

WISCONSIN DEPARTMENT OF HEALTH SERVICES
Division of Health Care Access and Accountability
1 W. Wilson St.
Madison WI 53703

To: FoodShare Wisconsin Handbook Users

From: Angela Dombrowicki, Director
Bureau of Enrollment Management

Re: **FS Handbook Release 08-04**

Release Date: 09/18/08
Effective Date: 09/18/08

EFFECTIVE DATE

The following policy additions or changes are effective 09/18/08, unless otherwise noted. **Bold text denotes new text. Text with a strike through it in the old policy section denotes deleted text.**

POLICY CLARIFICATIONS

3 Nonfinancial Requirements > 3.3.1 Food Unit/ Food Group/ Relationships> 3.3.1.1 H.U.G (Households, Units, Groups)

The information from section 8.3.1 Nonfinancial Eligibility on Households, Units, and Groups was moved to 3.3.1.1. No changes were made to the text.

3 Nonfinancial Requirements > 3.12.1 Citizenship and Immigration Status> 3.12.1.10 Derivative Citizenship

New Text:

3.12.1.10 Derivative Citizenship

A child born outside of the US automatically becomes a citizen of the US when ALL of the following conditions have been fulfilled:

1. At least one parent of the child is a citizen of the US, whether by birth or naturalization, and
2. The child is under the age of eighteen years, and
3. The child is residing in the US in the legal AND physical custody of the citizen parent pursuant to a lawful admission for permanent residence.

A child who was/ is under the age of 18 on or after February 27, 2001 and who meets all of the above requirements acquired citizenship automatically on February 27, 2001. This rule is based on the Child Citizenship Act of 2000.

3 Nonfinancial Requirements > 3.12.1 Citizenship and Immigration Status> 3.12.1.11 Iraqis And Afghans With Special Immigrant Status

This new section was added.

3.12.1.11 Iraqis And Afghans With Special Immigrant Status

Some Afghan and Iraqi aliens have been granted special immigrant status. Individuals and family members granted this special status are eligible for resettlement assistance, entitlement programs and other benefits the same as refugees admitted under section 207 of the INA. These groups have been admitted to the U.S. in Lawful Permanent Resident status; however for a limited time upon arrival they are treated as if they are in Refugee status for public benefits purposes.

Though treated like refugees, the individuals in this special immigrant status category are only able to access benefits for a limited time:

- Afghan special immigrants are eligible for Medicaid benefits for up to six months from the date they enter the country.
- Iraqi special immigrants are eligible for Medicaid benefits for up to eight months from the date they enter the country.

At the end of the six or eight month period, the immigration status for these populations becomes Lawful Permanent Resident (LPR). According to federal law, LPRs are subject to the five year bar on receiving public benefits. See 3.12.1.1 Qualified Alien or Immigration Status.

Spouses and unmarried children under age 21, who accompany or follow-to-join the principal special immigrant applicant are eligible for the same benefits as the principal applicant.

Any Iraqi or Afghan immigrant granted the special status, who applied after 12/26/2007 and was denied FoodShare benefits due to citizenship or immigration status, may request FoodShare benefits back to the original application filing date.

End of Temporary Benefit Period

These individuals may be eligible for continuing benefits through the State Option FoodShare Program after the six or eight months. However, benefits will not automatically continue, these individuals will need to submit a new application in order to continue receiving benefits.

Counting Refugee Related Income

Refugee payments received as a nonrecurring lump sum are considered to be an asset and are not counted for FS. A recurring payment, received in two or more monthly installments, is considered as income and should be counted for FS.

CWW Processing

There have been no CWW system changes made to accommodate the shorter certification period for these special groups. Once the status has been verified by SAVE, enter the 04 LAWFULLY PRESENT UNDER SECTION 207 code for the alien registration status and the individual's date of U.S. entry on the Alien/Refugee Information Page in CWW and certify the requested benefit as would be done for immigrants in 04 refugee status.

After the case is open in CWW, follow the procedures below for each benefit type.

Wisconsin's FoodShare program uses state only funds to provide FS benefits to qualifying aliens. However, FS policy requires a new application to get State Option FS at the end of the initial six or eight month period, so workers will need to change the FS AGOR review due date to reflect this special shortened certification period. CWW will then generate the review notice at the appropriate time so that these recipients know to re-apply.

If the Afghan or Iraqi special immigrants do not re-apply, FS will close. If they do re-apply at the end of the six or eight month period, the alien registration status code needs to be changed from: 04 LAWFULLY PRESENT UNDER SECTION 207 to: 01 LAWFULLY ADMITTED FOR PERMANENT RESIDENCE. If the case is determined eligible for State Option FS, the new certification

period should be twelve months like any other FS assistance group.

**4 Financial Requirements
> 4.3 Income > 4.3.3
Farming and Other Self
Employment Income>
4.3.3.6 Anticipating
Earnings> 4.3.3.6.3 Self-
Employed Child Care
Provider**

New Text, effective July 1, 2008:

4.3.3.6.3 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 households with income at or below 185% of the Federal Poverty Level income guidelines; Tier 2 applies to all other households.

TIER 1

Breakfast \$1.17

Lunch or Supper \$2.18

Supplement (snacks) \$0.65

TIER 2

Breakfast \$0.43

Lunch or Supper \$1.31

Supplement (snacks) \$0.18

**4 Financial Requirements
> 4.6 Deductions and
Expenses > 4.6.6
Dependent Care Deduction**

Effective 10/01/08

New Text:

Effective October 1, 2008 applicants and members can deduct the total monthly dependent care costs. There is no longer a cap at \$175 or \$200.

8 Appendix > 8.1 Tables

Effective 10/01/08

Tables 8.1.1 through 8.1.5 and 8.1.7 were updated with the new income limits and the new monthly maximum allotments. The changes are too numerous to list.

**8 Appendix > 8.1 Tables >
8.1.5 Deductions**

Effective 10/01/08

Information from Ops Memo 08-45 **2009 FoodShare Program Mass Change and implementation of Farm Bill Changes** was added to the Handbook.

Deduction Types

Standard

For AGs with 1-3 people = **\$144**

For AGs with 4 people = **\$147**

For AGs with 5 people = **\$172**

For AGs with 6 or more people = **\$197**

Dependent Care

Use actual dependent care paid.

Shelter and Utility Allowances

Shelter Maximum= \$446

HSUA (Heating Standard Utility Allowance) = **\$305**

LUA (Limited Utility Allowance) = **\$208**

EUA (Electric Utility Allowance) = **\$78**

PUA (Phone Utility Allowance) = **\$29**

WUA (Water or Sewer Utility Allowance) = \$59

TUA (Trash Utility Allowance) = \$15

FUA (Cooking Fuel Utility Allowance) = **\$27**

**8 Appendix > 8.3
Processing Guidelines**

The following sections have been removed from the handbook because they are located in the CWW Process Help now. All of 8.3 Processing Guidelines will be obsoleted eventually.

- 8.3.3 Assets
- 8.3.5 Self Employment
- 8.3.7 Child Support
- 8.3.9 Migrant Eligibility
- 8.3.14 Case Transfers
- 8.3.15 Deeming Process

The following sections are being moved to the Process Help in the next release. The content has been deleted and replaced with a statement that the information will be available in the next Process Help release.

- 8.3.1 Nonfinancial Eligibility
- 8.3.2 Priority Service/ Expedited Issuance
- 8.3.11 Data Exchange
- 8.3.13 Transitional FoodShare