



HOUSE BILL 451: Temp. ABAWD Time Waivers.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2019-2020 General Assembly

Committee:	Senate Appropriations/Base Budget.	If Date:	June 18, 2020
	favorable, re-refer to Rules and Operations of the Senate		
Introduced by:	Reps. Potts, Zachary, White, Jarvis	Prepared by:	Jessica Boney** Staff Attorney
Analysis of:	PCS to Second Edition H451-CSBP-20		

OVERVIEW: *The Proposed Committee Substitute to House Bill 451 authorizes DHHS to seek a temporary waiver related to the Food and Nutrition Services Program in response to COVID-19.*

BILL ANALYSIS:

Section 1 of the PCS affects the Supplemental Nutrition Assistance Program (SNAP). SNAP is a federal food assistance program that provides low-income families food needed for a nutritionally adequate diet. North Carolina's SNAP program is called Food and Nutrition Services (FNS). The FNS benefits are 100% federally funded. Costs to administer FNS benefits at the State level are 50% federal/50% state funded and costs to administer benefits at the county level are 50% federal/50% county funded. The federal Food and Nutrition Act of 2008 limits the time an ABAWD can receive benefits to three months in any 36-month period, unless the individual meets the ABAWD work requirements or is otherwise exempt. Generally, the work requirements can be met by working at least 80 hours a month, participating in a work program at least 80 hours a month, or participating in a combination of work and work program hours for a total of 80 hours a month. An ABAWD is a person in the program age 18-49 who has no dependents and is not disabled.

The ABAWD work requirements have been temporarily waived due to COVID-19 as a result of a blanket waiver provided to all states by USDA. The waiver is applicable from April 1, 2020 through the end of the federal public health emergency declaration. Under current law, DHHS is prohibited from seeking federal time limit waivers for FNS for ABAWD who have not met federal work requirements. Time limit waivers are temporary. The PCS authorizes DHHS to seek a 1-year temporary waiver, which may not be resubmitted for renewal without additional, express authority. DHHS is authorized to submit the 1-year temporary waiver after the blanket federal waiver provided by USDA expires.

Section 2 of the PCS explains DHHS authority to submit the waiver to USDA expires 9 months after the date the federal emergency period is lifted.

EFFECTIVE DATE: This act would be effective when it becomes law.

Luke Gillenwater of the Bill Drafting substantially contributed to this summary.

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