Ohio should expand use of federal waiver of SNAP time limits in 2017

By Wendy Patton and Kenza Kamal

Between 2012 and 2014, only five states had a larger share of households with insufficient food than Ohio. Alarmingly, the problem was worse than in the previous period, 2009-2011.¹

In each of the last three years, state policy reduced food aid from the federal Supplemental Nutrition Assistance Program (referred to as “SNAP” and formerly known as food stamps) for thousands of Ohioans. Under this federal program, states can request a waiver of time limits on food aid if unemployment is high. The state did not request this waiver of time limits for all eligible places in 2014. The state continued to ignore the eligibility of many counties and cities for the waiver of time limits on SNAP food aid in 2015 and 2016, despite protests from advocates, the faith community, and local, state and federal officials. State Representative Dan Ramos introduced legislation to require the state to request aid for any eligible area. The Legal Aid Society of Columbus filed a civil rights action due to the disproportionate harm this policy inflicts on Ohio’s minority communities.

Every year Governor Kasich gets a new opportunity to maximize use of federal food aid for hungry Ohioans during the following year. This summer, he could request a waiver of time limits for at least 19 counties (this includes all communities within those counties) and up to nine additional cities with locally high unemployment. This would help tens of thousands to have an adequate and nutritious diet, which supports health, productivity, and success in the labor market.

Hunger in Ohio
Poverty in Ohio has been stuck at around 16 percent for the past three years, much higher than before the recession. In some places, it is worse than the statewide average. In 2015, The Plain Dealer (Cleveland.com) reported that almost a quarter of the residents of seven Ohio cities lived in poverty in 2014.²

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¹ Ohio ranks among the worst states in share of households that sometimes face hunger.
² In recent years many eligible counties and cities in Ohio have not been part of the state request for a federal waiver of time limits on SNAP food aid.
³ In 2017, 19 counties, the communities within those counties and up to 9 additional cities will be eligible for the waiver.
⁴ Maximizing the federal waiver would help thousands of hungry Ohioans.

Key findings

- Ohio ranks among the worst states in share of households that sometimes face hunger.
- In recent years many eligible counties and cities in Ohio have not been part of the state request for a federal waiver of time limits on SNAP food aid.
- In 2017, 19 counties, the communities within those counties and up to 9 additional cities will be eligible for the waiver.
- Maximizing the federal waiver would help thousands of hungry Ohioans.
For a single person, the federal poverty line is just under $12,000 a year. Studies demonstrate that it takes at least twice that amount (200 percent of poverty) for someone to be self-sufficient in Ohio. Just over one-third of Ohioans – about 3.8 million people – live in households earning less than 200 percent of poverty. They are eligible to get food aid through food pantries or food banks. Very poor households earning no more than 130 percent of poverty may be eligible for federal food aid through SNAP (rules vary depending on household circumstances.)

Between 2012 and 2014, more than 800,000 Ohio households lived with food insecurity (about 17 percent of households). The number of food-insecure households in Ohio has risen. Use of food pantries in Ohio rose by almost 40 percent between 2010 and 2014. This forces agonizing choices for poor families. According to the Ohio Association of Food Banks, people seeking aid at the food banks and pantries of Ohio often must choose between food, utilities, transportation, medical care, and housing. Food aid is critical to these people and their households.

**Time limits in the federal program of food assistance**

The United States Department of Agriculture (USDA) administers SNAP. Federal food aid helps families with children, people who are elderly or disabled, and those with low earnings due to lack of work, low wages or too few hours of work to cover the cost of living.

Low-wage occupations make up most of the largest job categories in Ohio. Many of these jobs pay so little that workers are eligible for public assistance. Hunger is one of the worst public health outcomes of an economy that fails to produce enough good jobs. America has dealt with this problem by offering food aid for much of the 20th century. Precursors to today’s SNAP program started in the Depression. The effort reached the entire nation in 1974.

In 1996, then-Congressman John Kasich introduced time limits on food stamp eligibility as part of changes being made to welfare. Under these provisions, adults who are not disabled and do not have custody of dependents are required to work at a paid job, be engaged in job training or participate in a workfare (volunteer) program for 80 hours a month. Otherwise, food aid is limited to three months in any three-year period. People have difficulty meeting the work requirements because of a lack of jobs, problems with transportation, care of elderly parents or relatives, health problems, and other challenges. Human service providers do not always have the resources to provide all hungry people with training or workfare activities. Because of these difficulties, states can request that the time limit be waived in places where unemployment is high.

**Who is affected by SNAP time limits**

Adults affected by the time limits make up a diverse group, according to the Center on Budget and Policy Priorities, a non-partisan research organization. More than 40 percent are women. Close to one-third are over age 40. Among those who responded to the question, about half are white, one-third African American, and 10 percent Hispanic. Half have only a high school diploma or GED, and one-quarter have not completed high school. Close to 80 percent live in metropolitan areas, and about 20 percent in rural areas.

The Ohio Association of Food Banks, in conjunction with Franklin County, administered a “Work Experience Program” (WEP) for those exposed to food aid time limits starting in 2013. Of the 4,145 clients assessed, almost one-third reported health problems, and a similar proportion had no high
school diploma. A slightly higher number had a criminal record. About one quarter had children - not in their custody, but were paying child support and lacked earnings to support their children and buy food for themselves. Thirteen percent were caregivers for an elderly or disabled person. In other words, many faced challenges that hindered their ability to meet work requirements.15

Ohio has not maximized use of the waiver
Between 2007 and 2015, the entire state was eligible for a federal waiver of time limits on food aid. The statewide waiver was used from 2007 through 2013. Governor Kasich’s administration could have requested a statewide waiver for 2014 and 2015, but did not. They sought a waiver for 16 of Ohio’s 88 counties in 2014 and 17 in 2015. They requested a waiver of 18 counties in 2016 but left out Trumbull, Muskingum and Vinton counties, even though they qualified.16 Ten additional cities could also have been part of the waiver request.

Ohio’s SNAP caseload fell in 2014 as time limits were reinstated in 72 counties. Figure 1 compares the rate of change in SNAP caseload in Ohio counties that received a waiver with counties where the waiver was not requested. Between December 2013 and February 2016, 170,000 Ohioans stopped getting food aid, although poverty in the state has changed little over that time and remains much higher than before the recession.17

Requesting a waiver for even a limited number of counties was a good use of federal policy options, but excluding eligible places was not. The counties selected for the waiver were mostly rural, with residents who were mostly white. The Legal Aid Society of Columbus joined with other organizations to file a civil complaint with the USDA, asserting that the decision “unfairly made access to nutrition assistance more difficult for many minority Ohioans:”18

“The method chosen by ODJFS to determine which areas it would request waivers for has led to dramatically disproportionate coverage for Ohio’s minority population compared to its white population, in violation of Title VI. The 16 counties where the work requirement has
been waived contain approximately 618,466 white residents and 39,274 minority residents. As such, the white population covered under the waiver is 15.7 times greater than the minority population that is covered. Likewise the percentage of white individuals in the state of Ohio covered by the waiver is 3.911 times greater than the percentage of minority Ohioans covered. What is more, in June 2014 Ohio’s food assistance program, as a whole, was comprised of 62.454 percent white recipients and 37.546 percent minority recipients. In the waiver counties, however, the food assistance program served 94.182 percent white recipients and 5.818 percent minority recipients in June 2014.” - Letter of August 15, 2014 to Assistance Secretary Joe Leonard, Jr., Office of Assistant Secretary for Civil Rights, United States Department of Agriculture from Kathleen C. McGarvey of the Legal Aid Society of Columbus and others.

Two years later, the USDA has yet to rule on the complaint. Elected officials, however, are now speaking up. Cleveland’s City Council passed a resolution calling on Governor Kasich to include as many cities and counties as possible in the waiver request. Council President Kevin Kelley, Dayton Mayor Nan Whaley, state representatives Janine Boyd and Michele Lepore-Hagan and U.S. Representatives Marcia Fudge and Tim Ryan each wrote to Governor Kasich, urging him to request the waiver in urban areas where thousands struggle to find enough work to buy adequate, nutritious food. As mentioned, Representative Ramos of Lorain introduced House Bill 381, legislation that would require the state’s waiver request to include all eligible areas seeking the waiver.

Maximizing SNAP to bring food to hungry Ohio households
Governor Kasich should carefully consider all of the United States Department of Agriculture’s rules around the SNAP program and use them to maximize food aid for hungry Ohioans. Conditions under which a waiver of SNAP time limits may be granted include:

1. Places with a recent three-month average unemployment rate higher than 10 percent;
2. Places with a recent 12-month average unemployment rate that is higher than 10 percent.
3. Places with an unemployment rate averaging 20 percent higher than the national average over a recent 24-month period,
4. Places with insufficient jobs as evidenced by a Department of Labor designation as a Labor Surplus Area.

At present, 19 Ohio counties should be included in the request for a waiver of SNAP time limits in 2017. This is because their unemployment rates from April 2014 through March 2016 averaged at least 20 percent higher than the national average unemployment rate over that 20-month period (the rounding is, as per USDA regulations, to one decimal point).\(^9\) The 19 counties include:

- Adams
- Belmont
- Clinton
- Coshocton
- Gallia
- Highland
- Huron
- Jackson
- Jefferson
- Meigs
- Monroe
- Morgan
- Noble
- Ottawa
- Perry
- Pike
- Scioto
- Trumbull
- Vinton
SNAP rules also allow a state to “group” adjacent counties that share economic characteristics or geographic borders if the unemployment rate for the entire group of counties meets this threshold. Additional cities and counties in Ohio could become eligible through a regional grouping.20

Outside of the communities within the eligible counties, there are six cities that are also eligible for a waiver and three more that are potentially eligible.

Six cities are eligible because they – like the 19 counties listed above, – have had unemployment that on average has been 20 percent higher than the national average during a recent 24-month period (April 2014 through March 2016).

- Cleveland
- Lorain
- Maple Heights
- Mansfield
- Youngstown
- Zanesville

Three additional cities are potentially eligible based on designation as Labor Surplus Areas in 2016. The state is allowed to request a 2017 waiver for places found to have a labor surplus in 2016 until the federal Department of Labor publishes a new list for 2017, generally in August or September:

- Dayton
- Lima
- Trotwood

Figure 2 shows cities and counties eligible for the waiver because unemployment has been 120 percent of the national average for a 24-month period.

**Exemptions**

Ohio could also use our large backlog of time-limit “exemptions” built up over the years. Federal law provides that each state is given annual “exemptions” from time limits equal to 15 percent of the state's caseload of non-disabled adults without dependents. These exemptions allow the state agency to extend SNAP eligibility for people subject to the time limit. Each 15 percent exemption extends eligibility to one person for one month. Exemptions do not expire. If not used, they build up for future use, as needed.

As of federal fiscal year 2016, Ohio has 559,387 “months” of relief through the exemptions allowance – the third largest collection of “banked” exemptions in the nation.21 More than 100,000 Ohioans could be helped for up to five months each if the governor would just allow the use of these exemptions. This could reduce the problem of hunger in many places across the state.
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Figure 2

SNAP waiver eligibility map

19 Counties in Ohio are Eligible for Waivers for FY 2017

FY 2017 Waiver Options

- Eligible county based on 24-month unemployment rate
- Eligible city based on 24-month unemployment rate
- Potentially eligible city based on 2016 LSA designation
- Waived in FY 2016

Source: Policy Matters Ohio, based on Center for Budget and Policy Priorities analysis of unemployment data from the Bureau of Labor Statistics
Summary and conclusion
The Kasich administration made a smart and helpful policy choice by expanding Medicaid, bringing billions of federal dollars into the state and helping more than a half million Ohioans gain access to health care. This reasoning could also apply to maximizing federal food aid in the state.

Foregoing the waiver of time limits for potentially eligible counties and cities leaves people exposed to hunger. The policy also means that millions of federal dollars are not being spent in Ohio supermarkets, farmer’s markets and corner stores, dollars that could boost local economies.

The compassionate response to meeting basic needs of all Ohioans – particularly the most vulnerable – is to maximize federal resources to help people and boost the Ohio economy in 2017. Governor Kasich needs to do the right thing in planning for 2017 and include all eligible counties and cities in Ohio’s request for a waiver of time limits on federal food aid.

Endnotes
1 The United States Department of Agriculture defines a household in which some members cannot get adequate food due to lack of resources at some point during a year as “food insecure” and a household in which normal eating patterns are disrupted and some members report inadequate food intake as having “very low food security.” See Alisha Coleman-Jensen, Matthew P. Rabbitt, Christian Gregory and Anita Singh, “Household Food Security in the United States in 2014,” Tables 4 and 5, September 2015, at http://www.ers.usda.gov/media/1896841/err194.pdf
2 Rich Exner, Ohio income up, but state ranking drops; 2014 state, local census estimates for income, poverty, September 17, 2015, Cleveland.com at http://www.cleveland.com/datacentral/index.ssf/2015/09/ohio_income_up_but_state_ranki_1.html
6 http://www.policymattersohio.org/blogpost-food-oct2015
8 According to the Occupational Employment Statistics of the federal Bureau of Labor Statistics, on the Ohio Department of Job and Family Service’s Labor Market Information site, about half of the state’s largest occupational groups leave a single worker poor, and about a quarter of these jobs leave a worker with one additional family member eligible for SNAP benefits, at median wage and full-time (40 hours a week) status. Many of these jobs, like cashier, fast food worker and retail clerk, do not offer 40 hours per week of work and scheduling conflicts can prevent workers from holding more than one job.
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The Workgroup to Reduce Reliance on Public Assistance (April, 2015), in a letter to the Governor, says in part: "When individuals are impacted by infrastructure limitations, such as jobs that do not pay a sustainable wage in their community or the inability to access reliable transportation to and from work, we need to collectively work to eliminate those barriers... The workgroup feels a need to make significant investments to improve transportation availability, enhance economic vitality, and address substance abuse issues"


Ohio Association of Foodbanks, cited above.


SNAP rules allow a state to “group” adjacent counties that share economic characteristics or geographic borders if the unemployment rate for the entire group of counties meets this threshold. By grouping together counties, the state could, for example, waive 16 additional counties, listed, for a total of 35 counties: Ashtabula, Athens, Brown, Carroll, Columbiana, Crawford, Fayette, Guernsey, Harrison, Hocking, Lawrence, Mahoning, Muskingum, Ross, Tuscarawas, Washington. There may be alternate ways to group counties to meet the threshold; what is important is that a regional arrangement of counties meet the threshold of 120 percent of national unemployment for 24 months.