

WISCONSIN DEPARTMENT OF HEALTH SERVICES
Division of Health Care Access and Accountability
1 W. Wilson St.
Madison WI 53703

To: FoodShare Wisconsin Handbook Users

From: Shawn Smith, Deputy Bureau Director
Bureau of Enrollment Policy and Systems

Re: **FS Handbook Release 14-01**

Release Date: 02/27/2014
Effective Date: 02/27/2014

EFFECTIVE DATE The following policy additions or changes are effective 02/27/2014, unless otherwise noted. **Grey text denotes new text. Text with a strike through it in the old policy section denotes deleted text.**

POLICY CLARIFICATIONS

3.8.1.1 EBD Introduction

A disabled individual is a food unit member who **meets one or more of the following criteria:**

- Receives disability or blindness benefits from any of these programs: SSA, MA, SSI or SSI related MA, Railroad Retirement Board (RRB). ~~A food unit member who~~
- Receives a VA payment **must and** meets one of the criteria listed in 3.8.1.2. ~~to be considered disabled.~~
- Receives a disability retirement benefit from a governmental agency because of a disability considered permanent under section 221(i) of the Social Security Act (Social Security Act requirements of disabled).
 - ~~This includes the disability payment paid out from governmental ETF accounts for instance; Wisconsin ETF Disability Payments.~~ However, it does not include income continuation payments which may be paid by the same ETF accounts. This level of disability is usually short term and not permanent. [7 CFR 271.2(5) *Elderly or disabled member*]

Under certain specific circumstances **an** individual and ~~their~~ **his/her** spouse who are **both** elderly and/or disabled may be a separate food unit even if they are living and eating with others. See 5.2.1 for rules related to FS -E eligibility.

3.12.1.1 Qualified Alien or Immigration Status

Note: If there is more than one admission or status code for the immigrant/noncitizen, always use the least restrictive code per 8 CFR 212.5(h). A best practice is to ask each year about immigrant/citizenship status changes since the code(s) may change over time.

3.15.1 Student Eligibility

Anyone, age 18-49, enrolled half time or more, in an institution of higher education is ineligible, unless s/he meets one of the following criteria.

1. Employed at least 20 hours a week ~~at any wage~~ with earnings equal to at least the federal minimum wage. (7.25*20=\$145 per week)
3. ~~Both~~ employed and self-employed for a combined maximum at least 20 hours a week and earning at least the federal minimum wage for 20 hours a week (\$7.25 x 20 = \$145 a week). Earnings are based on self-employment

income (after SE expenses are subtracted) plus gross income from other employment.

3.18.1 Fleeing Felons and Probation and Parole Violators

Application Processing

Note: Disclosure of an applicant or household member being a fleeing felon will not automatically disqualify the assistance group from child care. The Department of Children and Families will investigate the circumstances in more detail and determine the disclosure's effects on eligibility.

4.3.4.3 Disregarded Unearned Income

Disregard the following income:

Housing and related income:

9. Income received as a result of participation in the Fresh Start Program.

4.6.5.1 Child Support Payment Introduction

The text changes are too numerous to list.

4.6.5.2 Allowable Child Support Expenses

Allowable child support obligations are:

1. Arrearages,
2. Legal obligation for a non-food unit member to pay for things such as rent or mortgage payment,
3. Legal obligation for health insurance payments,
4. A prorated share of child support paid by ineligible members,
5. ~~Non-court ordered child support payments that are made on a regular basis, or~~
5. Court ordered Foster Care payments,
6. Court ordered subsidized Guardianship payments, or
7. Court ordered blood test expenses for the child included in the court ordered obligation

7.3.1.2 Liability

All adult or emancipated minors ~~food unit members at the time the overpayment occurred are liable for repayment of any overissued FoodShare benefits that were included in the household or should have been included in the household at the time the overpayment occurred are liable for the repayment of the overissuance of FS benefits.~~ If a liable individual member moves to another household, ~~the claim follows him/her to the new household~~ responsibility of the overpayment is maintained and follows that individual to the new household. Also apply the claim to any remaining ~~adult or emancipated minor food unit members. An individual living in the household, but not included in the food unit would not be responsible or liable for the overissuance to the food unit.~~

Liability for a FoodShare overpayment is not split evenly among liable parties. Liable individuals are responsible for 100% of the overpayment until the full debt is repaid in full.

An authorized representative ~~for an individual~~ applying on behalf of a resident of a drug or alcohol treatment center, or a group living arrangement (GLA) (3.2.1.5), is responsible and liable for any FS overissuances to the recipient due to misrepresentation or Intentional Program Violation which the authorized representative knowingly commits in the certification of ~~treatment~~ centers, GLA residents ~~or individual representatives.~~

Example 1 had been updated. Example 2 is new with this release.