SNAP Banked Months Guide

Policy and System procedures

*Revised - 12/01/2018

* For a brief description of what has changed see the Revision Tracking section
Background

The Supplemental Nutrition Assistance Program (SNAP) allows all states to earn up to 15% exemptions of the number of Able Bodied Adults without Dependents (ABAWDs) who may have lost eligibility for SNAP due to the time limit provision.

What are 15 percent exemptions?

The federal regulations that outline the 15% exemptions are found in Title 7 Code Of Federal Regulations (CFR) 273.24(g) (h) and the Food and Nutrition Act section 6 (o) (6).

The Act provides that each State agency be allotted exemptions equal to 15 percent of the State’s caseload that is ineligible for program benefits because of the ABAWD time limit. These exemptions allow the State agency to extend SNAP eligibility to ABAWDs who would otherwise be ineligible because of the 3 in 36 month time limit. Each 15 percent exemption extends eligibility to 1 ABAWD for 1 month.

Minnesota began using these 15% Exemptions, which in Minnesota we call Banked Months, in January 2016 with approximately 133,158 months. This included the Banked Months received for Federal Fiscal year (FFY) 2016. During the months of January 2016 through December 2017 Minnesota used 27,573 Banked Months. This leaves approximately 142,799 Banked Months that can be used by eligible ABAWDs to receive SNAP benefits after they have used, at a minimum, their three initial counted ABAWD months in a 36 month period. DHS will keep 20,000 Banked Months back from the counties to cover any over usage that may occur by counties. So that leaves the balance of Banked Months to be used by non-exempt counties at 122,799. DHS will monitor the use of Banked Months under this revised guidance. DHS will notify all counties when the available Banked Months have been used.

In August 2017 the ABAWD Task Force reconvened to discuss concerns about ABAWDs and Banked Months. This work group consisted of interested community based organizations, members of the Nutritious Food Coalition, two counties and DHS staff to provide policy recommendations about ABAWDs and Banked Months. One of the Policy Considerations from the ABAWD Task Force was to provide policy guidance for the use of these Banked Months. The Policy Consideration for Banked Months is:

- DHS allows at least nine additional Banked Months to every ABAWD participant under the least restrictive process possible. Under this proposal, the personal exemptions would be eliminated to provide for a uniform policy.
- Continuous access to Banked Months will not be dependent on cooperation with the SNAP Employment and Training program. Participation in SNAP Employment and Training will remain mandatory during ABAWD months and will become voluntary during Banked Months. This change will simplify the banked month process for Eligibility Workers and employment counselors while allowing ABAWD clients to have continuous access to SNAP benefits.
This guide replaces prior Banked Months guidance found in bulletin 15-01-01 and bulletin 17-01-01 section VI. Banked Month Clarification and the previous version of the SNAP Banked Months Guide.

Follow this revised guidance for the use of Banked Months beginning with new SNAP applications taken on or after April 1, 2018 and for ongoing SNAP cases effective May 1, 2018. Instructions for coding Banked Months is also part of this guide and can be found in POLI/TEMP sections TE10.34.01- ABAWD BANKED MONTHS - SYSTEM PROCESS and TE10.34.00 – MANUAL REFERRAL OPTION FOR WF1.

This Banked Months guidance does NOT apply to ABAWDs living in exempt counties and reservations. See POLI/TEMP sections: TE02.05.68 - ABAWD SNAP E&T EXEMPT RESERVATIONS and TE02.05.69 - ABAWD SNAP E&T EXEMPT COUNTIES.

**Overview**

This guidance enables ABAWDs who have exhausted their three countable months in a 36 month period to receive up to nine additional months of SNAP benefits through Minnesota’s Banked Months.

ABAWDs can reapply if their case is currently closed. Evaluate open, on-going cases for exemptions and Banked Month eligibility.

When reviewing an otherwise SNAP eligible ABAWD case, evaluate fitness to work and all Work Registration and SNAP E&T exemptions and eligibility for the second 3-Month period for each ABAWD. The ABAWD must not meet any of these provisions to be eligible for Banked Months.

When an otherwise SNAP eligible ABAWD meets a Work Registration or SNAP Employment & Training (E&T) exemption, benefits should be approved without counting months as any of the three initial ABAWD counted months or Banked Months. Remember, if the ABAWD meets an exemption for any part of the month, the month does not count against their three initial ABAWD counted months or Banked Months.

If the ABAWD is currently earning months of SNAP by working and/or participating in approved work related activities for 80 hours/month, continue to issue SNAP benefits based on meeting this criteria. Do not interrupt the case and change the ABAWD to Banked Months. If the work activity changes, evaluate fitness to work and all exemptions for each ABAWD on the case and determine SNAP eligibility following ABAWD policy and Banked Months guidance. See CM section 11.24 – Able-Bodied Adults without Dependents and CM 28.06.12 - WHO IS EXEMPT FROM SNAP WORK REGISTRATION.

For ABAWDS not currently meeting an exemption or earning months of SNAP, Eligibility Workers will look back 35 months prior to current month to determine if the ABAWD has used their three initial ABAWD counted months within that time. These are recorded on the STAT: WREG ABAWD Tracking Record. All SNAP recipients whose cases were closed or benefits reduced due to the use of the 3 ABAWD counted months may be eligible for Banked Months, even if Banked Months have already been used on a case.

When Banked Months have already been used on a case, leave the tracked months in MAXIS. Do not delete them. Any months previously tracked as a Banked Month will remain in MAXIS however, as of 4/1/18 all
ABAWDS will have 9 new full Banked Months available to them as long as they meet all SNAP eligibility criteria. It is crucial that workers CASE: NOTE all details regarding counted months and assessment of exemptions and Banked Month eligibility.

Eligibility Workers will look at pending or new SNAP applications taken on 4/1/2018 or after, that contain ABAWDs to determine if the ABAWD is eligible to use Banked Months. For ongoing SNAP cases that are set to close, review eligibility for Banked Months prior to case closure.

The following actions cannot be taken for ABAWDs using Banked Months as participating with E&T is voluntary:

- Do NOT establish overpayments when a Banked Month has been given in error or if the ABAWD does not cooperate with SNAP E&T.
- Do NOT sanction or close the during use of Banked Months, unless the participant becomes ineligible for SNAP, as there are no SNAP E&T requirements during this time.
- Remember to apply prior policies and procedures that are effective though March 2018 and begin following this new guidance for new applications on April 2018 and on-going cases beginning May 2018.

Criteria

The following criteria will be used by Eligibility Workers to consider eligibility for the use of the Banked Months:

- All three counted ABAWD months have been used within the 36 month look back period.
- Evaluate fitness to work and all Work Registration and SNAP E&T exemptions for each ABAWD. The ABAWD must not meet any exemptions.
- Review for Second 3-Month eligibility. If eligible for the Second 3-Month period, this must be used prior to issuing Banked Months.
- Determine if the ABAWD is currently fulfilling the work requirement. If so, continue SNAP issuance based on meeting work requirements.
- Prorated or partial months of SNAP benefits will NOT be counted as a Banked Month.
- The additional 9 Banked Months are available once during an ABAWD’s rolling 36-month eligibility period. Once all 9 available months are used, ABAWDs are no longer eligible for Banked Months. Stopping and starting of the 9 Banked Months is permissible.
- The ABAWD must complete or fulfill any current SNAP E&T sanction requirements prior to becoming eligible for Banked Months. Once the sanction period is over, the ABAWD can re-apply for SNAP. This includes ABAWDs that were sanctioned during their third month of eligibility.

Continue to review tracked months for each ABAWD. When any of the first three countable ABAWD months fall off the rolling 36 month clock, STOP issuing Banked Months. Re-assess eligibility for the ABAWD from the beginning following ABAWD policy in CM 11.24 – Able-Bodied Adults without Dependents.

Remember when issuing the first three initial counted ABAWD months, participation with SNAP E&T is mandatory and a referral from MAXIS to WF1 is needed.
When the ABAWD has used all three counted ABAWD months again, they may be eligible to finish using the rest of the 9 Banked Months, if any remain. Follow the policies and steps given in this guide when assessing for ABAWD eligibility. CASE: NOTE that exemptions were assessed, eligibility for the second 3-Month period was reviewed and Banked Month eligibility including how many have been used and how many are left.

**Employment and Training**

Beginning December 1, 2018 time-limited ABAWDs receiving SNAP may volunteer to participate. Continue sending referrals from MAXIS to WF1 when approving benefits during the first three counted ABAWD months and during times the person is regaining eligibility or earning additional months by participating in work or approved work activities 80 hours /month.

Under these new Banked Months provisions, ABAWDs eligible for and receiving Banked Months are also NOT required to work with SNAP E&T however, participation is encouraged. If an ABAWD volunteers to work with SNAP E&T, a manual referral from MAXIS to WF1 will need to be sent. See TE10.34 Manual Referral Option for WF1 for completing a manual referral. There is no need to contact the TSS Help Desk or generate a PF11 when needing to complete a Manual Referral in this situation.

If the ABAWD is already working with E&T services and wants to continue, contact the E&T agency to notify them the client is now receiving Banked Months and is volunteering to continue with their Employment Plan. CASE: NOTE that E&T has been contacted and the ABAWD is volunteering to continue receiving E&T services.

In counties not operating SNAP E&T, where the ABAWD volunteers to continue with E&T services, Eligibility Workers will continue to manually track hours and activities. CASE: NOTE the ABAWD is volunteering to continue with approved activities and other pertinent details.

When an ABAWD voluntarily participates with SNAP E&T and then stops, this is not considered non-compliance. Sanctions should not be cited for this change. CASE: NOTE the ABAWD is no longer volunteering with E&T and continue with normal case management.

**Sanctions for non-compliance with E&T**

Minnesota now operates an all voluntary SNAP Employment and Training program. This means that sanctions can no longer be imposed for failure to comply with SNAP E&T. ABAWDs who were sanctioned for failure to comply with E&T requirements must reapply prior to being eligible for the new 9 Banked Months. Once the ABAWD reapplies (PWE) or requests to be added back onto their SNAP case (non-PWE), workers must review each ABAWD under sanction to remove the sanctioned following instructions in TE13.050 SNAP E&T SANCTIONS - SYSTEM PROCESS.
Review all Work Registration and SNAP E&T exemptions and eligibility for the second 3-Month period for each ABAWD. Ensure all three initial counted ABAWD months must have been used within the 36 month look back period prior to issuing Banked Months.

ABAWDs who were sanctioned for failure to comply with E&T requirements but should have been granted good cause, or were sanctioned inappropriately, must have the sanction lifted back to the date it was imposed for. Good cause for non-compliance must be assessed for each ABAWD prior to applying a sanction. Good Cause for not participating in employment services requirements means circumstances beyond the client's control.

Let's look at two scenarios. In the first scenario an ABAWD was appropriately sanctioned and is reapplying for SNAP prior to completing the sanction period. In the second scenario is an ABAWD that was sanctioned inappropriately for not complying with E&T while receiving Banked Months under the old policy.

1. Sophia is a non-exempt ABAWD receiving SNAP. She lives alone and does not work. February 4, 2018 she was referred to SNAP E&T but does not attend orientation, does not contact E&T to reschedule, Sophia does not have good cause. The E&T Provider sends a SNAP E&T Status Update to the county for Sophia. She is to be sanctioned for April 2018 for not attending E&T orientation. The worker reviews the case and does not find a reason to grant good cause. Last year she had served her first occurrence sanction and came back into compliance so for this occurrence the worker updates STAT: WREG and issues a 2nd sanction occurrence, closing Sophia’s SNAP benefits for April 1, 2018 allowing for 10 day notice. Sophia has used two countable months.

Sophia hears about the new Banked Months process and re-applies for SNAP May 9th 2018. She is not expedited due to having more money in a savings account than her monthly housing expenses. Sophia is a non-exempt ABAWD and has used 2 of the three counted ABAWD months. The worker sees that Sophia was sanctioned April 2018 for not attending SNAP E&T orientation. The 2nd occurrence is loss of SNAP for 3 months or until compliance, whichever is longer. April 2018 is the first of three months of sanction. Sophia is not eligible for SNAP until July 1st 2018. Serving the sanction period and reapplying for SNAP is considered compliance with SNAP E&T. The May 9th application needs to be denied.

If Sophia reapplys for SNAP on or after July 1st 2018 she still would need to receive her third counted ABAWD month and be referred to SNAP E&T prior to being considered for Banked Months.

2. Tanner applied for SNAP January 12th, 2018 after he used his all three initial counted ABAWD months. He did not meet any exemptions and was not meeting the work requirements. He was not eligible to receive the second 3-Month period of SNAP. The worker assessed for Banked Month eligibility. Tanner stated his intent to comply with E&T services. SNAP was approved back to application date. February was his first Banked Month.

In March, Tanner’s 2nd Banked Month, he stopped complying. A sanction was entered on STAT: WREG (an incorrect procedure) and his case was closed for April 2018.
Tanner learned about the new Banked Month process and reapplies for SNAP April 16th. As the worker reviews Tanner’s fitness to work, Work Registration and SNAP E&T exemptions, the worker realized non-compliance with Banked Months under the old policy should have resulted in case closure, not a sanction. The worker lifts the sanction codes for April 2018 and approves Tanner for Banked Months under the new Banked Months guidance beginning with his application date. This case is not eligible for reinstatement because Tanner did not come back into compliance with E&T prior to case closure. The worker lifts the sanction codes for April 2018 and approves Tanner for Banked Months under the new Banked Months guidance.

April 2018 is a prorated month for Tanner so his first Banked month under the new provisions is May 2018. He will continue to use Banked Months without mandatory E&T participation. If Tanner meets an exemption, meets work requirements, or becomes eligible for the second 3-Month period, his SNAP benefits will need to be re-determined.

Important reminders:

- Do not sanction ABAWDS while receiving Banked Months.
- As of 12/1/18 do not sanction ABAWDs for non-compliance with SNAP E&T. MN operates an all-voluntary program.
- See POLI/TEMP Section – TE13.050 “SNAP E&T SANCTIONS – SYSTEM PROCESS for information on lifting sanctions.

### MAXIS Process

Eligibility Workers will look at pending or new SNAP applications with an ABAWD in the SNAP unit, taken on or after 4/1/2018, to determine if the ABAWD is eligible to use Banked Months. For open, ongoing SNAP cases apply these new provisions beginning with May 2018. Cases that are set to close, review eligibility for Banked Months prior to case closure.

### Banked Months System Process

Once it is determined that the ABAWD is eligible for Banked Months under this new provision, Eligibility Workers need to follow TE10.34.01 (ABAWD Banked Months - System Process) as listed below:

- Begin on STAT: WREG in the footer month of the first Banked Month
- FSET Work Reg Status field should be coded 30 {Mandatory FSET Participant}.
- DFER FSET/No Funds (Y/N) field should be updated to 'N'.
- ABAWD Status should be coded 13 (ABAWD Banked Months).
- Review the SNAP ABAWD Tracking Record to ensure that the 3-Counted ABAWD months are coded with either an X (System Entered) or an M {Worker Entered}.
- Enter code M {Worker Entered} for the banked ABAWD month.
On the Banked Months field – update with the new month count. This field allows for single digit coding from 1-9.

Send the case through background. Eligible results will be determined UNLESS they are determined INELIGIBLE for some other reason.

Review and approve the NEW Eligible SNAP results.

CASE: NOTE all details regarding determining the counting of the month and any pertinent information.

**Tracking Months**

You will still need to manually track the usage of ALL Banked Months. The STAT: WREG Banked Months field only assists in the manually tracking process.

Creating a MAXIS TIKL to update each Banked Month can be very helpful:

- Set a DAIL: WRIT (TIKL) for each month that needs to track a Banked Month.
- On STAT: WREG update the Banked Months field with the new month count. This field allows for single digit coding from 1-9.
- Update the ABAWD Tracking record with an “M” Worker entered counted month.
- Send the case through background
- Approve new results
- CASE: NOTE the updates made on the case, the number of Banked Months the client is using and any other pertinent information.

WF1 Manual Referrals to the appropriate E&T provider will ONLY need to be completed for ABAWDs receiving Banked Months AND volunteering to work with SNAP E&T.

**Workforce One Referral Process**

ABAWDs may volunteer to work with SNAP E&T at any time. MAXIS is programmed to trigger a referral though WF1 during the first three countable months.

For voluntary participation with SNAP E&T services during Banked Months:

- Manually send a referral from MAXIS to WF1. If the SNAP participant had an open record in SNAP E&T before, the new referral will be identified as Sequence 2.
- Participant referrals for Banked Month participation are new referrals because the WF1 case was closed. If a referral was previously made and accepted but not enrolled, the original referral may not be used because the 90 day window for enrollment has expired. Previous referrals not accepted may reside in pending indefinitely, but may not be used past 90 days from referral date.
Resources

Combined Manual

- 11.24 Able-Bodied Adults Without Dependents
- 0028.06.10 Who Is Exempt From SNAP E&T
- 28.06.12 Who Is Exempt From SNAP Work Registration
- 28.30.06 - Type/Length Of SNAP E&T Sanctions
- 0028.30.09 - Refusing Or Terminating Employment

POLI TEMP

- TE10.34 MANUAL REFERRAL OPTION FOR WF1
- TE10.34.01 ABAWD BANKED MONTHS - SYSTEM PROCESS
- TE02.05.69 ABAWD SNAP E&T EXEMPT COUNTIES
- TE02.05.68 ABAWD SNAP E&T EXEMPT RESERVATIONS
- TE02.05.70 SNAP E&T WREG ABAWD EXEMPTION/PARTICIPATION
- TE02.05.70.01 ABAWD WREG EXPEDITED SNAP POSTPONED VERIFS
- TE02.05.70.02 SNAP STAT/WREG CODING - PREGNANT WOMEN
- TE02.05.70.03 ABAWD STAT/WREG CODING- CHILD UNDER 1
- TE13.050 SNAP E&T SANCTIONS - SYSTEM PROCESS

Bulletin

- 18-01-01 Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) to Operate an All-Voluntary Program

If you have case specific policy questions, remember to submit a PolicyQuest.

For help with system issues, contact the TSS Help Desk.
Revision Tracking

12/01/2018

- **Criteria:**
  - 6th bullet is revised to explain once all 9 available months are used, ABAWDs are no longer eligible for Banked Months

- **Employment and Training:**
  - Added policy change that beginning 12/1/18 E&T is voluntary for SNAP participants.

- **Sanctions for non-compliance:**
  - Adds information about ABAWDs can no longer be sanctioned for non-compliance with E&T.
  - Offers a POLI TEMP reference on how to remove sanctions in MAXIS.
  - Removes the important reminder to not FIAT when sanctioning a case.

- **Workforce One Referral Process**
  - Adds that ABAWDs may volunteer to work with E&T at any time.
  - Clarifies MAXIS is programmed to trigger a referral though WF1 during the first three countable months.

- **Resources**
  - Adds TE130050 SNAP E&T Sanction – System Process
  - Adds Bulletin 18-01-01 Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) to Operate an All-Voluntary Program