



Date: January 4, 2017

DHCAA Operations Memo 17-01

To: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff

Affected Programs:	
<input checked="" type="checkbox"/> BadgerCare Plus	<input checked="" type="checkbox"/> Caretaker Supplement
<input checked="" type="checkbox"/> FoodShare	<input checked="" type="checkbox"/> FoodShare Employment and Training
<input checked="" type="checkbox"/> Medicaid	
<input type="checkbox"/> SeniorCare	

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Division of Health Care Access and Accountability

Correspondence and CARES Worker Web Changes

CROSS REFERENCE

- Operations Memos [14-16](#) and [16-25](#)
- FoodShare Wisconsin Handbook, [Section 2.1.2.1 Application Processing 30 Day Time Frame](#); [Section 4.6.7 Shelter and Utility Deduction](#); [Section 6.1.2 Six Month Reporting Requirement](#); and [Section 8.1.3 Deductions](#)
- Process Help, [Section 18.1 Shelter and Utilities](#)
- BadgerCare Plus Eligibility Handbook, [Section 25.7.1 Time Frames Introduction](#)
- Medicaid Eligibility Handbook, [Section 2.7.1 Time Frames Introduction](#)
- SSI Caretaker Supplement (CTS) Handbook, [Section 3.1.1 Application](#)
- 7 CFR § 273.2(h), 7 CFR § 273.9(d)(6)(iii)(A), 7 CFR § 273.10(g)(1)(ii) and (iii), 7 CFR § 273.12(a)(5)(iii)(D),
- Wis. Stat. § 49.45(5)(a)
- Wis. Admin. Code §§ DHS 102.04(1) and HA 3.03(1)(b)

EFFECTIVE DATE

January 21, 2016

PURPOSE

The purpose of this Operations Memo is to announce several FoodShare, health care, and Caretaker Supplement policy, process, and system enhancements. The enhancements include:

- A new notice of pending, which will be issued for delayed FoodShare, health care, and Caretaker Supplement (CTS) applications.
- The discontinuation of the Six-Month Report form (SMRF) reminder letter.
- Adjustments to the SMRF instructions, including the date on which the form is due.
- Revisions to the FoodShare Employment and Training (FSET) program referral letter.

- Changes to the utility pages in CARES and the budgeting process for reported utility expenses.
- Edits to the notice of decision.

BACKGROUND

Wisconsin has received corrective actions from the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) related to notices sent to applicants and members. This Operations Memo addresses two of the corrective actions.

The first corrective action from FNS requires a notice of pending be sent to an applicant when an income maintenance (IM) agency cannot make an eligibility determination for a FoodShare application within 30 days. Also, Wisconsin Administrative Code requires agencies to send a notice when a health care application decision is delayed beyond 30 days and to specify the reasons for the delay. In order to achieve compliance, a new notice of pending will be issued to applicants applying for FoodShare, BadgerCare Plus, Medicaid, and Caretaker Supplement when an eligibility decision has not been made by 30 days after the application filing date.

The second corrective action requires a notice to be sent to a member within 10 days of the SMRF due date if a complete SMRF has not been received. When SMRF processing is not complete by adverse action, the notice sent at adverse action fulfills this requirement. But in most months, adverse action is more than 10 days after the form due date (currently the 5th of each month). In order to achieve compliance, the SMRF due date has been updated to be dynamic based on the adverse action date.

This Memo also describes a number of enhancements not related to corrective actions.

POLICY

NOTICE OF PENDING

Under current policy, the Wisconsin Department of Health Services (DHS) must provide applicants who are applying for FoodShare, BadgerCare Plus, Medicaid, and Caretaker Supplement with a notice communicating the applicant's eligibility status no later than 30 days following the date of an application. To achieve compliance with this policy, a new notice of pending has been created. [See example notices of pending.](#)

If an IM worker cannot approve or deny an application by the 30th day following the application filing date, the new notice of pending will systematically be sent to the applicant. If the eligibility determination requires the applicant to take any actions, the notice will detail the required actions. The notice will be sent to any case that has an application pending when changes are implemented January 21, 2017.

Applications that are approved for expedited FoodShare issuance will receive a notice of approval; the new notice of pending will not be needed. Expedited applications with postponed verification for which an eligibility determination cannot be made at the end of the 30-day processing period will not receive a notice of pending. A request for assistance (RFA) that is not linked to a case will continue to issue a notice of denial when it is not processed within 30 days following the application filing date.

The creation of the notice of pending will bring Wisconsin into compliance with its regulatory requirement. Application processing policy at [FoodShare Handbook 2.1.2.1](#) has not changed.

As required by federal regulations and state law, notices of pending for BadgerCare Plus, Medicaid, and Caretaker Supplement will include fair hearing and appeal rights information that an applicant can use when he or she disagrees with the delay in the processing of his or her application.

When a notice of pending is sent with FoodShare included on the notice, there will not be an option for a fair hearing. Fair hearings are available for FoodShare when there is a disagreement with the action taken on an application or case.

FOODSHARE SIX-MONTH REPORT FORM DUE DATE CHANGES

Policy requires that when a food unit fails to return a complete SMRF within 10 days of the due date, a notice must be sent to notify the food unit that a complete form has not been received. Although the notice is currently sent, it is not timely. SMRFs have a static due date of the 5th of each month. Since adverse action can fall between the 13th and 19th of each month, adverse action does not always fall within 10 days after the 5th of the month. To achieve compliance with this policy, DHS is modifying the SMRF due date to be dynamic based on the adverse action date in each calendar month.

As a reminder, food units certified for 12 months must complete an SMRF in order to maintain eligibility for the duration of their certification period (except food units that are made up of only elderly, blind or disabled individuals without earned income). SMRFs are mailed on the Saturday following adverse action in the month before the SMRF is due.

The SMRF due date will now be 10 days before adverse action. The table below shows the new SMRF due date relative to each adverse action date:

New SMRF Due Dates Based on Adverse Action Date	
Adverse Action Date	SMRF Due Date
13th	3rd
14th	4th
15th	5th
16th	6th
17th	7th
18th	8th
19th	9th

The new dynamic due date will be printed on the SMRF and will display on the ACCESS Check My Benefits page.

The dynamic due date will be effective beginning with SMRFs due in March 2017. However, the February catchup batches for SMRFs that were not sent in January and have an SMRF due date in February will also have the dynamic due date. This is to ensure that the system changes are properly implemented to avoid problems with the regular SMRF mailing batch.

Changing the SMRF due date will bring Wisconsin into compliance with the federal regulation. The current process that is followed when an incomplete SMRF is received has not changed and should continue to be followed. Although the due date printed on the form is changing, the FoodShare policy has not. [FoodShare Handbook 6.1.2](#) defines the SMRF processing policy and should continue to be followed. [See example redesigned SMRF instructions.](#)

ELIMINATION OF FOODSHARE SIX-MONTH REPORT FORM REMINDER LETTER

Previously, a SMRF reminder letter was sent in the fourth month to participating food units that were certified for a 12-month period. IM agencies found that this letter caused confusion among FoodShare members and occasionally led members to send in a SMRF earlier than necessary. It also led to an increase in agency contacts because FoodShare members were unsure if there was any action required on their part. This letter has been discontinued. The final SMRF reminder letters were sent in December 2016. The information that was included in the reminder letter has been incorporated into the updated SMRF instructions. The updated SMRF instructions will be sent to participating food units beginning in February for SMRFs due in March 2017.

LIMITED UTILITY ALLOWANCE

Under current policy, food units qualify for the Limited Utility Allowance (LUA) when they have two or more different qualifying utilities that are not used for heat. Food units with two of the same utility type, and no other utilities on file, should not qualify for the LUA and should instead qualify for the applicable standard allowance.

Table changes implemented into CARES on January 21, 2017, will ensure that a food unit will receive the correct utility allowance based on the number and types of utilities that are budgeted on a case. Converted cases will go through batch eligibility and any change in eligibility will take effect in March 2017.

Example 1: Rachel applies for FoodShare on November 1, 2016. Rachel reports that she pays a home phone and a cell phone bill and has no other utility bills. Currently, if the IM worker created two telephone utility pages for both telephone utility expenses, CWW would incorrectly give the LUA of \$307. When batch eligibility runs on January 28, 2017, CWW will update the allowance to the Phone Utility Allowance of \$29.

USED FOR HEATING

When obligated to pay, or actually paying for any heating source, a food unit will receive the Heating Standard Utility Allowance (HSUA). When a Utility Cost page is created, the “Used for Heating?” question determines whether the HSUA is received by the food unit.

Currently, CARES allows the used for heating question to be answered as “Yes” for any utility type, potentially allowing the HSUA for utility expenses that would not be used for heat.

The utilities that can be counted towards the HSUA are:

- coal
- electricity
- fuel oil/kerosene
- gas (natural)
- LP gas
- wood

Effective January 21, 2017, system changes will be made so only the utilities that can be counted towards the HSUA can have the “Used for Heating?” question set with a “Yes” response. Any change in eligibility will take effect in March 2017.

FOODSHARE EMPLOYMENT AND TRAINING PROGRAM REFERRAL LETTER

All non-exempt, able-bodied adults without dependents are automatically referred to the FSET program. When a member is referred to the FSET program, a referral letter is sent to the member explaining the FSET process. Several edits were made to the FSET program referral letter to clearly communicate to non-exempt, able-bodied adults without dependents their need to meet the work requirement for continued participation in FoodShare. [See example redesigned FSET program referral letter.](#)

CARES

DETAILS REGARDING NEW NOTICE OF PENDING

The new notice of pending will be sent automatically by CARES when an application for FoodShare, BadgerCare Plus, Medicaid, and/or Caretaker Supplement has not been approved or denied by the 30th day following the application filing date.

Additional notice details:

- The notice of pending will be created after CARES runs the nightly batch on the 30th day.
- The notice will be stored in the electronic case file (ECF), and the correspondence history will be maintained in CARES. When action is required by the applicant to complete his or her application, the notice will be titled “NOP Client Action” in CWW and “Action Required: Your application is pending” in ACCESS. The notice will list the outstanding verifications that were listed on the most recently generated verification checklist.
- When no action is required by the applicant to complete his or her application and it has not been processed by the 30th day, the notice will be titled “NOP NO CLIENT ACTION” in CWW and “Your application is pending, no action is required” in ACCESS.
- IM workers will have the ability to generate a duplicate.
- If applicable, the notice of pending will be sent to the alternate payee, protected payee, or authorized representative.
- The notice will be generated at a case level in either English or Spanish, depending on whether the case language is English or Spanish. For all other languages, the letter will be generated in English with the corresponding limited English proficiency (LEP) translation box. The language in the LEP translation box is based on the household language which is set on the General Case Information page in CWW.

USED FOR HEATING REFERENCE TABLE

Reference Table “TUCT” has been redesigned to add a “Used for Heating” column. Each utility type will be given either a “Yes” or “No” value for “Used for Heating.” After implementation on January 21, 2017, any utility that has a “Yes” value in the reference table will give the HSUA deduction for FoodShare when the corresponding utility type is chosen on the Utility Costs page and is marked as “Yes” for “Used for Heating.”

TUCT Reference Table	
Used for Heating	Utility type
Yes	CO – Coal
Yes	FO – Fuel Oil / Kerosene
Yes	GA – Gas (natural)
Yes	LP – LP Gas
Yes	WD – Wood
Yes	EL – Electricity
No	OT – Other
No	TR – Trash Removal
No	PH – Phone
No	IN – Installation
No	SE – Sewer
No	WA – Water
No	WS – Waste Water Treatment

Any utility type that has a “No” value in the reference table will not give the HSUA deduction when the corresponding utility type is chosen on the Utility Costs page. Further, if a utility type is chosen that has a “No” value in the reference table, the “Used for Heating” question will default to “No” and will not be editable on the Utility Cost page.

Utility Costs Cancel **Reset**
Total: 6

Effective Period
* Begin Month: 12 / 2016 End Month: MM / YYYY Last Updated: 12/12/2016
Delete Reason:

Expense Information
* Payor: POLLY PUMPKIN 36F PP Sequence:
* Utility Type: PH - TELEPHONE
* Used for Heating? No * Billed for Expense? Yes
* Obligation Amount: \$ 55 . 00 * Verification: NQ - NOT QUESTIONABLE

Additional Information
Utility Cost Paid To:
Address:
City: State:
ZIP: - Phone:

Obsolete Information
* Payment Amount: \$ 0 . 00 * Verification: NA - DOES NOT APPLY
* Contribution Amount Unknown? No

Enter New Begin Month: MM / YYYY Go

Individual Sequence Updated on or before
POLLY PUMPKIN 36F I MM / DD / YYYY Go

Add Case Comment Cancel **Previous** **Next**

Figure 1 Utility Costs Page in CWW Showing “Used for Heating?” Question Defaulted to “No” When Telephone is Chosen as the Utility
A one-time conversion will be performed on January 21, 2017, to convert any Utility Cost pages that have a utility type marked with “Used for Heating?” as “Yes,” but the TUCT reference table for that utility type has “Used for Heating?” now designated as “No.” Converted cases will go through batch eligibility on January 28, 2017, and any change in eligibility will take effect in March 2017. The case comment: “The Used for Heating? Question in the Utility Cost page has been updated” will be added to all cases that are updated during the batch process.

Case Comments
Cancel

Add/Edit Comments

Date Entered: **12/20/2016** Entered By: **XCTA5C** Comment Type: **G - General** Flag as Important?

Comment:

Current Size = 0 characters (1000 characters max.)

Review Comments (Past 90 Days)

Flag	Date Entered	Entered Time	Entered By	Type	Comments		
	12/20/2016	11:52 AM	CARES		The Used for Heating question in the Utility page has been updated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	11/10/2016	10:14 AM	XMW562	General	MASKED COMMENT MASKED COMMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	11/04/2016	1:24 PM	XMW088	General	MASKED COMMENT MASKED COMMENT MASKED COMMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	11/01/2016	11:43 AM	XMW275	General	MASKED COMMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10/06/2016	2:21 PM	XMW783	General	MASKED COMMENT MASKED COMMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10/05/2016	8:48 AM	XMW275	General	MASKED COMMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10/03/2016	3:03 PM	XMW293	Client Registration	MASKED COMMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10/03/2016	4:19 PM	XMW514	General	MASKED COMMENT MASKED COMMENT MASKED COMMENT MASKED COMMENT MASKED COMMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Figure 2 Case Comment For Cases That Are Updated During The Batch Process

NOTICE OF DECISION ENHANCEMENTS

The following edits will be made on the notice of decision:

- The section titles, “Who is enrolled in PROGRAM NAME and how much?” and “Who is not enrolled in PROGRAM NAME and why?” will now say “Who will get PROGRAM NAME and how much?” and “Who will not get PROGRAM NAME and why?” This change is only being made for notices that include eligibility determinations for FoodShare and Caretaker Supplement.
- The word “section” will be removed from the first page of a negative FoodShare notice. It will now say:
 “You applied on <Month> <Day>, <Year>. Your application was denied. If your FoodShare application was denied for failing to turn in required verifications, you may still be eligible for FoodShare benefits if you turn in the verification that was requested in the “Notice of Proof Needed” ~~section~~ within 60 days of your application date. A new application will not be required. Please see your FoodShare Benefits page to learn more. If you do not turn in the requested verification within 60 days of your application filing date you will have to reapply.”

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ATTACHMENTS

- [Sample notices of pending](#)
- [Sample Six-Month Report form instructions](#)
- [Sample FoodShare Employment and Training program referral letter](#)

CONTACTS

BEPS CARES Information and Problem Resolution Center

DHS/DHCAA/BEPS/CH