



Date: September 16, 2025

DMS Operations Memo 25-14

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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Division of Medicaid Services

## Changes to Exemptions and Time Limit Suspensions for FoodShare Work Requirements

### CROSS-REFERENCE

- FoodShare Wisconsin Handbook, Sections [1.2.6 Suggested Verification Sources](#), [3.17.1 FoodShare Work Requirements for ABAWDs](#)
- FSET Handbook, [Section 6.2.1 Non-ABAWD](#)
- Operations Memo 24-20 “[FoodShare Work Requirement Time Limit Suspension for High Unemployment Areas for Federal Fiscal Year 2025](#)”
- Process Help, [Chapter 71 Application of ABAWD Policy](#)
- 7 U.S.C. §§ 2015 (o)(3) and (4)

### EFFECTIVE DATE

October 1, 2025

### PURPOSE

This operations memo announces changes in policy for the suspension of time limits related to the FoodShare work requirement for applicants and members who are able-bodied adults without dependents (ABAWDs) and the implementation of a new exemption for ABAWDs who are tribal members and live on tribal lands.

## BACKGROUND

Federal law requires FoodShare members who are ABAWDs to meet a work requirement to maintain FoodShare eligibility. FoodShare members who are ABAWDs may only receive FoodShare benefits for three months in the current three-year FoodShare clock period (1/1/25-12/31/27) if they are not meeting the FoodShare work requirement and do not have an exemption. This policy is called the FoodShare Work Requirement for ABAWDs. Additional policy details are available in the [FoodShare Wisconsin Handbook, Section 3.17.1 FoodShare Work Requirements for ABAWDs](#).

Previously, federal law allowed states to seek approval from the U.S. Department of Agriculture (USDA) to suspend the time limit for FoodShare for ABAWD members who live in areas with an unemployment rate above 10% or that lack a sufficient number of jobs. Under the One Big Beautiful Bill Act of 2025 (2025 H.R. 1), which was signed into law on July 4, 2025, USDA may only approve suspension of the time limit for ABAWD members if an area has an unemployment rate above 10%. The law removes USDA's ability to approve a suspension of the FoodShare time limit based on lack of sufficient jobs.

The areas in which time limits are suspended through September 30, 2025, due to lack of sufficient jobs are:

- City of Racine, Adams, Bayfield, Douglas, Florence, Forest, Iron, Marquette, and Menominee counties. Tribal lands and reservations belonging to: Bad River Band of Lake Superior Chippewa Indians, Forest County Potawatomi Community, Ho-Chunk Nation, Lac Courte Oreilles Band of Lake Superior Chippewa Indians, Lac Du Flambeau Band of Lake Superior Chippewa Indians, Menominee Indian Tribe of Wisconsin, Red Cliff Band of Lake Superior Chippewa Indians, St. Croix Chippewa Indians of Wisconsin, Sokaogon Chippewa Community Mole Lake Band, and Stockbridge-Munsee Community Band of Mohican Indians.
- DHS currently uses additional federal flexibilities to suspend the time limit of the FoodShare work requirement for ABAWD members who reside on the Tribal lands and reservations belonging to Oneida Nation and Fond du Lac Band of Lake Superior Chippewa Indians.

2025 H.R. 1 also created a new exemption from the FoodShare work requirement for tribal members who are defined as "Indians" under the Indian Health Care Improvement Act.

## POLICY

### ***END OF FEDERAL FISCAL YEAR (FFY) 2025 FOODSHARE WORK REQUIREMENT TIME LIMIT SUSPENSION***

Effective October 1, 2025, no geographic areas in Wisconsin will be covered by a suspension of the FoodShare work requirement time limit. Impacted members who are ABAWDs must meet the FoodShare work requirement beginning October 1, 2025, unless they meet an exemption.

Affected members will be notified in advance of needing to meet the work requirement. All FoodShare applicants and members aged 18 to 54 must continue to be screened for qualifying exemptions from the FoodShare work requirement in addition to the FoodShare basic work rules at application and renewal.

### ***NEW FOODSHARE WORK REQUIREMENT EXEMPTION FOR TRIBAL MEMBERS***

Effective October 1, 2025, ABAWD applicants and members who are tribal members are exempt from the FoodShare work requirement if they are living on an eligible tribal reservation area or tribal lands belonging to:

- Bad River Band of Lake Superior Chippewa Indians,
- Fond du Lac Band of Lake Superior Chippewa Indians,
- Forest County Potawatomi Community,
- Ho-Chunk Nation,
- Lac Courte Oreilles Band of Lake Superior Chippewa Indians,
- Lac Du Flambeau Band of Lake Superior Chippewa Indians,
- Menominee Indian Tribe of Wisconsin,
- Oneida Nation,
- Red Cliff Band of Lake Superior Chippewa Indians,
- St. Croix Chippewa Indians of Wisconsin,
- Sokaogon Chippewa Community Mole Lake Band,
- and Stockbridge-Munsee Community Band of Mohican Indians.

ABAWD applicants and members who are tribal members and do not live on a tribal reservation area will also be exempt from the Foodshare time limit through the use of additional federal flexibilities.

ABAWD applicants and members who are part of a household with an applicant or member who is a tribal member will have their time limit suspended through federal flexibilities.

### ***VERIFICATION OF TRIBAL MEMBERSHIP***

Verification of the new exemption for tribal members is only required if questionable. In most instances, self-attestation is sufficient to confirm tribal membership for the FoodShare work requirement exemption. In the event that an ABAWD applicant or member's self-attestation is deemed questionable, acceptable verification sources include, but are not limited to:

- Tribal Enrollment Card
- Written statement or document issued by the tribe indicating tribal affiliation
- Medical record card (or similar documentation) issued by an Indian Health Service provider for American Indians and Alaska Natives that specifies an individual is an Indian or tribal member

### **CONTACTS**

DHS CARES Problem Resolution Team

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