

EES Policy No. 23.04.05	RE: Expiration of Program Adjustments for the COVID-19 Public Health Emergency
Policy Memo	Contact Persons: Sarah van Straaten
From: Carla Whiteside-Hicks	KEESM Reference:
Date: April 26, 2023	Other:
Primary DCF Areas Affected: Food Assistance	Where Posted on Web: The Kansas Economic and Employment Support Manual (ks.gov)

The COVID-19 Federal Public Health Emergency (PHE) declaration will expire on May 11, 2023. The Families First Coronavirus Response Act, 2020 (FFCRA) and the Consolidated Appropriations Act, 2021 authorized FNS to approve adjustments of program procedures while the PHE is declared and a State issues an emergency declaration based on COVID-19. Adjustments include temporary changes to eligibility criteria for able-bodied adults without dependents (ABAWDs) and students. These adjustments will end the month following the month the PHE declaration is lifted.

The FFCRA required States to suspend the time limit and assigning countable months for ABAWDs. This adjustment expires on June 30, 2023, and ABAWD months will start counting effective July 1, 2023.

The Consolidated Appropriations Act, 2021 created two temporary exemptions for students enrolled at least half-time in an institution of higher learning (see below exemptions). These exemptions will remain in effect for an additional 30 days from the PHE expiration date. Initial applications filed on or before June 9, 2023, may continue to use the two temporary exemptions, but any initial application filed on or after June 10, 2023, will have to meet student participation criteria per KEESM 2531. Any current temporary exemptions applied will remain in effect until the next recertification beginning no earlier than 30 days after the PHE is lifted. Recertification applications submitted on or before June 30, 2023, must be processed using the temporary exemptions. Recertification applications submitted on or after July 1, 2023, must be processed using student participation criteria per KEESM 2531.

- Temporary Student Exemptions
 - Are eligible to participate in a State or Federally financed work study program during the regular school year, as determined by the institution of higher education.
 - Have an expected family contribution (EFC) of 0 in the current academic year.

Mass Notification:

All Food Assistance households with an ABAWD will receive the below “Important Information about your Food Assistance Benefits” notification via mail correspondence. These notices are scheduled to start issuing to households beginning May 8, 2023 (NOTE: notice will not show in distributed documents immediately).

Important Information about your Food Assistance Benefits

This letter is to tell you that we will resume the Food Assistance Time Limit Rules on July 1, 2023. If you don't follow these rules, your Food Assistance may decrease or end. Different people in your house may need to follow different work rules. This letter tells you what you need to do.

What do you need to know?

Beginning on July 1, 2023, you must follow the Time Limit Rules. These apply to you because you are between ages 18 and 49, do not live with a child under 18, and are considered physically and mentally able to work. This is often called the Able-Bodied Adult Without Dependents (ABAWD) work requirement.

You can only get Food Assistance for 3 months in 3 years unless you meet the Time Limit Rules. Keep reading to find out what to do.

What do you need to do?

After July 1, 2023, you must follow these **Time Limit Rules** to keep your Food Assistance benefits:

1. Working at least 80 hours each month (20 hours each week average).

OR

2. Participating in and complying with one of the follow programs for 20 hours or more per week:
 - Workforce Investment Opportunity Act (WIOA) or Trade Adjustment Assistance (TAA) Program.
 - Food Assistance Education and Training (E&T). Persons participating in the Food Assistance E&T Program must be engaged in case management plus education, training, or work activities.
 - Work program with a Refugee funded Social Service Agency.

Please tell us if you are already doing one of these things, or you begin doing one of these things. You can call 1-888-369-4777.

If your work hours drop below 80 hours a month, you will need to call us at 1-888-369-4777 within 10 days. You may need to provide paystubs or a letter from your employer.

Does everyone need to meet these Time Limit Rules?

You may not have to follow any of these Time Limit Rules if you are:

- Younger than age 18, or age 50 or older,
- Living with someone in your house who is younger than age 18,

- No working because of a physical or mental health reason,
- Pregnant,
- Taking care of a child younger than age 6 or someone who needs help caring for themselves,
- Already working at least 30 hours a week,
- Already earning \$217.50 or more per week,
- Receiving unemployment benefits, or you applied for unemployment benefits,
- Going to school, college, or training program at least half time,
- Meeting the work rules for Temporary Assistance for Needy Families (TANF), or
- Participating in a drug or alcohol addiction treatment program.

What should you do if you think one of these reasons applies to you?

Call us as soon as possible at 1-888-369-4777 if you think one of these might describe you. If we find that it does, you will not need to follow these Time Limit Rules.

What happens if you do not follow these Time Limit Rules?

We will count each full month that you receive Food Assistance benefits but do not meet these Time Limit Rules without a good reason. Once we have counted 3 full months, you will lose your benefits until October 1, 2025.

What if you have a good reason for not following these Time Limit Rules?

Call us as soon as possible at 1-888-369-4777 if you think you have a good reason for not following these Time Limit Rules. Good reasons include issues you can't control such as getting sick or not having transportation. These are some examples of good reasons, but there are others, too. If we determine that you have a good reason, there will be no change to your Food Assistance benefits.

If you lose your Food Assistance benefits, how can you get them back?

If you start meeting these Time Limit Rules, you can get Food Assistance benefits again.

You can also get Food Assistance benefits again if something changes in your life, and there are reasons you no longer need to follow these rules. For example, you may get Food Assistance benefits back if you have a new physical or mental health reason for not working or because of other reasons listed “Does everyone need to meet these Time Limit Rules?”.

Why do I need to follow the Time Limit Rules now?

Congress suspended these rules due to the COVID-19 pandemic. Now, the COVID-19 Federal public health emergency is coming to an end. This means that the Time Limit Rules will go back in effect starting on July 1, 2023.

Mass Notification Continued:

All Food Assistance households with a student will receive the below “Important Information about your Food Assistance Benefits” notification via mail correspondence. These notices are scheduled to start issuing to households beginning May 8, 2023 (NOTE: notice will not show in distributed documents immediately).

Important Information about your Food Assistance Benefits

This letter includes information for Food Assistance households that include a student enrolled in an institution of higher education at least half-time.

What do you need to know?

The rules for Food Assistance eligibility for students are changing and some students may no longer be eligible. You may need to provide additional information when you complete your yearly Food Assistance review in order to continue your Food Assistance benefits. You will be notified when it is time to complete a review.

Why are student rules changing now?

During the COVID-19 public health emergency, a law was passed that made more students temporarily eligible for Food Assistance. These rules applied to students with an Expected Family Contribution of \$0 on a financial aid award letter or Student Aid Report (SAR) for the current academic year and students eligible to participate in State or Federally financed work-study. Now, the COVID-19 public health emergency is coming to an end. This means the temporary student rules will begin to end June 2023.

What do you need to do?

- If your certification period ends prior to July 1, 2023, and you complete your review for Food Assistance by June 30, 2023, and you are still considered a student, you may still qualify under the temporary student rules.
- If your certification period ends July 1, 2023, and after, and you are still considered a student, you must meet a student exemption. As always, students must also meet all other Food Assistance eligibility requirements to receive Food Assistance.

Who is considered a student?

For Food Assistance purposes, you are a student if you are enrolled at least half-time in an institution of higher education. This means you are enrolled in:

- A regular curriculum at a college or university, such as a bachelor's degree program; or
- A business, technical, trade, or vocational school that normally requires a high school diploma or a General Education Degree (GED).

The institution of higher education determines what is considered half-time enrollment. Your college, university, or school can tell you your enrollment status.

What are the student exemptions?

Students attending an institution of higher education more than half-time must meet a student exemption to be eligible for Food Assistance.

Students qualify for a student exemption if they:

- Are under age 18 or are age 50 or older.
- Have a physical or mental disability.
- Work at least 20 hours a week in paid employment.
- Participate in a State or federally financed work study program.
- Participate in an on-the-job training program.
- Care of a child under the age of 6.
- Care for a child age 6 to 11 and lack the necessary child care enabling you to attend school and work 20 hours a week or participate in work study.
- Are a single parent enrolled full-time in college and taking care of a child under 12.
- Receive Temporary Assistance for Needy Families (TANF).
- Are assigned to, placed in, or self-placed in a college or other institution of higher education through certain employment and training programs, such as the Food Assistance Employment & Training program.

Call us at 1-888-369-4777 if you are not sure if you meet one of these exemptions or think one of these might describe you.

What happens if you do not meet a student exemption?

If you are a student and do not meet a student exemption at your next review, your benefits may decrease or end.

If you lose your Food Assistance benefits, how can you get them back?

If you are a student and start meeting a student exemption, you can get Food Assistance benefits again. You can reapply for Food Assistance online at www.dcf.ks.gov, in-person at your local DCF office or request an application be mailed to you by calling 1-888-369-4777. You can also get Food Assistance benefits again if something changes and there are reasons you no longer need to meet a student exemption. For example, you may get Food Assistance benefits back if you are enrolled less than half-time or are no longer a student.

What if you need more help?

If you have questions or need more information, please call us at 1-888-369-4777, Monday through Friday 8:00 AM – 5:00 PM. You may also visit our website at www.dcf.ks.gov for more information.