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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 Tessmann, Bureau Director  
Bureau of Enrollment Policy & Systems  
Division of Health Care Access and Accountability

**DHS OPERATIONS MEMO**

**No: DHS 14-25**

**DATE: 06/11/2014**

**AMENDED 10/07/2015**

<b>FS</b>	<input checked="" type="checkbox"/>	<b>MA</b>	<input type="checkbox"/>	<b>BC+</b>	<input type="checkbox"/>
<b>SC</b>	<input type="checkbox"/>	<b>CTS</b>	<input type="checkbox"/>	<b>FSET</b>	<input checked="" type="checkbox"/>

**SUBJECT: Time Limited FoodShare Benefits for Able-Bodied Adults without Dependents (ABAWDs)**

**CROSS REFERENCE:** FSHB 3.16.1.7 Good Cause, FSHB 3.15.1 Student Status  
FSHB 3.16.1 Work Requirements, OM 14-55

**EFFECTIVE DATE:** July 1, 2014- Kenosha, Racine and Walworth Counties.  
April 1, 2015 – Balance of State

**PURPOSE:**

The purpose of this memo is to provide policy and instruction for applying Time-Limited FoodShare Benefits (TLBs) to Able-Bodied Adults without Dependents.

**BACKGROUND:**

In 1985, the Food Security Act established the Food Stamp Employment and Training Program (now called SNAP E&T), which is administered by the U.S. Department of Agriculture (USDA), to assist able-bodied FoodShare recipients gain necessary skills for employment. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) changed the SNAP E&T program by limiting SNAP benefits for Able-Bodied Adults without Dependents (ABAWDs) to no more than three months in a 36-month time period unless they comply with work

requirements or meet an exemption. One of the primary ways in which ABAWDs can meet the ABAWD work requirement is to participate in a State's FoodShare Employment & Training (FSET) program.

Since 2002, Wisconsin has relied on a federal waiver to lift the time-limit on FoodShare benefits for ABAWDs, which means that this group was not required to comply with federally mandated ABAWD work requirements. Since 2008, Wisconsin has operated a voluntary FSET program. In addition, like most other states, Wisconsin continued to apply a waiver of the ABAWD work requirement during this period in order to support ABAWD FoodShare participants as the State's economy recovered from the nationwide recession.

The Wisconsin economy is rebounding and the State is committed to supporting ABAWDs through the transition from dependence to independence by increasing opportunities for education, vocational training, and active engagement in the workforce. As part of Wisconsin's 2014-15 biennial budget, 2013 Wisconsin Act 20 created Wis. Stat. 49.79(10), which requires FoodShare eligibility and work requirements for ABAWDs to be implemented beginning in 2014, consistent with federal regulations 7 CFR 273.7 and 7 CFR 273.24. To accomplish this, Wisconsin plans a two-phased approach to implement time-limited FoodShare benefits and ABAWD work requirements statewide.

In July 2014, Wisconsin begins Phase I implementation of time-limited FoodShare benefits for ABAWDs, starting with FSET Region 1 (Kenosha, Racine, and Walworth counties). Phase II of the ABAWD policy change, which expands the policy statewide, is planned for April 1, 2015.

### ***APPLICATION OF ABAWD RULES:***

Effective July 1, 2014, FoodShare applicants and members residing in Kenosha, Racine, and Walworth counties will be subject to new eligibility rules which determine if a person is an ABAWD subject to time-limited FS benefits. ABAWD rules will be applied as detailed below.

1. FS applications with a filing date on or after July 1, 2014.
2. FS renewals with FS eligibility run and confirmed on or after July 1, 2014.
3. ABAWD rules will be applied to cases that re-open due to a break-in-service if the program filing date is updated with a date on or after July 1, 2014. Note: Effective Dec. 22, 2014, ABAWD rules will no longer be applied at break-in-service.

Once the new ABAWD rules have been applied to a case, eligibility determinations will continue to apply the ABAWD rules to the case. The only exception is during the pilot period. During this period, participants moving from a pilot county to a non-pilot county will not be subject to ABAWD policies in the non-pilot county regardless of whether they were subject to ABAWD policies in the pilot county.

### ***POLICY:***

Able-Bodied Adults without Dependents who do not meet the ABAWD work requirement and are not exempt from meeting the work requirement will only be allowed to receive up to 3 full months of FS benefits in a 36 month time period.

### *DETERMINING ABAWD STATUS:*

**Non-ABAWD:** A FoodShare applicant or member is determined a non-ABAWD if s/he meets any one of the following criteria, as determined by the IM agency:

- Under age 18 or age 50\* and older;
- Unable to work;
- Residing in a FoodShare household with a child under age 18\*\*; or
- Pregnant.

\* Age 18: ABAWD status applies the month following the month the FS recipient or applicant turns age 18.

Age 50: ABAWD status is lost the first day of the month an ABAWD turns age 50.

\*\*Individuals that reside with and are included in the same food unit as a child under age 18 are non-ABAWDs, even if that child is ineligible for FS. See [FS HB 3.3.1.1](#) for food unit requirements.

Note: Individuals who are coded as out of the home, including children placed in foster care and out of home tax dependents and co-filers, do not make an individual a non-ABAWD.

Non-ABAWDs are not subject to time-limited FS benefits (TLBs).

### *ABAWD EXEMPTIONS FROM TIME-LIMITED FOODSHARE BENEFITS:*

**Exempt ABAWD:** A FS member is determined an exempt ABAWD if s/he is an ABAWD who meets at least one of the following criteria, as determined by the IM agency:

- Determined unfit for employment, which includes someone who is:
  - Receiving temporary or permanent disability benefits from the government or a private source;
  - Mentally or physically unable to work, as determined by the IM agency;
  - Verified as unable to work by a statement from a health care professional or a social worker.
- Receiving Unemployment Compensation (UC) or has applied for UC and is complying with UC work requirements;
- Regularly participating in an alcohol or other drug addiction (AODA) treatment or rehabilitation program;
- A student of higher education who is otherwise eligible for FoodShare (see [FSHB 3.15.1](#));
- A high school student 18 years of age or older, attending high school at least half-time;
- Primary caregiver of a dependent child under age 6 or an incapacitated person;
- Receiving transitional FS benefits; or
- Meeting the ABAWD work requirement outside of FSET through work and/or other allowable work program participation;
- Employed or self-employed, earning at least the equivalent of federal minimum wage multiplied by 30 hours per week and 4.3 weeks per month (\$935.25 gross monthly income). This includes migrant and seasonal workers.

Until CWW can be enhanced to correctly exempt these individuals, use the FS ABAWD Exemption page to apply this exemption as shown below. The IM workers must enter a case comment to document that they are applying this exemption.

Note: In the “On average, how many hours per month does this individual participate in this selected work program?” field enter 80. Enter 80 hours so the individual is not referred as a non-exempt ABAWD to complete additional hours.

Exempt ABAWDs are not subject to TLBs during months in which they have a verified exemption. Correct determination of ABAWD exemptions impacts whether or not members are subject to time-limited FS benefits (TLBs). ABAWDs may cycle on and off FS benefits and may gain or lose exemptions for a variety of reasons.

Individuals that have a pending exemption are referred to the FSET program as non-exempt ABAWDs. Once an exemption is verified, a referral update should be sent in order to notify the FSET agency of the status change.

**Note:** For cases in which more than one individual shares caregiving responsibilities for a child under age 6 or an incapacitated person, the agency should work with the household to determine which individual has primary responsibility for care of the child or incapacitated person.

**Non-Exempt ABAWD:** A FS member is a non-exempt ABAWD if s/he is an ABAWD but is not currently meeting the ABAWD work requirement and does not have an exemption from the work requirement, as determined by the IM agency. Non-exempt ABAWDs are subject to TLBs and need to meet the ABAWD work requirement to maintain ongoing eligibility for FS. One of the ways these individuals can meet the work requirement is through FSET participation.

All non-exempt ABAWDs receive a referral to the FSET program. Non-exempt ABAWDs are not required to participate in FSET as a condition of FS eligibility. However they may lose eligibility for FS due to failing to meet the work requirement after exhausting three months of TLBs in a 36-month period.

VERIFICATION OF ABAWD STATUS AND EXEMPTIONS FROM TIME-LIMITED FOODSHARE:

Verification of ABAWD status and exemptions is necessary in order to lift the three month time-limit on FS benefits. Sometimes ABAWD status or exemptions may be verified upon receipt by using data exchanges or by using information known to the agency. This also includes in-person agency verification of a visibly obvious ABAWD status or exemption, such as pregnancy or inability to work due to a temporary or permanent health condition.

As long as an exemption exists for part of a month, the individual will be exempt for the entire month. An exemption will not be applied until it is verified, so an ABAWD with a pending exemption will receive TLBs until verification is received. The effective date of an exemption is the first of the month the exemption was reported or has occurred, whichever is later, as long as verification is provided timely. If verification is due in the month following the month it was reported, the exemption is effective back to the first of the month it was reported. If verification is received after the due date, the exemption is applied the first of the month in which verification is received.

Example 1: Exemption is reported and verification requested on April 25, with a due date of May 5. Verification is provided May 4. The exemption is effective from April 1.

Example 2: An exemption that begins in May is reported in April. The effective date of the exemption is May 1, regardless of whether the verification is provided in April or May.

Example 3: An exemption that began in April was reported and verified in May. The effective date of the exemption is May 1.

#### VERIFICATION RULES FOR ABAWD STATUS OR EXEMPTION:

- At Application: verification is due on the 10th day after requesting the verification, or 30th day of the application period, whichever is later.
- At Renewal: verification is due on the 10th day after requesting the verification, or 30th day of the review processing period, whichever is later.
- At Change: verification is due on the 10<sup>th</sup> day after requesting the verification.

Example 1: Jen is completing a face-to-face FS interview and reports that she is pregnant. The worker notes that Jen is visibly pregnant, so no additional verification is required. If Jen had reported pregnancy during a phone interview, verification of pregnancy must be requested. The worker would inform Jen that until verification of pregnancy is provided she will be determined a non-exempt ABAWD and referred to FSET, because she is not currently meeting the ABAWD work requirement and has not verified an exemption.

Example 2: When Julie applies for FS on 3/25/15 she states that she lives with a roommate and the roommate's minor child who does not receive FS. Verification of the roommates' child in the home is requested on 4/23/15 with a due date of 5/3/15. Julie provides timely verification and is determined to be a non-ABAWD effective 3/25/15. NOTE: If Julie had submitted her verification on or after 5/4/15 (but before 5/31/15), she would have been considered to be a non-exempt ABAWD through 4/30/15 and a non-ABAWD as of 5/1/15.

Example 3: Angela is an ABAWD who is not meeting the ABAWD work requirement and does not claim an exemption during her FS interview on 7/7/14, so a referral is sent to the FSET Tool. Angela receives the FSET referral letter, which lists the ABAWD exemptions and types of proof that can be submitted. On 8/25/14, Angela reports to her IM worker that she is regularly participating in an AODA treatment program and is sent a verification request with a due date of 9/5/14. If Angela submits verification timely, she will be treated as an exempt ABAWD as of 8/1/14. An update is sent to the FSET agency notifying them of the ABAWD exemption.

NOTE: If Angela submits late verification, she will be subject to time-limited FoodShare benefits in August 2014 and will be treated as an exempt ABAWD the first of the month during which verification is provided.

Example 4: Sam, a non-exempt ABAWD, reports and verifies on 6/26/14 that he is temporarily unable to work. The doctor's note provided by Sam states that he is unable to work from May 20, 2014 through July 24, 2014. Because Sam did not report or verify the exemption until June, Sam would be exempt from time-limited benefits from June 1, 2014 to July 31, 2014.

#### ABAWD WORK REQUIREMENT:

In addition to current FoodShare work requirements (i.e. failing to meet the following without good cause: work registration, Voluntary Quit, decrease in work hours below 30 hours per week, not accepting a bona fide job offer as described in the FS Handbook 3.16.1), ABAWDs are required to meet an additional ABAWD work requirement as a condition of FS eligibility. An ABAWD is considered to be meeting the ABAWD work requirement if one of the following applies:

1. Working a minimum of 80 hours per month. Use converted work hours if paid weekly or bi-weekly;
2. Participating and complying with an allowable work program at least 80 hours per month;\* or
3. Both working and participating in an allowable work program for a combined total of at least 80 hours per month.
4. Participating in and complying with the requirements of a workfare program.

\*Allowable work programs include FoodShare Employment and Training (FSET), Refugee Employment and Training, W-2, Children First, Workforce Investment Act (WIA) programs, Refugee Cash Assistance programs, and programs under section 236 of the Trade Act.

#### ABAWD DEFINITION OF WORKING:

For ABAWDs, working is defined as one of the following:

1. Work in exchange for money;
2. Work in exchange for goods or services ("in kind");
3. Unpaid work (i.e. volunteer work, community service);
4. Self-employed; or
5. Any combination of the above

#### **Time-Limited FS Benefits for ABAWDs**

Time limits for ABAWD FS eligibility are as follows:

1. Three (3) full, countable months of TLBs;

2. The 36-month time period; and
3. The potential for three (3) additional months of FS eligibility, upon meeting certain criteria (see “*Regaining Eligibility*”).

A new FS Clock page has been created in CWW for the purposes of tracking an ABAWD’s use of time-limited FoodShare benefits, work participation, and ABAWD exemptions. (See CARES “*FoodShare Clock Page*”)

**THREE COUNTABLE MONTHS OF TIME-LIMITED FOODSHARE BENEFITS:**

ABAWD eligibility for FS is limited to three (3) full months of TLBs in a 36-month period, in which the ABAWD is subject to, but is not complying with, the ABAWD work requirement, and does not have a qualifying exemption. The three TLB months do not have to be consecutive. The new FS Clock page will track an ABAWD’s 36-month period, TLB months, changes in ABAWD status, and exemptions to correctly determine FS eligibility on a monthly basis. Workers will need to review a member’s FS Clock page when running eligibility to understand the individual’s FS eligibility and ABAWD status.

CWW will count any month as a TLB month in which an ABAWD received a full month of FS benefits and s/he:

1. Is not meeting the ABAWD work requirement, and
2. Does not meet an exemption from the FoodShare benefit time limit.

Note: Months in which FS benefits are prorated are not counted as TLBs.

Example 1: Linda, a non-exempt ABAWD, applied for FS and was found eligible with a certification period of July 2, 2014 through June 30, 2015. Linda’s first TLB month is August 2014, because benefits were prorated at application.

Example 2: Libby reported on October 25, 2014 that her roommate’s child moved out of the home August 10, 2014. Libby is not meeting a work requirement and does not have an exemption. Libby’s first TLB is issued for December, with a second TLB issued for January. On January 5, 2015, Libby reports and verifies that her roommate’s child moved back into the home on December 21, 2014. Libby’s status changes to non-ABAWD effective January 1, 2015, the month the change was reported and verified.

**THE 36-MONTH PERIOD:**

ABAWDs are subject to a fixed, 36-month time period, which is tracked in CWW on the new FoodShare Clock page. The FS Clock page tracks the 3 TLB months, months of meeting the work requirement, months exempt from the work requirement, Additional Months, and months of FoodShare ineligibility.

During a 36-month period, an ABAWD may continue receiving FS benefits or regain eligibility after exhausting the 3 months of time-limited benefits, as long as the ABAWD is meeting the work requirement or an exemption, or is determined to be a non-ABAWD.

***Counting the 36-Month Period:***

First 36-Month Period: The first 36-month period will begin at application, renewal, or when a case re-opens due to break in service (see section on *Application of ABAWD Rules*) for non-exempt ABAWD individuals who are:

- Eligible for FoodShare;

- Determined to be an ABAWD;
- Not meeting the work requirement; and
- Not meeting an ABAWD exemption.

The period continues uninterrupted for 36 months, regardless of FS eligibility status, ABAWD status, or whether the work requirement or an ABAWD exemption is met. The period ends after 36 full benefit months have elapsed.

Example: Audrey, a non-exempt ABAWD applies and is determined eligible for FS effective July 2, 2014. Audrey's 36-month period begins Aug 1, 2014 and runs continuously through July 31, 2017, regardless of changes in ABAWD status.

Subsequent 36-Month Periods: A new 36-month period will begin starting with the first full benefit month after a 36-month period expires and when all of the following are met:

- Is eligible for FoodShare;
- Is determined to be an ABAWD;
- Is not meeting the work requirement; and
- Is not meeting an ABAWD exemption.

A new 36-month period will not begin immediately if the individual meets one of the following:

- Ineligible for FoodShare;
- Determined to be a non-ABAWD;
- Meeting the work requirement; or
- Meeting an exemption.

Example: Jeff's 36-month period began February 1, 2015. Jeff was meeting the work requirement when his 36-month period ended January 31, 2018. A new 36-month period will not begin until Jeff stops meeting the work requirement and he does not meet an exemption.

Example: Jeff's 36-month period began February 1, 2015. Jeff was not meeting the work requirement and was not exempt from the work requirement when his 36-month period ended January 31, 2018. A new 36-month period will begin February 1, 2018.

### ***State-to-State Transfers during the 36-Month Period:***

The system will be enhanced to accommodate clocks from other states effective December 22, 2014. More information is provided in Operations Memo 14-55.

### ***Transfers between Pilot and Non-Pilot Regions (July 1, 2014 to March 31, 2015):***

For an ABAWD residing in one of the three Pilot counties (Kenosha, Racine, and Walworth) and whose 36-month period has begun:

- When an individual moves from a nonpilot area of the state to the pilot region, ABAWD rules will be applied the at the next FS renewal.
- When a non-exempt ABAWD with an established 36 month period moves from the pilot region to a nonpilot area of the state, the individual will be considered an exempt ABAWD because the ABAWD will not accrue any new TLBs in the non-pilot area of the state through March 31, 2015.

- When a non-exempt ABAWD with an established 36 month period moves back to a pilot region after moving from the pilot region to a nonpilot area, ABAWD status will be re-established when eligibility is run and confirmed by the pilot agency, following Adverse Action logic.

Example: Cam is a non-exempt ABAWD whose 36-month clock began July 1, 2014. Cam was issued one TLB for the month of July. Cam moved to a non-pilot county on Aug 20, 2014. Cam is considered to be an *exempt ABAWD* as of August 1, 2014. When Cam moved back to a pilot county on October 15, 2014, Cam is re-determined as a non-exempt ABAWD and will be subject to TLBs effective November 1, 2014.

### ***Regaining Eligibility after Exhausting 3 Months of Time-Limited Benefits:***

There is no limit on how many times an ABAWD may regain eligibility after exhausting 3 months of TLBs. A new application is required if the ABAWD re-requesting FS is an assistance group of one. If an ABAWD is requesting FS on an ongoing case, follow the person add policy to re-establish FS eligibility. ABAWDs who have exhausted 3 months of time-limited benefits during a 36-month period may regain eligibility by:

1. Meeting the ABAWD work requirement for at least 30 consecutive days prior to the new FS filing date and currently meeting the work requirement or verifying that the work requirement will be met within 30 days of the new filing date. The work requirement can be met by:
  - Working a minimum of 80 hours in the 30-day period;
  - Participating in and complying with requirements of an allowable work program such as Workforce Investment Act (WIA) or Trade Adjustment Assistance Act program for 80 hours in the 30-day period. FS eligibility is a required prerequisite to FSET enrollment, so an ABAWD cannot regain eligibility through FSET participation after FS closes. Keep in mind this is only for non-exempt ABAWDs that have received their 3 TLBs; or
  - A combination work and participation in an allowable work program for a minimum of 80 hours in the 30-day period;
2. Currently meeting an ABAWD exemption at the time of the application and providing verification of the exemption; or
3. The ABAWD's 36-month period expires.

An ABAWD who has exhausted 3 months of TLBs and is not meeting one of the above requirements at the time of re-application is ineligible for FoodShare.

Example 1: Stella's FS closed on October 31, 2014, after three TLBs were issued for August, September, and October. Stella reapplies for FS on January 2, 2015. During the FS interview Stella reports that she had gained seasonal employment of 20 hours/week from November 8 through December 28, 2014. Stella's application is denied because although she worked 30 consecutive days, she was not meeting the work requirement at time of application. Had Stella's job not ended, FS eligibility would be effective from her Jan 2, 2015 filing date.

Example 2: Gracie was issued three TLBs for November 2014, December 2014, and January 2015. FS closes January 31, 2015. Gracie claims an exemption when

she re-applies for FS on February 10, 2015. Verification of the exemption is requested by the IM worker. Gracie failed to submit verification until after the 30 day application processing period, so the FS application is denied.

### ***Three Additional Months of FoodShare Benefits:***

In certain cases, an ABAWD who has exhausted 3 months of TLBs, regains eligibility by meeting the work requirement, and then stops meeting the work requirement, may receive up to three (3) additional consecutive months of FS eligibility, during which he or she is not required to meet the ABAWD work requirement.

The three additional months of FS eligibility will be determined by CWW and:

1. Applies only to ABAWDs who have exhausted 3 months of TLBs, regained FS eligibility by meeting the work requirement, and then stopped fulfilling that work requirement while receiving FS. The three additional months may not be applied to ABAWDs who have exhausted 3 months of TLBs and then:
  - Regained eligibility due to an exemption and then lost the exemption, or
  - Regained eligibility by meeting the work requirement, subsequently met an ABAWD exemption, and then lost the exemption;
2. May only be received one time during a 36-month time period; and
3. Must be applied consecutively, regardless of changes in FS eligibility, ABAWD status, meeting a work requirement, or meeting an ABAWD exemption.

Example: Sabrina's FS benefits end 4/30/15 after receiving three TLBs for the months of February, March, and April. Sabrina is working at least 80 hours per month when she reapplies and is determined eligible for FS effective 7/2/15. On 9/25/15, Sabrina reports and verifies that her job ended on 9/14/15. Three additional months of FS eligibility begin 11/1/15 and will be applied consecutively for three months. On 11/14/15, Sabrina reports that she was rehired by her previous employer and is working 30 hours per week. Sabrina's three additional months are applied consecutively for the months of November, December, and January, regardless of the changes in ABAWD status and FS eligibility.

### ***Example of a 36-Month Period:***

The table below provides an example of potential changes in ABAWD status and exemptions that may occur during one 36-month period. The TLB months are not consecutive due to several factors including: FSET participation, gaining and losing employment, FS ineligibility, and an exemption (receipt of unemployment compensation). Three consecutive Additional Months (Addtl Month) of FS are granted after FS eligibility is regained due to meeting the work requirement but then losing a job. The example also shows how once started, the 36-month period will continue to run, regardless of FS eligibility. The 36-month period will be tracked systematically on the FS Clock page in CWW.

Year	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
1	Applied Elig FS <b>TLB 1</b>	FSET	FSET	FSET	Work	Work	Work	Work	Over income	Over income	Over income	Over income
2	Applied Elig FS	UC	UC	UC ends	<b>TLB 2</b>	Work	Work	Work	Work ends	<b>TLB 3</b>	Work	Work
3	Work	<b>Addl Month 1</b>	<b>Addl Month 2</b>	<b>Addl Month 3</b>	Inelig	Inelig	Inelig	Inelig	Inelig	Inelig	Inelig	Inelig

Year 1: January 1 - Eligibility for FS begins for a Nonexempt ABAWD. A TLB is issued for the first full month of benefits.

February through April - FSET participation requirements are met.

May through August - Work requirement met by working 80 or more hours per month.

September through December - Ineligible for FS due to exceeding income limit.

Year 2: January through April - Receives unemployment compensation.

January 15 - Reapplies and become eligible for FS.

April 5 - Reports unemployment benefits ended.

May - No longer exempt and a second TLB issued.

June through September - Work requirement met through employment.

October - Employment ended and no exemption exists. A third TLB is issued.

FSET participation begins October 25.

November through December - Work requirement met through employment.

Year 3: January - Employment ends.

February through March - Three consecutive Additional Months of FS are issued.

May to December - Work requirement is not met and no exemptions exist.

Dec 31 - The 36-month period ends.

### ***Adjusting or Deleting the FS Clock Page (36-Month Period):***

The ABAWD population is dynamic and may gain or lose FS eligibility for a variety of reasons.

An ABAWD's 36-Month Period is tracked in CARES on the FoodShare Clock page.

Adjustments to the FS Clock page may be required to accurately reflect ABAWD status and eligibility for FS benefits.

Situations that warrant adjustment of the FS Clock may include:

1. The timing of the receipt and processing of verification may result in the 36-month clock beginning unnecessarily or a month being counted as a TLB, even though the ABAWD is later determined to be a non-ABAWD or meet an exemption. The 36-month clock starts when an ABAWD is determined to be subject to time limited benefits and the first TLB is issued. The 36-month clock may not be deleted unless proof of the exemption is submitted timely and no prior TLBs have been used.

Example: Linda was issued three TLBs for January, February, and March. On March 25, Linda reported and verified that she has been caring for her incapacitated mother since Feb 16. Linda is an exempt ABAWD effective March 1. The TLB for March is overridden to '*Exempt*'. Had Linda reported the exemption in February, she would have been exempt beginning February 1, if verification was provided timely.

2. Fair Hearing decisions may require adjusting the status displayed on the FoodShare Clock Page.

The worker may adjust a system status on the FS clock to 'Exempt'. If the worker needs to make an FS Clock status adjustment to anything other than 'Exempt', the worker must contact the DHS Call Center.

### ***FSET Participation and FS Eligibility for ABAWDs:***

Participation in the FSET program is voluntary. ABAWDs subject to time-limited benefits may choose to meet the work requirement by participating in FSET. A non-exempt ABAWD enrolled in FSET must participate in qualifying activities in order to meet the work requirement and maintain ongoing FS eligibility.

FSET agencies are required to enter a monthly indicator of FSET participation by the fifth (5<sup>th</sup>) of the month following the participation month. The indicator corresponds with the FS Clock page in determining ABAWD status and FS eligibility.

Information on additional work requirements that must be met as a condition of FS eligibility, in addition to the ABAWD work requirement, may be found in FoodShare Handbook 3.16.1.

### ***FSET REFERRALS:***

IM Workers will use the new *Refer to FSET* page in CWW to send FSET referrals once FS eligibility has been run and confirmed.

CARES is designed to send FSET referrals to the FSET Agency as of the date an IM worker confirms eligibility and processes the Refer to FSET page. An FSET referral may be sent to the FSET Agency prior to the FS eligibility begin date when the first full month of eligibility as a non-exempt ABAWD is a future month. However, only FoodShare eligible individuals are eligible to participate in FSET.

Example: Becky applies for FS on January 3. On January 15, the worker confirms eligibility and Becky is determined as over the income limit for FS for January and eligible as a non-exempt ABAWD effective February 1. The referral would be sent on January 15 and have a begin date of February 1. The earliest date she could be enrolled in FSET is February 1.

### ***ANTICIPATED TO MEET THE WORK REQUIREMENT THROUGH FSET PARTICIPATION:***

Although FS benefits are issued prospectively at adverse action, knowledge of FSET participation compliance is retrospective. To determine prospective FS eligibility for the next month, the FSET worker must determine whether it is reasonably anticipated that the non-exempt ABAWD will meet the current month's work requirement through FSET participation. CARES uses this information to determine FS eligibility prospectively for the next month.

FS benefits issued based on reasonable anticipation of FSET participation are recoverable if the ABAWD fails to meet the work requirement through FSET participation without good cause. The existing benefit recovery process should be followed if IM becomes aware, either from information displayed on the FS Clocks page or from the FSET agency, that the anticipated participation requirement was unmet. An alert will be generated for cases with ABAWDs that have received FS benefits based on this policy and did not meet the participation requirement.

***ABAWD REPORTING REQUIREMENT POLICY:***

In addition to reporting when income exceeds 130% of the federal poverty limit, ABAWDs subject to reduced reporting rules must report by the 10<sup>th</sup> of the month following a month in which their work hours go below 80 hours per month.

An overpayment claim should not be established if benefits were issued for a month that the ABAWD was not exempt or meeting the work requirement if a change in exemptions or ABAWD status was not reported and was not required to be reported. Adverse action rules continue to apply.

Example: Carol was issued a second TLB for the month of August. In September, Carol's ABAWD status changes to 'Exempt' after she reports and verifies participation in an AODA treatment program. During her March FS renewal, Carol reports that AODA treatment ended in October. An overpayment is not established for FS benefits issued from October through March because she was not required to report the change in exemption status due to reduced reporting.

***TRANSITIONING EXISTING FSET VOLUNTEERS:***

The process for transitioning existing FSET cases from CARES mainframe to the new FSET Tool within CWW is a manual process. The current FSET vendors will disenroll existing volunteers from the CARES mainframe prior to July 1, 2014 in the pilot region. In order to allow current volunteers to continue to participate in FSET the IM worker will need to send over a new voluntary referral from the Refer to FSET page starting on July 1, 2014. A list of individuals to be re-referred to FSET will be provided to IM workers prior to July 1.

***SYSTEM CHANGES:******CHANGES TO EXISTING PAGES:******BENEFITS RECEIVED PAGE:***

The Benefits Received page has been updated to capture the ABAWD exemption for members who are participating in an inpatient or outpatient drug or alcohol treatment program.

Benefits Received [2 of 2]	
<b>Effective Period</b>	
* Begin Month: 05 / 2014	Last Updated: 06/09/2014
<b>Additional Information</b>	
Has the individual received any of the following benefits?	
<input type="checkbox"/> Kinship Care: <input type="text"/>	<input type="checkbox"/> Verification: <input type="text"/>
<input type="checkbox"/> Kinship Care Court Order?: <input type="text"/>	<input type="checkbox"/> TANF Type: BB - Broad Based Categorical Eligibility
<input checked="" type="checkbox"/> TANF Services: Yes	<input type="checkbox"/> Verification: <input type="text"/>
<input checked="" type="checkbox"/> SSI 1619(b): No	<input type="checkbox"/> TANF Type: <input type="text"/>
<input checked="" type="checkbox"/> Inpatient / Outpatient Drug or Alcohol Treatment: No	<input type="checkbox"/> Verification: <input type="text"/>
<input type="checkbox"/> Non-gaming Tribal Income: <input type="text"/>	

Enter New Begin Month: MM / YYYY Go

**DISABILITY PAGE:**

Individuals who have a valid disability determination from the DDB or SSA as indicated on the Disability Page are non-ABAWDs.

Additionally, the Disability page has been updated to capture two ABAWD exemptions: (1) members who are physically and mentally incapacitated or unable to work, and (2) members who are a caretaker for an incapacitated individual.

FSET Exemption	
Is this individual currently physically or mentally incapable of working?	Verification: <input type="text"/>
* Is a household member needed to care for this person?	
Caretaker: <input type="text"/>	Verification: <input type="text"/>

FS-E

**EARNED INCOME, SELF-EMPLOYMENT, AND UNEMPLOYMENT COMPENSATION PAGES:**

Although the EI, SEI and UI pages are not changing, these pages will be used in determining ABAWD exemptions. The monthly converted hours worked for EI and SEI will be totaled by CWW for each ABAWD to determine if he or she is meeting the work requirement. Total work hours will be displayed on the new ABAWD Exemption page.

**Employment Hours:** On the Employment Page, CWW uses the number of hours in the 'Monthly Total Hours' field to determine if an ABAWD is meeting the work requirement. If hours are entered in the 'Monthly Override Hours' field, CWW will use these hours instead of the hours in the 'Monthly Total Hours' field.

Note: If an amount is entered in the 'Monthly In-Kind Amount' field, work hours must be entered in the 'Monthly Override Hours' field.

Totals and Comments		Calculate
Monthly In-kind Amount:	\$ .00	Verification:
Total Amount Per Pay Period:	\$ 50.00	
Monthly MA Gross Amount:	\$ 50.00	Verification: FA - FSET ABAWD
Override MA Gross Amount:	\$ 0.00	
Monthly BC+ Pre-Tax Deductions Amount:	\$ .00	Verification:
Monthly BC+ Taxable Amount:	\$ .00	Verification:
Override BC+ Taxable Amount:	\$ .00	Verification:
Monthly Converted Amount:	\$ 50.00	
Override Converted Amount:	\$ .00	
Monthly Total Hours:	40	
Monthly Override Hours:	0	
TJB / TEMP Subsidy:	\$ .00	
Comment:	<div style="border: 1px solid gray; height: 50px;"></div>	

Current Size = 0 characters (240 characters max.)

Enter New Begin Month MM / YYYY Go

**Self-Employment Hours:** Hours must be entered in the 'Monthly Hours' field for all types of self-employment. The worker will need to update the 'Self-Managed' field to 'Yes' so that the 'Monthly Hours' field is enabled. If the income is verified through prior year tax forms, the worker must ask the member how many hours per month s/he is currently working and the worker will accept the self-declared statement for monthly hours worked. If the income is verified using a Self-Employment Income Reporting Form (SEIRF), use the response to the number of monthly hours worked question included on the SEIRF.

Self Employment		Cancel	Reset
<b>Effective Period</b>			
* Begin Month:	02 / 2014	End Month:	MM / YYYY
Delete Reason:			
<b>Additional Information</b>			
* Individual:	POTENTIAL ABAWD 38F PP	Sequence:	
Business Name:		* Business Tax ID:	
* Business Type:	AS - ACCOUNTING SERVICE	* Business Ownership Type:	SP - SOLE PROPRIETORSHIP
Business Start Month:	MM / YYYY	Significant Change Month:	MM / YYYY
Most Recent Business Taxes Filed Year:	0		
* Self-Managed?	Yes	Verification:	
Monthly Hours:	20		
* Number of Months For Average:	12		
<b>Details</b>			
Gross Income:	\$ .00	Verification:	
Gross Expenses:	\$ .00	Verification:	

**Unemployment Compensation:** If an individual has applied for or is receiving unemployment compensation (UC), workers should create a UI page with the 'Income Available' question marked as 'Yes'. If the individual is not yet receiving the UC, the amount would be \$0. If an

individual's UC claim is denied or s/he is no longer receiving UC, the UC page must be end dated with the appropriate end month.

CWW will treat participants with a non-ended UC screen as exempt ABAWDs, even if the monthly amount is \$0, so it is important to enter an end month when the UC has ended or the claim is denied.

In the screenshot below, this individual would be determined an exempt ABAWD.

**Unearned Income** Cancel    
Total: 1

---

**Effective Period**

\* Begin Month: 04 / 2014      End Month: MM / YYYY      Last Updated: 04/08/2014  
Delete Reason:

---

**Income Information**

\* Individual: POTENTIAL ABAWD 38F PP      SSN: 900-55-2345      Sequence: 1

\* Income Type: UN - UNEMPLOYMENT COMPENSATION

\* Verification: DE - DATA EXCHANGE

Claim SSN Number: N/A

\* Income Begin Date: 04 / 01 / 2014      Income End Date: MM / DD / YYYY

\* Income Discontinued?

Date Loss Of Income Reported: MM / DD / YYYY

\* Frequency Period: W - WEEKLY      Number of Pays: 1

\* Income Available? Yes ←      Monthly Converted Amount: \$ 0 . 00

Monthly MA Amount: \$ 0 . 00 ←

### NEW PAGES IN CWW:

1. FS ABAWD Exemption Page
2. Refer to FSET Page
3. FS Clock Page

The new pages will be viewable to all IM workers on 6/30/2014 after CARES updates are completed the weekend of 6/28/14, but will only be scheduled when completing a FS renewal or application for FS members that reside in one of the pilot counties. The new pages should not be updated or used for members that reside outside of the pilot counties until 4/1/2015. However, the ABAWD Exemption page will be scheduled statewide beginning 3/23/2015. Additional information about accessing new pages will be forthcoming for the BOS.

### FS ABAWD EXEMPTION PAGE:

The FS ABAWD Exemption page is used to collect and summarize an individual's reported exemptions and to determine whether or not the individual is a non-ABAWD, exempt

ABAWD, or non-exempt ABAWD. This page will be scheduled for cases in the pilot region (based on the county of residence) completing an intake with a filing date on or after 7/1/14 and for a renewal completed on or after 7/1/14 if:

- FS is requested on the case,
- There is at least one individual in the case between ages 17-49, and
- There is no child under age 17 in the household.

The ABAWD Exemption page will be included in the navigation menu prior to the Generate Summary page.

The IM worker should enter the appropriate begin month when entering and updating the page and should only enter an end month and delete reason if the information should be deleted due to an error. A separate page must be created for each potential ABAWD. Verification of exemptions is required, so the worker can use the verification fields for the corresponding exemptions, but per policy FS eligibility will not pend for verification of ABAWD exemptions.

This page does not collect exemptions for Transitional FoodShare recipients, students of higher education, or individuals receiving Additional Months of FoodShare benefits; however, these individuals are considered Exempt ABAWDs

Additional Information: The “Additional Information” section is used to document exemptions that are not collected anywhere else in CWW, including if the applicant or member is currently participating an allowable work program, is the primary caregiver for a child under age 6 outside of the home, or is the primary caregiver for an incapacitated individual outside of the home.

Most Recent Information: The ‘Most Recent Information’ section displays information and corresponding verification information on exemptions that is collected on other CWW pages, including: work hours (combined from all Employment and Self-Employment screens), pregnancy, physically or mentally unable to work, if a household member is needed to care for the person, if the individual has applied for or is receiving unemployment compensation, and the individual participates in an alcohol or other drug addiction (AODA) treatment program.

The ‘Most Recent Information’ section only shows the current data entered in CARES; it does not display historical information. For example, if there is a pregnancy screen entered on 5/5/2014 with a 5/2014 begin month, CARES will show a ‘Yes’ in response to the pregnancy question, even if a worker enters 4/1/2014 in the ‘Updated on or before’ field.

**FS ABAWD Exemption**
Cancel  Reset

---

**Effective Period**

\* Begin Month:  /  End Month:  /   
 Delete Reason:  Last Updated: **06/09/2014**

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**Additional Information**

\* Individual: **LIBBY EXAMPLE 23F PP**

\* Is this individual participating in an allowable work program?  Verification:

If Yes, which work program is the individual participating in?

On average, how many hours per month does this individual participate in the selected work program?

\* Is this individual the caretaker of a child under age 6 out of home?  Verification:

\* Is this individual the caretaker of an incapacitated individual outside of the home?  Verification:

---

**Most Recent Information**

■ Is this individual meeting the work requirement by working (employment and self-employment hours)? **No**

■ Individual Pregnant? **No** ■ Verification:

■ Is this individual currently physically or mentally incapable of working? **No** ■ Verification:

■ Is a household member needed to care for this person? **No**

■ Caretaker: ■ Verification:

■ Has this individual applied for or is this individual receiving unemployment compensation? **No** ■ Verification:

■ Is this individual an inpatient / outpatient participating in a drug or alcohol treatment program? **No** ■ Verification:

/

---

Individual  
LIBBY EXAMPLE 23F PF
Updated on or before  
 /  /

Cancel

If the number of combined work hours is less than 80 hours per month, "No" will be displayed in response to the question "Is this individual meeting the work requirement by working (employment or self-employment)?"

Note: The ABAWD Exemption page is read-only for W-2 workers, so it is critical for the IM worker to complete processing through the ABAWD Exemption page if a FS renewal or application driver flow is initiated. If the IM worker does not complete the ABAWD Exemption page prior to a W-2 worker completing a W-2 application or renewal, the W-2 worker will be unable to continue past this page. In these instances, the W-2 worker must contact the IM worker or agency to complete the page.

REFER TO FSET PAGE:

The Refer to FSET page is used to send referrals and updates to the FSET agency. This page is used to send automatic FSET referrals for non-exempt ABAWDs, voluntary referrals for exempt ABAWDs and non-ABAWDs, and automatic referral updates for individuals who are already referred to or enrolled in FSET. The page will be scheduled after FS eligibility is run and confirmed. This page is also used to send updates to existing FSET referrals when there are changes in FS eligibility status, ABAWD status, and relocation of members to a new FSET region.

Non-Exempt ABAWDs/Previously Referred Individuals Section: The top section of this page, 'Non-Exempt ABAWDs/Previously Referred Individuals', displays all of the new FSET referrals and referral updates that will be automatically sent by CWW. This section includes new referrals or referral updates for non-exempt ABAWDs and referral updates for non-ABAWDs and exempt ABAWDs who were previously referred to FSET but who have reported a change that generates an FSET referral update. All non-exempt ABAWDs will be automatically referred to FSET. In addition, for individuals in which a referral has previously been sent who is either in Referred or Enrolled status, an automatic referral is sent any time there is a change to a FS member's Participation Status (ABAWD status or exemption), FS eligibility, or address change that places them in a new FSET Region. In this section of the page, the *Send Referral* option is automatically selected and not updateable.

If an individual is currently referred to or participating in FSET that is no longer required to meet the work requirement but wishes to continue as a voluntary FSET participant, the worker must check the box in the 'Volunteer?' column before selecting 'Next'.

Voluntary Referrals Section: The bottom section of this page, 'Voluntary Referrals', displays all of the individuals who may choose to have a referral sent to FSET if they wish to volunteer for the program. These referrals will not be sent automatically unless indicated by the worker. This section includes non-ABAWDs and exempt ABAWDs who do not need to meet the ABAWD work requirement but have requested to participate in FSET and do not already have a current referral (either Referred or Enrolled) with the FSET agency. To send a voluntary referral, the worker must check the 'Send Voluntary Referral' box before selecting 'Next'.

Note: In order to facilitate the timely exchange of information, it is expected that FSET and IM agencies will establish channels for frequent and ongoing communication.

Refer to FSET								
Non-Exempt ABAWDs / Previously Referred Individuals								
Individual	Category Sequence	Date of Last Referral Sent	Participation Status	FS Eligible?	Exemption Reason(s)	Volunteer?	Send Referral	Referral History
EXAMPLE1 LIBBY 24F	01			Ineligible			<input checked="" type="checkbox"/>	
EXAMPLE4 LIBBY 24M	01	06/20/2014	Non-Exempt ABAWD	Eligible			<input checked="" type="checkbox"/>	
EXAMPLE3 LIBBY 23F	01	06/20/2014	Non-Exempt ABAWD	Eligible			<input checked="" type="checkbox"/>	
EXAMPLE2 LIBBY 23M	01	06/20/2014	Exempt ABAWD	Eligible	CC	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

  

Voluntary Referrals						
Individual	Category Sequence	Participation Status	FS Eligible?	Exemption Reason(s)	Send Voluntary Referral	Referral History
EXAMPLE2 LIBBY 63M	01	Non-ABAWD	Eligible	CC, LG	<input type="checkbox"/>	
EXAMPLE1 LIBBY 24F	01	Exempt ABAWD	Eligible	SC, EW, TA	<input type="checkbox"/>	
EXAMPLE4 LIBBY 24M	01	Exempt ABAWD	Eligible	CC	<input type="checkbox"/>	
EXAMPLE3 LIBBY 23F	01	Exempt ABAWD	Eligible	CC	<input type="checkbox"/>	

Both automatic and voluntary referrals are sent to FSET when the worker clicks the 'Next' button. It is very important that the worker click 'Next' on this page to send the new referrals and referral updates. If the worker selects 'Cancel' and navigates off of this page for any reason, the referrals will not be sent to the FSET agency. If this happens, Non-Exempt ABAWDs may not be offered the opportunity to participate in FSET in order to meet the work requirement, which may result in them using up all of their TLBs and becoming ineligible for FS.

FS CLOCK PAGE:

The FS Clock page is used to track a FS member's 36-month period and 3 months of time-limited FS benefits. This page will be generated by CWW after an individual is confirmed FS eligible as a non-exempt ABAWD. It is displayed in the navigation menu after confirmation and is not scheduled in any driver flow. Workers will use this page to view and manage FS members' eligibility and ABAWD status.

Once a FS Clock page is created, the clock will run continuously for a 36-month period, regardless of FS eligibility, ABAWD status, or case status, unless the clock page is deleted.

Individual Information Section: A FS Clock page with an individual start and end date is created for each non-exempt ABAWD; the FS Clock is not case-based. This page may need to be deleted if the clock began in error or if the clock began because the individual was confirmed FS eligible as a non-exempt ABAWD, but later reported and provided timely verification of non-ABAWD status or an ABAWD exemption. A clock may need to be deleted if it begins incorrectly at application, renewal, or change.

Note: Workers can delete the FS Clock page if it is within 3 months of the Clock's begin month. If it is more than 3 months after the begin month, workers should contact the CARES Call Center to delete the clock.

Example 1: AI applies and is determined eligible for FS beginning September 1. During the application interview, AI reported that he met an exemption. AI provides verification 25 days after his filing date. Since FS was not prorated for the month of application and AI's clock had begun, delete the FS Clock page.

Example 2: Al applies and is determined eligible for FS beginning September 1. During the application interview Al reported that he met an exemption. Al provides verification on October 12. Since FS was not prorated for the month of application and verification was untimely, Al's 36-month clock began correctly effective September 1 and he received his first TLB for the month of September. The FS Clock page should not be deleted.

Example 3: Julie applies for FS and is found eligible as a non-exempt ABAWD as of 8/10/14. Her 36-month clock begins 9/1/14. She reported during her phone interview on 8/15/14 that she is pregnant and has been since prior to her FS application. The worker sends her the verification checklist with a due date of 9/11/14. She provides proof of pregnancy on 9/1/14. The worker updates the Pregnancy Page, then runs and confirms eligibility. She is considered a non-ABAWD as of 9/1 and her 36-month clock is deleted.

If the individual is deleted from all cases, the clock will continue to tick behind the scenes. If that individual later reapplies or is added to a case within the 36-month period, the existing clock will be systematically updated for all past months and become viewable on the current case.

Example: Gus and Lucy are receiving FS together and both are non-exempt ABAWDs. They each have their own 36-month clock that begins on 9/1/14. Gus moves out of the home and is deleted from the case on 12/10/14; he does not apply for FS on another case. He moves back in with Lucy on 6/10/15 and is added back to her FS case. He will have the same clock with the 9/1/14 begin date and his clock will show his monthly status as 'Ineligible' from 1/1/15 – 6/30/15.

36 Month Clock Section: The '36 Month Clock' section displays the start and end months of the 36-month period, along with the number of Clock months expired. These are automatically determined by the system. Workers can adjust the Clock start month up to 2 months forward and may delete the clock within 3 months of the start month. When the clock start month is adjusted, the worker must select an override reason from the 'Override' drop-down box. If the 'Start Month' is updated, the 'End Month' will automatically update to reflect the new 36-month period end date upon saving the page.

Example: Lindsay applies for FS on 8/1/14 and completes her interview on 8/26/14. She is determined eligible as a non-exempt ABAWD effective 8/1/14 so her 36-month clock begins on 8/1/14 with August, September, and October as TLB months. She had reported during her phone interview that she was in an AODA program from 6/20/14 to 8/15/14. The worker sends the verification checklist with a due date of 9/6/14. She provides proof on 9/2/14. The worker updates the 'Benefits Received' page to reflect that she was participating in an AODA program through 8/2014. When the worker runs eligibility with an 8/1/2014 date and confirms the FS AG, CWW will update the clock begin date to 9/2014, so her first TLB month will be September.

Benefit Months Section: The 'Benefit Months' section displays the months in which time-limited benefits (TLBs) were issued or are scheduled to be issued. This section also shows the months during which the member received three consecutive Additional Months of benefits.

Clock Information and Benefit Months Section: This section displays the status of each elapsed month of the 36-month period and allows workers to override the 'System Status' when appropriate. Statuses shown will be based on the current confirmation of benefits. When necessary, workers can take positive action to update the monthly status to 'Exempt' by

selecting an option from the 'Worker Override Status' drop-down list and selecting an override reason from the 'Worker Override Reason' drop-down list. When updates to monthly statuses other than 'Exempt' are necessary, contact the CARES Call Center.

The table below describes each 'System Status' that may display in the 'Clock Information and Benefit Months' section of the FoodShare Clock page:

System Status	Description
Active in FSET	Individual is currently participating in the FSET program and is expected to meet the ABAWD work requirement.
Additional Month	Individual has exhausted all TLB months and has been granted three consecutive months of additional benefits due to meeting the ABAWD work requirement.
Exempt	Individual verified an exemption and is not required to meet the ABAWD work requirement for the month.
Extended Benefit Month	Individual has used 3 TLB and 3 Additional Months, has participated in FSET in the 2 <sup>nd</sup> and 3 <sup>rd</sup> Additional Month, and is expected to participate in FSET the month this status is applied.
Ineligible	Individual is ineligible for FoodShare benefits.
Met FSET Requirement	Individual met the ABAWD work requirement for the month by participating in the FSET program.
Met Work Requirement	Individual met the ABAWD work requirement for the month by working and/or by participating in a work program.
Partial Month FS Issued	Individual received a partial month of FS benefits. This is not a countable month.
Time-Limited Benefit	Individual received a full month of FS benefits and did not meet the ABAWD work requirement or verify an ABAWD exemption.
To Be Determined	Temporary status for an individual in a potential TLB or in an Additional Month. This will update after the adverse action batch run.

Below are a number of examples of how a worker would override the 'System Status' on the FS Clock page.

**Example 1:** Emily's FS renewal is due December 31, 2015. Her 36-month clock began November 1, 2014 when her first TLB was issued. A second TLB was issued at adverse action for December 2015. During her December renewal interview, Emily reports and verifies that she has been meeting the work requirement by fulfilling WIA work program participation requirements since November 10, 2015. The worker must contact the Call Center to have Emily's status on the Clock Page changed for December from '*Time-Limited Benefit*' to '*Met Work Requirement*'. The start date of the 36-month clock remains unchanged.

**Example 2:** On October 1, Sue's 36-month clock began and she was issued her first TLB. Sue reports that a child moved into her home on October 5. Verification of the claimed exemption is provided on November 20. Sue's 36-month clock should not be deleted and the TLB issued for October should not be overridden because the exemption was not verified timely or verified in the month of

October. The worker should override the November TLB issued at October adverse action to 'Exempt' because verification was received in the month of November. The 36-month clock start date will not be adjusted.

**Example 3:** Linda's 36-month clock began January 1. Linda was issued three TLBs for January, February, and March. On March 25, Linda reported and verified that she has been caring for her incapacitated mother since Feb 16. Linda is an exempt ABAWD effective March 1. The worker should override the TLB for March to 'Exempt'. Had Linda reported the exemption in February, she would have been exempt beginning February 1, if verification was provided timely.

**Example 4:** Marge's 36-month clock started September 1, 2014. Marge was issued her first TLB for the month of September, 2014. She met the work requirement and was not issued a second TLB until January 1, 2015. On January 17, 2015, Marge reports that she is pregnant. Marge is sent a manual request for verification of pregnancy, which is due January 27, 2015. Marge provided verification on January 29, 2015. The exemption is effective January 1, 2015 forward. The FS Clock page is adjusted to reflect *Exempt* for the month of January 2015. Even though verification was untimely, it was provided during the month the exemption was reported, so the entire month is exempt. If Marge had provided verification in February 2015 after the due date, she would have been considered exempt beginning February 1, 2015.

Primary Person : FSET TEST 24F PP    Case: 1150779110    Status: Open    Mode: Ongoing    3.5 05/28/2014

▶ Action Items (0)    ▶ Documents (0)    ▶ Discrepancies (0)    ▶ Work Items (0)

### FS Clock

Cancel     Reset

**Individual Information**

Individual: FSET TEST 24F    Last Updated: 05/21/2014  
 Delete Reason:     Sequence: 1

**36 Month Clock**

Start Month: 06 / 2014    Override:   
 End Month: 05/2017  
 Clock Months Expired: 0

**Benefit Months**

Time-limited Benefit Months:	Month 1 06/2014	Month 2 07/2014	Month 3
Additional Months Start:	End:		

**Clock Information and Benefit Months**

Month	Last Updated	Overridden By	System Status	Additional Month(s)	Worker Override Status	Worker Override Reason
07/2014	05/19/2014		TL - Time-Limited Benefit		<input type="text"/>	<input type="text"/>
06/2014	05/21/2014		TL - Time-Limited Benefit		<input type="text"/>	<input type="text"/>

Individual: FSET TEST 24F PP    Sequence:     Updated on or before: MM / DD / YYYY    Go

Add Case Comment    Cancel     Update

CHANGES TO THE FS CLOCK:

Updates to the FS clock may occur when:

- Eligibility is run and confirmed by a worker for the recurring or current month.
- The new batch job runs on the second Saturday of the month to collect information from the Track Participation and Good Cause page's "Work Requirement Met?" field,
- The new batch job runs on Adverse Action to collect information from the Track Participation and Good Cause page's "Anticipated to Meet Work Requirement?" field, and/or
- Eligibility is run and confirmed in the Adverse Action batch run.

The TLB months and system statuses may frequently change due to changes in FS eligibility, ABAWD status, and FSET participation. Because FS eligibility is confirmed prospectively and FSET participation is tracked retroactively, the clock will often display placeholder statuses, such as Time-Limited Benefit or To Be Determined, which may be updated by the system or worker if the individual is later found to be Exempt, a non-ABAWD, participating in FSET, or in certain circumstances, Ineligible.

**Note:** FSET workers will process disenrollments on or after the 6<sup>th</sup> of the month following the disenrollment date unless the member requests to be disenrolled at an earlier date.

Running with Dates: The Clock will be updated when the worker runs with a date and confirms eligibility if running for the current month or later. The Clock will not be updated if the worker is not able to confirm the FS, if Additional Months has begun, or if the worker is running with a date prior to the current month. If the worker is attempting to apply an exemption prior to the current month and is not able to confirm FS, the worker must override the System Status to 'Exempt' for the appropriate month(s).

Note: It is important that workers are reviewing eligibility results when running with dates prior to confirmation and suppressing the notice generated due to running with dates.

The FS Clock will not be systematically updated if the worker is unable to confirm FS, if the three Additional Months have begun, or if the worker is running with a date prior to the current month. If the worker is attempting to apply an ABAWD exemption prior to the current month and is unable to confirm FS, the worker must first override the System Status to 'Exempt' for the appropriate month(s).

REASONABLY ANTICIPATED FSET PARTICIPATION:

Because FS benefits are determined prospectively and FSET participation is tracked retrospectively, the FSET worker may, under specific conditions, apply a prospective 'Anticipated to Meet the Work Requirement' policy to allow an individual to continue to remain eligible for FS. By using this policy, CWW will update the next recurring month's status on the 36 month clock to 'Active in FSET' or 'Extended Benefit Month', so that FS does not close at Adverse Action.

'Active in FSET' is the status that will display on the FS Clock when the 'Anticipated to Meet the Work Requirement' policy is applied in the 3<sup>rd</sup> potential TLB month.

'Extended Benefit Month' is the status that will display on the FS Clock when the 'Anticipated to Meet the Work Requirement' policy is applied in after the three Additional Benefit Months have expired.

If this policy is applied and the participant fails to meet the participation requirements, then s/he may have received more than 3 TLBs or 3 Additional Benefit Months within the 36 month clock, resulting in an over-payment of FS benefits.

The FSET worker determines and applies the 'Anticipated to Meet the Work Requirement' policy and records whether the member complies with the work requirement. CWW collects this information, determines ongoing eligibility, and updates the clock to show the member's FS eligibility status. Although the IM worker does not need to update the clock or run eligibility, it is important to understand this process because of the effect on eligibility and to identify potential over-payments.

An alert, 510 Potential FoodShare Recoupment, will be created to cases with individuals who had the 'Anticipated to Meet the Work Requirement' policy applied but did not meet the participation requirements for the purposes of identifying over-payments.

### **VERIFICATION:**

CWW will treat all ABAWDs with unverified ABAWD status and/or exemptions as non-exempt ABAWDs and they will be automatically referred to FSET after FS is confirmed. CWW will not pend FS benefits if the only information needed is to capture non-ABAWD or exempt ABAWD statuses. If a Verification Checklist (VCL) will be generated for FS eligibility, the worker should add a note to request the non-ABAWD or exempt ABAWD verifications. The note must specify the individual(s) claiming the exemption(s), which exemption(s) are claimed, and examples of proof for each exemption.

If FS is not pending for an eligibility reason and verification of non-ABAWD status or an ABAWD exemption is needed, the worker must request verification using the Mainframe standard letter NFST- FSET PROOF OF EXMPT (NFSS for the Spanish version). A letter must be sent to each potential ABAWD on the case that is claiming non-ABAWD status or an exemption from the ABAWD work requirement. The worker should insert a due date into the letter that is the 10<sup>th</sup> day after requesting verification or the 30<sup>th</sup> day of the application or review processing period, whichever is later. This manual letter must be mailed by the IM worker. The IM worker must enter a case comment to document that this letter has been sent along with the due date for the verification of exemption. To see a record of this standard letter, use CNHS in Mainframe.

When proof of an exemption is provided, workers should update the case, run eligibility and confirm to send an updated referral to FSET indicating the member is no longer a non-exempt ABAWD.

### **CORRESPONDENCE CHANGES:**

New system generated notices and enhancements to existing correspondence for implementation of the ABAWD policy include:

1. FSET Referral Letter: This is a new letter that is generated and sent by CWW when the FSET referral is sent by the IM worker. This letter informs the household about which members have been referred to FSET and why. The letter provides a list of allowable exemptions and suggested types of verification.

2. FSET Disenrollment Letter: This is a new letter sent by the FSET worker informing the member that enrollment in FSET has ended. The letter is triggered by the disenrollment code and date entered into the FSET tool.
3. One-Time Mailing: This letter will be sent to FS members just prior to the receipt of the 45 day renewal letter. The letter provides notification about new ABAWD program rules for FoodShare that will apply at their next FoodShare renewal.
4. The 45 Day Renewal Letter: (4 versions) has been modified to include: information about the ABAWD work requirement, a list of ABAWD exemptions, and notification that they may be asked to provide proof of an exemption. This new language will show on all 45 day notices statewide, but for the pilot period will include the statement – “For residents of Kenosha, Racine and Walworth counties only”.
5. Notice of Decision: The positive Notice of Decision has been updated to inform households that FS eligible ABAWDs may need to meet the ABAWD work requirement.
6. Mainframe Verification Request CNSL: If FS is not pending for an eligibility reason and verification of Non-ABAWD status or an ABAWD exemption is needed, the worker must request verification using Mainframe standard letter NFST- FSET PROOF OF EXMPT (NFSS for Spanish).
7. The negative Notice of Decision: has been updated to include notification and information for ABAWDs no longer eligible for FS due to already receiving 3 months of TLBs and are not meeting the work requirement or exempt.
8. Change Reporting Form: informs households that ABAWDs may need to meet the ABAWD work requirement.
9. Case Summary: A table was added to document ABAWD exemptions.

### ***RELOCATION FROM A PILOT TO A NON-PILOT COUNTY:***

If a FS member relocates from a pilot to a non-pilot county during the nine-month pilot period (July 1, 2014 to March 31, 2015), the IM worker in the pilot county should take the following actions to accurately determine the member's ABAWD status:

- Check the member's FS Clock page to determine if a clock has been created for this member;
- If a FS Clock is found, the IM worker should run eligibility, confirm, and process AIWP so that the member's ABAWD status changes to 'Exempt ABAWD'.

If ABAWD rules had been applied to the member during the pilot period and became exempt due to moving to a non-pilot county, ABAWD rules will be applied when that case is subjected to the ABAWD policy.

Note: During the pilot period, the FSET worker should disenroll from the FSET Tool any individual moving from a pilot to a non-pilot county.

**ATTACHMENTS:**

[FoodShare Clock System Update Flow Charts](#)  
[FoodShare ABAWD/FSET Roles and Responsibilities](#)  
[FoodShare ABAWD and FSET Tool Statuses](#)  
[FoodShare ABAWD/FSET Tool Correspondence](#)

**CONTACTS:**

BEPS CARES Information & Problem Resolution Center

\*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, FSET – FoodShare Employment and Training.

DHS/DHCAA/BEPS/MR