



April 4, 2018

Ms. Sasha Gersten-Paal
SNAP Program Development Division
Food and Nutrition Service
3101 Park Center Drive
Room 812
Alexandria, VA 22302

Re: Advanced Notice of Proposed Rulemaking: Supplemental Nutrition Assistance
Program: Requirements and Services for Able-Bodied Adults Without Dependents RIN 0584–AE57

Dear Ms. Gersten-Paal:

Thank you for the opportunity to comment on USDA’s Advanced Notice on requirements and services for Able-Bodied Adults Without Dependents (ABAWDs). The Wisconsin Board for People with Developmental Disabilities (BPDD) is concerned that the proposed changes will disproportionately and negatively impact people with disabilities.

Nationally, 25% of SNAP recipients (11 million people) are elderly, blind, or have a disability¹. In Wisconsin, 46% of families receiving SNAP have at least one member who is elderly, blind, or has disabilities². In addition, Wisconsin’s direct care providers and family caregivers who support people with disabilities to live independently are some of the top occupations with low-wage workers using FoodShare. 28% of personal care aides and 25% nursing, psychiatric, and home health aides depend on SNAP benefits³.

BPDD is concerned that the exemption language is too narrow, and does not include:

1. SNAP participants who are waiting for SSI or SSDI determinations
2. SNAP participants with disabilities that do not have a formal diagnosis
3. SNAP participants who are unpaid (often family) caregivers of adults with disabilities
4. SNAP participants with chronic or reoccurring health conditions

Though the current law includes an exemption for people with documented medical conditions, this exemption has failed to protect people with disabilities and their caregivers from losing access to SNAP benefits, putting their food security and health at risk. Currently, people with disabilities who fall within the exemption but do not know the process or documentation they must follow to prove they are exempt or have difficulty obtaining the necessary records or verification from a doctor, lose access to

¹ <https://www.cbpp.org/research/food-assistance/snap-provides-needed-food-assistance-to-millions-of-people-with>

² Wisconsin Department of Health Services, FoodShare at a Glance, March 2017.

³ <https://www.cbpp.org/snap-helps-workers-put-food-on-the-table#Wisconsin>

food. The policy of time-limiting food assistance—to 3 months every three years unless the participant meets a 20 hour per week work requirement—is applied to people with disabilities and caregivers, populations that have barriers to employment or have had to leave the workforce to fulfil caregiving responsibilities.

The proposed rule fails to improve the overly narrow exemption, and further limits state's flexibility to exempt certain individuals from the time limit, which will result in more people with disabilities and caregivers being subject to the work requirement. To prevent and limit impacts of time-limiting food benefits to vulnerable populations, BPDD requests that USDA broaden its existing exemption policy and continue to allow state's the flexibility to set broader exemption criteria that is inclusive of caregivers and people with disabilities.

BPDD recommends that exemption language include people with disabilities who are awaiting a disability determination from the Social Security Administration, and that the exemption include a process to review and exempt people with disabilities who lack a formal medical diagnosis. It may take two years for people who have applied to the Social Security Administration to receive an initial disability determination; many people with disabilities find it necessary to take additional time in an appeals process before receiving a formal recognition of their disability.

There is also a significant population of people with disabilities who lack formal documentation of their disability prior to age 18 or who were diagnosed after age 18. It is important to note that underserved populations—including those from low income families with limited access to medical care, and culturally and linguistically diverse communities—are less likely to have a formal documented diagnosis of their disability prior to age 18 due to lower health care access and other barriers, which may impact their ability to obtain an adult disability determination.

Many people with disabilities—especially in the context of Wisconsin's growing caregiver crisis—rely on unpaid (often family) caregivers to provide some or a large proportion of the caregiving needed, and to fill in gaps when paid support cannot be found, is late, or does not show up for assigned shifts. We hear from families across the state that they have often had to rearrange schedules and even leave their jobs to fill in caregiving gaps.

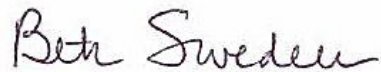
Caregiving responsibilities may add a barrier to employment, especially when jobs have changing schedules from week to week. When paid caregiver positions cannot be filled, staff changes, or staff is late or does not arrive, unpaid family caregivers are left to juggle schedules and accommodate the best they can. Often this may result in prioritizing the health, care, and safety of an older adult and/or child/adult with a disability by filling in caregiving gaps themselves. This layer of unpredictability can make scheduling work difficult, and many caregivers have had to leave the workforce entirely to provide care for people with disabilities.

People with disabilities often rely on multiple public programs—including SNAP, Medicaid, Medicare, public housing—to live in their own homes. Changes to these programs can destabilize the supports individuals need to successfully live in the community, which can result states and the federal government picking up higher health care and long-term care costs in other public programs. Maintaining state flexibility to set exemption criteria is critical.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities.

Our role is to seek continuous improvement across all systems—education, transportation, health care, employment, etc.—that touch the lives of people with disabilities. Our work requires us to have a long-term vision of public policy that not only sees current systems as they are, but how these systems could be made better for current and future generations of people with disabilities.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Beth Swedeen". The ink is dark and the signature is fluid and legible.

Beth Swedeen, Executive Director, Wisconsin Board for People with Developmental Disabilities