



June 5, 2024

[REDACTED]

RE: [REDACTED] v. WV DOHS  
ACTION NO.: 24-BOR-2155

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 assure 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,

Lori Woodward, J.D.  
Certified State Hearing Officer  
Member, State Board of Review

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

cc: Anna Yoder, WV DOHS/BFA

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

████████████████████

**Appellant,**

v.

**ACTION NO.: 24-BOR-2155**

**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 June  
4, 2024.

The matter before the Hearing Officer arises from the Respondent’s April 1, 2024 decision to close  
the Appellant’s Supplemental Nutrition Assistance Program (SNAP) benefits.

At the hearing, the Respondent appeared by Anna Yoder, Economic Service Worker. The  
Appellant appeared by his mother, ██████████ The witnesses were placed under oath and the  
following documents were admitted into evidence:

**Department’s Exhibits:**

- D-1 Hearing Summary
- D-2 Combined WorkForce Notice (CWN1), dated January 18, 2024
- D-3 WorkForce Penalty Notice (AE06), dated April 1, 2024
- D-4 SNAP Closure Notice (EDC1), dated April 1, 2024
- D-5 Screen print of eRAPIDS WorkForce WV Registration page

**Appellant’s Exhibits:**

None

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 SNAP benefits on December 28, 2023. (Exhibit D-1)
- 2) Under SNAP policy, the Appellant is required to register with WorkForce West Virginia (WorkForce) or meet an exemption to continue receiving benefits.
- 3) Under SNAP policy, the Appellant is considered an Able Bodied Adult Without Dependents (ABAWD) who must meet work requirements or an exemption to continue receiving SNAP benefits.
- 4) All correspondence to the Appellant is sent to his mother and representative, [REDACTED], at [REDACTED].
- 5) The Respondent mailed a Combined Work Notice (CWN1) on January 18, 2024, advising the Appellant that he was required to register with WorkForce or report an exemption, by February 16, 2024, to continue receiving SNAP benefits. (Exhibit D-2)
- 6) The CWN1 was mailed to [REDACTED] (Exhibit D-2)
- 7) The CWN1 also notified the Appellant that he must follow Basic Work Rules and the ABAWD time limit rules. (Exhibit D-2)
- 8) SNAP ABAWD policy allowed the Appellant to be eligible for SNAP benefits for three months in a three-year period without meeting the basic work requirements or an exemption.
- 9) The Appellant received his three full months without meeting the basic work requirements or an exemption: January, February, and March 2024.
- 10) On March 29, 2024, the Respondent's worker discovered that the Appellant had not registered with WorkForce. (Exhibit D-1)
- 11) On April 1, 2024, the Respondent sent notification (AE06) to the Appellant that a SNAP work requirement penalty was being applied for the Appellant's failure to register with WorkForce for three months or until compliance, whichever is longer, was sent to [REDACTED] (Exhibit D-3)
- 12) On April 1, 2024, the Respondent sent notification (EDC1) that the Appellant's SNAP benefits would stop effective May 1, 2024, due to having received the first three month

period without meeting the work requirement or being exempt and failing to register with WorkForce. (Exhibit D-4)

- 13) The Appellant registered with WorkForce on May 3, 2024, after the implementation of the penalty. (Exhibit D-5)
- 14) The Appellant received benefits for April 2024 due to adverse action notice requirements.
- 15) The Appellant received benefits for May 2024 based on a request for continued benefits pending the hearing.

### **APPLICABLE POLICY**

#### **Code of Federal Regulations, 7 CFR §273.24(a), Definitions, in part:**

(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\(n\)](#)

**Code of Federal Regulations, 7 CFR §273.24(b)**, in part:

(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\(c\)\(18\)\(i\)](#).

...

(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](#)).

...

(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 50 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\(b\)](#); or

(6) Is pregnant.

**WV IMM, Chapter 3, §3.2.1.D.1**, defines an Able-Bodied Adult Without Dependents (ABAWD) as a population of individuals who are age 18 or older, but not yet age 53. An individual who turns 18 becomes an ABAWD in the month following their birthday. An individual is no longer an ABAWD in the month of their 53rd Birthday.

**WV IMM Chapter 3, §3.2.1.D.1.a**, states:

- Effective October 1, 2022, all West Virginia counties are required to enforce the ABAWD work requirement per WV state code §9-8-2.
- Effective September 1, 2023, all 50-year-olds receiving SNAP (who are not exempt) must meet the ABAWD work requirement per the Fiscal Responsibility Act of 2023.
- Effective October 1, 2023, all 51-and-52-year-olds receiving SNAP (who are not exempt) must meet the ABAWD work requirement per the Fiscal Responsibility Act of 2023.

**WV IMM Chapter 3, §3.2.1.D.2**, states that 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.

**WV IMM Chapter 3, §3.2.1.D.4, 3.2.1.D.4 Exemptions from ABAWD Time Limits and ABAWD Work Requirements**, in part:

SNAP benefits received while exempt do not count toward the three-month limit. An individual is exempt if he:

- Receives SNAP benefits in a SNAP AG that contains an individual under the age of 18, even if the household member who is under 18 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. The incapacity of the person must be verified through a written statement from a doctor, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, or a licensed or certified psychologist.
  - Caring for an incapacitated person must prevent the client from being able to complete a work activity. If questionable, written verification is required.
- 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 a veteran of any United States military branch, regardless of discharge status. This includes individuals who served through the Army, Navy, Marine Corp, Air Force, Space Force, Coast Guard, National Guard, including those who served in a reserve component of the Armed Forces.
- ...
- Is a regular participant in a drug addiction or alcoholic treatment and rehabilitation program when the participation in this program would prevent the individual from meeting the work requirement or participating in an employment/training program the required number of hours. When exempting ABAWDs due to participating in a drug addiction or alcoholic treatment and rehabilitation program, the Worker must verify the number of hours the client must commit to the program to determine if the individual is exempt;
- 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 aged 24 years or younger and was in foster care on their 18th birthday. The former foster individual must have aged out of custody at the maximum allowable age. This could be older than 18 in other states. The former foster individual can receive this exemption until they turn 25 years old.
- Is meeting the definition of a homeless individual. An individual is considered homeless when they are living without shelter, residing in a shelter, sleeping in an area not designed to accommodate human beings, or have inconsistent housing. An individual who is living in a shelter, without shelter, or in an area not designed to accommodate human beings is homeless regardless of the amount of time spent in that living arrangement. After 90 consecutive days in one residence an individual is no longer considered to have inconsistent housing and is no longer considered homeless.
- 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.

**WV IMM Chapter 3, §3.2.1.D.6, Determining the Three-Month Limit, in part:**  
Months in which the client received prorated benefits do not count toward the three-month limit.

**Code of Federal Regulations, 7 CFR §273.7:**

**(a) Work requirements**

(1) As a condition of eligibility for SNAP benefits, each household member who is not exempt under paragraph (b)(1) of this section must comply with the following SNAP work requirements:

- (i) Register for work or be registered by the State agency at the time of application and every 12 months after initial registration. The member required to register need not complete the registration form.
- (ii) Participate in a Food Stamp Employment and Training (E&T) program if assigned by the State agency, to the extent required by the State agency;
- (iii) Participate in a workfare program if assigned by the State agency;
- (iv) Provide the State agency or its designee with sufficient information regarding employment status or availability for work;
- (v) Report to an employer to whom referred by the State agency or its designee if the potential employment meets the suitability requirements described in paragraph (h) of this section;
- (vi) Accept a bona fide offer of suitable employment, as defined in paragraph (h) of this section, at a site or plant not subject to a strike or lockout, at a wage equal to the higher of the Federal or State minimum wage or 80 percent of the wage that would have governed had the minimum hourly rate under section 6(a)(1) of the Fair Labor Standards Act been applicable to the offer of employment.
- (vii) Do not voluntarily and without good cause quit a job of 30 or more hours a week or reduce work effort to less than 30 hours a week, in accordance with paragraph (j) of this section

...

(3) Each State agency will determine the meaning of any other terms used in paragraph (a)(1) of this section; the procedures for establishing compliance with SNAP work requirements; and whether an individual is complying with SNAP work requirements. A State agency must not use a meaning, procedure, or determination that is less restrictive on SNAP recipients than is a comparable meaning, procedure, or determination under the State agency's program funded under title IV-A of the Social Security Act.

...

**(c) State Agency Responsibilities**

- (1)(i) The State agency must register for work each household member not exempted by the provisions of paragraph (b)(1) of this section. The State agency must permit the applicant to complete a record or form for each household member required to register for employment in accordance with paragraph (a)(1)(i) of this section. Household members are considered to have registered when an identifiable work registration form is submitted to the State agency or when the registration is otherwise annotated or recorded by the State agency.
- (ii) During the certification process, the State agency must provide a written notice and oral explanation to the household of all applicable work requirements for all members of the household and identify which household member is subject to which work requirement. These work requirements include the general work requirement in paragraph (a) of this section, mandatory E&T in paragraph (a)(1)(ii) of this section, and the ABAWD work requirement at §273.24. The written notice and oral explanation must be provided in accordance with (c)(1)(iii) of this section. This written notice and oral explanation must also be provided to the household when a previously exempt household member or a new household member becomes subject to these work requirements, and at recertification.
- (iii) The consolidated written notice must include all pertinent information related to each of the applicable work requirements, including: An explanation of each applicable work



requirement; which individuals are subject to which work requirement; exemptions from each applicable work requirement; an explanation of the process to request an exemption (including contact information to request an exemption); the rights and responsibilities of each applicable work requirement; what is required to maintain eligibility under each applicable work requirement; pertinent dates by which an individual must take any actions to remain in compliance with each applicable work requirement; the consequences for failure to comply with each applicable work requirement; 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 any other information the State agency believes would assist the household members with compliance.

...

(f)(2) **Disqualification periods.** The following disqualification periods will be imposed:

(i) For the first occurrence of noncompliance, the individual will be disqualified until the later of:

(A) The date the individual complies, as determined by the State agency; (B) One month; or (C) Up to three months, at State agency option.

(ii) For the second occurrence, until the later of: (A) The date the individual complies, as determined by the State agency; (B) Three months; or (C) Up to six months, at State agency option.

(iii) For the third or subsequent occurrence, until the later of: (A) The date the individual complies, as determined by the State agency; (B) Six months; (C) A date determined by the State agency; or (D) At the option of the State agency, permanently.

**WV IMM, Chapter 14, §14.3.1.A,** states all individuals must register for employment with WorkForce West Virginia, within 30 days of the date of the original approval, unless exempt. Clients must register every 12 months thereafter, regardless of the length of time that WorkForce West Virginia considers the registration valid.

The Consolidated Work Notice (CWN) is sent to the SNAP AG when an individual(s) is required to register with job service through Workforce WV. The CWN details who must register and the due date of registration. The CWN also explains why the individual(s) is required to register and how to register. Actions which constitute a registration are defined by WorkForce West Virginia and the eligibility system must:

- Match with WorkForce West Virginia. Registration date updated.
- Match the date returned from WorkForce West Virginia is more than 12 months old. The client must register again.
- Match with WorkForce West Virginia with inactive job status and no job preference. The client must choose a job preference and become active to be considered registered.
- Match with WorkForce West Virginia with inactive job status and with job preference. The client must become active to be considered registered.
- Match with WorkForce West Virginia with active job status and no job preference. The client must choose a job preference to be considered registered.

Once the client registers with WorkForce West Virginia for Supplemental Nutrition Assistance Program (SNAP) purposes, he cannot be required to register more often than every 12 months,

even when the benefit is opened and closed within the 12-month period. This is tracked through the eligibility system.

**WV IMM, Chapter 14, §14.5.1.B**, states a client who refuses or fails to register with Workforce West Virginia, refuses employment, or refuses to provide information about employment status and job availability is subject to the following penalties for the full penalty period or until he reports a change which makes him exempt from the work requirements.

- First violation: The client is removed from the assistance group (AG) for at least three months or until he/she meets an exemption. If after three months, the client has not complied or met an exemption, the penalty continues until he/she does comply or meets an exemption for some reason other than Unemployment Compensation Insurance (UCI)-related activities.
- Second violation: The client is removed from the AG for six months or until he/she meets an exemption. If after six months, the client has not complied or met an exemption, the penalty continues until he/she does comply or meets an exemption for some reason other than UCI-related activities.
- Third and subsequent violations: The client is removed from the AG for twelve months or until he/she meets an exemption. If after 12 months, the client has not complied or met an exemption, the penalty continues until he/she does comply or meets an exemption for some reason other than UCI-related activities.

**Code of Federal Regulations, 7 CFR §273.15**, in part:

(k) *Continuation of benefits.*

(1) If a hearing request is not made within the period provided by the notice of adverse action, benefits shall be reduced or terminated as provided in the notice. However, if the household establishes that its failure to make the request within the advance notice period was for good cause, the State agency shall reinstate the benefits to the prior basis.

**WV IMM, Chapter 9, §9.3.1.C, Beginning and Ending of the Advance Notice Period:**

The 13-day advance notice period begins with the date shown on the notification letter. It ends after the 13th calendar day has elapsed. If the 13-day notice period ends on a weekend or holiday, the action is taken on the first subsequent workday.

**WV IMM, Chapter 9, §9.3.1.D.1, Advance Notice Period Expires Before the First of the Following Month:** Usually the Worker will take the action in the eligibility system before the 13-day advance notice begins, in order to be effective, the first day of the following month.

**WV IMM, Chapter 9, §9.3.1.D.3, Fair Hearing Requested after Receipt of DFA-NL-C, in part:**

➤ Requested after Advance Notice Period, But within 90 Days of the Effective Date of the Action:

Benefits are not reinstated or restored pending the Fair Hearing or Pre-Hearing Conference decision after expiration of the 13-day advance notice period.

## DISCUSSION

The Able-Bodied Adult Without Dependents (ABAWD) work requirements policy for SNAP recipients became effective in all West Virginia counties on July 1, 2023. Individuals who meet the definition of ABAWD, who are not otherwise exempt, are required to meet the work requirement. ABAWDS may receive a full three months of SNAP benefits without compliance with work requirements or meeting an exemption.

Policy also requires that an individual register with WorkForce within 30 days of the date of initial SNAP approval and every 12 months thereafter as a condition of eligibility to receive SNAP benefits, unless exempt. An individual who fails to comply by the due date established on the notice to register is subject to a SNAP penalty.

The Appellant applied for SNAP benefits on December 28, 2023, which was completed and approved on January 17, 2024. On January 18, 2024, the Respondent sent notification (CWN1) to the Appellant that he was considered an ABAWD and must meet basic work requirements and also register with WorkForce by February 16, 2024, or report an exemption to the work requirements. The CWN1 was mailed to the Appellant at the address of record, [REDACTED]. The CWN1 also informed the Appellant that he could receive up to three full months of SNAP benefits without compliance with the basic work requirements.

On March 29, 2024, the Respondent's worker discovered that the Appellant had not registered with WorkForce and, accordingly, applied a WorkForce penalty on his case. On April 1, 2024, notification of a first penalty work requirement penalty for failure to register with WorkForce was mailed to the Appellant, again to the address of record. On the same day, notification of SNAP closure due to the work registration penalty and because the Appellant had received three full months of SNAP benefits under ABAWD policy. The closure was effective May 1, 2024.

The Appellant's representative, [REDACTED] contended that she never received the CWN1 notice regarding the WorkForce registration requirement or that the Appellant needed to meet basic work requirements under ABAWD policy. [REDACTED] also stated that she never received the SNAP closure notice. However, she did confirm that the address of record for the Appellant was correct. [REDACTED] also received the Scheduling Order for the hearing which was sent to the address of record.

[REDACTED] averred that WorkForce registration was completed in April, prior to the implementation of the work requirement penalty. [REDACTED] did not present any corroborating evidence of her assertion. The Respondent's representative showed that the computer system in the Appellant's case indicated that WorkForce registration was completed on May 3, 2024, which was after the implementation of the work requirement penalty. Nonetheless, the Appellant has received three full months of SNAP benefits without meeting an exemption.

[REDACTED] alluded to the fact that the Appellant was working part time and she had submitted some pay statements in April to the Respondent's worker. However, upon further testimony, it was revealed that the Appellant was unemployed at the time of his December 28, 2023 SNAP application and that the submitted pay statements were for October 2023. [REDACTED] testimony

was unclear and questionable as to whether the Appellant had been meeting basic work requirements.

There was no persuasive evidence provided that the Appellant met ABAWD and WorkForce policy requirements prior to the closure of his benefits, or that the Appellant did not receive any of the notices sent by the Respondent. Because the Appellant received three full months of SNAP benefits without compliance with ABAWD work requirements or meeting an exemption, the Respondent correctly terminated the Appellant's SNAP benefits.

The Respondent complied with federal regulations and agency policy by providing written notice of the work registration requirement and basic work and ABAWD time limits to the Appellant at the address on record. Because the Appellant received three full months of SNAP benefits without meeting basic work requirements under ABAWD policy, he was no longer eligible to receive benefits after March 2024. However, because of the Respondent's delay in acting on the Appellant's case, the Appellant received benefits in April 2024. Additionally, the Respondent's worker reinstated the Appellant's benefits for May 2024 pending the decision of the hearing, although it is questionable whether this was a correct action as the hearing request was submitted after the May 1, 2024 benefit closure. Additionally, because the Appellant failed to register with WorkForce by the deadline established by the Respondent, a work requirement penalty was correctly imposed resulting in case closure.

### **CONCLUSIONS OF LAW**

- 1) Policy requires that all SNAP recipients between the ages of 18 and 52 years of age are subject to the Able Bodied Adults Without Dependents (ABAWD) work requirements unless otherwise exempt.
- 2) The Appellant was required to meet the ABAWD work requirement or provide verification of her exemption.
- 3) The Appellant did not meet ABAWD work requirements.
- 4) The Appellant received three full months of SNAP benefits without meeting work requirements or an exemption.
- 5) The Respondent must terminate the Appellant's SNAP benefits.
- 6) Pursuant to SNAP policy, a penalty is imposed if a recipient fails to register with WorkForce by the timeline established by the Respondent.
- 7) The Appellant was required to register with WorkForce WV by February 16, 2024.
- 8) The Respondent imposed a penalty against the Appellant when the registration had not been completed.
- 9) The effective date of the work registration penalty was May 1, 2024.

10) The Appellant registered with WorkForce on May 3, 2024, after the effective date of the SNAP penalty.

**DECISION**

It is the decision of the State Hearing Officer to **UPHOLD** the Respondent's decision to terminate the Appellant's SNAP benefits.

**ENTERED this 5<sup>th</sup> day of June 2024.**

---

Lori Woodward, Certified State Hearing Officer