

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 15-01**

Release Date: January 22, 2015

Effective Date: January 22, 2015

EFFECTIVE DATE The following policy additions or changes are effective 01/22/2015, unless otherwise noted. **Grey highlighted denotes new text. Text with a strike through it in the old policy section denotes deleted text.**

POLICY CLARIFICATIONS

2.2.1.5 Eligibility Reviews for Other Programs and Their Impact on the FoodShare Certification Period Reviews completed for other assistance programs do not automatically count as a review for FS and will not change the FS certification period. A FS certification period may be changed to align with that of another program only if the household and has stated their consent to complete a FS renewal in order to align their FS certification period with the certification period of another program.

3.2.1.2 Temporary Absence

Example 5: Karley resides with and receives FS with her mother. On June 6th, it is reported that Karley is going to stay with her father in Madison for the summer. She'll be returning to her mother's home on August 15th.

The month of departure is June. Since she is only absent for 1 calendar month (July), she is not considered temporarily absent from her mother's household. She will not be out of the mother's home longer than 2 full consecutive months.

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. However, FSET nonparticipation of Non-Exempt ABAWDs may result in the loss of FS eligibility once three months of time-limited benefits are exhausted without meeting the ABAWD work requirement (see 3.17 ABAWDs).

3.17.1.2 Application of ABAWD Rules

Implementation of the ABAWD policy is being piloted in Kenosha, Racine and Walworth counties starting July 1, 2014. The ABAWD policy will be implemented statewide beginning ~~January 1, 2015~~ April 1, 2015. Effective July 1, 2014, FS applicants and members residing in the pilot counties are subject to ABAWD rules at their next application or renewal. Effective April 1, 2015, FS applicants and members residing in the remainder of the State are subject to ABAWD rules at their next application or renewal. ABAWD rules will be applied as detailed below:

1. FS applications with a filing date on or after July 1, 2014 in the pilot region and on or after April 1, 2015 for the balance of state.
2. FS renewals with FS eligibility run and confirmed on or after July 1, 2014 in

the pilot region and on or after April 1, 2015 for the balance of state.

3. ~~FS cases that re-open due to a break in service if the program filing date is updated with a date on or after July 1, 2014.~~

Once ABAWD rules have been applied to a case, all subsequent eligibility determinations will continue to apply the ABAWD rules to the case. The only exception is during the pilot period, which is from July 1, 2014 through ~~December 31, 2014~~ March 31, 2015. During this period, participants moving from a pilot county to a non-pilot county will not be subject to ABAWD policies in the non-pilot county regardless of whether they were subject to ABAWD policies in the pilot county.

3.17.1.5 ABAWD Exemptions from Time-Limited FoodShare Benefits

An ABAWD is not subject to TLBs if at least one of the following exemptions is met:

6. Is a full-time high school student age 18 or over;

3.20.1.1 Applications

Applicants who meet the definition of a drug felon and agree to take a drug test will be tentatively approved until a drug test is taken. If the individual passes this test, s/he remains eligible. If the applicant refuses to take a drug test, s/he will ~~be denied indefinitely~~ remain ineligible for FS until s/he agrees to take a drug test.

In the pre-drug test information gathering process, the FS applicant or member should identify any prescription or non-prescription drugs they are taking that may cause a positive test. However, if the applicant/member tests positive for a drug legally prescribed, s/he should not be sanctioned if s/he provides a statement from a physician or pharmacy explaining the positive test, within 30 days from date of a positive test. For example, taking a legally prescribed opiate derivative could potentially cause a positive test but should not result in a sanction if the applicant or member verifies a valid prescription for this medication.

If the physician/pharmacist statement is not received by the agency within 30 days from testing positive, the applicant will be sanctioned for a year. For information on regaining eligibility, see Chapter 3.20.1.3.

Applicants who miss a scheduled drug test should be sanctioned immediately. If the applicant ~~then later~~ agrees to take a test within the application period, ~~another drug test can be scheduled~~ schedule another one. If s/he takes and passes this test, the sanction should be removed and any benefits missed should be issued ~~remove the sanction and supplement any benefits missed~~. If the applicant misses a drug test and requests another test after the initial application period, ~~the test should be scheduled~~ set up the test. If s/he passes this test, approve benefits for the next possible payment month.

4.3.4.2 Counted Unearned Income

21. Income from a land contract. ~~Deduct expenses (for example, taxes) the person must pay by the contract's terms from the gross amount.~~ Count any portion of monthly payments received that are considered interest from a land contract as unearned income. Do not count the principal as income, because it is the conversion of one asset form to another. If received less often than monthly, prorate it over the period between payments. Ignore it until s/he first receives it after becoming eligible.

23. If someone receives rental income and the property is managed more than 20 hours per week, ~~rental income but does not actively manage the property 20 or more hours a week the income is unearned see Self-Employment 4.3.3.4. if he/she does manage the property for at least 20 hours a week.~~

If someone manages the property for less than 20 hours a week, treat the income as unearned and budget as listed below.

If someone manages the property for less than 20 hours a week, treat the income as

unearned and budget as listed below. Include gross receipts minus allowable business expenses as earned income. Tax Forms 1040 C or 1040 E are used to determine rental income. If using Tax Form E, use recorded rental income plus the principal paid, to estimate future income. If the client has not completed a schedule C or E tax form, use the following method to calculate earned income.

4.6.7.3 Standard Utility Allowances

FoodShare households that have received a WHEAP or LIHEAP payment ~~or any other form of energy assistance payment~~ in the current month or within the past 12 months will receive the HSUA. Households that have not received WHEAP or LIHEAP ~~energy assistance~~ will receive the appropriate utility standard based on the utility obligation(s) incurred by the household as described below:

WHEAP or LIHEAP ~~energy assistance~~ payments may be received at any address (in or out of state) in the current or previous 12 months.

Special Situations

If a FS household reports a change in address, they are not required to report a change in utilities; they may keep the utility standard applied to their household until their renewal. If, however, the household does report a change in utilities, enter the appropriate new SUA. If WHEAP was received in the current or past 12 months; ~~you must still look at the current month and previous 12 months to determine if WHEAP or any energy assistance was received.~~ the household is entitled to the full HSUA regardless of current utility obligations.

7.1.1.5 Replacement Issuance for Destroyed Food

Note: The agency must include the 10 day due date, and consequences for failure to return this form timely. A manual verification request form should be issued to meet this requirement. (See 1.2.1.2 Request for Verification)

7.1.1.9 Expungement

This section is new with this release.

If there has been no EBT card activity for at least 365 days any monthly benefits that are older than 365 days will be expunged. The expungement occurs only for benefits that were issued more than 365 days in the past. Expungement may occur over multiple months if card inactivity continues (See Process Help 80.7).