

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 22-03**

Release Date: 12/05/2022

Effective Date: 12/05/2022

EFFECTIVE DATE	The following policy additions or changes are effective 12/05/2022 unless otherwise noted. Underlined text denotes new text. Text with a strike through it denotes deleted text.
POLICY UPDATES	
1.1.2 FoodShare Benefits	Added information on EBT corrective actions.
1.2.3.5 Wisconsin Residency Verification	Added information about verifying residency.
1.2.3.8 Student Eligibility in a Two-Year Program	Deleted section.
1.2.3.11 Vital Records Death Match	New section.
2.1.3.1 Scheduling the Interview	Removed instruction for first attempt contacts.
3.2.1.5 Residential Care Apartment Complexes (RCAC)	Section rewritten. (Effective 09/08/2022)
3.2.1.6 Group Living Arrangement	Section rewritten. (Effective 09/08/2022)
3.3.1.1 HUG (Households, Units, Groups)	Added examples to Food Units.
3.12.1.2 Eligibility Pending Documentation of Immigration Status	Added examples.
3.12.1.12 Citizens of the Federated States of Micronesia, Republic of the Marshall Islands, and Palau	Updated example numbering.
3.12.1.13 Ukrainian Parolees	New section. (Effective 05/21/2022)
3.13.1 Social Security Number (SSN) Requirement	Updated with clarifications on FNS.
3.14.1 Intentional Program Violation (IPV) Disqualification	Updated title.
3.14.1.2 IPV 10-Year Disqualification Penalty	Clarified policy and added examples.
3.15.1 Student eligibility	Updated with clarification on student eligibility, exemptions, and institutional meal plans.
4.2.1.2 Case Processing	Updated annual COLA. (Effective 10/01/2022)
4.2.1.5 Elderly, Blind, or Disabled Food Units	Updated annual COLA. (Effective 10/01/2022)
4.3.3.8 Self-employment Expenses	Updated annual deduction amounts. (Effective 07/01/2022)
4.3.4.3 Disregarded Unearned Income	Added information about Universal Basic Income (UBI).
4.4.1 Assets	Updated annual COLA. (Effective 10/01/2022)

4.4.1.6.1	Period of Ineligibility	Updated annual COLA. (Effective 10/01/2022)
4.6.7.4	Shelter Deduction During a Temporary Absence	Clarified policy per regulations.
4.6.7.5	Shelter Deductions for Group Living Arrangement Residents	Updated grammar and annual amounts in examples.
6.1.1	Change Reporting for All Food Units (Simplified)	Updated to align with federal regulations.
6.1.3.8	Processing ABAWD Changes	Section rewritten.
7.1.1.4	Minimum Allotment for One or Two Person Food Units	Updated annual COLA. (Effective 10/01/2022)
7.3.2.1	Client and Non-Client Error	Updated with clarifications from FNS.
7.3.2.4	IPV	Fixed spelling error.
8.1.1	Income Limits	Updated annual COLA and SUA. (Effective 10/01/2022)
8.1.2	Allotment for Monthly Net Income and FoodShare Group Size	Updated annual COLA and SUA. (Effective 10/01/2022)
8.1.3	Deductions	Updated annual COLA and SUA. (Effective 10/01/2022)

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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.
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.

1.1.2.1 Wisconsin QUEST Card

FoodShare benefits are deposited in a member's account using an [Electronic Benefits Transfer \(EBT\)](#) ~~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.

Online and phone orders:

- FoodShare members placing pick up orders online or by phone must use their EBT card to pay at the time of pick up. This can be done in-store or by using a store's mobile point-of-service device.
- FoodShare members using a designated representative to pick up orders placed online or by phone using a EBT card must give the EBT card to the designated representative. The designated representative must use the EBT card to pay at the time of pick up. This can be done in-store or by using a store's mobile point-of-service device.
- FoodShare members ordering online or by phone for delivery must enter their EBT card information into the online payment system. Their FoodShare benefits are debited from their account following delivery of the order.

Example 3	<u>Hannah calls the local grocery store to place a grocery order for pickup. Hannah cannot use a FoodShare EBT card to "pre-pay" for the groceries. However, when Hannah goes to the store to pick up the food, Hannah can use an EBT card to pay for eligible food items.</u>
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Example 4	Sam places a grocery order online with Walmart for \$80. Sam is using FoodShare to pay for this order. Sam enters the information from their EBT card into the payment section. Sam's groceries are delivered two days later. Following the delivery of the grocery order, Sam's FoodShare account is debited \$80 for the cost of food purchased online through Walmart.
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Advanced payment exception: FoodShare benefits can be used to pay in advance when prior payment is for food purchased from a nonprofit cooperative food purchasing venture.

1.1.2.2 Allowable Purchases

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 (for example, food that is purchased and cooked at the store)*

*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.

Some products have a deposit fee that must be paid at the time of purchase that is then refunded when the container is returned (for example, milk that comes in a glass container). If a container deposit fee is required when purchasing an eligible food item in Wisconsin, 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.

Example 5	Jack purchases a glass container of milk in Wisconsin. There is a container fee charge on this particular bottle. Because Wisconsin does not have a container deposit law, the cost of the milk could be paid for using FoodShare benefits, but Jack must pay for the deposit fee using another method of payment.
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Example 6	Jack lives on the Wisconsin Michigan border and sometimes does his grocery shopping in Michigan. Jack purchases a case of soda in
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	<u>Michigan that requires a container deposit fee. Michigan has a law that requires a container deposit fee be paid with the purchase of certain beverages. Jack can use FoodShare benefits to pay the deposit fee, since it is required per Michigan law.</u>
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If the member has questions about specific food items, refer the member to the Food and Nutrition Service's [list of eligible food items](#).

1.1.2.3 Group Meals

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 setting if the facility is authorized to accept SNAP-EBT card, such as Wisconsin 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 people with disabilities.

1.2.3 Non-Financial Verification

1.2.3.5 Wisconsin Residency Verification

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

Address, Wisconsin residency, and household composition are separate and distinct eligibility factors with different verification requirements (see [SECTION 3.2.1 RESIDENCE](#)).

Verification of the primary person's Wisconsin residency is required at application and, if questionable, at renewal for FoodShare eligibility, with an exception for homeless [individuals](#) and migrant workers.

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

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

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

Example 1	Mary is applying for FoodShare. She refuses to provide any information regarding where she is living. Mary claims she is not homeless, not a migrant worker, and she is not participating in the Safe at Home program. Mary only provides a PO Box for her mail. No other information on Mary's application establishes her Wisconsin residency. Mary's application should be pended and a request for verification sent.
Example 2	Trent is currently open for health care. On November 13, Trent completes a program add for FoodShare. When the worker starts to process the new FoodShare request, all the information collected from the health care application is in the case. Wisconsin residency is verified and not questionable due to receiving health care. Receiving another program of assistance is a valid verification source for Wisconsin residency.
Example	Joe was homeless at the time of his application. When Joe is completing

3	his renewal (month six), he reports he is no longer homeless and provides his Wisconsin-based address. There is no need to request verification of Wisconsin residency since he states he is living in Wisconsin and there is no indicator this would be questionable.
Example 4	Bethanie's household consists of herself and her two children. The children are currently open for health care. When Bethanie completes a program add for FoodShare, her Wisconsin residency is not questionable (it is verified) because it is not questionable her children live with her, and they are already receiving health care.

Exception

Residency verification isn't required for:

- Applicants newly arrived in Wisconsin in the past 30 days.
- Homeless persons (see [SECTION 3.2.1.3 HOMELESSNESS](#)).
- FoodShare members temporarily absent from the food unit (see [SECTION 3.2.1.2 TEMPORARY ABSENCE](#)).
- Migrant worker applicants (see Section 2.1.4.3 Eligibility for Migrant Workers).

Note Applicants that have arrived in Wisconsin recently, within the last 30+ days, may not have documentation to verify residency. The IM worker should use their discretion and assist with obtaining verification, along with using the best available information when appropriate to verify residency.

Questionable at renewal

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

Example 5	Susan reports a change of address and new employment at her renewal. Her new employer is located in Illinois, but the address on her pay stub matches the address she provided. State residency is not questionable.
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1.2.3.8 Student Eligibility in a Two-Year Program

~~If~~ For a student ~~fails to meet one of~~ be considered for the existing technical and/or vocational studies exemption reasons (see -), verification of enrollment in a, the student must be enrolled in a program at an institution of higher education that meets the definition of a technical and/or vocational studies as detailed within the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) (see SECTION 3.15.1 STUDENT ELIGIBILITY ~~can~~).

Additionally, the program must lead to a diploma, certificate, apprenticeship, journeyman, or associates degree. The program must be designed to be completed in

two years or less ~~is required. This may include documents such as~~, not including post certificate apprenticeship or training.

1. All Wisconsin Technical College System WTCS programs, except for programs designed exclusively for transfer to a four-year program, qualify as Career and Technical Education.
2. The WTCS classifies any person taking classes within their system as an enrolled student. To be considered for the technical and/or vocational studies exemption, they must be enrolled in a program leading to a diploma, certificate, apprenticeship, journeyman, or associates degree.
3. Classes taken for personal development outside of an established program curriculum do not qualify for the technical and/or vocational studies exemption.

Verify enrollment in a qualifying program by using an enrollment letter, ~~course schedule,~~ financial aid papers, ~~etc. (see Section~~ letter from the school, or any other applicable document. Do not require a specific type of verification.

~~1.2.6.2 Verify if Questionable).~~

~~Verification that course completion has a direct link to employment that~~

1.2.3.11 Vital Records Death Match

When a definitive match is received from the Wisconsin DHS Vital Records data exchange, the date of death is ~~in demand is required only if demand is not common knowledge to the IM worker. For example, many occupations in the health field are in demand and therefore do not need to be~~ considered verified.

~~If the direct link to employment is unknown, several sources may be used as verification including, but not limited to, literature from the school such as a brochure or online program information, collateral contact with Job Center of Wisconsin, FSET or an employment agency, and publications in newspapers or online on receipt of the match.~~

2.1.3 Interviews

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 (see Section 2.1.4 Expedited Service at Application).

FoodShare applicants have the right to complete a face-to-face or phone interview (see [SECTION 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 printout 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 they were 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, [Section 1.8.9.7 Automated NOMI for FoodShare](#)). 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 (see Section 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 issuance. A consortium must meet the following application and renewal processing standards:

- 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 priority service processing standards.
- Standard 30-day 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 second business day following the day it was received.
- Renewals: On-demand interviews must be offered for all renewals when received. IM workers must make at least two attempts to contact a member to

complete the interview on the same business day the renewal is received or by the end of the fifth business day following the day it was received.

A worker should make two contact attempts, at least 15 minutes apart, to complete the interview. If the worker is unable to connect with the applicant or member during these attempts, pend for interview.

Exception

Sometimes two contact attempts are not possible such as when there is a disconnected phone, or if the applicant is unavailable and specifically tells the worker not to call them back if they connect on the first attempt. See below for alternative processing.

When an applicant or member is contacted during the first attempt:

- If the first contact is made and the worker connects with the applicant and the applicant cannot complete the interview at that time, schedule the interview at an agreed upon date and time and send the scheduled interview notice. No other contact attempt is required as this contact meets the On-Demand requirement.
- If the first contact is made and the worker connects with the applicant, but the applicant cannot complete the interview at that time, and an interview cannot be scheduled at an agreed upon date and time (because they do not want to schedule an appointment at that time or because they state they will call back at another time), the worker should pend for an interview. This meets the On-Demand requirement, and no additional contact attempt is needed.
- ~~For priority service scenarios, to avoid timeliness issues, the worker will need to take the additional step of indicating priority service was declined by the applicant, when the interview is scheduled beyond the seven days or when the member refuses to both schedule and complete the interview.~~

Notice of Interview for On-Demand Interviews

If an IM worker is unable to complete the interview at the time they contact a household as described above, the IM worker must send a Notice of Interview. For on-demand interviews, the Notice of Interview language will be generated on the verification checklist (VCL). The household has nine calendar days from the VCL mailing date to call and complete the FoodShare interview. The Notice of Interview provides instructions to complete the interview. If the last day of the on-demand interview time frame falls on a weekend or CARES holiday, the due date will be the next business day. The on-demand interview timeframe of “10 days to call to complete” will not be adjustable in CWW. Verification due dates for other types pended after the interview will continue to be based on policy requirements and IM worker action.

3.2.1 Residence

3.2.1.5 Residential Care Apartment Complexes (RCAC)

7 CFR 273.11(f)

A Residential Care Apartment Complex (RCAC) is a place where five or more adults reside that consists of independent apartments, each of which has an individual lockable entrance and exit, a kitchen, including a stove or microwave, an individual bathroom, sleeping, and living areas.

Residents of RCAC facilities that offer optional meal services, separately from the cost of care, can be treated as single apartment dwelling residents and be non-financially eligible for FoodShare.

Residents of these facilities that do not have meal services separate from the cost of care may be eligible if the resident is not considered a resident of an institution. A resident of an institution is anyone who receives the majority of their meals as part of the institution's normal operations, more than 50% of their daily meals. Residents would be eligible for FoodShare if they choose a meal plan provided by the facility that provides less than 50% of their daily meals.

Every tenant has a signed "Service Agreement" with the RCAC provider, which lists the services the tenant is to receive from the facility (including meals) and the fees charged for those services. Charges for meals should be separately identified in this agreement. Both the resident and the facility are provided copies of the service agreement (contract). However, most RCAC's do not have a separate lease for individual tenants.

The name and address of the facility on the service agreement can also be used to verify that the residence is an RCAC by checking against [DHS's Residential Care Apartment Complex Directory](#).

The meal situation must be provided for each RCAC resident who requests FoodShare. Verification must be requested if the meal situation is unclear, or the member's statement is questionable. Failure to provide verification when questionable will result in FoodShare closure or denial.

<u>Example 11</u>	<u>Maria lives in an RCAC. Her service agreement shows she has no meals included in her cost of care, but she does have the option to select from various meal plans. She has opted to prepare all of her meals herself and not purchase any meal plan from the RCAC. She would be non-financially eligible for FoodShare.</u>
<u>Example 12</u>	<u>John also lives in the same RCAC. He has opted</u>

	to purchase one of the dinner meal plans from the RCAC. Because the meal plan is purchased separately from his cost of care and the plan provides less than 50% of his daily meals, he would also be non-financially eligible for FoodShare.
<u>Example 13</u>	Francis lives in an RCAC that does not offer the option to buy meal plans separately from the cost of care. Her meals are included in the monthly cost of care. She does not meet the non-financial eligibility criteria for FoodShare.

3.2.1.6 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 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 (see SECTION 2.1.3.3 USE OF AN AUTHORIZED REPRESENTATIVE).

Determine the resident's eligibility as a one-person food unit (see SECTION 3.3.1 FOOD UNIT/FOODSHARE ASSISTANCE GROUP/RELATIONSHIPS ~~Section 3.3.1 Food Unit/FoodShare Assistance Group/Relationships~~) when the facility applies as an authorized representative. If the resident applies on their 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 listed as an authorized buyer for anyone living in the facility.

~~3.2.1.5.1 Residential Care Apartment Complexes (RCAC)~~

~~A Residential Care Apartment Complex (RCAC) is a place where five or more adults reside that consists of independent apartments, each of which has an individual lockable entrance and exit, a kitchen, including a stove, an individual bathroom, sleeping, and living areas. Residents of RCAC facilities that offer optional meal~~

services, separately from the cost of care can be treated as single apartment dwelling residents and be non-financially eligible for FoodShare.

Residents of these facilities that do not have these services separate from the cost of care may be eligible if the resident meets the eligibility criteria for a group living arrangement (see). Residents are ineligible for FoodShare if they choose a meal plan provided by the facility that provides a majority, more than 50%, of their daily meals.

Every tenant has a signed "Service Agreement" with the RCAC provider which lists the services the tenant is to receive from the facility (including meals) and the fees charged for those services. Charges for meals should be separately identified in this agreement. Both the resident and the facility have copies of the service agreement (contract). However, most RCAC's do not have a separate lease for individual tenants.

The name and address of the facility on the service agreement can also be used to verify that the residence is an RCAC by checking against DHS'.

The IM worker must determine and verify the meal situation for each RCAC resident who requests FoodShare.

Example 11	Maria lives in an RCAC. Her service agreement shows she has no meals included in her cost of care, but she does have the option to select from various meal plans. She has opted to prepare all of her meals herself and not purchase any meal plan from the RCAC. She would be non-financially eligible for FoodShare. The CWW Current Demographics page would be coded as 01.
Example 12	John also lives in the same RCAC. He has opted to purchase one of the dinner meal plans from the RCAC. Because the meal plan is purchased separately from his cost of care and the plan provides less than 50% of his daily meals, he would also be non-financially eligible for FoodShare. The CWW Current Demographics page would be coded as 01.
Example 13	Francis lives in an RCAC that does not offer the option to buy meal plans separately from the cost of care. Her meals are included in the monthly cost of care. She does not meet the non-financial eligibility criteria for FoodShare unless she is blind or disabled.

~~3.2.1.5.2~~ 3.2.1.7 Adult Family Home (AFH)

~~3.2.1.5.3~~ 8 Drug and Alcohol Treatment Centers

3.2.1.~~5.4~~9 Shelters for Victims of Domestic Violence

3.2.1.~~5.5~~10 Section 202 and 236 Housing

3.3.1 Food Unit/FoodShare Assistance Group/Relationships

7 CFR 273.1(a)

3.3.1.1 HUG (Households, Units, Groups)

To determine who is non-financially eligible for FoodShare, you must start with all household members.

H - Households

Households consist of all persons living in, or temporarily absent from, the same residence. It is important to enter all household members into CWW to ensure that the correct eligibility determination is made in CARES.

Note

Federal regulation cited in this handbook section, 7 CFR 273.1(a), and other portions of federal law also use the term “household.” Federal law and the Wisconsin FoodShare handbook do not apply the same definition to this term. The federal use of “household” is more comparable to the Wisconsin FoodShare term “food unit.”

U - Food Units

One or more persons who live in the same household and purchase and prepare food together for home consumption, or individuals who must be included in the same food unit because of relationship rules (see [SECTION 3.3.1.3 RELATIONSHIP RULES](#)). This group is tested for eligibility together. There are some exceptions for boarders, foster persons, and certain elderly and disabled individuals.

Examples of a food unit include:

- A person living alone.
- A group of unrelated persons living together who purchase and prepare more than 50% of their weekly meals together for home consumption.
- An individual younger than 22 years of age living with their parents, regardless of whether they purchase and prepare food for home consumption separately from their parents.

~~Purchase and prepare = people living together who:~~

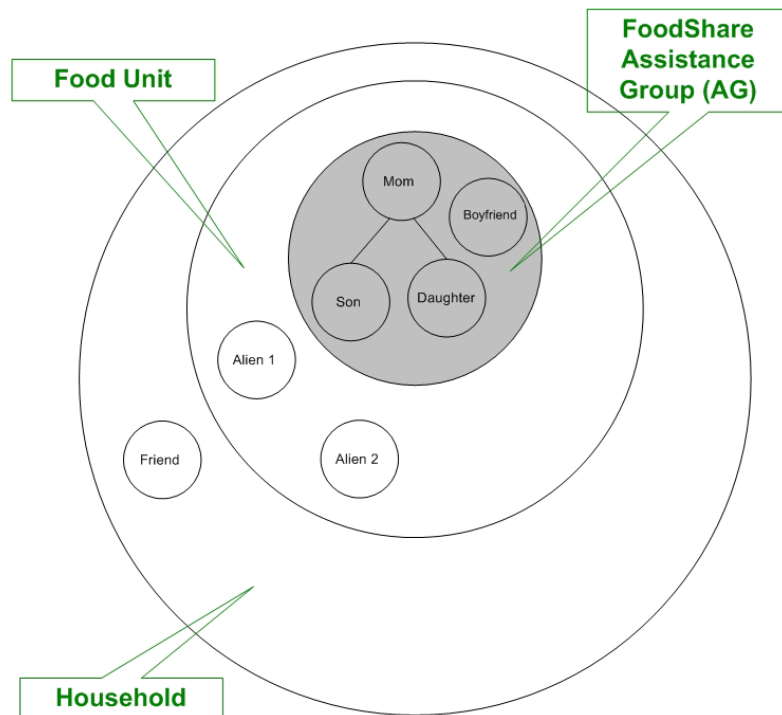
- ~~• Share in the cost of purchasing food.~~
- ~~• Share in the preparation of food.~~
- ~~• Eat together.~~

~~Each person does not have to shop, provide money, prepare food, and eat together. Any of those activities is sufficient to include a member in purchasing and preparing food with the food unit.~~

<p><u>Example 1</u></p>	<p><u>Jo and Sam are partners. Jo and Sam are responsible for their own cost of food, preparation, and consumption of their meals. Every Friday and Sunday, Jo and Sam prepare and share in a family supper. Jo and Sam are separate food units because they are responsible for their own purchasing, preparing and eating of their meals. Sharing two meals per week together is not more than 50% of their weekly meals.</u></p>
<p><u>Example 2</u></p>	<p><u>Jane, age 22, and her sister Lillie, age 21, live together. They go shopping together and typically make their supper meals around the same time. However, Jane and Lillie buy their own food and eat their own separate meals. Jane and Lillie are separate food units because they buy their own food, prepare their own meals and eat their own meals separately.</u></p>
<p><u>Example 3</u></p>	<p><u>Jack and Jill are partners. They buy, prepare, and eat all their meals together except for lunch during the week (five meals). Jack and Jill are in the same food unit because they purchase, prepare, and consume more than 50% of their meals together.</u></p>

G - FoodShare Assistance Groups

The FoodShare assistance group is formed by persons who are in the same food unit and pass all the individual non-financial criteria. The FoodShare assistance group receives the benefit.



3.12.1 Citizenship and Immigration Status

3.12.1.11 Iraqis and Afghans with Special Immigrant Status

Beginning December 19, 2009, special immigrants from Iraq or Afghanistan are to be treated like they are refugees when determining their eligibility for FoodShare, ~~Medicaid,~~ ~~or BadgerCare Plus~~ as long as they have this special immigration status. This policy applies to these immigrants regardless of when they received this status. Class of Admission (COA) Codes for this group are: S16, S17, S18, SQ6, SQ7, SQ8. This special immigrant category applies to an:

- Afghan or Iraqi national who worked with the U.S. armed forces as a translator including spouse or children;
- Iraqi national who was employed by or on behalf of the U.S. government including spouse or children; and
- Afghan national who was employed by or on behalf of the U.S. government or in the International Security Assistance Force (ISAF) (or any successor name for the ISAF) in Afghanistan including spouse or children.

Special Immigrant or non SI parolees

Afghans and persons with no nationalities who were residing in Afghanistan and subsequently paroled into the United States between July 31, 2021, and December 16, 2022, are to be treated as refugees when determining eligibility for FoodShare. These individuals are not subject to a waiting period and are eligible for benefits if they meet all other non-financial and financial criteria.

In addition, Afghans and persons with no nationalities who were residing in Afghanistan and subsequently paroled into the United States after September 30, 2022, are to be treated like they are refugees when determining their eligibility if they are one of the following:

- The spouse or child of an individual paroled between July 31, 2021, and December 16, 2022
- The parent or legal guardian of an individual paroled between July 31, 2021, and December 16, 2022, who is determined to be an unaccompanied child

All the above individuals are treated as refugees until either March 31, 2023, or the date their parole status expires, whichever is later.

Should these individuals file for and transition to asylee status, they would continue to be eligible for FoodShare benefits while they remain in that status and would not be subject to a waiting period.

Note: This only applies to Afghan nationals, citizens, or those who habitually lived in Afghanistan who are granted parole status between July 31,

2021, and December 16, 2022. All other refugees and special immigrants (SIV), including SIVs with parolee statuses, are not subject to the March 31, 2023 limitation and continue to be eligible for federal public benefits, like FoodShare, provided all other eligibility requirements are met.

The table below shows the Class of Admission (COA) Codes that are used for the groups that are treated like refugees based on their parole status:

Class of Admission Code	Description	CARES Immigrant Registration Status Code
SI1 <u>Afghan Non-Special Immigrant Parolee (Non-SI Parolee)</u>	Nationals of Iraq or Afghanistan serving as interpreters with the U.S. Armed Forces	Code 04
SI2 <u>OAR/OAW</u>	Spouses of an SI1 Non-SI Parolee (CPB implemented August 2021)	Code 04
SI3 <u>PAR</u>	Children of an SI1 Non-SI Parolee, used before OAR implementation	Code 04
SI6 <u>DT</u>	Nationals of Iraq or Afghanistan serving as interpreters with the U.S. Armed Forces Non-SI Parolee, used before OAR implementation	Code 04
<u>Afghan Special Immigrant Parolee (SI Parolee)</u>		
SI7 <u>SQ4</u>	Spouses of an SI6 Principal	Code 04
SI8 <u>SQ5</u>	Children of an SI4 Dependent	Code 04
<u>Afghan Special Immigrant Lawful Permanent Residents (SI LPR)</u>		
SQ1	Special Immigrant Iraqi Employee (Principal)	Code 04
SQ2	Spouse of SQ1	Code 04

SQ3	Children Child of SQ1	Code 04
SQ6	Special Immigrant Iraqi Employee (Principal, Adjusting Status in the United States)	Code 04
SQ7	Spouse of SQ6, <u>Adjusting Status</u>	Code 04
SQ8	Children Child of an SQ6, <u>Adjusting Status</u>	Code 04
<u>SI1</u>	<u>Principal</u>	<u>Code 04</u>
<u>SI2</u>	<u>Spouse of SI1</u>	<u>Code 04</u>
<u>SI3</u>	<u>Child of SI1</u>	<u>Code 04</u>
<u>SI6</u>	<u>Principal</u>	<u>Code 04</u>
<u>SI7</u>	<u>Spouse of an SI6</u>	<u>Code 04</u>
<u>SI8</u>	<u>Child of an SI6</u>	<u>Code 04</u>
<u>Afghan Special Immigrant Conditional Permanent Resident (SI CPR)</u>		
<u>CQ1</u>	<u>Principal</u>	<u>Code 04</u>
<u>CQ2</u>	<u>Spouse of CQ1</u>	<u>Code 04</u>
<u>CQ3</u>	<u>Child of CQ1</u>	<u>Code 04</u>

3.12.1.12 Citizens of the Federated States of Micronesia, Republic of the Marshall Islands, and Palau

The Compacts of Free Association are agreements that establish a free association between the United States and the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. These countries are collectively referred to as the Freely Associated States (FAS). FAS citizens are not citizens or nationals of the United States. However, FAS citizens admitted to the United States under the Compacts may reside, work, and study in the United States for an unlimited length of time, without applying to become lawful permanent residents or applying for visas. These persons are referred to as Citizens of Freely Associated States or COFAS.

COFAS, due to their countries' free association with the United States, are allowed to stay in the country indefinitely. This fact does not make them Lawful Permanent Residents (01-LPR) who may otherwise be eligible for FoodShare benefits after being in the country for five years. They are still considered to be non-immigrants who are just lawfully present in the U.S. Unless the federal data services hub or SAVE verifies that a citizen of the FAS has a Lawful Permanent Resident status, they may only be

considered to be lawfully present (see [SECTION 3.12.1.1 QUALIFIED IMMIGRANT OR IMMIGRANT STATUS, CHART 1](#)).

Example 1	Jonas is from Micronesia. He has been in Wisconsin since 2010. Jonas has not applied for citizenship. SAVE returns a result of 20- Lawfully Residing. Although Jonas is a COFAS here lawfully, he is not eligible for FoodShare.
Example 2	George is from the Republic of Palau. He has been in the country since 2015 and has applied for US Citizenship. SAVE returns a result of 01- Lawful Permanent Resident and verifies George's entry date of 2015. George is considered a qualifying immigrant who has met the 5-year bar and can be found eligible for FoodShare if he meets all other eligibility criteria.

3.12.1.13 Ukrainian Parolees

Effective May 21, 2022, certain Ukrainian parolees became eligible for FoodShare to the same extent as refugees.

This eligibility was granted to Ukrainians (and others who last habitually resided in Ukraine), who have been paroled into the United States:

- Between February 24, 2022, and September 30, 2023, or
- After September 30, 2023, and who are:
 - The spouse or child of a Ukrainian paroled during the initial period.
 - The parent or legal guardian of an unaccompanied Ukrainian child who was paroled during the initial period.

The U.S. Citizenship and Immigration Service (USCIS), Systemic Alien Verification for Entitlements (SAVE) agency has indicated that Ukrainians with a paroled status will have a Class of Admission code of UHP, DT, PAR or U4U. The initial eligibility date for FoodShare is May 21, 2022, or the individual's date of parole, whichever is later.

Note People from Ukraine with any of these parole statuses arriving in the US during the specified time period are to be treated the same as refugees. This treatment is not limited to persons with a Ukrainian Humanitarian Parolees (UHP) status.

Like refugees, these Ukrainians with a parolee status may be eligible for FoodShare and are not subject to a 5-year bar. These individuals must still meet all other eligibility criteria. For FoodShare, these individuals are exempt from the sponsor deeming policy.

Ukrainians with a Temporary Protected Status (TPS) are lawfully present in the U.S. but are not eligible for FoodShare.

3.13.1 Social Security Number (SSN) Requirements

7 CFR 273.6

A food unit participating in or applying for FoodShare must provide the SSN of each food unit member who is requesting benefits. Individuals without an SSN must apply for one before certification. If anyone has more than one number, all numbers must be provided.

Explain IM workers must explain that failure to provide an SSN will disqualify the person without the SSN. Allow the SSN applicant to participate on a month-by-month basis, while awaiting receipt of the SSN. They must provide the SSN or proof of application within 30 days of the FoodShare application. Proof of an SSN application can be documentation, such as a letter from SSA, or collateral contact with the individual that assisted with the SSN application, such as a resettlement agency representative.

In cases where an application for SSN has been filed with the Social Security Administration, an SSN must be provided by the time of the next FoodShare renewal or FoodShare eligibility will be terminated for that individual. In addition, if eligibility for another program pends for an SSN and the SSN application date on file is six months or older, eligibility for FoodShare will also pend. Members must be given a minimum of 10 days to provide an SSN, but if they do not, FoodShare eligibility must be terminated for the individual.

Agencies must assist any household that requests help with applying for an SSN. "Assisting the applicant" may include helping with filing the Application for a Social Security Card form ([SS-5](#)) and obtaining a birth certificate or other document needed to apply for the SSN.

A parent of a newborn may begin an SSN application on the newborn's behalf while still in the hospital. If the SSN has not been applied for, the worker will either need to assist in completing form SS-5 or require the parent to complete the application. A completed SS-5 is verification of application for an SSN for a newborn food unit member.

If the caretaker is unwilling to provide or apply for the SSN of a minor or 18-year-old, then the person with no SSN is ineligible.

An applicant does not need to provide a document or Social Security card. They only need to provide a number, which is verified through data exchanges.

~~If the caretaker is unwilling to provide or apply for the SSN of a minor or 18-year-old, then the person with no SSN is ineligible.~~

Verify the SSN only once.

If the SSN validation process returns a mismatch record, the worker must first attempt to correct the mismatched information. If the worker is unable to correct the information, the worker must contact the member to correct the information.

The member should be informed if the SSN validation process indicates another individual is using the same SSN. ~~The~~ so the member ~~should~~can contact the Social Security Administration and request they conduct an investigation. The IM worker cannot provide the member with any information that would identify the individual who is using the member's SSN.

~~If the Social Security Administration finds that the SSN has been used fraudulently it may:~~

- ~~1. Recommend further action be taken, and/or;~~
- ~~2. Provide the member with the information on the fraudulent action so that the member may pursue action through the legal system.~~

~~A parent of a newborn may begin an SSN application on the newborn's behalf while still in the hospital. If the SSN has not been applied for, the worker will either need to assist in completing an Application for a Social Security Card form () or require the parent to complete the application. A completed SS-5 is verification of application for an SSN for a newborn food unit member.~~

3.13.1.1 Failure to Comply

Providing an SSN is voluntary, but if an individual applying for FoodShare refuses to provide an SSN, they will be denied, ~~and~~ their income will be deemed to the group. Any food unit member who does not provide an SSN is ineligible. The only exception is if there is good cause for not providing it. Disqualify only the person without the SSN, not the entire food unit.

3.13.1.2 SSN Application for Newborns

For a newborn member, verify the SSN or that an application for an SSN has been made. Do not deny benefits pending issuance of an SSN if you have documented an SSN application has been made. A parent of a newborn may begin an SSN application while still in the hospital.

A completed Application for a Social Security Card form ([SS-5](#)) is proof of application for an SSN for a newborn food unit member.

If the applicant or member is unable to provide proof of application for an SSN for a newborn, the member must provide the SSN or proof of application at the next renewal. If the member is unable to provide an SSN or proof of application for an SSN at the next renewal, review good cause exceptions. Deny FoodShare benefits for the baby if the food unit refuses to provide an SSN for the ~~baby~~newborn without good cause.

3.13.1.3 Good Cause

Use information from the food unit member, the SSA, your agency, and any other sources to determine good cause. If the member has applied for an SSN, they ~~satisfy the~~ have satisfied the SSN application requirement.

Apply good cause if the applicant or member makes every effort to supply the information timely.

If ~~he or she~~ they can show good cause, allow participation on a month-by-month basis.

3.13.1.4 Religious Exception

If a FoodShare applicant refuses to provide an SSN for their self ~~and/or~~ any other household member based on a sincere religious objection, or both, allow them and all otherwise eligible members of the food unit to receive FoodShare.

~~You~~ The IM worker may check with the SSA or query whether an SSN already exists for the person and use any existing SSN for verification and matching purposes without further notice to the food unit member.

3.14.1 ~~Period of Ineligibility~~ Intentional Program Violation (IPV) Disqualification

3.14.1.2 IPV 10-Year Disqualification ~~for Receipt of SNAP Benefits from Multiple States~~ Penalty

A person who makes a false or misleading statement, ~~or misrepresents, conceals or withholds facts with respect to~~ their identity or place of residence in order to simultaneously receive Wisconsin FoodShare benefits and SNAP benefits from any other state shall be ineligible for a period of 10 years.

In order to apply a 10-year disqualification penalty, the state agency needs to prove a person made a false statement or misrepresented their identity or place of residence while applying for or participating in Wisconsin FoodShare.

Before imposing the 10-year disqualification period:

- A finding of fraud must be made by a state agency, or
- A conviction of fraud must be entered by a state or federal court.

The administrative disqualification hearing process, including the offer to sign the Waiver of Administrative Disqualification Hearing ([F-16039](#)), may be used for imposing this penalty.

Duplicate participation itself does not support the application of a 10-year program disqualification. There must be clear and convincing evidence that the person misrepresented or falsified their identity or place of residence to receive SNAP and/or FoodShare in more than one household.

<u>Example 3</u>	<u>Janice moves to Wisconsin in May and applies for FoodShare. She reports she is employed, she lives at a Wisconsin address, and that she is not receiving SNAP in another state. The IM worker determines Janice is eligible, and her application is approved after verifying her employment. Later, it is discovered that Janice received SNAP in Texas in May. The IM worker pursues an IPV through an administrative disqualification hearing.</u> <u>An ALJ finds that Janice made a false statement that she hadn't received SNAP in another state in May. This is Janice's first IPV, so Janice is barred from the program for 1 year.</u>
<u>Example 4</u>	<u>On January 17, Jesse contacted the IM agency to apply for FoodShare. He reported recently moving to Wisconsin from Nevada and that he was not receiving SNAP benefits from Nevada. Jesse provided a lease as verification of Wisconsin residency and met all other eligibility criteria. He was approved for FoodShare in Wisconsin starting in January.</u>

Several months later, the IM worker discovers that Jesse has been receiving SNAP benefits in Nevada since the time of his application. The IM worker also verifies that the lease Jesse submitted was fraudulent and that he never resided in Wisconsin. The IM worker pursues an IPV through an administrative disqualification hearing.

An ALJ finds that Jesse misrepresented his residency to receive SNAP in more than one state, so he is barred from the program for 10 years.

3.15.1 Student Eligibility

7 CFR 273.5

~~Anyone (age~~ Individuals (ages 18-49) enrolled half-time or more in an institution of higher education ~~is~~are ineligible for FoodShare unless they meet ~~one of the following exemptions below~~an exemption. A student could be enrolled for in-person, online, or hybrid courses.

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.

What is considered half-time enrollment can vary based on the institution of higher education. The college, university, or school can provide enrollment status for an applicant. A student is enrolled as of the first day of the school term through normal scheduled class periods, vacation, and recess unless they:

- Graduate;
- Are suspended, expelled, or drop out; or
- Don't intend to register for the next school term (excluding summer school).

Example 1	<u>Joe completes a FoodShare interview on July 15. He reports that he was enrolled at an institute of higher education full time for the Spring semester and intends to enroll full time for the upcoming Fall semester. Joe is considered a student effective his application date in July, as he was enrolled for the previous semester and intends to enroll for the upcoming semester.</u>
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3.15.1.1 Student Eligibility Exemptions:

- ~~1. An 18-year-old (or older) student attending high school or adult basic education courses (HSED/GED).~~

An individual who meets one or more of the exemptions below is eligible for FoodShare as long as they meet all other eligibility criteria.

1. Physically or mentally unfit for gainful employment. If questionable, verify through receipt of temporary or permanent disability benefits, or a statement from a physician or certified psychologist.
2. Be under age 18 or age 50 or over.
3. Enrolled in Wisconsin Works (W-2) or other TANF-funded program under Title IV of the Social Security Act.
- ~~4.~~ Employed at least an average of 2080 hours a week per month with earnings. (this excludes in-kind income).
 - ~~Compliance can be~~is determined by calculating whether the student worked an average of 2080 hours per week month over the period of a

month, a quarter (calendar), a trimester (Fall, Winter, Spring), or a semester (Fall semester (1st) ~~and/or~~ Spring semester (2nd)). This is ~~in-line with the different ways~~ like budgeting for contractual and fluctuating employment ~~is budgeted~~ (see 4.3.2 Earned Income).

- b. The payment can be received with regular frequency (that is, weekly, biweekly, semi-monthly) or as a one-time payment at the beginning or end of the employment period. There is no minimum ~~compensation wage or amount~~ that must be ~~received so long as income is~~ received.

~~2-5.~~ 2-5. Self-employed at least an average of 2080 hours ~~a week~~ per month with self-employment earnings (after self-employment expenses are subtracted) equivalent to at least the federal minimum wage.

- a. ~~Weekly~~ Gross monthly earnings must be at least $\$7.25 \times 2080$ hours = ~~\$145580~~ per week month.
- 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 2080 hours per week month at minimum wage.

~~3-6.~~ 3-6. Participating in a state or federally financed work study program during the regular school year: (no minimum hourly requirement):

- a. The student must be approved for work study at the time of application or reported change, the work study must be approved for the school term, and the student must anticipate actually working at a work study placement 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.

~~7.~~ 7. ~~Responsible for~~ Participating in a paid on-the-job training program. This exemption applies only during the period the person is being trained by the employer.

~~4-8.~~ 4-8. Responsible for the care of a dependent ~~household~~ food unit member under age six. If two people exercising parental control are in the food unit, ~~allow student status~~ apply the exemption to only one person per child.

~~5-9.~~ 5-9. Responsible for the care of a dependent ~~household~~ food unit 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~~ apply the exemption to only one person per child.

~~10.~~ 10. 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.

- a. 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 their spouse.

- ~~2. 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).~~
- ~~3. Enrolled in a W-2 employment position or other TANF-funded program under Title IV of the Social Security Act.~~
- ~~4. Physically or mentally unfit for gainful employment.~~
- ~~5. 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.~~
- 6-11. 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, (WIOA), or a program under section 236 of the ~~trade~~ Trade Act of 1974 (TAA).

Persons who voluntarily participate in one of these employment and training programs and are placed in an institution of higher education through or in compliance with the requirements of the program shall also qualify for the exemption.

12. Is enrolled in ~~an educational~~ a program at an institution of higher education that ~~is~~ meets the definition of a technical and/or vocational studies as detailed within the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302). Additionally, the program must lead to a diploma, certificate, apprenticeship, journeyman, or associates degree. The program must be designed to be completed in two- years or less ~~and obtaining certification~~, not including post certificate apprenticeship or a diploma from the training.
 - a. All Wisconsin Technical College System WTCS programs, except for programs designed exclusively for transfer to a four year program ~~is expected to lead~~, qualify as Career and Technical Education.
 - b. The WTCS classifies any person taking classes within their system as an enrolled student. To be considered for the technical and/or vocational studies exemption, they must be enrolled in a program leading to a diploma, certificate, apprenticeship, journeyman, or associates degree.
 - c. Classes taken for personal development outside of an established program curriculum do not qualify for the technical or vocational studies exemption.
13. A program at an institute of higher education limited to remedial courses, basic adult education, literacy, or English as a second language.
- ~~7-~~14. Enrollment in certain employment, and training programs for low-income households, which are operated by a state or local government and have an equivalent component to SNAP E&T (FSET).

Example 1 During an interview for FoodShare, Jack reports that ~~he is~~they are a full-time student at Northern Technical College for phlebotomy and plans to graduate in the next year. Jack is ~~an eligible student because he is~~enrolled in a two-year degree program that is expected to lead to a Phlebotomy Technician Technical Diploma. Jack meets all other eligibility criteria and is determined to be eligible for FoodShare because Jack is enrolled in a program at an institution of higher education that meets the definition of a technical or vocational studies as detailed within the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302 employment.).

Example 2 When Carla applies for FoodShare, ~~she~~Carla reports ~~that she is enrolled half-time taking classes~~at Madison Area Technical College and (MATC). Carla is taking classes on cooking with herbs, pottery, and jewelry making. ~~No other student exemptions are met. Carla would not be an eligible student, because she is not~~Carla is considered enrolled at a technical college (institution of higher education) but not enrolled in a program that will lead leading to employment a diploma, certificate, apprenticeship, or degree. While Carla is enrolled at MATC taking classes, Carla is not considered a student for FoodShare purposes because Carla is taking only personal development classes and not enrolled in a specific program.

Example 3 When Bill applies for FoodShare, ~~he~~Bill reports ~~that he is enrolled~~enrollment in a four-year nursing program, ~~but only~~at a State University and has two years left in the program. ~~Bill would~~The nursing program is not be an a technical or vocational program. Bill does not meet any other student exemptions. Bill is not eligible ~~student because the program was designed by the college to be completed in four years~~for FoodShare.

Example 4 Bella is applying for FoodShare and reports being enrolled full time at UW-Milwaukee. Bella participates in an internship for a semester (five 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 IM worker averages the 400 hours ~~would be averaged~~ over the five⁵ months (400 hours/5 ~~totaling~~ months equals 80 hours per month ~~or 20 per week. The stipend of \$1,000 will be averaged and budgeted over the five-month semester and \$200 of earned income to will budgeted per month.~~). Bella meets all other eligibility criteria and is determined an eligible student since Bella is meeting an exemption.

Note

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

Note

IRS tax dependency status does not impact FoodShare eligibility determinations. A student may be claimed as a tax dependent by their parents and still qualify for FoodShare if they meet all other non-financial and financial eligibility criteria.

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

- ~~• Graduate;~~
- ~~Are suspended, expelled~~

3.15.1.2 Verification

Verification of student enrollment status is typically not required. However, there are two exceptions. Enrollment at an institute of higher education must be verified if:

- Deemed questionable by the IM agency, or ~~drop-out;~~
- An applicant or member is determined to be an ABAWD and at least half time enrollment in a qualifying institute of higher education is the applicant or member's only reported exemption from the FoodShare Work Requirement (see Section 3.17.1.4 Verification of Work Hours and Exemptions From the FoodShare Work Requirement).
- Verification of student eligibility exemption(s) is not required unless otherwise noted as a part of eligibility requirements, deemed questionable, or specifically listed in SECTION 1.2.3.8 STUDENT ELIGIBILITY IN A TWO-YEAR PROGRAM. ~~Don't intend to register for the next school term (excluding summer school).~~

Example 6	Francois applies for FoodShare and reports that he is enrolled full time at an institute of higher education. He also reports that he is self-employed earning \$1000 per month. Self-employment earnings of greater than \$580 per month (federal minimum wage of \$7.25 x 80) is an allowable student eligibility exemption. Because income is also a mandatory verification for FoodShare, the IM worker pends for verification of self-employment income.
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3.15.1.3 Student Institutional Meal Plans

A student is an ineligible household member (and considered a resident of an institution) if they live in the dorms or other college housing and purchase a meal plan that provides more than 50% of their daily meals.

Determine meal plan coverage by calculating the percentage of daily meals available to the student. A meal plan offering 21 meals per week (breakfast, lunch, and dinner, seven days a week) offers 100% of daily meals. A student with access to 11 meals per week (52%) is ineligible; a student with access to 10 weekly meals (48%) is entitled to receive benefits if otherwise eligible.

Meal plan structures vary and can be counted by the number of meals, points, or dollars. IM workers must ask the applicant or member for clarification if it is unclear how many meals they receive from their plan. This information can be provided by the FoodShare applicant or member or from their school and/or meal plan provider. Meal plan participation can be defined as purchasing and enrolling in a meal plan at an institute of higher learning, either voluntarily or required. If a student chooses to not eat the meals, this does not lower the percentage, as the meals are paid for and made available to the student.

Example 7	Kate is enrolled full time at UW-La Crosse and lives on campus in a dorm. Kate has a meal plan that provides the equivalent of ten meals per week. Ten meals per week is less than the majority (50%) of 21 total weekly meals. Kate meets all other eligibility criteria and is determined eligible for FoodShare.
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Example 8	Marvin is enrolled full time at UW-Madison and lives on campus in a dorm. Marvin is required to purchase a meal plan that includes 21 meals per week. Marvin doesn't like the food offered and applies for FoodShare reporting that although he pays for a meal plan, he doesn't eat the food. Marvin has more than 50% of his meals paid for, even though he chooses not to use his meal plan, and therefore he is not eligible to receive FoodShare.
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3.15.1.4 Temporary COVID Exemption Policy

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

Effective January 1, 2021, if a student applies for FoodShare or is a member of a FoodShare household, two new exemptions must be explored. For ongoing cases, the new exemptions must be explored, and eligibility must be re-determined. Similarly, the new exemptions must be explored for any new student added to the household.

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

Note	For the change to the work-study exemption, the student does not need to actually be participating or anticipate they will participate in work-study, just be eligible to participate.
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~~If a These temporary student applies for FoodShare or is a member of a FoodShare household, the new exemptions must be explored. For ongoing cases, the new exemptions must be explored, and eligibility must be re-determined. Similarly, the new exemptions must be explored for any new student added to the household. These new student exemptions remain in effect for FoodShare applicants and members through the~~

~~calendar month~~ 30 days following the end of the Federal COVID-19 Public Health Emergency. Members will retain the new exemption through the end of their certification period. Starting the first full month following the month after the Federal COVID-10 Public Health Emergency ends, members must be screened for exemptions at their next renewal and the two, temporary student eligibility exemptions may no longer be applied.

Verification of Temporary Exemptions:

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

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

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

In addition, all students receiving the maximum Pell grant have an EFC of \$0. In the ~~2020-21-2022-23~~ award year; (July 1, 2022, to June 20, 2023), the maximum Pell grants are ~~\$3,172~~ as follows:

- \$6,895 per ~~semester~~ academic year for students enrolled full-time, ~~\$2,379~~
- \$5,171 per ~~semester~~ academic year for students enrolled three-quarter-time, ~~and~~ \$1,586
- \$3,448 per ~~semester~~ academic year for students enrolled half-time.
- \$1,724 per academic year for students enrolled less than half-time

Verification of the Pell grant amount may be found on the financial aid award letter and may be used as verification that a student has an EFC of \$0. However, not all students with an EFC of \$0 receive a Pell grant.

3.15.1.5 FoodShare Basic Work Rules

A FoodShare-eligible student who meets the exemption criteria in this section is also exempt from the FoodShare basic work rules.

3.15.1.6 FoodShare Work Requirement (ABAWDs)

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

3.15.1.7 FoodShare Employment and Training (FSET)

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

~~FoodShare Basic Work Rules~~

~~A FoodShare-eligible student who meets the criteria in this section is exempt from the FoodShare basic work rules.~~

~~ABAWDs~~

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

4.2.1 Categorical Eligibility

7 CFR 273.2(j)(2)

4.2.1.2 Case Processing

~~CWW will deny or close the~~ FoodShare benefits will be automatically denied or closed when the FoodShare assistance group's verified adjusted income is greater than the maximum allotment amount. ~~CWW will issue a~~ for their household size, with the exception of one- and two-person households. A closure notice ~~that will include reason code 557: "You are not eligible will be sent to receive FoodShare benefits this month because at your~~ the household notifying them their net income ~~you~~ exceeds allotment ~~would be zero."~~ amount, and they are eligible for \$0 allotment.

Except during an initial month, all eligible one- and two-person food units shall receive the minimum \$2023 allotment, ~~;~~ when the gross income is below 200% FPL, ~~;~~ and the net adjusted income exceeds the net income limit.

A denied or closed FoodShare assistance group can file a new application and complete an intake interview if they wish to be reconsidered for FoodShare eligibility.

4.2.1.5 Elderly, Blind, or Disabled Food Units

Food units that include an elderly, blind or disabled (EBD) member with gross income over 200% of the FPL must be tested for FoodShare using the regular SNAP rules. Under the regular SNAP rules, these food units have no gross income limit, but must have net income that does not exceed 100% FPL and countable assets that do not exceed the asset limit of ~~\$3,750~~ 4,250 (see SECTION 8.1.1.2 REGULAR SNAP PROGRAM INCOME LIMITS).

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 910	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, ~~2021~~2022 - June 30, ~~2022~~2023:

Federal Standard Deductions		
Meals	Tier 1	Tier 2
Breakfast	\$ 1.40 <u>1.66</u>	\$ 0.51 <u>1.66</u>
Lunch or Supper	\$ 2.63 <u>3.04</u>	\$ 1.59 <u>3.04</u>
Supplement (snacks)	\$ 0.78 <u>0.97</u>	\$ 0.21 <u>0.97</u>

4.3.4 Unearned Income

4.3.4.3 Disregarded Unearned Income

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

Housing and related income:

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

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 the [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 the payment is:

1. For a past or future expense.
2. Not in excess of the actual expense.
3. Not for a normal household living expense.
4. 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.

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

1. Ask if the service member is deployed to a combat zone.
 - a. 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.
 - b. 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.
2. 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.
3. Clearly document in case comments the combat pay source of verification and method used to determine amount to be disregarded and budgeted.

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

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

Example 3	<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>
Example 4	<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>
Example 5	<p>Ben is in the military. His paycheck is \$1,000 a month. He has \$500 directly deposited into his account and \$500 directly deposited into a joint account with his wife, Andrea. The \$500 directly</p>

	deposited into the joint account is budgeted as unearned income in Andrea's FoodShare determination. Since Andrea does not have access to Ben's account, only the amount deposited in their joint account is counted.
Example 6	Tim is in the military making \$1,200 a month. An allotment check of \$1,000 is paid directly to his wife Karla and \$200 to himself. The \$1,000 is budgeted as Karla's unearned income for her FoodShare determination.

Dottie Moore

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

Income Tax Refunds, Credits, and Rebates

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

Victims of Nazi Persecution

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

Payments to Crime Victims

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

Agent Orange Settlement Fund

Disregard payments received from the Agent Orange Settlement Fund or any other fund established in settling "In Re Agent Orange Product Liability Settlement Fund litigation M.D.L. No. 381 (E.D.N.Y.)." Continue to disregard the payments for as long as they are identified separately. Apply this disregard retroactively to January 1, 1989.

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 October 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 October 15, 1990.

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 they experience resulting from the spina bifida. Apply this disregard retroactively to September 26, 1996. 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 [SECTION 4.3.3.3 CAPITAL AND ORDINARY GAINS](#) 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.

Living Independently through Financial Empowerment (LIFE)

The LIFE program provides short-term, monthly cash payments to families, including tribal members, experiencing crises resulting from a domestic violence situation. LIFE payments are designed to meet urgent financial needs such as but not limited to housing, utility payments, and groceries. The LIFE program is only available for a limited time until August 31, 2022. Approved applicants receive \$3,500 over three consecutive months: \$1,500 in month one, \$1,000 in month two, and \$1,000 in month three.

**Madison Forward Fund Universal Basic Income (UBI) Program
Payments**

Disregard any payments received from the Madison Forward Fund Universal Basic
Income (UBI) program.

4.4.1 Assets

7 CFR 273.8

Non-EBD Households

Assets are not included as part of the FoodShare eligibility determination and are not required to be verified since all FoodShare applicants and members are authorized to receive a TANF-funded service. Most FoodShare applicants and members are broad-based categorically eligible for FoodShare and are not subject to an asset test (see [SECTION 4.2.1 CATEGORICAL ELIGIBILITY](#)). The amount of available liquid assets must be reported at the point of initial application to determine eligibility for priority service and expedited issuance.

EBD Households

Elderly, Blind, or Disabled (EBD) Food Units (food units with at least one member who is elderly, blind, or disabled) with total gross income over 200% of the FPL must be tested for FoodShare using the regular Supplemental Nutrition Assistance Program (SNAP) rules. Under the regular SNAP rules, these food units have no gross income limit, but must have net income that does not exceed 100% FPL and countable assets that do not exceed the asset limit of ~~\$3,750~~4,250.

4.4.1.6 Divestment

4.4.1.6.1 Period of Ineligibility

Add the value of the divested assets to other countable asset values. Determine how much this total exceeds the FoodShare assistance group's asset limit. Use the chart in Section 8.1.4 Disqualification for Divestment to determine the ineligibility period.

Example 7	<p>An EBD food unit of one with \$1,250 in savings transferred the ownership of non-homestead property worth \$5,650 to a person not in the same FoodShare-<u>food</u> unit. As calculated:</p> <p>\$ 5,650 = value of property = countable divested value + 1,250 = food unit's existing assets \$ 6,900 = total of food unit's assets and divested value - 3,750<u>4,250</u> = food unit's asset limit \$3,150<u>2,650</u> = divested value in excess of food unit's asset limit.</p> <p>The divested value in excess of food unit's asset limit is used to calculate the FoodShare disqualification period. Disqualify the food unit for nine months.</p>
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The period of ineligibility begins at either:

1. The month of application, or
2. The first allotment issued after the notice of adverse action period has expired in an ongoing FoodShare case, unless a fair hearing and continuation of benefits is requested.

4.6.7 Shelter and Utility Deduction

4.6.7.4 Shelter Deduction during a Temporary Absence

7 CFR 273.9(d)(6)(ii)(D)

Allow shelter and utility expenses for a dwelling. The food unit is considered temporarily absent when the absence is caused by any of the following:

- Employment or training away from home;
- Illness; ~~or~~
- Abandonment due to a natural disaster or casualty loss.

~~Include~~ For costs of a home ~~in a food unit's~~ vacated by the food unit to be included as an allowable shelter or utility ~~expenses if all of~~ expense, the following ~~are~~ must be true:

- The food unit must intend to return to the home; ~~and~~
- Any current occupants of the home do not receive the shelter ~~and/or~~ utility expense deductions; ~~or both~~ for FoodShare purposes; ~~and~~
- The food unit does not rent or lease the home to others during their absence.

4.6.7.5 Shelter Deductions for Group Living Arrangement Residents

Allow the appropriate utility allowance for a resident of a qualified group home if the utilities are identified separately. Residents of group living arrangements have no limit on the amount used as a shelter deduction because they are disabled. Allow shelter and medical deductions for room and medical costs that can be separately identified.

Sometimes room, meals, and medical costs cannot be identified separately. If the cost of room and meals are combined into one amount, the amount of the payment that exceeds the maximum allotment for a one-person FoodShare assistance group can be used as the shelter deduction.

If the amount paid for medical and shelter cost cannot be separately identified by the group home, no deduction is allowed for the cost.

Example 6	Bev pays the community-based residential facility (CBRF) \$500 and receives shelter, meals, and medical care. Separate costs cannot be identified. Do not allow a deduction
Example 7	Shirley is in a CBRF and her room and meal costs are combined into one amount of \$600 per month. Separate costs cannot be identified. A one-person allotment is \$ 192 <u>281</u> (effective October 1,

~~2017~~2022). \$600 - ~~\$192~~ - ~~\$408~~281 = \$319. The shelter expense is ~~\$408~~319.

6.1.1 Change Reporting for All Food Units (Simplified)

7 CFR 273.12(a)(5)(v)

7 CFR 273.11(c)(1)(ii)

All food units are subject to simplified reporting rules. Whether or not the unit is required to submit a six month report form (SMRF), the food unit must report by the 10th of the following month when the assistance group's (see SECTION 3.3.1 FOOD UNIT/FOODSHARE ASSISTANCE GROUP/RELATIONSHIPS ~~its~~) monthly gross income received exceeds 130% FPL (see SECTION 8.1.1 INCOME LIMITS). ~~The food unit must use the monthly gross income limit for the food unit size that existed at the time of its most recent certification or recertification, regardless of any subsequent changes in its food unit size.~~

~~Certified food units must report the change by the 10th of the month following the change.~~

The monthly gross income limit is based on the assistance group size that existed at the time of its most recent certification action, regardless of any subsequent changes in the size of the assistance group.

<p>Example 1</p>	<p><u>Mike is a FoodShare member that was certified with income under 130% FPL.</u> Mike's hours and rate of pay increase in the middle of January. Mike's total gross income on the paychecks he received in January did not put his food unit <u>the assistance group</u> over 130% FPL.</p> <p>Mike's pay dates for February are February 13 and February 27. When Mike receives his paycheck on February 27, his food unit's <u>the assistance group's</u> total gross income received is now over 130% FPL. The change in income must be reported by March 10.</p>
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<p>Example 2</p>	<p><u>Ted is receiving FoodShare and is certified under 130% FPL.</u> Ted starts a new job on December 30. He receives his first paycheck on January 17. His gross income received from his first paycheck puts his food unit <u>assistance group</u> over 130% FPL. Ted must report the change in income by February 10.</p>
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<p><u>Note</u> Example 3</p>	<p>Anticipated receipt of income and/or work hours is not required to be reported, even if the anticipated income is expected to put the food unit over the gross income 130% FPL. A reported change in income can only be used in the budget after it is received.</p> <p>For example, an applicant reports during the interview, they expect to start a new job next month. Because the job has not started and a</p>
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	<p>paycheck has not been received, no income is to be budgeted. The applicant is required to report when the income they receive from the job puts the food unit's income above 130% FPL. <u>Kate, Trina, and Randy are a food unit of three. Kate is an ineligible student (gross deemer). Trina and Randy are both eligible for and receiving FoodShare (assistance group of two). If the food unit's gross monthly income exceeds 130% of the FPL for an assistance group of two people, the food unit must report the change by the 10th of the following month.</u></p>
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Anticipated receipt of income and/or work hours is not required to be reported, even if the anticipated income is expected to put the food unit over the gross income 130% FPL. A reported change in income can only be used in the budget after it is received.

Example 4	<p><u>Reggie reports during the interview that he expects to start a new job next month. Because the job has not started and a paycheck has not been received, no income is to be budgeted. Reggie is required to report when the income they receive from the job puts the food unit's income above 130% FPL.</u></p>
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Once a food unit

Once an assistance group has been certified eligible with a gross income above 130% FPL, all reporting requirements have been met until the next SMRF or renewal.

Example 5	<p><u>Marlo is receiving FoodShare and is certified at 131% FPL. Two months later Marlo changes jobs and her monthly income is now at 240% FPL. Since Marlo was certified over 130%, Marlo does not need to report her income change until her next Six Month Report Form (SMRF) or renewal.</u></p>
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Reporting exception: ABAWDs must report by the 10th of the following month when their work hours fall below 80 hours per month.

However, if any change is reported or becomes known to the agency, it must be acted upon. When the information is not verified upon receipt, it may be appropriate to request clarification of the change ~~and/or pend when appropriate.~~

See Section 5.1.1 Transitional FoodShare Benefits (TFS) for change reporting requirements for Transitional FoodShare (TFS) members.

6.1.3 Timely Action on Reported Changes During the Certification Period

6.1.3.8 Processing ABAWD Changes

When an exemption is reported and verified ~~timely, the exemption is effective the first of the month of report or occurrence, whichever is later. If verification is received after the due date, the exemption is applied,~~ workers must apply an exemption on the first of the month in which verification is received ~~the exemption began, regardless of when the exemption is reported or whether it is verified timely~~ (see Section 3.17.1.4 Verification of ~~ABAWD Status~~ Work Hours and Exemptions From ~~Time-Limited~~ FoodShare ~~Benefits~~ Work Requirement).

The FoodShare Clock Page may need to be adjusted once verification of an exemption is provided (see SECTION 3.17.1.12 ADJUSTING FOODSHARE CLOCK PAGE).

7.1.1 Allotments

7.1.1.4 Minimum Allotment for One or Two Person ~~Food Units~~ Assistance Groups

7 CFR 273.10 (e)(2)(ii)(C)

Categorically eligible ~~food units~~ assistance groups that include one or two persons are eligible for a minimum \$~~20~~23 allotment, except for the initial prorated benefit which cannot be less than \$10.

7.3.2 Calculating Overpayment Claim Amounts

7.3.2.1 Client and Non-Client Error

When calculating the overpayment, consider the food unit's reporting requirements. Do not use income or expenses, or changes in income and expenses that were not reported and were not required to be reported. Calculating an overpayment claim means determining the correct amount of benefits for each month in which a household received an overpayment. The correct amount of benefits is the amount the household would have received had the information used in the eligibility determination been accurate at the time of the determination.

Use converted prospective income to determine ongoing benefit eligibility for the overpayment calculation. Do not use actual income to calculate the claim, even if all information is received for the entire overpayment claim period. Only use the income and expenses reported or required to be reported for each month of the overpayment period. In claim calculations, disregard income that was not previously reported and was not required to be reported.

When a food unit member should have been ineligible, their income and expenses should be deemed following the appropriate deeming standard. The ineligible individual should not be counted as part of the assistance group in calculating the overpayment claim (see Section 4.7.5 Prorated Deeming and Section 4.7.6 Gross Deeming).

Date of Discovery

The date of discovery is the date the IM worker establishes the overpayment claim. This is the date that a claim is created, and a notice is triggered to be sent to the liable individuals. This date is used to establish the look back period.

Look-back Period

The look-back period is the period of time during which the overpayment occurred.

Overpayment Period

The overpayment period begins with the date of discovery and extends back up to one year (12 months) for non-client errors and client errors. For duplicate participation, trafficking, and IPV claims, the overpayment period begins with the date of discovery and extends back up to six years (72 months).

Example 1	<p>During their March renewal for Jasmine is receiving FoodShare ending and has a renewal due by March 31, wage matches are found. On March 15 the IM worker processes Jasmine's renewal and discovers that were not reported when required when they started</p>
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<p>their Jasmine has had income from a job in since January of the previous year. that was not reported. Since January of the previous year is more than 12 months prior and the failure to report is a client error, the look back period is limited to 12 months. The earliest recoverable overpayment month is March of the previous year.</p>
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~~The date the claim is mailed or otherwise delivered to the food unit is considered the date of establishment of the claim for tracking purposes, including establishing delinquency for the purposes of tax intercept.~~ If the claim or claim amount was not established at a fair hearing, a notice of adverse action must be provided. The notice of adverse action can be included with the claim notice or mailed separately. Overpayment claim notices must be sent to the last-known address. If a fair hearing official determines that a claim does exist against the food unit, the food unit must be re-notified of the claim.

Current verification requirements still apply. When all attempts to obtain the verification are unsuccessful the worker must use the best available information to determine the monthly income amount for purposes of the overpayment calculation. The food unit has primary responsibility for providing documentary evidence to support statements in the case record and to resolve any questionable information. The worker must assist the household in obtaining this verification provided the food unit is cooperating with the agency. When the food unit fails or refuses to provide income information needed to calculate the claim and no other information is available, ~~the claim should be calculated as if the food unit were completely ineligible. This process is consistent with eligibility determinations at application, six month report and renewal, where if the applicant member fails to provide mandatory verifications, the food unit is ineligible to receive FoodShare benefits (see Section 1.2.6.1 Required Verification to Determine Eligibility).~~ ~~The overpayment is to be established using certification rules.~~ there is no overpayment. If the relevant information is later provided by the food unit, the claim should be recalculated with the new information factored into calculating the monthly eligibility and benefit amount that should have been received.

The food unit must be given a reasonable opportunity to provide verification of income, and the agency may contact the employer directly for verification. It is not necessary to contact the food unit prior to contacting the employer; both contacts can be completed at the same time. Members should be provided 30 days to provide verification, unless it is determined that additional time is necessary in order to collect and submit the verification requested. If more than 30 days are allowed for provision of verification by the member, document the number of days allowed and the reason. Employers should be provided 10 days to provide verification. When no other form of verification is available, then SWICA information is considered the best available information and should be used to calculate an overpayment.

Document clearly in case comments the unsuccessful requests for verification from the household and the employer, and the reason for using a SWICA match as the best available verification of monthly income. Also clearly document how the income amount was calculated from the SWICA match.

If while calculating an overpayment claim, it is found that there was an underissuance that was a result of agency error and the underissuance is within the last 12 months, the amount of the underissuance must be offset against the total claim amount (if a claim is established) or a supplemental issuance should occur if there is no overpayment claim established.

7 CFR 273.18(d)(1)

To meet the established timeliness requirements, overpayment claims must be completed within 120 days of the date of discovery.

Client Error

A client error occurs when the food unit unintentionally does one of the following:

- Fails to provide correct or complete information
- Fails to report a change that was required to be reported
- Receives FoodShare for which it was not entitled pending a fair hearing decision

The look back period for client errors begins with the date of discovery and extends backward to the most recent of either of the following:

- Twelve months or 72 months for duplicate participation, trafficking, and IPV claims
- The month the change would have been effective had the food unit timely reported it

The overpayment period begins with the first month eligibility would have been impacted or changed had the change been reported timely and would have been effective up to the month prior to when the case and benefits were corrected.

The month the change would have been effective cannot be more than two months after the change in circumstance actually occurred.

When determining if an overpayment occurred due to an unreported increase in total gross monthly income, compare the total actual unconverted income amount to the income reporting limit for the FoodShare assistance group size to determine if the income should have been reported.

In overpayment calculations, do not apply the 20% earned income disregard to earned income that was required to be reported but was not reported timely. Disregard income that was not previously reported and was not required to be reported due to reduced reporting requirements. If expenses were reported correctly at the time of the overpayment, use those same expenses when calculating the overpayment. If expenses were incorrectly reported, and subsequently verified (for example, the expense was considered questionable and the IM worker requested and received verifications, or the expense was verified through a QC review or a WHEAP data exchange, etc.) use the verified amount in the overpayment calculation. If the IM worker knows the expense is incorrect and verification was requested but was not received, do not allow the expense in the overpayment calculation.

All income needs to be verified when determining income to be used in an overpayment calculation.

For Earned Income, verification may include:

- Dated check stubs of income that should have been reported that caused the overpayment
- Earnings reports, a statement from the employer, or EVF forms, signed by the employer, with all needed information

Note	Income Eligibility Verification System (IEVS) may indicate that income was earned from an employer sometime during three months of the work quarter. Do not use IEVS in calculations and overpayments unless no other information is received verifying the earned income and best information available must be used.
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Non-Client Error

A non-client error occurs when the state or local agency does any of the following:

- Takes an incorrect action on a FoodShare case
- Does not take prompt action on a change the food unit reported,
- Fails to correct an action
- Incorrectly enters information or fails to include information that results in expedited eligibility
- Misapplies policy
- System programming error, such as failure to include W-2 or SSI benefit increase

The look back period for non-client errors begins with the date of discovery and extends backward to the most recent of either:

- Twelve months
- To the month the error was effective had the change been acted on timely

Example 2	<p>At Jeff's renewal on June 5, 2019, he verified income of \$800 per month. His IM worker miscalculated Jeff's income and budgeted \$400 per month instead of the \$800 per month that Jeff verified. When Jeff submits his SMRF on December 5, 2019, the IM worker discovers her error and corrects the case effective January 1, 2020. The IM worker determined an overpayment of more than \$500 exists and process the overpayment that same day.</p> <p>To calculate the overpayment, the IM worker budgets the correct income amount of \$800 from the job Jeff verified.</p> <ul style="list-style-type: none"> • The date of discovery is December 5th, 2019. • The look back period is June 2019 through December 2019 (non-client error). • Had the June 2019 change been acted on accurately the change would have been effective July 1, 2019, therefore the overpayment period is July 1, 2019, through December 31, 2019.
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Example	Matt submitted a complete SMRF on August 4, 2019. On August 8, 2019, Matt's IM
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3	<p>worker discovers that Matt started a job on April 5, 2019, and Matt received income in April that exceeded 130% of the FPL threshold (the income is over 200% FPL). The new income should have been reported by the 10th of May. The IM worker corrects the case and closes it effective August 31, 2019.</p> <ul style="list-style-type: none"> • The date of discovery is August 8, 2019. • Had the April 2019 income change been reported timely, the case would have closed as of May 31, 2019. Therefore, the overpayment period is June 1, 2019, through August 31, 2019. Section 6.1.1 CHANGE REPORTING FOR ALL FOOD UNITS (SIMPLIFIED) applies, and the change must be reported by the 10th of the month following the month in which the total income exceeded 130% of the FPL.
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7.3.2.4 IPV

Establish a claim due to an Intentional Program Violation (IPV) (see [SECTION 3.14.1 INTENTIONAL PROGRAM VIOLATION \(IPV\) DISQUALIFICATION](#) ~~Section 3.14.1 Intentional Program Violation (IPV) Disqualification~~) only when one of these conditions exists. The food unit member:

1. Signs a waiver of the disqualification hearing
2. Signs a disqualification consent agreement after being referred for prosecution
3. Is convicted of a FoodShare felony or found guilty of IPV in an Administrative Disqualification Hearing or judicial proceeding

7 CFR 273.16 (c)

An applicant or member commits an IPV when they intentionally:

1. Make a false or misleading statement or misrepresent, conceal, or withhold facts, including their identity or place of residence, to become eligible or to remain eligible for benefits; or
2. Commit any act that constitutes a violation of the Food and Nutrition Act of 2008, the Supplemental Nutrition Assistance Program ([SNAP](#)) Regulations, or any Wisconsin statute for the purpose of using, presenting, transferring, acquiring, receiving, ~~or~~ possessing, or trafficking of FoodShare benefits or QUEST cards: ~~See Section 3.14 Intentional Program Violation (IPV) Disqualification (see SECTION 3.14.1 INTENTIONAL PROGRAM VIOLATION (IPV) DISQUALIFICATION for a definition of trafficking).~~

The cardholder is the only person that can make authorized purchases on the QUEST card, unless they verbally authorize another person to make purchases on their behalf for their assistance group.

An unauthorized individual who uses a QUEST card without the cardholder's consent is committing fraud. Unauthorized individuals using the card to make purchases for themselves without the cardholder's consent are also committing fraud. If the cardholder knows the card is in the hands of an unauthorized individual, both the cardholder and unauthorized individual may be accused of fraud.

Example	Ellen is receiving FoodShare for herself and her two children. Ellen is sick and gives her
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4	QUEST card to a friend to buy food for the FoodShare assistance group, and her friend buys food for Ellen's family. Since Ellen authorizes her friend to buy food for Ellen's family, the friend is considered an authorized buyer even though there is no written documentation of the authorization.
Example 5	Steve is a single FoodShare member who has been in jail for the last four months. Steve gives his QUEST card to a friend to use while he is in jail. His friend is not buying food for Steve, the person eligible for the FoodShare benefits. His friend is an unauthorized buyer, and both are guilty of committing fraud.

If a FoodShare member has a pending IPV hearing, the IM worker should establish the claim as a non-client error.

If the case has been referred to the DA for prosecution, the IM worker should discuss the claim establishment with the DA or the agency's legal counsel.

If the DA or agency's legal counsel advises that processing a claim as a client error may create bias against an IPV judgment, do not process the claim until the IPV determination is made.

8.1.1 Income Limits

8.1.1.1 Income Limits

Effective October 1, ~~2021~~2022, through September 30, ~~2022~~2023.

	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	\$2,148,266	\$1,771,869	\$1,396,473	\$1,074,133	\$250,281
2	\$2,904,305 2	\$2,396,518	\$1,888,984	\$1,452,526	\$459,516
3	\$3,660,840	\$3,020,167	\$2,379,495	\$1,830,920	\$658,740
4	\$4,418,626	\$3,644,816	\$2,871,300 7	\$2,209,313	\$835,939
5	\$5,174,412	\$4,268,465	\$3,363,518	\$2,587,706	\$992,116
6	\$5,930,620 0	\$4,893,511 4	\$3,855,402 9	\$2,965,310 0	\$1,190,339
7	\$6,688,986	\$5,517,763	\$4,347,541	\$3,344,493	\$1,316,480
8	\$7,444,772	\$6,141,412	\$4,839,505 2	\$3,722,886	\$1,504,691
9	\$8,202,560	\$6,766,706	\$5,331,564	\$4,101,280	\$1,692,902

		<u>1</u>			
10	\$ <u>8,960,348</u>	\$ <u>7,391,710</u>	\$ <u>5,823,607</u>	\$ <u>4,480,674</u>	\$ <u>1,880,211</u>
Each additional member	+\$ <u>758,788</u>	+\$ <u>625,649</u>	+\$ <u>492,512</u>	+\$ <u>379,394</u>	+\$ <u>188,211</u>

Note The minimum allotment for one- and two-person assistance groups is \$2023.

8.1.1.2 Regular SNAP Program Income Limits

Effective October 1, ~~2021~~2022.

FoodShare Group Size	EBD	Regular SNAP	
	Non-Categorically Eligible	IPV and Drug Felony	
	Net Monthly Income Limit (100% FPL)	Gross Monthly Income Limit (130 % FPL)	Net Monthly Income Limit (100% FPL)
1	\$ <u>1,074,133</u>	\$ <u>1,396,473</u>	\$ <u>1,074,133</u>
2	\$ <u>1,452,526</u>	\$ <u>1,888,984</u>	\$ <u>1,452,526</u>
3	\$ <u>1,830,920</u>	\$ <u>2,379,495</u>	\$ <u>1,830,920</u>
4	\$ <u>2,209,313</u>	\$ <u>2,871,307</u>	\$ <u>2,209,313</u>
5	\$ <u>2,587,706</u>	\$ <u>3,363,518</u>	\$ <u>2,587,706</u>
6	\$ <u>2,965,3,100</u>	\$ <u>3,855,4,029</u>	\$ <u>2,965,3,100</u>
7	\$ <u>3,344,493</u>	\$ <u>4,347,541</u>	\$ <u>3,344,493</u>
8	\$ <u>3,722,886</u>	\$ <u>4,839,5,052</u>	\$ <u>3,722,886</u>
9	\$ <u>4,101,280</u>	\$ <u>5,331,564</u>	\$ <u>4,101,280</u>

10	\$4,480 <u>674</u>	\$ 5,823 6,076	\$4,480 <u>674</u>
Each additional member	+\$379 <u>394</u>	+\$ 492 512	+\$379 <u>394</u>

8.1.1.3 Asset Limits

Effective October 1, ~~2021~~2022.

Food Unit Type	Asset Limit
Elderly, Blind, or Disabled (EBD) Food Units are those where all food unit members are elderly, blind, or disabled	\$ 3,750 4,250
Regular FoodShare (SNAP) Household (Non-EBD)	\$2,500 <u>750</u>

8.1.2 Allotment for Monthly Net Income and FoodShare Group Size

Current Allotment Table

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

Allotment by monthly net income effective October 1, ~~2021~~2022, through September 30, ~~2022~~2023.

Prior Years' Allotment Tables

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

Start Date	End Date
January 1, <u>October 1,</u> 2021 <ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	September 30, 2021* <u>2022</u>
October <u>January 1,</u> 2020 <u>2021</u> <ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	December 31, 2020 <u>September 30, 2021*</u>
October 1, 2019 <u>2020</u> <ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	September 30 <u>December 31,</u> 2020
October 1, 2018 <u>2019</u> <ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	September 30, 2019 <u>2020</u>
October 1, 2017 <u>2018</u> <ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	September 30, 2018 <u>2019</u>
<u>October 1, 2017</u> <ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	<u>September 30, 2018</u>
October 1, 2016	September 30, 2017

<ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	
October 1, 2014 <ul style="list-style-type: none"> • 1-10 persons • 11-20 persons 	September 30, 2016
November 1, 2013	September 30, 2014
October 1, 2013	October 31, 2013
October 1, 2012	September 30, 2013
October 1, 2011	September 30, 2012
October 1, 2009	September 30, 2011
April 1, 2009	September 30, 2009
October 1, 2008	March 31, 2009
October 1, 2007	September 30, 2008

*The January 1, 2021, tables were initially applicable only through June 30, 2021, but were extended through September 30, 2021.

8.1.3 Deductions

Effective October 1, ~~2021~~2022.

Deduction Type	Amount
Standard	
For groups with 1-3 people	\$ 177 <u>193</u>
For groups with 4 people	\$ 184 <u>193</u>
For groups with 5 people	\$ 215 <u>225</u>
For groups with 6 or more people	\$ 246 <u>258</u>
Dependent Care	Use the out-of-pocket amount the food unit is obligated to pay. This is the amount not paid by a third party.
Utility Allowances	
HSUA (Heating Standard Utility Allowance)	\$ 462 <u>471</u>
LUA (Limited Utility Allowance)	\$ 317 <u>322</u>
EUA (Electric Utility Allowance)	\$140
WUA (Water and Sewer Utility Allowance)	\$ 93 <u>96</u>
FUA (Cooking Fuel Allowance)	\$ 37 <u>38</u>
PUA (Phone Utility Allowance)	\$29
TUA (Garbage and Trash Utility Allowance)	\$ 24 <u>25</u>
Shelter Maximum Deduction (non-EBD households)	\$ 597 <u>624</u>
Homeless shelter deduction	\$ 160 <u>167</u>
Medical Allowance	Expenses over \$35