

## YOUR RIGHTS AND RESPONSIBILITIES FOR FOODSHARE

**YOU HAVE THE RIGHT TO A WRITTEN NOTICE** from this agency before any action is taken to end or reduce your FoodShare benefits. For most actions, you will get a letter at least 10 days before the action is taken.

### YOU HAVE THE RIGHT TO:

- Get an application and have your application accepted right away.
- Have an adult who knows your situation help you apply for and manage your FoodShare benefits.
- Get your FoodShare benefits within 30 days after you apply if you meet the requirements.
- Get FoodShare benefits within 7 days if you meet the requirements for faster service.
- Not be discriminated against because you are elderly or because of sex, race, color, disability, religious creed, national origin, or political beliefs.
- Have your civil rights upheld.
- Be treated with respect by agency staff.
- Have your private information kept private.
- Ask your agency to explain anything you do not understand.
- Be told in advance if your FoodShare benefits will be reduced or will end and the reason for the change.
- See agency records and files relating to you, but not information gotten from a confidential source.
- Be given a copy of FoodShare rules.
- Ask for a fair hearing if you do not agree with a decision made by your agency. A fair hearing gives you the chance to tell a hearing officer why you think the decision about your application or benefits was wrong.

### YOU ARE RESPONSIBLE FOR:

- Answering all questions completely and honestly when you apply for FoodShare benefits. You will be signing your name to certify, under penalty of perjury, that all your answers are true.
- Providing proof you are asked for.
- Reporting changes in household income over 130% of the [Federal Poverty Level](#) (FPL) which will be listed on your letters. Reporting when the work hours of a household member with time-limited FoodShare benefits drops below 80 per month to your FoodShare office.
- Not making changes to a QUEST card or any FoodShare documents.
- Not selling, trading, or giving away your FoodShare benefits, documents, or QUEST card.
- Using FoodShare benefits only to buy eligible items.

***People who break FoodShare rules may be disqualified from the program, fined, put in prison, or all three.***

**YOU MAY REQUEST A FAIR HEARING FOR FOODSHARE BENEFITS** if you do not agree with a decision made by your agency. You may ask for a fair hearing in writing, over the phone, or in person with your FoodShare agency. The agency can give you information about the hearing rules. You may also ask for a fair hearing by writing to the Department of Administration, Division of Hearings and Appeals, PO Box 7875, Madison, WI 53707-7875 or by calling 608-266-7790. As provided by Wis. Admin. Code § HA 3.03, your request must be received within 90 days of the agency's action on your FoodShare application, or at any time while you are getting FoodShare benefits.

In most cases, if your Fair Hearing request is received by the Division of Hearings and Appeals prior to the action's effective date, your FoodShare benefits will not change because of the action until a decision is made about your appeal. During this time, if another unrelated change occurs, your FoodShare benefits may change. If another change occurs, you will get a new letter. If you are not satisfied with the fair hearing decision, you may appeal and request a second fair hearing. If the fair hearing decision ends or reduces your benefits, you may have to repay any benefits you got while your appeal was pending. You may ask not to receive continued benefits.

**YOU MAY REPRESENT YOURSELF OR BE REPRESENTED** at the hearing or conference by an attorney, friend, or anyone else you choose. We cannot pay for your attorney. However, free legal services may be available to you if you qualify.

If you fail to appear or your representative fails to appear at the hearing without good cause, your appeal is considered abandoned and will be dismissed.

**COMPUTER CHECK: IF YOU GET BENEFITS OR SERVICES, you must follow these rules:**

Information you give will be verified through computer matching programs. This information will also be used to monitor compliance with program rules and for program management. If you work, the wages you report will be checked by computer against the wages your employer reports to the Department of Workforce Development. The Internal Revenue Service, Social Security Administration, Unemployment Insurance Division, and Department of Transportation may also be contacted about your income and assets.

### **FOODSHARE PENALTY WARNING**

Any member of your household who intentionally breaks any of the following rules can be stopped from getting FoodShare for 12 months after the first violation, 24 months after the second violation or for the first violation involving a controlled substance, and permanently for the third violation.

- Giving false information or hiding information to get or continue to get FoodShare benefits.
- Trading, selling, or stealing FoodShare benefits.
- Using FoodShare benefits to buy non-food items like alcohol or tobacco, firearms, ammunition, or explosives.
- Reselling food purchased with FoodShare benefits.
- Exchanging FoodShare for cash.
- Using another person's FoodShare benefits, identification cards, or other documentation.

Depending on the value of the misused benefits, you can also be fined up to \$250,000, imprisoned up to 20 years, or both. A court can also stop you from getting FoodShare for an additional 18 months. You will be permanently disqualified if you are convicted of trafficking FoodShare benefits of \$500 or more. You will not be able to take part in FoodShare for 10 years if you are found to have made a false statement or representation with respect to identity and residence to get multiple benefits at the same time. Fleeing felons and probation/parole violators are not able to get FoodShare. You may also be subject to further prosecution under other applicable federal laws.

If you trade (buy or sell) FoodShare benefits for a controlled substance/illegal drugs, you will not get FoodShare benefits for a period of two years for the first finding and permanently for the second finding. If you trade (buy or sell) firearms, ammunition or explosives, you will be denied FoodShare benefits permanently.

RE: Federal Regulations	7 CFR 272, 7 CFR 273, 7 CFR 274,
Wisconsin Statutes	946.92
	7 U.S. Code §2024

## USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [How to File a Complaint](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.