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**HUMAN SERVICES**  
D E P A R T M E N T

Presentation to the  
Legislative Health and Human Services Committee  
Brent Earnest, Secretary  
July 16, 2015

Supplemental Nutrition Assistance Program (SNAP)  
Employment and Training

**New Mexico Human Services Department**



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# What is SNAP?

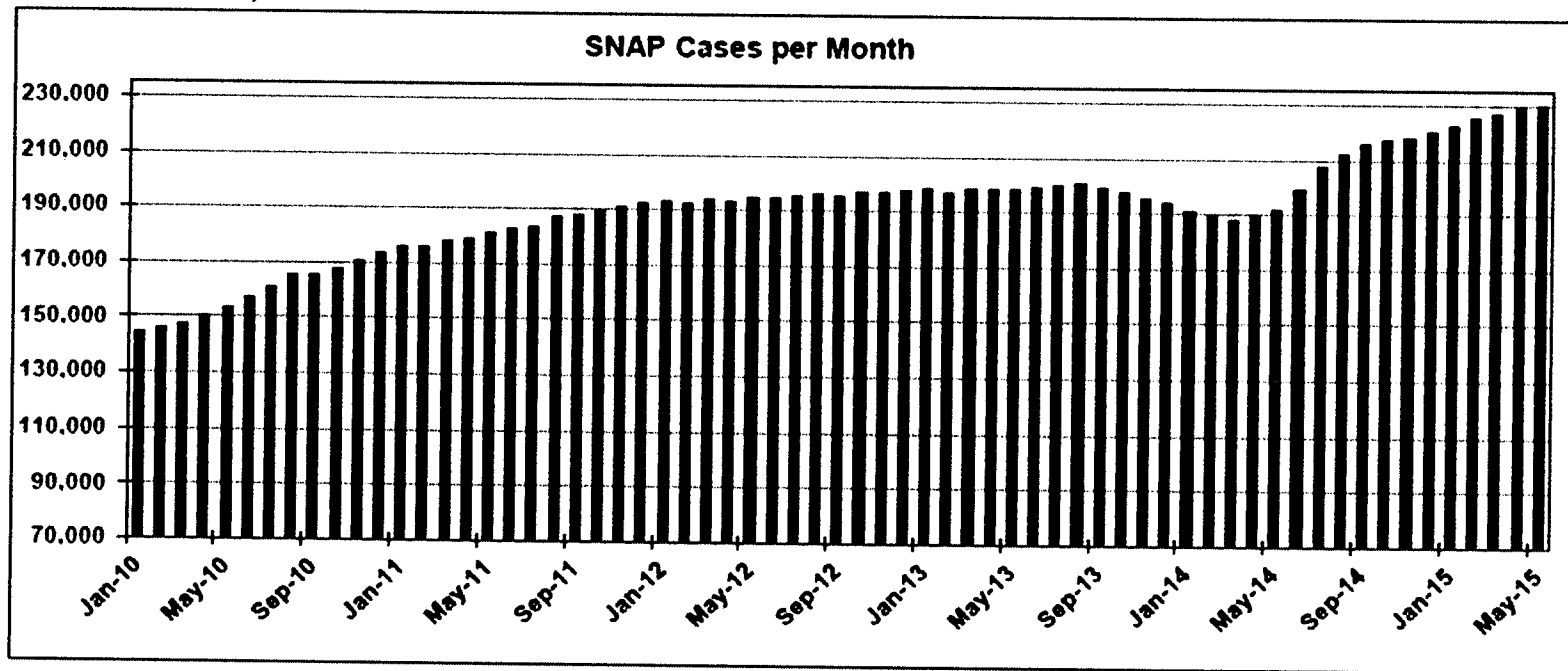
- SNAP is an essential safety net program to help low-income individuals supplement their food budget
- Federally funded program administered by the Human Services Department (HSD)
- Administrative costs are shared by state and federal government
- SNAP benefits are provided through an Electronic Benefit Transfer (EBT) card, similar to a bank debit card or credit card.

## Basics of SNAP Eligibility

- Must Reside in New Mexico
- Citizen or Qualified Legal Immigrant
- Income at or below 165% of Federal Poverty guidelines  
= e.g., \$2,163 per month for a household of two

# SNAP Stats

- 493,195 individuals on SNAP (230,057 cases), as of May 2015
  - 276,007 adults
  - 217,188 children



- \$675.5 million in SNAP benefits issued in FY15
- \$634.6 million in FY14

# SNAP Employment and Training (E&T)

- Federal law requires states to operate a SNAP E&T program
  - The Food Stamp Act of 1977, as most recently amended by the Agriculture Act of 2014 (P.L. 113-79).
  - Federally administered by the U.S. Department of Agriculture, Food and Nutrition Service (FNS).
  - Funded through a combination of formula grants and reimbursements to states for qualifying expenses.
  - Designed to encourage states to increase the number and percentage of SNAP recipients enrolled in education and training, as well as the number of participants earning degrees, certificates, and other credentials with value in the labor market.
- Federal government encouraging the integration of SNAP E&T and other work support programs with state workforce development systems



# SNAP E&T and Able Bodied Adults without Dependents (ABAWDs)

- Work requirements signed into law by President Bill Clinton in 1996 under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)
  - Effectively limits SNAP participation for healthy adults without kids (aka ABAWDS) to 3 months in a 3-year period unless participating in work program for 20 hours per week
- Requirements were in effect in New Mexico from 1997 until 2009, when they were suspended with the implementation of the American Recovery and Reinvestment Act (ARRA)
- NM likely will not qualify for suspension or waiver of these federal rules by the end of 2015.

# New Mexico's Proposed E&T Rules

- On May 29, 2015, published a proposed rule, outlining the policy, and the NM FFY 2016 State Plan, outlining the implementation of the E&T program.
- Public comment period is occurring through July 17, 2015.
- A public hearing will be held on July 17.
- HSD has conducted two roundtable discussions with members of Tribes, Pueblos and Nations on May 8 and June 19, 2015.
- The proposed effective date of the final rule is October 1, 2015
  - ABAWD limits on October 1
  - Rolling implementation of mandatory E&T by March 1, 2016.
- Financial assistance for childcare and transportation cost available.

# E&T by the Numbers: Participants

Based on the proposed changes, HSD estimates:

## Healthy Adults without Dependents Requirements

- 21,461 healthy adults without dependents subject to reinstated requirements.
- After geographic waivers, this number reduced to about 18,300
  - Less than 150 residing on a Tribe, Pueblo, or Indian Nation

## Healthy Adults with Dependents Requirements

- 62,538 mandatory healthy adults with dependents.
- After geographic waivers, this number reduced to about 52,500

# E&T Eligibility

**The mandatory SNAP participants are separated into two groups.  
(Federally required)**

- **Healthy Adults without Dependents. This means the SNAP recipient is:**
  - Age 18 to age 49;
  - Living in a SNAP household without a child under 18 or an individual who requires care;
  - Not physically or mentally disabled;
  - Not pregnant.
  
- **Healthy Adults with Dependents. This means the SNAP recipient is:**
  - Age 16 to age 59;
  - Not responsible for a child under the age of six;
  - Not physically or mentally disabled;
  - Not pregnant;
  - Not already working more than 30 hours a week;
  - Not in a drug or alcoholic rehab program;
  - Not a Student enrolled at least half time.



# Healthy Adults with Dependents: Exemptions

- Federal regulations allow the states to establish exemptions that are no more restrictive than federal law.
  - NM has proposed exempting the following Counties, Tribes, Pueblos and Nations due to having an average annual unemployment rate of 10 percent, based on data from the Bureau of Labor Statistics.

<u>Counties</u>	<u>Tribe, Pueblo, Nation</u>
Luna	Pueblo of Acoma
Mora	Pueblo of Jemez
	Pueblo of Laguna
	Mescalero Apache Nation
	Navajo Nation
	Ohkay Owingeh
	Pueblo of Picuris
	Pueblo of Sandia
	Pueblo of San Felipe
	Kewa Pueblo
	Pueblo of Zia

# Healthy Adults without Dependents: Waivers

- HSD is proposing to waive certain geographical areas within the state based on unemployment factors.
  - NM has proposed the use of a two-year average unemployment rate, 20 percent above the national average based on data from the bureau of labor statistics. Based on this information the following Counties, Tribes, Pueblos and Nations are being proposed to be waived from the E&T program:

**Counties**

**Tribe, Pueblo, Nation**

Guadalupe  
Luna  
McKinley  
Mora  
Rio Arriba  
Taos  
Torrance

Pueblo of Acoma  
Pueblo of Jemez  
Jicarilla Apache Nation  
Pueblo of Laguna  
Mescalero Apache Nation  
Navajo Nation  
Pueblo of Nambe  
Ohkay Owingeh  
Pueblo of Picuris

Pueblo of Cochiti  
Pueblo of San Felipe  
Pueblo of San Ildefonso  
Pueblo of Sandia  
Pueblo of Santa Ana  
Pueblo of Santa Clara  
Kewa Pueblo  
Pueblo of Taos  
Pueblo of Zia  
Pueblo of Zuni

# What activities do Healthy Adults Without Dependents have to complete?

- Register for work;
- Participate in an allowable work activity for a minimum average of 20 hours per week or FLSA standard;\*
  - Allowable activities include:
    - Work Experience
    - Community Service
    - Job Search or training activities (cannot be more than half of activity)
    - Participation in and compliance with a workfare program
    - Employment

\*Fair Labor Standards Act standard is the SNAP benefit divided by minimum wage; E.g., \$194 month/\$7.50 hour = 25 hours per month

## What activities do Healthy Adults With Dependents have to complete?

- Register for work;
- Participate in an allowable E&T work activity to the extent required;
- Accept suitable employment if offered; and
- Do not voluntarily quit a job of 30 or more hours a week or reduce work effort to less than 30 hours per week.

# Activity and Hours Summary

- Mandatory participants can participate in one or multiple of the following activities:

Employment and Training Activity and Hours			
Allowable Activity	Adults without Dependents (36 months)	Adults with Dependents	
		Rural	Urban
Individual and Group Job Search	Cannot be primary and less than 1/2 the activity hours	12 contacts	24 contacts
Community Service	20 weekly hours	Up To 120 Hours	
Work Experience	Up to 20 hours weekly with FLSA standard		

# Exemptions and Exceptions

- Proposed rules and state plan account for areas with high unemployment
- State has flexibility in the method of calculation
- Proposed rules provide for a “Good Cause” exception to consider specific situations
- Examples of “Good Cause” exception for circumstances beyond an individual’s control:
  - Lack of transportation;
  - Distance to work activity; and
  - Individual is a victim of family violence.

# Key Points

- This rule implements federal requirements and reinstates rules in effect prior to 2009.
  - It will be phased in and includes numerous exemptions for high unemployment areas
- These changes provide additional assistance to individuals to help them build skills and find work.
- Only those who are physically able to meet the requirements must participate.
- These requirements work in conjunction with other assistance programs.