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**State of Wisconsin  
Governor Jim Doyle**

**TO:** Income Maintenance Supervisors  
Income Maintenance Lead Workers  
Income Maintenance Staff  
W-2 Agencies  
Workforce Development Boards  
Job Center Leads and Managers  
Training Staff  
Child Care Coordinators

**FROM:** Janice Peters, Director  
Bureau of Working Families  
Division of Family and Economic Security

DFES OPERATIONS MEMO					
<b>No:</b> 09-22					
<b>DATE:</b> APRIL 3, 2009					
<b>FS</b>	<input type="checkbox"/>	<b>MA</b>	<input type="checkbox"/>	<b>BC+</b>	<input type="checkbox"/>
<b>SC</b>	<input type="checkbox"/>	<b>CTS</b>	<input type="checkbox"/>	<b>CC</b>	<input type="checkbox"/>
<b>W-2</b>	<input type="checkbox"/>	<b>FSET</b>	<input type="checkbox"/>	<b>EA</b>	<input checked="" type="checkbox"/>
<b>CF</b>	<input type="checkbox"/>	<b>JAL</b>	<input type="checkbox"/>	<b>JC</b>	<input type="checkbox"/>
<b>RAP</b>	<input type="checkbox"/>	<b>WIA</b>	<input type="checkbox"/>	<b>Other</b>	<input type="checkbox"/> *
				<b>EP</b>	
<b>PRIORITY: Medium</b>					

**SUBJECT: Emergency Assistance (EA) Policy Changes and Updated Documents for Wisconsin Works (W-2) Agencies**

**CROSS REFERENCE:** Wisconsin Works Manual Chapter 17 Emergency Assistance

**EFFECTIVE DATE:** April 22, 2009

**PURPOSE**

The purpose of this Memo is to:

- 1) Provide Emergency Assistance (EA) program policy changes to the Wisconsin Works (W-2) agencies;
- 2) Share updated EA documents with W-2 agencies; and
- 3) Share updates and enhancements in the Emergency Assistance Tracking System (EATS) with W-2 agencies.

**BACKGROUND**

The EA program provides assistance to needy families experiencing a qualifying emergency of: impending homelessness, homelessness, energy crisis, fire, flood, or natural disaster. The program is administered at the local level by W-2 agencies. Eligible families must meet nonfinancial and financial eligibility requirements. An EA payment may be provided to an eligible family no more often than once in a 12-months period.

The Division of Family and Economic Security (DFES) reconvened the Ad Hoc EA Workgroup in September 2008 through January 2009 to make recommendations to DFES on a variety of EA issues. The Workgroup included representatives from W-2 agencies statewide and an advocacy organization. The Workgroup developed several recommendations.

Some of the EA Workgroup's recommendations are being implemented at this time in the attached update of the EA policy requirements. Some of these changes are based on a recent EA Emergency Administrative Rule. The policy changes being implemented effective April 22, 2009 are outlined in this Memo.

Some other Workgroup recommendations require additional steps prior to implementation, including changes in Wisconsin statutes, permanent Administrative Rule, and EATS. DFES anticipates implementing these changes later in 2009. See "Next Steps" section for more information.

### ***EA POLICY CHANGES***

The following EA policy changes are implemented in the attached updated EA Policy, which will be issued as the EA Policy Chapter Release 09-02 effective April 22, 2009:

- 1) Impending Homelessness for Renters in Foreclosure Housing: Allows EA due to impending homelessness for EA groups who meet all other eligibility criteria and are renters who must leave their rental housing because the housing's owner is in foreclosure.
- 2) Impending Homelessness Financial Crisis Other Reason: Clarifies other similar reasonable circumstances for the financial crisis requirement in impending homelessness.
- 3) Energy Crisis Immediate Threat to the Health or Safety of the Group: Revises when the lack of or imminent loss of utility service is likely to be an immediate threat to the health or safety of the group and therefore an energy crisis, to add a young child to the high-risk individuals in the home, with young child defined as a child age five or younger.
- 4) "Doubled-Up" Housing: Clarifies that a group residing in "doubled-up" housing meets the temporary or transitional living arrangement requirements for EA eligibility due to homelessness when the EA group: is not on the lease/mortgage; is using the "doubled-up" housing as a short-term housing solution to avoid homelessness; and has been residing in the "doubled-up" housing for one month or less.
- 5) EA Utility Expense Amount for the Financial Need Calculation: Clarifies for the financial need calculation, the utility expense amount is the utility company's payment plan amount when there is a remaining utility expense after the required pursuit of other payment options for utility expense.
- 6) Maximum EA Payment Amount for All EA Emergency Types except Energy Crisis: Revises the maximum EA payment amount for impending homelessness, homelessness, fire, flood and natural disaster to be
  - \$516 for eligible EA groups with two through four members,
  - \$645 for EA groups with five members, and
  - \$110 per group member for EA members with six or more members.
- 7) Maximum EA Payment Amount for Energy Crisis: Establishes the maximum EA payment amount for energy crisis to be \$500 for eligible EA groups of any size.
- 8) Beyond the Control of the Caretaker Relative(s): Eliminates the recent policy requirement for homelessness, fire, flood and natural disaster emergencies that the emergency must be beyond the control of the caretaker relative(s) of the group or constitute good cause as determined by the W-2 agency. However the beyond control of the caretaker relative(s) requirement for impending homelessness and energy crisis are retained as policy

requirements. Note: An emergency caused by a caretaker relative's criminal behavior is not eligible for EA.

- 9) Pursuit of Other Payment Options: Requires the group to complete pursuit of other payment options for utility expense when the emergency is energy crisis. These other payment options include the Wisconsin Low Income Home Energy Assistance Program (LIHEAP) and assistance from local utility companies based on state regulations. When the EA group is experiencing an energy crisis, the W-2 agency must assist the EA group in completing the pursuit of other payment options for utility expense.

### **UPDATED EA DOCUMENTS**

The following attached EA documents are implemented effective April 22, 2009:

- 1) Updated EA Policy which includes the EA policy changes outlined above and clarifications in response to technical assistance questions submitted by W-2 agencies via DFES Regional Offices (track changes has been used on the attached document to help the reader identify what has changed); and
- 2) Updated EA Application and applicant's instructions form. (The agency's instructions are included in the EA Policy.)

### **EATS UPDATE AND ENHANCEMENTS**

The policy update and enhancements in EATS, effective April 22, 2009, are:

- 1) Provide two additional items in the drop-down menu for the Emergency Type in the New Grant Details screen:
  - Impending homelessness for renters in foreclosure housing per the EA policy/Rule change; and
  - Impending homelessness for uninhabitable home per existing EA policy/Rule.
- 2) Clarify that Social Security Numbers (SSNs) are not required entries for dependent children.
- 3) Prevent entry of an Approved Payment Amount for energy crisis that exceeds \$500.
- 4) Prevent confirmation of an EA grant without entry of any dependent children.
- 5) Prevent confirmation of an approved EA grant within 12 months from the date of any previously approved EA Application.
- 6) Revise the Check field titles in the New Payment Details screen to clarify EA payments may be made within the required timeframe by voucher/vendor payment or check:
  - The Check Number field will be revised to Voucher/Check Number;
  - The Check Date field will be revised to Voucher/Check Date; and
  - The Check Amount field will be revised to Voucher/Check Amount.

Note: Regardless of the form of the EA payment (i.e. voucher/vendor payment order or check), the EA payment must be made within the required timeframe and also entered in EATS within the required timeframe. For example, when a voucher was issued within the required five business days timeframe from the EA Application date, then the agency must

enter information about the voucher in the EATS fields listed above within ten calendar days of the voucher issuance date.

- 7) Prevent denial reasons that are applicable to only impending homelessness or homelessness from being entered for other emergency types.
- 8) Reorder some items in some drop-down menus:
  - Items in the Emergency Type field in the New Grant Details screen will be reordered to display the most frequency used items first; and
  - Items in the Status field in the New Grant Details screen will be reordered to group the denial reasons that are limited to impending homelessness or homelessness together.

EATS is located at the following web address:  
<https://www.dwd.state.wi.us/dwseats>

## ***NEXT STEPS***

### *TRAINING*

A training will be provided on the EA policy changes and updated EA Application form. The existing computer-based training (CBT) on EATS will be updated to incorporate the updates and enhancements listed above. For information, please check the Training Times newsletter or the Partner Training Page website which is located at the following web address:  
<http://dcf.wisconsin.gov/partnertraining/default.htm>

### *POLICY MANUAL UPDATE*

The updated EA Policy Chapter, Chapter 17 of the W-2 Policy Manual, will be issued on April 22, 2009 at the following web address:  
<http://dcf.wisconsin.gov/w2/manual/default.htm>

### *EA APPLICATION AND INSTRUCTIONS FORM UPDATE*

The updated EA Application and applicant's instructions form in English will be issued on April 22, 2009 on the DCF forms website. Hmong and Spanish translations of the updated EA Application and applicant's instructions form will be available as soon as possible on the DCF forms website pending completion of the translations. The DCF forms website is located at the following web address:  
<http://dwd.wisconsin.gov/DCF/forms/viewSort/default.asp?ID=NEW>

### *EA WORKGROUP'S RECOMMENDATIONS FOR IMPLEMENTATION LATER*

DFES is continuing to discuss and pursue the following recommendations from the EA Workgroup for implementation later in 2009. These recommendations first require completion of necessary statutory and permanent Administrative Rule changes plus EATS system changes:

- 1) EA Financial Eligibility Income Limit: Proposed Rule change would establish EA financial eligibility to be an income limit at 115% or less of the Federal Poverty Level (FPL) consistent with W-2 policy;
- 2) EA Financial Need: Proposed Rule change would establish EA financial need to be the expense resulting from the emergency.
- 3) Maximum EA Payment Amount for all EA Emergency Types except Energy Crisis: Proposed statutory change would be implemented for impending homelessness, homelessness, fire, flood and natural disaster to provide a sufficient maximum EA payment amount to all group sizes, including an additional payment amount per group in "high rent cost counties".

- 4) EA Payment Amount Calculation: Proposed Rule change would eliminate the amount requested by the group in calculating the EA payment amount. (This change would retain the lowest of either the maximum payment amount or the financial need amount in calculating the EA payment amount.) This Rule change also would eliminate the “Informed Consent” policy regarding the W-2 agency’s follow-up when the group requests less than the maximum payment amount or the financial need amount, because that policy would be unnecessary due to the Rule change.
- 5) Overpayment Recovery: Proposed statutory change would establish authority for recovering EA overpayments which would be implemented with a process for W-2 agencies to request DCF recover EA overpayments (for example, when there is fraud by the landlord, joint fraud by the tenant/landlord, or the landlord did not stop the eviction after the landlord received the EA payment).
- 6) EA Automation Enhancements: Proposed EATS system changes include automation of the EA Application, EA financial eligibility determination, EA payment amount calculation, overpayment recovery, etc.

## **CONTACTS**

For EA Policy, EA documents and EATS related questions: DFES/BWF Regional Office Staff.

### Attachments:

- Updated EA Policy; and
- Updated EA Application and instructions form.

\*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, \*Other EP – Other Employment Programs.

DCF/DFES/BWF/JM