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**State of Wisconsin
Governor Scott Walker**

**TO: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers
Training Staff
Child Care Coordinators**

**FROM: Shawn Smith, Bureau Director
Bureau of Enrollment Policy & Systems
Division of Health Care Access and Accountability**

BEPS/DFS OPERATIONS MEMO					
No: 13-18 Amended					
DATE: 6/10/2013					
FS	<input type="checkbox"/>	MA	<input type="checkbox"/>	BC+	<input type="checkbox"/>
SC	<input type="checkbox"/>	CTS	<input type="checkbox"/>	FSET	<input type="checkbox"/>
BC+ Basic	<input type="checkbox"/>	BC+ CORE	<input checked="" type="checkbox"/>		
CC	<input type="checkbox"/>	W-2	<input type="checkbox"/>	EA	<input type="checkbox"/>
CF	<input type="checkbox"/>	JAL	<input type="checkbox"/>	JC	<input type="checkbox"/>
RAP	<input type="checkbox"/>	WIA	<input type="checkbox"/>	Other	<input type="checkbox"/> *
EP					

SUBJECT: Change in Homeless Definition for BC+ Core Plan

CROSS REFERENCE: BadgerCare Plus Handbook Chapter 43.4.2.1

EFFECTIVE DATE: IMMEDIATELY

PURPOSE:

The purpose of this memo is to announce changes to the definition of homelessness as it applies to the BadgerCare Plus Core Plan. Under the Core Plan, individuals who are homeless are exempt from the \$60 application fee. This change is a result of a change in the U.S. Department of Housing and Urban Development's (HUD)'s definition of homelessness, which is the basis of the definition of homelessness used for the Core Plan. This memo also details the process for Income Maintenance (IM) workers to use in order to correctly record the homelessness status of Core Plan members in CARES Worker Web (CWW).

BACKGROUND:

The BadgerCare Plus Core Plan operates with a waiver granted by the Centers for Medicaid and Medicare Services (CMS). As part of this waiver, the Core Plan refers to HUD's definition of homelessness when determining whether or not the application processing fee will be waived. The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act has expanded the HUD definition of homelessness to include more situations in which someone

would be considered homeless, specifically situations in which the family is about to lose their housing, in which children and unaccompanied youth have unstable housing, and in which someone is fleeing domestic violence.

PREVIOUS DEFINITION OF HOMELESS

The previous definition of “homeless” for the BadgerCare Plus Core Plan can be found in the BadgerCare Plus Eligibility Handbook Chapter 43.4.2.1:

Homeless

The processing fee is waived for applicants who meet the federal Housing and Urban Development (HUD) definition of homeless:

- A homeless individual lacks a fixed, regular, and adequate nighttime residence; and s/he has a primary nighttime residence that is:
- A publicly supervised or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelter and transitional housing for the mentally ill);
- An institution that provides a temporary residence for individuals intended to be institutionalized or an inpatient facility for mental health and/or substance abuse;
or
- A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

NEW DEFINITION OF HOMELESSNESS AS EXPANDED BY THE HEARTH ACT

Homeless

The processing fee is waived for applicants who meet the federal Housing and Urban Development (HUD) definition of homeless. An individual or family is considered homeless if s/he is in any of the following situations:

- 1) The individual or family lacks a fixed, regular, and adequate nighttime residence, meaning:
 - A public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport or camping ground;
 - A publicly supervised or privately operated shelter designed to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); **or**
 - The individual is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.
- 2) The individual or family will immediately lose their primary nighttime residence, provided that:

- The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance (**Note:** Must have applied for homeless assistance in order to qualify as homeless under the HUD definition in this situation.);
 - No subsequent residence has been identified; **and**
 - The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing
- 3) The individual is an unaccompanied youth under 25 years of age or the family includes children and youth and the individual or family does not otherwise qualify as homeless under this definition, but who:
- Lack a fixed, regular, and adequate nighttime residence. This includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are abandoned in hospitals; or are awaiting foster care placement. This also includes migratory children who are living in these circumstances.
 - Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; **and**
 - Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addition, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;
- 4) Any individual or family who:
- Is fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
 - Has no other residence; and
 - Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

Due to the changes enacted by the HEARTH Act, the definition of homelessness used by the Core Plan is now more expansive than the definition used by the FoodShare and Child Care program. This means that a member open for Core Plan, FoodShare and Child Care may be considered homeless for Core Plan purposes but not homeless for FoodShare and Child Care purposes. IM workers must use the following process to correctly identify a member's homelessness status in CWW for Core Plan without recording an incorrect homelessness status for other programs.

PROCESS:

Beginning the effective date of this operations memo, IM workers will use this expanded definition when determining whether a Core Plan member's application processing fee should be waived. IM workers should follow the process outlined below to waive the processing fee when the person meets the homeless criteria for the Core Plan.

BADGERCARE PLUS CORE PLAN FOR CHILDLESS ADULTS DETAILS PAGE

In the Fee Payment section under the Health Care Enrollment Application heading, choose "Yes" for the Fee Requirement Met field and indicate "Homeless" for the Waived Reason field.

The IM worker should only enter the living arrangement code for homeless (10) on the Current Demographics Page if the member meets the criteria for homelessness for FoodShare or Child Care.

➤ **NOTE:** This policy change should only be applied to existing Core Plan members whose renewal for Core Plan benefits is processed on or after the effective date of this operations memo. Refunds of the application processing fee will not be issued to members who met the expanded definition prior to the effective date of this operations memo.

CARES:

There are no systems changes for CARES or ACCESS.

CONTACTS:

BEPS CARES Information & Problem Resolution Center

*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, BC+ Core – BadgerCare Plus Core, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

DHS/DHCAA/BEPS/RW