

**12.15 ESTABLISHING DISABILITY AND FITNESS FOR EMPLOYMENT FOR THE SNAP PROGRAM****A. ESTABLISHING A CLIENT AS DISABLED**

Disabled means the individual is receiving one of the following:

- Supplemental Security Income (SSI)
- Social Security Disability benefits
- Federally or State-administered supplemental benefits under section 1616(a) of the Social Security Act based on disability or blindness criteria under Title XVI of the Social Security Act
- Federally or State-administered supplemental benefits under section 212(a) of Pub. L. 93-66
- Disability retirement benefits from a government agency based upon a permanent disability
- VA disability benefits rated by the VA as total or paid as total
- VA aid and attendance or housebound benefits, either as a veteran or as a surviving spouse
- Surviving spouse or surviving child benefits of a veteran when the individual has a disability considered permanent
- Annuity payment under Railroad Retirement Act of 1974 and is eligible for Medicare through Railroad Retirement and is determined disabled
- Interim assistance benefits pending receipt of SSI
- Disability related medical assistance under Title XIX (Medicaid based upon disability)
  - Eligible Medicaid categories: SSI, Disabled Adult Children, Substantial Gainful Activity, Essential Spouses, Pass-Throughs, Pickle Amendment Coverage, Disabled Widows and Widowers, Drug Addicts and Alcoholics, SSI-Related, Medicaid Work Incentive Network (M-WIN), Nursing Home, Aged and Disabled Waiver,

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- Intellectual/Developmental Disabilities, Intermediate Care Facility/Individuals with Intellectual Disabilities (ICF/IID), Traumatic Brain Injury (TBI), Children with Disabilities Community Service Program (CDCSP), Illegal Alien Emergency Medical.
- State general assistance benefits based on disability or blindness

NOTE: For individuals who may qualify due to receiving disability retirement benefits from a government agency or receiving surviving spouse or surviving child benefits of a veteran when the individual has a disability considered permanent, the list of conditions considered permanent are established by the Social Security Administration. The full list of these conditions may be found on the Social Security Administration’s most current Listing of Impairments – Adult Listings (Part A).

There are several different SNAP policies which require a determination of physical and/or mental disability. The policies which require a disability determination are listed below.

- Medical deduction provision in Section 10.4.
- Asset policy in Section 11.3.
- 24 month certification policy for elderly and/or disabled adults in Section 1.4.
- Elderly or Disabled provision for removal of the shelter/utility cap in Section 10.4.
- Elderly or Disabled provision for use of net income test in Section 10.4. GLF policy in Section 9.1.
- Elderly and Disabled separate AG provision. See Section 9.1 for establishing disability.

**B. ESTABLISHING A CLIENT AS UNFIT FOR EMPLOYMENT**

This policy applies only to student policy, SNAP work requirements, and Able-Bodied Adults Without Dependents (ABAWD) policy.

1. A client who meets the definition of disability is considered to be unfit for employment. No other verification is needed.

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2. A client who does not meet the definition of disability should be evaluated for fitness for employment. If it is obvious to the worker that the client is unfit for employment, then no further verification is needed, but thorough case comments must be entered explaining why the client is obviously unfit for employment.
3. A client who does not meet the definition of disability and is not obviously unfit for employment will be requested to provide written verification from a licensed medical professional that the client is unfit for employment.
4. Chronically Homeless Populations

Note: This only applies to ABAWD policy.

The eligibility worker must evaluate chronically homeless populations for the ability to be fit for employment. The definition of chronic homelessness is the lack of consistent living arrangements, including homeless shelters, for a period of 90 days prior to the date of the determination or the client has an extended history that demonstrates a pattern suggesting the inability to find suitable, long-term housing. The definition of chronic homelessness is different from the homeless definition of SNAP found in Section 14.2.

Being chronically homeless, by itself, is not an exemption to the ABAWD time limits, but may be a result of a potential mental or physical condition which renders the individual unfit for employment.

**EXAMPLE:** During the interview with the client, the worker notices that the client has few or no teeth and a lack of access to regular personal hygiene, which would prevent the individual from being able to find employment. The worker could exempt the client due to being unfit for employment.

**EXAMPLE:** During the interview with the client, the worker notices that the client's thoughts and attention seem to be very scattered and the individual is unable to focus or complete basic fundamental tasks or answer questions. The worker could exempt the client due to being unfit for employment.

**EXAMPLE:** During the interview with the client, the worker notices the client is chronically homeless. The client does not have any clear employment obstacles. The worker would not exempt this client from the ABAWD time limits.

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