



Date: February 20, 2020

DMS Operations Memo 20-05

Amended March 5, 2020

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

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 | |

From: Rebecca McAtee, Bureau Director
Bureau of Enrollment Policy and Systems
Division of Medicaid Services

Update to FoodShare Able-Bodied Adults Without Dependents Work Requirement Exemptions

CROSS REFERENCE

- FoodShare Wisconsin Handbook, [Section 3.17.1 Able-Bodied Adults Without Dependents \(ABAWDs\)](#)
- Operations Memo [19-38](#)
- Process Help, [Chapter 71](#)
- 7 C.F.R. 273.24(f), (g), and (h)
- 84 FR 66782

EFFECTIVE DATE

~~April 26, 2020~~ April 1, 2020

PURPOSE

This operations memo announces changes to exemptions from the able-bodied adults without dependents (ABAWD) work requirement due to new Food and Nutrition Service (FNS) rules.

BACKGROUND

Federal law states that ABAWDs must meet specific work requirements in order to receive Supplemental Nutrition Assistance Program (SNAP) benefits. Wisconsin ABAWD policy details are available in the FoodShare Wisconsin Handbook, [Section 3.17.1 Able-Bodied Adults without Dependents \(ABAWDs\)](#).

Current FNS rules allow states to identify areas where the unemployment rate is higher than the national average and request FNS approval to exempt ABAWDs in those areas from the work requirement. On

December 5, 2019, FNS published a final rule that adds restrictions to states' ability to identify these areas. Specifically, starting April 1, 2020, states must use Labor Market Areas (LMAs) defined by the US Department of Labor to determine areas where the unemployment rate is higher than the national average. The new rule also increases the threshold level of unemployment that must be present in an area to qualify for an exemption. As a result, many of the areas listed in [Operations Memo 19-38, "FoodShare Able-Bodied Adults Without Dependents Work Requirement Exemption for High Unemployment Areas"](#) will no longer qualify for exemptions beginning April 1, 2020

Current FNS rules also allow states to grant discretionary exemptions from the ABAWD work requirement for a percentage of members subject to the ABAWD work requirement in the state per fiscal year. Under current rules, any unused discretionary exemptions accumulate and are carried over from year to year. Under the new FNS rule, starting October 1, 2020, states will only be allowed to carry over one year's allotment of exemptions. As a result, Wisconsin has a significant number of unused discretionary exemptions that will expire on October 1, 2020.

POLICY

Wisconsin's geographic ABAWD exemptions announced in [Operations Memo 19-38, "FoodShare Able-Bodied Adults Without Dependents Work Requirement Exemption for High Unemployment Areas"](#) will end on March 31, 2020. Until September 30, 2020, Wisconsin will apply discretionary exemptions to all ABAWD FoodShare members who live in a previously geographically exempt area who do not already have an exemption and do not meet the work requirement.

Additionally, any members subject to the ABAWD work requirement living outside of a previously geographically exempt area who do not already have an exemption and do not meet the work requirement will be granted a discretionary exemption from April 1, 2020, through September 30, 2020, or until all discretionary exemptions have been used, whichever is sooner.

Exempted members are encouraged to participate in the FoodShare Employment & Training (FSET) program, but no longer must comply with the ABAWD work requirement to maintain their FoodShare eligibility from April 1, 2020, through September 30, 2020, or until all discretionary exemptions have been used, whichever is sooner.

CONTACTS

BEPS CARES Information and Problem Resolution Center

DHS/DMS/BEPS/KV