABAWD ELIGIBILITY

NC FAST will track ABAWD eligibility for all ABAWDS within a FNS unit. NC FAST will also send all appropriate notices to the FNS households to terminate or reduce

benefits when an individual has reached their 3-month time limit.

A. NC FAST decisions are based on the available evidence. The worker must update all applicable evidence for each potentially countable month to ensure NC FAST has accurate information.

B. The system tracks the following information for each ABAWD member:

1. The 36-month period;
2. Non-compliant months, 3-month limit (countable months);
3. Bonus months (3 additional months);
4. Months in which the ABAWD complies with the work requirements (compliant months);
5. Months in which the ABAWD fails to comply with the work requirements (non-compliant months);
6. Exemption status;
7. Good cause;
8. ABAWDs that move from another county or state.
9. **Note:** Document in NC FAST when the FNS unit member's ABAWD status changes if a change in situation occurs, e.g., if it becomes known to the agency that the individual is now exempt. If the ABAWD temporarily fails to meet the work requirement (with good cause), do not count as a non-compliant month.

260.08 ABAWD MORE THAN A JOB NC SERVICES PROGRAM

The Able-Bodied Adults without Dependents (ABAWD) More Than a Job NC Services Program is an optional program that counties may participate in to help ABAWDS become employable and maintain eligibility for Food and Nutrition Services (FNS) benefits beyond the three-month limit.

Local county departments of social services are not required to participate in this program; however, the Division strongly encourages each county to implement services for ABAWDS. Counties that wish to implement the ABAWD Services Program must contact the Food and Nutrition Services Section prior to implementing the program.

260.09 COMPONENT ACTIVITIES FOR ABAWDS

The following activities are optional for each county. It is not required that counties carry out the activities either as a function of the department of social services or under contract. The local department of social services has the authority to contract with local providers to carry out these activities.

A. An ABAWD is placed in and actively participates in a program under the Workforce Innovation and Opportunity Act (WIOA) for a minimum of 20 hours each week.

B. An ABAWD is placed and actively participates in a community college program or programs (i.e., Pathways to Employment, HRD, GED, ABE, AHS) for a minimum of 20 hours each week.

C. An ABAWD is placed and actively participates in community work experience (work site) for the required number of hours a month. Determine the number of hours that are required monthly by dividing the FNS benefit amount by the current federal minimum wage.

1. **EXAMPLE:** A FNS benefit of $123 divided by $7.25 = 17 hours a month work site obligation.

    a. If the ABAWD is a member of a household where others are receiving FNS benefits, divide the entire household FNS benefit amount by hourly minimum wage.

2. **EXAMPLE:** An ABAWD is in a FNS unit with two non-ABAWDS. The household benefit is $321. Divide $321 by minimum wage to determine the number of hours the ABAWD must work. The $321 benefit divided by $7.25 equals 44 hours.

    a. In a household with more than one ABAWD member or a household with more than one ABAWD member and non-ABAWD members, the county may determine how the required hours are distributed among each ABAWD.

    b. Regardless of the total household obligation for community work experience work hours, an ABAWD cannot be required to work over 120 hours per month.

    c. **NOTE:** When performing calculations, round down to the nearest whole number. ABAWDS must not work beyond the number of required hours unless it is voluntary and strictly for training.

D. Self-initiated Community Work Experience (work sites)

1. If an ABAWD reports that he is working as a volunteer at a public or private non-profit agency, the work may qualify as a self-initiated community work experience work site. For the work site to qualify as a More Than a Job NC work site, the ABAWD must work the required number of hours as described in C. above, and the agency must be under a work site agreement with the local department of social services.

260.10 ADDITIONAL GUIDANCE

A. It is allowable to combine work and participation in the ABAWD Services Program for a portion of the month if there is an average of 20 hours of work and participation per week.

B. The Food and Nutrition Act specifically excludes job search and job search training programs as qualifying work programs that will keep ABAWDS eligible for FNS benefits. However, the Act does not preclude local departments of social services from requiring ABAWDS to conduct some job search activities while participating in the ABAWD Services Program. In any given month, education and training activities must account for the majority (minimum of 75% or 15 hours) of the time spent in the component.