



Date: October 11, 2022

DMS Operations Memo 22-20

To: Income Maintenance Supervisors  
Income Maintenance Lead Workers  
Income Maintenance Staff

**Affected Programs:**

- |   |  |
|---|--|
| <input type="checkbox"/> BadgerCare Plus      | <input type="checkbox"/> Caretaker Supplement              |
| <input checked="" type="checkbox"/> FoodShare | <input type="checkbox"/> FoodShare Employment and Training |
| <input type="checkbox"/> Medicaid             |  |
| <input type="checkbox"/> SeniorCare           |  |

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Bureau of Enrollment and Eligibility Policy  
Division of Medicaid Services

**Clarification of Residential Care Apartment Complexes FoodShare Policy**

**CROSS-REFERENCE**

- [FoodShare Handbook 3.2.1.5.1 Residential Care Apartment Complexes \(RCAC\); Process Help 3.17 Residential Care Apartment Complex \(RCAC\)](#)
- [Consumer Guide: Finding and Choosing a Residential Care Apartment Complex](#)
- WI State § 7 CFR 273.1(b)(7)(vi)

**EFFECTIVE DATE**

Immediately

**PURPOSE**

The purpose of this memo is to clarify the FoodShare policy for Residential Care Apartment Complexes (RCAC).

**BACKGROUND**

Currently, RCACs are identified as a type of group-living arrangement. A group-living arrangement is defined as a public or private nonprofit residential setting serving no more than 16 residents and must be certified by the appropriate state and local agencies.

## POLICY

Effective immediately, RCACs are not considered to be one of the group-living arrangement types, rather they are a separate type of living situation for FoodShare.

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' 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.

<b>Example 1</b>	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.
<b>Example 2</b>	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.
<b>Example 3</b>	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.

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## **CONTACTS**

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