**Operations Memo 22-28**

Private Pay Nursing Home and Group B Waivers Rates

Presented by: Erin Heiman

**Effective Date: January 1, 2023**

Policy:

This Operations Memo provides updates to the institutional cost of care values.

The new daily average nursing home private pay rate is **$308.71** per day. Beginning with applications

filed on January 1, 2023, workers must use this daily rate to calculate divestment penalty periods.

The new monthly average nursing home private pay rate is **$9,389.93** per month. The new monthly rate

for state centers for persons with developmental disabilities is **$30,599.17** per month. For all eligibility determinations made on or after January 1, 2023, workers must use these monthly rates to calculate

income limits for HCBW Group B Plus eligibility.

**Operations Memo 22-29**

Annual Update to Income Thresholds for Determining Whether a Child or Tax Dependent is Expected to Be Required to File a Tax Return

Presented by: Erin Heiman

**Effective Date: January 1, 2023**

Policy:

The following thresholds for being expected to file a return for the 2023 tax year are effective January 1, 2023:

$1,250 in taxable unearned income

$13,850 in taxable earned income

**Operations Memo 22-32**

Policy Clarification on FoodShare Intentional Program Violation (IPV) for Misrepresentation of Identity or Place of Residence

Presented by: Kathy King

**Effective Date: N/A**

This Operations Memo clarifies what fraudulent actions taken by a FoodShare applicant or member would warrant a 10-year disqualification. The underlying policy regarding intentional program violations (IPVs) remains the same.

A person who makes a false or misleading statement, or misrepresents their identity or place of residence in order to simultaneously receive Wisconsin FoodShare benefits and SNAP benefits from any other state or territory shall be ineligible for a period of 10 years.

In order to apply a 10-year disqualification penalty, the state agency needs to prove with the support of clear and convincing evidence that a person made a fraudulent statement or misrepresented their identity or place of residence while applying for or participating in Wisconsin FoodShare in order to receive multiple SNAP benefits simultaneously.

Before imposing the 10-year disqualification period:

• A finding of fraud must be made by a state agency, or

• A conviction of fraud must be entered by a state or federal court.

Duplicate participation in SNAP benefits itself does not support the application of a 10-year program disqualification. For example, if a member is residing in Wisconsin and applies for benefits in Wisconsin and it is later determined that they are also receiving benefits in another state, that does not constitute intent. There must be clear and convincing evidence that the person misrepresented or falsified their identity or place of residence in order to receive SNAP and/or FoodShare in more than one household.

If there is not clear and convincing evidence that the person misrepresented or falsified their identity or place of residence, but there is clear and convincing evidence that an IPV occurred, the standard period of ineligibility would apply.