

Tony Evers
Governor



DIVISION OF MEDICAID SERVICES

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Andrea Palm
Secretary

State of Wisconsin
Department of Health Services

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March 30, 2020

Julie Mikkelson
Midwest Regional Director
Supplemental Nutrition Assistance Program
United States Department of Agriculture
77 West Jackson Blvd., 20th Floor
Chicago, Illinois 60604-3507

Dear Julie Mikkelson:

The Wisconsin Department of Health Services (DHS) is submitting a request to utilize the flexibility that exists within federal regulations found at 7 CFR 273.5(b) to allow currently eligible students to retain their current exemptions as listed in 273.5(b) throughout the public health emergency, and consider students newly applying for SNAP during this time frame as unfit for work under 273.5(b)(2).

At this time, the United States and the State of Wisconsin have a shared priority of containing and reducing the transmission of COVID-19. Wisconsin Governor Tony Evers declared a public health emergency in response to COVID-19 on March 12, 2020. Subsequently, on March 23, 2020, Governor Evers issued a Safer at Home declaration requiring non-essential businesses to close and limiting individual travel. Given the current limitations, additional flexibility is required to allow eligible students to retain their eligibility while protecting the public health. Approval of this request would also reduce workload on local agencies by eliminating the need to reevaluate the eligibility of currently eligible students, allowing them to focus on the increase in applications we are seeing as a result of this emergency.

The waiver request is attached. We look forward to your response. If you have any questions, you or your staff may contact Courtney Harris at (608) 261-7804 or courtney.harris@dhs.wisconsin.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca McAtee".

Rebecca McAtee
FoodShare Director

cc: Courtney Harris, DMS/BEPS
Craig Hayes, DMS/BEPS

Julie Taylor, DMS/BEPS
Jayne Wanless, DMS/BEPS
Becky David, DMS/BEPS
Sulema Gordon, FNS MWRO

STATE WAIVER REQUEST

1. **Waiver serial number:**
2. **Type of request:** Initial
3. **Primary regulation citation:**
4. **State:** Wisconsin
5. **Region:** Midwest
6. **Regulatory requirements:** 273.5(b) Student Exemptions: in order for a student to be non-financially eligible to receive SNAP, the student must meet one of the exemptions listed in section 273.5(b).
7. **Description of proposed alternative procedures:** Wisconsin proposes to extend the student exemption policy for those students applying for, completing re-certifications and submitting periodic reports starting with those due in March.

Students would remain exempt under their current exemption as listed in 273.5(b) and students currently not meeting an exemption or those newly applying for SNAP would be found exempt as physically or mentally unfit 273.5(b)(2).

8. **Justification for request:** This request is justified pursuant to 7 CFR 272.3(c)(1)(ii) which permits FNS to authorize waivers that result in a more efficient and effective administration of the program. The approval of this waiver would allow for the administrative flexibility needed for Wisconsin to protect the public health and the health of our staff and members, while ensuring households continue to receive their SNAP (FoodShare) benefits during this health crisis.

Wisconsin Governor Tony Evers declared a health emergency in response to COVID March 12, 2020. The Governor has since issued additional declarations closing all private and public schools, limiting child care staff and number of children who can receive services, restricting mass gatherings down to 10 maximum, closing bars restaurants and limiting the services offered by many other employers, and lifting work requirements for unemployment claims. All colleges have closed their schools and campuses to students. Additionally, on March 23, 2020 Governor Evers issued a Safer at Home declaration requiring non-essential businesses to close and limiting individual travel. Travel is permitted to receiving medical care, shopping for food and household items, and allowing essential workers to travel as needed for their employment.

Given the current limitations, it is not realistic to continue to enforce the requirements for student exemptions for SNAP eligibility. Despite the fact that

many students will be participating in online schooling, based on availability, students remain subject to social distancing and self-quarantine restrictions that could prevent them from meeting their exemption in the traditional sense.

At this time, Wisconsin proposes to allow students to maintain their current exemptions and to expand the physically and mentally fit exemption to new applications or those requesting benefits on a current case, and students completing re-certification, until the Governor lifts the current restrictions.

9. **Anticipated impact on households and State agency operations:** Students will be able apply for and continue receiving SNAP (FoodShare) benefits without interruptions. Agencies will be able to apply or maintain the exemptions without the need to verify it, reducing exposure, workload, confusion, and promote efficiencies.
10. **Caseload information, including percent, characteristics, and quality control error rate for affected portion:** Current SNAP (FoodShare) caseload is 307,643 households statewide. All SNAP (FoodShare) households with a student would receive or maintain the student exemption.
11. **Anticipated implementation date and time period for which waiver is needed:** March 2020 until the next periodic report or recertification after the end of the public health emergency.
12. **Quality control procedures for review:** QC will review cases following state policy and will find all students to be exempt during this timeframe.
13. **State agency submitting waiver request and State contact person:** Wisconsin Department of Health Services, Rebecca McAtee, Director
14. **Signature and title of requesting official:**

Rebecca McAtee
FoodShare Director
Rebecca.McAtee@dhs.wisconsin.gov

15. **Date of request:**
16. **State agency staff contact (name/email/telephone):** Courtney Harris, (608) 261-7804, Courtney.Harris@dhs.wisconsin.gov
17. **Regional office contact person (to be completed by FNS regional office):**

cc: Courtney Harris, DMS/BEPS

Julie Taylor, DMS/BEPS
Dana Bax, FNS MWRO
Erica Kain, FNS MWRO
Sulema Olivaraz, FNS MWRO