



HUMAN SERVICES
DEPARTMENT

Susana Martinez, Governor
Brent Earnest, Secretary
Marilyn Martinez, Director

General Information Memorandum

ISD-GI 16-04

TO: ISD Employees & SL Start
FROM: *M* Marilyn Martinez, Director, Income Support Division
DATE: January 26, 2016
RE: ABAWD INTERVIEW AND DESK GUIDE

The attached ABAWD Interview and Desk Guide has been created to assist field staff in determining if an individual is an ABAWD subject to the ABAWD requirements. This guide provides guidance to field staff regarding:

- Federal exemptions.
- ABAWD exceptions.
- Good Cause.
- How an ABAWD can regain SNAP eligibility.
- ABAWD forms and the intentions of each form.

This GI has been posted to the forms drive: \\disfasv025\ISDForms

If you have questions regarding this GI, please contact Marisa Vigil (505)827- 1326 or by e-mail at Marisa.Vigil@state.nm.us.

ABAWD INTERVIEW AND DESK GUIDE

Step 1: Do they live in a waived area? If your office is in a waived area this guide is informational and must be discussed with the ABAWD to inform them of their requirements. If they do not live in a waived area, they must move to a mandatory area. See the ABAWD training located in the forms drive in the ASPEN folder.

Step 2: Do they qualify for a Federal Exemption or an ABAWD Exception?

Federal Exemption/ABAWD Exception	Validate
Are they younger than 18 or 50 years of age or older?	During interview/application
Are they applying for SSRP?	Security scan
Are they a regular participant in a drug addiction or alcohol treatment and rehabilitation program?	FSP 300 or documentation from facility
Are they a student enrolled at least half-time in any recognized school, training program, or institution of higher education?	During interview/application
Are they physically or mentally unfit for work (including Chronically Homeless)?	If obvious or they receive temporary/permanent disability benefits document in case notes and allow the exemption. If not obvious FSP300 or Medical documentation
Are they pregnant?	Self-attested
Do they reside in a household where a household member is under age 18, even if the household member who is under 18 is not himself eligible for SNAP?	During interview/application

Federal Exemption/ABAWD Exception	Validate
Are they a TANF recipient?	ASPEN
Are they applying for or receiving unemployment compensation?	DWS scan
Are they employed or self-employed, working a minimum of 30 hours weekly or earning weekly wages at least equal to the Federal minimum wage multiplied by 30 hours?	During interview/application Check stubs, self-employment records, statement from employer
Are they responsible for the care of an incapacitated person?	During interview/application FSP 300 or documentation from Medical Provider
Are they receiving temporary or permanent disability benefits?	SOLQ scan or disability documentation from benefit source and interview
Are they a parent, natural, adoptive, or step) of a household member under age 18, even if the household member who is under 18 is not himself eligible for SNAP?	During interview/application

Step 3: When should the forms be reviewed? These forms are specific to ABAWDs.

FSP 200 Request for Able Bodied Time Limit Exemption (Link to the form below). If you cannot determine that the individual qualifies for an exemption or ABAWD exemption based on your interview, the FSP 200 needs to be reviewed with the applicant, completed (if applicable) and scanned into ECF (it is scanned into ECF only if the form is completed; if it is not applicable document in case comments that FSP 200 was reviewed but no exemptions apply).

[L:\NSD Forms\FSP 200 Request for Able Bodied Time limit Exemption 12 17 15.docx](#)

[L:\NSD Forms\FSPSP 200 Solicito de Exencion Limite de Tiempo para Adultos Sanos 12 17 2015.docx](#)

FSP 300 SNAP Medical & Caretaker Exemption Form (Link to the form below). This form can be used to:

Verify a claim of physically or mentally unfit if the unfitness is not obvious and they don't already have verification. Verify that they are caring for an incapacitated person, if they don't already have verification. Explain to the recipient that pending receipt of the verification (either FSP 300 or other documentation) that they will be subject to the ABAWD requirement until we receive this form or other verification. Document in case comments that the form was given and that the requirements were explained. If a completed FSP 300 is received, enter information in data collection, scan into the ECF and document in case comments.

[L:\NSD Forms\FSP 300 SNAP Medical Caretaker Exemption Form 12 17 15 FINAL.docx](#)

FSP 400 Verification of Able Bodied Adult Time Limit Requirement (Link to the form below). If it is determined that they do not meet an exemption the ABAWD must be informed of their requirements and what options they have to meet the requirement. Remember SL Start is Optional for SL Start.

- This form can be completed by the worker or the applicant or someone that knows the applicants situation.
- If a phone interview is conducted, the worker must complete the form, sign Section 6, document in case comments and scan into ECF.
- If a FTF interview is conducted the ABAWD will sign Section 5, the worker will sign Section 6, document in case comments and scan into ECF.
- All sections are to be reviewed and completed (if applicable) with the ABAWD to ensure that they understand their responsibilities, the consequences for not completing the 80 hours a month, averaged and the options they have to meet the requirement.

[L:\NSD Forms\FSP 400 Verification of Able Bodied Adult Time Requirement 1 5 16.pdf](#)
[L:\NSD Forms\FSPSP 400 Requisito de verificación de tiempo limite para adultos aptos 1 5 16.pdf](#)

Step 4: Do they qualify for a Good Cause? If an ABAWD fails to meet their requirement, they may obtain temporary excusal from the requirement; this is known as Good Cause. Good Cause is circumstances beyond the individuals control and is evaluated on an individual basis and only granted until the cause no longer exists (as voluntarily reported by the recipient) or evaluation at recertification, whichever is sooner.

Step 5: Do they qualify for Regain of SNAP eligibility? If the ABAWD used their three (3) consecutive months and was denied SNAP eligibility for failure to meet the ABAWD requirements, they shall regain eligibility to participate in SNAP if they:

- Work at least 80 hours in a 30 consecutive day period;
- Participate in an approved E&T activity for 80 hours in a 30 consecutive day period;
- Any combination of work and participation in an approved work program for a total of 80 hours in a 30 consecutive day period;
- Becomes exempt from work requirements;
- Moves to a waived area; or
- The 36 month period expires and a new 36 month period begins.

There is no limit on how many times an individual may regain eligibility.