

Work Requirements in HR 1 (OBBBA) as Enacted

Updated 1/23/2026

	Medicaid	SNAP
OBBBA	Section 71119	Section 10102
Text - H.R.1	Page 235	Page 10
Statutory cite	New 1902(xx) of the Social Security Act.	Amends 7 USC 2015(o)
Consequence	Condition of eligibility, must meet during the month prior to application and at least 1 month between redeterminations. States cannot require more than 3 consecutive months of engagement prior to enrollment. States may require more than 1 month of engagement between renewals, but per CMS guidance may not dictate the specific months nor require them to be consecutive.	Can receive SNAP for no more than 3 months in a 36 month period if not meeting participation requirements; after that, individuals lose their SNAP benefits, but can regain eligibility after engaging for 80 hours in a month.
Hours required	80 hours per month.	20 hours per week, averaged monthly; defined in regulations as equal to 80 hours per month.
Activities allowed	Work, community service, participate in a work program as defined under SNAP , enrolled in educational program (an “institution of higher education” (IHE) or a program of “career and technical education” (CTE) at least half time (no hours requirement), or combination of the above for at least 80 hours, or has monthly income of at least the federal minimum wage times 80 hours. Season workers can average monthly income over 6 months.	Work, participate in a work program, or participate in a workfare program. By existing regulations , work is defined to include unpaid work, verified under standards established by the state.

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Broad population affected	People receiving Medicaid expansion coverage (or enrolled under a waiver in a plan that provides minimum essential coverage), 19 or older. People who are eligible for non-expansion Medicaid coverage or Medicare A or B are not subject to requirements.	SNAP recipients ages 18-65.
Caregiver exemption	Parent, guardian or caretaker relative of disabled individual or dependent child 13 and under.	Parent or other member of a household with responsibility for a dependent child under 14 years of age or an incapacitated person.
Pregnancy exemption	Pregnant or entitled to postpartum medical assistance.	Pregnant.
Health exemption	Exemptions for people who are “Medically frail or otherwise has special medical needs” including: blind/disabled, with substance use disorder, with “disabling mental disorder,” disability that significantly impairs at least one activity of daily living (ADL) or “serious or complex medical condition.” People eligible for Medicare Parts A or B are exempt.	“Medically certified as physically or mentally unfit for employment.”
Disability benefit exemption	Veterans with total disability are exempt.	Under current regulations , an individual is automatically considered “unfit for employment” if they are “receiving temporary or permanent disability benefits issued by governmental or private sources.”
Indian exemption	People who are Indians, Urban Indians, or California Indians as defined under the Indian Health Care Improvement Act or otherwise eligible for Indian Health Services.	People who are Indians, Urban Indians, or California Indians as defined under the Indian Health Care Improvement Act.

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SUD treatment exemption	An individual who is participating in drug addiction or alcoholic treatment and rehab program as defined under Section 3(h) of the Food and Nutrition Act.	An individual who is a regular participant in a drug or alcohol treatment and rehab program.
Students	Students are not exempt from engagement requirement, but participation in education (IHE or CTE) can count towards requirement.	Students at IHEs who are attending at least half time and meeting the separate SNAP student requirements are exempt.
Inmate exclusion	Inmates of a public institution are excluded from the requirements. Someone who was an inmate of public institution during the previous 3 months is exempt.	
Cross program exclusions	<p>People who are complying with TANF work requirements are exempt.</p> <p>People who are members of a household that receives SNAP and who are “not exempt from a work requirement under such Act” are exempt from Medicaid requirements. (This appears to apply to all SNAP work registrants, not just those subject to the time limit, but CMS has not confirmed this.)</p>	People who are complying with TANF or UI work requirements are exempt.
Hardship/good cause	OPTIONAL exemption for “short-term hardship events,” including inpatient treatment, or other services of similar acuity, people living in a county (or equivalent) where there is an emergency or disaster declaration, or that has unemployment rate >8 percent or 1.5 times the national unemployment rate, or people who have to travel, or their dependent has to travel, to receive medical services for a serious or complex medical condition that is not available in their community.	Under current regulations , states shall consider individuals as meeting the work requirement if they would have met it but for a temporary absence due to circumstances beyond the individual's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency, or the unavailability of transportation. Regs cross-reference good cause under mandatory E&T which also lists lack of child care.

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Waivers	<p>No section 1115 waivers allowed.</p> <p>Hardship waiver allowed when a county has an unemployment rate >8 percent or 1.5 times the national unemployment rate.</p>	<p>Waiver of time limit is allowed only if “area” has unemployment rate over 10 percent.</p> <p>Noncontiguous states (HI, AK) can get a waiver if they have unemployment of more than 1.5 times the national rate. HI and AK can also get waivers through 2028 for systems issues.</p> <p>Discretionary waivers remain at 8 percent of caseload subject to time limit.</p> <p>On October 3, 2025, FNS issued guidance to states on this provision, including stating that it would terminate any existing waivers based on the previous “lack of sufficient jobs” criterion effective November 2.</p>
Ex parte	<p>At both application and renewal, states are supposed to use “reliable data” such as payroll data and encounter data to verify participation and exemptions without requiring individuals to submit more data or verifications. (Additional guidance forthcoming.)</p>	
Processes	<p>People are supposed to get a 30-day opportunity to prove participation or exemption before being cut off. CMS guidance says states must provide outreach notice about the requirements by mail (or in an electronic format if elected by participants), and “one other format” which is not specified.</p>	<p>Under existing regulations (cited in the new FNS guidance), no recipient can be assigned countable months until they have been screen to determine that no exception applies. If a recipient loses their exception, they must be rescreened for other exceptions before months can be counted.</p>

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Effective date	<p>December 31, 2026 or earlier at state option. States beginning implementation in January 2027 must begin outreach to potentially affected individuals no later than September 2026 (earlier if they require more than one month of compliance).</p> <p>By statute, HHS must issue guidance by 12/31/2025, and an Interim Final Rule by 6/1/2026. Initial guidance was published as a CMCS Informational Bulletin on December 8, 2025, which largely restates the statutory requirements.</p> <p>HHS may grant extensions on the requirement to implement until as late as 12/31/2028 if they determine the state is “demonstrating a good faith effort to comply with the requirements.”</p>	<p>FNS has stated that these provisions were effective upon enactment and that states must apply the updated rules immediately to new applicants, and to ongoing recipients after they have been screened for exemptions, but no later than their next redetermination.</p> <p>FNS provided guidance on the exemptions from the time limit, which largely restated the statutory text, on October 3, 2025.</p> <p>FNS has stated that the 120-day variance exclusion period for Quality Control purposes began on enactment (July 4, 2025) and that the period therefore ended on November 1, 2025.</p> <p>FNS directed states not to “issue countable months” for November 2025 for time-limited participants due to the delayed release of benefits during the government shutdown.</p>
Funding	\$200 million in one-time grants in 2026 for systems for all states, half evenly distributed, half based on each state’s share of applicable individuals as of March 31, 2025, plus another \$200 million to CMS for administration. Funds remain available until expended.	No new funds, but SNAP E&T continues to exist (and can be leveraged with a 50/50 match).
Other	People are not eligible for ACA subsidies if denied Medicaid because of work requirements.	

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