



Date: August 4, 2023

DMS Operations Memo 23-26

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

**Affected Programs:**

- |   |   |
|---|---|
| <input type="checkbox"/> BadgerCare Plus      | <input type="checkbox"/> Caretaker Supplement                         |
| <input checked="" type="checkbox"/> FoodShare | <input checked="" type="checkbox"/> FoodShare Employment and Training |
| <input type="checkbox"/> Medicaid             |   |
| <input type="checkbox"/> SeniorCare           |   |

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**Changes to FoodShare Work Requirement Exemptions and Age Range Based on the 2023 Fiscal Responsibility Act**

**CROSS REFERENCE**

- FoodShare Wisconsin Policy Handbook, [Section 3.17.1. FoodShare Work Requirements for ABAWDs](#)
- FSET Policy Handbook, [Section 6.2.1 Non-ABAWD](#)
- 7 CFR [§ 273.2\(f\)](#)
- [Operations Memo 22-11, “New Fixed Three-Year FoodShare Clock and Other Changes to Time Limited Benefits \(TLBs\) for Able-Bodied Adults Without Dependents \(ABAWDs\)”](#)
- [Operations Memo 23-20, “Reinstatement of FoodShare Work Requirement”](#)

**EFFECTIVE DATE**

August 14, 2023

**PURPOSE**

This operations memo announces changes to the FoodShare work requirement for members who are able-bodied adults without dependents (ABAWD) as required by the Fiscal Responsibility Act (FRA) of 2023.

## **BACKGROUND**

Currently, Able-Bodied Adults Without Dependents (ABAWDs) aged 18 to 49 need to meet the FoodShare work requirement unless they have a qualifying exemption. ABAWD members must either meet the work requirement or have a verified exemption from the work requirement to continue to receive FoodShare benefits. ABAWD members who do not meet the work requirement may only receive up to three full months of time limited benefits (TLBs) in the current three-year period.

On June 3, 2023, the Fiscal Responsibility Act (FRA) of 2023 was signed into law and changes the FoodShare work requirement policy.

## **POLICY**

The FRA added new ABAWD exemptions for veterans and Former Foster Care Youth and updated the definition of the homeless exemption. The FRA gradually increases the age range of ABAWD members who need to meet the work requirement. Verification requirements for exemptions are also changing.

**Note:** Policy changes related to the 2023 FRA are unrelated to the Wisconsin's FoodShare work requirement reinstatement plan. More information about the reinstatement plan can be found in [Operations Memo 23-20, "Reinstatement of FoodShare Work Requirement."](#)

## ***ABAWD EXEMPTION CHANGES***

The additional FoodShare work requirement exemptions are effective August 14, 2023. If an ABAWD member meets any of the new exemptions, or any of the current exemptions, the member is exempt from the FoodShare work requirement.

The new federal exemptions to the work requirement are:

- Members who are homeless
- Members who are veterans
- Members who are Former Foster Care Youth

## ***HOMELESSNESS***

The definition of homelessness for the FoodShare work requirement exemption was updated to match the current definition of homelessness used for other FoodShare policies. Homelessness includes members who are in a temporary housing situation, such as transitional living arrangements and shelters. It also includes members staying temporarily (up to 90 days) at another person's residence.

## ***VETERANS***

A veteran is a member who served in the United States Armed Forces (including the Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, National Guard, and Armed Forces Reserve) and was discharged or released under any condition.

## ***FORMER FOSTER CARE YOUTH***

Former Foster Care Youth are defined as FoodShare members who are 18 to 24 years old who were previously in foster care at the time when they turned 18 years old. This includes court ordered kinship care, subsidized guardianship, and adoption assistance.

### ***EXEMPTION VERIFICATIONS***

Effective August 14, 2023, ABAWD exemptions are not required to be verified unless questionable. This verification policy applies to all exemptions from the FoodShare work requirement for ABAWD members.

Examples of verification that can be used for the new and updated exemptions (only when questionable) include, but are not limited to:

- Homelessness - Collateral contact with a homeless shelter, person they are staying with, or any other person aware of the member's circumstances.
- Veterans - Service department records, Certificate of Release or Discharge from Active Duty, original Certificate of Discharge, Report of Transfer or Discharge, military ID card indicating service in the armed forces; Correspondence or contact from the Department of Veteran Affairs including benefit payment or award letter or VA ID Card; correspondence or contact from the Department of Veteran Affairs indicating service in the armed forces, or driver's license indicating veteran status.
- Former Foster Care Youth – Data sharing or collateral contact from other social service workers or agencies, such as the agency administering the foster care program or Medicaid.

### ***ABAWD AGE RANGE WORK REQUIREMENT CHANGES***

The age range is changing for ABAWD members who may need to meet the work requirement to get FoodShare benefits.

- Effective September 1, 2023, to September 30, 2023, the age range is 18 to 50 years old
- Effective October 1, 2023, to September 30, 2024, the age range is 18 to 52 years old
- Effective October 1, 2024, going forward, the age range is 18 to 54 years old

### **CONTACTS**

DHS CARES Problem Resolution Team

DHS/DMS/BEEP/KV

DHS/DMS/BEOT/