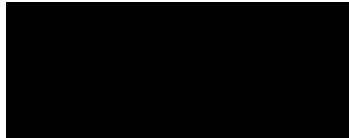




March 11, 2026



RE: [REDACTED] v. WV DOHS  
ACTION NO.: 26-BOR-1238

Dear [REDACTED]

Enclosed is a copy of the decision resulting from the hearing held in the above-referenced matter.

In arriving at a decision, the State Hearing Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Human Services. These same laws and regulations are used in all cases to ensure that all persons are treated alike.

You will find attached an explanation of possible actions you may take if you disagree with the decision reached in this matter.

Sincerely,

Amy Hayes  
State Hearing Officer  
Member, State Board of Review

Encl: Recourse to Hearing Decision  
Form IG-BR-29

cc: Kristyne Hoskins, Department Representative

**WEST VIRGINIA OFFICE OF INSPECTOR GENERAL  
BOARD OF REVIEW**

████████████████████

**Appellant,**

v.

**Action Number: 26-BOR-1238**

**WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES  
BUREAU FOR FAMILY ASSISTANCE,**

**Respondent.**

**DECISION OF STATE HEARING OFFICER**

**INTRODUCTION**

This is the decision of the State Hearing Officer resulting from a fair hearing for ██████████. This hearing was held in accordance with the provisions found in Chapter 700 of the Office of Inspector General Common Chapters Manual. This fair hearing was convened on February 25, 2026, on an appeal filed February 4, 2026.

The matter before the Hearing Officer arises from the Respondent's termination of Supplemental Nutrition Assistance Program (SNAP) benefits based on failure to follow Able-Bodied Adult Without Dependents (ABAWD) work requirements as outlined in notice dated January 16, 2026.

At the hearing, the Respondent appeared by Kristyne Hoskins, Economic Service Worker Senior, West Virginia Department of Human Services. The Appellant was self-represented. Appearing as witnesses for the Appellant were ██████████. All witnesses were placed under oath, and the following documents were admitted into evidence.

**Department's Exhibits:**

- D-1 Supplemental Nutrition Assistance Program (SNAP) application for ██████████ dated September 23, 2025
- D-2 Case Comments screen prints for comments dated September 6, 2024, through February 6, 2026
- D-3 Notice from Department of Human Services (DoHS) to ██████████ of SNAP Work Rules dated September 24, 2025
- D-4 ABAWD Status Questions screen print regarding ██████████ for September 2025
- D-5 ABAWDs 36 Month Tracking screen print regarding ██████████ from January 1, 2025, to December 31, 2027
- D-6 West Virginia Income Maintenance Manual (IMM) section 1.2.3.A

**Appellant's Exhibits:**

A-1 Written statement by [REDACTED], M.S. Program Associate for the American Friends Service Committee, dated January 29, 2026

After a review of the record, including testimony, exhibits, and stipulations admitted into evidence at the hearing, and after assessing the credibility of all witnesses and weighing the evidence in consideration of the same, the Hearing Officer sets forth the following Findings of Fact.

**FINDINGS OF FACT**

- 1) The Appellant applied for Supplemental Nutrition Assistance Program (SNAP) benefits on September 23, 2025. (Exhibit D-1)
- 2) On September 24, 2025, the Respondent notified the Appellant of the SNAP Basic Work Rules and the Able-Bodied Adults Without Dependents (ABAWD) Time Limit Rules. (Exhibit D-3)
- 3) The Respondent processed the Appellant's SNAP application as an expedited service application and during the interview part of her application, the Appellant did not report any exemptions from ABAWD Time Limit Rules. (Exhibit D-2, Exhibit D-4)
- 4) The Appellant received SNAP benefits in October 2025, December 2025, and January 2026. (Exhibit D-2)
- 5) On October 16, 2025, the Appellant registered with WorkForce WV. (Exhibit D-2)
- 6) The Respondent sent a notice to the Appellant on January 16, 2026, advising that she had received SNAP for the first three-month period without meeting work requirements or being exempt. (Notice Dated January 16, 2026, submitted with request for appeal and a part of the Administrative record)
- 7) On January 29, 2026, [REDACTED] emailed the Respondent a letter stating that the Appellant had volunteered for the [REDACTED], and that the Appellant had been caring for her mother. (Exhibit A-1)
- 8) On January 31, 2026, the Appellant's SNAP benefits were closed.
- 9) On February 4, 2026, the Respondent received a letter from the Appellant requesting exemption from ABAWD time limit rules. (Letter and Fair Hearing Request Form dated January 30, 2026, submitted with request for appeal and a part of the Administrative record)

## APPLICABLE POLICY

**Code of Federal Regulations Title 7, Subtitle B, Chapter II, Subchapter C, Part 273 describes the Supplemental Nutrition Assistance Program and provides, in pertinent part (emphasis added):**

**§ 273.24 Time limit for able-bodied adults.**

(a) *Definitions.* For purposes of the SNAP time limit, the terms below have the following meanings:

(1) ***Fulfilling the work requirement*** means:

- (i) Working 20 hours per week, averaged monthly; for purposes of this provision, 20 hours a week averaged monthly means 80 hours a month;
- (ii) Participating in and complying with the requirements of a work program 20 hours per week, as determined by the State agency;
- (iii) Any combination of working and participating in a work program for a total of 20 hours per week, as determined by the State agency; or
- (iv) Participating in and complying with a workfare program;

(2) ***Working*** means:

- (i) Work in exchange for money;
- (ii) Work in exchange for goods or services (“in kind” work); or
- (iii) Unpaid work, verified under standards established by the State agency.
- (iv) Any combination of paragraphs (a)(2)(i), (a)(2)(ii) and (a)(2)(iii) of this section.

(3) ***Work Program*** means:

- (i) A program under title 1 of the Workforce Innovation and Opportunity Act (WIOA) (Pub. L.113-128);
- (ii) A program under section 236 of the Trade Act of 1974 (19 U.S.C. 2296);
- (iii) An employment and training program operated or supervised by a State or political subdivision of a State agency that meets standards approved by the Chief Executive Office, including a SNAP E&T program under § 273.7(e) excluding any job search, supervised job search, or job search training program. However, a program under this clause may contain job search, supervised job search, or job search training as subsidiary activities as long as such activity is less than half the requirement. Participation in job search, supervised job search, or job search training as subsidiary activities that make up less than half the requirement counts for purposes of fulfilling the work requirement under paragraph (a)(1)(ii) of this section.
- (iv) A program of employment and training for veterans operated by the Department of Labor or the Department of Veterans Affairs. For the purpose of this paragraph, any employment and training program of the Department of Labor or Veterans Affairs that serves veterans shall be an approved work program; or
- (v) A workforce partnership under § 273.7(n)

(4) ***Workfare program*** means:

- (i) A program under § 273.7(m); or
  - (ii) A comparable program established by a State or political subdivision of a State.
- (b) ***General Rule.*** Individuals are not eligible to participate in SNAP as a member of any household if the individual received SNAP benefits for more than three countable

months during any three-year period, except that individuals may be eligible for up to three additional countable months in accordance with paragraph (e) of this section.

(1) **Countable months.** Countable months are months during which an individual receives SNAP benefits for the full benefit month while not:

- (i) Exempt under paragraph (c) of this section;
- (ii) Covered by a waiver under paragraph (f) of this section;
- (iii) Fulfilling the work requirement as defined in paragraph (a)(1) of this section;
- (iv) Receiving benefits that are prorated in accordance with § 273.10; or
- (v) In the month of notification from the State agency of a provider determination in accordance with § 273.7(c)(18)(i).

(2) **Good cause.** As determined by the State agency, if an individual would have fulfilled the work requirement as defined in paragraph (a)(1) of this section, but missed some hours for good cause, the individual shall be considered to have fulfilled the work requirement if the absence from work, the work program, or the workfare program is temporary. Good cause shall include circumstances beyond the individual's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency, or the unavailability of transportation. In addition, if the State agency grants an individual good cause under § 273.7(i) for failure or refusal to meet the mandatory E&T requirement, that good cause determination confers good cause under this paragraph, except in the case of § 273.7(i)(4), without the need for a separate good cause determination under this paragraph. Good cause granted under § 273.7(i)(4) only provides good cause to ABAWDs for failure or refusal to participate in a mandatory SNAP E&T program, and does not confer good cause for failure to fulfill the work requirement in paragraph (a)(1) of this section.

(3) **Measuring the three-year period.** The State agency may measure and track the three-year period as it deems appropriate. The State agency may use either a “fixed” or “rolling” clock. If the State agency chooses to switch tracking methods it must inform FNS in writing. With respect to a State, the three-year period:

- (i) Shall be measured and tracked consistently so that individuals who are similarly situated are treated the same; and
- (ii) Shall not include any period before the earlier of November 22, 1996, or the date the State notified SNAP recipients of the application of Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193).

(4) **Treatment of income and resources.** The income and resources of an individual made ineligible under this paragraph (b) shall be handled in accordance with § 273.11(c)(2).

(5) **Benefits received erroneously.** If an individual subject to this section receives SNAP benefits erroneously, the State agency shall consider the benefits to have been received for purposes of this provision unless or until the individual pays it back in full.

(6) **Verification.** Verification shall be in accordance with § 273.2(f)(1) and (f)(8).

(7) **Reporting.** A change in work hours below 20 hours per week, averaged monthly, is a reportable change in accordance with § 273.12(a)(1)(viii). Regardless of the type of reporting system the State agency assigns to potential ABAWDs, the State agency must adhere to the statutory requirements of time-limited benefits for individuals who are

subject to the work requirement. The State agency may opt to consider work performed in a job that was not reported according to the requirements of § 273.12 “work.”

(8) The State agency shall inform all ABAWDs of the ABAWD work requirement and time limit both in writing and orally in accordance with § 273.7(c)(1)(ii) and (iii).

(c) **Exceptions.** The time limit does not apply to an individual if he or she is:

(1) Under 18 or 55 years of age or older;

(2) Determined by the State agency to be medically certified as physically or mentally unfit for employment. An individual is medically certified as physically or mentally unfit for employment if he or she:

(i) Is receiving temporary or permanent disability benefits issued by governmental or private sources;

(ii) Is obviously mentally or physically unfit for employment as determined by the State agency; or

(iii) If the unfitness is not obvious, provides a statement from a physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, a licensed or certified psychologist, a social worker, or any other medical personnel the State agency determines appropriate, that he or she is physically or mentally unfit for employment.

(3) Is 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 benefits;

(4) Is residing 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 benefits;

(5) Is otherwise exempt from work requirements under section 6(d)(2) of the Food and Nutrition Act of 2008, as implemented in regulations at § 273.7(b);

(6) Is pregnant;

(d) **Regaining eligibility.**

(1) An individual denied eligibility under paragraph (b) of this section, or who did not reapply for benefits because he was not meeting the work requirements under paragraph (b) of this section, shall regain eligibility to participate in SNAP if, as determined by the State agency, during any 30 consecutive days, he or she:

(i) Worked 80 or more hours;

(ii) Participated in and complied with the requirements of a work program for 80 or more hours;

(iii) 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; or

(iv) At State agency option, verifies that he or she will meet one of the requirements in paragraphs (d)(1)(i), (d)(1)(ii), (d)(1)(iii), or (d)(1)(v) of this section, within the 30 days subsequent to application; or

(v) Becomes exempt.

(2) An individual regaining eligibility under paragraph (d)(1) of this section shall have benefits calculated as follows:

(i) For individuals regaining eligibility by working, participating in a work program, or combining hours worked and hours participating in a work program, the State agency may either prorate benefits from the day the 80 hours are completed or from the date of application, or

(ii) For individuals regaining eligibility by participating in a workfare program, and the workfare obligation is based on an estimated monthly allotment prorated back to the date of application, then the allotment issued must be prorated back to this date.

(3) There is no limit on how many times an individual may regain eligibility and subsequently maintain eligibility by meeting the work requirement.

(e) ***Additional three-month eligibility.*** An individual who regained eligibility under paragraph (d) of this section and who is no longer fulfilling the work requirement as defined in paragraph (a) of this section is eligible for a period of three consecutive countable months (as defined in paragraph (b) of this section), starting on the date the individual first notifies the State agency that he or she is no longer fulfilling the work requirement, unless the individual has been satisfying the work requirement by participating in a work or workfare program, in which case the period starts on the date the State agency notifies the individual that he or she is no longer meeting the work requirement. An individual shall not receive benefits under this paragraph (e) more than once in any three-year period.

**Code of Federal Regulations Title 7, Section 273.2(f)(1)(xiv) describes Verifications and provides, in pertinent part (emphasis added):**

(xiv) ***Additional verification for able-bodied adults subject to the time limit*** —

(A) ***Hours worked.*** For individuals subject to the SNAP time limit of § 273.24 who are satisfying the work requirement by working, by combining work and participation in a work program, or by participating in a work or workfare program that is not operated or supervised by the State agency, **the individuals' work hours shall be verified.**

**West Virginia Income Maintenance Manual Chapter 3 describes ABAWD eligibility and exemptions and provides, in pertinent part:**

### **3.2.1.D.1 Definitions for ABAWD Purposes Only**

#### **Fulfilling The ABAWD Work Requirement**

Working and/or participating in an allowable ABAWD work activity for 20 hours per week or 80 hours per month.

#### **Unpaid Work**

Labor for an individual outside the AG or organization in which a person would traditionally be paid, but the client has chosen not to seek payment.

#### **Work**

For ABAWD purposes only, work is defined as any activity performed for monetary compensation, for in-kind services, or unpaid work.

#### **3.2.1.D.1.a Expanding the Target Audience**

- Effective October 1, 2022, all West Virginia counties are required to enforce the ABAWD work requirement per WV state code §9-8-2.

### **3.2.1.D.2 ABAWD Eligibility**

For SNAP AGs, any individual who meets the definition of an ABAWD and who is normally required to be included in the AG can only receive benefits when he is otherwise eligible and:

- Meets the work requirements outlined below or meets an exemption listed below;
- Is in his first three-month period while not meeting the ABAWD work requirement or being exempt within the 36-month period; or
- Regains eligibility after meeting the ABAWD work requirement and is in his additional three-month period, which must be consecutive months.

For detailed information for each of the bullets above, see below.

### **3.2.1.D.3 ABAWD Work Requirement**

All SNAP work requirements in Chapter 14 also apply to ABAWDs.

An ABAWD must meet the following ABAWD work requirements, in addition to the SNAP work requirements in Chapter 14, to be eligible.

All work hours must be verified, including in-kind services and unpaid work. See Verification Requirements for Work Requirements found in Chapter 7.

As long as an ABAWD is exempt as found in the exemptions below or meets any of the requirements below, he may receive SNAP benefits, if otherwise eligible. Otherwise, he is ineligible once he has received SNAP benefits for three months without being exempt or meeting the ABAWD work requirement. The three months need not be consecutive and includes SNAP benefits received from another state.

The ABAWD work requirement is met by either:

- Working at least 20 hours per week or 80 hours a month;
- Participating in a work program such as, but not limited to: WorkForce Innovation and Opportunity Act (WIOA) Title I programs or a refugee resettlement program, at least 20 hours per week or 80 hours per month; or
- Participating in a SNAP E&T program for the required number of hours. Individuals who do not meet an exemption listed below and who are not participating in another program or working 20 hours per week or 80 hours in a month should be asked if they would like to be referred to the SNAP E&T program.

An ABAWD cannot be assigned any countable month(s) prior to being screened for exemptions. If an ABAWD experiences a change of circumstance during the certification period that results in the loss of their exemption, a worker must address the change at next redetermination.

While a client may choose not to cooperate with the West Virginia's voluntary SNAP E&T program, a client may not opt out of the ABAWD work requirement. A client may choose to cooperate with SNAP E&T at any time.

An ABAWD cannot receive a countable ABAWD month during the month in which the ABAWD is under SNAP E&T provider determination. The next month accrued is the first full month following the SNAP E&T provider determination, where the individual does not meet the ABAWD work requirement or is not exempt. DOHS will remove or add months to the ABAWD based on the information received from the DFA-SNAP-E&T-PD form.

#### **3.2.1.D.3.a Good Cause for not meeting the ABAWD Work Requirements**

An ABAWD who would have fulfilled the work requirement through working (paid or unpaid), participating in a work program such as SNAP E&T, or a combination of working and participating in a work program, but missed some hours for good cause, would be considered to have fulfilled the work requirement if the absence from work or the work program is temporary. A temporary period is considered less than a one-month period.

Good cause includes circumstances beyond the individual's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency, or the unavailability of transportation.

If an ABAWD is granted good cause in any month for not meeting the ABAWD work requirement, the individual cannot receive a countable ABAWD month in the same period.

It is the responsibility of the ABAWD to report to the agency why they are unable to meet the ABAWD work requirement. The worker must document granting good cause in the case record.

*NOTE: If an ABAWD has not completed any required hours during the month in which the ABAWD is claiming good cause, the ABAWD cannot be granted good cause for that month. If a worker needs assistance determining if an ABAWD qualifies for good cause they should consult with the Division of Family Assistance SNAP policy unit.*

#### **3.2.1.D.4 Exemptions from ABAWD Time Limits and ABAWD Work Requirements**

SNAP benefits received while exempt do not count toward the three-month limit. Eligibility workers must use all available information to verify exemption status, including household attestation. Workers are not required to verify exemption status, unless the situation is questionable. Questionable ABAWD exemption information must be decided on a case-by-case basis. State agencies must apply updated exemptions at certification and recertification. Exemptions cannot be removed unless an individual has been screened.

An individual is exempt if he:

- Is under 18 or is 65 years of age or older.
- Is an Indian, Urban Indian, or California Indian, as those terms are defined in the Indian Health Care Improvement Act.

- o This includes individuals who are members of a federally recognized Indian tribe, band, nation, or Alaska Native village or corporation eligible for federal programs and services provided to Indians; individuals residing in an urban center who meet Indian ancestry or recognition criteria established by the Secretaries of the Interior or Health and Human Services; and individuals of California Indian descent recognized under 25 U.S.C. § 1679(a).
- Receives SNAP benefits in a SNAP AG that contains an individual under the age of 14, even if the household member who is under 14 is not eligible for SNAP himself;
- Is responsible for the care of an incapacitated person, whether or not the person receiving the care resides with the client, and whether or not the incapacitated person is a member of the AG;
  - o Caring for an incapacitated person must prevent the client from being able to complete a work activity.
- Is receiving Unemployment Compensation Insurance (UCI). An individual who has applied for but is not yet receiving unemployment compensation is also exempt if he is complying with the unemployment application process, including those applying out of state. This includes persons receiving benefits under the Trade Readjustment Allowance (TRA);
- Is certified as physically or mentally unfit for employment according to the provisions in Section 13.15;
- Is pregnant, regardless of the expected date of delivery. A pregnant person must not be made to verify their pregnancy as an ABAWD if they have already demonstrated their status as pregnant for another program, i.e. Medicaid;
- Is a regular participant in a drug addiction or alcoholic treatment and rehabilitation program;
- Is a student enrolled at least half-time in any recognized school, training program, or institution of higher education. Students enrolled at least half-time in an institution of higher education must still meet the student eligibility requirements found above to be eligible for SNAP;
- Is hired for work at least 30 hours per week;
- Is hired for work paying the equivalent of at least 30 hours times the federal minimum wage per week; or
- Is the recipient of a discretionary exemption through the Division of Family Assistance (DFA). For any month in which a discretionary exemption has been granted, a case comment will be entered into the eligibility system.

These exemptions qualify the individual to participate immediately, if otherwise eligible. These exemptions are only applicable to the ABAWD time limit and ABAWD work requirement and do not automatically exempt the individual from the SNAP work requirements in Chapter 14.

While the individual is exempt, he is not required to regain eligibility by completing any work hours. See below for regaining eligibility.

### **3.2.1.D.5 Determining the 36-Month Period**

For all individuals, regardless of client’s status or the county or state of residence, the first 36-month period began January 2016. The 36-month period remains fixed.

Receiving SNAP months without being exempt or meeting the work requirement in another state counts towards the client’s three-month limit in West Virginia. The worker must only count such months within the current 36-month period.

**3.2.1.D.6 Determining the Three-Month Limit**

Months in which the client received prorated benefits do not count toward the three-month limit. When an ABAWD, is no longer meeting an exemption or the work requirement, the first countable month is the first full month after the ABAWD is screened for exemptions.

**West Virginia Income Maintenance Manual Chapter 7 describes Verifications and provides, in pertinent part:**

**7.3 Verification Requirements**

Program	When to Verify	Possible Sources of Verification
<b>36. Hours Worked</b>		
SNAP	Prior to exemption when an AG member is a student or an Able-Bodied Adults Without Dependents (ABAWD)	Pay stubs; written statement from employer; work record sheet; DFA-17

Program	When to Verify	Possible Sources of Verification
<b>52. Participation Hours in Employment and Training Activities</b>		
SNAP WV WORKS WV WORKS Support Payments	Monthly	<u>SNAP Only:</u> DFA-17 <u>WV WORKS Only:</u> Time sheets; verbal confirmation over the phone from training or volunteer site may be accepted but must be followed up with receipt of a signed timesheet. For employment, phone confirmation by employer followed with written, signed employer statement, or pay stubs, electronic records, such as e-mails. <u>WV WORKS Support Payments:</u> Participation hours may be recorded based on employment

		hours, but no support services may be issued without appropriate verification or signed time sheet or the appropriate submitted request.
--	--	--

**DISCUSSION**

Pursuant to policy and federal regulation, an individual who meets the definition of an Able-Bodied Adult Without Dependents (ABAWD) must be working at least 20 hours per week, or 80 hours per month, or meet an exemption to receive SNAP benefits. Clients who must follow ABAWD time limit rules must report their working, job program, or volunteer hours to the Department of Human Services (DoHS). An ABAWD may receive three months of SNAP benefits during a 36-month period without compliance with ABAWD work requirements or meeting an exemption. All work hours must be verified.

The Respondent argued that the Appellant received three (3) full months of SNAP benefits in October 2025, December 2025, and January 2026, without meeting ABAWD work requirements or an exemption. The month of November 2025 was not counted because of the federal government shutdown. The Respondent’s case comments indicate that a worker explained the ABAWD exemptions to the client on September 23, 2025, and that the Appellant understood. The Appellant did not report any exemptions from ABAWD requirements at the time of her application. The Respondent closed the Appellant’s SNAP benefits on January 31, 2026.

The Appellant’s witness, [REDACTED] Program Associate at the [REDACTED] testified that the Appellant volunteers with her organization. On January 29, 2026, [REDACTED] emailed a letter to the Respondent stating that the Appellant had volunteered for the [REDACTED] for more than 80 hours during the month of January. The email was sent on January 29, 2026, which was a Thursday, and should have been received by the Respondent on Friday, January 30, 2026, which was prior to closure of the SNAP benefits.

For ABAWD purposes only, work is defined as any activity performed for monetary compensation, for in-kind services, or unpaid work. The ABAWD work requirement is met by either working at least 20 hours per week or 80 hours a month, participating in a work program; or participating in a SNAP E&T program for the required number of hours.

The Appellant’s volunteer hours for the [REDACTED] might have fulfilled the ABAWD work hours requirement because it might have been unpaid work within the definition of work. However, it is unclear whether the written statement provided by [REDACTED] met the verification requirements and contained all the necessary information. The written statement does not identify whether [REDACTED] is an employer and does not include a

record of the dates and times that the unpaid work was performed. The Appellant shall be provided an opportunity to verify this information.

During the hearing, the Appellant attempted to establish good cause for not meeting the ABAWD time limit rules. The Appellant testified that she wrote a letter to the Respondent, dated January 30, 2026, and that she sent it out before February 1, 2026. The Respondent received the letter on February 4, 2026. The letter included information that the Appellant was caring for her disabled parents and that she performed volunteer work. The Appellant also testified that she was unable to fulfill the ABAWD work requirements because she did not have reliable transportation.

Policy requires that an ABAWD must contact the DoHS to establish good cause for not following the time limit rules. It also states that it is the responsibility of the ABAWD to report to the agency why they are unable to meet the ABAWD work requirement. If an ABAWD has not completed any required hours during the month in which the ABAWD is claiming good cause, the ABAWD cannot be granted good cause for that month. The evidence showed that the Appellant's attempt to establish good cause for not fulfilling the ABAWD work requirement was not established because the Appellant did not complete any required hours during the months she is claiming good cause, October and December 2025. If the Appellant's unpaid work performed in January 2026 meets the ABAWD work requirements, then establishing good cause for January 2026 is not necessary.

The Appellant contended that she is currently caring for her mother and father, who are incapacitated, and this qualified her for an exemption from ABAWD work requirements. Ms. Hoskins testified that the Appellant was required to notify the Respondent of her possible exemption and verify information before benefits were closed and did not do so.

At the hearing, the Appellant's mother appeared as a witness and attested to her need for care. The letter written by the Appellant dated January 30, 2026, indicated that the Appellant cared for her disabled parents who have Parkinson's disease and congestive heart failure, and that her mother requires care due to seizure risk. The evidence showed that the Appellant may meet an exemption from ABAWD work requirements because she is responsible for the care of an incapacitated person which prevents her from performing work activities. However, this exemption must be verified according to the requirements of policy.

Policy and federal regulations require an individual who meets the definition of an ABAWD to comply with work requirements or meet specific work requirement exemptions. The Appellant did not verify with the Respondent before closure that she was exempt. Good cause was not established. The Appellant may have met the ABAWD work requirements during January 2026. The case is remanded to the Respondent to determine whether work requirements were met during the month of January 2026.

## CONCLUSIONS OF LAW

- 1) Pursuant to policy and federal regulation, an individual who meets the definition of an ABAWD must be working at least 20 hours per week, or 80 hours per month, or meet an exemption to receive SNAP benefits.
- 2) The Appellant meets the definition of an ABAWD and must comply with ABAWD work requirements or meet an exemption.
- 3) The Appellant received SNAP benefits in October 2025 and December 2025 without meeting ABAWD work requirements or an exemption.
- 4) The Appellant notified the Respondent that she might meet an exemption from ABAWD work requirements, however, the information must be verified.
- 5) The unpaid work performed by the Appellant in January 2026, might have met the requirements of the ABAWD time limit rules policy, and the Respondent was notified of it on January 29, 2026.
- 6) The Respondent shall evaluate whether the Appellant fulfilled the ABAWD work requirement during the month of January 2026. If the ABAWD work requirement was fulfilled during January 2026, then the closure of the Appellant's SNAP benefits was incorrect.

## DECISION

It is the decision of the State Hearing Officer to **REVERSE** the action of the Respondent to close the Appellant's SNAP benefits for failure to fulfill the ABAWD time limit rules requirements. The case is **REMANDED** and the Respondent shall provide form DFA-17 to the Appellant so that she can verify the unpaid work hours performed in January 2026. The Respondent shall evaluate whether the Appellant met an exemption from the ABAWD work requirement in February 2026, for caring for incapacitated persons. Any decision regarding SNAP eligibility issued by the Respondent is subject to all fair hearing rights.

**ENTERED this 11th day of March 2026.**

---

**Amy Hayes  
State Hearing Officer  
Member, Board of Review**