



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 200

**Assembly Substitute
Amendment 2**

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2015 Assembly Bill 200 relates to a waiver to limit the number of FoodShare replacement cards. The FoodShare Wisconsin program is administered by the Department of Health Services (DHS), and was formerly referred to as the food stamps program.

2015 ASSEMBLY BILL 200

Assembly Bill 200 requires DHS to submit a waiver request to the U.S. Department of Agriculture in order to allow DHS to limit the number of replacement benefit cards to four within a 12-month period, for a FoodShare recipient who reports that a benefit card has been lost, stolen, damaged, or destroyed.

ASSEMBLY SUBSTITUTE AMENDMENT 2

Assembly Substitute Amendment 2 removes the requirement for DHS to submit a waiver request and instead specifies a process for the treatment of requests for a replacement card. Under the substitute amendment, a fourth request for a replacement benefit card in a 12-month period is treated as a threshold for the number of replacement cards that is considered excessive.

The substitute amendment requires the following actions by DHS when a household that is receiving FoodShare benefits requests a fourth or subsequent replacement benefit card within a 12-month period:

- On the **fourth** request:
 - Issue the replacement card.
 - Send a notice to the recipient that additional requests could cause referral to the Office of Inspector General (OIG) in DHS.

- On the **fifth** request:
 - Issue the replacement card.
 - Refer the matter to OIG for review.
 - Send a notice to the recipient that the account is being reviewed and that if the recipient makes a future request the recipient will be required to contact DHS to explain the need for a replacement card.
- On the **sixth** or subsequent request:
 - Send a notice to the recipient that the account is being reviewed and that the recipient must contact DHS to explain the need for a replacement card.
 - Then:
 - If no contact:
 - ❖ Do not issue a replacement card.
 - ❖ Conduct an investigation.
 - If contact, but no explanation is given or the explanation may indicate trafficking:
 - ❖ Issue the replacement card.
 - ❖ Conduct an investigation.
 - If contact, and an appropriate explanation is provided:
 - ❖ Issue the replacement card.
 - ❖ Educate the recipient on the proper use of the card.
 - ❖ Do not require contact on subsequent requests unless the recipient's pattern of card activity has changed and the pattern may indicate possible trafficking activity.

Assembly Substitute Amendment 2 also specifies that if a caseworker suspects fraud in connection with a request for a replacement card, the caseworker must report the suspicion to OIG.

BILL HISTORY

Prior to offering Assembly Substitute Amendment 2, Representative Heaton offered Assembly Substitute Amendment 1 on September 28, 2015. Assembly Amendment 3 to Assembly Substitute Amendment 1 was offered by Representative Jorgensen on October 8, 2015. Together, Assembly Substitute Amendment 1 and Assembly Amendment 3 to Assembly Substitute Amendment 1 contain the same provisions as Assembly Substitute Amendment 2,

described above, but do not require DHS to conduct an investigation if, on a sixth or subsequent request, the recipient does not contact DHS to explain the need for a replacement card.

On October 13, 2015, the Assembly Committee on Public Benefit Reform recommended passage of the bill, as amended by Assembly Substitute Amendment 1, and Assembly Amendment 3 to Assembly Substitute Amendment 1, on a vote of Ayes, 8; Noes, 5.

Assembly Substitute Amendment 2 was offered by Representative Heaton on November 2, 2015.

On November 3, 2015, the Assembly adopted Assembly Substitute Amendment 2 on a voice vote and passed the bill, as amended, on a vote of Ayes, 66; Noes, 31; and Not Voting, 2.

MSK:ksm