

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

To: FSET Handbook Users

From: Autumn Arnold, Bureau Director  
Bureau of Eligibility and Enrollment Policy

Re: **FSET Handbook Release 24-01**

Release Date: 12/18/2024

Effective Date: 12/18/2024

<b>EFFECTIVE DATE</b>	The following policy additions or changes are <b>effective 12/18/2024</b> unless otherwise noted. <b>Underlined text denotes new text. Text with a strike through it denotes deleted text.</b>
<b>POLICY UPDATES</b>	
<b>6.2.1 Non-ABAWD</b>	Updated age limit for Non-ABAWD FoodShare member.

## 6.2 FSET ABAWD Status and Referral Type

### 6.2.1 Non-ABAWD

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A FoodShare member is a non-ABAWD if they meet any one of the following criteria, as determined by the IM agency:

- Under age 18 or age ~~53~~55 and older
  - Age 18: ABAWD status is applied the month following the month the FoodShare applicant or member turns age 18.
  - Age ~~53~~55: ABAWD status is lost the first day of the month an ABAWD turns age ~~53~~55.
- Residing in a food unit with a child under age 18
  - An individual may be determined a non-ABAWD if they reside in a FoodShare unit where a household member is under age 18, even if the household member who is under age 18 is ineligible for FoodShare.
- Pregnant
- Determined unfit for employment, which includes someone who is:
  - Receiving temporary or permanent disability benefits from the government or a private source
  - Unable to work due to physical or mental challenges, as determined by the IM agency
  - Verified as unable to work by a statement from a health care professional or a social worker (may use Medical Exemption from Work Requirement for ABAWDs ([F-01598](#)) to verify)

- Experiencing homelessness

Note The definition of homelessness for the FoodShare work requirement exemption is the same as the definition of homelessness used for FoodShare residency (see FoodShare Handbook, [Section 3.2.1.3 Homelessness](#)

for the complete definition).

- A veteran, including any individual who has served in any branch of the United States Armed Forces (including the Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, National Guard, and Armed Forces Reserve) regardless of discharge or release condition.
- Former Foster Care Youth, including any individual who is 18 to 24 years old who was previously in a foster care program at the time when they turned 18 years old. Foster care programs include court ordered kinship care, subsidized guardianship, and adoption assistance.
- Exempt from the FoodShare basic work rules, which includes someone who is:
  - Receiving Unemployment Compensation (UC) or has applied for UC and is complying with UC work requirements.
  - Regularly participating in an alcohol or other drug abuse (AODA) treatment or rehabilitation program.

- A student of higher education and otherwise eligible for FoodShare (see the FoodShare Handbook, [Section 3.15.1 Student Eligibility](#)).
- A high school student 18 years of age or older, attending high school at least half-time. Enrollment in a GED or HSED program does not qualify for the exemption (though it might be an assigned activity that counts toward the required hours for an ABAWD choosing to meet the work requirement through FSET participation).
- Primary caretaker of a dependent child under age six or a person who can't care for themselves (may be a part of the food unity or in a separate household).
- Complying with Wisconsin Works (W-2) program requirements. Working 30 or more hours per week or earning wages equivalent to 30 or more hours per week at the federal minimum wage.

Non-ABAWDs who meet the exemption criteria are not subject to TLBs and do not need to meet the FoodShare work requirement during months in which they have an exemption. Exemptions only require verification if the reported exemption is deemed questionable by an IM agency.

Non-ABAWDs are referred to FSET only upon their request. However, individuals that have a pending exemption may be referred to FSET as ABAWDs. In such cases, once the exemption is verified, the IM agency will send a referral update to notify the FSET agency of the status change. ABAWDs may gain or lose exemptions for a variety of reasons (see Section 10.7 Appendix G: FSET ABAWD Statuses (and FSET Referral Types)).

Although IM workers have primary responsibility for determining exemptions from the FoodShare work requirement, FSET workers may also identify that an individual qualifies for one of the ABAWD exemptions listed above once they begin working with a participant. When an exemption from the FoodShare work requirement is identified, the FSET worker must contact the IM agency to notify them of the exemption. If the IM agency determines that the exemption is questionable, the FSET worker must help the participant with verifying the exemption. The FSET worker may also serve as a collateral contact or provide an acceptable written statement to assist the IM agency in the determination of ABAWD exemptions.

For more information about exemptions from the FoodShare work requirement, see the FoodShare Handbook, [Section 3.17.1.4 Verification of Work Hours and Exemptions From FoodShare Work Requirement](#).