

**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 14-02**

Release Date: July 31, 2014  
 Effective Date: July 31, 2014

**EFFECTIVE DATE**

The following policy additions or changes are effective 07/31/2014, unless otherwise noted. **Grey highlighting denotes new text. Text with a strike through it in the old policy section denotes deleted text.**

**POLICY CLARIFICATIONS**

**1.1.2 FoodShare Benefits**

If a container deposit fee is required when purchasing an eligible food item, this additional fee cannot be paid by using FoodShare benefits. The container deposit fee must be paid in cash or through another form of payment.

~~Click on the following link, If the customer member has additional questions regarding about specific food items, see the Food and Nutrition Service's [list of eligible food items](#). (Questionable food items)~~

**1.2.3.8 Student Eligibility In a 2-Year Program**

*This section is new with this release.*

If a student fails to meet one of the existing exemption reasons (3.15.1), verification of enrollment in a program that can be completed in 2 years or less is required. This may include documents such as an enrollment letter, course schedule, financial aid papers, etc.

Verification that course completion has a direct link to employment that is in demand is required only if demand is not common knowledge to the worker. For example, many occupations in the health field are in demand and therefore do not need to be verified.

If the direct link to employment is unknown, several sources may be used as verification. This may include: literature from the school such as a brochure or online program information, collateral contact with Job Service, FSET, or an employment agency, by searching publications in newspapers or online, etc.

**1.2.6.1 Required Verification to Determine Eligibility**

Verification Item	Suggested Verification Sources
<b>ABAWD Work Requirement Exemptions</b>	<ul style="list-style-type: none"> <li>• Agency Form</li> <li>• Statement from health care provider, social worker, or AODA service provider</li> <li>• Employer form / paystub / tax document / EVF-E</li> <li>• Data Exchanges</li> <li>• By using information known to the agency including in-person agency verification of a visibly</li> </ul>

	<p>obvious ABAWD status or exemption, such as pregnancy or inability to work due to a temporary or permanent health condition</p> <ul style="list-style-type: none"> <li>• Collateral contact</li> <li>• Other acceptable written statement</li> </ul>
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\*If an ABAWD exemption is not verified, the exemption will not be applied and the member will be treated as a Non-Exempt ABAWD if not otherwise exempt or a Non-ABAWD.

**3.12.1.3 Work Quarter Eligibility**

Each person in the applying household is considered an applicant. Therefore, each spouse can claim the quarters of the other spouse, and the children can claim the quarters worked by their parents. An individual can only earn four quarters per year. If both spouses worked in the same quarter, this would count as one quarter – an individual cannot earn two quarters in the same quarter.

**3.15.1 Student Eligibility**

**ABAWDs**

If an ABAWD is determined to be an FS eligible student based on the criteria in this section, the ABAWD is an Exempt ABAWD.

**3.16.1.1 Background**

As of March 1, 2008 FSET became a voluntary program for all FS applicants and recipients. The FSET program serves people who wish to voluntarily enroll, but benefits cannot be sanctioned for nonparticipation. Although Wisconsin has a voluntary FoodShare Employment and Training (FSET) program, Federal regulations require FS applicants and recipients to comply with FoodShare and ABAWD work requirements as a condition of FS eligibility.

ABAWD policy related to FS eligibility is located in section 3.17 of the FoodShare Handbook. All FSET policy and some additional ABAWD policy pertaining to the ABAWD work requirement is contained located in the FSET Handbook at <http://www.emhandbooks.wi.gov/fset/>. DHS is in the process of updating every section of the FSET handbook.

**3.16.1.3 Exemptions from the FoodShare Work Requirement**

**Note:** For exemptions from the ABAWD work requirement, see section 3.17 Able-Bodied Adults Without Dependents.

**3.16.1.4 Work Registration Requirement**

IM workers should provide applicants and recipients with information about the FSET program. Workers need to inform work registrants that although registration for work is mandatory, participation in FSET is voluntary and nonparticipation will not result in being sanctioned. FSET nonparticipation for Non-Exempt ABAWDs may result in the loss of FS eligibility (see 3.17 ABAWDs).

**3.16.1.7 Good Cause**

**Note:** Simplified reporting does not require reporting of job loss or reduction in work hours with the exception of ABAWDs who are exempt from the ABAWD work requirement because they are working at least 80 hours per month (see 6.1.1 Change Reporting). Workers are required to determine Good Cause at the time the loss or reduction in employment becomes known to the agency. A sanction is imposed the 1<sup>st</sup> of the month after the month proper notice of the sanction is provided, regardless of when the VQT became known to the agency. Therefore benefit recovery does not apply to VQT or reduction in work hours for ABAWDs.

**3.16.1.8 Ending A VQT, Reduced Work Effort, or Job Refusal Sanction**

**Note:** A work sanction cannot be cured through FSET participation. Although an individual may be mandatory for meeting work requirements, participation in FSET activities remains voluntary. A sanction cannot be imposed for FSET nonparticipation. However, Non-exempt ABAWDs may lose FS eligibility due to nonparticipation in FSET.

**3.17.1 Able-Bodied Adults without Dependents (ABAWDs)**

*This section is new with this release. The changes are too numerous to list.*

**4.3.4.3 Disregarded Unearned Income**

**Tribal / Native American Payments**

- 6. The Claims Resolution Act of 2010 (PL 111-291) Cobell v. Salazar Class Action Trust Case; Exclude all settlement proceeds received.

**4.6.7.1 Shelter and Utility Deduction Introduction**

The shelter deduction is determined by the food unit's reported and verified monthly expense obligation for the current residence for shelter.

**4.6.7.3 Standard Utility Allowances**

*This section has been rewritten. The changes are too numerous to list.*

**4.7.5 Prorated Deeming**

Pro-rated deemers include individuals disqualified from FoodShare eligibility due to:

- 3. Non-Exempt ABAWDs:
  - a) who have used their 3 Time Limited Benefit months, and
  - b) are not meeting the ABAWD work requirement or an exemption, and
  - c) are no longer eligible for FS benefits, and
  - d) have not been determined ineligible within a FS unit of other eligible members.

**Example 1:** Toby received three Time Limited Benefit months for January, February, and March 2015. FS remains open for Toby's girlfriend and cousin. Toby becomes a pro-rated deemer effective 4/1/15. On 5/12/15 Toby requests to be added back into the FS group. He has been working at Target since 5/5/15. He works 10 hours a week, and provides paystubs for verification. When eligibility is run, Toby is found ineligible because he is not fully meeting the ABAWD work requirement and he will continue to be a pro-rated deemer.

**6.1.1.2 Change Reporting for All Other Food Units (Reduced Reporting)**

ABAWDs subject to simplified reporting must report by the 10th of the month following a month in which their work hours fall below 80 hours per month.

See 5.1.1 for change reporting requirements for Transitional FoodShare (TFS) recipients.

**6.1.3.8 Processing ABAWD Changes**

*This section is new with this release.*

When an exemption is reported and verified timely, the exemption is effective the first of the month of report or occurrence, whichever is later. If verification is received after the due date, the exemption is applied the first of the month in which verification is received. See 3.17.1.6 Verification of ABAWD Status from Time-Limited FoodShare.

**8.1.3 Deductions**

*The table of Shelter and Utility Allowances has been updated.*