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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: 13-23					
DATE: JULY 18, 2013					
FS	<input checked="" 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 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: Child Support Expense Deduction Change

CROSS REFERENCE: FoodShare Handbook (FSH) [4.6.5.1](#); [7 CFR 273.9\(d\)\(5\)](#)

EFFECTIVE DATE: Immediately

PURPOSE:

The purpose of this memo is to announce a FoodShare (FS) policy change regarding child support deductions. The new policy change allows only court-ordered child support obligation amounts to be used as a deduction in determining FS eligibility.

BACKGROUND:

Federal regulations allow FoodShare households to receive a deduction for legally obligated child support payments. Policy changes announced in [Operations Memo 08-26](#) stated that any child support expense deduction was allowed. FNS has instructed Wisconsin to allow only a deduction for legally obligated child.

OLD POLICY:

Court-ordered child support obligation amount(s) are allowed as a FoodShare (FS) deduction.

A child support deduction may be claimed by FS applicants and members who make regular child support payments but do not have a court order in place. In these cases, determine a deduction amount using verification such as:

- Cancelled checks,
- Written documentation between the two parties agreeing to the arrangement,
- Bank statements, **or**
- Check stubs

NEW POLICY:

Only “court-ordered” child support obligations are allowable expense deductions for FoodShare applicants and members. In most cases, the information can be found in the Wisconsin KIDS system. If the information is not available in KIDS, the member must provide a court document such as a divorce decree or other type of court-issued document that shows the amount of legally obligated child support owed. The IM worker should verify out-of-state orders with the out-of-state child support agency or court documentation.

Current court ordered child support obligation amounts are allowed as a FoodShare (FS) deduction. The amount an individual is obligated to pay is allowed as a deduction without consideration for actual payments made.

Update ongoing cases at the next renewal, SMRF, or reported change.

If a child support obligation is reported but not verified or found to be non-court ordered, the case should remain open, but disallow the expense deduction.

CARES:

No CARES changes. To determine the KIDS court ordered amount continue to refer to [PH Chptr 62.3 CS Court Ordered](#).

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/JZ