

**WISCONSIN DEPARTMENT OF HEALTH SERVICES**  
**Division of Medicaid Services**  
**1 W. Wilson St.**  
**Madison WI 53703**

To: FoodShare Handbook Users

From: Jori Mundy, Bureau Director  
Bureau of Eligibility and Enrollment Policy

Re: **FoodShare Handbook Release 21-05**

Release Date: 12/06/2021

Effective Date: 12/06/2021

<b>EFFECTIVE DATE</b>	The following policy additions or changes are <b>effective MM/DD/YYYY</b> unless otherwise noted. <b>Underlined text denotes new text.</b> <b>Text with a strike through it denotes deleted text.</b>
<b>POLICY UPDATES</b>	
<b>1.1.2 FoodShare Benefits</b>	Clarified language
<b>1.1.4 Eligibility Overview</b>	Clarified language
<b>1.2.1.2 Request for Verification</b>	Clarified language
<b>1.2.3.1 Identify Verification</b>	Removed extra space
<b>1.2.4.5 Expense Verification</b>	Clarified language
<b>1.2.4.6 Dependent Care Expense Verification</b>	Clarified language
<b>2.1.1.2 Application Process</b>	Added information that was removed from 2.2.1
<b>2.1.1.3 Reserved</b>	Renumbered section 2.1.1.3 to 2.3.1
<b>2.1.3.1 Scheduling the Interview</b>	Clarified language
<b>2.1.3.3 Use of an Authorized Representative</b>	Updated forms links and updated policy for representatives of members discharged from a residential treatment program
<b>2.2.1 Certification Periods (Renewals)</b>	Removed information that was added to 2.1.1.3
<b>2.3.1 Break in Service</b>	Renumbered section 2.1.1.3 to 2.3.1
<b>3.2.1.2.1 Military Absence</b>	Clarified policy regarding member inclusion in food units and assistance groups during military absences
<b>3.2.1.3 Homelessness</b>	Clarified language
<b>3.2.1.5 Group Living Arrangement</b>	Clarified policy regarding authorized representatives in a group living arrangement or facility
<b>3.2.1.5.3 Drug and Alcohol Treatment Centers</b>	Updated policy regarding authorized representatives of FoodShare members living in treatment facility
<b>3.5.1.1 Boarders Introduction</b>	Updated language
<b>3.12.1.1 Qualified Immigrant or Immigration Status</b>	Removed invalid link
<b>3.15.1 Student Eligibility</b>	Clarified example
<b>3.17.1.4 Determining ABAWD Status</b>	Clarified policy regarding GED or HSED program enrollment and ABAWD status
<b>4.3.3.8 Self-employment Expenses</b>	Updated for federal COLA change
<b>4.3.4.2 Counted Unearned Income</b>	Added refugee assistance payments

<b>4.3.4.3</b>	<b>Disregarded Unearned Income</b>	Removed information redundant to Process Help
<b>6.1.2</b>	<b>Six Month Reporting Requirement</b>	Updated for federal COLA change
<b>6.1.3.3</b>	<b>Changes That Cause an Increase in Benefits Including Person Adds and Loss of Income</b>	Clarified policy for dual food unit membership
<b>7.1.1.5</b>	<b>Replacement Issuance for Destroyed Food</b>	Clarified card replacement policy and added a new form
<b>8.1.1.1</b>	<b>Income Limits</b>	Updated income limit values
<b>8.1.1.2</b>	<b>Regular SNAP Program Income Limits</b>	Updated income limit values
<b>8.1.1.3</b>	<b>Asset Limits</b>	Updated asset limit values
<b>8.1.2</b>	<b>Allotment by Monthly Net Income and FS Group Size</b>	Updated allotment values
<b>8.1.3</b>	<b>Deductions</b>	Updated deduction values

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# 1.1 Introduction

## 1.1.2 FoodShare Benefits

FNS Memo 12/18/14,  
Online waiver approval 2020

FoodShare benefits are used to purchase food at authorized FoodShare retailers, including grocery stores, farmers markets, direct-marketing farmers, and [select online retailers](#) that participate in FoodShare. Benefits may be used anywhere in the United States, regardless of the origin of issuance.

Example 1:	Joan lives in Green Bay, Wisconsin. Joan calls her agency and asks if she can purchase food while visiting a friend in Mississippi. The answer is Yes. She can purchase food anywhere SNAP-EBT is accepted nationwide.
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Example 2:	Jack reported he moved from Wisconsin to California. Jack's FoodShare case was closed. However, Jack still has FoodShare benefits in his EBT account. Jack is allowed to spend his remaining FoodShare benefits while living in California, even if he starts to receive SNAP benefits in California.
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- FoodShare benefits are deposited in a member's account using an Electronic Benefits Transfer (EBT) system and are spent using a debit card called the Wisconsin QUEST card. The Wisconsin QUEST card allows access to FoodShare benefits through point-of-sale, swipe card terminals, or [online EBT payment options](#) with participating SNAP retailers. These transactions look like any other debit card transaction and are free to the cardholder.

FoodShare benefits can be used to buy foods such as:

- Breads and cereals.
- Fruits and vegetables.
- Meats, fish, and poultry.
- Dairy products.
- Seeds and plants that produce food for the household to eat.

FoodShare benefits **cannot** be used to buy items such as:

- Nonfood items (pet foods, paper products, soaps, household supplies, grooming items, toothpaste, cosmetics, etc.).
- Beer, wine, liquor, cigarettes, or tobacco.
- Food that will be eaten in the store.
- Hot foods (for example, food that is purchased and cooked at the store).
- Vitamins and medicines.

Hot foods are only excluded if they are hot at the time they are sold. Occasionally grocery stores will chill hot foods; these items are then eligible for purchase with 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.

If the member has questions about specific food items, refer the member to the Food and Nutrition Service's list of eligible food items.

If the member eats at a group meal site for the elderly or has meals delivered to the member's home, FoodShare benefits can pay for these meals if the facility or meal provider is an authorized FoodShare retailer.

FoodShare benefits can be used for meals within a group meals setting if the facility is authorized to accept QUEST cards and the member is staying in a drug and alcohol treatment center, a shelter for victims of domestic violence, a shelter for the homeless or a group home for the disabled people with disabilities.

## 1.1.4 Eligibility Overview

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### Non-Financial Eligibility

The application process begins with a person contacting a local agency to request FoodShare benefits. The local agency must determine whether the applicant is a Wisconsin resident. The local agency must determine whether the applicant is a boarder, foster person, or resident of an institution. Some applicants are not eligible for FoodShare because their food needs are already met.

### Individual Eligibility

To be eligible for FoodShare, an individual must be a U.S. citizen or qualifying immigrant. A Social Security number (SSN) is required, or the individual must apply for an SSN, for each person who is requesting FoodShare benefits. A food unit member cannot belong to more than one FoodShare assistance group with a few exceptions.

### Food Unit

The food unit can include anyone who purchases and prepares food with the primary person. There are some exceptions regarding who must be included in the food unit based on relationship rules.

### FoodShare Assistance Group

The FoodShare assistance group includes everyone who will receive FoodShare benefits.

## Work Programs

Almost everyone age 16-59 must register for work to be FoodShare eligible. Some exceptions include full-time students and parents caring for young children.

## Unearned Income

Unearned income, ~~and including~~ any unearned income that is deemed from an ineligible member, may be counted. Some types of unearned income include: child support, unemployment compensation, Social Security, and W-2 payments.

## 1.2.1 Verification Introduction

### 1.2.1.2 Request for Verification

7 CFR 273.2(c)(5); 7 CFR 273.2(h)(2)(i)(A)  
OM 14-48

Requests for verification MUST be made in writing. Verbal requests are not acceptable and will not stand up in a fair hearing. IM workers are required to give the applicant/member a notice that identifies the -required verification, the date the verification is due to the agency, and the consequences of not verifying timely.

Do not deny the FoodShare application when the required verification is not provided until the latest of the following dates:

1. -10th day after requesting the verification, or
2. ~~30th day of~~ 30 days from the application filing date, or
3. The last day of the renewal processing period, ~~whichever is later~~.

## 1.2.3 Non-Financial Verification

### 1.2.3.1 Identity Verification

7 CFR 273.2(f)(1)(vii)

At the time of application, verify the identity of the primary person (if not already verified). If an authorized representative applies on behalf of the food unit, then verify the identities of both the authorized representative and the primary person.

Note: A complete Appoint, Change, or Remove Authorized Representative form ([F-10126](#)) must be on file for an authorized representative designation to be valid. The completed Authorized Representative form meets the ID verification requirement, so no additional verification is required.

Identity is the only verification required to process expedited benefits.

Identity may be verified when the SSA data exchange returns a verified SSN code, through readily available documentary evidence, or through a collateral contact (see [1.2.6](#) for suggested sources of verification). See 1.2.2.2 for the definition of a collateral contact. Any documents that reasonably establish the primary person's and/or authorized representative's identity must be accepted. No requirement for a specific type of document, such as a birth certificate or photo ID, may be imposed.

## 1.2.4 Financial Verification

### 1.2.4.5 Expense Verification

7 CFR 273.2(f)(3)

Verify expenses that are required to be verified, expenses that are deemed questionable at application, or when a change in expenses is reported. At application, reported change, or renewal, ensure that there is up-to-date documentation in the [filecase record](#) to support current CWW entries.

### 1.2.4.6 Dependent Care Expense Verification

7 CFR 273.9(d)(4)

Dependent care expenses required for food unit members to keep or obtain employment, receive training or education preparatory for employment, or comply with employment and training requirements should be deducted from income. Convert expenses to monthly amounts.

Dependent care expenses are not required to be verified in order for the expense to be used in the FoodShare benefit calculation, unless the applicant or member's statement is deemed questionable. Examples of applicant/member statements that may be considered questionable include:

- Claimed dependent care expenses exceed monthly income,
- Reported amount seems unreasonably high compared to market rates, or
- Applicant or member receives child care subsidy and reported the full amount rather than his or her share of the cost.

<b>Example 2:</b>	Vinny is a 10-year old child who attends Prestigious Prep Childcare four days a week during the summer while his parents are working. His parents indicate that this care costs \$1,000 per week. The cost of care seems unreasonably high compared to the cost of other care in the area. The IM worker should request verification of this dependent care expense.
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**Reminder:** Only the amount of dependent care expenses that the food unit is responsible to pay can be used as a deduction. When a member has been approved for and ~~receiving the~~ [receives](#) dependent care through the child care subsidy program,



Wisconsin Shares, the amount paid for through the subsidy would not be considered an allowable dependent care expense.

## 2.1 Applications

### 2.1.1 Initial Certifications (Applications)

#### 2.1.1.2 Application Process

A new application for FoodShare benefits is required whenever an individual or family makes a request for FoodShare benefits and:

1. They have not received FoodShare benefits in Wisconsin in the current or past month, or
2. They have received FoodShare benefits, but benefits have been denied/terminated beyond the calendar month following the month of closure.

**Note:**

FoodShare assistance groups with zero FoodShare benefits in their initial benefit month and a FoodShare allotment greater than zero in the second month will be certified for 12 months beginning with the application month.

#### 2.1.1.3 ~~Break in Service~~ Reserved

~~A break in service means that the FoodShare assistance group has closed for at least one day. Failure to provide timely verification is a common cause for FoodShare closure.~~

~~The FoodShare assistance group closes effective the last day of the month following adverse action if a requested action is not taken by the assistance group. To open the case without a new application, the reason for closure must be fully resolved during the calendar month following the closure. The date the closure is fully resolved by the member is the date used to re-establish eligibility and issue prorated benefits.~~

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~~**Example 1:** Verification of income was due November 26. FoodShare closed for lack of verification on December 31. Verification is submitted on January 7. FoodShare benefits are prorated from the date all required verifications are received by the agency (January 7). A new application is not needed.~~

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~~If the reason for closure is not fully resolved the month following the month of closure, a new application must be completed.~~

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~~**Example 2:** Verification of income was due November 26. FoodShare closed for lack of verification on December 31. Verification is submitted on February 7. A new application is required.~~

~~Allow FoodShare to reopen at renewal if the requested action is completed in the month following the end of the current certification period, as long as the interview was completed before the end of the renewal month.~~

- ~~• An interview must be completed within the renewal month of the current certification period to be considered timely. If the food unit fails to complete a timely interview, FoodShare will close effective the last day of the renewal month, and a notice of closure will be sent at adverse action of the renewal month. A new FoodShare application is required in the month following the renewal due month.~~
- ~~• If FoodShare closes for lack of verification or other reasons after a timely renewal interview and the food unit takes the required action within the calendar month following the certification period, the agency shall reopen FoodShare and prorate benefits from the date the food unit took the required action. The certification period will begin with the month after the renewal was due.~~
- ~~• If FoodShare closes due to agency delay in scheduling the interview or the food unit is not available to complete the interview offered by the agency until the month following the renewal month, benefits shall be restored and a supplemental benefit will need to be issued back to the first of the month to ensure ongoing benefits, as long as verification is timely.~~
- ~~• If the food unit contains a member who is a migrant and received FoodShare in the previous calendar month, benefits will not be prorated from the day the food unit provides necessary information but will be restored back to the beginning of the month (7.1.1.2 Initial Allotment for Migrant and Seasonal Farm Workers). Benefits should not be issued as expedited when applying a break in service.~~

~~**Example 3:** Sam requests an appointment to renew his FoodShare benefits on September 25. His benefits end on September 30. The first available appointment is October 3. Sam meets with his IM worker on October 3. The IM worker documents in case comments the reason for the late certification. Benefits begin the first of the month.~~

### **2.1.3.1 Scheduling the Interview**

7 CFR 273.2(e)(3)

Agencies must make every attempt to schedule interviews to ensure that an initial FoodShare eligibility determination can be completed within the 30-day processing time

frame. Priority Service interviews must be completed (2.1.4 Expedited Service at Application).

FoodShare applicants have the right to complete a face-to-face or phone interview (2.1.3.5 TELEPHONE INTERVIEWS). If an applicant requests a face-to-face interview, the interview is typically held at the local office but may be held at a mutually acceptable location such as the applicant's residence.

If a home-based certification interview is scheduled with the applicant or member, a hardship must exist (including but not limited to) and must be case commented:

- Illness
- Transportation difficulties
- Care of a household member
- Hardships due to residency in a rural area
- Prolonged severe weather
- Work or training hours that prevents the household from participating in an in-office interview

Agencies are required to schedule and provide written notice of an interview for an initial FoodShare application. Notice of the interview must be in writing and mailed to the applicant unless the notice cannot be received by the applicant prior to the date of the interview. Verbal notification of the interview is only allowable if an interview letter cannot be received prior to the interview and only if the agency provides this information directly to a responsible adult household member. If verbal notice is provided the agency must document in case comments that a verbal notice was provided, the name of the person who received the verbal notice, the date and time of the interview, and whether the interview will be conducted by telephone or face-to-face.

If the applicant is physically present when the appointment is scheduled, the agency must provide the applicant a print out of the written notice.

The IM worker must make two attempts to contact the applicant or an adult member of the food unit at the time of the scheduled interview. If the first attempt to contact the food unit is unsuccessful, make a second attempt 15 minutes after the first call. If the second attempt is unsuccessful, the IM worker must document in case comments that he or she was unable to contact the food unit at the appointment time, that the follow-up call was made, and the length of time between calls. Send the Notice of Missed Interview (NOMI), directing the food unit to contact the agency to reschedule.

NOMI requirements must be met if the applicant or member misses the interview.

The agency must notify each applicant or member who misses the application or renewal interview that they missed the scheduled interview and that the applicant or member is responsible for rescheduling a missed interview. The use of Client Scheduling in CWW will ensure that the NOMI is generated by CWW and sent to the applicant or member, see [Process Help 1.8.9.7](#) for details on the automated NOMI process. If Client Scheduling is not used, a NOMI must be manually issued by the local agency. A copy of the agency notice must be scanned to the electronic case file.

Agencies may not deny an application prior to the 30th day after the application filing date if the applicant fails to appear for the first interview.

For applicants who miss a scheduled appointment and contact the agency to reschedule within the 30-day application processing period (2.1.2 Application Processing Time Frame), the agency must schedule another interview.

An application must not be denied prior to the 30th day, unless the interview has been completed, even if other information has been reported on the application that would make the FoodShare assistance group ineligible.

## On-Demand Interviews

Wisconsin received federal approval for a waiver that allows IM consortia to implement an on-demand, or unscheduled, interview model. Under the on-demand interview model, FoodShare applicants and renewing members may call their IM agency to complete the required FoodShare interview during the agency-designated FoodShare on-demand hours.

A consortium must apply this model across all agencies within the consortium. An on-demand interview must be offered at both application and renewal. A consortium implementing the on-demand interview model must continue to provide scheduled face-to-face or telephone interviews upon request.

All FoodShare applications must be screened for priority service and expedited service issuance. A consortium must meet the following application and renewal processing standards:

- Expedited Priority service applications: IM workers must make at least two attempts to contact an applicant to complete the interview on the same business day the application is received or by the end of the next business day. IM workers must continue to meet all expedited priority service processing standards.

### 2.1.3.3 Use of an Authorized Representative

7 CFR 273.2(n)

The local agency must inform applicants and prospective applicants, who indicate that they may have difficulty completing the application process, that a non-food unit member may be designated as the authorized representative for application processing purposes. The authorized representative designated for application processing purposes may also carry out food unit responsibilities during the certification period, such as reporting changes in the food unit's circumstances. If an authorized representative applies on behalf of a household, the identity of both the authorized representative and the primary person must be verified. An authorized representative must be designated by the primary person in writing before he or she is authorized to take action on a case. When an authorized representative completes an application or

renewal for the food unit, they also register the food unit for work (3.16.1.4 Registering for Work).

A non-food unit member may be designated as an authorized representative for the food unit provided that the person is:

1. An adult who is sufficiently aware of relevant food unit circumstances, and
2. The authorized representative designation has been made in writing by the primary person, spouse, or another responsible adult member of the food unit. The authorized representative designation may be made in ACCESS or by completing ~~the form F-10126~~ form F-10126A for an individual or F-10126B for an organization.

The following groups may not serve as authorized representatives:

- Individuals who are disqualified for an Intentional Program Violation (IPV) ~~(3.14.1)~~ (3.14.1 INTENTIONAL PROGRAM VIOLATION (IPV) DISQUALIFICATION) cannot serve as authorized representatives during the disqualification period, unless the agency has determined that no one else is available to serve as an authorized representative.
- Homeless meal providers may not act as an authorized representative for a homeless food unit.
- Agency employees who are involved in the certification process or issuance process may not act as an authorized representative. Special written approval may be granted by the State of Wisconsin in extenuating circumstances.
- Retailers who are authorized to accept FoodShare benefits may not act as an authorized representative, with the exception of some group living facilities (sections in 3.2.1.5 GROUP LIVING ARRANGEMENT).

Residents of drug addiction or alcoholic treatment and rehabilitation programs that are certified as authorized retailers by FNS or authorized to receive funding under part B of title XIX of the Public Health Service Act (42 U.S.C 300x et seq), which supports block grants for substance abuse prevention and treatment, must apply and be certified for FoodShare eligibility through the use of an authorized representative. The drug addiction or alcoholic treatment and rehabilitation program must employ an individual for the purpose of being the authorized representative.

Residents of group living arrangements have the option to apply and be certified through the use of an authorized representative independent of the facility or who is an employee of the facility. A residential group living facility must employ an individual to be the authorized representative. When the member is discharged from a residential treatment program, the facility authorized representative must be removed from the member's case.

See 3.2.1.5 GROUP LIVING ARRANGEMENT for additional information regarding these housing situations.

If the state agency has determined that an authorized representative has knowingly provided false information about a food unit's circumstances or has made improper use

of FoodShare benefits, it may disqualify that person from being an authorized representative for up to one year. Any drug and alcohol treatment centers and the heads of group living arrangements that act as authorized representatives for their residents and intentionally misrepresent food unit circumstances may be prosecuted under applicable federal and state statutes.

## 2.2 Renewals

### 2.2.1 Certification Periods (Renewals)

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*7 CFR 273.14(a); 7 CFR 273.10(f)*

The certification period for FoodShare eligibility for most food units is 12 months. A certification period should never exceed 12 months. Food units where all members are homeless and food units that include a migrant or seasonal farm worker have a six-month certification period. Members must complete an interview ([2.1.3 INTERVIEWS](#)) and verify current household information in the last month of the certification period in order to be recertified and continue receiving FoodShare benefits. This is called a renewal.

~~FoodShare assistance groups with zero FoodShare benefits in their initial benefit month and a FoodShare allotment greater than zero in the second month, will be certified for 12 months beginning with the application month.~~ If FoodShare eligibility is denied in the month of application for any other reason, and eligibility begins the following month, the 12-month certification period begins in the month following the application month. If the benefit calculation is zero for the first two months, the case will be denied.



## 2.3 Break in Service

### 2.3.1 Break in Service

A break in service means that the FoodShare assistance group has closed for at least one day. Failure to provide timely verification is a common cause for FoodShare closure.

The FoodShare assistance group closes effective the last day of the month following adverse action if a requested action is not taken by the assistance group. To open the case without a new application, the reason for closure must be fully resolved during the calendar month following the closure. The date the closure is fully resolved by the member is the date used to re-establish eligibility and issue prorated benefits.

<u>Example 1</u>	<u>Verification of income was due November 26. FoodShare closed for lack of verification on December 31. Verification is submitted on January 7. FoodShare benefits are prorated from the date all required verifications are received by the agency (January 7). A new application is not needed.</u>
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If the reason for closure is not fully resolved the month following the month of closure, a new application must be completed.

<u>Example 2</u>	<u>Verification of income was due November 26. FoodShare closed for lack of verification on December 31. Verification is submitted on February 7. A new application is required.</u>
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Allow FoodShare to reopen at renewal if the requested action is completed in the month following the end of the current certification period, as long as the interview was completed before the end of the renewal month.

- An interview must be completed within the renewal month of the current certification period to be considered timely. If the food unit fails to complete a timely interview, FoodShare will close effective the last day of the renewal month, and a notice of closure will be sent at adverse action of the renewal month. A new FoodShare application is required in the month following the renewal due month.
- If FoodShare closes for lack of verification or other reasons after a timely renewal interview and the food unit takes the required action within the calendar month following the certification period, the agency shall reopen FoodShare and prorate benefits from the date the food unit took the required action. The certification period will begin with the month after the renewal was due.
- If FoodShare closes due to agency delay in scheduling the interview or the food unit is not available to complete the interview offered by the agency until the month following the renewal month, benefits shall be restored and a supplemental benefit will need to be issued back to the first of the month to ensure ongoing benefits, as long as verification is timely.

- If the food unit contains a member who is a migrant and received FoodShare in the previous calendar month, benefits will not be prorated from the day the food unit provides necessary information but will be restored back to the beginning of the month (7.1.1.2 INITIAL ALLOTMENT FOR MIGRANT AND SEASONAL FARM WORKERS). Benefits should not be issued as expedited when applying a break in service.

<u>Example 3</u>	<u>Sam requests an appointment to renew his FoodShare benefits on September 25. His benefits end on September 30. The first available appointment is October 3. Sam meets with his IM worker on October 3. The IM worker documents in case comments the reason for the late certification. Benefits begin the first of the month.</u>
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# 3 Non-Financial Requirements

## 3.2.1 Residence

### 3.2.1.2 Temporary Absence

#### 3.2.1.2.1 Military Absence

Someone absent solely for full-time service in the military is not considered temporarily absent, ~~and but~~ is ~~not in part of~~ the ~~FoodShare~~-food unit. However, this individual would not be part of the assistance group. Income from this individual may be included in the FoodShare assistance group if it is available to the other food unit members.

### 3.2.1.3 Homelessness

7 CFR 271.2

A homeless individual is someone who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is:

1. A supervised shelter designed to provide temporary accommodations (such as a welfare hotel, congregate shelter, or transitional housing),
2. A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized,
3. A temporary accommodation for not more than 90 days in the residence of another individual, or
4. A place not designed for ~~or~~ ordinarily used as a regular sleeping accommodation for human beings (a hallway, bus station, a lobby, or similar places~~)-"~~).

**Note:** A homeless youth is someone, other than a foster child who is under 18 years of age, who is temporarily seeking accommodation in the residence of another individual other than his or her parent. A homeless youth under "parental control" must apply as part of the same food unit as the adult. A homeless youth under parental control is defined as someone who is financially or otherwise dependent on a member of the household, unless state law defines such a person as an adult.

### 3.2.1.5 Group Living Arrangement

7 CFR 273.11(f)

A group living arrangement is a public or private nonprofit residential setting serving no more than 16 residents. It must be certified by the appropriate state or local agencies. An example may be a community-based residential facility.

Any ~~blind or disabled [3.8.1 Elderly, Blind, or Disabled (EBD) Individuals]~~ resident of a group living arrangement who is elderly, blind, or disabled may be eligible for FoodShare.

The resident may purchase meals from the group living arrangement when FNS authorizes the facility to accept and redeem FoodShare ~~(2.1.3.3 Use of an Authorized Representative)~~. (2.1.3.3 USE OF AN AUTHORIZED REPRESENTATIVE).

Determine the resident's eligibility as a one-person food unit (3.3.1 Food Unit/FoodShare Assistance Group/Relationships) when the facility applies as an authorized representative. If the resident applies on his or her own behalf, determine the group size according to food unit rules.

Residents of a group living arrangement who move out before the 16th of the month should have half of their FoodShare allotment for the month returned by the authorized representative.

Note: A group living arrangement or facility authorized representative must not be an listed as an authorized buyer for anyone living in the facility.

### *3.2.1.5.3 Drug and Alcohol Treatment Centers*

7 CFR 271.2

7 CFR 273.11(e) and (f)(6)

DHS 75.03 General requirements

Residential alcohol and drug treatment facilities are defined as: private facilities, nonprofit organizations or institutions, community-based residential facilities, hospitals, or publicly operated community mental health facilities. These facilities are not institutions.

The Department of Health Services certifies these facilities according to DHS 75.03 General requirements. State certification of these facilities should not be confused with state licensing of drug and alcohol treatment facilities. Such licensing is not required for FoodShare eligibility.

For an individual of a residential treatment facility to be certified to receive and use their FoodShare benefits to purchase meals, the facility must either be:

1. Tax exempt and certified by the State as either receiving or, eligible to receive, or operating to further the purposes of Part B of Title XIX (Medicaid). This may include faith-based treatment, facilities; or
2. Authorized as a retailer by FNS.

Title XIX [list of facilities for substance abuse](#) and for *mental health*.

~~If an~~An individual residing in a treatment facility may voluntarily apply for FoodShare. If an individual will be using FoodShare to purchase meals, the facility or an employee of the facility must be designated as an authorized representative with the F-10126B Auth Rep (scroll through the forms and select F-10126B) Appoint, Change, or Remove an Authorized Representative: Organization form. The authorized representative must apply for these residents FoodShare on the individual's behalf (see 2.1.3.3 USE OF AN AUTHORIZED REPRESENTATIVE).

If the individual is the primary person on an existing case, the facility or employee will need to be added as an authorized representative. All other household members will need to re-apply on their own to continue to receive benefits. Individuals residing in the facility must receive or have access to their notices, access to their case information and be allowed to file a fair hearing.

The resident is the QUEST cardholder and the primary person on the case. The QUEST cardholder or the authorized representative, if granted permission by the resident, may purchase meals prepared and served by the facility, food purchased from another authorized retailer, or both.

Reminder: The authorized representative cannot also be the authorized buyer.

Determine the eligibility of an individual residing in a treatment facility as a one-person FoodShare food unit, unless the resident is a parent whose child(ren) resides with them at the facility. Include any child(ren) residing with their parent(s) at the facility, whether or not the facility provides the majority of the child(ren)'s meals, when determining eligibility.

Note: Faith-based treatment and rehabilitation facilities are not required (by law or FNS regulation) to allow residents to opt-out of religious programming or activities in order to participate in the FoodShare program.

When a household is discharged from the treatment facility, the facility must perform the following:

1. Notify the agency. If possible, the facility must also provide the member with a change report form to report the member's new address and other circumstances after leaving the facility. The facility must advise the member to return the form to the agency within 10 days. Members can also report changes through ACCESS or by phone.

After the member leaves the treatment facility, the facility can no longer act as the member's authorized representative for certification purposes or for obtaining or using benefits and must be removed from the member's case.

2. Return the member's QUEST card if it was in the possession of the treatment facility.

If a member from an existing FoodShare case is residing in a drug or alcohol treatment facility and is not using FoodShare benefits to purchase food and meals, the member is considered temporarily absent from the home.

## 3.5.1 Boarders

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7 CFR 273.1(b)(3)

### 3.5.1.1 Boarders Introduction

A boarder is anyone who resides with a household and:

1. Pays reasonable compensation to the household for lodging and meals, and
2. Is in the food unit from which he or she purchases his or her meals, and
3. The food unit's primary person asks that the boarder be included.

A boarder food unit includes all the persons in a household who are included in the same payment for meals. This applies whether each person actually makes part of the payment or one or more persons make the payment on their behalf. Include spouses and minor children of a boarder in the same boarder food unit, even if they claim they are making separate payments. Boarders are not eligible to participate as their own food unit.

Children and parents living together are not boarders if the child or parent is ~~a~~ paying board to the other.

### 3.5.1.2 Reasonable Compensation

Reasonable compensation means the person pays enough money for meals to qualify as a boarder.

Compute reasonable compensation based on the number of meals a day the person pays for. A boarder food unit who pays for more than two meals a day pays reasonable compensation when they pay an amount that equals or exceeds the allotment maximum (8.1.2) Allotment by Monthly Net Income and FS Group Size. The allotment maximum is based on the size of the boarder group.

A boarder food unit who pays for two meals or less a day pays reasonable compensation when they pay an amount that equals or exceeds two thirds of the allotment maximum for the size of the boarder group.

Persons paying less than reasonable compensation are not boarders. Count income and assets of people who are paying less than reasonable compensation. Do not count a boarder's income and assets unless he or she is a food unit member.

## 3.12.1 Citizenship and Immigration Status

### 3.12.1.1 Qualified Immigrant or Immigration Status

1. Use [CHART 1](#) to determine if a non-citizen is eligible for FoodShare.
2. Use [CHART 2](#) for decoding the admission or adjustment codes from USCIS. Refer also to [Process Help 82.8](#).

**Note:** If there is more than one admission or status code for the immigrant/non-citizen, always use the least restrictive code per 8 CFR 212.5(h). A best practice is to ask each year about immigrant/citizenship status changes since the code(s) may change over time.

#### CHART 1

Federal Supplemental Nutrition Assistance Program (SNAP)	
Eligible as a U.S. Citizen/National/Non-Citizen:	
<ul style="list-style-type: none"> <li>• U.S. citizens,</li> <li>• Non-citizen nationals (People born in American Samoa or Swain's Island),</li> <li>• American Indians born in Canada,</li> <li>• Members (born outside the U.S.) of Indian tribes under Section 450b(e) of the Indian Self-Determination and Education Assistance Act,</li> <li>• Members of Hmong or Highland Laotian tribes that helped the U.S. military during the Vietnam era from August 5, 1964, to May 7, 1975, and who are legally living in the U.S., and their spouses or surviving spouses and dependent children, including a full-time students under the age of 22.</li> </ul>	
Immigrant Status Code	Eligible if:
01-Lawfully admitted for permanent residence (LPR)	<ul style="list-style-type: none"> <li>• Meets work quarters, or</li> <li>• Meets military requirement, or</li> <li>• Receives disability benefit, or</li> <li>• Under age 18, or</li> </ul>

	<ul style="list-style-type: none"> <li>• Has lived in the U.S. as a qualified immigrant for five years from the date of entry, or</li> <li>• A legal resident on August 22, 1996, and born on or before August 22, 1931.</li> </ul>
02-Permanent resident under color of law (PRUCOL)	Ineligible
03-Conditional entrant or lawfully present under Section 203(a)(7)	<ul style="list-style-type: none"> <li>• Meets work quarters, or</li> <li>• Meets military requirement, or</li> <li>• Receives disability benefit, or</li> <li>• Under age 18, or</li> <li>• Born before August 22, 1931, or</li> <li>• Has lived in the U.S. as a qualified immigrant for five years from the date of entry, or</li> <li>• A legal resident on August 22, 1996, and born on or before August 22, 1931.</li> </ul>
04-Refugee lawfully present under Section 207	Eligible
05-Asylee lawfully present under Section 208	Eligible
06-Parolee lawfully present under Section 212(d)(5)	<ul style="list-style-type: none"> <li>• Meets work quarters, or</li> <li>• Meets military requirement, or</li> <li>• Receives disability benefit, or</li> <li>• Under age 18, or</li> <li>• Born before August 22, 1931, or</li> <li>• Has lived in the U.S. as a qualified immigrant for five years from the date of entry, or</li> <li>• A legal resident on August 22, 1996, and born on or before August 22, 1931.</li> </ul>
07-IRCA – No longer valid status	Ineligible
08-Work Authorization: Temp.	Ineligible
09-Undocumented Immigrant	Ineligible



10-Illegal Immigrant	Ineligible
11-Cuban/Haitian entrant as defined in Section 501(e) of the Refugee Education Act of 1980	Eligible
12-Considered a permanent resident by USCIS	Ineligible
13-Special agriculture worker under Section 210(A)	Ineligible
14-Additional Special agriculture worker under Section 210A	Ineligible
15-An immigrant whose deportation is being withheld under Section 243(h) or 241(b)(3)	Eligible
16-Battered Immigrant  Code the battered immigrant adult or child or parent with the broadest immigrant eligibility category that applies to that person (e.g., code a battered refugee immigrant, as a refugee). Document in case comments that the person is a battered immigrant and therefore exempt from sponsor deeming. Do not list the sponsor in CWW. Do not list any of the sponsor's income and assets.	Ineligible unless: <ul style="list-style-type: none"> <li>• Meets work quarter requirement, or</li> <li>• Meets military requirement, or</li> <li>• Receives disability benefit, or</li> <li>• Has lived in the U.S. as a qualified immigrant for five years from the date of entry, or</li> <li>• Under age 18, or</li> <li>• Was a legal resident on August 22, 1996, and born on or before August 22, 1931.</li> </ul>
17- Amerasians	Eligible
18 - Native Americans born abroad	Eligible
19 - Trafficking victims, including the minor children, spouses, and, in some cases, the parents and siblings of victims of severe trafficking (treat as refugee under section 207 of the INA), the spouse, child, parent or unmarried minor sibling of a victim of a severe form of trafficking in persons under	Eligible

21 years of age, or the spouse or child older than 21 who has received a derivative T visa, to the same extent as an immigrant who is admitted to the U.S. as a refugee under Section 207 of the INA.	
20 – Lawfully Residing	Ineligible

## CHART 2

Immigration Status	CARES Code	I-94 Codes	I-551 Codes	Other
Cuban/Haitian Entrant	11	212(d)(5) or paroled or C/H Entrant and from Cuba or Haiti or I-551 stamp and CU6 or CH6	CU6 or CU7, CH6	Unexpired and expired I-551 stamp in foreign passport
Deportation Withheld	15	106 or 243(h) or 241(b)(3)	NA	USCIS Form I-688B annotated 274a.12(a)(10); USCIS Form I-766, annotated A10; order from an immigration judge showing deportation withheld under 243(h) or removal withheld under 241(b)(3)
Battered Immigrant	16	AR1, AR6, C20 through C29, CF1, CF2, CR1, CR6, CR7, CX1, CX2, CX3, CX6, CX7, CX8, F20 through F29, FX1, FX2, FX3, FX6, FX7, FX8, IF1, IF2, IR1, IR2, IR3, IR4, IR6, IR7, IR8, IR9, IW1, IW2, IW6,	AR1, AR6, C20 through C29, CF1, CF2, CR1, CR6, CR7, CX1, CX2, CX3, CX6, CX7, CX8, F20 through F29, FX1, FX2, FX3, FX6, FX7, FX8, IF1, IF2, IR1, IR2, IR3, IR4, IR6, IR7, IR8,	I-551 stamp in foreign passport with one of the preceding codes; or  <b>IMPORTANT:</b> Applicant has filed an I-130 or I-360 petition as a battered immigrant.  USCIS Form - 797 is documentation of approval of an I-130

		IW7, MR6, MR7, P21, P22, P23, P26, P27, P28; IB3, IB6, IB7, IB8, B11, B12, B16, B17, B20 through B29, B31, B32, B33, B36, B37, B37, B38, BX1, BX2, BX3, BX6, BX7, BX8 some Z13	IR9, IW1, IW2, IW6, IW7, MR6, MR7, P21, P22, P23, P26, P27, P28; IB3, IB6, IB7, IB8, B11, B12, B16, B17, B20 through B29, B31, B32, B33, B36, B37, B38, BX1, BX2, BX3, BX6, BX7, BX8 some Z13	application.
Amerasian	17	AM1, AM2, or AM3	AM 6, AM7, or AM8	I-551 stamp in foreign passport with one of the preceding codes
Foreign born Native American	18	S13	S13	I-551 stamp in foreign passport with S13 tribal membership card from federally recognized tribe.
Trafficking Victim	19	T-2, T-3, T-4 and T-5 known as "Derivative T" visas are not currently available in the SAVE system.  Call the toll-free trafficking verification line at 1-866-401-5510 to notify ORR of the benefits for which the individual has applied.		Health and Human Service Office of Refugee Resettlement Certification Letter

This is not an all-inclusive list of government issued codes. ~~Additional codes may be found at this website.~~

See also [Process Help 82.8](#) for [additional codes and](#) explanations of the types of USCIS authorization documents.

## 3.15.1 Student Eligibility

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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:

- 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:

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 <u>an eligible student because he is</u> enrolled in a two-year degree program that is expected to lead to employment.
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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.
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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.
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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.
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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.
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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.
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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~~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~~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.

## 3.17.1 Able-Bodied Adults Without Dependents (ABAWDs)

### 3.17.1.4 Determining ABAWD Status

Non-ABAWD: A FoodShare applicant or member is determined a non-ABAWD if he or she meets any one of the following criteria, as determined by the IM agency:

- Under age 18\* or age 50\*\* and older
- Residing in a food unit with a child under age 18\*\*\*
- Pregnant
- Determined unfit for employment, which includes someone considered any of the following:
  - Receiving temporary or permanent disability benefits from the government or a private source.
  - Mentally or physically unable to work as determined by the IM agency.
  - Displaying mental instability, combativeness, or other mental health issues. (Per direction from FNS, the IM worker should consider the member unfit for work and document an exemption without requiring verification from a health care professional.)
  - Verified as unable to work by a statement from a health care professional or a social worker (may use form [F-01598](#) Medical Exemption from Work Requirement for ABAWD to verify).
  - Experiencing chronic homelessness<sup>i</sup>— (A person is chronically homeless if he or she currently lacks a fixed, regular nighttime residence and does not expect to have a regular nighttime residence in the next 30 days. This includes people who are in a temporary housing situation, such as transitional living arrangements)
- Receives Unemployment Compensation (UC), or has applied for UC, and is complying with UC work requirements

**Note:** If UC is denied or has ended, the member is no longer exempt regardless of the reason.

- Residing in an unemployment exemption area or are a tribal member living on tribal land that has an unemployment exemption. For a list of the unemployment exemption areas and tribal lands or reservations, go to [www.dhs.wisconsin.gov/fset/exemptions.htm](http://www.dhs.wisconsin.gov/fset/exemptions.htm).
- Regularly participates in an alcohol or other drug abuse (AODA) treatment or rehabilitation program
- A ~~high school~~ student age 18 years of age or older attending high school or adult basic education courses who is enrolled at least half-time in high school. Enrollment in a GED or HSED program does not qualify for the exemption (though it might be an assigned activity that counts towards the FSET participation).



- A student of higher education who is otherwise eligible for FoodShare (see ~~3.15.1~~ [3.15.1 STUDENT ELIGIBILITY](#))

## 4.3 Income

### 4.3.3 Farming and Other Self Employment Income

#### 4.3.3.8 Self-employment Expenses

##### Expenses Exceeding Income

When a food unit has more than one self-employment operation, the losses of one can offset the profits of another. Do not use losses from self-employment to offset other earned or unearned income.

Exception: Offset farm income losses with any other countable income only if the farmer received or anticipates receiving annual gross proceeds of \$1,000 or more from the farm operation.

##### Shelter Expense

When a self-employed food unit claims the total shelter costs as a business expense, do not allow any shelter deduction. If the food unit claims a percentage of the shelter costs as a business expense, the remaining percentage is a shelter deduction.

If the percentage used for the business expense was not self-declared, use IRS form 8829 or the "Expenses for business use of your home" line from IRS form 1040 Schedule C to determine the amount of the home that was claimed as a business expense. Any remaining amount that was not counted as a business expense should be allowed as a shelter expense.

Example 9	Fred, a self-employed farmer, uses 50% of his homeowners insurance and property taxes as a business deduction. His yearly homeowners insurance and property taxes are \$1,200. Use the remaining \$600 as a shelter deduction. Prorate the \$600 over 12 months.
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##### Farm and Self-Employment Expenses - Utilities

A self-employed food unit is allowed the standard utility allowance (SUA), if eligible for it, regardless of the percentage of utility expense claimed on the taxes for business use of the home.

##### Self-employed Child Care Provider

A child care provider can deduct the cost of meals provided to the enrolled children from the income earned by the child care business. They may report the actual cost of the meals or they may use the federal standard deductions. Tier 1 applies to food units with

income at or below 185% of the FPL income guidelines. Tier 2 applies to all other households.

Rates effective from July 1, ~~2020-2021~~ - June 30, ~~2021-2022~~:

Federal Standard Deductions		
Meals	Tier 1	Tier 2
Breakfast	\$1. <del>39</del> <u>40</u>	\$0. <del>50</del> <u>51</u>
Lunch or Supper	\$2. <del>64</del> <u>63</u>	\$1. <del>58</del> <u>59</u>
Supplement (snacks)	\$0.78	\$0.21

## 4.3.4 Unearned Income

### 4.3.4.2 Counted Unearned Income

1. Tribal TANF payments.
2. Interest, dividends, and royalty payments if available to a food unit member. Dividends that the food unit has the option of either receiving as income or reinvesting in a trust or other investment are to be considered income in the month they become available to the food unit, unless exempt under [4.3.4.3. DISREGARDED UNEARNED INCOME.](#)
3. Annually paid annuities and lottery winnings. Average these payments over 12-months. Do not count the entire amount in the month received.
4. Individual Retirement Account (IRA) payments. Budget IRA withdrawal payments based on frequency received (annually, quarterly, or monthly).
5. Net SSI payments.
6. Gross Social Security payments less any repayments withheld due to previous overpayments of Social Security benefits. Include any Child Support payments withheld from Social Security payments. This will ensure that Child Support payments are correctly included in the total gross unearned income and correctly budgeted as a Child Support payment deduction.
7. Unemployment Insurance (Unemployment Compensation) payments.
8. Worker's Compensation benefits.
9. VA disability and pension benefits, COLA and other adjustments made to the payments. "Aid and Attendant Allowances" referenced in [4.3.4.3. DISREGARDED UNEARNED INCOME](#) are excluded.
10. Private disability payments.
11. Caretaker Supplement (CTS) payments.
12. Child Support and maintenance payments made directly to the food unit, or passed through to the food unit by a child support agency, whether court-ordered or voluntary.

- Child support paid to a custodial parent who resides with the non-custodial parent and the child(ren) for whom the child support is paid is not counted as income.
  - Disregard child support payments received directly from an absent parent by a food unit if the money is turned over to the child support agency.
  - Disregard child support payments retained by a child support agency.
  - Child support arrears paid through the child support agency on behalf of an adult child are counted as income to the individual it is sent or paid to. If the payment is sent directly to the parent, it is the parent's income. If the payment is sent directly to the adult child from the child support agency, it is the adult child's counted income.
13. Child Support and Family Support must be prorated among the members covered by the court order.
- If a Family Support order includes the custodial parent, the income proration would also include that parent.
  - Child support is prorated for only the children covered by the court order.
  - Maintenance is budgeted for the person actually receiving it.
  - The most up-to-date information about Child Support and Maintenance is auto populated on the CARES Worker Web Child Support screen.
14. W-2 payments received under W-2T, CSJ full and prorated placements, CMF+, ARP, or as the custodial parent of an infant (CMC). ~~See 8.1.6 System Generated Payments.~~
- ~~**Note:** CMF+ is an incentive payment for job retention services and is not considered a paid placement for TFS eligibility. [See 8.1.6 System Generated Payments.](#) [See 7.1.1.7 DENY BENEFIT INCREASES DUE TO PENALTIES IN OTHER PROGRAMS.](#)~~
- 
- ~~**Note:** [See 7.1.1.7 Deny Benefit Increases Due to Penalties in Other Programs.](#)~~
- 
15. Kinship Care payments are unearned income for the child receiving the payment.
16. Subsidized guardianship payments.
17. Any money received for sick or severance pay from an insurance policy, an income continuance policy, or disability payments from an employer that are not paid as accrued sick, vacation, or personal time. Gross income from these sources is budgeted. Whether or not the income is taxed or untaxed does not determine if the pay is counted as unearned or earned income.
18. Reimbursements for normal household living expenses such as rent, mortgage, personal clothing, and food eaten at home. These are counted because they are a gain or benefit. Include stipends that are part of a financial aid package and are intended as a reimbursement for living expenses.
19. Count a subsidized adoption payment or adoption assistance payment as unearned income.

20. Tribal distribution payments. Income from tribal distributions should be prorated over the period it is intended to cover if it is predictable and regularly received. If the FoodShare assistance group becomes ineligible and then reapplies before receiving their next installment, continue to use the same prorated amount as before.

Example 1	Dawn receives \$500 quarterly from the Potawatomi Tribe. The frequency of the payment is regular and the amount is predictable. To calculate the monthly amount to be budgeted prospectively, prorate the amount over the time period intended:  \$500/3 = \$166.67 per month to be prospectively budgeted.
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21. Money withdrawn or dividends that are received or could be received from an otherwise exempt trust fund.
22. Monetary gifts over \$30 a calendar quarter. Calendar quarters refer to three consecutive month periods beginning with January, April, July, or October.
23. Income from a land contract. 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. Do not count this income until a member actually receives it.
24. Any money received from an installment contract must be:
- a. Counted as income in the month received, or
  - b. Averaged over the number of months between payments. For example, average a quarterly payment received in January over January, February, and March. The food unit must choose one of the above methods. Document the choice in the case record.
25. If someone receives rental income and the property is managed more than 20 hours per week, see Self-Employment [4.3.3.4](#). However, if someone manages the property for less than 20 hours a week, treat the income as unearned and budget it as listed below.
- Include gross receipts minus allowable business expenses as earned income.
  - Tax Forms 1040 Schedule C or 1040 Schedule E are used to determine rental income.
  - If using tax form Schedule E, use recorded rental income plus the principal paid to estimate future income.
  - If the applicant or member has not completed a Schedule C or Schedule E tax form, use the following method to calculate earned income.
    1. When the owner is not an occupant, "net rent" is the total rent payment(s) received minus the total mortgage payment (principal and interest) and other verified operational costs such as (but not limited to) hazard insurance, mortgage insurance, and taxes.

2. When income is received from a multi-unit property and the owner lives in one of the units, compute "net rent" as follows:

**Step 1:** Add the total mortgage payment (principal and interest) and other verified operational costs such as (but not limited to) hazard insurance, mortgage insurance, and taxes common to the entire operation.

**Step 2:** Multiply the number of rental units by the total in Step 1.

**Step 3:** Divide the result in Step 2 by the total number of units, to get the proportionate share.

**Step 4:** Add the proportionate share in Step 3 to any operating costs paid that are unique to the rental unit. This equals total expenses.

**Step 5:** Subtract total expenses in Step 4 from gross rent payments to get net rent.

- CARES will budget self-employment income from rental property as earned income if the property is self-managed 80 or more hours per month. If the monthly hours entered are less than 80, the income will be treated as unearned income even if the self-managed switch is "Y".
- Verify unearned rental income using available documentation. It is not necessary to collect Self-Employment Income Report Forms (SEIRF) for unearned income.

#### 26. Refugee Assistance Program payments.

### **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:
  1. Reimbursements from the Medical Assistance (MA), also known as Medicaid or Title 19 Community Integration Program (CIP).
  - 1.

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:

1. Pays a dependent care provider directly,

1. Reimburses the food unit after the food unit has incurred or paid a dependent care expense.

3. 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:

1. Special Milk Program.
2. School Breakfast Program.
3. Special Supplemental Food Program for Women, Infants and Children (WIC).
4. School Lunch Program.
5. Summer Food Service Program for Children.
6. Commodity Supplemental Food Program.
7. 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.
3. 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.
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## 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.

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## 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

<b>Example 3</b>	<p>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.</p> <p>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.</p>
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<b>Example 4</b>	<p>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.</p>
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<b>Example 5</b>	<p>Ben is in the military. His paycheck is \$1,000 a month. He has</p>
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	\$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.
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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.
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### **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~~

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~~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~~

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~~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)~~

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~~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)~~

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## 6.1 Changes

### 6.1.2 Six Month Reporting Requirement

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7 CFR 273.12(a)(iii)

Food units certified for 12 months and subject to simplified change reporting requirements are required to submit a six-month report form (SMRF) in the sixth month of the certification period. Elderly Blind and Disabled food units without earned income are exempt from the six-month report requirement.

The following changes in income must be reported on the SMRF for FoodShare members:

- . A change of \$~~100~~125 or more in unearned income based on the most recently verified amount.
- . Changes in earned income (from the most recently verified information) that must be reported includes:
  - o Rate of pay,
  - o Number of hours worked,
  - o Loss of job,
  - o Change from full to part-time, and
  - o New employment, but only if the first paycheck has actually been received by the time the SMRF is completed.

Income verification at SMRF is only required for employment that meets the criteria listed above. An IM worker should not request verification of previously verified earned income that has not changed.

Self-employment income that has already been averaged is not to be re-verified, unless a significant change is reported.

Other changes that must be reported on the SMRF are:

- Household composition (persons that have moved in or out, including newborns),
- New address and resulting changes in shelter expenses, and
- Change in legal obligation to pay child support (4.6.5 ~~Child~~ Support Payment ~~Deduction~~Deductions)

## 6.1.3 Timely Action on Reported Changes During the Certification Period

### 6.1.3.3 Changes That Cause an Increase in Benefits, Including Person Adds and Loss of Income

7 CFR 273.12(c)(1)

FNS Memo 12/18/14

See SECTION 3.4.1 DUAL MEMBERSHIP AND DUPLICATE BENEFITS.

All reported changes that cause an increase in the FoodShare benefit including person additions, increases in expenses, etc., will be effective the first of the month following the report month if required verifications are received within 10 days of the request for verification.

If verifications are not received within 10 days, and the FoodShare case is not closed for at least one day, make the change effective the first of the month following the month verifications are received.

Issue the appropriate supplement by the 10th day of the month the increase in benefits is effective.

**Note:** A person ~~cannot~~ can be a member of more than one food unit ~~and one FoodShare~~ but only one assistance group in the same month except residents of shelters for victims of domestic violence (3.4.1 Dual Membership and Duplicate Benefits). Prior to adding a person from one FoodShare case to another, remove the person from the previous FoodShare case.

## 7.1.1 Allotments

Determine FoodShare benefit allotment amounts using the information provided in Chapters 1-6.

### 7.1.1.5 Replacement Issuance for Destroyed Food

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7 CFR 274.6

#### Providing replacement benefits

Agencies will need to provide replacement benefits to a food unit when the food unit reports that food purchased with FoodShare benefits was destroyed in or as a result of a household misfortune or natural disaster.

There is no limit on the number of replacements that can be issued for the replacement of food purchased with FoodShare benefits which were destroyed in or as a result of a household misfortune or natural disaster.

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**Note:** When a Federal Individual disaster declaration has been issued and the food unit is eligible for DSNAP benefits, the food unit is not eligible to receive both a disaster (DSNAP) benefit and a replacement benefit for the same misfortune. (5.3.1 [Disaster Supplemental Nutrition Assistance Program \(DSNAP\) For Victims Of Natural Disasters](#))

#### Replacement

Replacement benefits should be provided only if a food unit timely reports a loss orally or in writing. The report will be considered timely if it is made to the agency within 10 calendar days of the date food was destroyed in or as a result of a household misfortune or natural disaster. If the 10th day falls on a weekend or holiday, consider it to have been received timely [if the member reports the loss on the business day following the weekend or holiday](#).

**Note:** The benefit replacement amount is the lessor of the claimed loss, or, up to the full allotment that was issued for the month of loss. [If a member is eligible for replacement benefits, and the food loss occurs prior to the member's regular monthly issuance, process the replacement under the prior month's issuance, even if the prior month's issuance is lower.](#) The full allotment issued to the food unit includes any restored or supplement benefits.

Example 6	Lorraine's household was impacted by a power outage that occurred October 1 and lasted through October 2. On October 12, Lorraine calls the agency to report her loss of food purchased with FoodShare benefits. She states by October 3 her food had spoiled. This is considered a timely report. Note: To be eligible for replacement FoodShare benefits, Lorraine must complete and return the Request for Replacement FoodShare Benefits form ( <a href="#">F-00330</a> ) and provide proof of the outage within 10 days of her verbal report (October 12). The signed form and verification must be returned by October 22 <del>to replace Lorraine's October</del> . <u>Use the September benefit amount to issue the replacement.</u>
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Example 7	Mary and her daughter receive FoodShare benefits <del>of</del> <u>on the 3rd of each month. In June Mary's benefit was \$275, and in July her benefits will be \$345-monthly.</u> There was a fire in their home on July 1. Mary goes into the agency on July 10 and reports that all of her food, valued at \$600, was destroyed in the fire. Mary completes the Request for Replacement FoodShare Benefits, ( <a href="#">F-00330</a> ) and provides a statement from the Red Cross. Mary is eligible to have her <del>July allotment</del> <u>benefits replaced. Process the replacement under June's issuance</u> in the amount of <del>\$345</del> <u>\$275</u> .
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Example 8	Kevin receives FoodShare benefits of \$170 <del>monthly</del> <u>on the 4th of each month.</u> Kevin calls July 10 to report his power had been out for more than <del>4</del> <u>four</u> hours July 6. On July 7, he had to throw away his food due to spoilage. <del>He</del> <u>On July 16 he</u> submits the completed <del>the</del> Request for Replacement FoodShare Benefits ( <a href="#">F-00330</a> ) and a news article about the power outage <del>on July 16 that occurred on</del> <u>July 6</u> . Kevin claims he lost \$100 worth of food. The IM worker would issue Kevin \$100 in replacement benefits for July.
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## Verifying FoodShare Eligibility

Upon receiving a verbal or written request for replacement benefits for food destroyed in or as a result of a household misfortune or natural disaster, the agency will need to check to see that the food unit had received a FoodShare benefit prior to the date of the misfortune.

**Note:** Use the Benefit Issuance History page to determine if the food unit was receiving benefits prior to or at the time of the misfortune. Do not use the EBT Transaction Details page when determining replacement eligibility or amounts.

Example 9	Steve and his child received a monthly benefit of \$265 on July 14. Due to a change in circumstances Steve's August benefit amount increased to \$355. August 3, Steve calls and reports that his electricity was shut off on July 28. He was able to pay his bill and the power was turned back on August 2. The power outage caused all of his cold and frozen foods to spoil. Steve claims to have lost \$600. Steve is eligible for a replacement up to his full July issuance of \$265.
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Prior to issuing a replacement benefit, the agency will need to determine that the loss occurred in or as a result of a household misfortune or natural disaster, such as, but not limited to, a fire, power outage, appliance failure, utility disconnection, or flood. A power outage lasting four hours or more can result in food spoilage and is therefore a qualifying household misfortune. Each replacement request should be evaluated on a case-by-case basis since the circumstances of each misfortune may be different (e.g. food will spoil quickly during periods of extreme heat conditions, flooding may take a couple of days to reach the area food is stored or to damage an appliance).

More information about food safety can be found [here](#).

**Note:** A household misfortune does not include FoodShare benefits that were stolen. Stolen benefits and food purchased with FoodShare that is stolen is a legal matter to be resolved by the FoodShare recipient with law enforcement.

### Time limits for replacing benefits

Replacement benefits need to be issued to the food unit no later than 10 days after the report of loss or within two working days of receiving the signed form and verification, whichever date is later.

The agency should deny or delay replacement benefits in cases in which available documentation indicates that the household's request for replacement appears to be fraudulent.

A worker must send a Notice of Denial ([F-16001](#)) to explain the reason for the denial. Inform the food unit of its right to a fair hearing to contest the denial or delay of ~~a~~ replacement benefits. Replacements shall not be made while the denial or delay is being appealed.

Example 10	Ginny submits a Request for Replacement benefits form on November 20 stating her freezer broke down on November 15. Ginny is requesting replacement benefits of \$200 for the food she lost. The worker checks Ginny's FoodShare eligibility and notes that Ginny's FoodShare closed October 1. The worker must send Ginny a Notice of Denial ( <a href="#">F-16001</a> ) and explain that
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	she is not eligible for replacement benefits because she was not eligible for or receiving FoodShare in November. The worker must also document the denial of the request in the case. If Ginny files a fair hearing on this decision, no replacement benefits shall be issued while pending a decision.
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**Statement of Loss: Request for Replacement FoodShare Benefits form ([F-00330](#))**

Prior to issuing a replacement, the agency must obtain from an adult member of the food unit a signed form attesting to and verifying the loss of food ([1.2.6.2](#)). The required verification and form may be completed in person, mailed, faxed, or submitted by other electronic means to the agency.

If the signed form, including required verification, is not received by the agency within 10 days of the date of the member’s verbal or written report of the loss, no replacement is to be made. If the 10th day falls on a weekend or holiday, and the form with verification is received the day after the weekend or holiday, consider it to have been received timely.

The form and verification need to be retained in the electronic case record. The form needs to attest to the destruction of food purchased with FoodShare benefits and the reason for the replacement. It must also state that the food unit is aware of the penalties for intentional misrepresentation of the facts, including, but not limited to, a charge of perjury for a false claim.

**Verification of loss**

The member can verify the loss through a collateral contact, documentation from a community agency including, but not limited to, the fire department, utility company, the Red Cross, or a home visit. The verification needs to support that there was a misfortune or natural disaster which resulted in the destruction of food. The member can request a worker’s help in obtaining the verification ([1.2.1.3](#)).

Following a verbal or written report of loss, the agency will need to send the food unit the Request for Replacement FoodShare Benefits form ([F-00330](#)) and the [DCF FoodShare](#) manual verification form (~~(F-2303)~~) ([F-02866](#)). The request must allow 10 days for the submission of the form and verification ([1.2.1.2 REQUEST FOR VERIFICATION](#)).

**Verification exception policy**

When a “State of Emergency”, due to weather or natural disaster, has been declared by a government official for an area (county/zip code/city), verification of the misfortune is not required as long as the loss claimed was specifically due to the state of emergency event. The member has 10 days from the date the loss occurred to report orally or in writing. Allow 10 days for the Request for Replacement FoodShare Benefits form to be returned following the report of the loss. In some instances the Department of Health may obtain approval to extend the timeframe for reporting and receiving a completed

form. The Department of Health Services will issue additional information in these situations.

In ~~the~~ instances where the loss of food is found to be questionable during a “State of Emergency,” the worker should request verification of the event which resulted in the loss of food. Document the reason(s) the loss was found to be questionable.

Example 11	A statewide “State of Emergency” was declared by the Governor due to severe weather. A number of counties sustained substantial damage from the storms including power outages lasting more than 24 hours <del>while other</del> . <u>Other</u> counties were unaffected by the storms. Terry is a FoodShare member who lives in a county that had little to no impact from the severe weather outbreak. Terry requests replacement benefits claiming his electric was out for more than twelve hours. The county Terry lives in has had no reports of power outages. The worker finds Terry’s request to be questionable. Terry will need to verify the power outage before replacement benefits can be approved.
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Example 12	A “State of Emergency” was declared by the Governor July 20 due to extensive flooding in Grant County. The Department was granted a special waiver to allow households to report food loss by August 21. Jesse reports on July 31 that his home sustained substantial flooding resulting in the loss of his food. He claims to have lost \$300 in food on July 27. Jesse will need to complete a request form by August 21 (allowed by the extension) to be found eligible for replacement benefits. Jesse does not need to verify his misfortune <u>unless questionable</u> .
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# 8.1 Tables

## 8.1.1 Income Limits

### 8.1.1.1 Income Limits

Effective ~~January~~October 1, 2021 through September 30, ~~2021~~2022

	Categorical Eligibility Income Limit	Elderly & Disabled Seeking Separate Food Unit Status	Income Change Reporting Threshold And Gross Income Limit For Non-Categorically Eligible Food Groups	Net Income Limit	Monthly Maximum FoodShare Allotment*
FoodShare Group Size	Gross Monthly Income Limit (200% FPL)	Gross Monthly Income Limit (165% FPL)	Gross Monthly Income Limit (130 % FPL)	Gross Monthly Income Limit (100% FPL)	
1	\$2, <del>128</del> <u>148</u>	\$1, <del>755</del> <u>771</u>	\$1, <del>383</del> <u>396</u>	\$1, <del>064</del> <u>074</u>	\$ <del>234</del> <u>250</u>
2	\$2, <del>874</del> <u>904</u>	\$2, <del>371</del> <u>396</u>	\$1, <del>868</del> <u>888</u>	\$1, <del>437</del> <u>452</u>	\$ <del>430</del> <u>459</u>
3	\$3, <del>620</del> <u>660</u>	\$ <del>2,987</del> <u>3,020</u>	\$2, <del>353</del> <u>379</u>	\$1, <del>810</del> <u>830</u>	\$ <del>646</del> <u>658</u>
4	\$4, <del>368</del> <u>418</u>	\$3, <del>603</del> <u>644</u>	\$2, <del>839</del> <u>871</u>	\$2, <del>184</del> <u>209</u>	\$ <del>782</del> <u>835</u>
5	\$5, <del>114</del> <u>174</u>	\$4, <del>219</del> <u>268</u>	\$3, <del>324</del> <u>363</u>	\$2, <del>557</del> <u>587</u>	\$ <del>929</del> <u>992</u>
6	\$5, <del>860</del> <u>930</u>	\$4, <del>835</del> <u>893</u>	\$3, <del>809</del> <u>855</u>	\$2, <del>930</del> <u>965</u>	\$1, <del>114</del> <u>190</u>
7	\$6, <del>608</del> <u>688</u>	\$5, <del>451</del> <u>517</u>	\$4, <del>295</del> <u>347</u>	\$3, <del>304</del> <u>344</u>	\$1, <del>232</del> <u>316</u>
8	\$7, <del>354</del> <u>444</u>	\$6, <del>067</del> <u>141</u>	\$4, <del>780</del> <u>839</u>	\$3, <del>677</del> <u>722</u>	\$1, <del>408</del> <u>504</u>
9	\$8, <del>402</del> <u>202</u>	\$6, <del>683</del> <u>766</u>	\$5, <del>266</del> <u>331</u>	\$4, <del>051</del> <u>101</u>	\$1, <del>584</del> <u>692</u>
10	\$8, <del>850</del> <u>960</u>	\$7, <del>299</del> <u>391</u>	\$5, <del>752</del> <u>823</u>	\$4, <del>425</del> <u>480</u>	\$1, <del>760</del> <u>880</u>



Each additional member	+\$ <u>748,758</u>	+\$ <u>616,625</u>	+\$ <u>486,492</u>	+\$ <u>374,379</u>	+\$ <u>176,188</u>
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Note: The minimum allotment is \$20. will increase from ~~\$16~~ up to ~~\$19~~.

### 8.1.1.2 Regular SNAP Program Income Limits

Effective October 1, ~~2020~~2021

FoodShare Group Size	EBD Non Categorically Eligible	Regular SNAP IPV and Drug Felony	
	Net Monthly Income Limit (100% FPL)	Gross Monthly Income Limit (130 % FPL)	Net Monthly Income Limit (100% FPL)
1	\$1, <u>064,074</u>	\$1, <u>383,396</u>	\$1, <u>064,074</u>
2	\$1, <u>437,452</u>	\$1, <u>868,888</u>	\$1, <u>437,452</u>
3	\$1, <u>810,830</u>	\$2, <u>353,379</u>	\$1, <u>810,830</u>
4	\$2, <u>184,209</u>	\$2, <u>839,871</u>	\$2, <u>184,209</u>
5	\$2, <u>557,587</u>	\$3, <u>324,363</u>	\$2, <u>557,587</u>
6	\$2, <u>930,965</u>	\$3, <u>809,855</u>	\$2, <u>930,965</u>
7	\$3, <u>304,344</u>	\$4, <u>295,347</u>	\$3, <u>304,344</u>
8	\$3, <u>677,722</u>	\$4, <u>780,839</u>	\$3, <u>677,722</u>
9	\$4, <u>051,101</u>	\$5, <u>266,331</u>	\$4, <u>051,101</u>
10	\$4, <u>425,480</u>	\$5, <u>752,823</u>	\$4, <u>425,480</u>

Each additional member	+\$ <del>374</del> <u>379</u>	+\$ <del>486</del> <u>492</u>	+\$ <del>374</del> <u>379</u>
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### 8.1.1.3 Asset Limits

Effective October 1, ~~2019~~2021

Food Unit Type	Asset Limit
Elderly, Blind, or Disabled (EBD) Food Units are those where all food unit members are elderly, blind, or disabled	\$3, <del>500</del> <u>750</u>
Regular FoodShare (SNAP) Household (Non-EBD)	\$2, <del>250</del> <u>500</u>

## 8.1.2 Allotment by Monthly Net Income and FS Group Size

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### Current Allotment Table

- [1-10 persons](#)
- [11-20 persons](#)

Allotment by monthly net income effective ~~January 1~~[October 1](#), 2021 through ~~June 30, 2021~~[September 30, 2022](#).

### Prior Years' Allotment Tables

Allotment by monthly net income and FoodShare group size effective dates:

Start Date	End Date
<a href="#">January 1, 2021</a> <ul style="list-style-type: none"> <li>• <a href="#">1-10 persons</a></li> <li>• <a href="#">11-20 persons</a></li> </ul>	<a href="#">June 30, 2021</a>
October 1, 2020 <ul style="list-style-type: none"> <li>• <a href="#">1-10 persons</a></li> <li>• <a href="#">11-20 persons</a></li> </ul>	December 31, 2020
October 1, 2019 <ul style="list-style-type: none"> <li>• <a href="#">1-10 persons</a></li> <li>• <a href="#">11-20 persons</a></li> </ul>	September 30, 2020
October 1, 2018 <ul style="list-style-type: none"> <li>• <a href="#">1-10 persons</a></li> <li>• <a href="#">11-20 persons</a></li> </ul>	September 30, 2019
October 1, 2017 <ul style="list-style-type: none"> <li>• <a href="#">1-10 persons</a></li> <li>• <a href="#">11-20 persons</a></li> </ul>	September 30, 2018
October 1, 2016 <ul style="list-style-type: none"> <li>• <a href="#">1-10 persons</a></li> <li>• <a href="#">11-20 persons</a></li> </ul>	September 30, 2017
October 1, 2014	September 30, 2016

<ul style="list-style-type: none"> <li>• <a href="#">1-10 persons</a></li> <li>• <a href="#">11-20 persons</a></li> </ul>	
<a href="#">November 1, 2013</a>	September 30, 2014
<a href="#">October 1, 2013</a>	October 31, 2013
<a href="#">October 1, 2012</a>	September 30, 2013
<a href="#">October 1, 2011</a>	September 30, 2012
<a href="#">October 1, 2009</a>	September 30, 2011
<a href="#">April 1, 2009</a>	September 30, 2009
<a href="#">October 1, 2008</a>	March 31, 2009
<a href="#">October 1, 2007</a>	September 30, 2008

## 8.1.3 Deductions

Effective October 1, ~~2020~~2021.

Deduction Type	Amount
<b>Standard</b>	
For groups with 1-3 people	<del>\$167</del> <u>\$177</u>
For groups with 4 people	<del>\$181</del> <u>\$184</u>
For groups with 5 people	<del>\$212</del> <u>\$215</u>
For groups with 6 or more people	<del>\$243</del> <u>\$246</u>
<b>Dependent Care</b>	Use the out-of-pocket amount the food unit is obligated to pay. This is the amount not paid by a third party.
<b>Utility Allowances</b>	
HSUA (Heating Standard Utility	\$462

Allowance)	
<del>Homeless Shelter Allowance</del>	<del>\$157</del>
LUA (Limited Utility Allowance)	<del>\$320</del> <u>\$317</u>
EUA (Electric Utility Allowance)	<del>\$141</del> <u>\$140</u>
WUA (Water and Sewer Utility Allowance)	<del>\$90</del> <u>\$93</u>
FUA (Cooking Fuel Allowance)	\$37
PUA (Phone Utility Allowance)	\$29
TUA (Garbage and Trash Utility Allowance)	<del>\$23</del> <u>\$24</u>
<b>Shelter Maximum Deduction (non-EBD households)</b>	<del>\$586</del> <u>\$597</u>
<u>Homeless shelter deduction</u>	<u>\$160</u>
<b>Medical Allowance</b>	Expenses over \$35