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**State of Wisconsin  
Governor Jim Doyle**

**TO: Income Maintenance Supervisors  
Income Maintenance Lead Workers  
Income Maintenance Staff  
W-2 Agencies  
Workforce Development Boards  
Job Center Leads and Managers  
Training Staff  
Child Care Coordinators**

**FROM: Amy Mendel-Clemens, Chief  
Technical Assistance and Training Section  
Bureau of Enrollment Management  
Division of Health Care Access and Accountability**

<b>BEM/DFS OPERATIONS MEMO</b>					
<b>No: 09-73</b>					
<b>DATE: 11/23/2009</b>					
<b>FS</b>	<input checked="" type="checkbox"/>	<b>MA</b>	<input type="checkbox"/>	<b>BC+</b>	<input type="checkbox"/>
<b>SC</b>	<input type="checkbox"/>	<b>CTS</b>	<input type="checkbox"/>	<b>FSET</b>	<input type="checkbox"/>
		<b>BC+ CORE</b>		<input type="checkbox"/>	
<b>CC</b>	<input type="checkbox"/>	<b>W-2</b>	<input type="checkbox"/>	<b>EA</b>	<input type="checkbox"/>
<b>CF</b>	<input type="checkbox"/>	<b>JAL</b>	<input type="checkbox"/>	<b>JC</b>	<input type="checkbox"/>
<b>RAP</b>	<input type="checkbox"/>	<b>WIA</b>	<input type="checkbox"/>	<b>Other</b>	<input type="checkbox"/> *
<b>EP</b>					

**SUBJECT: Excluding \$25 Unemployment Compensation Payments for FoodShare**

**CROSS REFERENCE:** Ops Memo 09-16

**EFFECTIVE DATE:** Immediately

**PURPOSE:**

A recently enacted law changes the treatment of the \$25 supplemental weekly Unemployment Compensation payment (stimulus payment) authorized by the American Recovery and Reinvestment Act of 2009 (ARRA) for FoodShare (FS).

**BACKGROUND:**

On March 18, 2009, the Food and Nutrition Service (FNS) issued guidance stating that a State agency must count the \$25 weekly amount as income in determining FS eligibility and benefits.

This statement is no longer correct because the law has changed.

**POLICY:**

On November 6, 2009, President Obama signed the Worker, Homeownership, and Business Assistance Act of 2009. Section 8 of that act requires FS to exclude these \$25 stimulus payments from income.

**IMPLEMENTATION:**

This policy was effective on November 6, 2009. Eligibility determinations and benefit calculations for all months beginning with the entire month of November, 2009, must exclude the weekly \$25 in unemployment compensation from the countable income.

If a participating household's November and/or December 2009 benefits include the additional \$25 per week as income, the State agency must re-calculate the benefits for January 2010 and issue a supplement for November and/or December. The Department will identify all households in this situation and send a list of cases for which a supplemental allotment may need to be issued.

The Department will also identify any applications that were denied and cases that were terminated solely because the agency counted the \$25 weekly payment so that eligibility can be re-determined using this new policy.

**CARES:**

When entering unemployment income for a case open for FS, health care (BadgerCare Plus, Family Planning Waiver or EBD Medicaid) or both, do not include the \$25 per week stimulus payment in the calculations. Document in the comments box on the Unearned Income page that the \$25 stimulus payment is received weekly but not counted for FS or health care.

Because Child Care and W-2 count this income, the \$25 weekly stimulus payment will have to be included in the unearned income if either program is open on the case. To offset the FS and/or health care the monthly amount of the stimulus payment entered on the Unearned Income page should be entered on the Support page as the Payment Amount if FS is open and as the Obligation Amount if health care is open.

**CONTACTS:**

BEM CARES Information & Problem Resolution Center

\*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

DHS/DHCAA/BEM/VJ