

WISCONSIN DEPARTMENT OF HEALTH SERVICES
Division of Medicaid Services
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To: FoodShare Handbook Users

From: Rebecca McAtee, Bureau Director
Bureau of Eligibility and Enrollment Policy

Re: **FoodShare Handbook Release 21-03**

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Effective Date: 03/29/2021

EFFECTIVE DATE	The following policy additions or changes are effective 03/29/2021 unless otherwise noted. Underlined text denotes new text. Text with a strike through it denotes deleted text.
POLICY UPDATES	
1.2.3.5 Wisconsin Residency Verification	Added example showing Wisconsin residency not questionable due to a household member already open for health care
1.2.3.9 SSA Death Match	<i>New Section</i>
1.2.6.1 Required Verification to Determine Eligibility	Added consular ID as suggested verification source for the primary person's ID
2.1.3.2.1 Required Interview Topics	Added subsection number
3.2.1.5.2 Adult Family Home (AFH)	Clarified policy for people in an adult family home (AFH) and the criteria that qualify the residence an AFH
3.15.1 Student Eligibility	Updated policy for student eligibility exemptions during the COVID-19 Public Health Emergency and updated policy for verification
4.3.2.1 Counted Earned Income	Updated policy to disregard census income for February 1, 2021 through October 31, 2021
4.3.4 Unearned Income	Updated the list of unearned income sources that can be disregarded
4.6.7.6 Shelter Deduction for Homeless Food Units	Updated policy for homeless food unit shelter deduction
7.3.1.2 Liability	Clarified policy regarding overpayment liability for food unit members who should not have been counted as part of the food unit

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1.2.3 NON-FINANCIAL VERIFICATION

1.2.3.5 WISCONSIN RESIDENCY VERIFICATION

7 CFR 273.2(f)(1)(vi)

Address, Wisconsin *residency*, and household composition are separate and distinct eligibility factors with different verification requirements (see 3.2.1 Residence).

Verification of the primary person's residency is required at application and if questionable at renewal for FoodShare eligibility, with an exception for homeless and migrant workers.

Wisconsin "residency" refers to residing or living in Wisconsin, but is not limited to any specific type of housing, place of residence, living arrangement, or address.

- State residency (living in Wisconsin) is a condition of eligibility that can be verified through a number of acceptable documents from the applicant, a collateral contact, or another source, and must not be limited to a single type of document.
- If the address on the application is not a fixed Wisconsin mailing address and there is no additional information presented at the time of the interview to verify that the applicant resides in Wisconsin, the IM worker should attempt to obtain verification of state residency.
- Applicants or households already receiving other programs of assistance, such as BadgerCare, have already been determined to be living in Wisconsin. No further action is required to determine if the applicant is living in Wisconsin.

Note: Persons on vacation in Wisconsin are not residents of Wisconsin.

Example 1: Mary is applying for FoodShare. She refuses to provide any information regarding where she is living. Mary claims she is not homeless, not a migrant, and she is not participating in the Safe at Home program. Mary only provides a PO Box for her mail. No other information on Mary's application establishes her Wisconsin residency. Mary's application should be pended and a request for verification sent.

Example 2: Trent is currently open for health care. On November 13, Trent completes a program add for FoodShare. When the worker starts to process the new FoodShare request, all of the information collected from the health care application is in the case. Wisconsin residency is verified, and not questionable due to receiving health care. Receiving another program of assistance is a valid verification source for Wisconsin residency.

Example 3: Joe was homeless at the time of his application. When Joe is completing his renewal (month 6), he reports he is no longer homeless and now living at 1212 N. Union Street, Berlin, Wisconsin. There is no need to request verification of WI Residency since he is stating he is living in Wisconsin and there is no other indicator that this would be questionable.

Example 4: Bethanie's household consists of herself and her two children. The children are currently open for health care. When Bethanie completes a program add for FoodShare, because it is not questionable that her children live with her, Bethanie's Wisconsin Residency is also not questionable (it is verified) due to her children receiving health care.

Exception

An exception exists for verifying the residency of homeless persons (3.2.1.3 Homelessness) and migrant farm workers (2.1.4.3 Eligibility for Migrant Workers). Do not require residence verification for homeless persons or migrant applicants newly arrived in Wisconsin.

Questionable at renewal

An IM worker may become aware of information that makes Wisconsin residency questionable at the time of renewal. For example a new hire match is received showing the current employer is out of state and the member address listed with the employer is out of state. Clarify the information received through the data exchange with the member, and pend for verification if necessary.

Example 45: Susan reports a change of address and new employment at her renewal. Her new employer is located in Illinois, but the address on her pay stub matches the address she provided. State residency is not questionable.

1.2.3.9 SSA DEATH MATCH

When an SSA data exchange indicates that an eligible member or applicant has died, and the IM agency has not received any other information to confirm the death, the member, or a person with knowledge of the member's circumstances, must be allowed 10 days to respond to a Date of Death (DOD) letter prior to benefits being impacted. This is to prevent benefits from being terminated or reduced solely on the basis of a DOD data exchange.

- For ongoing cases, the once eligible member for whom a death match was received will still be considered to be alive. Benefits for the member or others on the case will not be changed or pending for the date of death during this time.

(Other verifications, such as earned income, should be requested as necessary.)
Benefit changes due to changes in eligibility will still need to be processed.

- For an application, person add, or renewal, the worker must wait at least 10 days for a response before confirming eligibility.

- This 10-day period is known as the refutation period and will follow the current Verification Checklist logic with regard to setting the due date. The refutation period may only be shortened when any of the following events occur:

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- A person with knowledge of the member's circumstance confirms the DOD.
- The DOD is disputed.

- Once the DOD status is verified or successfully disputed, the discrepancy or match can be resolved.

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1.2.6 SUGGESTED VERIFICATION SOURCES

Below is a list of suggested verification sources, this list does not include every possible verification option. Accept any documents that reasonably meet the verification requirement; do not require a specific source of verification.

1.2.6.1 REQUIRED VERIFICATION TO DETERMINE ELIGIBILITY

7 CRF 273.2(f)

Verification Item	Suggested Verification Sources
Immigration Status	<ul style="list-style-type: none"> • SAVE • <i>INS</i> or <i>USCIS</i> Alien Registration Card (Permanent Residence Card, Green Card, Form I-551) • Naturalization certificate • <i>SSA</i> query to verify work quarters • Military services papers • Military Affidavit (F-02431) CWW manual letter: Imm ROP: Military • Other Immigration letters and certification of status documents (trafficking victims, battered immigrant)
Wisconsin Residency	<ul style="list-style-type: none"> • Current rent receipt that must show address • Current mortgage receipt • Current lease agreement • Landlord inquiry • Current utility bill with address and responsible person's name • Check stub with current address • Driver's license • Home visit • Subsidized housing authority approval • Post office statement or collateral contact • Library card • Voter registration • Piece of mail received at claimed residence • Real estate tax statement or receipt • Weatherization program approval or denial • Renter or homeowner's insurance documents • School registration record • Letter from employer offering job • Telephone book • Motor vehicle registration • List of residents from a treatment center official, group home, etc.

	<ul style="list-style-type: none"> • Written statement from non-relative • Legal or government issued document with name and address • Bank Statement with name and address • Mobile phone bill with name and address • DMV Data Exchange • Data Exchange for individuals receiving State SSI benefits • Verified through another program • Collateral contact
<p>Monthly Gross Income</p>	<p>Earned Income:</p> <ul style="list-style-type: none"> • Dated check stubs from the previous 30 days with the employee's name or ID number • Earnings report or statement from employer • IEVS report or computer match from another state - to be used only if no other form of verification exists. IEVS matches are not verification of the income an employee has earned. IEVS is an indicator that income was earned from that employer sometime during the three months of the work quarter identified. For change reporting requirements see 6.1.1 Change Reporting for All Food Units (Simplified Reporting). <p>Unearned Income:</p> <ul style="list-style-type: none"> • Department of Workforce Development unemployment query • Pension statement • SSA's WTPY report • Current award letter • Current SSA or SSI check • Collateral contact with the employer, SSA, insurance company • IEVS report or computer match from another state - to be used only if no other form of verification exists. IEVS matches are not verification of the unearned income. IEVS is an indicator that unearned income was received sometime during the three months of the quarter identified. <p>For self-employment or farm income and expenses:</p> <ul style="list-style-type: none"> • Income tax return from the previous tax year • Self-Employment Income Report Form(s) (SEIRF) • Bookkeeping records

<p>Primary Person's ID**</p>	<ul style="list-style-type: none"> • Birth record query • Birth certificate • IEVS match • SSA (SOLQ/SOLQ-I matches) • Baptismal certificate • Military service papers • Immigration or naturalization papers • <u>Consular ID - Consular identification (CID) cards are issued by some governments to their citizens who are living in foreign countries. For an undocumented person, a consular ID is an allowable identity verification type valid for FoodShare and should be coded as PH – Photo ID</u> • Hospital birth record • Adoption record • Passport or US citizen ID card • Family bible • Paycheck • Driver's license • Completed SS-5 • Confirmation or church membership papers • Voter registration card • Family records (birthday books, genealogy, newspaper birth announcement, marriage license, support or divorce papers) • Employee ID card • Life insurance policy • School records (ID, report cards, diploma) • State/federal or Indian census records • Medical records (vaccination certificate, doctor's or clinic's records, bills) • Other social service program ID (when another program of assistance has already verified ID, ID for FoodShare requirements is complete) • Labor union or fraternal organization records • Court order of name change, marriage certificate, or divorce certificate • Wage stubs • Voter's registration card • If verified for another program of assistance, no additional verification required
<p>Disability/Blindness</p>	<ul style="list-style-type: none"> • Statement or collateral contact from VA disability benefits • Statement, check, or collateral contact from Social Security Administration

	<ul style="list-style-type: none"> • Statement or collateral contact that proves a person receives a Railroad Retirement disability annuity and also qualifies for Medicaid • Statement or collateral contact • Statement that a person receives <i>Interim Assistance</i> benefits pending the receipt of SSI and SSDI • Statement or collateral contact that proves that an individual receives general assistance and meets the SSA guidelines for a disability • Data exchange with SSA/SSI
<p>ABAWD Work Requirement Exemptions*</p>	<ul style="list-style-type: none"> • Agency form, such as form F-01598 Medical Exemption from Work Requirement for ABAWDs • Statement from health care provider, social worker, or AODA service provider • Employer form/paystub/tax document/EVF-E • Data exchanges • By using information made known to the agency including in-person agency verification of a visibly obvious ABAWD status or exemption, such as pregnancy or inability to work due to a temporary or permanent health condition • IM worker determination that the member is unfit for employment without requiring a statement or additional verification • Information known to the agency • Collateral contact • Other acceptable written statement

*If an ABAWD exemption is not verified, the exemption will not be applied and the member will be treated as an ABAWD with a TLB referral type.

**Information may only be verified once; additional request for verification is prohibited.

2.1.3 INTERVIEWS

2.1.3.2 COMPLETING THE INTERVIEW

7 CFR 273.2(e)(1); 7 CFR 273.2 (b)(4)(iv)

The interview needs to be completed by a responsible adult applicant, member of the food unit, or an authorized representative. If the applicant is an individual under age 18, the youth must be the primary person, emancipated or homeless and not under the care and control of another adult in order to complete the interview.

During an interview, the agency must not simply review the information that appears on the application, but must explore and resolve with the applicant all unclear information. The interviewer must also advise applicants of their rights and responsibilities during the interview.

Although **CWW** provides a means for an individual to apply for several programs of assistance, FoodShare eligibility must be based solely on the requirements and regulations governing the FoodShare program. Applications for FoodShare may not be denied solely on the basis that an application to participate in another program has been denied. Similarly, ongoing FoodShare benefits may not be terminated solely because benefits from another program have been terminated. During an interview, the interviewer must advise applicants for joint W-2/FoodShare that W-2 requirements do not apply to FoodShare and households that lose or decline W-2 benefits may still qualify for FoodShare.

The agency must ask the applicant/member/authorized ~~representative~~representative to identify all household members and their relationship to each other, and if they share food.

Providing Social Security numbers (SSNs) [3.13.1 Social Security Number (SSN) Requirements] for each household member is voluntary. However failure to provide an SSN will result in the denial of FoodShare benefits to each applicant or member failing to provide an SSN. Although SSN and immigrant status information is not required for household members not applying for benefits, the agency must determine if the non-applicant household member has income or assets that affect the applying applicants' eligibility. If so, that information must be provided and verified in order to determine FoodShare eligibility for the applicant(s).

The agency must ask applicants and members to provide ethnicity and race information for all food unit members. Applicants and members are not required to provide a response for ethnicity or race in order to complete an application or receive a decision about their program eligibility or benefits; individuals may provide information on ethnicity, race, both, or neither.

Agencies must inform individuals that responses may be used to help improve the State of Wisconsin's public assistance programs and ensure the program will not discriminate based on ethnicity or race. This may include reporting ethnicity and race data to federal agencies or sharing ethnicity and race information with managed care organizations to support monitoring of health disparities.

2.1.3.2.1 Required Interview Topics

All FoodShare interviews must include a discussion of these items in addition to standard financial and non-financial criteria:

- Use of SSNs [3.13.1 Social Security Number (SSN) Requirements].
 - SSN is required for each individual requesting benefits
 - Data matching
- FoodShare rights and responsibilities. See Your Rights and Responsibilities for FoodShare (F-10150B).
- Appropriate application processing standard time frames for non-expedited (2.1.2 Application Processing Timeframes) and expedited benefits (2.1.4 Expedited Service at Application).
- Applicable change and simplified reporting requirements (6.1.1 Change Reporting) at the time of the interview.
 - How changes can be reported
 - What changes must be reported
 - When changes must be reported
- Six-month reporting (6.1.2 Six Month Reporting Requirement) and/or renewal (2.2 Renewals) reporting. [\(P-16078\)](#)
 - How to obtain assistance in completing the six month report form
 - When six month report form will be sent
 - When the report form is due
 - Changes that must be reported on the six month report form
 - Address and shelter utility costs associated with the move
 - Household composition
 - Income
 - Court ordered child support payments for a non-household member
 - Consequences for failing to file a report
- QUEST card information. See Your Wisconsin QUEST Card (P-16088).
- Explain work registration rights and responsibilities, work requirements, and exemptions (3.16.1.2 FoodShare Work Requirements). [\(Operations Memo 16-29 attachment 1\) \(P-01632\)](#)
- Explain ABAWD work requirements and exemptions. [3.17.1 Able-Bodied Adults Without Dependents (ABAWDS)]. [\(P-00710\)](#)
- Discuss the FSET program and offer voluntary referrals to FSET to eligible FoodShare members (P-16092).
- At the end of the call the "Reporting Requirements Call Script" must be read. [\(Operations Memos 18-38 attachment\)](#)

It is not necessary for applicant signatures to be witnessed by an agency representative for a FoodShare application to be considered complete.

3.2.1 RESIDENCE

3.2.1.5.2 Adult Family Home (AFH)

An AFH is a type of group living arrangement where care and maintenance above the level of room and board, but not including nursing care, are provided in a private home residence by the care provider. ~~This would be the whose primary home of the care giver where the adult domicile is also living and receiving care.~~ this residence. The home residence may have three or four adults, or more adults if all of the adults are siblings, each of whom has a developmental disability. A home residence that meets ~~this~~ these criteria can be considered an AFH regardless ~~if they are~~ of whether it is licensed to be an AFH ~~or not.~~

The individual in an AFH who is receiving foster care or paying board may be in their own FoodShare assistance group. This is true regardless ~~if~~ of whether the care provider prepares the individual's meals as part of the care that is received in the AFH.

The individual providing care for an individual(s) in an AFH can choose to include an individual(s) ~~to~~ in their group or they can be separate. However, the care provider would be required to include his or her spouse and/or any children under the age of 22 in their group.

3.15.1 STUDENT ELIGIBILITY

7 CFR 273.5

Anyone (age 18-49) enrolled half-time or more in an institution of higher education is ineligible for FoodShare unless he or she meets one of the following exemptions below.

An institution of higher education may be defined as:

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- A business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment in the curriculum; or
- A regular curriculum at a college or university that offers degree programs regardless of whether a high school diploma is required.

Student Eligibility Exemptions:

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- 1. An 18 year-old (or older) student attending high school or adult basic education courses (HSED/GED).
- 2. Employed at least an average of 20 hours a week with earnings.
 - a. Compliance can be determined by calculating whether the student worked an average of 20 hours per week over the period of a month, a quarter (calendar), a trimester (Fall, Winter, Spring), or a semester (Fall semester (1st) and Spring semester (2nd)). This is in line with the different ways contractual and fluctuating employment is budgeted. See 4.3.2 Earned Income for budgeting policy.
 - b. The payment can be received with regular frequency (weekly, biweekly, semi-monthly) or as a one-time payment at the beginning or end of the employment period. There is no minimum compensation that must be received so long as income is received.
- 3. Self-employed at least an average of 20 hours a week with self-employment earnings (after self-employment expenses are subtracted) equivalent to at least the federal minimum wage.
 - a. Weekly earnings must be at least $\$7.25 \times 20 \text{ hours} = \145 per week.
 - b. Use student monthly hours to calculate a weekly average. Students whose employment hours fluctuate from week to week may be determined eligible for FoodShare, provided they maintain an average of 20 hours per week at minimum wage.
- 4. Participating in a State or federally financed work study program during the regular school year:
 - a. The student must be approved for work study at the time of application, the work study must be approved for the school term, and the student must anticipate actually working during that time.
 - b. The exemption shall begin with the month in which the school term begins or the month work study is approved, whichever is later. Once begun, the exemption shall continue until the end of the month in which the school

term ends, or it becomes known that the student has refused an assignment.

- c. The exemption shall not continue between terms when there is a break of a full month or longer unless the student is participating in work study during the break.
5. Responsible for the care of a dependent household member under age six. If two people exercising *parental control* are in the food unit, allow student status to only one person per *child*.
6. Responsible for the care of a dependent household member who has reached age six but is under age 12 if the agency determines adequate child care is unavailable to enable the student to attend class or work activities. If two people exercising parental control are in the food unit, allow student status to only one person per child.
7. Is a single parent enrolled in an institution of higher education on a full-time basis, as determined by the institution, and is exercising care and control of a dependent food unit member under the age of 12. To apply this provision there must be only one biological or adoptive parent or *stepparent* in the same food unit as the child. If there is no biological or adoptive parent or stepparent living with the child, another full-time student living with the child may qualify as an eligible student under this provision if the student has parental control of the child and does not live with his or her *spouse*.
8. Receiving a Tribal *TANF* cash payment, *W-2* cash payment, or working in a W-2 Trial Job. Assigned to or placed in an institution of higher learning by Workforce Innovation and Opportunity Act (WIOA) .
9. Enrolled in a W-2 employment position or other TANF-funded program under Title IV of the Social Security Act.
10. Physically or mentally unfit for gainful employment. Verify the claim if it's questionable, such as through receipt of temporary or permanent disability benefits, or a statement from a physician, or certified psychologist.
11. Participating in an on-the-job training program. This exemption applies only during the period of time the person is being trained by the employer.
12. Is assigned to or placed in an institution of higher education through or in compliance with the requirements of FSET, a program under the Job Training Partnership Act of 1974, or a program under section 236 of the trade Act of 1974.
13. Is enrolled in an educational program that is designed to be completed in two years or less and obtaining certification or a diploma from the program is expected to lead to employment.

Example 1: During an interview for FoodShare, Jack, reports that he is a full-time student at Northern Technical College for phlebotomy and plans to graduate in the next year. Jack is enrolled in a two-year degree program that is expected to lead to employment.

Example 2: When Carla applies for FoodShare, she reports that she is enrolled half-time at Madison Area Technical College and is taking cooking with herbs, pottery and jewelry making. No other student exemptions are met. Carla would not be an eligible student, because she is not enrolled in a program that will lead to employment.

Example 3: When Bill applies for FoodShare, he reports that he is enrolled in a four-year nursing program, but only has two years left in the program. Bill would not be an eligible student because the program was designed by the college to be completed in four years.

Example 4: Bella participates in an internship for a semester (5 months). Bella works a total of 400 hours over the semester. At the end of the internship, Bella will be paid a stipend of \$1,000. The hours would be averaged over the 5 months 400/5 totaling 80 per month or 20 per week. The stipend of \$1,000 will be averaged and budgeted over the 5 month semester and \$200 of earned income to will budgeted per month. Bella is an eligible student.

Note: A student who lives in campus housing and purchases a meal plan that provides more than half of their meals is not eligible for FoodShare, even if the student does not eat meals from the meal plan. If the meal plan is available, but the student does not purchase it, then they may be eligible for FoodShare.

Note: IRS tax dependency status does not impact FoodShare eligibility determinations. A student may be claimed as a tax dependent by his or her parents and still qualify for FoodShare if he or she meets all other non-financial and financial eligibility criteria.

A student is enrolled as of the first day of the school term through normal scheduled class periods, vacation, and recess unless he or she:

- Graduates;
- Is suspended, expelled, or drops out; or
- Doesn't intend to register for the next school term (excluding summer school).

Temporary COVID Exemption Policy

Effective January 1, 2021 through the calendar month following the end of the Federal COVID-19 Public Health Emergency.

- 1. Students are eligible to participate in State or Federally financed work-study program during the regular school year, as determined by the institution of higher education or**
- 2. Students have an expected family contribution (EFC) of \$0 in the current academic year, as determined by the institution of higher education.**

Note: for the change to the work-study exemption, the student does not need to actually be participating or anticipate they will participate in work-study, just be **eligible** to participate.

If a student applies for FoodShare or is a member of a FoodShare household, the new exemptions must be explored. For ongoing cases, the new exemptions must be explored and eligibility must be re-determined. Similarly, the new exemptions must be explored for any new student added to the household. These new student exemptions remain in effect for FoodShare applicants and members through the calendar month following the end of the Federal COVID-19 Public Health Emergency.

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Verification:

Workers must assist in obtaining verification when needed, provided the household is cooperating, and must accept any reasonable documentary evidence provided by the household. A student may be required to sign a specific release form provided by the school before any FAFSA information can be released by the school to the worker. If all efforts to obtain documentary evidence fail, workers must accept the member's statement as best available information.

Verification of eligibility to participate in a work-study program may be found on the financial aid award letter provided to the student by the institution of higher education or in another letter from the institution of higher education.

Verification of an expected family contribution (EFC) of \$0 may be found on a financial aid award letter, Student Aid Report (SAR), or in another letter from the institution of higher education.

In addition, all students receiving the maximum Pell grant have an EFC of \$0. In the 2020-21 award year, the maximum Pell grants are \$3,172 per semester for students enrolled full-time, \$2,379 per semester for students enrolled three-quarter-time, and \$1,586 per semester for students enrolled half-time. Verification of the Pell grant amount may be found on the financial aid award letter and may be used as verification that a student has an EFC of \$0. However, not all students with an EFC of \$0 receive a Pell grant.

FoodShare Employment and Training

Students enrolled in higher education at the time of the FoodShare application and then found eligible for FoodShare may request to be referred to FSET to participate in activities other than education. Activities may include job search, work experience, or self-employment. FSET cannot provide reimbursement for expenses related to education for students who self-initiate enrollment in higher education.

Work Registration

A FoodShare-eligible student who meets the criteria in this section is exempt from the FoodShare work registration requirements.

ABAWDs

If an applicant or member is determined to be a FoodShare-eligible student based on the criteria in this section, the applicant or member is a non-ABAWD.

4.3.2 EARNED INCOME

4.3.2.1 COUNTED EARNED INCOME

Count the following sources of income as earnings in the month received:

1. Wages, tips, or salaries including, but not limited to, hourly wages and piecework.
2. Self-employment earnings (4.3.3 Farming and Other Self-Employment Income).
3. Recurring profit sharing payments or bonuses. Bonus income from employment should be counted as earned income if receipt is regular and predictable. Budget the bonus based on the frequency of receipt. A bonus would be considered a lump sum payment (4.5.5) if the income is received infrequently or irregularly to be reasonably anticipated.

Example 3: Joan received a \$10,000 bonus in September. Her SWICA wage match history shows that she has received this bonus annually. The bonus would be budgeted as earned income received monthly ($\$10,000/12 = \833.33).

4. Wages withheld at the request of the employee should be counted as income in the month it would normally have been received.
5. Advances on wages.
6. Any money received for accrued sick days and severance pay from an employer.
7. Any money received as payment for baby-sitting or child care as self-employment income if the care is provided in the food unit's home. If a self-employed child care provider also provides meals, they may be entitled to income deductions (8.1.3 Deductions). If the care is not provided in the food unit's home, count the payments as regular earned income.
8. Any child care payment paid by an outside source to a food unit member is treated as earned income. In situations when a food unit member pays another food unit member from his or her own pocket, such child care payments are not counted as earned income because the money is moving between food unit members.
9. Attendant care payments provided by an outside source are treated as earned income for the attendant if the care is for a disabled individual.
10. IRIS payments.
11. Money received from the sale of a person's blood or plasma.
12. Any training allowance from a vocational or rehabilitative program recognized by a governmental agency that is not an expense reimbursement, unless the source is listed as an exception in 4.3.2.2 Disregarded Earned Income.
13. Earnings from *WIOA* On The Job Training when the earner is either:
 - a. At least 19 years old, or
 - b. Less than 19 years old but not under the parental control of a member of the same food unit.

Note: See # 9 in 4.3.2.2 Disregarded Earned Income for *WIOA* work experience.

14. Military pay cycles affect how income is counted. Count any income received on the last day of a month by an active member of the military as income in the following month. Some military personnel are eligible for a supplemental Family Subsistence Supplemental Allowance (FSSA) payment if they meet the FoodShare gross income limits. The FSSA is considered gross earned income and is to be budgeted like other military income. However, it appears on a different line on the military paycheck.
15. Contractual pay that is the food unit's annual income (intended to provide support for the entire year), and is not paid on an hourly or piece work basis, should be prorated over 12 months. Contractual income that is not the food unit's annual income (intended to provide support for the food unit for only a portion of the year), and is not paid on an hourly or piece work basis, should be prorated over the period the income is intended to cover.

Example 4: Joe works for public school as a teacher's aide. Joe has worked there for the last three years and receives a 9 ½ month contract every August. He earns \$13,480.50 annually. He lives off his salary as a teacher's aide for the full year and does not supplement his income during the summer. Average his income over 12 months ($\$13480.50/12 = \$1,123.37/\text{month}$).

Example 5: Nancy works for the public school as a nurse part-time. She receives a contract for 9 ½ months every August. In the summer she supplements her income with a job at the Girl Scouts campgrounds in the first aid tent. Average Nancy's school income over 9 ½ months because her contract income is not her annual income.

Note: Income from piecework or hourly work is not contractual income. Do not treat it as such.

16. *Migrant* Farm Worker Income

To determine migrant farm income:

- a. Request a copy of any existing work agreement,
- b. Contact the employer when necessary to find the hours of work and wage rate, and/or
- c. Ask the migrant how many hours he or she and members of his or her family expect to work and the wage rate they expect to be paid.

Most migrants work in fairly stable work environments such as canning factories or under some type of contract. In these cases, determine the employer's usual pay levels and pay periods, and project the hours and the rate of pay expected. Do not

assume without supporting documentation or collateral contacts that a migrant farm worker works 40 hours a week.

If the earnings received by the migrant worker are from employment other than agricultural income, it will be budgeted in the normal procedure on the CWW Employment screens. Normal procedures are also used for all unearned income and assets.

17. All W-2 Wisconsin Works subsidized employment income including Transitional Jobs, Transform Milwaukee Jobs, and the Trial Employment Match Program (TEMP).
18. All Subsidized Private Sector Employment (SPSE) income.
19. All Transitional Jobs Demonstration Project (TJDP) income.
20. Temporary and permanent census employment income.
 - a. Per federal waiver approval, census income is to be disregarded for 2020-and February 1- October 31, 2021. Work hours must be counted for student and ABAWD eligibility.

4.3.4 UNEARNED INCOME

4.3.4.3 DISREGARDED UNEARNED INCOME

Disregard means do not count. When you are calculating the total amount of unearned income a person has received, you should exempt or exclude any of the following kinds of unearned income:

Housing and related income:

1. Disregard rent paid by the Department of Housing and Urban Development (*HUD*) and Farmer's Home Administration (*FMHA*) directly to a landlord as income. Do not include these payments as a deduction. Only include as a rent expense what the food unit owes to the landlord after the HUD or FMHA payments.
2. Disregard rent paid by HUD to residents in the experimental housing program in Green Bay.
3. Disregard HUD or FMHA utility reimbursement payments made directly to a food unit or utility provider as income.
4. Disregard HUD utility reimbursement payments diverted by a Native American housing authority directly to the utility provider without permission, consent, or agreement of the food unit.
5. Under the Family Investment Centers program, HUD provides grant money to public housing agencies and Indian housing authorities. In turn, they provide access to education and job opportunities to public housing residents. Disregard as income services provided to these residents. Services include:
 - a. Child care
 - b. Employment and training counseling
 - c. Literacy training
 - d. Computer skills training
 - e. Assistance in attaining certificates of high school equivalency
 - f. Other similar services
6. Disregard free rent, no income is counted and no rent deduction is allowed.
7. A tenant may be billed utility expenses for common electrical devices, for the benefit of any number of tenants, but wired through his or her meter. A notice from the landlord identifies that cost and the tenant's reimbursement. Disregard the reimbursement.
8. Income received as a result of participation in the Fresh Start Program.

Employment Training and Education:

1. Educational aid for students is not counted as income.
2. Disregard educational expense reimbursements.
3. Disregard income produced by an educational trust.
4. Disregard W-2 TSP (stipends for non-custodial parents) received for W-2 education and training activities.

Loans:

Disregard as income any loan to the food unit. This includes loans from private individuals and commercial institutions. A legally executed document is not required to verify that income is a loan. A statement signed by both parties is enough to verify the income is a loan, if it contains: the amount of the loan, that the payment is a loan, and that repayment is required.

Medical and Dependent Care:

1. Disregard reimbursements for medical or dependent care. Some examples of medical or dependent care reimbursements that should be disregarded are:
 - a. Reimbursements from the Medical Assistance (MA), also known as Medicaid or Title 19 Community Integration Program (CIP).
 - b. Reimbursements from the Alzheimer's Family Caregiver Support Program (AFCSP) and National Family Caregiver Support Program (NFCSP).
2. Disregard dependent care payments as income for a food unit member's care when a county agency:
 - a. Pays a dependent care provider directly,
 - b. Reimburses the food unit after the food unit has incurred or paid a dependent care expense.
2. Disregard payments from the Wisconsin Family Support Program, which assists families by covering medical, dependent and other allowable expenses for in-home support for children with severe disabilities. Payments may be issued in several ways, including by voucher or direct payment to the vendor, or direct payment to the family as a reimbursement for allowable expenses. Do not confuse this program with "family support", a court-ordered obligation that combines child support and maintenance.

SSA programs:

1. Disregard reimbursements for services provided by the Social Services Block Grant Program.
2. Disregard retroactive SSI payments which are paid in installments.
 - a. Retroactive SSI benefits which total 12 months or more of the Federal Benefit Rate (monthly SSI amount) will be paid in three or fewer installments at six month intervals. Each installment payment should be counted as an asset. Retroactive SSI benefits which equal or exceed 12 months of benefits, but which are owed to the following categories of recipients, will continue to be received in one lump sum:
 - i. A person who has a medical impairment which is expected to cause death within 12 months.
 - ii. A person who is ineligible for benefits and is likely to remain ineligible for the next 12 months.
3. Disregard income of an SSI recipient necessary to fulfill a Plan to Achieve Self-Support (PASS) regardless of the source. This income may be spent in accordance with an approved PASS or deposited into a PASS account. The SSA must approve the individual's PASS in writing, identifying the amount of income that must be set aside each month to fulfill the PASS. It is the member's

responsibility to report and verify that such income is necessary to fulfill its PASS in order for the income to be disregarded.

4. A *qualified organization* may collect a fee for acting as the representative payee for an SSI or *OASDI* recipient. Disregard the amount withheld from the SSI or OASDI payment as income to the recipient. Reduce the SSI or OASDI amount by the amount withheld instead.

SSI-E

Disregard SSI-E income for FoodShare. It is not necessary to determine if a SSI-E payment is being used for its intended purpose in order to disregard the income.

Energy Assistance Program

Disregard all payments provided by the Low Income Home Energy Assistance Program (LIHEAP) or Wisconsin Home Energy Assistance Program (WHEAP).

Community Options Program

Disregard Community Options Program (COP) reimbursement for long-term care services. If a food unit member is receiving COP payments for providing services, count the money as earned income.

Tribal / Native American Payments

Disregard payments to individual tribal members of the following tribes and/or from the following federal settlements:

1. Seminole Indians of Florida (PL 84-736).
2. Pueblos of Zia and Jemez of New Mexico (PL 84-926).
3. Red Lake Band of Chippewa Indians (PL 85-794).
4. Alaska Native Claims Settlement Act (PL 92-203).
5. Stockbridge Munsee Indian Community of Wisconsin (PL 92-480).
6. Burns Indian Community of Oregon (PL 92-488).
7. Pueblo of Santa Ana (PL 95-498).
8. Pueblo of Zia of New Mexico (PL 95-499).
9. Bois Forte Band of the Chippewa Tribe or the Grand Portage Band of Lake Superior Chippewa Indians under 25 USC 1407 (PL 93-134, 97-458, 106-568, 113-290).
10. Navajo and Hopi Tribe relocation payments (PL 93-531).
11. Cherokee Nation of Oklahoma (PL 94-114).
12. Cheyenne River Sioux, Crow Creek Sioux, Lower Brule Sioux, Oglala Sioux, and Rosebud Sioux Tribes of South Dakota (PL 94-114).
13. Devils Lake Sioux and Standing Rock Sioux Tribes of North Dakota (PL 94-114).
14. Shoshone-Bannock Tribes of Idaho (PL 94-114).
15. Sac and Fox Indian claims agreement (PL 94-189).
16. Grand River Band of Ottawa Indians (PL 94-540).
17. Confederated Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation (PL 95-433).
18. Indian Child Welfare Act of 1978 (PL 95-608).

19. Delaware Tribe of Indians and the Delaware Tribe of Western Oklahoma (PL 96-318).
20. Passamaquoddy Tribe, Penobscot Nation, and Houlton Band of Maliseet Indians under the Maine Indian Claims Settlement Act of 1980 (PL 96-420).
21. Wyandot Tribe of Indians of Oklahoma (97-371).
22. Absentee Shawnee Tribe of Oklahoma, Eastern Shawnee Tribe of Oklahoma, and Cherokee Band of Shawnee descendants (PL 97-372).
23. Miami Tribe of Oklahoma and Miami Indians of Indiana (PL 97-376).
24. Clallam Tribe of Indians, including Port Gamble Indian Community, Lower Elwha Tribal Community, and Jamestown Band of Clallam Indians, of Washington (PL 97-402).
25. Turtle Mountain Band of Chippewas of Arizona (PL 97-403).
26. Blackfeet, Gros Ventre Tribes, and Assiniboine Tribes of Montana (PL 97-408).
27. Papago Tribe of Arizona (PL 97-408).
28. Red Lake Band of Chippewas (PL 98-123).
29. Assiniboine Tribes of Fort Belknap Indian Community and Fort Peck Indian Reservation of Montana (PL 98-124).
30. Chippewas of Lake Superior including the Bad River Band, Lac du Flambeau Reservation, Lac Courte Oreilles Band, Sokaogon Chippewa Community, Red Cliff Reservation, and St. Croix Reservation of Wisconsin; disregard any per capita payment issued under this judgement in its entirety (PL 99-146).
31. Keweenaw Bay Indian Community of Michigan (PL 99-146).
32. Fond du Lac, Grand Portage, Nett Lake, and White Earth Reservations of Minnesota (PL 99-146).
33. White Earth Band of Chippewas in Minnesota (PL 99-264).
34. Saginaw Chippewa Indian Tribe of Michigan (PL 99-346).
35. Chippewas of the Mississippi including Mille Lac, White Earth, and Leech Lake of Minnesota (PL 99-377).
36. Band of Potawatomi, including Hannahville Indian Community and Forest County Potawatomi, of Wisconsin; if issued as a per capita payment, disregard the first \$2,000 of each payment made from this judgement (PL 100-581).
37. Puyallup Tribes under the Puyallup Tribe of Indians Settlement Act of 1989 (PL 101-41).
38. Seneca Nation of New York under the Seneca Nation Settlement Act of 1990 (PL 101-503).
39. Catawba Indian Tribe of South Carolina (PL 103-116).
40. Confederated Tribes of the Colville Reservation (PL 103-436).

Exclude as income any lump sum or periodic payments received under the Cobell v. Salazar Class Action Trust Case during the one-year period beginning on the date of receipt (PL 111-291).

Disregard up to \$2,000 per calendar year held by an individual Native American which is derived from restricted land or land held in trust by the Department of Interior, Bureau of Indian Affairs (PL 103-66, 92-203, and 100-241).

Disregard the first \$2,000 of individual shares for the following:

1. Confederated Tribes of the Warm Springs Reservation (PL 97-436).
2. Old Age Assistance Claims Settlement Act (PL 98-500).
3. Seminole Nation of Oklahoma (PL 101-277).
4. Seminole Tribe, Miccosukee Tribe of Indians, and the independent Seminole Indians of Florida (PL 101-277).
5. Rincon Band of Mission Indians (Docket 80-A).
6. Walker Paiute Tribe (Docket 87-A).
7. Ak-Chin, Salt River Pima-Maricopa, and Gila River Pima-Maricopa Indian Communities (Docket 228).
8. Maricopa Ak-Chin Indian Community (Docket 235).
9. Peoria Tribe of Oklahoma (Dockets 313, 314-A, and 314-B).
10. Yankton Sioux Tribe (Dockets 342-70 and 343-70).
11. Wichita and Affiliated Tribe (Keechi, Waco & Tawakonie) of Oklahoma (Dockets 371 and 372).

Child Nutrition Act of 1966 and the National School Lunch Act

Disregard the value of assistance received from programs under the Child Nutrition Act of 1966 and the National School Lunch Act. These are:

- a. Special Milk Program.
- b. School Breakfast Program.
- c. Special Supplemental Food Program for Women, Infants and Children (*WIC*).
- d. School Lunch Program.
- e. Summer Food Service Program for Children.
- f. Commodity Supplemental Food Program.
- g. Child and *Adult* Care Food Program.

Disaster and Emergency Assistance Payments

1. Disregard major disaster and emergency assistance payments made by federal, state, county, and local agencies, and other disaster assistance organizations, including National Flood Insurance Program (NFIP).
2. Disregard Emergency Assistance or emergency General Assistance when either is given to a *migrant* or seasonal farm worker food unit if:
 - a. The payment is provided to a third party (vendored) on behalf of the migrant or seasonal farm worker; and,
 - b. The food unit was in the job stream when (for example, working) it was provided.
2. Disregard disaster unemployment benefits to any individual who is unemployed as a result of a major disaster. Individuals cannot be eligible for any other unemployment compensation and also receive disaster unemployment benefits. Payments are limited to 26 weeks.

COVID-19 Pandemic Assistance

Refer to Process Help COVID-19 Main Page for specific policies and process related to COVID-19 pandemic income.

Veterans Benefits

Exclude VA aid and attendance and homebound allowances if:

1. The payment is for a past or future expense.
2. The payment is not in excess of the actual expense.
3. The payment is not for a normal household living expense.
4. The payment is used for the intended purpose.

Disregard aid and attendance and housebound allowances received by veterans, spouses of disabled veterans, and surviving spouses.

GI Bill

All military personnel fund the GI Bill through mandatory payroll deductions in their first year of service. Disregard these deductions when counting income.

Example 2: During Joe's first year of military service, his gross pay is \$1,000 per month. One hundred dollars is deducted from his paycheck each month for the GI Bill. The IM worker disregards the \$100 deduction and budgets his pay as \$900 per month.

Combat Pay

IM workers are required to determine if a military allotment made available to a food unit by an absent member deployed to a combat zone should be excluded when determining eligibility. Disregard any amount of combat zone pay that goes to the food unit that is in excess of the military person's pre-deployment pay. The exclusion lasts while the military person is deployed to the combat area.

If the amount of military pay from the deployed absent family member is equal to or less than the amount the food unit was receiving prior to deployment, all of the allotment would be counted as income to the food unit. Any portion of the military pay that exceeds the amount the food unit was receiving prior to deployment to a designated combat zone should be excluded when determining the food unit's income for FoodShare purposes.

Procedure

Follow these steps in determining how to budget combat zone pay:

1. Ask if the service member is deployed to a combat zone.
2. If the answer is no, verify military pay using a bank record or Leave and Earnings Statements (LES) and clearly document in case comments how income to the food unit was determined and verified.

3. If the answer is yes, verify the service member's pay before deployment to a combat zone and the amount they receive due to being assigned to a combat zone. Leave and Earnings Statements (LES) or bank records can be used to verify this amount.
4. Any portion that is more than the amount the food unit was receiving immediately before deployment to a combat zone is exempt as combat pay.
5. Clearly document in case comments the combat pay source of verification and method used to determine amount to be disregarded and budgeted.

Note: Deployment to a combat zone can be established through a variety of methods including:

1. The deployed person's military pay record, the Leave and Earnings statement (LES).
2. Orders issued to the military person in which the place of deployment is public record.
3. Contacting the Call Center which has a listing of designated combat zones, as well as a listing of pay items which may or may not be the result of deployment to a designated combat zone

Example 3: John, his wife Bonnie and their daughter have an open FoodShare case. John is in the military stationed overseas, his monthly income is \$1,000. John sends his wife \$1,000 every month.

When John is deployed to a combat zone his pay is increased to \$1,300 a month, which is deposited into a joint account. Because the \$300 is combat pay, it is exempt income and not counted in the determination. The pre-combat pay of \$1,000 is budgeted as unearned income for FoodShare .

Example 4: Dori is in the military and receives \$1,000 per month in wages. Dori's husband Louie and their son Joe have an open FoodShare case. Dori has her military pay directly deposited into a bank account in her name only; Louie has no access to the funds or to the account. Do not count any of Dori's income in the eligibility determination for Louie and Joe.

Example 5: Ben is in the military. His paycheck is \$1,000 a month. He has \$500 directly deposited into his account and \$500 directly deposited into a joint account with his wife, Andrea. The \$500 directly deposited into the joint account is budgeted as unearned income in Andrea's FoodShare determination. Since Andrea does not have access to Ben's account, only the amount deposited in their joint account is counted.

Example 6: Tim is in the military making \$1,200 a month. An allotment check of \$1,000 is paid directly to his wife Karla, and \$200 to himself. \$1,000 is budgeted as Karla's unearned income for her FoodShare determination.

Dottie Moore

Disregard as income any penalty payment paid as a result of the Dottie Moore lawsuit by *DHS* (formerly DHSS) to any Aid to Families with Dependent Children (AFDC) applicant or member. These \$50 to \$200 penalty payments have been ordered by the U.S. District Court for the Eastern District of Wisconsin in Civil Action No. 80-C-118.

Income Tax Refunds, Credits, and Rebates

Disregard income tax refunds, credits, and rebates as income.

Victims of Nazi Persecution

Disregard as income payments under PL 103-286 to victims of Nazi persecution.

Payments to Crime Victims

Disregard any payments received from a state established fund to aid victims of a crime.

Agent Orange Settlement Fund

Disregard payments received from the Agent Orange Settlement Fund or any other fund established in settling "In Re Agent Orange Product Liability Settlement Fund litigation M.D.L. No. 381 (E.D.N.Y.)." Continue to disregard the payments for as long as they are identified separately. Apply this disregard retroactively to 1-1-89.

Wartime Relocation of Civilians

Disregard payments under PL 100-383 to U.S. citizens of Japanese ancestry and permanent resident Japanese immigrants or their survivors and Aleut residents of the Pribilof Islands and the Aleutian Islands West of Unimak Island.

Radiation Exposure Act

Disregard payments from any program under the Radiation Exposure Compensation Act (PL 101-426) paid to compensate injury or death resulting from exposure to radiation from nuclear testing (\$50,000) and uranium mining (\$100,000). Apply this disregard retroactively to 10-15-1990. When the affected person is deceased, payments are made to the surviving *spouse*, children, parents, or grandparents of the deceased. The federal DOJ makes the payments. Continue to disregard the payments for as long as they are identified separately. Apply this disregard retroactively to 10-15-90.

Children of Vietnam Veterans Who Are Born With Spina Bifida

Disregard payments received under the provision of the Benefits for Children of Vietnam Veterans Who Are Born With Spina Bifida (PL 104-204). These payments are made to any child of a Vietnam veteran for any disability he or she experiences resulting from

the spina bifida. Apply this disregard retroactively to 9-26-96. Continue this disregard as long as payments are identified separately.

Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970

Disregard reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (PL 91-646, Section 216).

Capital Gains

Disregard capital gains from the sale of a personal asset as income. Profits gained from the sale of an asset continue to be counted as an asset. (See 4.3.3.3 for policy related to self-employment).

Reverse Mortgage

Disregard reverse mortgage payments made to homeowners. Reverse mortgage payments are loans against the borrower's home and are considered an asset these payments are not considered income.

Payments to Filipino World War II Veterans

Disregard payments from the Filipino Veterans Equity Compensation Fund. The American Recovery and Reinvestment Act (ARRA) of 2009 created the fund for certain veterans and the spouses of veterans who served in the military of the Government of the Commonwealth of the Philippines during World War II. -The compensation fund offers one time payments that may be up to \$15,000 to eligible persons.

Unemployment Insurance (Unemployment Compensation, or UC) Stimulus Payment

Effective 11-06-09

The \$25 supplemental weekly Unemployment Compensation (UC) payment (stimulus payment) authorized by the American Recovery and Reinvestment Act of 2009 (ARRA) for FoodShare.

COVID-19 Pandemic Assistance

Count the following pandemic-related income types when received as a current payment:

- Federal Pandemic Unemployment Compensation (FPUC), when received as a current payment in 2020.
- Pandemic Unemployment Assistance (PUA)
- Pandemic Emergency Unemployment Compensation (PEUC) payments

Disregard the following pandemic-related income types when received as a current payment:

- Pandemic Emergency Unemployment Compensation (PEUC) payments **when issued as a current payments in 2021.**
- Mixed Earner Unemployment Income (MEUC)

Disregard the following pandemic-related income types when received as a retroactive payment:

- Federal Pandemic Unemployment Compensation (FPUC)
- Pandemic Unemployment Assistance (PUA)
- Pandemic Emergency Unemployment Compensation (PEUC) payments
- Mixed Earner Unemployment Income (MEUC)

4.6.7 SHELTER AND UTILITY DEDUCTION

4.6.7.6 SHELTER DEDUCTION FOR HOMELESS FOOD UNITS

7 CFR 273.9(d)(6)

<https://www.fns.usda.gov/snap/section-809-deductions-income>

Homeless food units may be eligible for a shelter deduction using shelter expenses if they incur monthly expenses for shelter and a standard utility allowance (4.6.7.3) if they are responsible for utility expenses separate from shelter expenses or have received a LIHEAP or WHEAP payment in the previous 12 months.

Determine eligibility for shelter residents using only their income. Include only expenses they are responsible for. Count room payments to the shelter in the food unit's shelter expenses. Homeless food units with reported shelter costs will receive the homeless shelter deduction (8.1.3). Homeless food units with reported shelter costs have the option to choose between the homeless shelter deduction and the excess shelter expense deduction.

Do not include back payments on previously owed shelter expenses since the expenses were incurred before the budgeting period. The exception to this is vendor payments that must be repaid. Food units who have shelter expenses paid with a vendor payment can count the actual shelter costs if they repay the vendor payment.

Example 78: A third party pays Gwen's shelter expenses while she is living in a homeless shelter during March. She agrees to pay the money back when she starts work. She is employed in April and moves. She incurs her March shelter costs in April since that is when she is expected to repay the third party. Her new shelter costs also are due in April. Include both March and April shelter costs for April.

7.3.1 BENEFIT OVERPAYMENT

7.3.1.2 LIABILITY

7 CFR 273.18(a)(4)(i)

All adults or emancipated minors who were included** in the food unit or should have been included in the food unit at the time the overpayment occurred are liable for the repayment of the overpaid FoodShare benefits. If a liable member moves to another food unit, responsibility of the overpayment is maintained and follows that member to the new food unit.

**If someone was included but should not have been included, they are not liable. An example may be a household reporting a change in household composition (someone moving out) and the agency failing to remove the individual. The overpayment still exists, but the person who should have been removed would not be liable.

Example 1: Jack and Jake apply for FoodShare in January and include their 22 year old son, Jeff, in their request. Their application is approved and they receive the maximum monthly allotment for an assistance group of three. Jeff calls the agency in September to apply for FoodShare and is told he cannot receive the benefit because he is already receiving FoodShare on his parents' case. Jeff tells the worker that he just moved back to Wisconsin after graduating from college and has been out of state for the last four years.

The worker should create an overpayment claim with Jack and Jake as the liable parties. Jeff is not liable because although he was included in the assistance group, he never actually resided in the household and is not responsible for the overpayment.

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

7 CFR 273.18(a)(4)(ii)

An authorized representative applying on behalf of a resident of a drug or alcohol treatment center, or a group living arrangement (GLA) (3.2.1.5 Group Living Arrangement), is responsible and liable for any FoodShare overpayments to the member due to misrepresentation or IPV which the authorized representative knowingly commits in the certification of treatment centers, GLA residents, or individual representatives.

Example 42: Susan is receiving FoodShare, and her 21-year-old daughter Jane lives with her. Because Jane is Susan's daughter, she must be included in the FoodShare determination with her mother (3.3.1.3 Relationship Rules), but the agency failed to include her. The overpayment must be calculated using Jane's income and information. Both Jane and Susan are liable for the overpayment.

Example 23: Ellen is receiving FoodShare for herself and her two children but does not report that the father of the children lives in the home. The father has earned income, which causes an overpayment of benefits. The father must be and should have been added to the case (3.3.1.3 Relationship Rules) as if the change was reported timely. He is equally liable for the overpayment of FoodShare benefits.