

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

To: Caretaker Supplement Handbook Users

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

Re: **Caretaker Supplement Handbook Release 23-03**

Release Date: 12/18/2023

Effective Date: 12/18/2023

EFFECTIVE DATE	The following policy additions or changes are effective 12/18/2023 unless otherwise noted. Underlined text denotes new text. Text with a strike through it denotes deleted text.
POLICY UPDATES	
1.1 Introduction	Updated CTS benefit amount and clarified text.
2.1 Application Introduction	Removed requirement to send Notice of Assignment form to any CTS applicants.
2.4.1.1 Signatures from Representatives	Updated the types of legal guardians and powers of attorney who can act on behalf of an applicant.
2.7.3 Person Adds	Updated the CTS benefit amount in examples.
3.1.14 Verification	Changed the policy for IM agencies to no longer require signed IRS tax forms to verify self-employment income.
3.3.1 Two Parent Households (including Non-Marital Co-parents and Married Parents)	Updated the CTS benefit amount in an example.
4.2 Restoration of Benefits	Existing policies about restoring benefits are being added to the handbook.
4.3 Recoupment of Incorrect Benefits	Updated dates and CTS benefit amounts in examples.
4.8.1 Authorized Representatives	Clarified policy for appointing an authorized representative.
4.8.2 Legal Guardians and Conservators	Clarified the policy granting authority to a legal guardian to enroll a person in CTS.
4.8.3 Power of Attorney	Clarified the policy for durable powers of attorney.
5.2.6 CTS Benefit Amounts	New table to show CTS benefit amounts based on the number of eligible children. Effective 7/1/2023.

5.4.1 Scenarios	Updated the CTS benefit amounts in the scenarios.
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1.1 Introduction

Program History and Authority

The Caretaker Supplement (CTS) is a cash benefit program. The program's benefit recipients are low-income parents who receive Supplemental Security Income (SSI) payments. These SSI parents receive CTS benefits for each of their eligible children.

Wisconsin's Caretaker Supplement was authorized by 1997 Act 27, which created ss. 49.775. This original statutory language enabled and funded the program and specified the program's basic eligibility requirements. It also included language that specified that the intent of the program was to provide cash benefits to SSI parents who would have met the eligibility requirements for benefits that were in place on July 16, 1996 under Aid to Families With Dependent Children (AFDC-), a program eliminated by the federal government in 1997.

The first ~~Caretaker Supplement~~ CTS benefits were distributed to approximately 5,700 former AFDC recipients for their 11,000 children in ~~December 1997~~ December 1997. The initial benefit payment was \$77 per child. Beginning January 1998, the program began paying SSI recipients who had not been receiving AFDC, but whose children met the eligibility requirements for AFDC and would have received AFDC cash and Medicaid benefits had AFDC not been eliminated by the federal government. These CTS-eligible children were identified by their receipt of AFDC-Medicaid in Wisconsin's Client Assistance for Re-Employment and Economic Support (CARES) computer system. AFDC-Medicaid eligibility requirements were identical to AFDC cash requirements, and this methodology for identifying new CTS cases served as a satisfactory proxy until a CTS-specific electronic eligibility determination process could be implemented in CARES.

The benefit payment amount for CTS remained \$77 per month, per child until July 1998, when the payment was increased by the Wisconsin Legislature to \$100 per month, per child. 1999 Wisconsin Act 9 increased the benefit to \$250 per month for the first eligible child and \$150 per month for each subsequent eligible child. This change was effective in November 1999. 2023 Wisconsin Act 19 increased the benefit to \$275 per month for the first eligible child and \$165 per month for each subsequent eligible child. This change was effective in July 2023. CTS benefits are never prorated based on the number of days an SSI parent is eligible for any payment month.

During April 2001, the Wisconsin Legislature promulgated Ch. HFS 79, an administrative rule that enabled the Department of Health Services to recover CTS benefit payments that were incorrectly made, due to ineligibility or overpayment, to SSI recipients.

Appendix 1, State Statutes and Codes contains links to current statutory language governing the Caretaker Supplement benefit.

On January 25, 2002, CTS became a unique program of assistance in Wisconsin's CARES system. Local economic support agency workers began using this

computerized system to process applications, determine eligibility, and generate notices and payments for CTS effective with payments for March 2002.

As of July ~~2020~~2023, approximately ~~5,400~~4,300 SSI families were receiving ~~Caretaker Supplement~~CTS benefits for ~~10,300~~8,200 children.

Benefit Funding

In ~~2003~~2022, CTS benefits totaled approximately ~~\$29.5million. Caretaker Supplement~~21.8 million. CTS benefits are funded by a combination of Wisconsin general purpose revenue tax dollars (GPR) and federal Temporary Assistance to Needy Families (TANF) dollars. The portion of CTS funding that is derived from GPR dollars is utilized by ~~the Wisconsin~~ Department of Health Services (DHS) to meet Wisconsin's federally-imposed maintenance of effort requirement for Supplemental Security Income. For SSI purposes, CTS benefits are viewed as part of Wisconsin's SSI state supplemental payment. After DHS counts its GPR-funded portion of CTS toward its SSI maintenance of effort requirement, the remainder of CTS benefit funding is supported by TANF dollars.

In turn, these TANF dollars are counted by Wisconsin's Department of Children and Families (DCF) toward its federally-imposed TANF maintenance of effort.

Program Administration and Partnerships

The ~~Caretaker Supplement~~CTS program is administered by ~~the Wisconsin Department of Health Services~~DHS, IM Consortia, and tribal ~~economic support~~income maintenance agencies. The local agencies are the point of application and eligibility determination for CTS. DHS contracts with several data processing firms to manage the CARES related aspects of the program and to process SSI payments, to which CTS benefits are added. ~~Illustration 1 in 5.4 ILLUSTRATIONS depicts these administrative relationships.~~

Persons who need to report a lost or stolen SSI check that includes ~~Caretaker Supplement~~CTS or who need ~~a~~ CTS benefit history must contact Member Services at 800-362-3002. Requests for CTS benefit histories may also be faxed to 608-221-0991. Misdirected SSI benefit checks must be mailed to:

DHS/-State SSI

P.O. Box 6680

Madison, Wisconsin 53716-0680.

~~For~~However, for assistance with all matters related to application, eligibility, payment amount, appeals and grievances, etc., ~~however~~, recipients or their representatives must contact their county or tribal ~~economic support~~income maintenance (IM) agency.

~~The Wisconsin Department of Children and Families~~DCF receives this state's block grant for TANF funding and is therefore responsible for meeting the TANF reporting requirements specified by the federal Administration for Children and Families (ACF)

and completing the federal ACF-199, TANF Data Report. ~~The~~ DHS assists in this activity by providing monthly payment, eligibility, and demographic information to DCF regarding CTS-related TANF expenditures.

2.1 Application Introduction

Anyone has the right to apply for CTS. However, individuals younger than 18 years old must have a parent or a legal guardian apply for CTS on their behalf unless they are living independently.

The applicant may be assisted by any person they choose in completing an application.

Anyone who expresses interest in applying should be encouraged to file an application as soon as possible. When an application is requested, the Income Maintenance (IM) agency staff must do one of the following:

1. Suggest the applicant file their application through ACCESS if they are also applying for health care or FoodShare benefits.
2. Complete or schedule a telephone or face-to-face interview.
3. Suggest the applicant mail in their application using the Caretaker Supplement Application ([F-22571](#)). Provide the application (if requested), along with any other information, instruction, and materials needed to complete the application process.

The IM agency must provide the ~~following documents at application or when a new request for CTS is made on an existing case:~~

- ~~Notice of Assignment: Child Support, Family Support, Maintenance and Medical Support form (DWSP2477) must be provided to all applicants.~~

Child Support Cooperation & Good Cause notice ([DCF-P-5600](#)) ~~must be provided~~ to all applicants applying for CTS who have a child with an absent parent at application or when a new request for CTS is made on an existing case. The IM agency must also send this document to the member in situations where a parent leaves the home, resulting in a child on the case now having an absent parent.

The IM agency must also provide ~~these documents~~ this document to anyone ~~that~~ who requests ~~them~~ it.

Refer requests for applications and other outreach materials from groups and persons involved in outreach efforts to the ~~www.dhs.wisconsin.gov/forms/index.htm~~ DHS Data Collection (Forms) Library.

2.4 Valid Signature

2.4.1 Valid Signature Introduction

2.4.1.1 Signatures from Representatives

The following people can sign the application with their own name on behalf of the applicant:

- **Guardian**

When an application is submitted with a signature of someone claiming to be the applicant's guardian, the IM Agency must obtain a copy of the document that designates the signer of the application as the guardian. From the documents provided, ensure that the person claiming to be the applicant's guardian can file an application on their behalf (see SECTION 4.8.2 LEGAL GUARDIANS AND CONSERVATORS).

When someone has been designated as one of the following, only the guardian, not the applicant, may sign the application or appoint an authorized representative:

- Guardian of the estate
 - Guardian of the person and the estate
 - ~~Guardian in general~~
 - Guardian of the person and the court document appointing the guardian of the person specifically grants the guardian the authority to enroll their ward in CTS or public assistance programs.
- If the applicant only has a **legal guardian of the person**, who does not have the authority to enroll the person in CTS or public assistance programs, the guardian may sign the application since they are acting responsibly for an incompetent or incapacitated person. ~~However, a legal~~ A guardian of the person can't who does not have the authority to enroll the person in CTS or public assistance programs cannot appoint an authorized representative. The applicant must be the one to appoint an authorized representative if they choose to have one.

The applicant may appoint their legal guardian of the person to be the authorized representative. If the legal guardian of the person has been appointed, they may sign the application as the authorized representative.

- **Authorized Representative**

The applicant may authorize someone to represent them. An authorized representative can be a person or an organization (see SECTION 4.8.1 AUTHORIZED REPRESENTATIVES).

Applicants appointing an authorized representative when applying by telephone or in person need to complete the Appoint, Change, or Remove an Authorized Representative form (Person [F-10126A](#) or Organization [F-10126B](#)).

Once appointed, an authorized representative may be responsible for submitting a completed, signed application and any required documents. However, the authorized representative is not required to sign the application, though they are able to sign on behalf of the applicant. If an applicant has an authorized representative, the applicant can still sign the application on their own behalf.

When appointing an authorized representative, someone other than the authorized representative must witness the applicant's signature. If the applicant signs with a mark, two witness signatures are required.

- **Durable power of attorney for finances** (Wis. Stat. ch.244)

A durable power of attorney for finances is a person to whom the applicant has given power of attorney authority and agrees that the authority will continue even if the applicant later becomes disabled or otherwise incapacitated (see SECTION 4.8.3 POWER OF ATTORNEY).

Applications signed by someone claiming to be the applicant's activated durable power of attorney for finances are not considered properly signed unless a copy of the Durable Power of Attorney form designating the durable power of attorney is included with the application and indicates the durable power of attorney's authority continues notwithstanding any subsequent disability or incapacity of the applicant.

An applicant's activated durable power of attorney for finances may appoint an authorized representative for purposes of making a CTS application if authorized on the Durable Power of Attorney form. The Durable Power of Attorney form will specify what authority is granted.

The appointment of a durable power of attorney for finances does not prevent an applicant from filing their own CTS application nor does it prevent the applicant from granting authority to someone else to apply for public assistance on their behalf.

- Someone acting responsibly for an incompetent or incapacitated person.

Example 1	Carla is hospitalized and temporarily incapacitated. Marco, a hospital social worker, can apply for CTS on Carla's behalf.
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2.7 Begin Dates

2.7.3 Person Adds

When the primary person reports a dependent child has moved into the home by the 10th of the month following the month in which the child moved in, the effective date of the person add should be the date the child moved into the home. If the move was not reported by the 10th of the following month, the effective date of the move is the date the move was reported. If the child is determined eligible for CTS, the IM agency must request supplemental CTS benefits for the entire month for the effective date that the child was in the home, and any subsequent months.

Example 1:	Ann has a CTS case with her son Jimmy and receives \$ 250 <u>275</u> a month in CTS benefits. She reports on November 2 that her 14-year-old daughter, Brooke, moved back into the home in October. –The worker adds Brooke to the case and determines she is eligible for CTS in December. As a result, the December benefit will increase to \$ 400 <u>440</u> . Since Ann reported her daughter was in the home before the 10th of the following month, the worker also determines CTS eligibility for Brooke for the months of October and November and finds that Brooke was <u>is</u> eligible for CTS for both months. The worker requests CTS supplements of \$ 150 each <u>165</u> for both October and November.
Example 2:	Same as Example 1, but Ann doesn't report Brooke moved back into the home until November 11. Since Ann failed to report the change by November 10, the effective date is November 11—the date Ann reported the change. Brooke should not be added to the case until November 11. After determining eligibility, the worker should request a CTS supplement of \$ 150 <u>165</u> only for November.

3.1 Nonfinancial

3.1.14 Verification

CTS applicants and members must provide verification when requested in order for an IM agency to process an application or review of eligibility for CTS. The verification requirement applies to both non-financial and financial information. Failure to provide such verification will result in denial or termination of CTS benefits. Applicants and members must be given a minimum of 20 days to provide requested verification.

The following information must be verified by applicants or members or through data exchanges when CTS eligibility is being determined:

- Social Security Number
- Citizenship or immigration status

Note: To be eligible for CTS, a person declaring U.S. citizenship must provide proof of citizenship with two exceptions to this requirement:

- Citizenship verified by the SSA data exchange is considered sufficient verification for CTS applicants and members.
- SSI recipients have already verified their citizenship to SSA and do not need to verify citizenship status for CTS.

- School enrollment for 18-year-olds
- Income earned from employer
- Income earned from self-employment ~~(IRS tax forms must be signed by the member.)~~
- Unearned income (for example, Social Security)
- Pregnancy of minor child
- Property transferred in past 24 months (for example, land, stocks, etc.)

General Rules for Verification

1. Over-verification, including requiring excessive pieces of evidence for any one item or requesting verification that is not needed to determine eligibility, is prohibited. Once the accuracy of a written or verbal statement has been established, additional verification can't be required. For example, once U.S. citizenship is verified, an applicant or member never has to verify it again.
2. If information has already been verified, the applicant or member does not need to verify it again except in the following situations:
 - a. There is reason to believe the information is fraudulent or differs from more recent information. If fraud is suspected, the IM agency will determine if a referral for fraud or for front-end verification should be made.
 - b. The member reported a change to information that is subject to verification.
 - c. At renewal, information is subject to verification.

3. One particular type of verification can't be exclusively required when various types are adequate and available.
4. Verification doesn't need ~~not~~ to be presented in person. Verification may be submitted by mail, fax, email, or through another electronic device or through an authorized representative.
5. Special groups or persons can't be targeted based on race, color, national origin, age, disability, sex, religion, or migrant status for special verification requirements.
6. The applicant or member can't be required to sign a release form (either blanket or specialized) when the applicant or member provides required verification.
7. Verification of information that is not used to determine eligibility can't be required.
8. During verification, the applicant or member can't be harassed or have their privacy, personal dignity, or constitutional rights violated.

The applicant or member has primary responsibility for providing verification and resolving questionable information.

IM agencies must assist the applicant or member in obtaining verification if they request help or have difficulty in obtaining it.

The best information available should be used to process the application or change within the time limit when both of the following ~~two~~ conditions exist:

1. The applicant or member does not have the power to produce verification.
2. Information is not obtainable timely even with the IM worker's assistance.

Applicants meeting the CTS eligibility criteria based on this best available information are eligible for benefits. Even after the application or change is processed using best available information, the IM agency is required to continue in their attempts to obtain verification. When the verification is received, benefits may need to be adjusted or recovered based on the new information. The agency must explain this to the applicant or member when requesting verification.

3.3 Buening Cases - Special Rules for Two Parent Cases

3.3.1 Two Parent Households (including Non-Marital Co-parents and Married Parents)

In a decision dated and released on September 30, 1996, the U.S. Court of Appeals, District IV, ruled in the case of *Buening v. Wisconsin Department of Health and Social Services* that special consideration must occur when the income of co-parents is calculated in AFDC eligibility determinations. For the sake of simplicity, cases to which this court decision applies are referred to as Buening cases. Since CTS eligibility is based on criteria that applied to AFDC eligibility prior to the elimination of AFDC by the federal government in 1997, the Buening decision applies to CTS rules, as well.

Normal Standard Filing Unit (SFU) (see [SECTION 3.1.1 STANDARD FILING UNIT \(SFU\)](#)) rules require us to count the income and assets of any non-SSI co-parent, his or her child in common with the SSI parent and all of that child in common's full and half siblings in the home, unless the child is also an SSI recipient. The Buening ruling means that the non-SSI co-parent and any children in common may only be included in the SFU if it is determined that these children in common and the non-SSI parent are "needy." To meet the definition of needy, the gross and net income and assets for the non-SSI parent and child(ren) in common have to be at or below the CTS eligibility limits for their smaller group size.

Buening cases occur in two-parent households in which:

- There is a child of the SSI parent who is being tested for CTS
- The SSI parent and the non-SSI co-parent have at least one child in common
- The income or assets of the non-SSI parent and the child (or children) in common causes the child of the SSI parent to be financially ineligible for CTS.

Note: The non-SSI co-parent is treated in the same way whether or not he or she is married to the SSI parent.

See [SECTION 5.4 ILLUSTRATIONS](#), Scenarios 12 and 13 for visual depictions of Buening case configurations.

If the non-SSI parent and child in common are considered needy, the whole group of children along with the non-SSI parent are considered one SFU and must have their income and assets counted together. If the child(ren) in common and the non-SSI parent are not considered needy, the child(ren) in common and their non-SSI parent must be excluded from the CTS SFU, which means their income and assets are not considered when determining financial eligibility for the SSI parent's other child(ren).

Example 1:	Mary is on SSI and is requesting CTS for her daughter Jill. Mary also has a son, Tim. Tim's father, Dan, who is not on SSI, is also in the home.
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	<p>Since Tim's dad is not on SSI, Tim is not eligible for CTS. The CTS SFU originally consists of Jill, Tim and Dan. Dan is getting \$700 of unemployment insurance monthly. The net income limit for an SFU of three is \$647, so the \$700 would make Jill ineligible for CTS. This requires the Buening rules to be applied. To determine if Tim and Dan are needy, their income is tested against the income limit for a group of two. The net income limit for Tim and Dan alone is \$550. Since their income exceeds the limit, Tim is not considered needy. As such, Tim and Dan are excluded from Jill's SFU. Jill has no income and is eligible, so Mary will receive a CTS payment of \$250<u>275</u> for Jill.</p>
Example 2:	<p>Same case as above, except Jill is getting Social Security Survivor benefits of \$200 per month and Dan is getting only \$500 in unemployment insurance. Again, the original SFU consists of Jill, Tim and Dan. The net income limit for an SFU of three is \$647, so the combined income of \$700 makes Jill ineligible for CTS. This time when the Buening rule is applied, Dan's income of \$500 is less than the \$550 net income limit for 2. This means Tim and Dan are needy, so Tim and Dan must be included in the SFU, and Dan's income may not be excluded. Jill is not eligible and Mary will receive no CTS payment for Jill.</p>

4.2 ~~Reserved~~ Restoration of Benefits

Caretaker Supplement (CTS) benefits must be restored when it is determined that a member's benefits have been incorrectly denied or terminated by the agency. Their benefits should be restored from the date of the incorrect denial or termination through the time period that they would have remained eligible. CTS benefits must also be restored when CTS is terminated due to a termination of SSI benefits and the SSI termination is later reversed. This includes when the SSI benefits resume due to an appeal of the SSI termination action.

Payments owed to a current member and anyone who would be a current member if the error causing the underpayment hadn't occurred must be promptly corrected.

The agency must send a letter when certifying a retroactive payment explaining that it corrects a prior underpayment and is not an ongoing payment increase.

4.3 Recoupment of Incorrect Benefits

Occasionally CTS benefits are overpaid. This may happen when an SSI parent was ineligible for CTS because their child(ren) was out of the home, the child received SSI for the month in question, the parent's SSI eligibility was retroactively denied by the Social Security Administration, or the parent provided fraudulent information that led to CTS eligibility. In addition, if benefits are continued pending a fair hearing and the agency's adverse action is upheld, or the fair hearing is withdrawn or abandoned, any overpayments caused by benefits having been continued may be subject to recovery. Both member and agency errors are subject to recovery as long as they meet the requirements provided below.

Since CTS benefits are paid as part of the parent's SSI benefit payment, the State SSI program recoups overpaid benefits. While CARES and BRITS do not track CTS benefit recovery, the local agency worker determines when an overpayment has occurred (see Process Help, [Section 9.9.9 Overpayments](#)).

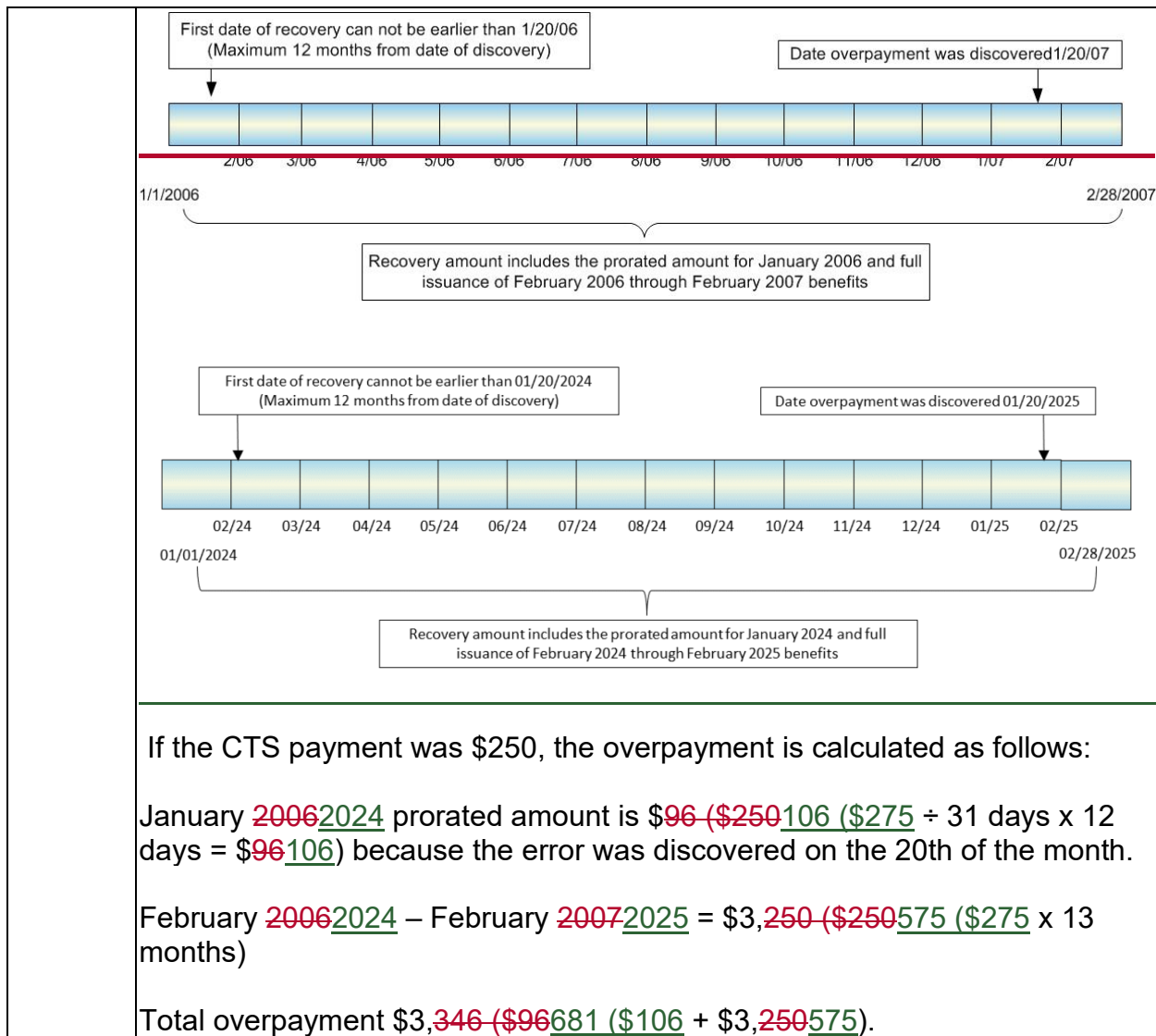
Administrative Rules (DHS 2) permit the State SSI program to collect 10% of each future SSI payment (which may include CTS benefits) until an overpayment is repaid. SSI parents may repay the entire amount owed in a single payment or negotiate with the State SSI program for a payment schedule that is higher than 10% per month.

Incorrectly paid CTS benefits can only be recovered for 12 months prior to the date of discovery of the incorrect payment. Agencies administering CTS must ensure that recovery of incorrectly paid CTS benefits extends no more than 12 months back from the date of discovery.

Date of discovery means the actual date, not the month of discovery. Unless the discovery is made on the first of the month, the overpayment amount for the first month will need to be prorated. To prorate the overpayment amount, divide the monthly payment amount by the number of days in that month and round down to the nearest dollar. Then multiply the result by the number of days subject to recovery in that month.

Example 1:	A worker discovers on October 5, 2006 2024, that an overpayment of CTS benefit occurred because the child, for whom the benefit was being paid, was not living in the home since August 1, 2005 2023. CTS closes effective November 1, 2006 2024. Since recovery can only extend back 12 months from date of discovery, only the benefits paid from October 5, 2005 2023, to October 31, 2006 2024, can be recovered. Benefits paid August 1, 2005 2023, to October 4, 2005 2023, are not recoverable.
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	<div><div><div><div><div>First date of recovery can not be earlier than 10/5/05 (Maximum 12 months from date of discovery)</div><div>Date overpayment was discovered 10/5/06</div></div><div><div><div>11/05</div><div>12/05</div><div>1/06</div><div>2/06</div><div>3/06</div><div>4/06</div><div>5/06</div><div>6/06</div><div>7/06</div><div>8/06</div><div>9/06</div><div>10/06</div></div><div>10/1/2005<div>10/31/2006</div></div></div><div>Recovery amount includes the prorated amount for October 2005 and full issuance of November 2005 through October 2006 benefits</div></div><div><div><div>First date of recovery cannot be earlier than 10/05/23 (Maximum 12 months from date of discovery)</div><div>Date overpayment was discovered 10/05/24</div></div><div><div><div>11/23</div><div>12/23</div><div>01/24</div><div>02/24</div><div>03/24</div><div>04/24</div><div>05/24</div><div>06/24</div><div>07/24</div><div>08/24</div><div>09/24</div><div>10/24</div></div><div>10/1/2023<div>10/31/2024</div></div></div><div>Recovery amount includes the prorated amount for October 2023 and full issuance of November 2023 through October 2024 benefits</div></div></div><div><p>If the CTS payment was \$250<u>275</u>, the overpayment amount is calculated as follows:</p><p>October 2005<u>2023</u> prorated amount is \$217<u>(\$250</u>239 (<u>\$275</u> ÷ 31 days x 27 days = <u>\$217</u>239) because the error was discovered on the 5th of the month.</p><p>November 2005<u>2023</u> – October 2006<u>2024</u> = \$3,000<u>(\$250</u>300 (<u>\$275</u> x 12 months)</p><p>Total overpayment is \$3,217<u>(\$217</u>539 (<u>\$239</u> + \$3,000<u>300</u>).</p></div></div>
Example 2:	<p>The worker discovers on January 20, 2007<u>2025</u>, that the recipient’s assets exceeded program limits starting January 1, 2005<u>2023</u>. CTS closes effective February 28, 2007<u>2025</u>, following adverse action notice. Since the discovery date is January 20, 2007<u>2025</u>, the overpayment can only extend back to January 20, 2006<u>2024</u>. Benefits paid January 1, 2005<u>2023</u>, to January 19, 2006<u>2024</u>, are not recoverable.</p>



CTS overpayments that occur because the worker cannot give proper (timely) notice and close the case by the end of the current month are also recoverable.

Example 3:	<p>On December 21, 2006, the worker learns that a child moved out of the home on December 19, 2006, and the case is no longer eligible for CTS. The worker enters the new information into CARES but the CTS eligibility does not end until January 31, 2007.</p> <p>The benefits paid in January are subject to recovery since the parent was not eligible for them, but they continued until adverse action notice could be provided.</p>
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Voluntary repayments of CTS overpayments may be addressed to:

DHS
ATTN: State SSI Program
P.O. Box 6680
Madison, WI 53716-0680

4.8 Representatives

4.8.1 Authorized Representatives

Applicants or members can appoint either a person or an organization as an authorized representative. An authorized representative can be appointed by completion of one of the following paper forms:

- Appoint, Change, or Remove an Authorized Representative: Person ([F-10126A](#))
- Appoint, Change, or Remove an Authorized Representative: Organization ([F-10126B](#))

If an applicant or member is represented by a ~~legal~~ guardian of the person and the estate, ~~legal~~ guardian of the estate, ~~legal guardian in general~~, or conservator, the ~~legal~~ guardian or conservator must appoint the authorized representative. A guardian of the person can appoint the authorized representative only if the court document appointing the guardian of the person grants the guardian the authority to enroll their ward in CTS or public assistance programs.

If the applicant or member only has a ~~legal~~ guardian of the person who does not have the authority to enroll the person in CTS or public assistance programs, the applicant or member must appoint the ~~legal~~ guardian of the person as an authorized representative if the applicant or member would like the ~~legal~~ guardian of the person to act on their behalf. If the applicant or member has a power of attorney, the applicant or member can still appoint an authorized representative.

A valid authorized representative appointment requires all contact information of the authorized representative and the signatures of the applicant or member, the authorized representative, and a witness. If the applicant or member is signing with an "X," a valid appointment requires a witness signature. If any of the required signatures are missing, the following three conditions apply:

- The authorized representative appointment is not valid.
- This authorized representative can't take action on behalf of the applicant or member.
- The agency can't disclose information about the case to the invalid authorized representative.

There can be only one authorized representative on a case at a time. There is no time limit on how long a person or organization can act as authorized representative. The appointment of the authorized representative is valid until the applicant or member notifies the agency of a change or removal in writing. Once appointed, the authorized representative has ability to act for all open programs on the case.

Organizations acting as authorized representatives must provide the name and contact information of a person from the organization. Once the organization has been appointed as the authorized representative, anyone from the organization will be able to take action on behalf of the applicant or member (not just the person who signed the

form on behalf of the organization). If an organization is only changing the contact person for the organization, the member is not required to complete a new Appoint, Change or Remove Authorized Representative form if the organization is going to remain as the authorized representative.

The authorized representative should be familiar with the applicant or member's household situation and is expected to fulfill their responsibilities to the same extent as the person being represented. An authorized representative is limited to doing any or all of the following on behalf of the applicant or member:

- Apply for or renew benefits
- Report changes in the applicant or member's circumstances or demographic information
- Receive copies of the applicant or member's notices and other communications from the agency
- Work with the IM agency on any benefit-related matters
- File grievances or appeals regarding the applicant or member's eligibility

To change an authorized representative, the member must complete and submit the Appoint, Change, or Remove an Authorized Representative form (Person, [F-10126A](#)) or (Organization, [F-10126B](#)) to their IM agency.

To remove an authorized representative, the member needs to let the agency know of the removal in writing (for example, by completing Section One of the Appoint, Change, or Remove an Authorized Representative form or submitting a signed letter indicating the removal). The member does not need to gather additional signatures from the authorized representative or a witness to complete the removal of an authorized representative. Authorized representatives can also request in writing (for example, a signed statement) to be removed if they no longer want to act as the authorized representative. If an authorized representative is requesting to be removed, a signed statement is not needed by the member. An authorized representative designation is valid on a case until the agency receives a written and signed request for removal.

4.8.2 Legal Guardians and Conservators

Persons or interested parties may petition a court to appoint a guardian or conservator. There are a variety of reasons that an appointment may be sought, including but not limited to:

- Inability to manage finances
- Inability to manage personal health
- Inability to function safely without supervision
- Parent or guardian of minor is now deceased

Some of these appointments might be an emergency or temporary reason or for the purposes of succession after the death of the previous guardian or conservator.

A judge grants the guardian or conservator powers based on the circumstances of the person. A ~~legal~~ guardian of the person and the estate, ~~legal~~ or a guardian of the estate, ~~or legal guardian in general~~ is considered to be the applicant or member's ~~legal~~ guardian for CTS purposes. A guardian of the person is the applicant or member's legal guardian for CTS purposes only if the court document appointing the guardian of the person specifically grants the guardian the authority to enroll their ward in CTS or public assistance programs.

If a person or entity is one of these ~~legal~~ guardian types or the conservator, the applicant or member does not need to separately appoint them as the authorized representative. The ~~legal~~ guardian or conservator appointment grants them the powers that an authorized representative would have on the CTS case.

A ~~legal~~ guardian of the person who does not have the authority to enroll the person in CTS or public assistance programs is not considered to be the applicant or member's legal guardian for CTS purposes. The applicant or member must appoint the legal guardian of the person as an authorized representative if the applicant or member would like the legal guardian of the person to act on their behalf.

Depending on their court-appointed powers, a guardian or conservator can apply for and act in the same capacity as an authorized representative for the household. It is possible the court-appointed powers will give the guardian or conservator sole authority to manage the person's eligibility.

The ~~legal~~ guardian or conservator should be familiar with the applicant or member's household situation and is expected to fulfill their responsibilities to the same extent as the person being represented. The ~~legal~~ guardian or conservator can take any action on the application or case on behalf of the applicant or member unless the guardianship or conservatorship court order limits their powers.

Applicant and member notices and other communications from the agency will be sent to the legal guardian or conservator.

See SECTION 2.4 VALID SIGNATURE for information on valid application signatures by legal guardians or conservators.

4.8.3 Power of Attorney

An applicant or member may appoint a power of attorney. A power of attorney may act within the scope of authority granted in the power of attorney appointment.

A durable power of attorney for finances is a person to whom the applicant has given power of attorney authority and agrees that the authority will continue even if the applicant later becomes disabled or otherwise incapacitated. Only ~~a~~ an activated durable power of attorney for finances (may also be known as a durable power of attorney for finances and property) is considered to be the power of attorney for CTS purposes.

If a person has an activated durable power of attorney for finances, the applicant or member does not need to separately appoint them as an authorized representative. The durable power of attorney for finances appointment grants them the powers that an authorized representative would have on the CTS case.

The durable power of attorney for finances should be familiar with the applicant or member's household situation and is expected to fulfill their responsibilities to the same extent as the person being represented. The durable power of attorney for finances can take any action on the application or case on behalf of the applicant or member unless the power of attorney appointment limits their powers.

Applicant and member notices and other communications from the agency will be sent to the durable power of attorney for finances.

See SECTION 2.4 VALID SIGNATURE for information on valid application signatures by a power of attorney.

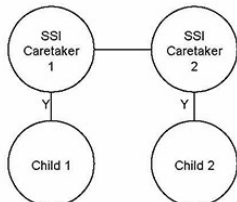
5.2 Income Tables

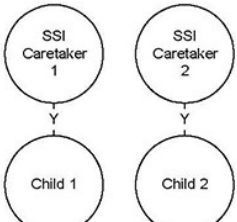
5.2.6 CTS Benefit Amounts

<u>Group Size</u>	<u>Area I and Area II</u>
<u>1</u>	<u>\$275</u>
<u>2</u>	<u>\$440</u>
<u>3</u>	<u>\$605</u>
<u>4</u>	<u>\$770</u>
<u>5</u>	<u>\$935</u>
<u>6</u>	<u>\$1,100</u>
<u>7</u>	<u>\$1,265</u>
<u>8</u>	<u>\$1,430</u>
<u>9</u>	<u>\$1,595</u>
<u>10</u>	<u>\$1,760</u>
<u>11</u>	<u>\$1,925</u>
<u>12</u>	<u>\$2,090</u>

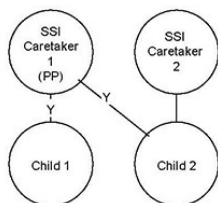
5.4 Illustrations

5.4.1 Scenarios

Scenario 1	
	<p>Mom and Dad are married but do not have any children in common.</p> <p>Explanation</p> <p>Without a child in common, CARES cannot create a "link" to pull Child 1 and Child 2 into the same SFU. Because the parents are married, CARES can process this situation in one case.</p> <p>CARES Processing</p> <p>CARES will create two CTS AGs in one case.</p> <p>CTS Benefits</p> <p>There will be two CTS supplements in the amount of \$250<u>\$275</u> each.</p>

Scenario 2	
	<p>Two SSI caretakers are living together in one household. They are not married and do not have any children in common.</p> <p>Explanation</p> <p>Without a child in common, CARES cannot create a "link" to pull Child 1 and Child 2 into the same SFU. Because the parents are not married, CARES cannot process this situation in one case.</p> <p>CARES Processing</p> <p>This household must be processed in two cases.</p> <p>CTS Benefits</p> <p>There will be two CTS supplements in the amount of \$275<u>\$250</u> each.</p>

Scenario 3



The parents in this household are not married. They have at least one child in common. One of the parents has their own child(ren).

Explanation

The oldest child in common is the target child. The child in common provides a link for their siblings to be pulled into the SFU.

CARES Processing

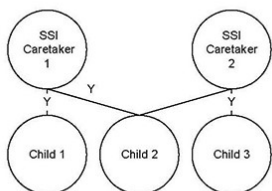
Parents should be coded on ANHR as caring for all of their children. Because Caretaker 1 is the parent for both Child 1 and Child 2, that parent is coded as caring for both children on ANHR.

This will produce one AG in CARES.

CTS Benefits

The CTS supplement will be \$~~400~~440, paid to Caretaker 1.

Scenario 4



The parents in this household are not married. They have at least one child in common and each has their own child(ren).

Explanation

The child in common provides a link to their siblings to be pulled into the SFU.

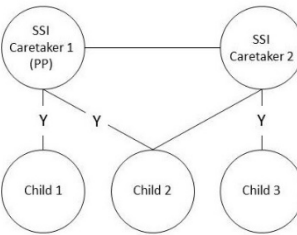
CARES Processing

Because everyone is pulled into one SFU, this scenario will be processed in one AG. Because Caretaker 1 has no qualifying relationship to care for Child 3, Child 3 cannot be included in their CTS supplemental payment.

CTS Benefits

A CTS Supplement will be added to each parent's state SSI payment. Caretaker 1 will receive a \$~~400~~440 payment; Caretaker 2 will receive a \$~~250~~275 supplement.

Scenario 5



Mom and Dad are married. They have at least one child in common and each has their own child(ren).

Explanation

The child in common provides a link to their siblings to be pulled into the SFU.

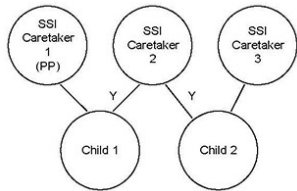
CARES Processing

Because each SSI caretaker is caring for their own child, there will be two AGs for this case, just like Scenario 4.

CTS Benefits

A CTS supplement will be added to each parent's SSI payment. Caretaker 1 will receive a ~~\$400~~440 payment; Caretaker 2 will receive a ~~\$250~~275 supplement.

Scenario 6



There are more than two parents in the household, all of which have children, and more than one in common with another parent.

Explanation

In this scenario, the target child will be the oldest child in common and will pull all of their siblings. Pulling in those siblings will also pull in their parents.

CARES Processing

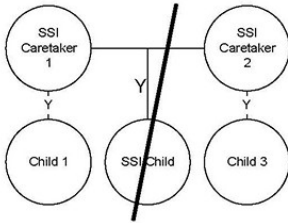
This particular scenario will be one SFU and one AG (everyone is pulled into the group).

In this scenario, it is important to analyze which parent has the most children in the household; who is the primary caretaker of the majority of the children. That parent (in this diagram, Caretaker 2) should be coded as caring for all their children on ANHR.

CTS Benefits

This case will be paid one CTS supplement to Caretaker 2 in the amount of ~~\$400~~440.

Scenario 7



Mom and Dad are married. They have a child in common and a child(ren) of their own. The only child in common is an SSI recipient.

Explanation

The SSI child breaks the link between Child 1 and Child 3. No relationship exists between Child 1 and Child 3 (they are not full or half siblings) to pull the children into one SFU.

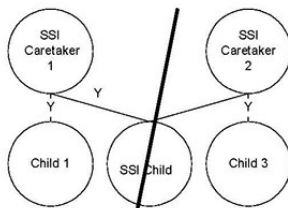
CARES Processing

Because the parents are married, this scenario can be processed in one case, two AGs.

CTS Benefits

This case will receive two CTS payments of \$~~250~~275 each.

Scenario 8



Mom and Dad are not married. They have a child in common and a child(ren) of their own. The only child in common is an SSI recipient.

Explanation

The SSI child breaks the link between Child 1 and Child 3. No relationship exists between Child 1 and Child 3 (they are not full or half siblings) to pull the children into one SFU.

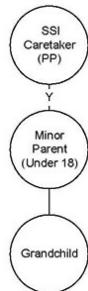
CARES Processing

Because the parents are not married, this scenario cannot be process in one case. It must be processed in two separate cases.

CTS Benefits

Each case will receive one CTS payment of \$~~250~~275.

Scenario 9



Three-generation case. Grandma is receiving SSI; the minor parent is not. Grandma is requesting CTS.

Explanation

The minor parent is the target child, the grandchild is not pulled into the SFU.

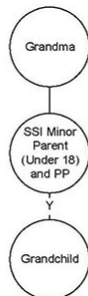
CARES Processing

Grandma should be coded as caring for the minor parent. Even if she's coded as caring for the grandchild, the grandchild will not be pulled into the CTS SFU. Grandma cannot receive CTS for her grandchild.

CTS Benefits

The CTS benefit will be added to Grandma's SSI state check in the amount of \$~~250~~275.

Scenario 10



Three-generation case. Grandma is not receiving SSI; the minor parent is. The minor parent is requesting CTS.

Explanation

The grandchild is the target child. The minor parent and grandchild will comprise the SFU.

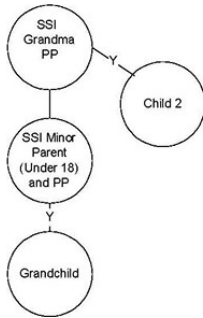
CARES Processing

The minor parent must be coded as caring for the grandchild.

CTS Benefits

The CTS benefit will be added to the minor parent's SSI state check in the amount of \$~~250~~275.

Scenario 11



Three-generation case. Both Grandma and the SSI child are receiving SSI.

Explanation

The SSI minor parent cannot be pulled into Grandma's SFU. The household cannot be processed in one case. It must be two separate cases.

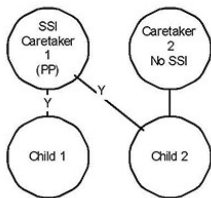
CARES Processing

Grandma should be coded as caring for her non-SSI child in her case. The minor parent should be coded as caring for their child in their case.

CTS Benefits

Each case will be paid a CTS benefit of \$~~250~~275.

Scenario 12



The parents in this household are not married. They have at least one child in common. One of the parents has their own child(ren).

Explanation

The oldest child in common is the target child. The child in common provides a link for their siblings to be pulled into the SFU.

CARES Processing

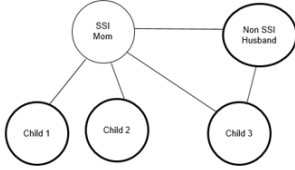
Parents should be coded on ANHR as caring for all of their children. Because Caretaker 1 is the parent for both Child 1 and Child 2, that parent is coded as caring for both children on ANHR. This will produce one AG in CARES.

CTS Benefits

The CTS supplement will be \$~~250~~275, paid to Caretaker 1. (Child 2 is ineligible because only one of their parents is an SSI recipient.)

Buening Implications

	<p>This case has the potential of becoming a Buening case. If the group fails the CTS eligibility test for financial reasons, the worker must determine whether Child 2 is "needy." If Child 2 is needy, the group should be confirmed as ineligible for CTS.</p> <p>If Child 2 is not needy, the worker must change the request on ACPA to "N" for both Child 2 and SSI Caretaker 2 and retest the group for CTS eligibility.</p>
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Scenario 13	
	<p>The parents in this household are married. They have one child in common. The mom has two of her own children under age 18. None of the children have any income of their own.</p> <p>Explanation</p> <p>All three dependent children of the SSI Mom and non-SSI Dad of Child 3 are initially included in the Standard Filing Unit (SFU). The income and assets of all four members of the SFU are used to determine financial eligibility for CTS.</p> <p>Buening Implications</p> <p>This household may also end up as a Buening case. If the assets are over the limit of the income for the SFU exceeds the gross or net income limit for the group of four, the worker must determine whether Dad and Child 3 are "needy." If the dad and Child 3's income exceeds the gross or net income limit for Dad and Child 3, Child 3 is not needy and should be excluded along with their dad from the SFU.</p> <p>CTS Benefits</p> <p>If it is determined to be a Buening case and Child 3 is not considered needy, Child 3 and Dad should be excluded from the SFU. If the income and assets of Child 1 and 2 are at or below the limits for an SFU group of two, they will be eligible for a CTS supplement of \$400<u>440</u>, paid to the SSI Mom. Child 3 is ineligible because only one of their parents is an SSI recipient.</p>