

Practice Alert



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Issued by: Rene Brinkman, Unit Manager – Older Youth

SNAP Benefits for Older Youth in Foster Care

PURPOSE:

On June 3, 2023, the President signed into law the Fiscal Responsibility Act of 2023 (FRA). In part, the FRA adds a new exception to the Able-Bodied Adults Without Dependents (ABAWD) time-limit for SNAP benefits for: (1) individuals experiencing homelessness, regardless of age; and (2) young adults transitioning out of foster care/foster youth who are in foster care on their 18th birthday (7 U.S.C. 2015(o)(3)). Typically, adults between the ages of 18-49 who do not have dependents cannot receive SNAP benefits for more than 3 months within a 3 year period unless they meet an exception or are exempt. This new exception exempts these two populations from the three-month ABAWD time limit and requirement. The exception is effective for all eligible SNAP applications received on or after September 1, 2023.

OVERVIEW:

- The Food and Nutrition Service (FNS) defines a “**young adult transitioning out of foster care**” as: “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 as defined under Section 475(8)(B)(iii) of the Social Security Act (42 U.S.C. 675(8)(B)(iii)). This includes any individual who was in a foster care program run by the State, District, Territory, Indian Tribal Organization as of their 18th birthday or later and who is under 25 years of age.
 - **This applies to individuals who are in foster care on their eighteenth (18) birthday, even if they elect to stay in foster care up to the State’s maximum age.**
 - **If eligible, the young adult transitioning out of foster care could continue to receive SNAP benefits until their 25th birthday.**
- Youth who are in foster care are most likely eligible for SNAP as long as they meet their state’s SNAP eligibility criteria. Receiving federally funded services like transition services typically will not impact SNAP eligibility, unless it affects income, nor will it impact exception from work requirements.

FREQUENTLY ASKED QUESTIONS:

- **Question:** You are the legal custodian for a young adult who is in foster care on the date of their 18th birthday. The foster youth decides to stay in care, but continues to reside in their foster home while working and attending school. For the purposes of SNAP benefits, is the income of all individuals in the home considered when looking at whether the foster youth is eligible or only the income of the foster youth?
 - **Answer:** Foster care individuals cannot participate in the Food Stamp Program independently of the household providing the foster care services. If included in the household, the countable income of all participants would be included in the determination of benefits.

- **Question:** You are the legal custodian for a young adult who is in foster care but residing in an independent living arrangement with a roommate. What is looked at as far as income for eligibility? Just the income of the youth? The youth and the roommate?
 - **Answer:** A SNAP household consists of one or more persons who live in the same home or purchase and prepare food together for home consumption. If the foster youth and the roommate elect to purchase and prepare food together, they would comprise of one SNAP household; however, if they do not purchase or prepare food together, they can have separate SNAP cases.
- **Question:** You are the legal custodian for a young adult who is in foster care on the date of their 18th birthday. Two days after their birthday they decide that they would like to leave foster care. Would they still be eligible for SNAP benefits?
 - **Answer:** Provided this young adult meets Missouri’s eligibility requirements, under the FRA they would be eligible for SNAP benefits until their 25th birthday.

PROCESS:

- To refer a foster youth for SNAP benefits, apply online at <https://mydss.mo.gov/apply> by clicking “apply” under SNAP. The application can be filled out and submitted entirely online or can be downloaded and printed for submission. Options for submission are listed on that same page. Potential applicants may also go to their local FSD office to apply in person.
- Verification:
 - Verification that the foster youth is in fact in foster care will need to be provided. The [Custody Verification Letter \(CD-276\)](#) should be used as verification.
- Important information for case managers:
 - A youth may designate an authorized representative, to support them in their application for and management of benefits, by completing the authorized representative form found at <https://dssmanuals.mo.gov/wp-content/uploads/2020/09/im-6ar-app.pdf>.
 - An interview will be conducted by FSD with applicants for SNAP benefits. In the event that an interview call is missed, the phone number to complete the interview for SNAP is 855-823-4908.
 - For additional information:
 - Web: <https://mydssupload.mo.gov/UploadPortal>
 - Mailing Address: Family Support Division, P.O. Box 2700, Jefferson City, MO 65102
 - In person: To locate your closest resource center go to https://dss.mo.gov/dss_map/#office (please always note the times of availability).
 - Fax: (573) 526-9400