

DEPARTMENT OF HUMAN RESOURCES

Food Assistance Program Summarized Eligibility Requirements

If you have difficulty communicating with us because you do not speak English or have a disability, we can provide free language assistance or other aids and services to assist you. These services are available by phone or in person upon request.

Households applying for or receiving food assistance benefits must meet all applicable eligibility requirements based on food assistance policies. Time limits and requirements of other programs do not affect a household's eligibility for food assistance benefits. A household may still qualify for food assistance benefits even if eligibility ends in another program. Households must cooperate with the agency in establishing eligibility for food assistance. Failure to meet these requirements can result in a denial or termination of the food assistance case.

TECHNICAL REQUIREMENTS

1. **Household Members.** The food assistance household is composed of individuals who live together and purchase and prepare their meals together for home consumption. Certain individuals, such as spouses and children under age 22, must be included in one food assistance household regardless of their method of buying food and preparing meals.
2. **Strikers.** Households with striking members shall be ineligible to participate in the Food Assistance Program, unless the household was eligible for benefits the day before the strike and is otherwise eligible at the time of application. However, the household shall not receive an increased allotment as a result of a decrease in income of the striking household member(s).
3. **Citizenship and Alien Status.** Citizenship/immigration information is used to determine eligibility for food assistance. Only U.S. citizens and eligible aliens may participate in the Food Assistance Program. Any household member who is not a citizen or permanent resident alien may be left out of your food assistance household. Providing citizenship/immigration information is voluntary. The Food Assistance Division will check with the U. S. Citizenship and Immigration Service (USCIS) only for those household members that you are asking for food assistance benefits. We will not check on the non-citizens you do not include in your food assistance household but their income may count in determining the eligibility and food assistance allotment for the other people included in the food assistance household. Failure to provide this information will result in ineligibility (no benefits) for these members.
4. **Social Security Numbers.** The collection of a Social Security Number (SSN) for each household member is authorized under the Food & Nutrition Act of 2008, as amended, 7 U.S.C. 2011-2036, to determine eligibility for food assistance. The Social Security Number is used in computer matching and program reviews or audits to make sure the household is eligible for the food assistance benefits it receives. The SSN will be used to check the identity of household members to prevent duplicate participation and to facilitate making changes. Providing a social security number for each household member is voluntary. However, failure to provide a SSN for each household member will result in disqualification of that member. You will still have to give information such as income for this member.

The household must furnish a Social Security Number for each household member that you are asking for food assistance benefits. If a household member does not have a number, s/he must apply for one.

5. **Residence.** Households must apply for food assistance in the county in which they live. They cannot receive food assistance in more than one county or state in a month.
6. **Work Requirements.** Unless exempt from work registration, each member of your household must meet the following work requirements:
 - must be registered for work
 - must not quit a job voluntarily
 - must not voluntarily reduce hours at a job
 - must accept a suitable job that is offered. (The job must be 30 hours weekly or equal to 30 hours X minimum wage).

If a non-exempt member of your household fails to meet work requirements, [s]he cannot get food assistance. This could reduce or stop your household's food assistance.

Able-Bodied Adults Without Dependents (ABAWDs)

People between the ages of 18 and 49 (under age 50) who have no children and are not disabled must meet other special work requirements if they want to get food assistance. Federal law calls these people "Able-Bodied Adults without Dependents," or "ABAWDs." They may have to work in order to get more than three months of food assistance in the period from Jan 2019 to Dec 2021. But there are exceptions to the three-month time limit. Someone between the ages of 18 and 49 (under age 50) can get food assistance for more than three months if the person meets any one of these exceptions:

1. The person works at least 80 hours a month.
2. The person receives disability benefits.
3. The person receives unemployment compensation.
4. Anyone who has applied for unemployment compensation but has not heard yet is also exempt while waiting for a decision.

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5. The person who is not receiving disability but has a physical or mental problem that limits the work [s]he can do. This may have to be verified by a doctor or other medical professional.
6. The person is unfit for work. For example, chronic homelessness may be an indicator that someone is unfit for work.
7. There is a child in the home less than 18 years old
8. The person cares for an adult who is incapacitated
9. The person is pregnant.
10. The person gets Family Assistance and is in a Family Assistance work program.
11. The person goes to a job training program at least 80 hours a month.
12. The person volunteers at least 80 hours a month doing something that serves a public purpose.
13. The total amount of time the person spends each month working, going to training and volunteering is at least 80 hours a month.
14. The person goes to school at least half time.
15. The person goes to rehab for alcohol or drugs.
16. The person works at least 80 hours a month for non-monetary benefits. For example, the person works for free rent or utilities.

FINANCIAL REQUIREMENTS

7. **Income.** Income limits vary according to the household size. Households that contain no elderly or disabled individuals must meet both the gross (income before deduction) and the net income (income after allowable deductions) limits. Households that contain an elderly (age 60 or over) individual or a disabled individual must meet only the net income limits. See table below for both the net and gross income limits according to household size. Income includes wages, salaries, commissions, social security benefits, SSI, veteran’s benefits, child support, contributions, unemployment compensation, etc.

Monthly Income Eligibility Limits Effective 10/1/2021 - 9/30/2022

Household Size	Gross Income Limits	Net Income Limits
1	\$1,396	\$1,074
2	\$1,888	\$1,452
3	\$2,379	\$1,830
4	\$2,871	\$2,209
5	\$3,363	\$2,587
6	\$3,855	\$2,965
7	\$4,347	\$3,344
8	\$4,839	\$3,722
Each Additional Member	\$492	\$379

8. **Deductions.** Only the following are allowable deductions for food assistance:
 - Standard Deduction. The standard deduction will vary according to household size. The minimum amount for household sizes 1 through 3 is \$167.00. It is \$181 for a household size of 4. It is \$212 for a household size of 5. The maximum amount allowed is \$243 for a household of six and above.
 - Earned Income Deduction. This deduction is 20% of the gross earned income.
 - Self-Employment Deduction. Households with self-employment income are entitled to a standard deduction of 40% of the gross proceeds from the self-employment income as a cost of doing business.
 - Medical Deduction. Elderly and/or disabled individuals may be entitled to a medical deduction for out-of-pocket medical expenses they incur in excess of \$35 per month. Verification may be required.
 - Dependent Care. The costs incurred for the care of a child or other dependent in order for a household member to work, seek employment, attend training, or pursue education that is preparatory for employment.
 - Child Support. Legally obligated child support paid by a household member to or for a nonhousehold member.
 - Shelter Costs. These costs include rent, mortgage, property taxes, insurance on the structure, utilities, etc.
9. **Resources.** The maximum allowable resource limits for households that contain a disqualified member shall not exceed \$2,500 (\$3,750 for households containing an elderly or disabled member). Resources include cash on hand, bank accounts, stocks, savings bonds, lottery, and gambling winnings of \$3,500 or more, etc.

OTHER

10. **Application Processing.** The application process includes completing an application, filing the form in the county in which the household lives, being interviewed, and having certain information verified. Households that meet the following criteria will have their application acted on within 7 calendar days: households with less than \$150 in monthly gross income and their liquid resources, such as cash or checking/savings' accounts are less than \$100; the household's monthly rent/mortgage and utilities are more than the household's gross monthly income and liquid resources; the household is a destitute migrant or seasonal farmworker with less than \$100 in liquid resources.

All other households shall have their application acted upon within 30 days from the date they apply.

11. **Confidentiality and Disclosure of Information.** All information given to the Department is confidential and any use or disclosure will be made only for certain limited purposes allowed under State or Federal laws and regulations. Such purposes include, but are not limited to, establishing eligibility, determining benefit amount and providing services to applicants and recipients. Information about how long you have received food assistance will be released to the State Employment Service for purposes of qualifying your employer for the Work Opportunity Tax Credit (WOTC).

12. **Allotment Amounts.** The amount of food assistance a household actually receives depends on the number of people in the food assistance household and the amount of their net income. See table below for the maximum food assistance allotments by household size.

Maximum Monthly Allotments Effective 10/01/21

Household Size	Maximum Food Assistance Allotment
1	\$250
2	\$459
3	\$658
4	\$835
5	\$992
6	\$1,190
7	\$1,316
8	\$1,504
Each Additional Person	\$188

13. **Authorized Representative.** The head of household, spouse, or other responsible household member may designate an authorized representative to act on behalf of the household. This person may apply for benefits, obtain the benefits and/or use the benefits for the food assistance household.

14. **Simplified Reporting.** Some households have to report their household situation semi-annually on a six-month report form. These households have to report on a six-month basis regardless of whether there have been any changes in their situation. Required Reportable Changes: (1) If the household's income increases to more than the maximum income level for their household size; (2) ABAWDs work hours fall below 20 hours per week, average 80 hours per month; (3) Lottery and gambling winnings of \$3500 or more.

15. **Fair Hearings.** A household not satisfied with agency action affecting its participation in the Food Assistance Program has the right to request a fair hearing within 90 days of the action being appealed. The request may be made orally or in writing to the County Department of Human Resources, Food Assistance Office or to the Department of Human Resources, Food Assistance Division, S. Gordon Persons Building, 50 N. Ripley Street, Montgomery, Alabama 36130-4000, telephone (334) 242-1700. The household's case may be presented by a household member or a representative, such as a legal counsel, a relative, a friend or other spokesperson. To obtain free legal advice, contact Legal Services Alabama statewide intake toll-free number at 1-866-456-4995 or at their statewide online intake website at WWW.ALABAMA.LEGALHELP.ORG.

16. **Ineligible Individuals.** The following individuals are ineligible to receive food assistance:

- Anyone who is fleeing to avoid prosecution, custody, or confinement after a felony conviction under the law.
- Anyone in violation of his/her parole/probation.
- Anyone found guilty by a court of using food assistance benefits to buy firearms, ammunition, or explosives. These individuals are permanently disqualified from receiving food assistance benefits.
- Anyone using food assistance benefits to buy illegal drugs may be disqualified from receiving food assistance from 2 years to permanently.
- You may be ineligible if you are convicted after August 22, 1996 of a felony under Federal or State law for possession, use or distribution of a controlled drug substance.
- Anyone found guilty by a court of buying or selling food assistance benefits of \$500 or more. These individuals are permanently disqualified from receiving food assistance.

- Anyone who misrepresents his identity or residence in order to receive multiple food assistance benefits simultaneously. These individuals are ineligible to receive food assistance benefits for 10 years from the date of conviction.
 - Anyone found guilty of an intentional program violation (IPV) through an Administrative Disqualification Hearing or by a Federal, State, or local court or signed a hearing waiver, will be ineligible for food assistance for 12 months for first violation, 24 months for the second violation and permanently for the third violation. These individuals may also be fined or imprisoned or both, and may be subject to federal prosecution and penalties.
 - Anyone physically and mentally fit between the ages of 18 and 50 enrolled in an institution of higher education, who does not meet certain eligible student criteria.
 - Anyone who does not meet citizenship or alien status requirements.
 - Anyone who refuses or fails without good cause to provide a social security number.
 - Anyone disqualified for not complying with work requirements. This includes voluntarily quitting a job or reducing the number of hours worked without good cause.
 - Anyone disqualified for violating program regulations.
 - Any household that refuses to cooperate with Quality Control.
17. **Claims & Trafficking.** Households must report correct information about their situation. Households must use their benefits to buy eligible food for their personal use. There are penalties that can be applied to the household including a requirement to repay benefits received incorrectly. If a household member intentionally provides false information, sells or tries to sell or trade benefits, buys ineligible items such as alcoholic drinks, or tobacco, or pay on credit accounts or gives away or sells an EBT card, there are other penalties that can be applied including disqualification from the program from one year to permanent and prosecution in court.
18. **Voter Registration.** If you are not registered to vote where you live now, you may register to vote during the Food Assistance application process. We can help you with the application or you may choose to fill out the application in private. Your decision to register or decline to register to vote does not affect the decision about your Food Assistance application or any benefits you might receive. If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Secretary of State, Alabama State Capitol, 600 Dexter Avenue Suite E-210, Montgomery, AL 36130.

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To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: <http://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint>, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

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