

Instructions for Attestation of Eligibility for MI Food Assistance Program Work Requirement Deferral

[The attestation form](#) can be used to demonstrate a reason for a deferral from time limited food assistance. Support a request for a deferral based on a medical condition with enough information to show why the condition is disabling or makes it difficult or impossible to work.

Domestic Violence: If domestic violence is one of the reasons for deferral, briefly explain circumstances, which should be sufficient to secure the deferral, or secure a confirmation of services letter from a domestic violence services agency.

Health concerns: Users may also be asked to provide the [Medical Needs Form](#) to help support their eligibility–this is not required in food assistance, and appears to be a training issue that is being resolved. If the user is easily able to access a medical provider who can sign the Medical Needs form, then submitting it right away may make it more likely that the Michigan Department of Health and Human Services (MDHHS) will give the user the deferral quickly.

Homeless: under 7 C.F.R. § 271.2 Homeless can include:

- An individual without a fixed, regular nighttime residence, including someone who will soon lose their current nighttime residence; or
- An individual whose primary nighttime residence is:
 - A supervised shelter providing temporary accommodations (e.g., welfare hotel, congregate shelter);
 - A halfway house or similar institution providing temporary residence for people awaiting institutionalization;
 - A temporary stay (90 days or less) in someone else’s residence; or
 - A public or private place not meant for regular sleeping (e.g., hallway, bus station, lobby, similar places).
- *Note also that On November 19, 2015, FNS issued guidance entitled "Supplemental Nutrition Assistance Program – ABAWD Time Limit Policy and Program Access". This guidance stated that "a chronically homeless individual who is living on the street may be considered unfit for employment as determined by the state. Federal rules at 273.24(c)(2)(ii) allow states this flexibility to prevent placing unnecessary burden on individuals who are clearly unfit for employment."*

Students: There are special rules for who will be considered to be in official “student status” which is limited to participation in certain types of programs:

- Vocational, trade, business, or technical school that normally requires a high school diploma or an equivalency certificate.
- Regular curriculum at a college or university that offers degree programs regardless of whether a diploma is required.
- Those in student status will also need to meet additional criteria:
 - Education program is part of a government training, trade adjustment, or work-study program OR
 - Receiving Family Independence Program assistance OR
 - Providing child or dependent care while a student.

If you need more guidance on whether your program of study will qualify, read pages 4-6 of the [MDHHS Eligibility Manual on School Attendance and Student Status](#).

“Urban Indians”: Whether you are enrolled or a descendant, it is vitally important that your MDHHS case workers are aware that you are Native American. Whether the work requirement rules apply to you depends on this. Whether or not you will receive a deferral may also depend upon where you are located, and particularly, if you live in the 7 county service area for American Indian Health and Family Services, which includes , Macomb, Oakland, Monroe, Saint Clair, Livingston and Washtenaw Wayne counties (note that Detroit residents should be exempted regardless).