



Date: July 17, 2026

DMS Operations Memo 26-27

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

Affected Programs:

- | | |
|---|--|
| ☐ BadgerCare Plus | ☐ Caretaker Supplement |
| ☒ FoodShare | ☐ FoodShare Employment and Training |
| ☐ Medicaid | |
| ☐ SeniorCare | |

From: Jonelle Brom, Bureau Director
Bureau of Eligibility Operations and Training
Division of Medicaid Services

Autumn Arnold, Bureau Director
Bureau of Eligibility and Enrollment Policy
Division of Medicaid Services

Change to Drug Screening Requirements for FoodShare Eligibility

CROSS-REFERENCE

- FoodShare Wisconsin Policy Handbook, [Section 3.20.1 Drug-Related Felonies](#)
- Wis. Stat. [§ 49.79\(5\)](#)
- Wis. Admin. Code [LES 2.02\(1\)\(a\)](#)

EFFECTIVE DATE

August 1, 2026

PURPOSE

The purpose of this operations memo is to announce a change in drug screening requirements for applicants and members who are required to pass a drug test to receive FoodShare benefits. This change will align FoodShare policy with the Wisconsin Law Enforcement Standards Board and the Substance Abuse and Mental Health Services Administrations standard drug testing recommendations.

BACKGROUND

Under state law, a person who has been convicted of a drug-related felony within the past five years is required to take and pass a drug test to be eligible to receive FoodShare benefits. For FoodShare eligibility, a person convicted of a drug-related felony is a person convicted of a felony in a state or

federal court involving the possession, use, or distribution of a controlled substance within the last five years.

Someone requesting FoodShare benefits at application or renewal must report if they have received a drug-related felony in the past five years. A person who reports that they have a drug felony must take and pass a drug test to be eligible for FoodShare. If the drug test is positive for drug use, the person will be ineligible for FoodShare benefits and cannot become eligible for 12 months.

Currently, Income Maintenance (IM) agencies must conduct drug tests that meet the following requirements:

- The method of drug testing must be urine or saliva,
- The test must include testing for a minimum of seven drug types, and
- The test must include screening for marijuana (THC), amphetamines, cocaine, and opiates.

Any test (rapid or sent to a lab) that meets these requirements is acceptable.

If a person passed a drug test that was administered by another entity, such as a probation agent, drug counselor, or employer, they may use that result as long as the test was no later than 30 days prior to when the drug-related felony was reported. They are not required to take another test, and the test does not need to meet the drug testing criteria listed above.

POLICY

Effective August 1, 2026, FoodShare applicants and members who have reported a drug-related felony in the past five years will be required to pass a drug test that screens for marijuana, amphetamines, cocaine, opiates, and Phencyclidine (PCP). The method of drug test can be urine or saliva. The test can be rapid or sent to a lab.

Applicants or members are not required to take an additional drug test if they provide results from a passing drug test administered no more than 30 days before the felony was reported.

When an agency conducts the drug test or an applicant or member provides a passed test, the applicant or member only must test negative for marijuana, amphetamines, cocaine, opiates, and Phencyclidine (PCP) for a worker to consider the test passed. If the agency uses a larger panel, only a positive result for the identified drug classifications can be used for determining whether the FoodShare requirement has been met.

CONTACTS

DHS CARES Problem Resolution Team

DHS/DMS/BEEP/AG

DHS/DMS/BEOT/JN