



United States Department of Agriculture
Food and Nutrition Service

Midwest Region

CPB
Vicki
PW
4/29/03

Reply to
attn of:

MWFS-100:FS-13-1-3 WI

25 APR 2003

Subject:

Wisconsin Waiver Request to Extend Waiver #02020071

To:

Art Foley, Director
Program Development Division
Food Stamp Program

Attached is a waiver request outline from the Wisconsin State agency dated April 17, 2003. Wisconsin is requesting an extension of waiver #02020071 to waive Section 6(o) of the Food Stamp Act as amended by Section 824 of the Personal Responsibility and Work Opportunities Reconciliation Act (PRWORA) of 1996. The State agency is requesting that all areas listed in this waiver request be exempted from April 1, 2003 to March 31, 2004. The State is requesting exemption for 28 counties and 3 municipalities based on Labor Surplus Area, or excessive Unemployment rates. The State is also requesting a waiver to apply their adjusted exemption allowance for the balance of the State's ABAWD population. Wisconsin is supporting their request with information from the Bureau of Labor Statistics and their Food Stamp Data Warehouse. Please see the attached letter and attachments from Wisconsin for additional information.

We recommend that this waiver request be approved retroactively, as it appears to meet the requirements for waiver of Section 6(o) of the Food Stamp Act as amended by Section 824 of PRWORA of 1996. Retroactive approval is also recommended since the waiver relies on the recent release of the Fiscal year 2003 ABAWD exemption numbers. If you have any questions or require any further information regarding this waiver request, please feel free to contact me or have your staff contact Carl Rippe at (312) 353-6587.


TIM ENGLISH
Regional Director
Food Stamp Program

Attachment



State of Wisconsin

Department of Health and Family Services

DIVISION OF HEALTH CARE FINANCING

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Jim Doyle
Governor

Helene Nelson
Secretary

April 17, 2003

Tim English
Regional Director
Food Stamp Program
USDA, Midwest Regional Office
77 West Jackson Blvd., 20th Floor
Chicago, Illinois 60604-3507

Dear Mr. English:

We are requesting continuing waiver approval under Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 (PRWORA) to exempt able-bodied adult food stamp recipients without dependents (ABAWD) from time-limited benefit work requirements.

This waiver is for specific geographic areas that meet waiver criteria due to insufficient jobs or Labor Surplus Areas (LSA) as designed by the Federal Bureau of Labor Statistics; and unemployment rates greater than 20 percent above the national average of 4.9 percent for 24 months during the previous calendar years January 2001 through December 2002 and above 5.1 percent for Federal Fiscal Year (FFY) 2001 through 2002. We have established that 82 percent of ABAWD food stamp recipients live in these areas.

In addition, we seek to use our 15 percent exemption and also apply for 3 percent of individual exemptions available during the FFY 2002 and carried over to FFY 2003. Through a combination of this waiver, the 15 percent exemption allowance and the 3 percent individual exemptions, none of the ABAWD food stamp recipients will be subject to time-limited benefit work requirements.

Thank you for your consideration of this waiver renewal request. If you have any questions, please contact me or have a member of your staff contact Tad Mengesha at (608) 266-2710 or Sara Pynenberg at (608) 266-9186.

Sincerely,

Mark B. Moody
Administrator

MBM:kl
BA03066.LH

cc: Bettie A. Rodgers, Division Administrator, DWS
Mary C. Rowin, Deputy Division Administrator, DWS
Connie Colussy, Director, BWP

Wisconsin.gov

22 APR 2003

WAIVER REQUEST

Type of Request:	Renewal
Primary Regulation Citation:	7 CFR 273.24
Secondary Regulation Citation:	None
State:	Wisconsin
Region:	Midwest Region
Regulatory Requirements:	Currently individuals age 18 through 49 are subject to time-limited FS benefit eligibility unless they meet certain work requirements or exemption criteria.
Proposed Alternative Procedures:	Wisconsin is requesting approval under Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Act of 1996 (PRWORA). This waiver is for specific geographic areas to be effective April 1, 2003 through March 31, 2004. In compiling the waiver information we have used the following acceptable supporting data sources: (1) Bureau of Labor Statistics for unemployment rate data including the most recent 12-month average that exceeds 10 percent and the 24-month average unemployment rate that exceeds the national average by 20 percent. The 24-month average period is no earlier than the same period the U.S. Department of Labor's Employment and Training Administration (DOLETA) uses to designate Labor Surplus Areas (LSAs) for the current year. The Bureau of Labor Statistics for unemployment is a composite of Local Area Unemployment Statistics (LAUS) reports. (2) Labor Surplus Area designation came from DOLETA. The information from the LAUS report is included in the tables attached at the end of this document.

FY 2002 was the first time that Wisconsin applied a waiver for its Food Stamp Employment and Training Program (FSET). Understanding that authorized individual exemptions not used in a fiscal year are allowed to be carried over to the following year and since we have used far fewer exemptions than they were allotted, Wisconsin plans to use its 15 percent exemption allowance combined with 3 percent of unused and carried over individual exemptions to waive recipients in the balance of the State from ABAWD time-limited requirements. The attached table includes information from our Food Stamp Data Warehouse reports showing that approximately 82 percent of the ABAWD population live in areas included on the LAUS reports. Therefore the 15 percent exemption criteria and 3 percent individual exemptions for a combined total of 18 percent will be used to waive ABAWD recipients living in the balance of the State.

Justification For Waiver:

Wisconsin requires engagement in work-related activities for all individuals referred to the Food Stamp Employment and Training Program (FSET), including all ABAWDs. These individuals are subject to sanction penalties for non-compliance in assigned activities. The waiver of time-limited benefit work requirements due to the current lack of employment opportunities will enable FSET case managers to assign activities that will best serve the needs of individual participants without the restrictions required for ABAWD individuals.

Anticipated Impact on Households and State Agency Operations:

ABAWD individuals will continue to be mandatory participants in the FSET Program, however they will no longer be subject to time-limited benefit requirements. Using the 18 percent exemption criteria to extend the waiver to the balance of the State will provide consistent policy implementation statewide.

Caseload, QC Error Rate Data:

Using the period of time from 10/01/2001 through 9/30/2002 reports were retrieved from Wisconsin's Food Stamp Data Warehouse. There were an average of 4,574 ABAWD food stamp recipients per month. An average of 3,737 or 82 percent of

these recipients lived in waiver eligible areas of the state. The remaining 18 percent of the ABAWD or 837 per month (15 percent of 4,574 or 686 and 3 percent of 4,574 or 151) recipients statewide would be exempt from time-limited benefits using the 18 percent combined exemption criteria to expand the ABAWD exemptions statewide.

**Anticipated Implementation Date
and Time Period for Waiver:**

We would implement this waiver effective 04/01/03 through 03/31/04. Waiver renewal would depend on future unemployment rates.

Waiver Eligible: Labor Surplus Area or Unemployment Rate 20 percent above national average of 4.9 percent or 5.9 percent for 24-month calendar year period and/or above 20 percent above national average of 5.1 percent or 6.1 percent for FY 2001/2002.

Number of ABAWDs residing in waiver eligible areas in Wisconsin October 1, 2001 - September 30, 2002

LSA: Appears on Labor Surplus List

F: Eligible based on unemployment rate for FY 2001/2002 (10/01/01-09/30/02) 12mos

CF: Eligible based on unemployment rate for CY 2001 (01/01/2001-12/31/01) and CY 2002 (01/01/2002-12/31/2002), 24-month period.

Area	Waiver Criteria	Unemployment Rate CY 2001&2002	Unemployment Rate FY 2001/2002	Total ABAWDs FY 2001/2002
Ashland Co.	LSA	7.7%	8.8%	90
Bayfield Co.	LSA	6.5%	6.6%	21
Burnett Co.	F		6.1%	22
Chippewa Co.	F&CF	6.1%	6.4%	113
Clark Co.	LSA	7.2%	6.8%	74
Florence Co.	LSA	7.5%	8.3%	9
Forest Co.	LSA	6.7%	6.8%	14
Green Lake	F&CF	5.9%	6.2%	43
Iron Co.	LSA	7.3%	7.6%	12
Juneau Co.	LSA	7.3%	9.7%	63
Lafayette Co.	F&CF	5.9%	6.1%	20
Langlade Co.	LSA	7.8%	7.8%	126
Lincoln Co.	F&CF	6.2%	6.5%	74
Manitowoc Co.	F&CF	6.0%	6.1%	70
Marinette Co.	F&CF	6.7%	6.8%	232
Marquette Co.	LSA	7.5%	7.6%	24
Menominee Co.	LSA	11.9%	12.1%	19
Milwaukee Co.	F	6.1%	6.3%	366
City of Milwaukee	LSA	8.4%	8.9%	41,362
Oconto Co.	F&CF	7.3%	7.8%	138
Pepin Co.	F&CF	6.2%	6.4%	9
Polk Co.	F&CF	6.3%	6.3%	55
Price Co.	LSA	6.4%	5.7%	26
Racine Co.	F		7.0%	76
City of Racine	LSA	10.9%	11.0%	702
Rock County	F		6.6%	395

City of Beloit in Rock Co.	LSA	9.6%	9.6%	460
Rusk Co.	LSA	7.3%	7.4%	52
St Croix Co.	F		6.2%	31
Washburn Co.	LSA	6.5%	6.7%	29
Waushara Co.	F	5.9%	6.0%	115
			Total	44,842
			Avg. per month	3,737

* 24-Month National Average = 4.9 percent

Source: <http://data.bls.gov/cgi/-bin/surveymost>

** FY 2001/2002 National Average = 5.1 percent

Source: <http://data.bls.gov/cgi/-bin/surveymost>

31
- 3 cities

28 counties

**Number of ABAWDs residing in the balance of the State of Wisconsin
FY 2001/2002 (10/01/01-09/30/02)**

Area	Total ABAWDs FY 2001/2002	Area	Total ABAWDs FY-2001/2002
✓Adams Co.	54	✓Pierce Co.	27
✓Buffalo	38		
✓Calumet Co.	31	✓Portage	139
✓Crawford Co.	7		
✓Dane Co.	1,438	✓Richland Co.	52
✓Door Co.	65		
✓Douglas Co.	274	✓Sauk Co.	180
✓Fond du Lac Co.	280	✓Sawyer	40
✓Grant Co.	51	✓Shawano Co.	57
✓Green Co.	88	✓Sheboygan Co.	162
✓Iowa Co.	12	✓Taylor Co.	50
✓Jackson Co.	90	✓Trempealeau Co.	46
✓Jefferson Co.	60	✓Vernon Co.	46
✓Kenosha Co.	1,393	✓Vilas Co.	15
✓Marathon Co.	470	✓Walworth Co.	184
✓La Crosse Co.	362	✓Washington Co.	181
✓Barron	195	✓Waukesha Co.	404
✓Brown Co.	771	✓Waupaca Co.	70
✓Dodge Co.	136	✓Winnebago Co.	230
✓Columbia Co.	133	✓Wood Co.	412
✓Dunn Co.	184	Bad River Tribe	69
✓Eau Claire Co.	510	Lac Du Flambeau Tribe	253
✓Kewaunee Co.	19	Oneida Tribe	26
✓Monroe Co.	117	Red Cliff Tribe	158
✓Oneida Co.	64	Sokagoan Tribe	94
✓Outagamie Co.	191	Stockbridge Munsee Tribe	30
✓Ozaukee Co.	85	Total	10,043
		Average per Month	837

October 2001 – September 2002

Average # (per month) of ABAWDs in Wisconsin: 4,574

Average # (per month) of ABAWDs residing in waiver eligible areas: 3,737 (82 percent)

Average # (per month) of ABAWDs residing in the state: 637 or 15 percent of 4,574 (under 15 percent exemption allowance)

Average # (per month) of ABAWDs residing in the remaining balance of the state: 151 or 3 percent of 4,574 (under individual exemption allowance)