



Center for the
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Streamlining the New SNAP Time Limit Exemption for Young People With Experience in Foster Care

By providing benefits to purchase food, the Supplemental Nutrition Assistance Program (SNAP) is vital to supporting the nutrition, health, and well-being of young adults who are exiting foster care. Even so, too many of these eligible young adults miss out on SNAP. On September 1, new temporary SNAP time limit exemptions went into effect including for young adults, 18 to 24 years of age, who have left foster care, pursuant to the 2023 Fiscal Responsibility Act (FRA).¹

Ensuring that the new time limit exemption for young people with experience in foster care is implemented effectively is an important strategy to improve their access to SNAP.

About the SNAP Time Limit

Many adults without children or other dependents *can only* get SNAP benefits for three months in a 36-month period unless they are exempt or are able to document sufficient work hours. Some groups have been designated as exempt from the time limit.

Calling the SNAP time limit “able-bodied adult without dependents (ABAWD) work requirements” is a misnomer, as a person’s willingness to work or conduct an active job search does not suffice to protect one against being cut off from SNAP. Instead, the SNAP time limit punishes people by taking food away from them if they are unable to find a job, are underemployed, are unable to document sufficient hours of work, or are exempt from the time limit in theory but not deemed exempt in practice.

As of October 2023, the SNAP time limit age range was expanded to 18–52 years old. By October 1, 2024, the age range will increase to also subject those who are 53 and 54 years of age to the time limit. (Prior to the changes in the FRA, the time limit applied to people ages 18 to 49).

Some adults who are subject to the time limit have underlying mental and physical health problems that are difficult to document in the ways required to qualify for the exemption by the SNAP agency. Moreover, while many of the people subject to the time limit have connections to the labor market, they either cannot find jobs or get too few hours of work in the jobs they do have to meet the time limit threshold.

In September 2023, three new temporary exceptions to the SNAP time limit went into effect for people who are experiencing homelessness, veterans (regardless of the conditions of their discharge or release), and certain young people with experience in foster care.²

New exemption: Young people with foster care experience are newly exempt from the SNAP time limits if they meet the following definition, “an individual who is 24 years of age or younger and who was in foster care under the responsibility of a State on the date of attaining 18 years of age or such higher age as the State has elected under section 475(8)(B)(iii) of the Social Security Act (42 U.S.C. 675(8)(B)(iii))”³. Eligible young people include those who are still in foster care between ages 18 and 21 (often referred to as “extended foster care.”) Eligible young people also include those who were in foster care in any state, not only the state they are applying or receiving SNAP.

While newly exempt from the SNAP time limit, young people with foster care experience still must meet all other SNAP eligibility requirements to be eligible for a benefit.

Background: “Foster care” generally refers to any placement made by the child welfare agency where the agency retains responsibility for placement, including placements such as family foster care, kinship care, group care, and supervised independent living placements. Every year, roughly 20,000 young people age out of foster care. According to research by Think of Us, during this period of transition to adulthood, many young people aging out of foster care do not have connections to family or a supportive network and face very poor life prospects.⁴ Only 50 percent of youth who age out of foster care are employed at age 24, and one in five of youth aged out of foster care will become unhoused after age 18.⁵ Research has shown that among current and former youth with foster care experience, ages 18 to 24, about 25 percent reported “high” food insecurity.⁶ Young people with experience in foster care face significant challenges, including food insecurity, as they transition into adulthood. Many are eligible for SNAP, but face obstacles in connecting to benefits.

Effective implementation of the new exemptions should be paired with outreach to young people who are leaving and have left foster care and are eligible for SNAP.

Connecting Young People to SNAP and Implementing the Time Limit Exemption

Outreach: Spread the Word About SNAP and the SNAP Time Limit Exemption

Helping spread awareness of the new exemption is a key opportunity to help young people access SNAP and put food on the table as they transition out of foster care.

Key steps:

- **Ensure that the state SNAP agency website has information about SNAP time limit rules and exemptions:** State SNAP agencies should publish clear and accessible information about the SNAP time limit rules and exemptions to the time limit rules. This information should align with U.S. Department of Agriculture’s Food and Nutrition Service (USDA-FNS) guidance and pay particular attention to the civil rights law responsibilities to serve persons with limited English proficiency and those with disabilities.
- **Collaborate with governmental agencies and organizations that serve current and former youth with foster care experience:** Governmental agencies include the child welfare agency, and its Independent Living Program (Chafee Services), Juvenile Probation Departments, and the Medicaid agency.

Other prime outreach partners include Workforce Investment Act Programs, Chafee service providers, providers of homeless youth services and transitional housing, and youth boards. For a list of state Independent Living Program coordinators who can help get the word out, visit [Child Welfare Information Gateway](#).

- **Develop young adult-friendly notices and communication:** Advocates can work with state SNAP agencies to ensure client notices are clear, worded at an appropriate reading level, culturally appropriate, and provided in the client’s language to help ensure proper communication to limited English proficient people. Partnering with youth boards and other young adults with experience in foster care to co-design these notices and communications can help ensure that they are effective.
- **Use people-centered language in outreach:** Refrain from utilizing terms like “foster care youth” or “former foster youth” that trivializes their experiences, can lead to negative biases,⁷ and limits a young person’s identity to their foster care experience. Instead opt for people-centered terms when working with youth, such as “young people with experience in foster care”, “young people who are leaving foster care”, or “young people aging out of foster care”. By partnering with a youth board or other young adults with experience in foster care, agencies can ensure language is inclusive and inviting.
- **Be aware that young people with experience in foster care may be eligible for a different time limit exemption:** A person with experience in foster care may not meet the criteria for this foster care SNAP time limit exemption because: they are age 25 or older, transitioned from a a kinship care arrangement that was not the result of child welfare agency placement, or were in foster care, but left before reaching age 18. They may, however, meet another time limit exemption such as being unhoused, a veteran, pregnant, or unable to work due to a physical or mental limitation.⁸

Screen: Properly Identify Those Eligible for the SNAP Time Limit Exemption

State SNAP agencies are tasked with properly identifying which applicants and participants are subject to time limits. USDA-FNS has provided detailed guidance to states to ensure that those who are entitled to exemptions from the time limit by law do in fact get those exemptions in practice.⁹

In implementing SNAP time limit exceptions, USDA has advised SNAP state agencies that they “are expected to only require verification of information that they determine is questionable. State agencies must follow their established guidelines for what is considered questionable. State agencies must support households in obtaining verification, provided the household is cooperating, and must accept any reasonable documentary evidence provided by the household. If documentary evidence cannot be obtained or is insufficient, the eligibility worker may use collateral contacts or home visits.”¹⁰

Key steps:

- **Train SNAP caseworkers in engaging with young adults with foster care experience to help them feel safe sharing foster care history:** Many young people with experience in foster care are distrustful of government agencies as a result of harm they experienced while in the system. Some young people may not declare having experience being in foster care due to stigma and trauma. It is, therefore, crucial that caseworkers be prepared to approach young people with empathy and understanding, clarify why they are asking about foster care experience, and share that this information will remain confidential.¹¹
- **Include a question on foster care history in the application:** The application questions should provide an explanation for why the question is being asked and highlight that the information will be confidential. Consider partnering with youth boards or other young adults who have experienced foster care to ensure this question, and the whole application, is responsive to the unique sensitivities of young people with lived experience.
- **Have the state agency adopt self-attestation of foster care history as allowed by guidance¹²:** A young adult's statement that they were in foster care at age 18 or older should be accepted as proof of former foster care status unless the agency determines it is questionable. State agencies should adopt policies establishing self-attestation is standard for verification of eligibility for this exception. Many young people with experience in foster care see their time in the system as coercive or traumatic. When they reach adulthood, many forgo available services rather than remain connected to child welfare. Accordingly, even asking for verification of foster care history can be a significant barrier to application completion. If the agency has specific reasons to deem the statement of the young adult to be questionable, it can accept a statement about the young person's status from: (a) independent living coordinators who administer programs for supporting youth in and transitioning out of foster care; (b) a caseworker or staff from a foster care programs; (c) someone familiar with the individual's circumstances; or (d) information from benefits programs, such as Medicaid, SNAP, or TANF. (Youth who were in foster care at age 18 or older are categorically eligible for Medicaid until age 26.) Agencies should be mindful of the fact that young people with lived experience in foster care may be sensitive to which individuals or agencies are contacted for verification and should ask applicants, rather than defaulting to contacting the child welfare agency.

Time Limit Exemptions Are Not Enough

Exemptions for certain groups are no guarantee that they will not be subject to SNAP time limits in practice. Additionally, the SNAP time limit exemption only extends to young people with experience in foster care under age 25 and does not include care situations where there was not a state agency placement. The solution is to pass [The Improving Access to Nutrition Act \(H.R. 1510/ S. 2435\)](#) to end SNAP time limits permanently.

There also are additional SNAP improvements needed beyond time limit exemptions for young people with experience in foster care — such as state adoption of policies to streamline access, a less complicated application processes, more targeted outreach, and application assistance. These are outside the parameters of this brief.

Resources

Maintaining SNAP Benefits for Unemployed and Underemployed People Struggling in the Labor Market (FRAC July 2023):

https://frac.org/wp-content/uploads/SNAP-Time-Limits_R3.pdf

Foster care-specific FNS Guidance:

- [Implementing SNAP Provisions in the Fiscal Responsibility Act of 2023](#) — June 2023 (Verification — Page 3)
- [SNAP Provisions of the Fiscal Responsibility Act of 2023 — Questions and Answers 1](#) — July 2023 (Q 7, 10, 15, 16, 18)
- [SNAP Provisions of the Fiscal Responsibility Act of 2023 — Questions and Answers 2](#) — August 2023 (Q 2 & 3)
- [USDA Food and Nutrition Service, SNAP Able-Bodied Adults Without Dependents \(ABAWD\) Policy Guide](#) — September 2023

Data and background on youth with experience in foster care:

- State-By-State Data Profiles on Youth Leaving Foster Care: <https://www.aecf.org/resources/fostering-youth-transitions-2023#lists>
- Challenges Faced by Young Adults Leaving Foster Care: <https://youth.gov/youth-briefs/foster-care-youth-brief/challenges>
- Aged Out, Report, Executive Summary and Podcast (Think of Us 2022): <https://www.thinkofus.org/case-studies/aged-out>
- Supporting Youth Aging Out of Foster Care Through SNAP (Center for the Study of Social Policy 2023): <https://cssp.org/resource/supporting-youth-aging-out-of-foster-care-through-snap-2023/>

Endnotes

- ¹ Fiscal Responsibility Act of 2023, Pub. L. No. 118–5 (2023). <https://www.congress.gov/118/plaws/publ5/PLAW-118publ5.pdf>.
- ² Buhrig, C. (2023, June 30). *Implementing SNAP Provisions in the Fiscal Responsibility Act of 2023*. USDA Food and Nutrition Service. <https://fns-prod.azureedge.us/sites/default/files/resource-files/Fiscal-Responsibility-Act-of-2023-Implementation-Memo.pdf>.
- ³ Food and Nutrition Act of 2008, 7 U.S.C. 2015(o)(2)(3)(H) (2023). [https://uscode.house.gov/view.xhtml?req=\(title:7%20section:2015%20edition:prelim](https://uscode.house.gov/view.xhtml?req=(title:7%20section:2015%20edition:prelim).
- ⁴ Aged Out. (n.d.). Think of Us. <https://www.thinkofus.org/case-studies/aged-out>.
- ⁵ Ibid.
- ⁶ Fitzgerald, M. (2023, September 1). Restrictions on Food Stamps Will Be Lifted For Former Foster Youth. The Imprint. <https://imprintnews.org/top-stories/restrictions-on-food-stamps-will-be-lifted-for-former-foster-youth-if-states-can-reach-them>.
- ⁷ Person-Centered Language — Center for Practice Transformation. (2022, May 19). Center for Practice Transformation. <https://practicetransformation.umn.edu/practice-tools/person-centered-language/>.
- ⁸ SNAP Work Requirements. (2023, September 1). USDA Food and Nutrition Service. <https://www.fns.usda.gov/snap/work-requirements>.
- ⁹ Buhrig, C. (2023, June 30). *Implementing SNAP Provisions in the Fiscal Responsibility Act of 2023*. USDA Food and Nutrition Service. <https://fns-prod.azureedge.us/sites/default/files/resource-files/Fiscal-Responsibility-Act-of-2023-Implementation-Memo.pdf>.
- ¹⁰ Ibid.
- ¹¹ Stigma Associated with Youth in the Foster Care System. (August 5, 2016). The Imprint, <https://imprintnews.org/child-welfare-2/stigma-associated-youth-foster-care-system/20086>; Andrew Salazar, Stop Traumatizing Teens in Foster Care with Negative Stigma. (March 10, 2020). Youth Today, <https://youthtoday.org/2020/03/stop-traumatizing-teens-in-foster-care-with-negative-stigma/>.
- ¹² Buhrig, C. (2023, June 30). *Implementing SNAP Provisions in the Fiscal Responsibility Act of 2023*. USDA Food and Nutrition Service. <https://fns-prod.azureedge.us/sites/default/files/resource-files/Fiscal-Responsibility-Act-of-2023-Implementation-Memo.pdf>.

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