CalWORKs Policy

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CW 40-100 RECEPTION AND APPLICATION

CW 40-103.4 - Application	**<u>What are the application forms?</u>** The following forms are used when an applicant applies for CalWORKs: • The SAWS 1 (LEADER generated), Cover Sheet and Application for Cash Aid, Food Stamps and Medi-Cal, is a generic application form that documents a request for CalWORKs, etc. • The SAWS 2 (LEADER generated), Statement of Facts for Cash Aid, Food Stamps and Medi-Cal, gathers information and is required for all CalWORKs applications. • The SAWS 2A (out of drawer), Rights and Responsibilities and Other Important Information, provides important information regarding their rights and responsibilities. See **Application – Select for Processing** for LEADER procedures. See **WA No. 1 – Statement of Facts – Non-English/Non-Spanish** for LEADER procedures.
	<u>What are the voter registration requirements?</u> **<u>All</u>** registrants/visitors physically present at intake and redetermination must be offered the opportunity to vote. The individual must be: • A United States citizen. • Age 18 by the date of the next election. • A resident of California. • A person who is not in prison or on parole for the conviction of a felony, or has not been judged by a court to be mentally incompetent.
	<u>Who should offer and what type of voter registration assistance should be provided?</u> The voter registration services must be offered by all public contact staff (i.e., receptionist, eligibility worker, etc.) to comply with the law, public contact staff must

	follow the procedures below asking or informing the applicant and any other person present at the interview the following: • Must ask, verbatim, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?" The significance of this statement is that because 40 percent of voter registration applications are due to a change of address, this lets people know that they need to re-register if they have a new address. • Must provide PA 106, Would You Like to Register to Vote? (out of drawer), form to potential registrants. • Must encourage applicants to complete the Voter Registration Form (VRF) (out of drawer) while in the office. It may be completed in the presence of the Intake Eligibility Worker/Screener during the interview or other public contact staff in blue or black ink. The applicant may return the VRF for forwarding to the designated place for transmittal. Applicants should not be told to take the VRF home; however, they may elect to take the form home for completion. • Must ensure that all required portions are completed legibly. Also, an applicant should include their telephone number to assist election clerks clarify any questions about the VRF. If the forms are not signed and dated, they are not considered to be valid and will be rejected by the Registrar-Recorder's Office.
	What forms are used for the voter registration process? The following forms are used for the voter registration process: 1. PA 106, Would You Like to Register to Vote? (out of drawer): The top half lists voter eligibility requirements and important notices and the bottom portion documents the decision of qualified applicants whether or not to register to vote. The form must be included in all

	Intake packets and is used by the Eligibility Workers/Screeners **before** the application interview. Only those receiving/applying for benefits or services should complete the PA 106 form. All other visitors do not need to complete the form. The potential registrant should at least sign this form whether they wish to register or not. Use of this form is required to document that voter services were offered to the applicant/participant. 2. PA 106-1, Would You Like to Register to Vote? (out of drawer): This is the top half (information section) of the PA 106 only. It is used when mailing out the Voter Registration Form (below) upon notification of a change of address by a participant. Until LEADER is programmed, the appropriate language Voter Registration Form is to be folded with the PA 106-1 and stapled for mailing by the Eligibility Worker to the participant. 3. Voter Registration Form (out of drawer): Participants who qualify to do so may register to vote or report a change of address to the Registrar-Recorder's Office using this form. The Voter Registration Form should be provided to participants in their primary language for completion. **NOTE:** The Voter Registration forms are available in English, Spanish, Armenian, Chinese, Cambodian, Korean, Japanese, Russian, Tagalog, and Vietnamese.
	What information should be reviewed by the Eligibility Worker? At the **beginning of the intake interview**, the Eligibility Worker must review the bolded section to determine if an applicant wishes to register to vote by reviewing the possible selections as follows: • The applicant may check only one of the three boxes to

	indicate his/her registration preference. If the PA 106, Would You Like to Register to Vote? (out of drawer) form is not complete, ask the individual, verbatim, "If you are not registered to vote where you live now, would you like to apply to vote here today?" Have the individual check their response in the appropriate box and ask that they sign the form. • If the potential registrant checks "Yes" to the Voter Registration question, you should have the person sign the form and provide a Voter Registration Form (VRF). • If the potential registrant checks "No" to the voter registration question, ask the applicant, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?" If the applicant changes his/her mind and decides to register to vote, ask the applicant to change the answer on the PA 106 form and initial and date the changes. Provide the applicant with the appropriate language forms. • If an individual refuses to answer the questions, print their name, the date and include your initials in the appropriate box at the bottom of the PA 106 form. (This should be a rare event; you should not leave blank boxes unless they refuse. If you see a blank response to the voter registration question, you should first ask the potential registrant, "If you are not registered to vote where you live now, would you like to apply to vote here today?")
	<u>Can homeless applicants/participants register to vote?</u> Yes, all homeless individuals may vote if they opt to do so. When an individual is homeless, the Voter Registration Form (VRF) is completed as follows: • Box #2 may be left blank. • Box #3 should describe and indicate the precise location of the residence, with names of the cross streets at the nearest corners, and/or range of numbers in a given block, and/or the proximity to an identifiable landmark such as a park, public building, etc. (i.e., northwest corner of Oak and 1st

	Street, Los Angeles, CA 90099). Use available space in Box #2 if necessary. • A mailing address must always be provided so that voting material (Sample Ballot, Polling Place Location, etc.) can be sent to that person.
	What should the Eligibility Worker do with the completed PA 106, Would You Like To Register To Vote? (out of drawer) form? The PA 106 must be reviewed by the Eligibility Supervisor before forwarding to the district Staff Assistant for tracking the recorded information.
	Who should track/retain the data collected on the PA 106, Would You Like to Register to Vote? (out of drawer) form? Upon receipt of the PA 106, Would You Like to Register to Vote? (out of drawer) form, the district Staff Assistant is responsible for tracking/collecting the reported data. The PA 4033, National Voter Registration Act Reporting Form (out of drawer), is used by the district Staff Assistant to track, record and monitor the data until LEADER is programmed. Thereafter, the PA 4033 should be forwarded to and retained by the BWS Special Assistant. The PA 4033 form should be forwarded on a quarterly basis on the 15th of the month or next business day in the event of a holiday or nonwork day. **NOTE:** The PA 106 must be retained by the Staff Assistant for two years.
	What information should be provided to applicants about mailing the Voter Registration Form? Applicants must be informed that they may mail the completed form directly to the Registrar-Recorder's Office (address is preprinted and postage-paid), or it may be returned to district staff for forwarding to the designated place for transmittal. Designated staff must batch and forward the completed

	Voter Registration Forms every Friday to: Los Angeles County Registrar-Recorder's Office/County Clerk 12400 East Imperial Highway, Room 2013 Norwalk, California 90650
CW 40-105.1 - Responsibilities	**<u>What are the applicant's/participant's responsibilities?</u>** During an initial application and redetermination process, the applicant or participant is responsible to assume as much responsibility within his/her capabilities (i.e., physical, emotional, educational or other limitations). Responsibilities may include: • Completion of all required documents; • Providing required documents that are available or in his/her possession; • Reporting all known facts that may affect his/her eligibility; • Reporting any changes within five calendar days of the occurrence; and • Cooperation in Quality Control Reviews. **NOTE:** Failure to comply will result in a fraud penalty if the applicant/participant is found by the court to have committed an Intentional Program Violation (IPV). See **Intentional Program Violation (IPV)** for LEADER procedures. See ***CW 82-620 Intentional Program Violation (IPV)*** for more information.
CW 40-105.2 - SSN Requirements	**<u>Is each member of the AU required to provide the EW with an SSN?</u>** Yes, as a condition of eligibility, each member of the AU (including MFG children) must provide the EW with a SSN

	and documentation of the SSN (unless there is good cause).
	<u>What if the applicant/participant cannot provide a SSN for a member of the AU?</u> The MC 194-LA (out of drawer), Social Security Administration Referral Notice, is used when: • There never was a SSN; or • The SSN is known, but no card is available; or • There is more than one SSN assigned. **NOTE:** The MC 194-LA is a two-sided form; currently, LEADER is generating the form incorrectly. Until LEADER is programmed, the form must be completed manually. The MC 194-LA, completed by the Social Security Administration (SSA), is provided by the applicant/ participant to the EW before authorizing aid. The EW must instruct the applicant/participant to immediately report receipt of and provide the EW with the SS card. Upon receipt, the EW must file a copy of the SS card in the Documentation folder.
	<u>What if the SSA does not issue a SS card within the first 90 days of the SSN application?</u> When SSA does not issue a SS card within the first 90 days of the SSN application, the applicant/participant must obtain a statement from SSA verifying the delay in issuing the SS card. If the SS card has still not been received after an additional 30-day period, the applicant/participant must obtain a new statement from SSA. **NOTE:** When difficulties develop in obtaining a receipt or statement from SSA, the district administrative staff must explore the problem with local SSA office involved**.**
	<u>What if SSA does not accept the application from the applicant/participant for a SSN?</u>

	When an application was attempted but not accepted by SSA, the applicant/participant must complete a PA 853 (out of drawer), Affidavit, to establish **good cause**. **"Good Cause"** includes situations in which the necessary documentation for the application for an SSN is not immediately available at the time of the application. A PA 853 must be completed every 30 days until SSA accepts the application and before **each good cause** extension can be allowed to continue eligibility. The PA 853 which is interim documentation must include: • Date of the attempted SSN application; • Address of the local SSA office involved in the application; and • Actions being taken to provide SSA with needed information to accept a SSN application. See **Future Action Controls – User Initiated – Create** for LEADER procedures.
	What action is taken if the applicant/participant refuses or fails to obtain a SSN? If an applicant/participant refuses or fails to comply with the requirements to obtain a SSN and/or documentation of the SSN within the established time frames, only the AU member whose SSN is in question is ineligible for aid. **NOTE:** Aid may not be granted until the applicant/participant has demonstrated that he/she is cooperating**.**
	When the AU member is a newborn, when is the SSN application completed? The EW must instruct the applicant/participant to immediately report the birth of the child. The applicant/participant must provide verification of a SSN application for the newborn to the EW no later than the last day of the month following the month in which the mother was released from the hospital.

	When a newborn child has been enumerated at birth, form SSA 2853 is acceptable proof of application if it contains the name of the newborn, date and signature of the authorized hospital official. See **Future Action Controls – User Initiated – Create** for LEADER procedures.
	When is the newborn's SS card furnished to the EW? The SS card must be provided to the EW within six months after receipt of the SS card or at redetermination, whichever occurs first. **EXAMPLES** Example 1 Mother was discharged from the hospital on February 5, she has through March 31 to apply and submit verification of the SSN application for the newborn. Example 2 Mother gave birth on May 8, but was not released from the hospital until May 20. She reported the birth of the child on the QR 7 requesting that the child be added to her grant. The time period to apply and submit verification of a SSN application for the newborn begins on May 21 and ends on June 30. Example 3 Same as Example 2, but the mother remained in the hospital until June 2 due to complications. She has through July 31 to apply and submit verification of a SSN application for the newborn. See **Future Action Controls – User Initiated – Create** for LEADER procedures.
CW 40-105.3 - Statewide Fingerprint Imaging System (SFIS) Requirements	**Who must meet the SFIS requirements?** The following persons living in the home must meet the SFIS requirements:

	• Each parent, including aided step-parents and/or caretaker relative of an aided or applicant child; and • Each parent and/or caretaker relative who can apply for or get aid because they have a certain excluded child(ren) (e.g., SSI/SSP, etc.); • Each applicant or aided adult; and • A pregnant woman applying for or getting aid for herself only. **NOTE:** Applicants/participants (unless temporarily exempt) must be fingerprinted/photo imaged before new/ongoing aid can be authorized.
	Can individuals be exempt from the SFIS requirements? Yes, the following persons can be **temporarily excused** from the SFIS requirements for not more than 60 days: • Persons with both hands damaged (a photo image must be taken as part of the SFIS process). • Persons with other medically verified physical conditions that prevent them from coming into the district office. **NOTE:** Persons missing all ten fingers are permanently excused from the fingerprint imaging (a photo image must be taken as part of the SFIS process).
CW 40-105.4 - Immunization - Notification	**How is an applicant/participant informed about the immunization requirements?** The EW must inform the applicant/participant at intake or at redetermination about the immunization requirements (via the (out of drawer) Immunization (Shots) Requirements for CalWORKs Cash Aid Eligibility). The notice provides information about the obligation to obtain immunizations for all children in the AU (including MFG) under the age of 6.

	When is the immunization verification required? The applicant/participant is required to show proof of all required immunization or shot records for the child(ren) under the age of 6 (child has not yet reached his/her 6th birthday) and not in school (Kindergarten) at: • Intake; or • When adding a child under the age of 6 to the AU (including MFG); and • At redetermination or until the child(ren) completes all age-appropriate immunization or the child reaches the age of 6. **NOTE:** For incoming ICT cases, if the first county has determined that the verification of age-appropriate immunizations is adequate, the participant is not required to resubmit duplicate verification in the second county**.** Verification of immunization should be the yellow shot/immunization record booklet, if it is not provided, the following documents are acceptable: • Printout from a health plan; or • Statement from a physician or clinic; or • Immunization booklets from other counties, states/countries.
	When the AU consists of both a senior parent/caretaker and a minor parent, who is responsible for submitting verification of immunization? When the AU contains both a senior parent and a minor parent with the minor parent's child, the senior parent(s) is responsible for both the minor parent and the minor parent's child and is responsible for submitting verification of immunization. The senior parent(s) is penalized if the verification is not submitted.
	What action is taken when the applicant/participant

	<u>has made an effort to initiate immunizations for a child, but cannot complete the series?</u> An applicant/participant who has made a good faith effort to meet the immunization requirements can be granted aid. A good faith effort includes the following: • When immunization has been initiated for a child(ren) in the AU, but the series cannot be completed because of a spacing requirement between vaccine doses (verification must be provided); or • When the vaccine is not available (verified by a Medical Exemption [out of drawer] form, signed/completed by a physician); or • When the AU declares homelessness (case must be documented). **NOTE:** When good faith effort is claimed in any of the above situations, verification of the child's immunization status must be obtained at the next annual redetermination.
	<u>When must the applicant/participant provide the immunization records?</u> The applicant/participant must provide the immunization records for children (including MFG) in the AU under the age of 6 as follows: 1. Within 30 days of determining eligibility for Medi-Cal if applying for CalWORKs **<u>and</u>** Medi-Cal; or 2. Within 45 days if applying for CalWORKs and already receiving Medi-Cal benefits; or 3. Within 45 days of the CalWORKs redetermination; or 4. Within 30 days of determining eligibility for Medi-Cal when adding a child under the age of 6 to the AU. See **Future Action Control – User Initiated – Create** for LEADER procedures.

	<u>Can a child be exempt from the immunization requirements when there is a medical reason?</u> Yes, a child(ren) may be exempt from the immunization requirement when there is a medical (i.e., a newborn who has not reached the age for shots, a child with allergies, etc.), personal and/or religious reason. • If the child(ren) is exempt for medical reasons, the parent/caretaker relative must submit a Medical Exemption Statement (out of drawer) or a written statement from a physician or authorized personnel. The statement must include: o Child's name; o Medical condition; o Duration of the illness; o If applicable, the vaccine he/she is temporarily/permanently exempt from taking; and o The date, name, phone number and signature of the physician or authorized personnel. • If the AU is exempt due to personal/religious beliefs, the parent/caretaker must submit a Personal Belief Exemption Statement (LEADER generated) that states that the immunization requirement is contrary to his/her personal/religious beliefs and the reasons for his/her objection.
	<u>When a parent/needy caretaker relative does not provide proof of immunization, is a penalty applied?</u> If an applicant/participant fails to submit timely verification of a child in the AU under the age of 6 and does not qualify for an exemption or have good cause, the parent/needy caretaker <u>remains in the AU</u>, but their <u>needs are not allowed</u>, resulting in a penalty automatically applied by LEADER. If both parents are in the home, LEADER applies the penalty to both parents.

	EXAMPLE A parent with two children fails to submit verification of immunization and does not have good cause. The AU size remains 3, but due to the penalty, LEADER issues the MAP for 2. **NOTE:** No penalty is applied when the only eligible child receives benefits from the Kin-GAP Program. See ***CW 82-820.22 Kin-GAP Program*** for more information.
	The AU consists of the mother, her child, a common child and the unmarried father. The mother does not comply with immunization regulations and she is penalized. Does the other parent also get penalized? If both parents (married or unmarried) are in the AU, both get penalized. If the second parent is a stepparent and he/she is in the AU with the caretaker parent, only the caretaker parent is penalized. However, if the biological parent is absent and the stepparent is the caretaker relative, then LEADER would apply the penalty to the stepparent.
	If the family does not provide proof of immunization, a penalty is applied. What happens if 6 months later the child is no longer a pre-school child? When the child reaches the age of compulsory school attendance, he/she is no longer a pre-school child under age 6. In this case, the penalty no longer applies and should be removed.
	Can an applicant/participant claim good cause if he/she fails to provide verification of immunization? Yes, a parent/caretaker relative can claim good cause for not submitting verification. If the EW determines that good cause exists, the applicant/participant has an additional 30 days to submit the verification. Circumstances may include but are not limited to: • Lack of reasonable access to immunization services; or

	• Language barriers; or • Physical distance; or • Illness of a parent/caretaker relative; or • Bona fide transportation problems; or • Lack of available appointments.
	<u>If an AU has been penalized, will the months on aid count towards the 60-month time limit?</u> Yes. While the grant has been reduced by the parent/caretaker relative's share, the parent/caretaker relative is still considered a participant. Therefore, any months of aid received by the AU are considered as time on aid and the parent/caretaker relative must cooperate with GAIN requirements.
CW 40-105.5 - School Attendance Requirements	**<u>Are all children required to attend school?</u>** All children (including MFG) ages 6 through 17 in the AU must attend school regularly. This applies to children in public schools, those receiving home schooling or attending private school. Children enrolled in Cal-Learn are exempt. See **School Information** for LEADER procedures.
	<u>When is school attendance verified?</u> Parents/caretaker relatives must provide documentation of regular attendance at **intake** and at **redetermination** and/or when **adding a child** (including MFG) to the AU. See **School Information** for LEADER procedures.
	<u>What is acceptable school verification?</u> The EW must review the absence information using the most recent report card. If there are 9 or fewer absences the child is considered in "regular attendance." The school must complete the PA 1725 (LEADER

	generated), School Attendance/Enrollment Verification, if the report card: • Indicates 10 or more absences; or • Does not show absences; or • Is unavailable; or • Does not contain legible data.
	<u>When is a PA 1725 initiated/generated?</u> LEADER will generate a PA 1725: • At intake, and • At redetermination, and • When adding a child age 6 through 17 to the Assistance Unit, and • When ten or more un-excused absences have been identified in the School Information Screen, and • Upon demand. LEADER will also centrally mail a PA 1725: • Twenty (20) days after an initial PA 1725 is returned verifying that a child is "not in regular attendance," and • Sixty (60) days before a teen's 18th birthday. **<u>NOTE:</u>** The PA 1725 is LEADER generated/centrally mailed in English and Spanish only; all other languages must be provided (out of drawer) to CalWORKs applicants/participants. See ***CW 42-101 Age Requirement*** for more information.
	<u>What form is used when the report card is unavailable?</u> The PA 1725 (LEADER generated), School Attendance/Enrollment Verification, is used to verify

	school attendance. The form instructions are on page 2 of the PA 1725. **<u>Part A</u>**, is used by the school to verify that a child is "in regular attendance" or is "not in regular attendance." If an initial attendance request is returned to the EW indicating that a child is "not in regular attendance," a follow-up attendance request is centrally mailed by LEADER 20 work days after receipt of the initial attendance request. The follow-up attendance request can be completed only when 20+ school days have elapsed following the initial verification of "not in regular attendance." The parent/caretaker relative is responsible for obtaining the completed form from the school and returning it to the EW for restoration of aid. **<u>PART B</u>**, is used by the school to verify if a child who is or will be 18 years old meets the Age Requirement. See ***CW 42-101 Age Requirement*** for more information. See **School Information** for LEADER procedures.
	<u>If the school determines that the child is not in regular attendance, will the cash aid be reduced?</u> If the school determines that the child has 10 or more unexcused absences or the PA 1725, School Attendance/Enrollment Verification, was not returned by the parent/caretaker relative, the grant is lowered, resulting in a penalty, as follows: • The needs of the parent(s)/caretaker relative in the AU if the child(ren) is under the age of 16 (if both parents are in the home, the needs of both parents must be applied); or • The child's needs if the child(ren) is age 16 or older. See **School Information** for LEADER procedures.
	<u>If the school indicates on the verification form that the attendance is in dispute, what is the next step?</u> If the PA 1725 (LEADER generated), School Attendance/ Enrollment Verification, indicates "attendance record in

	dispute by the parent/caretaker relative," the EW may grant "good cause."
	<u>When school attendance cannot be obtained, can the parent/caretaker relative claim "good cause"?</u> Yes, when the attendance verification cannot be obtained within the 30-day grace period, the parent/caretaker relative can claim good cause if: 1) The school/school district delays in completing the PA 1725, School Attendance/Enrollment Verification – The EW phones the school to verify the delay. Thirty (30) day extensions may be granted beyond the 30-day grace period as necessary for return of the form. 2) The school is closed between the spring and fall terms or other similar periods – The EW grants a 60-day extension or longer period if necessary, to return the form. 3) The school attendance record is in dispute by the parent/caretaker relative – The form must verify the dispute (Part A, under Comments). Thirty (30) day extensions may be granted as necessary to provide verification of regular attendance beyond the 30-day grace period pending resolution of the dispute. 4) The parent/caretaker relative is ill/injured – Thirty (30) day extensions may be granted beyond the 30-day grace period as necessary for return of the form.
	<u>What are the timeframes for submitting the School Attendance/Enrollment Verification?</u> When Part A of the PA 1725 (LEADER generated), School Attendance/Enrollment Verification, is required as an initial attendance request, the parent/caretaker relative is given a 30-day grace period to have the form (Part A) completed by the school. The grace period is subsequent to the date of authorizing aid or when adding a child or at redetermination (control via FAC). **NOTE:** If the form is not returned, a penalty is imposed

	unless good cause is established. There is no timeframe for the return of the PA 1725 when Part A is required as a follow-up request to a previous report of "not in regular attendance." However, the penalty cannot be cured until the school completes and returns the form to the EW verifying "in regular attendance." When Part B of the PA 1725 is required to verify that a child who is or will be 18 years old meets the Age Requirement, the form must be returned to the EW prior to the teen's 18th birthday. See ***CW 42-101 Age Requirement*** for more information. See **Future Action Control – User Initiated Create** for LEADER procedures.
	When can a school penalty be cured? If the penalty was caused by failure to provide documentation, the penalty is cured when one of the following is provided: • A report card showing 9 or fewer absences for the most recent completed term or period; or • The PA 1725, School Attendance/Enrollment Verification, with Part A completed showing "in regular attendance" or "attendance record in dispute." If the penalty was due to an initial verification of "not in regular attendance," the penalty is cured when the parent/caretaker relative provides the PA 1725 form with Part A completed by the school showing "in regular attendance."
	What action is taken when a third party reports that a child(ren) is not attending school? When the EW receives a report from third parties (i.e., WFP&I, etc.) that the child is not attending school, the EW must review the case to determine that the child is not exempt/excluded from the attendance requirement. If the child is not exempt, the EW must conduct an interview

	with the parent/caretaker relative. Upon evaluation, if it appears that currently the child is not in regular school attendance (absent more than 9 days), the EW must request verification of school attendance (via the PA 1725, School Attendance/Enrollment Verification) be completed by the school and take the appropriate follow-up action.
	<u>If the child is age 16 and does not attend school regularly, is there a penalty?</u> The child (16 or 17 years old) remains a member of the AU, but the child's needs are not allowed (same as immunization penalty for a parent/needy caretaker). See **School Information** for LEADER procedures. See **Sanctions/Penalties/POI** for LEADER procedures.
CW 40-107 - Assisting the Applicant	**<u>Is the EW responsible to assist the applicant/participant when he/she does not understand their rights/responsibilities?</u>** Yes, the EW is responsible to ensure that the applicant/ participant understands his/her rights/responsibilities at intake and at redetermination and/or assisting him/her as needed in establishing eligibility. At the time of application, the EW must inform (verbal and written) the applicant he/she must furnish a SSN and assign child support rights as conditions of eligibility. In addition, the applicant/participant must be notified of the right to claim good cause in the child support cooperation requirements. See ***CW 82-500 Child Support Enforcement Program*** for more information. See **Absent/Unmarried Parent Screens – Completion** for LEADER procedures.
CW 40-107.1 – Time Limit – Notification Requirements	**<u>What Notice of Action (NOA) are required for time limits?</u>** Time limit NOAs are sent by LEADER to the participants

	during the following months or in the following instances: • Upon approval; • At redetermination; • 54th month on aid; • 58th month on aid; • Upon removal of an adult from the AU when he/she has received 60 months of aid and does not qualify for an extender; • Upon removal of the adult from the AU when the extender expires; • Upon termination of the case due to time extender expiring and excess income; • Upon termination due to timed-out adult's income.

	How are applicants/participants informed about time limits?
	
	At Intake and Redetermination the EW must:
	
	• Inform the applicant/participant of the:
	  o 60 month time limit for adults;
	  o Extenders and clockstoppers; and
	  o Applicant's/participant's right to request an extender or clockstopper.
	
	• Review the WDTIP printout and Time Clock Inquiry screen on LEADER to determine if the applicant has received 60 months of aid.
	
	• Update the Prior Current Aid screen if additional time on aid information is collected and the information is not already on LEADER.
	
	See **WDTIP – About/Screens** for LEADER procedures.

	<u>What is WDTIP?</u> The Welfare Data Tracking Implementation Project (WDTIP) is a Statewide automated system that supports the tracks time on aid for CalWORKs participants. See **WDTIP – About/Screens** for LEADER procedures.
	<u>How is WDTIP information used at application?</u> At Intake, the Case Opening Clerk (COC) prints a WDTIP printout. Once the printout is received, the EW must compare the WDTIP printout to the time on aid information on the Time Clock Inquiry screen on LEADER. See **WDTIP – About/Screens** for LEADER procedures.
	<u>What if the WDTIP printout and time on aid information is different than the Time Clock Inquiry screen on LEADER?</u> If WDTIP contains additional time on aid information that is not reflected on the LEADER Time Clock Inquiry screen, the additional information is updated on the Prior Current Aid screen on LEADER. If WDTIP shows less time on aid than LEADER, use the time on aid information on LEADER. See **WDTIP – About/Screens** for LEADER procedures.
	<u>What action is taken when a Native American declares that he/she received aid from the Torres-Martinez Tribal TANF Consortium?</u> When an applicant declares that he/she is a Native American who has received cash aid from the Torres-Martinez Tribal TANF (TMTT) Consortium, the EW must ask the district's TMTT liaison to contact the consortium to verify months on aid. If time on aid information is received from the TMTT liaison, manually enter the information on the Prior Current Aid screen on LEADER.
	<u>What action is taken when the participant moves or</u>

	<u>leaves Los Angeles County?</u> See ***CW 40-187 Inter-County Transfer*** for additional information. See **WDTIP – About/Screens** for LEADER procedures.
	<u>What action is taken when the Fair Hearing EW receives information from Appeals and State Hearing (ASH)?</u> When the PA 411 (out of drawer), Request for Case Correction, is received from ASH, the Fair Hearing EW must: • Review the PA 411; • Determine if a clockstopper or extender adjustment is being requested; and • Manually make the adjustment on LEADER Exception/Extender screen.
	<u>How are inquiries for time on aid from other states/counties handled?</u> If the case is closed, time on aid inquiries from other states/counties are handled by the Central Helpline. If the case is still open, the case-carrying EW is responsible for handling the request. The case-carrying EW or Central Helpline staff must respond by taking the following action: • Review Time Clock Inquiry screen on LEADER to obtain time on aid information. • For time on aid requests from other states, complete and send CW 2187 (out of drawer), Verification of Aid For The Temporary Assistance for Needy Families (TANF) Program to the state requesting the information. o In handling other state/county time on aid requests, the EW must only report **TANF** months. TANF months used can be found on

	the Time Clock Inquiry screen. • For time on aid requests from other counties, the EW must use the Time Clock Inquiry screen to report CalWORKs or TANF months used and any clockstoppers.
	Is the EW or Central Helpline required to inform the participant when time on aid is reported to other states? Yes, the participant must be notified when time on aid is reported to other states. The EW or Central Helpline must mail the participant a M40-107d (out of drawer), TANF 60-Month Time Limit, Time on Aid to Former CalWORKs Recipient.
	What action is taken when an applicant has received aid from another state or county? When an applicant has received aid or has lived in another county or state (between December 1996 to the present), the following action must be taken: • If an applicant states or if the EW believes that the applicant has received aid in another state/county, the EW must call the state/county and request the number of months and years, including clockstopper month(s), that the participant has received aid. • If the state/county is unable to provide information over the telephone, request that the information be faxed. • If time on aid information is provided by the other state/county, the information must be manually entered on the Prior Current Aid screen on LEADER: • If no information is provided, no further action is required.
CW 40-107.3 - Eligibility Inconsistencies	**What action is taken when there are inconsistencies in the case record?** When family composition and/or eligibility factors are inconsistent or difficult to document, the case is “High Risk” and transferred to a specialized file, a high risk case

	exists when one or more of the following circumstances exist: • <u>Frequent Moves</u> The family moves more frequently than once every 3 months (within the same district or between different districts) for vague, undefined or inconsistent reasons (e.g., dislike of or problems with neighbors, arguments with landlords). • <u>Frequent Changes in Family Composition</u> There are at least 3 changes during any 3-month period (i.e., same child, different children or other persons entering/leaving the home). This applies to aided/non-aided related/unrelated members. When the family composition remains stable for a 3-month period, the "High Risk" status of the case is terminated. The case is transferred to the appropriate file if no other high risk factors are involved. • <u>Correspondence Mailed to Other Than the Residence Address</u> The "High Risk" EW determines if there is a verifiable need for the written correspondence to be mailed to other than the residence address (i.e., address of a relative/friend, P.O. Box, etc.). If a verifiable need exists (i.e., homeless, frequent mail thefts), the situation must be appropriately documented in Case Comments. The high risk status is terminated and the case is transferred to the appropriate file. If at the time of the next and each subsequent redetermination, the correspondence is still being mailed to other than the residence address, the case must be transferred to the "High Risk" file for reevaluation. **NOTE:** The redetermination is completed prior to transferring the case to the "High Risk" file. • <u>No Verification of Identity</u> The applicant is unable to provide accept able

	documentation to verify identity. When the case is authorized and the participant is still unable to provide the acceptable documentation, the case is transferred to the "High Risk" EW. The participant may subsequently be able to provide the required documentation. If the participant still cannot provide the documentation 60 days after the application date, a referral is made to the Early Action Fraud Detection/Prevention (EAFD/P) section. A copy of the PA 1325.2 (out of drawer), Record of Eligibility Activity – High Risk Checklist, is submitted with the fraud referral. When the documentation is provided or the referral is made, the high risk status is terminated and the case is transferred to the appropriate approved file. • <u>No Record, PA 230, Request for Verification/Certification of Evidence</u> • <u>Motor Homes or Campers</u> The participant continues to live in a motor home or camper when the intake process is completed. The following must be verified: o The family intends to reside permanently in California; o Sleeping, sanitary and eating facilities are available; o The family has permission to park the vehicle on the property and use the address to receive mail; and o Eligibility requirements are met. When those factors are verified and the living situation remains stable for 6 months, the case is transferred to the appropriate file. At the time of the next and each subsequent redetermination, the case must be reevaluated if the family is still living in a motor home/camper. If the family has not moved since the last evaluation, continues to meet the criteria listed above and there is

	no other high risk factor involved, the case is transferred to the appropriate file. • <u>Convicted Welfare Fraud Cases</u> When the participant who has been convicted of welfare fraud (including multiple aid cases) continues to receive aid and/or reapplies for aid on a legitimate case, the family's eligibility must be established based on the current situation. The participant must account for all monies fraudulently received and must complete and sign a PA 853 (out of drawer), Affidavit, listing the following: o Bank accounts; o Major personal property items purchased; o Real property items purchased; or o Statement that no purchases were made. The participant's explanation must be reasonable when compared to the amount of fraudulent funds received. If he/she is unable to give a reasonable explanation for the disposition of the fraudulent funds and also denies the funds are still in his/her possession, it is assumed that the funds were transferred with the intent to qualify for aid. The district Fraud Liaison with WFP&I must review the case for a period of ineligibility penalty. When the intake process is completed, the case is transferred to the "High Risk" file. The case remains in the high risk status until an evaluation by district management finds that the case can be returned to a regular approved file. This evaluation must be conducted every 6 months (via FAC), beginning 6 months after the case is received in the "High Risk" file. <u>Transfer Time Frames</u> The transfer of a case to the "High Risk" file must be done within the following time frames: • If the case is in intake, it is transferred within one working day of the completion of all approval actions;

	• If the case is in an approved file, it is transferred within one working day of the discovery of the high risk situation. <u>Review Requirements</u> The Eligibility Deputy District Director (DDD) assigned to the “High Risk” file must approve all case transfers before the case can be transferred (via the PA 1325.2). The Eligibility DDD must review cases in the “High Risk” file longer than 6 months. The purpose of this review is to ensure that the cases continue to meet the high risk criteria. The Eligibility DDD’s review and approval is noted on the PA 1325.2. <u>Home Calls</u> An unannounced home call must be made within 5 working days after a case is received in the “High Risk” file. At least one unannounced home call per quarter (via FAC) must be made on all high risk cases. Home calls are to be made between 8:00 a.m. and 5:00 p.m. on weekdays only. If the participant is not home, a second home call is scheduled by appointment. If the participant fails the second home call, the appropriate manual Notice of Action (NOA) is sent and the case is discontinued. <u>Verification</u> The “Case Comments” must be thoroughly documented. The PA 1325.2 is used by: • The case-carrying EW to annotate the date of discovery and factors involved in the high risk situation. • The Eligibility DDD to approve transfer of the case to the high risk file and review/approve the remaining cases over 6 months. • The “High Risk” EW to annotate activities, home calls, attempted home calls, findings and determination whether or not the case is to remain in the file. **NOTE:** The case must be designated/flagged as “High

	Risk.” See ***CW 40-157 Third Party ID*** for more information. See ***CW 42-100 Age*** for more information. See **Fraud Referrals – Initiate** for LEADER procedures. See **Intentional Program Violation (IPV)** for LEADER procedures. See ***CW 82-600 Condition of Eligibility/Cooperation/Sanctions*** for more information.

CW 40-107.5 - Right to a Fair Hearing	**<u>Does every applicant/participant have a right to enter a complaint?</u>** Yes, any applicant/participant has the right to enter a complaint regarding his/her eligibility. This complaint may be verbal/informal. The following action is taken upon receipt of a verbal/written complaint (document "Case Comments"): • If there is basis for the complaint, the EW must correct the error and notify the applicant/participant of the action. Most situations involve a verbal response, but if the grant changes, an appropriate Notice of Action (NOA) must be completed. • If the EW is unavailable (i.e., vacation, illness, etc.), the ES must answer the complaint promptly. • If the applicant/participant remains dissatisfied with the response, the EW must confer with the ES. The EW will then relay their joint decision to the applicant/participant. • If necessary, the EW will personally discuss the matter with the applicant/participant either by phone or in the district office. • If the applicant/participant remains dissatisfied, the EW and/or ES must discuss the case with the DDD. If necessary the DDD must confer with the person. • If no satisfaction is reached at this level, the DDD must review the matter with the District Director (DD) and ensure that the complete decision is relayed to the application/participant. • If at this point, the applicant/participant refuses to accept the decision, he/she must again be advised of his/her right to request a fair hearing.
CW 40-107.6 - CHDP	**<u>What is the CHDP program?</u>** The Child Health and Disability Prevention (CHDP) program provides preventive health services to Medi-Cal eligible children (birth to 21 years of age). The goal is to identify and treat potential health problems so they do not

	develop into disabilities. All applicants/participants must be informed of CHDP medical and dental services at every application and redetermination or upon request. **NOTE:** "Case Comments" must be documented to reflect the applicant's/participant's response for CHDP services.
CW 40-107.8 - WIC Referrals	**<u>When is an applicant/participant referred to the Women, Infants and Children (WIC) program?</u>** All pregnant applicants and participants must be referred to the WIC program with the PA 743 (out of drawer), WIC Referral, form. The cash value of supplemental food vouchers received from the WIC program is exempt for CalWORKs.
CW 40-109.2 - Tribal TANF Program	**<u>What is the Tribal TANF program?</u>** With the passage of welfare reform, federally recognized tribes were authorized to design and administer their own TANF programs. This was done in recognition that barriers to employment, including the lack of child care, transportation, education/work experience, may be magnified for Native American Indians (NAI). In Los Angeles County, the Torres-Martinez Consortium will provide services to needy NAI families.
	<u>What is the definition of an eligible Native American Indian (NAI) family?</u> An eligible NAI family is defined as: • Natural child(ren); or • Step-child(ren); or • Adopted child(ren); or • Relative child(ren) (including non-Indian); and • Under the age of 18 years; and • Living with an eligible NAI adult (member of or a descendant of a federally recognized tribe). An eligible NAI adult must meet one of the following to be eligible for Torres-Martinez Tribal TANF (TMTT): • Indian/non-Indian single parent with an eligible child(ren) or expecting; or

	• Indian/non-Indian two-parent family with an eligible child(ren); or • Indian needy or non-needy caretaker must be related by blood (no limit to the degree of the relationship). **NOTE:** The EW is not responsible for interviewing or determining eligibility for the TMTT program.
	How is the applicant/participant transitioned from CalWORKs to Torres-Martinez Tribal TANF (TMTT)? TMTT must be offered to applicants self-declaring as NAI. The applicant is provided with the PA 14 (out of drawer), Important Notice for Native American Indians. All applicants self-declaring as NAI complete the PA14, choosing TMTT or CalWORKs. Applicants choosing TMTT will be referred to a TMTT office to pursue their TMTT applications. The CalWORKs application process will continue pending a response from TMTT. Pending the determination of TMTT eligibility, if CalWORKs is: • Approved, the case must be centralized with a specialized EW. The TMTT office will notify the district's Tribal TANF liaison so that the approval date of TMTT and the CalWORKs discontinuance date can be coordinated to ensure there is no break in aid **and** to avoid duplicate aid. When aid is discontinued, a manual NOA (NOA Tribal TANF – T) must be completed. • Denied, the TMTT office must be notified of the action (denial/reason) via phone at (213) 382-7642. When aid is denied, a manual NOA (NOA Tribal TANF – D) must be completed. **NOTE:** Aid cannot be denied based solely on a referral to TMTT. Qualified NAI families who are currently receiving CalWORKs can choose to receive TMTT, but cannot receive cash aid from both programs simultaneously. **NOTE:** Individuals receiving TMTT are eligible for Food Stamps and/or Medi-Cal benefits. Participants

	who are not currently receiving Food Stamps/Medi-Cal may apply in any DPSS location or in a TMTT location where DPSS outreach staff is co-located.

	<u>Are all CalWORKs applicants referred to Torres-Martinez Tribal TANF (TMTT)?</u>
	
	After determining that the applicant wants to apply for CalWORKs, **<u>all</u>** applicants are to be asked if they are Native American Indian (NAI) or if there is a child of NAI origin in their family.
	
	The following action is taken when an intake packet is received from the Case Opening Clerk (COC):
	
	<u>Intake EW</u>
	
	• Ask each applicant if they are NAI or if there is a child of NAI origin in the family. If so, can they provide verification of their Indian status (verification of NAI status is not required by DPSS) to TMTT.
	
	• If no, continue with current intake process/procedures.
	
	• If yes, offer TMTT to applicant by providing him/her with the PA 14 (out of drawer), Important Notice for Native American Indians.
	
	<u>Applicants Who Choose TMTT</u>
	
	For all CalWORKs applicants who self-declared as NAI:
	
	• Obtain the applicant's choice in writing via the PA 14.
	
	• Call the appropriate TMTT field office and determine if the applicant is currently receiving TMTT:
	
	  o If receiving TMTT, deny CalWORKs and re-evaluate Food Stamps and Medi-Cal eligibility.
	  o **If not receiving TMTT, process applicant** per existing procedures.
	
	• Process application per existing procedures. If otherwise eligible, approve aid (do not hold in pending status waiting for TMTT response).

	• Refer applicants to the appropriate TMTT field office (listed on back of the PA 14). • Transfer case to a specialized approved file. **Reminder:** If aid is denied, notify the TMTT office**.** <u>Applicants Not Choosing TMTT</u> For NAI choosing CalWORKs, call the appropriate TMTT field office and determine if the applicant is currently receiving TMTT: • If receiving TMTT, deny CalWORKs and re-evaluate Food Stamp and Medi-Cal eligibility. • If not receiving TMTT, process application per existing procedures. • If an applicant declares that he/she has received cash aid from the Torres Martinez Tribal TANF (TMTT) consortium, staff must ask the district's TT liaison to contact the consortium to verify months on aid. The EW must enter the information in the Prior/Current Aid LEADER screen once the data is obtained. <u>TMTT Approved (CalWORKs Pending)</u> 1. Process denial per existing procedures. 2. Suppress NOA and manually prepare the NOA Tribal TANF – D. 3. Document **"**Case Comments**"** and transfer to the specialized file. <u>TMTT Approved (CalWORKs Approved)</u> 1. Coordinate termination date with TMTT. 2. Follow existing LEADER termination procedures. 3. Suppress NOA and manually prepare the NOA Tribal TANF – T.

	4. Document "Case Comments" and transfer to the specialized file.
	<u>If the participant requests TMTT and there is an existing CalWORKs sanction, will the sanction continue to apply?</u> No, CalWORKs sanctions will not be applied to families transitioning from CalWORKs to TMTT; conversely, TMTT sanctions will not be applied to families opting to receive CalWORKs.
	<u>Will the 60-month time limit be applied to the TMTT program?</u> The 60-month time limit applies to both CalWORKs and TMTT programs. See ***CW 42-302.5 Time Limits – Tribal TANF*** for more information.
CW 40-118.1 - Who Must be Included On the Statement of Facts (Filing Unit)	**<u>Who must be included in the on the SAWS 2 (Statement of Facts for Cash Aid, Food Stamps and Medi-Cal)?</u>** The SAWS 2 must include the following persons (mandatory inclusion) if living in the home: • An applicant child; • All children who are siblings or half-siblings of the applicant child; • The parents of any child listed above; • A pregnant woman, in a one-person AU; • The caretaker relative, step-parent and second parent of an SSI/SSP child when aid is requested; • The caretaker relative, step-parent and second parent of a child who is sanctioned by GAIN; • The senior parent; • The sponsor of an immigrant; • The spouse of persons mandatorily included; • The optional person(s), including an Alternative Sentenced Person (ASP), (when aid is requested); and **NOTE:** The biological relatives of a child are not required when the child has been relinquished for

	adoption **<u>or</u>** the child has not been adopted but parental rights have been terminated. See **Application – Select for Processing** for LEADER procedures. See **WA No. 1 – Statement of Facts – Non-English/Non-Spanish** for LEADER procedures.
	<u>If the applicant refuses to include a mandatory person, can aid be granted/authorized?</u> No, whenever the applicant/participant refuses to include any mandatory person on the SAWS 2 (at intake, redetermination or when adding a person) aid must be denied/discontinued. See ***CW 82-800 Assistance Unit*** for more information.
CW 40-119.3 - Adding a Person to the AU	**<u>When adding a person to the AU, what form is used?</u>** The applicant/participant must complete one of the following, when adding a person to the AU **before** aid can be granted: • A CA/CW 8A (LEADER generated), Statement of Facts to Add a Child Under 16 Years; or • A CA/CW 8 (LEADER generated), Statement of Facts for Additional Persons. See ***CW 44-317.1 - Beginning Date of Aid*** for more information. See **Add Individual – To A Case** for LEADER procedures.
CW 40-125.5 - Applicant Moves out of the County	**<u>When an application has applied in one county but moves to another county before eligibility has been established, which county is responsible?</u>** The first county must determine current eligibility. If eligibility exists, the first county must authorize aid. An inter-county transfer (ICT) is then initiated with the county in which the participant is making his/her home.
	<u>Before the first county can establish eligibility, the</u>

	applicant moves to a new county and is now requesting Homeless Assistance (HA). Which county is responsible? The first county must determine current eligibility. If eligibility exists, the first county must authorize aid (same as above) and the second county will issue HA benefits. The beginning date of aid is the date of the application in the first county. See ***CW 44-211.5 Homeless Assistance (HA) –General*** for more information.
CW 40-129.1 - Immediate Need (IN) – Definition	**What is an Immediate Need (IN) request?** IN provides an advance on a family's first CalWORKs check and/or allows families facing an eviction to get their first check in 3 working days. Emergent needs include lack of housing/food, pending eviction, utility shut off, transportation/clothing needs and other needs of importance to the family's immediate health and safety at the time of application.
	How can an EW recognize an emergency situation? An applicant may have an emergent need in any or all of the areas cited below: Food The amount of food on hand is not relevant. • The written/verbal statement of the applicant is sufficient. Housing When an applicant/participant is ineligible to HA, but is homeless (e.g., notified to vacate the premises, staying in temporary housing [community shelter, living with a friend/relative on a temporary basis]). • Receipt of written notice of an overdue house/rent payment or inability to pay rent does not qualify as an emergency for IN purposes.

	• The application must be processed immediately to avoid/prevent the situation from becoming an emergency. <u>Utility</u> The applicant has no utilities or has received a shut off notice. • Receipt of an overdue payment notice is not an emergency for IN purposes. • The application must be processed immediately to avoid/prevent the situation from becoming an emergency. <u>Other</u> The applicant specifies a need critical to health and safety (i.e., diapers, soap, sanitary supplies, etc.). • The application must be processed immediately to avoid/prevent the situation from becoming an emergency. <u>Medical</u> A medical problem alone is not an IN. A determination should be made to ascertain if an IN exists as references above.
	<u>Can an IN payment be issued if the family is not eligible to HA?</u> If the emergency situation is lack of housing, the family must be evaluated for HA. An IN cash payment is to be issued only if the homeless family is not eligible to HA or has other non-housing emergent needs. See ***CW 44-211.5 Homeless Assistance (HA) –General*** for more information. See **Homeless – CalWORKs** for LEADER procedures.
	<u>When can an IN payment for food be authorized?</u>

	An IN payment for food can be issued when: • The household has already exhausted its Food Stamp (FS) allotment; • The prorated FS allotment is insufficient to meet the food need; • The family is prevented from utilizing FS by its current living arrangements (e.g., the family is living in a motel which prohibits bringing food into the room and the family must purchase prepared meals nearby).
	When can an IN payment for transportation be authorized? An IN payment for transportation can be authorized when the applicant is unable to meet essential transportation needs such as those relating to food, medical care or a job interview, etc.
	If the emergency situation involves medical care, can an IN cash payment be authorized? When the emergency situation involves medical care (other than verification of pregnancy), the EW must expedite the CalWORKs eligibility determination and approve aid before issuing a Medi-Cal card. If the applicant is pregnant she must receive a district issued Medi-Cal card as soon as eligibility is approved (these applicants may receive emergent medical treatment at the County Department of Health Services' hospitals/clinics). Unlike an IN cash issuance, a Medi-Cal card cannot be issued based on apparent CalWORKs eligibility. A medical care need may be met with an IN cash payment of $200 or the prorated grant amount, whichever is less if the applicant is apparently eligible, but eligibility cannot be established within the IN time frames. In addition, the EW must expedite the eligibility determination if the emergency situation involves other needs of importance to the family's immediate health and safety.
	If the liquid resource is less than $100, can an IN

	payment be issued? Yes, if the applicant's liquid resources are less than $100, he/she is eligible to an IN payment unless: • The emergency situation involves transportation, the liquid resources must be less than the cost of the emergency; or • The emergency situation is pending eviction, the liquid resources together with income must be less than the rent owed.
	What is a liquid resource? Liquid resources are items of value (cash on hand, uncashed checks, money orders, savings/checking accounts) that can be converted to cash in time to meet the family's emergent need. A liquid resource does not include cash surrender value of insurance policies, trust funds, household items/furnishings, automobiles or real property.
CW 40-129.2 – Eligibility for Immediate Need	**When does eligibility for IN exist?** IN exists when the applicant: • Is apparently eligible for CalWORKs; • Has an emergent need which cannot be met by the issuance of food stamps, HA (homeless assistance) or by a referral to a community resource; • Has less than $100 in liquid resources unless the emergent need is for transportation or pending eviction; • Has complied all technical conditions of CalWORKs (e.g.., UIB, DIB, Work Registration, etc.) and has cooperated with the District Attorney. • Has provided an SSN or provided proof of an SSN application (unless there is good cause); and • Has cooperated with the Child Support Services Department (CSSD) requirements (unless there is good cause). LEADER determines IN eligibility and payment amount when IN is indicated on the SAWS1 (LEADER generated), Cover Sheet and Application for Cash Aid, Food Stamps and Medi-Cal.

	<u>What is "apparent" eligibility?</u> Apparent eligibility is when the information on the SAWS 2 and other information available indicate that the applicant would be eligible for aid if the information were verified. The applicant **<u>is not</u>** apparently eligible when: • A non-citizen applicant does not provide verification of his/her eligible alien status. • A woman with no eligible children does not provide medical verification of pregnancy. See ***CW 42-400 Residence*** for more information. See ***CW 44-211.6 Pregnancy Special Need (PSN) – Payment*** for more information.
	<u>When determining IN what is considered a "technical condition?"</u> CalWORKs and IN processing continues pending the applicant's verification of his/her completion of the following technical conditions of eligibility: • Social security enumeration (verification of SSN application or the card). • Application for unconditionally available income (e.g., DIB, UIB, etc.). • Work registration of the principal earner. • Cooperation (unless good cause exists) with the Child Support Services Department (CSSD). See ***CW 40-105.2– SSN Requirements*** for more information. See ***CW 82-610 Definition/Sources of Available Income*** for more information. See ***CW 44-317.1 Technical Conditions of Eligibility*** for more information.

	See ***CW 82-500 Child Support Enforcement Program*** for more information.
	How is the IN payment calculated? The IN payment is the grant amount or $200 (whichever is less). LEADER calculates (Special Payments) in amounts up to $200 or will generate the initial grant amount if all required verification has been received/entered onto the system.
	Can an IN payment be issued to members of the AU if he/she has not met all the conditions of eligibility? When some members of the AU have not met all the conditions of eligibility for an IN payments, the amount of the IN payment can only be issued to those members who have complied.
	When the case has been authorized/approved, is the IN payment deducted from the grant? When the CalWORKs eligibility has been completed and the case is authorized/approved, the amount of the grant is computed minus any IN payment issued for that month. **NOTE:** If the IN payment is incorrectly computed resulting in an overpayment, follow existing overpayment procedures. However, if an IN payment is issued and aid is denied, the IN payment is not considered an overpayment.
	Can an ongoing participant apply for an IN payment? No, only an applicant has the right to apply for an IN payment at any time during the intake process. **NOTE:** If the applicant declares an emergency situation after the SAWS 1 (LEADER generated), Cover Sheet and Application for Cash Aid, Food Stamps and Medi-Cal, form has been completed; the request for an IN must be made via a CW 4 Immediate Need Request.
	Can an applicant receive a second IN payment?

	Until LEADER programming is in place, IN payment requests after the SAWS 1(LEADER generated), Cover Sheet and Application for Cash Aid, Food Stamps and Medi-Cal, has been printed, the second month IN payment request must be issued manually via the auxiliary issuance process. An applicant family is eligible for a second IN payment when: • A second request is made; • The family continues to be apparently eligible for CalWORKs; • The eligibility determination has not yet been completed and the grant has not been issued; • The emergent need continues or there is a new emergent need, and • The IN payment issued in the previous month was approved for an amount less than $200. The combined amount of the IN payments cannot exceed $200. **EXAMPLE** A family receives an IN payment of $110 in September. In October, the family requests and is determined eligible for a second IN payment. The second IN payment for October cannot exceed $90.
CW 40-129.5 – Timeframe	**What is the timeframe for processing an IN payment?** A determination of eligibility for an IN payment shall be made no later than the next working day following receipt of the request. However, payment should be issued no later than the third working day if the eligibility determination cannot be completed.
	How is the applicant informed when the IN request has been approved/denied?

	Until LEADER programming is in place, the EW must complete manual approval/denial Notices of Action (NOAs) in the appropriate threshold language. See **NOAs – Completion** for LEADER procedures.
	What is the timeframe for authorizing/approving the case when an IN payment has been made? When an IN payment has been issued, the case must be authorized/approved within 15 working days from the date of receipt of the IN request. This also applies when the IN request was denied when the need was met by Food Stamps or HA.
CW 40-129.6 – Community Resource	**Can an applicant be referred to a community resource if he/she does not have transportation?** The applicant must not be referred to a public program or private resource when travel will create another emergency situation.
CW 40-129.7 – Right to Choose	**Can an applicant who is facing an eviction choose to have their CalWORKs authorized/approved instead of an IN payment?** Applicants facing an eviction may choose to have their case authorized/approved and receive their first check within 3 days instead of an IN payment. The applicant must be informed of the information and verification needed to determine eligibility before he/she chooses the payment. If the applicant chooses to have the grant expedited, the CA/CW 43, Applicant Choice Form Immediate Need Payment/Expedited Grant (LEADER generated) must be completed within 3 working days from the date of the IN request. An IN payment must be issued no later than the third working day if the eligibility determination cannot be completed.
CW 40-157 - Third Party ID	**What information establishes the applicant's identity?** The applicant must provide "third party" documentation to

	establish his/her identity. Documentation must be an unaltered original with the applicant's name and current address. Failure to provide any one of the following documentation will not result in a denial of benefits but should alert the EW that further inquiry may be necessary: • Valid California Driver's License; • Valid Department of Motor Vehicles Identification Card or Automobile Registration Card; • Matricular Consular/Foreign Consulate Identification Card; • Identification Card with a photo issued by a current employer or by a recognized public or private social services agency; • Military documents (discharge papers, veteran's benefit award letter, etc.); • Federal/State/local non-public assistance papers (tax returns, property tax statement, Social Security award letter, etc.); or • An envelope addressed to the applicant with a "postmark" dated prior to the application date. If any one of the above is not available, any two of the following documentation is acceptable so long as the two are of different types: • Rent receipt with landlord's/manager's signature and telephone number. This may be used only if the EW verifies the authenticity of the receipt with the landlord/manager (the applicant's written authorization to contact the landlord must be obtained prior to the contact); • Bill for medical/dental treatment or utilities; • Bank statement; • Bills/statements for credit cards; or • Indian Tribal Enrollment Card/Certificate. See ***CW 40-157 – ID Cards Issued by Foreign Countries*** for more information.
	When the applicant's identity cannot be documented, can an affidavit be used? When an applicant does not have documentation, a PA

	853 (out of drawer), Affidavit, from a “third party” (i.e., relative, neighbor, friend) who can identify the participant may be accepted as interim documentation. The person completing the PA 853 must present identification to the EW to establish his/her identity and indicate on the PA 853 the reason he/she knows the applicant to be the person represented. The EW must record on the lower right corner of the PA 853 a description of the “third party’s” identification. When “third party” documentation is unavailable, the applicant is required to complete a PA 853 with the following information: • Why documentation is not available; and • When documentation will be available. **NOTE:** If the applicant is still unable to provide acceptable documentation and the case has been approved/authorized, the case is to be transferred to the High Risk EW.
	<u>Can identification (ID) cards issued by other countries be used to prove legal immigration status?</u> No, the ID cards issued by other countries cannot be used as proof of legal residency or to extend benefits to otherwise ineligible non-citizens. The ID cards can be accepted at intake or redetermination as a valid form of identification from individuals who have no other acceptable form of identification, such as, a Drivers License. The cards are state-of-the-art with safeguards to prevent counterfeiting. The following cards bears a photograph of the person, name, place of birth/date of birth, address, issuance date, expiration date and serial number: <u>Matricula Consular Card</u> • Issued to residents of Mexico living abroad to prove Mexican citizenship. <u>Argentine Foreign Consulate Identification Card (FCIC)</u>

	• Issued by the Consul General of the Argentine Republic to residents of Argentine living abroad. **NOTE:** The individual's address on the card may differ from his/her present address, as the Mexican Consulate does not require reporting address changes.
CW 40-161 - Home Visit	**<u>When is a home call (visit) required?</u>** Although, the CalWORKs Home Interview Program (HIP) conducts home interviews for potentially eligible CalWORKs applicants to assess the family's needs for services, routine home calls by the case carrying EW is not a requirement unless approved by the DDD. Home calls must be made in the following situations: <u>Intake</u> • Living arrangements or other factors affecting eligibility cannot be satisfactorily determined without a home call. • Rare and extreme circumstances (i.e., the applicant is too disabled to come to the district office, has no phone and the issue is too complex or urgent for written correspondence). **NOTE:** This applies to incoming Inter-County Transfers (ICTs) or when adding a person to the AU. <u>Approved</u> • The participant's eligibility is questionable and cannot be determined without a home call. • The case record is considered lost and documents are needed to reconstruct the case. • Appeals and State Hearing (ASH) Section requests a home call as the result of a State Hearing request or decision. • The EW needs an urgent face-to-face interview and the caretaker or aided child(ren) is ill and cannot come to the district office for an interview. • The EW needs an urgent face-to-face interview with a mobility-impaired handicapped participant and the district office has not been modified to accommodate

	such a participant. • A redetermination interview in rare and extreme situations (i.e., the participant is too disabled to come to the district office, has no phone and the issue is too complex or urgent for written correspondence). • Prior to authorizing a non-recurring special need (home call is not needed prior to authorizing Homeless Assistance [HA]). • The case is designated as a high risk.
	Is the EW required to make arrangements prior to the home call? Except in certain high risk situations, all applicants/ participants are to be notified in advance of home calls whenever possible. The EW uses the PA 2322 (LEADER generated), Forms/Documents Needed, to schedule home calls by handing the form to the applicant/participant during a district office visit/interview or by mailing the form. If the EW cannot keep the home call appointment, the applicant/participant is notified in advance and another home call is scheduled. If in an emergency situation there is no time to reschedule the home call, another EW completes the home call as originally scheduled. If the PA 2322 is returned as undeliverable or the applicant/participant is not home for the scheduled home call, the EW must take the appropriate negative action via a timely Notice of Action (NOA). See **WA No. 22 CalWORKs Homecall Program** for LEADER procedures.

CW 40-173 - Notice of Action	**<u>When is a Notice of Action (NOA) required?</u>** The applicant/participant must be provided with an adequate and timely (10-day) Notice of Action (NOA). A NOA must be provided: • When aid is approved; • When aid is decreased; • When aid is increased (i.e., supplemental/increase); or • When aid is denied/discontinued. See **NOAs – Completion** for LEADER procedures.
	<u>When the applicant's/participant's primary language is designated as non-English/non-Spanish, can a English NOA be generated?</u> No, when the primary language is designated as a threshold language, a manual NOA must always occur for non-English/non-Spanish cases. **NOTE:** The threshold languages are English, Spanish, Armenian, Cambodian, Chinese, Korean, Russian, Vietnamese and Tagalog. See **NOAs – Completion** for LEADER procedures.
CW 40-181 – Continuing Activities & Determination of Eligibility	**<u>Is the EW required to provide the applicant/participant with information obtained through IEVS?</u>** At intake and at each redetermination, all applicants/participants must be informed (both verbally and written) about the information that is available through the Income and Eligibility Verification System (IEVS). For complete IEVS notification requirements refer to DPSS Operations Handbook (Section 20-006). See **WA No. 46 IEVS Termination – CW, FS, & MC** for LEADER procedures.
	<u>How is an applicant/participant notified about the QR 7 requirements?</u>

	During the intake and redetermination process, the EW must ensure that each applicant/participant understands their responsibility for reporting all income, changes in residence, property and household composition on the QR 7. See **CW/QR-7 Completeness Criteria** for LEADER procedures. See **OPS 23-110 Quarterly Reporting** for more information. See **OPS 23-111 QR 7 Processing** for more information.
	<u>Can a participant claim good cause for not meeting the QR 7 reporting requirements?</u> Yes, a participant may have good cause for not meeting the QR 7 requirements. Good cause exists only when the participant cannot reasonably be expected to fulfill his/her reporting responsibilities due to factors beyond his/her control. The parent/caretaker relative must request (written or verbal) a good cause exemption. When the participant has good cause for not reporting timely, the aid/grant must be rescinded. Good cause exists in only the following situations: • When the participant is suffering from a mental/physical condition that prevents timely/complete reporting. • When the participant failed to submit a timely/complete report directly connected to an error caused by the county. • When the county finds other extenuating circumstances. **NOTE:** The must enter/document the outcome of the good cause determination "Case Comments".
	<u>When is a QR 7 considered complete?</u> The QR 7 is complete when the information written on the form and/or the evidence/proof submitted with the QR 7 or to the EW is sufficient to determine eligibility and the grant amount. Basically, the QR 7 is complete when:

	• All questions are answered; • All required evidence/proof is attached; and • It is dated no earlier than the first of the report month. This does not apply when: o The first day of the report month falls on a non-postal delivery day; o The QR 7 is mailed by the county for delivery on the last postal delivery day of the budget month; and o The participant signs and dates the QR 7 on or before the last day of the budget month. See **CW/QR-7 Completeness Criteria** for LEADER procedure.
CW 40-183.4 Intra-Program Status Change	**How is a Medi-Cal segment processed once CalWORKs has been terminated?** When CalWORKs is terminated, LEADER is programmed to make a Medi-Cal Section 1931(b) eligibility determination to see if the household continues to be eligible under Section 1931(b) only. If not, LEADER evaluates the family/individuals for all other Medi-Cal Programs.
	What is Section 1931(b)? Section 1931(b) Medi-Cal is a deprivation program. As a result, those persons who do not meet deprivation requirements are not eligible to receive benefits under Section 1931(b). The Section 1931(b) has two components: • Cash-based Section 1931(b), which is received by participants of CalWORKs; and • Section 1931(b) Medi-Cal only. Persons being evaluated for Section 1931(b) Medi-Cal only must meet all other program requirements, including,

	but not limited to deprivation, residency, age, etc. All families terminated from CalWORKs and all new Medi-Cal applicants must first be evaluated for eligibility to Section 1931(b).
	<u>What is the time frame before a terminated CalWORKs case can be transferred to a Medi-Cal Eligibility Worker (EW)?</u> When a CalWORKs case is terminated, the CalWORKs EW must hold the Medi-Cal approved segment for 30 days (one calendar month) to allow for the possibility of the rescission of the case. After the 30 days, if the participant does not reapply or the CalWORKs termination is not rescinded, the EW must transfer the active Medi-Cal segment to a Medi-Cal EW. **For example**: CalWORKs case is terminated 1/31/05, the EW will hold the case until March 1, 2005. If the participant has not reapplied or the CalWORKs case has not been rescinded, the Medi-Cal segment must now be transferred to a Medi-Cal EW and the terminated CalWORKs case must be transferred to FKI. When transferring the Medi-Cal segment to a Medi-Cal EW, the CalWORKs EW will create a mini-case which should include copies of the following documents: • Identification, • Income verification, • Property verification, and • The PA-481, Primary Language Designation Form. Documentation is needed in the event of a State Quality Control Audit. **NOTE:** Under no circumstances should the CalWORKs EW terminate the Medi-Cal segment solely to dispose of the case.
CW 40-187 - Inter-County Transfer (ICT)	**<u>When does the ICT transfer period begin?</u>** For both incoming and outgoing ICTs, the 30 day transfer period:

	• Begins - with the postmarked date on the envelope; and • Ends – no later than the first day of the month following 30 calendar days after the ICT notification is sent to the new county. **NOTE:** For outgoing ICTs, the envelope containing the CW 215, Notification of Inter-County Transfer, must be hand-carried and stamped by the mailroom clerk. *When the 30th day falls on a Saturday, Sunday or a legal holiday, the first business day following the weekend or holiday is considered to be the last day of the 30-day transfer period. See ***CW 44-317.3 Aid Payment ICT*** for more information. See **Inter-County Transfers – Incoming** and **Inter-County Tranfer – Outgoing**for LEADER procedures.
	Should ICTs be assigned to designated/specialized staff? Yes, district specialized ICT staff are responsible for processing all case transfers between counties. All incoming and outgoing transfer cases should be assigned to one eligibility unit in each district office. However, at the District Director's (DD) discretion, incoming cases may be assigned to an intake unit or to an approved unit if that arrangement assures optimum ICT processing.
	What action is taken when a participant reports moving from L.A. County to another county? When a participant moves to make his/her home in another county, the case is **immediately** hand-carried and transferred to the designated ICT ES. Within one workday, the specialized ICT EW must initiate the CW 215, (LEADER generated) Notification of Inter-County Transfer, to the new county of residence **and** inform the participant in writing (via the Important Reminder form) of his/her responsibility to immediately apply for a redetermination of eligibility in his/her new county to avoid a break in aid.

	What case documentation is provided to the receiving county? First step - The ICT EW has **one workday** to process and mail the CW 215 (LEADER generated) Notification of Inter-County Transfer, to the new county. Second step – The ICT EW has **seven working days** from the date of the CW 215 to provide the new county with copies of the following case documentation: • CA/CW 1 or SAWS 1 (LEADER generated), Cover Sheet and Application for Cash Aid, Food Stamps and Medi-Cal; • GAIN/Welfare-to-Work plan; • Time limit information (WDTIP printout and Time Clock Inquiry Screen); • Medical verification of disability (if applicable); • Verification of the AU's MAP exempt status; • Maximum Family Grant (MFG) informing notice or other documentation verifying that MFG informing requirements have been met; See ***CW 44-314.1 Maximum Family Grant (MFG) - Definition*** for more information. • Verification of age-appropriate immunization; • Copies of any documents supporting the eligibility determination; • IEVS Applicant System abstract/printout; and • Notices of Action (NOA) for current or future overpayment/overissuance collection.
	How are ICTs handled when the case is in a High Risk file? With the exception of moves to South Lake Tahoe or a

	battered women's shelter, whenever a participant reports a new address (outside of L.A. County) as a post office box or general delivery, the ICT EW is responsible for contacting the new county to determine whether the address is acceptable for transfer purposes.
	When is the outgoing ICT case discontinued? For CalWORKs, the ICT case must be discontinued at the end of the transfer period. Cases not discontinued at the end of the transfer period may result in an overpayment (or duplicate aid) and cause a disruption in services and benefits to the participant. See **Inter-County Transfer – Outgoing** for LEADER procedures.
	Who receives the CW 215 with case documentation when a participant moves from one county to L. A. County? The Central Help Line/Customer Relations Section receives the ICT information from other counties and is responsible for: • Forwarding the CW 215 (LEADER generated), Notification of Inter-County Transfer, and/or case documentation with the postmarked envelope attached to the material to the district office in which the participant resides; and • Receiving calls from other counties regarding ICTs and referring the caller to the appropriate district office. **NOTE:** If another county calls about an overpayment on a closed case (but active in another county) refer the call to the Repayment Unit in the General Services Division, Special Operations Section.
	What action is taken when the district receives the "Important Reminder Notice" from a participant? When an applicant provides the ICT reminder notice (Important Reminder Notice) from another county the process is as follows:

	ICT Intake EW receives the packet from the Case Opening Clerk (COC) and is responsible for reviewing all incoming ICTs for continuing eligibility (based on continuing/approved criteria), including time limits. When a CW 215, Notification of Inter-County Transfer, and packet (case documentation) is received prior to the applicant applying in the district office, an appointment letter must be mailed to the participant. The appointment letter must include the address and telephone number of the participant's new district office, the date and time of the appointment and inform the participant that the appointment may be rescheduled, if needed. The appointment letter may be used to request additional forms/information needed to complete the eligibility process. Aid cannot be denied/discontinued if the participant fails to keep the first appointment during the transfer period. The EW is responsible for using existing procedures, information contained in the ICT packet and the IEVS Applicant System (refer to DPSS Operations Handbook Section 20-006A) to determine eligibility and grant amounts. When necessary, the prior county may be contacted to clarify facts and/or request additional documentation that are not included in the ICT packet. The participant must be required to complete a new application to provide information of his/her new circumstances. However, the participant is not to be treated as a "new" applicant, especially in areas of income, property limits and restricted accounts. Failure to treat the ICT participant as a continuing/approved participant could result in an inappropriate denial of CalWORKs benefits. See **Inter-County Transfers – Incoming** for LEADER procedures.
	What action is taken when the incoming ICT has not been processed timely? The aid payment for the first month following the ICT transfer may not be reduced or stopped without a timely NOA.

	If eligibility and the correct grant amount have not been determined for the participant who applies after the NOA deadline, aid cannot be delayed. The cash aid must be paid on the first of the month following the ICT month.
	What action is taken when a participant moves to another County during the transfer period? When a participant moves to a new county during the transfer period, the second county must deny the ICT. The second county must notify (in writing) the first county, to forward the case documentation to the new county. A second ICT reminder notice (Important Reminder) is required because the notice does not contain a section that advises the participant of a denial/non-acceptance of the ICT. In addition, a new CW 215, Notification of Inter-County Transfer, and transfer period will start from the first county to the new county. However, if the new county agrees, the original date of transfer may be used. If the receiving county does not agree to the shorter transfer, a new transfer period must be established.
	What action is taken when the participant is receiving Aid Paid Pending (APP) and moves to a new county? When a participant is receiving APP and moves to another county, the first county is to initiate the ICT to the second county as is required with any other outgoing case. The second county is required to accept the transfer and assume responsibility for the continued APP payments at the level established by the first county until a change is initiated in the same manner as for any other participant in the second county. The first county must include information about the APP status of the case when submitting back-up material to the second county and promptly notifying the second county when the outcome of the Fair Hearing (FH) is known.
	What action is taken when changes occur that impact the aid payment? The aid payment is to be continuous and uninterrupted, without new eligibility determination being made by the second county. However, any new circumstances

	discovered by the second county affecting the aid payment require an appropriate NOA to be sent by the second county to the participant. If the participant appeals this new action, the county may pay the new amount of APP for which the participant qualifies.
	What action is taken when retroactive aid must be paid? The second county is responsible for paying aid only subsequent to expiration of the transfer period. Therefore, if a participant's aid has been transferred to the second county and an order for retroactive aid results from the Fair Hearing (FH) for a period of time prior to or during the transfer period, the first county is fiscally responsible to make the ordered payments. Upon receipt of notification from the second county, the first county must issue supplement payments for the retroactive aid and notifies the second county when the payment has been made. See **Auxiliary Issuance – Review/Authorize/Remove Benefit** for LEADER procedures.
	What action is taken when a Medically Needy participant moves to another county and requests assistance from CalWORKs? If during an ICT, the case status is changed from medically needy to CalWORKs, the new county is responsible for taking/processing a new application and determining eligibility (follow regular beginning date of aid rules).
	How is a dispute between counties resolved? Inter-county disputes that arise because the other county refuses to accept a valid ICT or difficult/exceptional problems are to be resolved by District Administration. If the problem cannot be resolved, the district administrator should contact the Central Help Line/Customer Relations Section for the name of the ICT Coordinator in L.A. County and for the name and phone number of the

	coordinator in the second county. A letter, signed by the director of the CWD, shall be sent in triplicate to DSS. The county shall also send copies of documents, correspondence, etc., which are pertinent to a determination of county responsibility and a summary of its contention in the dispute. The decision of DSS shall be final. DSS will make any claim adjustments, which are indicated, based on a determination of county responsibility.

CW 41-400 DEPRIVATION

CW 41-400 – Deprivation	**<u>Is deprivation a factor when determining eligibility for CalWORKs?</u>** Yes, deprivation of parental support or care is an eligibility factor. LEADER determines if deprivation exists before cash aid is authorized.
CW 41-401 –Deprivation Factors	**<u>What are the deprivation factors?</u>** Either parent must be: • Deceased; • Incapacitated (mental/physical); See **Disability Determination** for LEADER procedures. • Unemployed; or • Continually absent from the home. See **Absent/Unmarried Parent Screens – Completion** for LEADER procedures. See ***CW 82-500 Child Support Enforcement Program*** for more information.
	<u>Does deprivation exist when a parent is on family leave?</u> No, family leave is not a deprivation factor.
CW 41-420 -Death/Evidence	**<u>What documentation is required when deprivation is based on death?</u>** The following documents can be used to verify the death of either parent: • Death certificate; • Award letter (Social Security Administration based on the parent's death); • Newspaper clipping/funeral card or other reliable documentation. **NOTE:** As interim, a PA 853 (out of drawer), Affidavit, from a person other than the

	applicant/participant may be used until receipt of verification (i.e., PA 230 [out of drawer], Request for Verification/ Certification of Evidence, etc.).
CW 41-430 - Incapacity	**What conditions must be met before deprivation is based on incapacity?** Deprivation is based on incapacity when either parent in the home has a physical or mental illness and all of the following are met: 1. The physical or mental illness substantially reduces or eliminates the parent's ability to support or care for an otherwise eligible child because of the parent's incapacity; and **NOTE:** The parent's ability to care for the child involves the ability to provide a safe home environment, prepare meals, keep child(ren) properly clothed and provide supervision. 2. The parent's incapacity is expected to last at least 30 days; and 3. The incapacity is documented by acceptable medical evidence. See **Disability Determination** for LEADER procedures.
	What evidence documents the parent's incapacity? Incapacity is documented by: • A finding of eligibility for OASDI, SSI/SSP, worker's compensation or SDI benefits based on parent's disability (physical/mental) or blindness. • CA/CW 61 (out of drawer), Medical Report. As interim (up to a maximum of 60 days), a verbal statement from a physician, licensed or certified psychologist or an authorized staff member with access to the medical records can be obtained. All of the following must be documented and recorded in "Case Comments":

	• Name of EW and date verification was obtained; • Person's name who supplied information; • Description of the illness and to what extent it prevents him/her working or caring for the child(ren); • Expected duration of illness/disability and the date of the next examination/appointment; • Doctor's name, address and phone number. See **Disability Determination** for LEADER procedures.
CW 41-440 - Unemployment	**<u>What are the unemployment requirements?</u>** An unemployed parent (AU or Non-AU member) who is the principle earner (PE) and is: • Not employed; or • Employed less than 100 hours during the four-week period prior to applying for CalWORKs. **NOTE:** Any hours spent working (as an employee or self-employed) to acquire earned income, whether or not the individual receives the income, is counted toward the 100 hour limit.
	<u>Who is the Principle Earner (PE)?</u> Only the PE can establish deprivation based on unemployment. The PE is the parent who earned the most in the 24 months before: • The date of application; or • The month the case is transferred to a U file (i.e., parent returns to the home or parent is no longer incapacitated).
	<u>How is the four-week period calculated when determining if the PE has been employed less than 100 hours?</u> • Count back four weeks from the date of application or the date of the transfer from another basis of deprivation to CalWORKs-U deprivation (do not count the date of application or transfer).

	• The four-week period must end the day prior to the date of eligibility based on unemployment. • If the first four-week period does not contain less than 100 hours worked, continue to move both the four week period and the date of eligibility forward by day, until there are less than 100 hours worked during the new four-week period. **<u>EXAMPLE</u>** An applicant PE was laid off on April 13. He/she worked 40 hours in April and 40 hours per week in March. The family applied on April 14. The original four-week period would be from March 16 through April 13. Since the PE worked 120 hours during this four-week period, a new four-week period would need to be identified. • March 16 through April 13 = 120 hrs • March 17 through April 14 = 112 hrs • March 18 through April 15 = 104 hrs • March 19 through April 16 = 96 hrs The first four-week period in which the PE worked less than 100 hours would be from March 19 through April 16. Unemployment deprivation is established effective April 17. Beginning date of aid for this family will be April 17 (if otherwise eligible).
	<u>What evidence documents unemployment?</u> Unemployment is documented by: • The SAWS 2 (LEADER generated), Statement of Facts for Cash Aid, Food Stamps and Medi-Cal, or the PA 751 (LEADER generated), Documentation of CalWORKs Principle Earner, documents the PE. • The PA 1672 (LEADER generated), Request for Employment, or pay stubs documents the number of hours of employment/earnings/training record. As interim, a statement from current/previous employers can be recorded in “Case

	Comments" pending written verification (PA 1672 must be signed by the applicant/participant before contacting employer). • A statement from EDD, actual check, etc., documents the application/receipt of UIB. As interim, a PA 853.2 (LEADER generated), UIB/DIB Affidavit, can be used until documentation is received from EDD (record in "Case Comments").
	When deprivation changes to unemployment for an ongoing case and the PE is working in excess of 100 hours, would the family continue to be eligible under the 100-hour rule exemption? No, when the deprivation changes to unemployment, the family is treated as an applicant family and must meet the "not worked more than 100-hours in the preceding four-weeks" rule.
	Is the PE considered employed if he/she is participating in an on-the-job training (OJT) program? Yes, applicants who are participating in OJT or work-training activity in which the parent is paid a wage is considered employed for purposes of determining deprivation.
	When the unemployed PE becomes employed more than 100 hours a month, can the AU continue to receive cash aid? The entire AU is eligible for cash aid regardless of the number of hours the PE works, provided the family does not exceed the net income limit. See **Income – Earned** for LEADER procedures.

	<u>Who is the PE when both parents have the same earnings in the 24 month period?</u> If both parents have identical amount of income or if neither parent has work history, designation of the PE must be self-declaration.
	<u>Can the PE refuse to accept/apply for UIB?</u> The PE, who is apparently eligible for UIB (worked in a job covered by the Unemployment Insurance Compensation Law in the 18 months prior to application) must apply and accept any UIB to which he/she is entitled. Failure to do so deprives the family of "unemployment" deprivation and those family members whose deprivation is based on unemployment of the PE are ineligible. See **Income – Unearned** for LEADER procedures. See ***CW 82-610 Definition/Sources of Available Income*** for more information.
	<u>Can the family receive cash aid if the PE is participating in a strike?</u> No, the PE is not considered to be unemployed when he/she is participating in a strike. Stoppage or slowing of work by employees in good faith shall not be considered a strike or participation in a strike when a lockout has occurred or when the action was necessitated by an imminent health and safety hazard or abnormally dangerous working condition at the place of employment as determined by Division of Occupational Safety and Health. See ***CW 82-832 – Excluded Persons*** for more information. See ***CW 44-206.2 Striker*** for more information.
	<u>How is deprivation determined, when both parents are in the home and one parent is employed full-time?</u> Deprivation does not exist if the PE parent is employed full-time.

CW 41-450 - Absence	**What is the definition of continued absence?** Continued absence exists when the parent: • Is physically absent from the home; and • The absence results in an interruption/termination of the parent's care/control for the child, regardless of the reason/length of the time the parent has been absent. Continued absence does not exist when: • One parent is physically absent from the home on a temporary basis (i.e., visits, trips/temporary assignments in connection with current/prospective employment). Refer to ***CW 82-800 Assistance Unit (AU)*** for details. • A parent is absent for the sole reason of performing active duty in the uniformed services of the United States. See **Absent/Unmarried Parent Screens – Completion** for LEADER procedures. See ***CW 82-500 Child Support Enforcement Program*** for more information.
	Can deprivation be established when the parent is recalled to active military duty? No, for an applicant family, the absence of the parent due solely to military duty is not a basis for deprivation (active military duty is not a basis for deprivation). However, the family may be eligible if the other parent is deceased, physically or mentally incapacitated, the PE is unemployed or continually absent from the home.
	If the parent is absent from the home, what factors are considered when determining continued absence? The following factors may be considered but are not limited to: • Does the parent provide day-to-day

	care/control of the child? • Do the parents maintain separate homes? • Do the parents have separate mailing addresses? • Do the parents have access to each other's income and/or resources? • Is the parent absent due to hospitalization, attendance at school, visiting, vacationing, or moving or trips made in connection with current/prospective employment? **NOTE:** Other similar factors may also be considered.
	<u>Is a parent considered absent if he/she is incarcerated or deported?</u> Yes, continued absence exists if the parent: • Is not legally able to return to the home because he/she is incarcerated, or • Has been deported, or • Has voluntarily left the country because of the threat of, or the knowledge that he/she is subject to deportation. See **Absent/Unmarried Parent Screens - Completion** for LEADER procedures.
	<u>What evidence documents continued absence?</u> Continued absence is documented by: • The statement on the SAWS 2 (LEADER generated), Statement of Facts for Cash Aid, Food Stamps and Medi-Cal, of the parent/caretaker separation (absence) status. • For each absent parent, complete a child support referral and submit to the Child Support Services Department (CSSD) staff co-located in the district office. • Absent Parent screens must be completed during the initial Intake Interview for each absent parent and when new children (including newborns) are added to the case. See **Absent/Unmarried Parent Screens – Completion** for LEADER procedures.

	See ***CW 82-500 Child Support Enforcement Program*** for more information.

CW 42-100 AGE

CW 42-101 - Age Requirement	**<u>Up to what age can a child be aided for CalWORKs?</u>** A child meets the age requirement for CalWORKs eligibility until his/her 18th birthday. A child 18 years of age may continue to be eligible if the requirements in Section 42.101.2 are met.
CW 42-101.2 – Age Requirement	**<u>When a child 18 years of age has not graduated from high school, can he/she receive cash aid?</u>** A child 18 years of age is eligible only if he/she is a: • Full-time student (as defined by the school/program) in high school, or in a vocational or technical training program, and is expected to graduate/complete the training program before reaching age 19; or • Full-time student (as defined by the school/program) in high school, or in a vocational or technical training program, and is not expected to graduate/complete the training program before reaching age 19 due to a disability. As LEADER automatically terminates cash aid for a child upon turning 18 years of age, to continue to aid a child, Eligibility Workers must ensure that the child's disability or expected graduation date is recorded in the School Information screen.
	<u>How is a child 18 years of age, attending school full-time, identified as disabled?</u> To be considered disabled, an eligible 18 year old must: • Receive or have in the past received SSI/SSP benefits; or • Receive or in the past received services through a Regional Center Program pursuant to the Lanterman Act; or • Receive or have in the past received

	services at school in accordance with his/her Individual Education Plan (IEP) or Section 504 Accommodation Plan; or • Provide verification of a current or past disability by a health care provider or a trained, qualified learning disabilities evaluation professional, or authorizes the county to obtain information to verify the child's disability. The otherwise eligible 18 year old who attends school full-time and is considered disabled under the above-mentioned criteria shall continue to be eligible for CalWORKs benefits until they graduate, turn 19 or stop attending school full-time, whichever occurs first.
	What verification is required when the child is 18 years of age and has not graduated from high school? If the child is a full-time student expecting to graduate or complete a training program by age 19, verification must include: • A PA 1725 (LEADER generated), School Attendance/Enrollment Verification, with Part B completed by the school verifying current full-time enrollment and that the child is expected to graduate high school or will complete a training program before age 19; or • A current semester's report card, progress report or other current school document that verifies current full-time enrollment and a statement from the school that the child is expected to graduate high school or will complete the training program before age 19. If the child is a full-time student not expecting to graduate or complete a training program by age 19 due to a disability, verification must include: • A PA 1725 with Part B completed by the school; and • A SSI/SSP award letter; or • A statement from the Regional Center; or

	• An approved copy of the child's Individual Education Plan (IEP) or Section 504 Plan; or • An independent verification of a current or past disability by a health care provider or a trained, qualified learning disabilities evaluation professional.
	What is the timeframe to submit verification that a full-time student is expected to graduate by age 19 or not expected to graduate by age 19 due to a disability? The PA 1725, School Attendance/Enrollment Verification, is centrally mailed to all parent/caretaker relatives of aided teens sixty (60) calendar days before the teen's 18th birthday. The PA 1725 (Part B completed) and appropriate verification must be returned to the EW prior to the teen's 18th birthday. If the form is not returned and/or the child does not meet the Age Requirement, cash aid for the child will discontinue at the end of the month in which the child turns 18 years of age.
	How is a child 18 years of age informed that he/she can continue to get cash aid on their parent's/caretaker relative's case if they meet the age requirement? The QR 2103, Reminder for Teens Turning 18 Years Old, is centrally mailed to the parents/caretaker relatives of aided teens 60 days before the teen's 18th birthday. The form provides information on how teens can continue to get cash aid as part of their parent's/caretaker relative's case if they meet the educational/training and/or disability requirements. The form also provides information about the options that are available (remaining in the parent's/caretaker relative's AU or opening his/her own case) to a pregnant or parenting teen.
	When a child has graduated before their 18th birthday, can he/she receive cash aid? A child who has graduated before their 18th birthday can receive cash aid until he/she reaches age 18.

	See ***CW 40-105.5 School Attendance Requirements*** for more information. See **School Information** for LEADER procedures.
	<u>What action is taken when a pregnant or parenting teen is turning 18?</u> A teen turning 18 years of age who is aided in their parent's/caretaker relative's AU and: • Is pregnant with no other children and has not obtained her high school diploma or equivalent; or • Has a child(ren) These teens may choose to: • Open his/her own case the first of the month following the month he/she turns 18. If the teen turns 18 on the 1st of the month, the change is effective on that date; **NOTE:** An unaided teen with aided children in his/her parent's/caretaker relative's case may also open his/her own case on the 1st of the month following the month he/she turns 18. • Remain in the parent's/caretaker relative's AU as dependent children after age 18 provided the educational/training and/or disability requirements are met. See ***CW 44-200 AU Composition and Need*** for more information. See ***CW 89-200 Minor Parent*** for more information.
	<u>How is a pregnant or parenting teen informed of the eligibility options?</u> The QR 2103, Reminder for Teens Turning 18 Years Old, is centrally mailed to the parent/caretaker relative 60 days before the teen turns 18. The form provides information about the options that are available (remaining

	in the parent's/caretaker relative's AU or opening his/her own case) to the teen. The form also provides information on how a teen can continue to get cash aid as part of his/her parent's/caretaker relative's case if he/she meets the educational/training and/or disability requirements. The form instructs the parent/caretaker relative to give the notice to the teen and that: • The grant will increase in most cases if the teen has his/her own case. • The parent's/caretaker relative's grant will go down or may stop if the teen has his/her own AU. • He/she does not have to move out of their parent's/caretaker relative's home to start their own AU. • His/her 18-24 and 60-month clocks will not start to run until he/she leaves Cal-Learn. • If the MFG rule was applied to the teen's child while aided as a minor parent, the MFG rules would not apply to the child once the teen has his/her own case. • He/she must contact their EW if they want to start his/her own case. See ***CW 44-200 AU Composition and Need*** for more information. See ***CW 89-200 Minor Parent*** for details more information.
	When the pregnant or parenting teen chooses to open his or her own AU, what action is taken? When the teen chooses to open his/her own AU, there should be no break in aid. The process of determining eligibility may begin up to 60 days before the teen's 18 birthday to ensure there is no break-in-aid. The beginning date of aid should be the 1st of the month following the teen's and/or the teen's child discontinuance from the parent's/caretaker relative's case. The transition must be as seamless as possible.

	When the teen requests his/her own AU, the EW must <u>manually</u>: 1. Remove the teen and his/her child(ren) from the existing AU (parent/caretaker relative). 2. Manually prepare and mail the appropriate NOA to the parent/caretaker relative: o M82-832E-LA, Change: Aid Payments- 18 Year Old Opening His/Her Case; or o M82-832F-LA, Discontinue: Aid Payments – 18 Year Old Opening His/Her Case. 3. Complete the PA 1349 (out of drawer), Teen Parent Referral (TPR) and attach: • Copy of the latest application (SAWS 1) in which the teen and/or teen's child(ren) were aided. • The Family View screen. • Copy of the teen's birth certificate. • Copy of the dependent child's birth certificate or the pregnancy verification for the teen parent. • Copy of the teen's and his/her child's SSN. • Income verification (if applicable). 4. Forward the PA 1349 with the documents to the ES. 5. Document teen's request and action taken in "Case Comments." <u>Approved ES</u> 1. Review, sign and date the PA 1349. 2. Obtain the DDD's signature. 3. Forward to the Reception Supervising Clerk

	and a copy to the Intake Designated Minor Parent ES. <u>Intake Designated Minor Parent ES</u> 1. Control for the receipt of the PA 1349 from the Supervising Clerk. 2. Alert the Intake Designated Minor Parent EW that a case will be opened for the teen parent. <u>Reception Supervising Clerk</u> 1. Forward the PA 1349 to the receptionist. 2. Instruct the receptionist to initiate a case in the teen's name. 3. Upon receipt of the PA 1349 from the Case Opening Clerk (COC), forward to the Intake Designated Minor Parent ES. **NOTE:** It is not necessary for the teen to be in the district office to open a case. <u>Receptionist</u> 1. Initiate the teen's case (upon receipt of the PA 1349) per existing procedures ensuring that the application date is the same as the date specified on the PA 1349. **<u>EXAMPLE</u>** On May 8, the receptionist receives a PA 1349 with a request to open a teen's case with an application date of June 1. In order to prevent LEADER from failing the case for overlapping aid, the receptionist should wait until June1 or after to open the teen's case ensuring that the application date is June 1. 2. Forward the PA 1349 to the Case Opening Clerk (COC). <u>Intake Designated Minor Parent ES</u> 1. Receives the PA 1349 from the COC and reviews to ensure that the documents (i.e., birth certificates, SSNs, etc.) match the teen applicant and the teen child(ren). File all

	documents in the teen's case. 2. Schedule a follow-up interview with the teen parent. **NOTE:** Do not request information from the teen parent that can be obtained from the parent's/caretaker relative's case. 3. Ensure that the teen parent meets all eligibility criteria. 4. Follow existing approval procedures. See ***CW 44-200 AU Composition and Need*** for more information. See ***CW 89-200 Minor Parent*** for more information. See **WA No. 47 Teens Turning Age 18 with Income** for LEADER procedures.
CW 42-111 - Establishing a Child's Age/Existence	**What evidence is acceptable when verifying a child's age/existence?** A child's age/existence must be determined on the basis of acceptable evidence. The EW must determine if the evidence is of sufficient quality and quantity to document the: • Place of birth; • Date of birth; • Identity of the child; and • Relationship of the child to the caretaker relative, if available.
	Are children required to be seen at Intake or when adding a child to the Assistance Unit (AU)? No, children (except if he/she is the caretaker) are not required to be seen at intake or when adding a child to the AU.

	What is needed when resolving inconsistencies and/or questionable birth verification? When the EW determines that the information provided by the applicant/participant is questionable and/or inconsistent with the case information, the EW must assist in obtaining alternative verification of a child's age and/or existence as follows: **NOTE:** Any inconsistencies that are identified must be clearly documented in the "Case Comments." • School Records Regardless of the child's age, inquire if current (within 3 months) school records exist for the child(ren) in question, including preschool records for non-school age children. If school records exist, the applicant/participant must have the PA 103 (out of drawer), Pupil Information Form, completed by the child's school. If the verification resolves the inconsistency, no further action is required. In instances where the PA 103 shows an address different from the case record address, the applicant/participant must be given the opportunity to provide a PA 853 (out of drawer), Affidavit, completed by the person whose address is being used and a copy of his/her identification verifying the address in question. The PA 853 must clearly indicate that the address is being used for school purposes only and that the child does not live there. If the person refuses to complete a PA 853, the applicant/participant must explain the reason/purpose on a PA 853 and generate a referral to the Early Fraud Unit. See **Fraud Referrals - Initiate** for LEADER procedures. • Hospital Records When the child is in the hospital, the applicant/

	participant must present evidence from the hospital, doctor or authorized staff member that the child is currently hospitalized. The evidence must clearly identify the child and the child's parent/caretaker relative.
	When is the PA 230, Request for Verification/Certification of Evidence, submitted? Each aided child's age/existence (including MFG children) must be documented (see Determining a Child's Age). In addition, a PA 230 (out of drawer) must be completed in triplicate and submitted to verify the authenticity of the documents presented and/or existence of the child. The PA 230 is used whenever: • The applicant/participant cannot provide the required documentation; or • There is a reason to question the document/information provided by the applicant/participant; or • To comply with the following process:

	<u>Is the PA 230, Request for Verification/Certification of Evidence, required before the case can be authorized?</u> For Intake, a PA 230 (out of drawer) is required: • For any aided child (including MFG children) whose birth may be recorded when the mandatory birth documentation is not available; • For one aided child (including MFG children) in each case whose birth may be recorded and for whom there is not a complete and consistent PA 230 on file; • For any aided child (including MFG children) whose birth may be recorded when a hospital birth certificate or baptismal certificate is submitted as interim documentation of a child's child is a newborn. The PA 230 is initiated 60 days after the birth.
	<u>Is the PA 230, Request for Verification/Certification of Evidence, required at redetermination?</u> Yes, at redetermination, a PA 230 (out of drawer) is required: • For one aided child (including MFG children) in each case whose birth may be recorded even when the mandatory birth documentation is on file. This is repeated at every redetermination until all the aided children (including MFG children) whose births are recorded have a complete and consistent PA 230 (out of drawer) on file; and • For any aided child (including MFG children) when the EW believes the birth documentation may be false.
	<u>What is needed when the PA 230, Request for Verification/Certification of Evidence, is returned indicating there is "No Record (N/R)"?</u> Review to determine if the PA 230 (out of drawer) was completed with erroneous/missing information (name, place of birth, etc.). Submit a corrected PA 230 if the information is

	erroneous. If the original PA 230 is inconsistent for reason(s) other than erroneous/missing information: • Complete a PA 365 (out of drawer), No Record PA 230 Control. • Obtain required signatures. • Enter in “Case Comments”: Case transferred to High Risk and specify/describe the reason. • Complete the “Special Indicator” to alert EW. • Immediately transfer the case to High Risk file.

	<u>What are the High Risk worker’s responsibilities?</u>
	
	The responsibilities are as follows:
	
	• Upon receipt of the case with No Record/Inconsistent PA 230 (out of drawer), Request for Verification/Certification of Evidence:
	
	  o Establish a folder for the “No Record PA 230” with the PA 365 (out of drawer), No Record PA 230 Control form.
	
	  o Evaluates all birth documentation for internal/other case information consistency.
	
	  o Initiate PA 230 (out of drawer) for other aided persons (including MFG children/caretaker relative) not having substantive/genuine birth documentation on file.
	
	  o Record case findings (fraud referral, outcome, etc.) in “Case Comments”.
	
	• Initiate an Early Action referral to Early Fraud Detection/Prevention (EFD/P).
	
	See **Fraud Referrals – Initiate** for more information.
	
	• If the investigative findings are negative, no

	further action is necessary (document results in “Case Comments”).
	
	• If the investigative findings are positive, the EW must:
	
	  o Review the fraud findings;
	
	  o Determine if the findings will reduce/discontinue benefits; and
	
	  o Take immediate action to reduce benefits and/or discontinue the case.
	
	  <u>EXAMPLE</u>
	
	  Family of three (parent and two children), the investigative findings revealed:
	
	  • The parent is not related to the children; and
	  • The child is not related to the other child.
	
	  In this case scenario, the unrelated child is removed from the AU.
	
	• Retains cases sent to WFP&I in the High Risk file until all decrease/discontinuance actions are completed and there is no question about the existence and identity of all aided persons in the AU.
	
	• If the case is discontinued for another reason before the PA 230 High Risk situation is resolved, alert WFP&I. The case is not retained in a High Risk file.
	
	• If the case is transferred to another district office before the PA 230 High Risk situation is resolved, ensures that the “Special Indicator” indicates High Risk and is assigned to a High Risk file.
	
	• If the fraud findings reveal that there is no question about the current eligibility and no reason to suspect any misrepresentation:
	
	  o Updates/completes the PA 365.
	
	  o Sends the original of the PA 365 to

	the ES. o Files the first copy of the PA 365 in the Identification Folder under the PA 230. o Records resolution of the No Record/Inconsistent o PA 230 situation in “Case Comments.” • Remove High Risk “Special Indicator” and transfer case to a regular approved file. <u>Eligibility Supervisor (ES)</u> The ES is to monitor and ensure that appropriate action is taken for each No Record/ Inconsistent PA 230. <u>District Director’s Delegate</u> The designated staff (delegated by Administrative staff) must: • Ensure that all No Record PA 230 are received directly from Document Procurement Unit (DPU). • Establish a control file for No Record PA 230s. • Complete original and three copies of the PA 365. • Forward original and two copies of the PA 365 to the ES with the No Record PA 230 attached. • File the third copy of the PA 365 in the folder. • Contact DPU to resolve a problem when a second PA 230 has not been received returned. • File a copy (upon receipt) of the PA 365 from the caseworker that indicates case has been transferred to the High Risk File. • Upon receipt that the case is transferred to

	another district, forwards to the receiving district's District Director Delegate a copy of the PA 365 indicating the case is transferred.
	
	• Receives PA 365 from High Risk file when the:
	
	  o Erroneous PA 230 is corrected/returned to DPU for processing.
	
	  o Case is discontinued for other reasons (not PA 230 activity).
	
	  o Case in which the High Risk situation has been resolved.
	
	• Review each PA 365 weekly ensuring that:
	
	  o Cases are transferred to a High Risk file.
	
	  o Appropriate case action is taken.
	
	  o No Record PA 230 situations are resolved.

CW 42-111.1 - Evidence/ Documents	**<u>What evidence documents age/identity for a child born in the U.S. or U.S. territories?</u>** <u>When the birth is recorded, the mandatory documentation (in priority order) is:</u> 1. Photocopy of: • Original official birth certificate. • Certified computer-generated abstract of birth record. • Certified photocopy of birth record. • Original U.S. passport. • Original adoption decree. • Original Indian agency records. • Bureau of Indian Affairs I.D. card. • Federal/state census records. • Original court order that shows age/identity if child is or has been in foster care. 2. Completed PA 230 (out of drawer), Request for Verification/Certification of Evidence. <u>When the birth is recorded, the interim documentation is:</u> 1. PA 230 initiated, and 2. Photocopy of: • Substantive and genuine photocopy of any document listed above. • Hospital birth certificate. • Hospital/physician/licensed midwife's birth record that contains identifying information about the child/parents. • School records. • Baptismal certificate or church record of baptism. • Confirmation papers or church record of confirmation. • Entries in family Bible or other genealogical record or memorandum.

	• Child's insurance policy that identifies child and parent/caretaker. • Medical/dental/health service agency records or contact records or contact recorded on "Case Comments" that identifies child (i.e., age, birthdate, etc.) and relationship to caretaker. • A PA 853.1 (LEADER generated), Affidavit to Document U.S. Citizenship, Identify & Birth, completed by parent/caretaker relative. <u>When the birth is not recorded the mandatory documentation is:</u> 1. Same as mandatory documentation for a birth that is recorded; and 2. A PA 853.1 completed by parent/caretaker relative. <u>When the birth is not recorded, the interim documentation is:</u> 1. PA 853.1 completed by parent/caretaker relative, and 2. PA 853-1 completed by adult other than parent/caretaker relative.
	<u>When can interim documentation be used?</u> Interim documentation can be used when: 1. Immediate Need (IN) exists. 2. More than 30 days is needed to obtain the mandatory documentation. 3. The applicant/participant has met all of his/her responsibilities in attempting to provide the mandatory documentation.
	<u>What evidence documents age/identity for a child born outside of the U.S.?</u>

	See ***CW 42-433 Child Born Outside of U.S.*** for more information. See **Citizenship – Foreign Born Children** for LEADER procedures.

CW 42-200 PROPERTY

CW 42-201.1 - Property That Is Actually Available	**When is real property considered unavailable?** Non-exempt real property must be considered available unless the applicant/participant can obtain and provide verification that his/her property is currently unavailable. The applicant/participant must be given a reasonable period to obtain such verification. The property is excluded from consideration during this period. The exclusion period must be determined on a case-by-case basis. The extent to which an applicant/participant must obtain such verification should be a determining factor in establishing the exclusion period. **EXAMPLE** An applicant holds title to 200 acres of land. She states the land is heir property, which is not available for sale, and her mother who has the only copy of the will, is touring Europe for two months. She may be given two months to obtain a copy of the will. If the applicant/participant is not willing to obtain the verification/documentation or does not provide it by the end of the exclusion period, the property is considered available and is counted in the resource limit.
	How is the owner of real property determined? The owner of real property is the person who has the right to process, use, control and dispose of the real property. The ownership of the property may be one individual or shared with others. See **FS 63-501.2 Joint Ownership** for more information.
CW 42-203.1 – Definition of Real Property	**What is real property?** Real property is defined as land and improvements including immovable property attached to the land (i.e., trees, fences, buildings, cemetery property held for profit, etc.).

	Real property is not cash, bonds, mortgages or similar assets.
CW 42-203.2 – Definition of Personal Property	**<u>What is personal property?</u>** Personal property is defined in accordance with Food Stamp regulations. See **FS 63-501.1 Resource Determination** for more information.
CW 42-207 – Resource Limit	**<u>What are the property/resource limits?</u>** An applicant/participant may retain countable resources in the amount allowed in the Food Stamp program. LEADER will determine the value of real and personal property. The value cannot exceed: • $2,000; or • $3,000 if a least one AU member is 60 years or older. **NOTE:** This limit is separate and apart from the amount in a restricted bank account. See ***CW 89-130(a) – Restricted Accounts for Participants*** for more information. See **FS 63-501.1 Resource Determination** for more information.
CW 42-209 - Differentiation of Property and Income	**<u>How are nonrecurring lump sums treated?</u>** They are treated as property/resources in the month received and any subsequent months. See ***CW 44-207.3 - Lump Sum*** for more information. See **FS 63-501.1 Resource Determination** for more information.
CW 42-211.2 - Personal Property to be Included	**<u>Are personal property and vehicles included in the evaluation of the property/resource limits?</u>** Yes, they are to be included in the property evaluation that determines what may be retained in accordance with methods

	established under Food Stamp regulations 63-501.1 and .2
CW 42-213 - Propery Items to be Excluded	**<u>Can a home be excluded in evaluating real property?</u>** Yes, a home or place of residence (mobile home, camper, car, etc.) that is occupied by the AU is excluded even during periods of temporary absence (illness, employment, etc.), provided the applicant/participant plans and appears able to return to the home when these circumstances no longer exist. **NOTE:** Although a car is considered personal property, the car is excluded if used as a home or place of residence.
	<u>Can a home be excluded during periods of temporary absence?</u> Yes, the home is excluded from the property evaluation even during periods of temporary absence for reasons such as illness, seasonal employment, visits, extreme climatic conditions, etc. Therefore, the home in another state can be excluded from property evaluation as long as the applicant/participant plans to return to the home when such circumstances no longer exist. **NOTE:** Only <u>one</u> home may be excluded from consideration as real property**.** See ***CW 82-812.1 – Temporary Absence*** for more information.
	<u>If the applicant/participant leaves his/her usual home due to a marital separation, can the home be excluded?</u> Yes, the home is excluded from the evaluation as real property as follows: • The usual home of an applicant is exempt when determining eligibility and for three months following the end of the month in which aid begins. • The usual home of a participant is exempt during the month of separation and for three months (initiate FAC) following the end of the month in which the separation occurs.

	At the time the exemption is given, the applicant/participant is informed verbally and in writing. The written statement must inform the applicant/participant that: • The home has not been considered in determining eligibility; • The home's availability will be evaluated in three months; and • The cash grant may be terminated if the house is treated as real property other than a home and the market value combined with other property exceeds the property limit. At the end of the three months, a determination as to the home's availability to meet current needs must be made.
	Can property be excluded if not occupied by the AU? No, if the property is not used as the primary residence, the value must be included in the property limit.
	What is an appropriate Property Referral? The EW must determine the value of real property located in the United States except in extraordinary circumstances. If a Property Services referral is required, the referral must explain why the applicant/participant cannot provide all the information needed or why the EW is unable to determine the value of the property from the information provided. An appropriate Property Referral may include real property that is: • Over the property limit. • Outside of the United States. • In another state when the assessment rate is unknown. • Located in militarily occupied areas.

	• Jointly owned by parents who are separated. • Complex or the records are unclear. **NOTE:** Property Services Unit can be reached at (626) 854-4732.
CW 42-213.1 – Real Property to be Excluded	**<u>What property items can be excluded?</u>** Listed below are a few real property items that can be excluded in evaluating real property: • Real property held in trust if the child or parent does not have control of the trust of which he/she is the beneficiary. • The separate and community share of real property of a parent who has surrendered full custody of his/her child through a court order. • The separate and community share of real property of a stepfather. • An Indian's interest in land in trust by the United States Government.
	<u>What action is taken when real property (other than a home) exceeds the resource limit?</u> If the property (other than a home/place of residence) is over the resource limit, the AU must make a good faith effort to sell the property even if the property is producing income. The property may be exempt for a period of no more than nine consecutive months. Before aid is approved/authorized, the applicant/participant must complete/sign (in duplicate), the following: • CW 81 (out of drawer), Lien Agreement – The agreement grants a lien against the property which is payable to the County when the property is sold. • CW 82 (out of drawer), Agreement to Sell Property – The applicant/participant agrees

	to immediately make a good faith effort to sell the property.
	
	The EW must immediately:
	
	• Contact the Property Services Unit at (626) 854-4732 to establish what information the applicant/participant must provide;
	
	• Makes an appointment with the applicant/participant to meet with the Property Services Unit;
	
	• Manually prepares an appointment letter in duplicate (original to applicant/participant). The appointment letter must include:
	
	  o Case name, case/file/phone number.
	  o Current date.
	  o Date/place of the appointment with the Property Services Unit.
	  o Listing of required documents (if applicable).
	  o The value of all property declared by the applicant/participant.
	
	REMINDER: Document case action in "Case Comments".
	
	The Property Services Unit will contact the EW if:
	
	• The property is available.
	
	• The applicant/participant refused to provide all available information about the property.
	
	• The applicant/participant provided all available information about the property.
	
	The Property Services Unit will also contact the EW when an escrow is opened for the sale of the property. In addition, if escrow closes before the exemption period ends, the Property Worker will report the amount of the money the participant received.
	
	The EW advises the participant to:
	
	• Promptly report when an escrow is

	opened on the property. • Promptly report if he/she decides to stop trying to sell the property. • Retain receipts for costs incurred in selling the property. The EW must: • Establish a future action control (FAC) for the month before the end of the exempt period. • Reviews the case to determine if the family became resource eligible during the exempt period. **REMINDER:** If the exemption period ends mid-quarter, the information cannot be acted upon until the QR 7, Quarterly Report, is received for the exemption period. • Continues aid to participant whose property level is less than the property limit when all encumbrances have been subtracted. • Mails a NOA to inform the participant that the property has not been sold and the value is more than the property limit. **NOTE:** If within the nine consecutive months, the applicant/participant decides not to sell the property, the property is considered in the resource limit. See ***CW 44-113 Income – Net Income*** for more information.
	<u>Can an applicant with excess real property receive Immediate Need (IN)?</u> An applicant with excess real property, who is otherwise eligible for IN, can be issued an IN payment as long as he/she signs the CW 81/CW 82 (out of drawer). See ***CW 40-129.1 - Immediate Need (IN) – Definition*** for more information.

	<u>What is a "good faith" effort?</u> Under the terms of the agreement (CW 81[out of drawer], Lien Agreement and CW 82 [out of drawer], Agreement to Sell Property), the applicant/participant must make a good faith effort to sell the property by: a) Listing the property with a licensed real estate broker and be willing to negotiate the price/terms with potential buyers. b) Make an effort to sell the property, which must include all of the following: • Advertise once a week, in at least one newspaper, that the property is for sale. • Place a for sale sign that is visible from the street. • Be willing to negotiate the price/terms of the sale with potential buyers. The applicant/participate must try to sell the property at no more than its approximate fair market value (FMV). The FMV is a choice of: • The assessed value; or • A valuation of the market value obtained by the applicant/participant from a licensed real estate broker.
CW 42-213.2 - Personal Property and Vehicles to be Excluded	**<u>How is the cash value in a trust fund treated?</u>** Resources which have a cash value that are not accessible to the AU may include: <u>Irrevocable trust funds</u> Any funds in a trust or transferred to a trust and the income produced by that trust is considered inaccessible to the AU if all of the following are met: 1) The trustee administering the funds is either a court, institution, corporation, organization which is not under the direction/ownership of an AU member; or

	a) An individual appointed by the court who has court imposed limitations. 2) The funds held in irrevocable trust are either: a) Established from the AU's own funds (funds must be used to make investments on behalf of the trust or pay educational/medical expenses) of any AU member named by the AU who created the trust; or b) Established from a non-AU member funds by a non-AU member regardless of how funds will be used. 3) The trust investments do not involve/assist any business/corporation under the control/direction/influence of an AU member. 4) The trust arrangement will not end during the Redetermination period. 5) An AU member does not have the power to revoke the trust arrangements/change the name of the beneficiary during the Redetermination period.
	Are applicant/participants required to petition the court to release a trust fund? No, with the implementation of welfare reform, this is no longer a condition of eligibility. Based on the Food Stamp regulations, the EW must make a reasonable determination and evaluate if the funds are accessible. If the funds are inaccessible, no further action is taken. If the funds are accessible, the EW must investigate and determine whether the funds may be exempt under any other provision. See **FS 63-501 Resource Determination** for more information.
	What household items are excluded from the property/resource limit? The personal property regulations are tied to the Food Stamp program. The following personal property/resource may be excluded:

	• Household goods • Personal effects • One burial plot per AU member • The cash value of life insurance polices • The cash value of pension plans/funds. See **FS 63-501 Resource Determination** for more information.
	<u>Are payments from Income Tax Refunds (ITR) considered income?</u> Payments from federal and State ITRs are considered a nonrecurring lump sum payment. Nonrecurring lump sum payments are a resource in the month it is received. See **FS 63-501.1 Resource Determination** for more information.
	<u>What income identifies a participant who is potentially eligible to Income Tax Refunds?</u> On a case-by-case basis, the EW must review for potential receipt of an ITR. Potential eligibility exists when the applicant/participant meets any one of the following: • Currently receiving or has received UIB during the previous calendar year. • Currently receiving or has received DIB during the previous calendar year. • Currently has earned income or had earned income in the previous calendar year. See **FS 63-501.1 Resource Determination** for more information.
	<u>What is Earned Income Tax Credit (EITC)?</u> The EITC is available to applicants/participants whose income falls below a certain level. Because it is a credit, the EITC is subtracted from the amount of tax owed. Even applicants/participants who have not filed a return in previous years because their wages were below the minimum income level requirements to file may be able to get the

	credit. There are two ways to receive the credit: • When they file their tax return; or • In their paychecks (this is an Advance EITC).
	How is the income from Earned Income Tax Credit (EITC) payments treated? The CalWORKs rules regarding EITC are acted upon in accordance with Food Stamp Policy. Federal, State or local EITC received as a lump sum or monthly, are excluded as a resource or income. Any federal, State or local EITC payment received by a Food Stamp household member is to be excluded for 12 months, provided the Food Stamp household was participating in the Food Stamp Program when the EITC payment was received and provided the Food Stamp household participates continuously in the next 12 months. Continuous participation includes breaks of one month or less such as late or missing QR 7s. If the participant's pay stub does not indicate an EITC payment was received, no further action is required. However, if it is unclear from the pay stub how much the EITC payment is, the participant and employer, if necessary, must be contacted for clarification and LEADER **Case Comments** clearly documented. See **FS 63-501.12 - Non-Exempt Liquid Resources** for more information.
	Can a victim of domestic violence be excluded from the personal property criteria? Yes, the personal property (e.g., vehicle, etc.) of a woman with children who is temporarily residing in a battered women/children shelter is considered inaccessible if at the time of application, the personal property: • Is jointly owned by the applicant and a member of the former household from which the applicant fled, and

	• The access to the resource/property requires the consent of both the applicant and the member of the former household. See **FS 63-501.1 Resource Determination** for more information.
42.215 - Determining Value of Property	**<u>How is the value of a motor vehicle determined?</u>** When a family has more than one vehicle, the use of each vehicle must be examined to determine whether the vehicle is excluded as a resource or whether the excess value is applied to the property/resource limit using the excess Fair Market Value (FMV) or Equity Value (EV). **<u>EXAMPLE:</u>** A household has a car with a FMV of $5,500 will have the current vehicle exclusion limit ($4,650) excluded and $850 applied towards the property/resource limit. LEADER will determine the following: • Licensed/unlicensed vehicles are excluded if the EV (i.e., the FMV minus encumbrances, repairs/damages) is $1501 or less. • After applying all other vehicle exclusions, each adult household member can have one licensed vehicle exempted from the equity test. Only the value above $4650 is counted. • Additionally, each household member under age 18 can have one licensed vehicle exempted from the equity test when the vehicle is used to drive to work, school, and training or to look for work.
	<u>What steps are used in determining the Excess Value (EV) of a motor vehicle?</u> LEADER will determine the Excess Value: <u>Step 1 – Determine whether a vehicle is excluded from the property/resource limit because of usage.</u> Licensed vehicles are not included in the

	resource limit, if they meet one of the following exemptions: • Income producing. • Annually producing income consistent with its FMV. • Necessary to employment <u>other than</u> daily commuting (i.e., sales person, taxi driver, etc.). • Used as a home. • Used to transport a physically disabled AU member or an excluded member regardless of the purpose of the transportation. • Previously used as income producing by an AU member self-employed in farming. The vehicle is excluded for one year from the date of termination of self-employment. • AU uses the vehicle to transport fuel for heating/water for home use when such fuel/water is the primary source of fuel/water for the family. <u>Step 2 – Calculate each remaining vehicle's EV.</u> Any vehicle licensed/unlicensed with an EV (FMV minus encumbrances and cost of repairs) of $1501 or less is not included in the property/resource evaluation. Such a vehicle is considered an inaccessible resource. <u>Step 3 – Determine whether a vehicle's excess resource value is subject to the FMV test only</u>**.** The excess value of one licensed vehicle per adult household member, regardless of the use of the vehicle, is calculated using the FMV test only (only the value above $4650 is included in the property/resource limit. Also, the EV of any other licensed vehicle used by a household member under 18 to drive to work, school, job training or to look for work is calculated using the FMV test only. <u>Step 4 – Determine the EV of vehicles that are subject to the EV test.</u> The EV of any licensed vehicle not counted in <u>Steps 1 through 3</u> is subject to the EV test. Unlicensed vehicles, regardless of use (other than those with an EV of $1501 or less), are

	also subject to the EV test. The amount of EV added to the property/resource limit is determined by comparing the FMV minus $4650 to the FMV minus actual encumbrances and repairs. The higher amount is counted in the property/resource limit. **NOTE:** The excess FMV and EV are determined by using the wholesale value as shown in "NADA Official Used Care Guide." Excess FMV is the wholesale value minus $4650. The EV is the wholesale value minus encumbrances and cost of repairs. The remainder is added to the resource limit. The EV test is the comparison of the EV calculated using FMV or EV. The higher amount is added to the family's other property/resources.
	When a vehicle is leased, is the value counted in the resource/property limit? No, a vehicle that is leased or on a lease/purchase option is not regarded as a resource until a transfer of ownership has occurred. A leased vehicle remains in the ownership of the leasing firm.
	If the Department of Motor Vehicles (DMV) is withholding the vehicle's registration, is the vehicle considered to be licensed or unlicensed? When the registration fees have been paid on a vehicle but DMV is withholding (i.e., unpaid parking tickets, no smog certificate or other similar reason) the registration, the vehicle cannot be legally driven on public roads and is considered to be unlicensed.
	How are vehicles that are jointly owned treated? The following applies when a vehicle is jointly owned by an applicant/participant with someone (i.e., friend, relative, etc.) other than an AU member:

	• If the vehicle shows the word “or” in the title, then the entire value of the vehicle is considered available to the AU because access to the value of the vehicle is not dependent upon any agreement with the joint owner. • If the registration shows the work “and” or shows a slash **“/”** (means the same thing as “and”) in the title and the joint owner agrees to sell the vehicle, then the entire value of the vehicle is considered available to the AU. Although access to the vehicle is dependent upon an agreement with the joint owner, the joint owner has agreed to sell. • If the registration shows the word “and” or shows a slash **“/”** in the title and the joint owner refuses to sell, then none of the value of the vehicle would be counted. Access to the value of this vehicle is dependent upon an agreement with the joint owner and the joint owner has refused to sell.
	Does the encumbrance on a vehicle include the principle and interest owed on the vehicle or the principle only? The encumbrance would be the amount it would take to “pay-off” the vehicle. This “pay-off” amount would include the principle plus any interest that is currently due on the vehicle. The “pay-off” amount does not include all of the interest that will become due and payable in the future.
	If an AU takes out a personal loan to purchase a vehicle, but the lender does not have ownership interest in or a lien against the vehicle, is the loan considered an encumbrance? If a personal loan agreement does not specify the lender’s lien or claim to a vehicle, it cannot be considered an encumbrance against the vehicle.
	If an AU uses a vehicle as collateral to secure a personal loan, is the vehicle considered inaccessible and excluded from resource consideration?

	Unless the lender has a lien against the vehicle that would prevent the AU from selling that vehicle, then the vehicle cannot be considered as inaccessible.
	Can only one vehicle per AU be exempted from the equity value test for AU members under 18 years of age or can more than one vehicle be exempted? If any other licensed vehicle driven by an AU member under 18 years of age to go to work, school, job training or to look for work is exempted from the equity test. Thus, more than one vehicle per AU can be exempted from the equity value test for AU members under 18 years of age as long as the vehicle is being used for the specified purposes.
	What value is used when the blue book indicates that the vehicle has "no value"? If the blue book indicates that a vehicle has "no value", then a value of "$0" can be assigned to that vehicle.
	How is the income received from an IRA treated? An IRA or Keogh plan is considered personal property. Personal property is defined in accordance with the Food Stamp regulations. **NOTE:** The income in these accounts (minus the amount of the penalty for the early withdrawal) is applied to the property/resource limit. See **FS 63-501.1 Resource Determination** for more information.
CW 42-221 – Transferring Property	**Is there a period of ineligibility when an applicant transfers property to qualify for aid?** No, the transfer of property rules does not apply to applicant families.
	Can a participant sell or give away property?

	Yes, the receipt of CalWORKs does not limit or restrict a participant's right to give, receive, sell, exchange or change the form of property. See **Sanctions/Penalties/POI** for LEADER procedures.
	Does a Period of Ineligibility (POI) exist when property is sold, transferred or given away for less than fair market value (FMV)? Yes, a POI is applied when the participant/AU gives away or transfers, for less than FMV, nonexcluded property (including cash) to become eligible for cash aid.
	How is the POI determined when the participant sold the property for less than the FMV? The POI is computed based on the amount that is added to other countable property and exceeds the property limit if the property had been transferred at the FMV. **EXAMPLE** While on aid, a participant/AU of two persons inherits a parcel of real property with a FMV of $1,400. The value of this inherited property, when added to other ($l,400) countable property held by the AU, causes the AU to exceed the allowable property limit. The AU sells the parcel for $100 ($1,300 less than the FMV). FMV of the parcel of real property $1,400 Property held by the AU +1,400 $2,800 Property limit -2,000 Amount in excess of the property limit **$800** FMV of the parcel of real property $1,400 Amount received for real property - 100 Difference between FMV and amount received for the real property $1,300 • **$800** is less than the $1,300 difference between the FMV and the amount received for the real property. • **$800** divided by $739 (MBSAC* for two) =

	1.08 months. • POI = 1 month (rounded down from 1.08 months). (LEADER determines the POI based upon information obtain from various LEADER screens) *****MBSAC amounts are subject to change. See **Sanctions/Penalties/POI** for LEADER procedures.
CW 42-221.4 - Transfer of Income	**<u>Can a POI be applied to the transfer of non recurring lump sum income?</u>** Yes. Nonrecurring lump sum income/payments are considered property and are subject to any application of POI rules for a transfer of property for less than FMV.

CW 42-300 GENERAL TIME LIMIT REQUIREMENTS

CW 42-301 – Time Limits	**<u>When were time limits implemented?</u>** With the passage of welfare reform in 1996, Congress imposed a five-year time limit on the receipt of federally funded Temporary Assistance to Needy Families (TANF). Although federal time limits began in 1996, California's five year time limit did not begin until January 1, 1998, when the CalWORKs program was implemented. With the implementation of CalWORKs in California, the five-year time clock began ticking. In California, unlike most other states, only the adult is subject to time limits; the children remain eligible. A "safety net" case is one in which one or both parents have reached their time limits and only the children receive cash aid. See **Time Limits – CalWORKs – Basic Information** for LEADER procedures.
CW 42-301.1 – Time Limits – Counting Months	**<u>When is a month counted for 60-month time limit purposes?</u>** Any month in which an adult is included in an Assistance Unit (AU) that receives a cash grant (including special needs) will be counted for time limits. **Note:** LEADER handles time limit tracking.
CW 42-301.2 – Time Limits – Reaches 60 Months	**<u>What happens when an adult reaches his/her 60-month time limit?</u>** Unless an individual qualifies for a clockstopper or an extender, he/she is no longer eligible for cash aid and is removed from the AU when reaching his/her 60-month CalWORKs time limit. The adult continues to be eligible for Food Stamps and Medi-Cal. **NOTE:** The 60-month CalWORKs time limit does not apply to children under 18 years old.
CW 42-302 – Time Limits – Requirements	**<u>What are the time limit requirements?</u>** The 60-month time limit requirement applies to aid

	received under both CalWORKs and TANF. During the application process, applicants must provide information on any aid received from another state because TANF aid from other states (received after January 1, 1998), will be used to determine time limits. The 60-month time limit applies to aided: • Parent(s); • Step-parent(s); and • Caretaker relatives.
	<u>Can a timed-out adult receive aid beyond the 60-month time limits?</u> Yes, a timed-out adult can receive aid beyond 60 months. In order to receive aid beyond 60 months, the adult must meet the extender criteria.
CW 42-302.1 – Time Limits – Extenders	**<u>What are extenders?</u>** An adult can receive an extender (additional months of aid) when any of the following conditions are met: • Is age 60 or older; • Is providing care to an ill household member; • Is a caretaker of either a dependent child of the court, a Kin-GAP child or, a child at risk of placement in foster care as determined by the Department of Children and Family Services (DCFS); • Is disabled and receiving benefits from State Disability Insurance (SDI), Worker's Compensation Temporary Disability Insurance or In-Home Supportive Services; • Is a victim of domestic abuse; or • Is unable to maintain employment or participate in welfare-to-work activities. The individual must also have a history of participation and full cooperation in welfare-to-work activities. This extender is determined by GAIN. See **Time Limits – CW – Extenders** for LEADER procedures.

	When both parents are in the home and only one parent meets the extender, can both receive additional aid? No, in a two-parent household, in order to qualify for cash aid, **both parents** must meet the extender requirements. If only one parent qualifies for an extender, then neither parent qualifies for cash aid. See **Time Limits – CW – Extenders** for LEADER procedures.
CW 42-302.2 – Time Limits –Clockstoppers	**What are clockstoppers?** Some months do not count toward the CalWORKs 60-month time limit. The following is a list of reasons or clockstoppers that do not count toward the 60-month time limits. A clockstopper month is not counted when the individual is: • Disabled for 30 or more days. • Providing care to an ill household member or is a nonparent caretaker relative of a child in foster care, Kin-GAP or at risk of placement in foster care and is exempt from welfare-to-work participation. • A victim of domestic abuse. • A Cal-Learn teen. • Age 60 years or older. • Unaided. • Is excluded (GAIN sanctioned, Child Support sanctions, excluded by law, etc.) from the AU for any reason other than reaching the 60-month time limit. • Aid is reimbursed as a result of child support collections. • The individual lived in Indian Country and at least 50% of the adults living in Indian Country are not employed. • The individual is a former CalWORKs participant and is only receiving child care, case management, or supportive services.

	• The grant amount is $10 or less. See **Time Limits – CW – Clockstoppers** and **Time Limits – CW – Extenders** for LEADER procedures.
CW 42-302.3 – Time Limits - Overpayments	**<u>What happens when a month of overpayment is repaid by the participant or through child support reimbursement?</u>** When an overpayment month is fully repaid, the month(s) in which the overpayment occurred, is not counted toward the 60-month CalWORKs time limit. See ***CW 44-352.1 – Overpayments*** for additional information.
CW 42-302.4 – Time Limits – Diversion	**<u>Are diversion payments exempt for time limits?</u>** No, the month in which a lump sum diversion payment is made counts as one month toward the 60-month CalWORKs time limit **unless** the individual reapplies during the diversion period. **<u>EXAMPLE</u>** In March, a parent with one child receives a diversion lump sum payment of $1,800. The month of March counts toward the 60-month CalWORKs time limit. The MAP amount is $653*. This results in a diversion period of three months for the months of March, April and May. In September (not in the diversion period), the parent reapplies and receives another diversion payment of $800. Only the months of March and September apply toward the 60-month CalWORKs time limit. See ***CW 81-200 – Diversion*** for more information. See **Diversion (CW)** for LEADER procedures. See **Diversion (CW) – Screen Completion/TL** for LEADER procedures. *The MAP amount is subject to change.
CW 42-302.41 – Time Limits – Diversion Period	**<u>What happens if a participant reapplies during the diversion period?</u>**

	When a participant has received a diversion payment and he/she reapplies during the diversion period and is determined eligible for CalWORKs, the individual has two choices: • Have the diversion payment repaid through a grant reduction of 10% of MAP; or • Count the diversion payment toward the 60-month CalWORKs time limit. **EXAMPLES** Example 1 In March, a parent with one child receives a diversion lump sum payment of $1,800. The MAP amount is $653*. This results in a diversion period of three months for the months of March, April and May. In May (within the diversion period), the parent reapplies for CalWORKs cash aid. The parent chooses not to have the $1,800 diversion payment collected from the monthly grant. The diversion payment equals 3.1 months of cash aid. The partial month is dropped and the participant has a total of three months (March, April and May) counted toward the 60-month CalWORKs time limit. Example 2 On March 2, a parent with one child receives a diversion lump sum payment of $100. The MAP amount is $653*. In the same month, the parent reapplies for CalWORKs and is determined eligible. The month of March counts as one month toward the 60-month CalWORKs time limit because the participant received a cash grant. *The MAP amount is subject to change.
CW 42-302.42 – Time Limits – Extender/Clockstopper Requests	**How can an applicant/participant request an extender or clockstopper?** A request by the applicant/participant for an extender or clockstopper can be made at anytime. The request can be made to the Eligibility Worker (EW), GAIN Services Worker (GSW), or the GAIN Services Coordinator (GSC).
	When is a written request for a clockstopper not required?

	Although most clockstoppers are GAIN-related and are requested by completing the CW 2186A (out of drawer/manually completed form), CalWORKs and Welfare-to-Work Time Limit Exemption Request Form, written requests are not required for eligibility-related clockstoppers. The following clockstoppers are handled by eligibility staff: • The adult is 60 years of age or older. • Aid is reimbursed by child support. • The grant is less than $10. The time clock for these clockstoppers will automatically be adjusted based on the information entered on LEADER.
	What is the responsibility of the EW when receiving a request for a GAIN-related clockstopper? The request must be documented in Case Comments and a CW 2186A (out of drawer/manually completed form) must be mailed or given to the participant. Participants must be informed to return the completed form to the GAIN Region assigned to the district where the case record is located. If, however, the completed CW 2186A is returned to the EW, the EW must immediately forward the form to the GSC. If the case is not registered in GAIN at the time of the request, the GSC must forward the form to the GAIN Region where the last GAIN history is located.
	What is the responsibility of the GSC when the CW 2186A is received? The GSC is responsible for forwarding all CW 2186A forms to the appropriate GAIN Region for processing.
	How is the response to the CW 2186A request handled and processed? The GSW is responsible for responding to the CW 2186A request by sending a CW 2186B (out of drawer), CalWORKs and Welfare-to-Work Time

	Limit Exemption Determination, to the participant within 15 calendar days from the date of the request.
CW 42-302.43 – Time Limits – Extender/Clockstopper Determination	**<u>How are GAIN-related clockstoppers processed?</u>** GAIN staff is responsible for processing GAIN-related clockstoppers. Once the GSW determines a participant should be granted a clockstopper, this information is updated on GEARS and transmitted to LEADER via the interface. If, however, the information does not pass over to LEADER and there is a discrepancy, it is the responsibility of the GSW to work with the GSC to make the necessary adjustments to the time clock. See **Time Limits – CW – Clockstoppers** for LEADER procedures.
	<u>What happens if the GAIN Services Worker (GSW) receives inquiries about eligibility-related clockstoppers?</u> When a GSW determines the clockstopper is eligibility related (grant amount of $10 or less, aid is reimbursed as a result of child support collections, and DA [child Support] sanction), the GSW will forward the information to the district GSC for review and processing.
	<u>What are the responsibilities of the GSC when receiving eligibility-related clockstopper inquiries from the GSW?</u> The GSC has 10 working days to respond to the GSW (via Lotus Notes) for the following eligibility related clockstoppers: • Grant amounts of $10 or less. • Aid is reimbursed as a result of child support collections. If the participant does not agree with the child support amount reported, the GSC must: o Fax all requests regarding the amount of child support paid to Child Support Services Department (CSSD) directly to the designated CSSD Liaison. (The fax number is (213) 637-2621, Attention: TL

	Child Support Coordinator.) CSSD will respond directly to the participant. • Child Support Sanction – If the participant is claiming he/she is eligible to a clockstopper due to a Child Support sanction, the GSC will review the case. If the information is accurate, the GSC will notify the participant by completing a CW 2186B (out of drawer), CalWORKs and Welfare-to-Work Time Limit Exemption Determination. If a discrepancy exists, the GSC will forward the information to the GSW and the GSW is responsible for processing. The GSC will notify the participant via the CW 2186B of any adjustments.

	What are other GSC's responsibilities in regard to the time limit process?
	
	In addition to processing eligibility-related clockstoppers, the GSC will:
	
	• Process all requests to rescind a case when the GSW determines the participant is eligible to additional clockstoppers or an extender and the case is terminated.
	  o Notify the case-carrying EW and Eligibility Supervisor (ES) that the case should be reopened and provide all necessary documentation to the EW and ES.
	
	• Process any requests from Appeals involving both BWS and GAIN.
	  o Forward GAIN response to the appropriate Fair Hearing ES.
	
	• Process time limit adjustments that require immediate action. For example:
	  o Inquiries (VIP, legal aid, Board of Supervisors) can be updated manually when immediate adjustment is required.
	
	See **Time Limits – CW – Clockstoppers** for LEADER procedures.
	
	See ***CW 42-721.4 – Welfare-to-Work Sanctions*** for additional information.

CW 42-302.5 – Time Limits – Tribal TANF	**<u>Will the 60-month time limit be applied to the Torres-Martinez Tribal TANF (TMTT) Program?</u>** The 60-month time limit applies to both CalWORKs and TMTT programs. See ***CW 40-109.2 - Tribal TANF*** for more information.

CW 42-400 RESIDENCE

CW 42-400 - Residing in the County	**<u>Is the applicant/participant required to live in the county?</u>** Residence in California, but not in the county, is a requirement for CalWORKs. However, in order to establish county responsibility for aid payment, it is necessary to determine the county in which the applicant/participant lives/resides.
CW 42-401 - Residing in California	**<u>Is there a period of time that the applicant must reside in the state or county?</u>** No, there is no durational period of residence in the State or county.
CW 42-405 - Absence from California	**<u>What action is taken when an applicant/participant is absent from California?</u>** Within one workday of learning that an applicant/participant has left California or the country, the EW must mail (controlled on a monthly basis via FAC) the applicant/participant a PA 1615 (LEADER generated), Statement of Absence, to explain: • The reasons for absence from California. • Intent to return to California. • Anticipated date of return to California. The participant must also provide: • The current living arrangement (who is in the home, rental agreement, etc.). • A complete QR 7 (during a Submit month), giving his/her current employment status and all other factors used to compute the participant's needs. Aid is discontinued immediately if: • The inquiry establishes that the participant is no longer a California resident. • The participant fails to respond within 30 days to the inquiry. • The participant has purchased/leased a house out of the state since leaving California. • The participant has obtained an out-of-state driver's license since leaving California.

	• The participant has taken any other action that indicates his/her intent to establish residence outside of California. • The participant has found a job since leaving California. See **Future Action Control – User** for LEADER procedures.
CW 42-407 - Residence Intention	**<u>What action is taken when the applicant/participant has been absent from California for 60 days or more but intends to return?</u>** When the applicant/participant is absent from California for 60 days or more, his/her intent to return to California must be supported by one or a combination of the following: • Any family members with whom he/she lived continue to live in California. • Has maintained his/her California housing (owned, leased or rented). • Has employment or business interests in California. • Other action(s) that may prove his/her intent to return/remain in California. However, the items listed above may not be sufficient if the one or more of the following situations has occurred since leaving California: • The applicant/participant has purchased/leased a house out of state since leaving California. • The applicant/participant has been employed out of state since leaving California. • The applicant/participant has obtained an out-of-state driver's license since leaving California. • The applicant/participant has taken other action that indicates his intent to establish residence outside of California.
	<u>Can aid be continued if the participant has been continuously absent for 60 days or longer?</u> Aid can be continued if the applicant/participant has been continuously absent for 60 days or longer but the following evidence clearly shows:

	• He/she has not by act/intent, established residence outside of California; and • His/her return to California was prevented by illness or an emergency.
	<u>What action is taken when a child's parent is under order of deportation?</u> California residence of a U. S. citizen child can be established independently even though the parent is under order of deportation. Inquiries into the parent's plans for where the child will reside at some indefinite time in the future are permissible only if the parent is under a "final non-appealable" order of deportation. Unless a final non-appealable order of deportation has been issued, a parent cannot be asked to provide information regarding his/her future plans for the child once he/she leaves the country.
	<u>Can a participant receive CalWORKs if he/she is temporarily outside of the U.S.?</u> A participant may retain his/her eligibility and receive CalWORKs while temporarily outside of the U.S. When a participant is/will be temporarily absent from the U.S., the District Director must submit to the Division Chief, the case record and a memo to the Bureau Director containing the following information: • Reason for the absence from the country; • Destination and mode of travel; • Length of the absence and date of return; • Living plans, to include how the participant will manage financially; • Cost of the round trip travel arrangements; • Source of travel funds (i.e., gift from a relative, etc.); and • A statement concerning the determination of continued eligibility. The Division Chief must review the case record and memo for completeness before forwarding to the Bureau Director. If the Bureau Director concurs that eligibility continues, (including state residence/ temporary absence) the cash payment may be

	sent to a participant in a foreign country. See ***CW 82-812.1 – Temporary Absence*** for more information.

CW 42-417 – Recipients from Other States	**<u>Can a participant of TANF from other states, receive aid in California?</u>** **If otherwise eligible**, participants of TANF from other states who move with the intent to reside in California are eligible to receive CalWORKs. <u>Contact with the Other State</u> When a participant or recent former participant of cash aid from another state applies for CalWORKs in L. A. County, the EW must contact the welfare department in the other state by telephone as soon as possible. During the contact, the EW must: • Inform the other state of the application and the family's situation; and • Inquire as to the amount of the family's total cash payment and net non-exempt income (if applicable) and when the aid can be discontinued. See ***CW 42-300 Time Limits*** for more information. <u>Determining Eligibility for Participants from Other States</u> Eligibility to CalWORKs for current participants from other states must be determined using the same procedures and timeframes as for any other applicant except that Immediate Need (IN) procedures do not apply. See ***CW 40-129.1 – Immediate Need (IN) – Definition*** for more information. If the Assistance Unit's (AU) total benefits from the other state (grant plus any net non-exempt income) exceeds the Minimum Basic Standard of Adequate Care (MBSAC), CalWORKs cannot be authorized until the first of the month following the other state's effective date of discontinuance. If AU's total benefits from the other state (grant plus any net non-exempt income) are less than MBSAC, the AU may receive CalWORKs. The amount of the grant (including any net non-exempt income) from the other state is subtracted from the CalWORKs grant (Maximum Aid

	Payment (MAP). See ***CW 44-300 Aid Payments*** for more information.

CW 42-430 – Citizenship and Alienage	**<u>If the applicant/participant is not a U.S. citizen, he/she eligible to CalWORKs?</u>** Only citizens of the U.S. and <u>certain categories</u> of immigrants are eligible to CalWORKs. U.S. citizens must prove their citizenship and immigrants must prove their eligible immigrant status. If at the end of the application (processing) period, if the non-citizen cannot or refuses to provide the required documentation, deny the application per specific program requirements.
	<u>What are the United States Citizenship and Immigration Services (USCIS)?</u> The Immigration and Naturalization Service (INS) is now the U.S. Citizenship and Immigration Services (USCIS). USCIS provides immigration services (e.g., citizenship, asylum, lawful permanent residency, employment authorization, refugee status, inter-country adoptions, replacement immigration documents, etc.).
	<u>Can documents from USCIS and Section Codes be used to determine eligibility?</u> When a non-citizen presents a USCIS document, the EW must verify the USCIS status through the Systematic Alien Verification for Entitlements (SAVE) system. USCIS documents and Section Codes are used only as a **<u>tool</u>** to determine eligibility for CalWORKs. The following is a list of USCIS documents and Section Codes in which an applicant/participant is **<u>not eligible</u>** to CalWORKs; however, upon <u>review</u>, he/she may qualify.

<u>USCIS Document</u>	**<u>INA Code/ Section</u>**	**<u>CalWORKs Eligible</u>**
None		No
Visitor VISA		No
Passport only		No

	I-94	301	No –Must review admission adjustment date on back of card; if adjusted on or after 12/1/87, the non-citizen is cash eligible on the 5th anniversary of the adjustment date.
	I-94	Pending Asylum	No
	I-181-A		No
	I-181-B		Yes – PRS granted and 5 years from date of adjustment have passed, **or** PRS granted and 3 years from date of adjustment if married to U.S. citizen.
	I-210	242(b)	Yes – Dependent upon proof of acceptance of residency application to the U.S.
	I-797	301	No - Must review admission adjustment date on back of card; if adjusted on or after 12/1/87, the non-citizen is cash eligible on the 5th anniversary of the adjustment date.
	I-688	210, 210A, 245A	No
	I-688-A	210, 210A, 245A	No

	I-688-B	Various INA Citations	No
	I-551 with R16, R26		No – Must review admission adjustment date on back of card; if adjustment is on or after 12/1/87, the non-citizen is cash eligible on the 5th anniversary of the adjustment date.
	I-551 with W16, W26, W36		No – Must review admission adjustment date on back of card; if adjustment on or after 12/1/87, the non-citizen is cash eligible on the 5th anniversary of the adjustment date

What is the Systematic Alien Verification for Entitlements (SAVE) system?

The Immigration Reform and Control Act of 1986 (IRCA-86) mandated that the immigration status of each non-citizen applicant/participant be verified with USCIS. USCIS has designated SAVE as the system that will verify each non-citizen's immigration status. Although SAVE verifies immigration status, the responsibility for determining eligibility for CalWORKs remains with the county.

SAVE is a sharing program consisting of an automated (primary) and a manual (secondary) verification system.

The primary system is used to verify the immigration status of non-citizens who have an alien registration number ("A" number or "A" series number). If the primary verification response does not state that the non-citizen is in Satisfactory Immigration Status (SIS), then secondary verification is mandated.

	The secondary system is a manual system for verifying registration numbers and non-citizen information. In addition to primary verification, a secondary is required when the following occurs: • The SAVE primary response is "Institute Secondary Verification." • The USCIS documentation does not contain "A" number. • There are unacceptable discrepancies between the primary response and the USCIS documentation presented by the applicant. • The original USCIS documentation appears to be altered or counterfeit.
	What is an alien registration number? Non-citizen immigrant applicants must present documentation from USCIS that contains an alien registration number. This number ("A") number, references that individual's file with USCIS. Each "A" number is unique to each person, even minors and infants. The number contains seven, eight or nine digits preceded by the letter "A". New seven digit numbers are no longer being issued. See **Alien Registration Numbers** for LEADER procedures.
	When a non-citizen applies for CalWORKs, is he/she required to declare his/her immigrant status? For CalWORKs, the SAWS 2 (LEADER generated), Statement of Facts for Cash Aid, Food Stamps and Medi-Cal, meets the requirements for a declaration of citizen/non-citizen status, when: • Each adult applicant/participant signs under penalty of perjury that the individual is a U.S. citizen/national or non-citizen. • The SAWS 2 is documented for each individual by initiating SAVE and checking the SAVE box. • The county verbally informs the non-citizen applicant/participant of the requirements under IRCA.
	How is an applicant/participant informed about

	<u>the information available through SAVE?</u> The applicant/participant must be notified at intake and at redetermination that the information available through SAVE will be requested and utilized. This requirement is the same as the IEVS notification. The SAWS 2 contains sufficient information to notify all cash aid applicants and participants of the use of SAVE, which includes the following: • The immigration status of applicant non-citizen will be verified with USCIS through SAVE. • Such verification will require the disclosure to USCIS of certain information. • Information received from USCIS may affect their eligibility and benefit level.
	<u>What if the non-citizen applicant does not have acceptable USCIS documentation?</u> Non-citizens are required to obtain and provide acceptable USCIS documentation. Non-citizen applicants who do not have acceptable USCIS documentation are responsible for obtaining it for themselves and must be given the address of the nearest USCIS office.
	<u>Can aid be granted when the AU consists of non-citizens who have not provided documentation of immigrant status?</u> Granting aid to the remaining AU members cannot be delayed pending documentation of non-citizen status, if the AU is otherwise eligible.
	<u>What are the acceptable documents that are issued by USCIS to lawful U.S. residents?</u> Applicants/participants must provide USCIS documentation of immigration status before the EW can initiate verification into SAVE. Non-citizens must present the **original USCIS** documents, which may include a photograph. Non-citizens should request new documents from USCIS whenever they do not/cannot provide original USCIS documents. Acceptable documents that USCIS issues to lawful U.S. residents are:

	• I-551 – Resident Alien Card • I-551***** - Conditional Resident Alien Card • I-151 – Alien Registration Receipt Card • AR-3A – Alien Registration Receipt Card • I-181 – Memorandum of Creation of Record of Lawful Permanent Residence • I-688***** - Temporary Resident Card • I-327***** - Re-Entry Permit • I-571***** - Refugee Travel Document • I-94***** - Arrival-Departure Record (does not always have a "A" number) • I-689***** - Fee Receipt *Documents are invalid if the expiration date has passed.
	<u>What type of information is received from SAVE?</u> SAVE will produce a "primary abstract", when the abstract is received, the EW must compare to the case record. The data received from the SAVE primary system should be consistent with the information provided by the non-citizen. If there is any doubt as to the true identity or immigration status of the non-citizen, secondary verification must be initiated. In addition to comparing the SAVE data to the data provided by the non-citizen, the EW must check the SAVE "primary response message". There are seven possible primary verification responses: • Lawful Permanent Resident – Employment Authorized. • Cuban/Haitian Entrant – Temporary Employment Authorized. • Section 245A Temporary Resident – Temporary Employment Authorized. o A non-citizen granted amnesty was not eligible for CalWORKs for five years from the date temporary resident status (TRS) was granted. They were not considered to be in Satisfactory Immigrant Status (SIS). • Section 210 Temporary Resident - Temporary

	Employment Authorized. o A SAWs non-citizen may be eligible for Food Stamps once temporary resident status (TRS) has been granted. • Institute Secondary Verification. • Refugee- Employment Authorized. • Asylee – Employment Authorized.
	<u>Are there acceptable differences when comparing case information to the SAVE data?</u> When SAVE data is compared to information provided by the non-citizen, some acceptable differences may occur. Items to check include the non-citizen's alien registration number, name, date of birth and country of birth. Some acceptable differences include: • A name reversal with the last name appearing first. • A shortened name, especially Spanish names such as: o Maria de los Angeles – as Maria Angeles o Juan Gomez y Conde – as Juan Gomez Conde o Maria Gomez de Martinez – as Martinez, Maria Gomez • A recent marriage may not reflect a name change. • The date of birth may have been transposed month and day elements (e.g., January 4, 1957 may appear as 040157 or 010457. • The date of birth does not match but the participant has a court order showing correct birthday (must accept the court ordered birth date). • The date of entry – Since the date of entry could be the non-citizen's most recent entry into the U.S., it cannot be relied upon as indicative of when the non-citizen was

admitted as a lawful permanent resident.

- The Social Security Number – USCIS does not have social security numbers for every non-citizen on file.

- The country of birth may not be the county of nationality (state of legal allegiance).

When is a Secondary SAVE Verification initiated?

The EW must initiate a Secondary SAVE Verification, even if the SAVE response message is "Lawful Permanent Resident – Employment Authorized", under the following circumstances:

- The SAVE data is not consistent with the information provided by the non-citizen.

- The difference(s) in the information does not fall in the "acceptable difference" (listed above) categories.

- There is doubt as to the true identity or immigration status of the non-citizen.

Use the following chart to decide when to initiate Primary SAVE or when immediate Secondary SAVE is required.

Document	Initiate Primary	Immediate Secondary
Valid-appearing I-551, I-151, AR-3A, I-688, I-327 or I-571 with Number between A0000 001 and A59 999 999	X	
Counterfeit – appearing or altered document		X
No A- Number on document.		X

	I-551 showing code “Z13 and applicant claims battery.		**X**
	I-689 or I-688A		**X**
	I-181 or I-94 in a foreign passport that bears the endorsement “Temporary Evidence of Lawful Admission for Permanent Residence”, processed over a year ago		**X**
	Any USCIS receipt		**X**
	Other I-818 or endorsed I-94 on a foreign passport.	**X**	
	<u>What form is used to initiate a secondary verification?</u> To initiate secondary verification, the EW must complete a G-845S (out of drawer), Document Verification Request, for each non-citizen. The form and legible photocopies of original USCIS documents must be sent to the USCIS for verification via District Administration.		
	<u>Can a non-citizen apply/receive CalWORKs if he/she holds a status of “Indefinite Detention”?</u> Yes, a new category of immigrants has been added. They are non-citizens who were previously held in “indefinite detention” and are being released after having served their time. Indefinite detainees are non-citizens who have received a final order of deportation by the USCIS but have been released from detention because their home country or other countries will not accept them. These individuals may have an “Order of Supervision”, which is USCIS Form 1-220B with the individual’s alien registration number and a notation concerning exclusion, deportation or		

	removal. They may also have an employment authorization document showing their alien registration number. However, they most likely will not have documentation of their original status and SAVE will not provide the needed eligibility information. When the non-citizen is released from detention, he/she is eligible for CalWORKs (if otherwise eligible) based on the original immigration status. In a number of cases, these individuals originally came to the U.S. as refugees or had another status that made them eligible for certain benefits/services and are now eligible for CalWORKs.
CW 42-433 – Eligible Alien Status	**What is the citizenship status of a child born outside of the U.S.?** A child born outside of the U.S. is considered a U.S. citizen when all of the following requirements are met: • At least one parent of the child is a citizen of the U.S. (by birth or naturalization); • The child is under the age of 18; • The child is residing in the U.S. in the legal and physical custody of the citizen parent and the child entered the U.S. in accordance to a lawful admission for permanent residence; and • In the case of an adopted child, the child is under the age of 16 and has resided in the legal and physical custody of the citizen parent(s) for at least 2 years. See **Citizenship – Foreign Born Children** for LEADER procedures.
	What documentation is needed when a child is born outside of the U.S.? When a child is born outside of the U.S., documentation of citizenship is not needed as a condition of aid (if otherwise eligible). Previously, documentation of the child's citizenship status was a requirement; however, the law was amended to provide U.S. citizenship to certain foreign-born children of U.S. citizens. A "Certificate of Citizenship (COC)" was provided to these children but not all of these children have

	the COC. In order to determine the child's citizenship status, the following must be verified: • The citizenship status of at least one parent; • The age of the child; • The child entered the U.S. in accordance to a lawful admission for permanent residence (admission in any immigrant classification will satisfy the requirement that the applicant be admitted to the U.S. as a lawful permanent residence); • The legal relationship of the child to the parent; and • In the case of adopted children, the child is under the age of 16, has resided in the legal/physical custody of the citizen parent(s) for at least 2 years. Sibling children adopted by the same parent(s) have until the age of 18. By verifying the above requirements, through either USCIS documentation or other information and establishing the age of the child and the family relationship, status of the child can be determined. See **Citizenship – Foreign Born Children** for LEADER procedures.
	<u>What is acceptable verification to document U. S. Citizenship?</u> All persons born in and subject to the jurisdiction of the U.S. are U.S. citizens. Citizenship can be established by an applicant's statement on the appropriate Statement of Facts. The following is acceptable verification and must be in the case record: • U.S. birth certificate/hospital certificate (a child's birth certificate may be used to document the parent's U.S. citizenship if the parent's name/place of birth appears on the child's birth certificate. • Baptismal/confirmation certificate or entries in family Bible, school records. • Tribal enrollment card. • Certificate of degree of Indian blood. • Bureau of Indian Affairs I.D. card. • Adoption decree. • Marriage certificate.

	• Military discharge papers. • U.S. Passport. • Certificate of Citizenship (N-560 or N-561) from USCIS. • Certificate of Naturalization (N-550 or N-570). • United States Citizen Identification Card (I-179 or I-197). • Pending receipt of a PA 230 (out of drawer), Request for Verification/Certification of Evidence, a signed PA 853.1 (LEADER generated), Affidavit to Document: U.S. Citizenship, Identity and Birth, signed by the applicant for a child and/or spouse or a relative/friend who has direct knowledge of the person's place of birth, date of birth, his/her parents, etc.). See ***CW 42-111.1 – Evidence/Documents*** for more information.
	Can a foreign passport be used to verify the status of a non-citizen? A passport is a travel document issued by a government agency showing the person's national origin, identity and current nationality. This is valid for the entry of the person into a foreign country. Foreign passports are not proof of U.S. citizenship. Caution must be exercised as to the type of stamp that appears on a foreign passport since American Consulates grant visitors visas and other types of visas for temporary admission by stamping the foreign passport. However, there is one exception when a foreign passport can be proof of lawful permanent residence is when it is annotated with the statement: • "Processed for I-551" with a handwritten "Valid Until" date, or • "Conditional Permanent Resident". Processed for I-551 USCIS may stamp a non-citizen's foreign passport with the words "Temporary evidence of permanent non-citizen status" as acceptable proof of legal entry pending issuance of an alien/immigrant card. The USCIS stamp may give a date "valid until _____", but the non-citizen's

	card may not be processed by the expiration date. USCIS confirms that the stamped foreign passport is considered proof of permanent resident non-citizen status even after the expiration date since the determination of permanent status was completed prior to the passport being stamped. **NOTE:** The case must be followed up in 6 months (via FAC) for the non-citizen to provide an updated USCIS document. If the participant has not received their permanent alien card within this 6-month period, refer the non-citizen to USCIS for verification. Follow up the case in another 6 months (via FAC) to check for the receipt of the alien/immigrant card**.** <u>Conditional Resident</u> Non-citizens granted conditional permanent residence under the "Immigration Marriage Fraud Amendments of 1986" may have their passports endorsed with the new conditional visa classification and the expiration date of the non-citizen's conditionally admitted status. The passport of a non-citizen admitted on 11/15/86 as a conditional permanent resident would be endorsed: Admitted: CR-1 Until: November 15, 1988 These conditional permanent residents are eligible for CalWORKs **provided** the expiration date has not expired and all other eligibility requirements have been met.
	<u>What is a visa?</u> A visa is a temporary authorization to enter the U.S., usually in the form of a stamp (in a passport) or a card. Visas are issued by the Department of State. There are two kinds of visas: • Permanent Resident or Immigrant Visa which grants lawful permanent resident status to the bearer; and • Non-immigrant Visas that grants the person permission to stay in the country (i.e., tourist, student, etc.) but does not grant the person the

	privileges of the lawful permanent resident.
	<u>What is the I-94?</u> The I-94 is issued by USCIS to almost all non-citizens upon entry to the U.S. It creates a record of arrival and departure. The card shows the non-citizen's immigrant category or section of the law under which the person is granted admission. This is shown on the "admitted" line and may be printed or stamped on the card. The I-94 may or may not include an "A" number and does not have a photograph. Non-citizens with I-94s include: • Section 203(a)(7) – Conditional Entry • Section 207 – Refugee • Section 208, 208(a) – Asylum • Section 212(d)(5) – Parolee • Section 243(h) • Cuban Haitian Entrant • Persons in deportation hearings • Non-immigrants, and • Short-term employment authorized persons. <u>Processed for I-551</u> While processing a non-citizen's record prior to the issuance of the I-551, USCIS may issue an interim I-94 stamped: "Processed for I-551. Temporary evidence of lawful admission for permanent residence valid until _____ Employment authorized". At times, USCIS may have a backlog that results in a delay of processing I-551 requests. In these cases, initiate Secondary SAVE to verify the Individuals status. USCIS may also issue an I-94 stating the form is to be used as a "Temporary I-551"; this form is used for the same purposes as the alien/immigrant card, including authorization for employment, when the original has been lost or stolen. Besides the "Temporary I-551", a non-citizen may have a receipt for fees paid to replace the I-551. The receipt by itself is not sufficient evidence of a non-citizen's legal status; in these cases, initiate Secondary SAVE to verify the status.

	<u>What is the I-551?</u>
	
	The I-551 establishes both identity and employment eligibility for non-citizens lawfully admitted for permanent residence. I-551s are issued by USCIS to legal immigrants after their arrival and to refugees after one year of residence. Other non-citizens are eligible to apply for an I-551 subject to the limitations of their specific legal status.
	
	The I-551 replaced the I-151, AR-3 and AR-3a. It was phased-in starting in 1977. All of these forms are acceptable proof of non-citizen status if specifically endorsed to show the legal right to reside permanently.
	
	The I-551 is commonly called a “green card” after the original I-551 issued in 1946. In 1989, USCIS began to issue an I-551 with added anti-forgery characteristics and ten-year expiration dates. The face of this card is a rose color and the blue USCIS or INS seal overlaps the photo area. The laminate contains an optical variable ink pattern that reads “I-551” when the card is tilted at an angle. Class codes are on the back of the I-551. The back gradually changes from pink to blue with a map of the U.S. in white.
	
	USCIS began issuing a new version of the “resident alien card” on 4/22/98. The newer version has a white background and salmon lines cover the photo in an unbroken pattern on the front. The back has a pale greenish background with the map of the U.S. in white. It also features:
	
	• The permanent resident bearer’s country of birth.
	• Class codes listed on the front under “category.”
	• Imbedded holograms of:
	  o The Statue of Liberty with rays emanating from her torch,
	  o An outline map of the U.S.,
	  o The INS seal,
	  o The letters “USA” and
	  o The word “United States of America” alternating with “U.S. Immigration and Naturalization Service” (now USCIS).
	
	The I-551 and I-151 contain “class” codes that can

	be used to determine an individual's prior immigration status before adjustment to that of a permanent resident non-citizen. **NOTE:** The I-551 may be issued to persons to reflect the conditional nature of the non-citizen's status. An expired conditional I-551 cannot be accepted as evidence of eligible non-citizen status.
	When a child who was born outside of the U.S. turns 18, is he/she required to obtain status as an adult? Once a child is 18 they must obtain status as an adult to the extent they haven't already derived citizenship through their parents. Persons who are born in a foreign country and have at least one U.S. citizen parent do not automatically become citizens. They must file an application with USCIS to receive a "Certificate of Citizenship" (N-560 or a N-561, replacement certificate for the N-560).
	What are the requirements when a non-citizen chooses to become a Naturalized citizen? Naturalization is the process by which a lawful permanent resident becomes a U.S. citizen. Naturalization requires that the person meet the following criteria: • Be over 18 years old, • Be lawfully admitted to the U.S., • Reside in the country continuously for 5 years (3 years if married to a U.S. citizen), • Pass a test to prove basic knowledge of English and American government and history, and • File an application for naturalization with USCIS. Persons who meet all USCIS requirements will have a Certificate of Naturalization (N-550) or a replacement certificate (N-570) issued by USCIS if the original has been lost. See **Legal Permanent Resident (LPR) to a Naturalized Citizen** for LEADER

	procedures.
	When an individual is born in a U.S. territory, is he/she considered U.S. citizen? Yes, individuals born in U.S. territories are American nationals and are entitled to enter the U.S. for permanent residence at any time without going through the immigration procedures. These individuals are considered U.S. citizens. The U.S. territories are: • American Samoa • Guam • Northern Mariana Islands (NMI), provided the individual has been issued a U.S. passport or a certificate of identity issued by the Commonwealth of NMI. The main islands are Saipan, Tinian and Rota. • Puerto Rico • Swains Island • Virgin Islands
	Can aid be authorized for a non-citizen who has temporary residence? An alien who declares or presents documentation that he/she is lawfully present for temporary residence (e.g., a visitor whose period of admission has not expired, etc.) is not eligible for CalWORKs except under Section 212(d)(5), Aliens Granted Temporary Parole Status by the Attorney General.
	Are non-citizens required to have Social Security Numbers (SSN)? As a condition of eligibility, applicants must provide a Social Security Number or verification that an application for an SSN has been filed with the Social Security Administration (SSA). See ***CW 69-201.1 Trafficking Victims*** for additional information.
	How are non-citizens referred to the Social Security Administration (SSA) office?

	Staff must use the PA 4013, SSA Referral Letter, when referring non-citizens to the SSA office to request a non-work SSN. The PA 4013 does not have to be in the applicant's/participant's primary language. However, the applicant/participant must be given verbal translation of the form and informed in his/her primary language the purpose of the PA 4013. As long as the applicant provides documentation that he/she has filed an application for an SSN, the applicant may be aided, as appropriate.
	When is the PA 4013 SSA Referral letter used? The PA 4013 is used only when referring an applicant who: • Is lawfully admitted to the United States; or • Is an immigrant eligible to receive government benefits (i.e, VAWA petitioners with prima facie notices, battered immigrants with approved I-130s but no pending applications for adjustment of status); • Is not eligible to work in the United States; and • Has met all eligibility requirements with the exception of providing an SSN.
	What verification will the SSA office request from the applicant/participant who is referred with a PA 4013? The SSA office will require original documents showing age, identity and lawful immigration status. **NOTE:** The applicant must be made aware that if the non-work SSN is used to work, SSA may inform the United States Citizenship and Immigration Services (USCIS).
	What if the SSA does not accept the application (PA 4013) for non-work SSN from the applicant/participant? If an application was attempted but not accepted by SSA, the applicant/participant must be evaluated for "Good Cause." The applicant/participant must complete a PA 853, Affidavit, indicating the reason that he/she is

	unable to provide the required documentation. "Good Cause" includes situations in which the necessary documentation for the application for an SSN is not immediately available at the time of the application.
	When must the PA 853 be completed to claim "Good Cause"? The PA 853 must be completed every 30 days until SSA accepts the application and before each "Good Cause" extension can be allowed for the participant to remain aided.
	What is VAWA and who is eligible? The Violence Against Women Act (VAWA) permits an abused non-citizen spouse or child of a U.S. citizen or Lawful Permanent Resident (LPR) to apply directly (self-petition to the USCIS (formerly INS) on their own behalf for lawful immigration status. Prior to VAWA, only a U.S. citizen or a LPR could petition to the USCIS for their non-citizen spouses or children to become LPRs. VAWA allows non-citizens who are in abusive situations in which their immigration status is used as a tool of control, to petition without the assistance of the abusive spouse or parent. Abused children, children whose parents were abused and parents whose children have been abused can also petition under VAWA.
	What are the VAWA requirements? Battered non-citizens are eligible as Permanently Residing Under Color of Law (PRUCOL), for CalWORKs if they have acceptable U.S. Citizenship and Immigration Services (USCIS) or the Executive Office for Immigration Review (EOIR) documentation.
	Who is eligible to VAWA? Applicant/participant'identified as victims of domestic abuse must be assigned to a Special Supportive Services (SSS) EW.

	Persons ineligible for CalWORKs because of their immigration status who have been battered or who have suffered extreme cruelty by a spouse, parent or family member may be eligible for CalWORKs. These persons include: a) A spouse of a U.S. citizen or Lawful Permanent Resident (LPR) when the battery/cruelty of the spouse was perpetrated by the citizen, LPR or by a member of his/her family living in the home; b) Child of a U.S. citizen or LPR when the abuse was perpetrated by a parent/parent's spouse, by a family member of the parent or parent's spouse living in the home; c) The child of a battered person described in "a" above; and d) The parent of a battered child described in "b" above.
	When a battered non-citizen applies for VAWA, what documents are received from USCIS? Individuals applying as a battered non-citizen must have a petition filed with USCIS or Executive Office for Immigration Review (EOIR). Petition The petition includes one of the following: • I-360 pending or approved self-petition (Petition for Amerasian, Widow or Special Immigrant; or • I-130 pending or approved petition for non-citizen relative (Petition for an Alien Relative); or • Filed/pending EOIR 40 application for suspension of deportation; or • Filed/pending EOIR 42 application for cancellation of removal. Petition has been Filed After the petition has been filed, the applicant/participant may have any of the following from USCIS:

	Form	**Notice of Action from USCIS (formerly INS)**
	I-797 or I-797C	Indicates filing of the I-360 petition. This is not sufficient evidence of pending status as a battered non-citizen. Within 3 weeks, USCIS will send an additional notice. The applicant/participant must return with the second notice, which indicates approval/pending status to complete the verification.
	Same	Indicates "Establishment of Prima Facie Case". The case type is "I-360 Petition for Amerasian, Widower or Special Immigrant". This is sufficient evidence of pending status as a battered non-citizen. This document is valid for 150 days (expiration date is on the form). This is usually enough time for the case to be adjudicated. An extension can be requested in writing to USCIS if needed to continue public benefits. If the establishment of the prima facie case is not re-issued or extended, the case may have been denied by USCIS.
	I-797C	Stating "Receipt Notice", the receipt shows the applicant/participant paid for case type "I-360 Petition for Amerasian, Widower, or Special Immigrant" or the "I-130 Petition for an alien Relative". This is not sufficient evidence of pending status as a battered non-citizen.
	I-797/ I-797C	Stating the notice type is an "Approval Notice", which means the applicant/participant is a battered non-citizen and is eligible. The notice may indicate a deferred action that does not affect the approval status even if the time period has expired, unless the Vermont Service Center has indicated the deferred action has been revoked.

	Same	Stating the notice type is a “Denial Notice”, which means the applicant/participant does not qualify for CalWORKs as a battered non-citizen.
	<u>Final Order or Notice</u> The applicant/participant may also have documentation of a final order by an Immigration Judge or from the Board of Immigration Appeals: • Giving approval of status or establishing a prima facie case, or • Granting Suspension of Deportation under Section 244(a)(3) of the Immigration and Naturalization Act (INA) as in effect prior to April 1, 1997 or Cancellation of Removal under Section 240A(b)(2) of the INA.	
	<u>What if the battered non-citizen has current legal status?</u> The applicant/participant may have documents from USCIS, if he/she has possession of any of the documents listed below, no further interactions with USCIS is required. The applicant/participant is eligible to LPR, the EW is to follow existing procedures for domestic violence.	
	<u>USCIS Document</u>	**<u>USCIS Code</u>**
	I-551	Code printed on the front of a white card or the back of a pink card: AR1, AR6, C20 - C29, CF1, CF2, CR1, CR2, CR6, CR7, CX1 – CX3, CX6, CX8, F20 - F29, FX1 - FX3, FX6 - FX8, IF1, IF2, IR1 - IR4, IR6 - IR9, IW1, IW2, IW6, IW7, MR6, MR7, P21 - P23, P26 - P28

	I-551	Code stamped on the lower left side of the back of the pink card: IB1 - IB3, IB6 - IB8, B11, B12, B16, B17, B20 - B29, B31 - B33, B36 - B38, BX1 - BX3, BX6 - BX8
	I-551	Z13 may indicate battery, needs additional follow-up through SAVE (institute Secondary)
	Foreign Passport/I-94	Any of the codes listed above.
	What are Self Petitions (VAWA)? Self petitions are the USCIS documents that indicate an approved petition or a prima facie determination for self-petitioners. The I-797 or I-797C documents must show approval of prima facie determination of an I-360, based on the status as a spouse or child of an abusive U.S. citizen or LPR.	
	What is an Approved Self Petition? An approved self petition may indicate that USCIS has exercised the option to place the person in deferred action. This means that USCIS will not initiate removal (deportation) proceedings against the self-petitioner. A deferred action determination is valid for a specified period of time as indicated on the USCIS document. Once the time period has expired, a battered non-citizen must provide acceptable USCIS documentation in order to continue to be eligible.	
	What USCIS documents indicate Approval of a Petition/Application/Prima facie determination? The I-797 or I-797C must indicate approval of either an I-360 or I-130 petition, a final order or notice from an Immigration Judge, the Board of Immigration Appeals or Federal Court granting suspension of deportation or cancellation of removal.	
	What is a Pending Self Petition?	

	A pending self petition which sets forth a prima facie case means that USCIS has made a review and has determined that based on the face value of the evidence, the case appears to be valid.
	What is a Prima Facie determination? A prima facie determination is an interim decision pending an approval or denial of the petition. Once USCIS has made the prima facie determination, the battered non-citizen will receive a prima facie notice. A prima facie notice is valid for up to 150 days after issuance. In order for a battered non-citizen to remain eligible after the expiration of a prima facie notice, the battered non-citizen must have either a renewal of the prima facie notice or an approved petition.
	Do Self Petitions by a Widow(er) & Family Based Petitions have a Prima Facie determination? Self petitions by a widow(er) and family based petitions will not have a prima facie determination, however, they may have a pending petition. In this case, a pending petition is one that has been submitted to USCIS and a final decision has not yet been provided. The USCIS document which indicates approval of petitions by a widow(er) is the I-797 or the I-797C. This document must indicate approval of an I-360 based on the status as a widow(er). **NOTE:** For battered non-citizens with a pending self petition by a widow(er) or a family based petition, the county should request that USCIS expedite the petition process. The county is also advised to refer the battered non-citizen to the local legal organization for possible assistance with self-petitioning as a battered non-citizen.
	What document verifies the Approval of Petitions by a Widow(er)? The INS document which indicates approval of petitions by a widow(er) is the I-797 or the I-797C. This document must indicate approval of an I-360 based on the status as a widow(er).
	What are the family relationship requirements

	to qualify for a family based petition? In order to qualify as a battered non-citizen with a family based petition, the approval document, USCIAS form I-797 which indicates approval of an I-130, must contain the following relationship information: • Husbands or wives of U.S. citizens or Legal Permanent Residents (LPRs), • Unmarried children under 21 years old of U.S. citizens or LPRs, or • Unmarried sons or daughters age 21 or older of LPRs.
	Who is considered a "Qualified Alien"? A battered non-citizen who has attained LPR status through a family based petition is a "qualified alien." Therefore, it is not necessary to apply the battered alien requirements in this situation. **NOTE:** The county is advised to follow the guidelines already set forth in the CalWORKs and Food Stamp Programs for determining eligibility for "qualified aliens."
	Can an abused non-citizen petition for cancellation of removal/suspension of deportation? Yes. An abused non-citizen that is already undergoing deportation proceedings can petition to the Executive Office for Immigration Review (EOIR) immigration courts for cancellation of removal/suspension of deportation as a battered non-citizen. An approved petition in this situation will be a final court order or notice from an immigration Judge, Board of Immigration Appeals, or a federal court granting a cancellation of removal or suspension of deportation.
	How can a non-citizen in deportation proceedings receive a suspension of deportation or cancellation of removal and adjustment of status? A non-citizen in deportation proceedings can receive a suspension of deportation or

	cancellation of removal and adjustment of status if: • The non-citizen has been abused by a U.S. citizen or LPR spouse in the U.S., or • The non-citizen's child has been abused by the U.S. citizen or LPR parent in the U.S.
	Who are Derivative Beneficiaries? Derivative beneficiaries are unmarried children of the principal beneficiary who are under the age of 21.
	What benefits are Derivative Beneficiaries eligible to? Derivative beneficiaries who are referenced on the petition request but are not indicated on the USCIS approval document or the prima facie notice, are eligible to the same benefits as the principal beneficiary.
	How can staff obtain the status of a VAWA self petition, family based petitions, self petitions by widow(er)s and derivative beneficiaries? Inquiries regarding the status of VAWA self petitions, family based petitions, self petitions by widow(er)s and derivative beneficiaries should be made to USCIS online or via telephone (see below).
	How does staff verify a petition for lawful immigration status online? To check the status of a participant's petition for lawful immigration status using the internet, the Specialized Supportive Services (SSS) EW or designated staff must follow these procedures: • Access USCIS Case Status Online Service at http://www.uscis.gov; • On the right side of the screen under Hot Topics, click on "Case Status & Processing Dates"; • Choose "Finding the Status of Your Case" (online); • Scroll down to Application Receipt number; • Enter the application receipt number, with no spaces or dash marks. The application receipt number is found on the forms provided to

	participants after they have submitted an application to the USCIS center, the number begins with 3 letters, and is located on the top left corner of the document; • An update will be immediately provided, "Case Status" which is to be printed and maintained in the case record; • The screen will provide you with the receipt number, application type and the status of the case; and • LEADER Case Comments screen must be updated with the results of the inquiry. **NOTE:** The petition is pending if the information on the screen indicates that application is still being processed.
	<u>How does staff verify a petition for lawful immigration status via telephone?</u> To check the status of a participant's petition for lawful immigration status using the telephone, the SSS EW or designated staff member must follow these procedures: • Call the USCIS National Customer Services Center at (800) 375-5283; • Follow the initial menu options to select language preferences, for English press 1; • From the four menu options given, the EW will select option two, "application or petition" ; • From the next six menu options given, the EW will select option 6 "check status of case" ; • When requested, enter the receipt number (the receipt number should start with three letters and followed by 10 digits, and is found on the top left corner of the document), enter the letters as numbers (i.e, receipt number WAC1111111111, you would enter it as, 9221111111111); • Listen carefully, you will hear an update on the status of the case with the results of the inquiry; and • LEADER Case Comments screen must be updated with the results of the inquiry.
	<u>What if the battered non-citizen has been sponsored?</u> All sponsored non-citizens who are domestic abuse victims are exempt from the deeming

	requirement for a period of one year. The exemption may be extended beyond the one year if: • CalWORKs eligibility criteria continues to be met; • USCIS has made a prior determination that abuse did occur; or • The abuse has been recognized in an order from a judge or from an administrative law judge.
	How is the abuse of a non-citizen verified? Self-declaration is acceptable proof of battery/cruelty upon the applicant/participant/child by a spouse, parent or family member.
	If the applicant lives with his/her abuser, can he/she receive CalWORKs? Battered applicants who are non-citizens living with his/her abuser can receive CalWORKs, if otherwise eligible. However, if it is determined that there is no eligibility (i.e., no deprivation, etc.) based on the abuser living in the home, the case must be held for 30 days, before a case can be denied. In addition, applicants who declare/state or later it is established/discovered that the abuser (spouse/parent/family member) continues to live in the home, the applicant must be referred to a domestic violence service provider for assistance with counseling/housing and Legal Aid for legal assistance at (213) 640-3883 or (800) 433-6251.
	Can confidential information about a battered non-citizen be released to a third party? Case information about a battered non-citizen cannot be released to any outside party, other governmental agency or to any employee who is not directly involved in the applicant's/participant's case, unless the information is required to be disclosed by law or if the applicant/participant has signed a release of information.

What is the definition of a Parolee and how are they identified?

Parolees are persons who normally would not be admissible to the U.S. but are allowed to enter temporarily for humanitarian, medical and legal reasons, usually under emergency circumstances. Parolees are allowed in the country either "indefinitely" or for a specific period of time. Those allowed in the country for a specific period of time are not eligible. Those allowed "indefinitely" are eligible and may later be allowed to adjust their status to asylee.

Non-citizen parolees entering the U.S. are given immigration status of:

- Paroled as a Refugee or Cuban/Haitian Entrant, or
- Humanitarian Parolee (HP), or
- Public Interest Parolee (PIP).

Non-citizens paroled as Refugees and Cuban/Haitians are eligible for the RCA program and are not sponsored. HPs and PIPs are not refugees and are not eligible for the RCA program and may or may not be sponsored.

A PIP's documentation may expire while they are waiting to receive lawful permanent resident (LPR) status. USCIS will not issue new current documentation while they are pending LPR status (i.e., no extension stickers). When the applicant/participant verifies pending LPR status with expired PIP documentation, they remain eligible for benefits as PRUCOL, if otherwise eligible.

The following applies:

Parolee	**Document**
Refugee	Persons who fear persecution are paroled into the U.S. as refugees. They will be issued an I-94 showing Section 212(d)(5) or stamped Section 207. They may also have an I-688B indicating INA Section 274a.12(a)(4).

	Humanitarian & Public Interest Parolee	A HP or PIP may receive an I-94 (Arrival-Departure Record-Parole Edition) which states paroled into the U.S. under Section 212(d)(5). They may also have an I-688B indicating the provision of law: 274a.12©1`1, (paroled for emergency or public interest reasons).
	<u>How are Nicaraguan Adjustment and Central American Relief Act (NACARA) non-citizens identified?</u> NACARA non-citizens are identified by one of five codes on their I-551 document (Permanent Resident Card). The codes are: NC5, NC-6, NC-7, NC-8 and Z-15.	
	<u>What is the definition of a Jay Treaty Indian and are they eligible for CalWORKs?</u> North American Indians born in Canada, who have at least 50% Indian blood, are the Jay Treaty Indians and can freely pass between the U. S. and Canada. Jay Treaty Indians are considered lawful permanent residents (LPR) when present in the U. S., but they must apply with USCIS for this status. In addition to USCIS and/or court documents, the person must have proof (including birth records) to certify that the Canadian-born person is of 50% Indian blood (i.e., affidavits from tribal officials or other proof of this status).	
	<u>Who are Amerasians?</u> Amerasians are Southeast Asian children fathered by U. S. citizens and born in Southeast Asia.	

	Amerasians are eligible to immigrate to the U. S. under various immigration laws. Spouses, children parents or guardians may accompany the immigrating Amerasian. Amerasians have immigrant status but are eligible for Refugee Cash Assistance (RCA) (same as all other time-eligible refugees). The following documents are acceptable verification of Amerasian status:	
	USCIS Document	**USCIS Code**
	I-94	Amerasian under 584 of Foreign Operations, Export Financing & Related Program Appropriations Act
	I-94	AM1, AM2, AM3
	I-551	AM1, AM2, AM3, AM6, AM7, AM8, A11, A12, A16, A17, A32 – A33, A36 – A38
	Vietnamese Exit Visa	None
	Vietnamese or U.S. Passport	Stamped AM1, AM2 or AM3

6/20/05

CW 42-700 WELFARE-TO-WORK

CW 42-701- Introduction to Welfare-to-Work	**<u>What is Welfare-to-Work?</u>** Welfare-to-Work (WtW) is the State mandated program that provides employment and training services to CalWORKs participants. The goal of WtW is to enable participants to achieve self-sufficiency through employment. In Los Angeles County, the WtW program is called the GAIN (Greater Avenues for Independence) Program.
	<u>What is GAIN?</u> GAIN is a mandatory welfare-to-work program for CalWORKs participants. Once CalWORKs is approved, participants are referred to GAIN and are assigned to a GAIN Services Worker (GSW). The GSW works with the participant to achieve self-sufficiency through eliminating barriers, training and obtaining full-time employment.
	<u>How are CalWORKs participants referred to GAIN?</u> When an applicant is approved for CalWORKs, he/she is referred by LEADER to GAIN via the GAIN Employment Activity and Reporting System (GEARS, a database that tracts GAIN participants). GAIN will send the CalWORKs participant an appointment letter for a GAIN Orientation and Appraisal.
CW 42-711- Welfare-to-Work Participation Requirements	**<u>What is the role of Eligibility staff in GAIN?</u>** During intake and redetermination, Eligibility staff must inform the participant about GAIN and the importance of attending GAIN appointments. The participant must be informed that GAIN is a program that could lead to full-time employment, pay for child care and other job related expenses. When asked by a participant where he/she can get more details about GAIN, Eligibility staff should refer the participant to the nearest GAIN Regional Office or to GSW collocated staff, if available, for more details. In addition, the EW must complete a GN 6140, Screening for Substance Abuse and Mental Health (out of drawer) form for each applicant/participant. When the applicant/participant discloses that he/she has a substance abuse, mental health or domestic violence issue, the EW must transfer the case to the

	Specialized Supportive Services Worker (SSSW). The SSSW will refer the participant to GAIN for clinical assessment.
	<u>What action is taken when a participant reports an address/telephone number change to the GAIN Services Worker (GSW)?</u> • The GSS updates the information on GEARS. • GEARS generates a GN 6001-1, Notice of Address Change/Telephone Number Affecting CalWORKs/GAIN, to notify EWs of address/telephone number changes made by the GSS. • LEADER will be updated with the change of address/telephone number and the "Verification Source" in the '**Data Collection/Case Summary'** screen will display "GSW." • LEADER creates a "Future Action Control" (FAC) to alert the EW that a change of address/telephone number was made by the GSW. • LEADER will populate Case Comments with the following statement: A change of address/telephone number was made by the GSW. • LEADER will only generate a PA 4024, Address Change-Please Help Us Help You Notice, to the participant when a change of **address** has been reported. **NOTE:** The PA 4024 is not mandatory. Negative action is not taken if the form is not returned by the participant.
	<u>What is the role of the GAIN Services Coordinator (GSC) when a change of address/telephone number has been reported to the GAIN Services Worker (GSW)?</u> The GSC will receive notice via the GN 6001-1. The GSC must print this daily notice and forward the information to the EW for filing in the case record.

CW 42-711.4 - Welfare-to-Work Hours of Participation	**<u>What is the weekly participation hours requirement?</u>** For an adult in a one-parent household, 32 hours a week are required. For an adult in a two-parent household, 35 hours a week are required.
CW 42-712 - Exemptions from Welfare-to-Work Participation	**<u>Is GAIN participation mandatory for all CalWORKs recipients?</u>** Yes. However, adults may be eligible for a GAIN exemption. Individuals 16, 17 and 18 years of age who are not attending school full-time must participate in GAIN.
	<u>When is a participant excused or exempt from GAIN activities?</u> A participant can be excused or exempted from GAIN activities if he/she meets any of the following conditions: • Is under 16 years of age; • Is age 60 years or older; • Has a disability expected to last at least 30 days or more; • Is an aided non-parent caretaker relative who is responsible for a child who is considered a dependent, ward of the court, a Kin-Gap child or at risk of placement in foster care; • Is caring for an ill or disabled household member and it affects his/her ability to participate or work; • Is under 19 years of age and is attending school full time; • Is a caretaker relative and is not being aided; • Is responsible for providing care to a child twelve months old or under; or • Is pregnant and the pregnancy prevents the participant's ability to be regularly employed or participate in WtW activities.
	<u>What GAIN exemption reasons must be reviewed during Redetermination?</u> The reasons for exempting participation in GAIN must be reviewed periodically by GAIN staff; therefore, it is important for the EW, during the redetermination process, to verify certain information that may exempt a participant from GAIN such as permanent medical disabilities,

	ongoing employment and when a participant is providing care for an ill household member. When a CalWORKs participant provides documentation verifying a permanent disability (CW 61) and there is no expected end date, the EW must enter an end date on LEADER that is aligned to the redetermination month. The permanent disability must be verified yearly during the redetermination appointment. The same process is applied to participants caring for permanently ill household members. See ***CW 41-400 Deprivation*** for more information
	Is verification or documentation required to be exempted? Yes. To qualify for an exemption, the participant must provide proof before he/she can be exempt from participating in GAIN. In addition, if the participant provides information and/or verification to the intake or approved Eligibility Worker (EW), and the information is entered on LEADER, LEADER will notify GAIN (via GEARS) of the Exemption status. See **Disability Determination** for LEADER procedures
	How is a GAIN exemption determined and processed? The LEADER system determines most GAIN exemptions. Exemptions are identified by information in the CalWORKs case record (i.e., youth under 16, age 60 or older, etc), and determined by LEADER based on the information entered by the EW.
	How are exemptions, not identified by LEADER, processed? GAIN staff is responsible for processing exemptions that are not determined by LEADER. Once the GAIN Services Worker determines a participant is exempt from GAIN participation, this information is updated to GEARS and transmitted to LEADER via GEARS. Additionally, a GN 6001-6, Notice of Change Affecting CalWORKs, is generated by GEARS to notify Eligibility staff of the exemption.

	These notices are printed daily by the GAIN Services Coordinator.
	<u>What action is taken when the GAIN Services Coordinator (GSC) receives a GN 6001-6 from GAIN via GEARS?</u> Upon receipt of the GN 6001-6 from GEARS, the GSC must: • Check LEADER to ensure the system has been updated with the information transmitted via GEARS. • If LEADER has been updated, forward the GN 6001-6 to the EW via the Eligibility Supervisor (ES) for filing in the case record. • If LEADER has not been updated, forward the GN 6001-6 to the EW via the ES with instruction to review the case and update/authorize LEADER within 10 working days. • Set-up a 10 day control and review LEADER to ensure compliance by the EW. • Notify the Deputy District Director (DDD), if the information has not been updated by the due date.
	<u>What action is taken when the Eligibility Worker (EW) receives a GN 6001-6 from the GAIN Services Coordinator (GSC)?</u> Upon receipt of the GN 6001-6, the EW must: • Review the case and determine what action is required to update LEADER with the exemption. • Contact the GSC for assistance, as needed. • Request any additional information from the GSW or the participant, if appropriate. • Enter the information on LEADER and ensure that it is updated and authorized.

	Is the verification provided to the GAIN Services Worker (GSW) sufficient to exempt a participant? Yes. When a participant provides verification to the GSW and the GSW determines that the verification qualifies the participant for an exemption, the EW **must not** request any duplicate or additional verification from the participant. **EXAMPLE** A participant provides the GSW with medical verification. The medical exemption is expected to last beyond 30 days (Code 05 exemption). • The GSW grants the participant an exemption and enters the information on GEARS. • A GN 6001-6, Notice of Change Affecting CalWORKs, is generated by GEARS and printed by the GSC. • The GSC verifies that LEADER has been updated with the disability exemption. • The GSC forwards the GN 6001-6 to the case-carrying EW via the ES for filing in the case record. In this case scenario, duplicate or additional verification from the participant **is not** required.
	Are there instances where it is necessary for the Eligibility Worker (EW) to request additional proof or verification to process an exemption? Yes. Sometimes the GSW will determine a participant should be granted an exemption and enters the information on GEARS. However, the information does not pass over and LEADER does not reflect the exemption. The EW must first follow-up with the case-carrying GSW to obtain the needed verification in order to process the exemption request. However, if the verification provided by the GSW is not sufficient or needs clarification, the EW must request that the participant provide additional verification/clarification to process the exemption request. **EXAMPLE**

	An exemption for caring for an ill family member who is part of the household composition (Code 07 exemption) is granted to a participant and entered on GEARS by the GSW. • A GN 6001-6 advising Eligibility staff of the exemption is generated by GEARS and printed by the GSC. • The GSC reviews LEADER and determines the exemption did not pass onto LEADER because the ill family member is not in the Assistance Unit. • The GSC forwards the GN 6001-6 to the EW via the ES with instructions to review the case and take appropriate case action, including updating/authorizing LEADER within 10 working days.
	Are there GAIN exemptions that affect a participant's time limits? Yes. Some GAIN exemptions can affect a participant's time limits. Participants can request a time limits review with GAIN staff to determine what exemptions may stop or affect their time limits clock. The EW is required to refer participants to GAIN for a time limits review. See ***CW 42-300 General Time Limit Requirements*** for more information.
CW 42-713 - Good Cause for Not Participating	**Are there other reasons why an adult would not participate in GAIN?** A participant can be excused by the GSW from GAIN activities if he/she has a good cause for not participating. Some good cause reasons are: • Lack of necessary supportive services; • Victim of domestic abuse; or • Child care is not reasonably available.
	Who determines Good Cause? Based on participant information and documentation provided by the participant, the GSW determines good cause.
CW 42-716.8 – Grant-based On-the-Job Training (OJT)	**How is grant-based OJT income treated?** Any portion of the participant's grant that is diverted

	to the employer, as in the case of OJT income, is not entitled to income disregards. See ***CW 44-100 Income*** for more information
	<u>If there is a break in income due to employer's or participant's action, should the participant receive a full grant?</u> No, the participant is to receive the maximum aid grant payment for which he/she is otherwise eligible minus the gross amount of the grant-based wages and any other non-exempt income received by the participant.
	<u>If the employer subsequently pays the participant the wages, what should the participant do with the income since his CalWORKs benefits were already adjusted?</u> Any such wages recovered from the employer shall be treated as an overpayment.
CW 42-721 - Noncompliance with Program Requirements	**<u>What happens if a participant does not attend his/her GAIN appointment or does not participate?</u>** If a participant fails to participate in GAIN, he/she is subject to a financial sanction. Before a sanction can be imposed, participants can request to be exempt from GAIN if they have "good cause." During intake and redeterminations, it is important that Eligibility staff remind participants that he/she must participate in GAIN and attend scheduled GAIN appointments.
CW 42-721.4 - Welfare-to-Work Sanctions	**<u>What type of sanction can be imposed?</u>** A financial sanction can be imposed on the aided adult if he/she fails to comply or participate in GAIN. A financial sanction will remain in effect until the participant provides verification they had good cause or participates in GAIN.
	<u>Is a GAIN sanction a mandatory county-initiated sanction?</u> Yes, a GAIN sanction is a county-initiated change. Therefore, it can be imposed at any time during the quarter.

	When can benefits be reduced/stopped as a result of a GAIN sanction? Benefits will be reduced on the first of the month following the imposition of the sanction with the issuance of a 10-day Notice of Action (NOA). **EXAMPLE 1** A participant failed to comply with Job Club requirements and a GAIN sanction was imposed on September 16. The participant will be removed from the Assistant Unit (AU) and benefits reduced effective October 1. **EXAMPLE 2** A participant failed to attend Orientation and a sanction was imposed on July 25. Since a timely 10-day NOA cannot be provided, the participant will be removed from the AU and benefits reduced effective September 1.
	How is a GAIN sanction imposed? When a participant does not show up for a mandatory appointment or does not participate in an assigned GAIN activity, the GSW must determine why the participant is not complying. The GSW initiates the noncompliance process on GEARS and LEADER is automatically updated with this information. With the initiation of a noncompliance, LEADER automatically generates a Notice of Action, NA 840, which is sent to the participant. **NOTE:** It takes two working days for GEARS to update LEADER. The GSW is responsible for recommending a GAIN sanction. The sanction is only imposed after attempts to resolve the noncompliance fail.

	<u>What action is taken when a sanctioned individual informs the Eligibility Worker (EW) that he/she wants to cooperate with GAIN?</u> When the EW is contacted by the sanctioned participant indicating that he/she is now willing to cooperate with GAIN, the EW must: • Obtain information from the participant such as home telephone number/cell phone number, best time to call, case number, etc; • Inform the participant that the information will be forwarded to the appropriate GAIN Region's designated sanction GSW; • Contact the designated sanction GSW at the corresponding Region and provide the participant's information; -OR- • Instruct the participant to contact the GAIN region's scheduling clerk who will connect the participant with the Region's designated sanction GSW. The scheduling clerk's telephone numbers are as follows: o Region I – (310) 665-7514 o Region II – Chatsworth (818) 718-4201 o Region II – Palmdale (661) 575-8900 o Region III – (626) 927-2600 o Region III – Pomona (909) 392-3008 o Region IV – (323) 730-6453 o Region V – (310) 603-8301 o Region VI – (323) 881-5300/5301 o Region VII – (818) 729-8824 Each GAIN Region has a designated sanction GSW to assist participants with actions needed to remove a sanction and facilitate participation in GAIN. **NOTE:** These instructions must also be followed by the GSC, if contacted by the sanctioned individual.
	<u>How is a GAIN sanction cured/cancelled?</u> The GSW or designated sanction GSW will enter the sanction "end date" on GEARS when the participant has complied with the GAIN activity/requirement.

	Updating the sanction "end date" on GEARS generates a transaction to LEADER and the participant is added back to the CalWORKs case at the first of the following month. **NOTE:** It takes two working days for GEARS to update LEADER.
	When a participant has a 2nd or 3rd sanction, does he/she have to wait for the sanction period to end before the sanction can be cured? No, the participant can cure the sanction at any time, regardless of the number of times he/she has been sanctioned before. The sanction is ended when the participant agrees to comply with the GAIN program rules and resumes his/her welfare-to-work activities.
	Is a GAIN sanction applied on a now discontinued case still valid when the individual reapplies? Yes, the individual must comply with GAIN **before a sanction can be removed.** Therefore, if the applicant informs the EW that he/she is willing to comply, the EW must refer the applicant to the appropriate GAIN Region's designated sanction GSW. Upon receiving the referral from the EW, the designated sanction GSW will assist the applicant/participant with the actions that need to be taken to remove the sanction and participate in GAIN. **NOTE:** **Only GAIN** can remove a financial GAIN sanction.
	What is the role of the GSC? The GSC serves as a liaison between GAIN and CalWORKs eligibility staff. The role of a GSC includes, but is not limited to, the following: • Serves as a district liaison with GAIN staff to ensure appropriate actions are taken and resolve problems; • Coordinates the resolution of procedural and LEADER issues between GAIN and CalWORKs

	eligibility staff; • Responds to public inquiries regarding GAIN requirements, time limits, post-employment services, etc.; • Interprets GAIN regulations and procedures to district staff; • Reviews information regarding exemptions, employments, and sanctions received from GAIN via the GN 6001-6 and forwards the information to eligibility staff for further action, if needed, or for filing in case; • Sets up controls and monitors LEADER to ensure that exemptions and employment records are updated through the GEARS/LEADER interface; • Sets up controls and monitors LEADER to ensure that benefits have been restored following the resolution of a GAIN sanction; • Sets up controls and monitors LEADER to ensure that financial sanctions have been imposed; • Reviews case to resolve LEADER conflicts with GEARS by determining cause and possible solution. If necessary, submits a trouble ticket to request a database correction from GEARS via the GAIN Services Supervisor; • Acts as the district's Cal-Learn Coordinator; • Acts as the district's Time Limit Liaison; • Processes any requests from Appeals and State Hearing Section involving both BWS and GAIN; • Add/update clockstopper data for other county/state on the individual Attribute/Prior Current Aid screen; • Forwards all CW 2186A (out-of-drawer), CalWORKs and Welfare-to-Work Time Limit Exemption Request Form, submitted by participants to the district offices to the appropriate GAIN Region; and • Processes time limit adjustments that require immediate action. For example VIP, Legal Aid, etc. See ***CW 42-300 General Time Limit Requirements*** for more information See **Time Limits - CalWORKs - Basic Info** for LEADER information
CW 42-750 - Supportive Services	**<u>What are Supportive Services?</u>** The GAIN program helps participants with

	transportation, childcare and work/training-related costs, e.g., tools, books, school fees, uniforms, and work clothing. Participants must be participating in GAIN to qualify.
CW 42-762 - Introduction to the Cal-Learn Program	**<u>What is Cal-Learn?</u>** Cal-Learn is a statewide mandatory program for CalWORKs participants under the age of 19 and encourages them to stay in school to complete their high school diploma or equivalent. Cal-Learn participants must meet the following requirements: • Has been enrolled in the program before the age of 19 years; • Is pregnant or a custodial parent (child is aided in the same CalWORKs assistance unit); and • Has not received a high school diploma or its equivalent.
	<u>How do participants enroll in Cal-Learn?</u> Based on minor parent and education information entered by the EW on LEADER, participants are identified as Cal-Learn eligible and referred to the Cal-Learn Program.
	<u>Who can assist when a Cal-Learn related issue cannot be resolved?</u> The GSC acts as a district liaison with GAIN staff in resolving Cal-Learn related problems.

CW 43-100 RESPONSIBLE RELATIVES

CW 43-103 –Responsibility for Support	**What are the responsible relative requirements?** The following lists the relatives and their responsibility for support of the children who receive CalWORKs: Parents – All parents regardless of their age or their marital status are responsible to the extent of their ability for the support and care of their children whether they are natural or adopted, including minor parents. Parents of Minor Parents – All parents are responsible to the extent of their ability for the support and care of minor parents. Absent Parents – The resources that may be available for support of a child include contributions from the absent parent to the child for whom an application for aid has been made. Both parents, to the extent of their ability, are legally responsible for the support of their child(ren). Unmarried Parents – The unmarried parent is responsible for the support of his/her child(ren) including an unborn child. The unmarried parent is not legally responsible for the support of the child's other parent or of children that are not his/hers. Stepparent – A stepparent is responsible for the support of his/her children living in the home and his/her spouse. The stepparent's income (minus allowable disregards) is deemed available to the stepchildren who are living in the home and requesting/receiving CalWORKs. The stepparent is required to provide information regarding his/her income, and to sign the SAWS 2 (out of drawer) or the LEADER generated CW 8 and the QR 7. This is essential information to determine eligibility for his/her stepchildren, regardless of the aid status of his/her children who are living in the home. Failure of the parent or stepparent to provide the required essential information will result in a

	denial or discontinuance of aid. Adult Children – Adult children are responsible for the support of their parents to the extent of their ability. The adult children are not responsible for the support of their siblings (brothers/sisters). Unaided Relative(s) Living in the Home – Adult relatives (other than participants of SSI, IHSS and/or CalWORKs) are not required to provide financial support or to contribute to the support of an applicant/participant of CalWORKs. This also applies when a non-needy caretaker relative is caring for a child(ren) when the parent(s) is absent from the home. See **Non-Needy Caretaker Case - Establish on LEADER** for LEADER procedures. See ***CW 43-100 Responsible Relatives*** for more information. See ***CW 82-800 Assistance Unit*** for more information.
CW 43-103.5 - Common-Law Marriages	**Are common-law marriages recognized in California?** No, California law does not recognize common-law marriages. However, California does recognize an **out-of-state** common-law marriage as long as it is valid (written/verbal contract) in that State. When the applicant/participant declares a marital status of common-law outside of California, he/she must provide evidence of the verbal/written contract (a statement on a PA 853 (out of drawer), Affidavit, can be used when evidence is not available). The collocated child support staff from the Child Support Services Department (CSSD) must review the evidence **before** entering the marital status of common-law onto LEADER. **NOTE:** At redetermination, the EW must review and make corrections if the marital status of common-law is invalid.
CW 43-107 – Unrelated Adult Male (UAM)	**What is required when an unrelated adult male (UAM) is living in the home?**

	When a CalWORKs mother reports that an UAM is living in the home, a CW 71 (out of drawer), Statement of Cash Aid Mother and Unrelated Adult Male, must be completed. The form determines the financial arrangements between the UAM and the aided mother. The mother and the UAM must sign (under penalty of perjury) the CW 71. The form must be completed: • At Intake; • At the annual redetermination; • When a new UAM relationship is established; • When a change occurs in the UAM's contribution to the AU. Aid cannot be denied/discontinued if the mother states that the UAM refused to sign the CW 71. Although, the UAM may refuse to sign the CW 71, the form must be returned within ten working days (via FAC) after the EW initiates the request. Aid is denied/discontinued if the CW 71 is not returned within the time frame. **NOTE:** The financial contribution is based on the mother's statement listed on the CW 71. See **Future Action Control – User** for LEADER procedures.
	Can aid be denied if an unmarried minor parent refuses to provide necessary information regarding his/her parents' ability to support? Yes, aid is denied/discontinued if the unmarried minor parent refuses to provide necessary information about his/her parents. See ***CW 82-500 Child Support Enforcement Regulations*** for more information. See ***CW 89-200 Minor Parent*** for more information.
CW 43-109 – UAM Contribution	**Is a UAM required to make a financial contribution to the family?**

	Yes, a UAM (other than a bona fide lodger, roomer or boarder) who is living with a CalWORKs family is required to make a financial contribution. The financial contribution (documented on the CW 71) cannot be less than it would cost him to provide himself with an "independent living arrangement." The cost of an "independent living arrangement" is the sum of the in-kind income values to a one-person AU for housing, utilities and food. When the UAM's financial contribution is less than the cost of providing him with an "independent living arrangement" a determination must be made for possible misuse of county funds. See ***CW 44-113.4 – UAM*** for more information. See ***CW 44-115.3 – In-Kind Values*** for more information. See **Income – In-Kind** for LEADER procedures.
CW 43-119 – Sponsored Non-Citizen	**<u>Are all non-citizens sponsored?</u>** No, only those who are admitted into the United States because another person or group has completed an I-864, Affidavit of Support, that attests that the sponsor has sufficient income and resources to meet the non-citizen's needs until such time as the non-citizen: • Achieves U.S. citizenship through Naturalization. • Has worked 40 qualifying quarters of coverage or can be credited with such qualifying quarters. • Leaves the country permanently; or • The sponsor or non-citizen dies.
	<u>Are the sponsor's income and resources used to determine eligibility?</u> Yes, all the income and resources (including the sponsor's spouse) of a sponsor who is not

	receiving public assistance (CalWORKs, SSI, CAPI, General Relief) are deemed to the sponsored non-citizen. The sponsored alien must provide the CW 22 (out of drawer), Sponsor's Statement of Facts Income and Resources, at the time of application and each redetermination. The CW 22 must be returned within 20 calendar days (control with FAC) after the EW initiates the request. If the CW 22 is not returned within this period, aid for the sponsored non-citizen is denied/discontinued. If the non-citizen receives aid to which he/she is not entitled as a result of the sponsor failing to accurately report information needed to determine eligibility, repayment may be requested from the sponsor as well as the sponsored non-citizen. The sponsor is free from responsibility only when: • The sponsor has good cause for incorrect reporting; or • The non-citizen failed to report accurately. The non-citizen must submit the QR 7, and CW 72 (out of drawer), Sponsor's Quarterly Income and Resources Report (provided by the EW), signed by the sponsor, the sponsor's spouse and the non-citizen. See **Future Action Control – User** for LEADER procedures.
CW 43-119.2 - Sponsor (Abused Non-Citizens)	**<u>Are abused sponsored non-citizens exempt from the income/resource deeming requirements?</u>** Yes, all sponsored non-citizens that are domestic abuse victims are exempt from the deeming requirement for a period of one year. This means that the normal eligibility criteria applies; however, the sponsor's income and resources are excluded. The exemption of the deeming requirement for sponsored non-citizens that are domestic abuse victims is initially limited to one year. The

	exemption may be extended beyond the one year if: • The abuse has been recognized in an order of a judge or administrative law judge; or • USCIS (formerly INS) has made a prior determination that abuse did occur; and • The CalWORKs eligibility criterion continues to be met. **See *CW 42-433 Residence – VAWA* for more information.**

CW 44-100 INCOME

CW 44-101 - Definition	**<u>What is income?</u>** Generally, income is any benefit in cash or received in-kind which is reasonably anticipated to be available to the individual or received as a result of current, past or future: • Labor or services; • Business activities; • Interests in real/personal property; or • Contribution from person or organization/agency. See **OPS 23-110.30 - Reasonably Anticipated Gross Income** See **Income – About/Types** for LEADER procedures.
CW 44-101 (c) – Anticipated Income	**<u>What is anticipated income?</u>** See **OPS 23-110.30 - Reasonably Anticipated Gross Income** for more information.
CW 44-101(e) – Earned Income	**<u>What is earned income?</u>** Earned income may also include: • Cash; • In-kind as wages; • Salary; • Employer-provided sick leave benefits; • Commissions/profit from activities (e.g., business enterprise, farming, etc.) in which the applicant/participant is self-employed; or • Net income from rental of rooms or board and room See **Income – Room &/or Board** for LEADER procedures. See **Income – Earned** for LEADER procedures. Earned income does not include, but is not limited to: • Benefits from compensation or reward for service or lack of employment (e.g., UIB, veteran benefits, etc.); or • Training allowance paid to an applicant/participant in the Workforce

	Investment Act (WIA) (formerly the Job Training Partnership Act [JTPA] program) program.
CW 44-101(f) – Disability-Based Unearned Income	**<u>What is disability-based unearned income?</u>** Benefits from disability-based unearned income are from one or more of the following: • State Disability Insurance. • Private Disability Insurance: o Privately purchased; or o Employer-sponsored disability insurance benefits whether or not there is an employee contribution. **NOTE:** Does not include veteran's benefits. • Temporary Workers' Compensation. • Social Security Disability Benefits. See **Income – Earned for LEADER** procedures.
CW 44-101(g) – Unearned Income	**<u>What is unearned income?</u>** Income that is not earned or disability-based income. See **Income – Unearned** for LEADER procedures.
CW 44-101(k) – Interest Income	**<u>What is "interest" income?</u>** Interest on a savings account in a bank, savings and loan association or other institution authorized to accept savings and interest that is received as a result of any contractual obligation.
CW 44-101(l) – Lump Sum Income	**<u>What is lump sum income?</u>** Lump sum income is any income received by an Assistance Unit (AU) that is <u>not recurring</u> regular income (e.g., retroactive social security insurance payments, etc.). Lump sum payments are considered property in the month received and any subsequent months.
CW 44-101 (m) - Income Reporting Threshold	**<u>What is Income Reporting Threshold?</u>**

(IRT)	It is the level of income that triggers the need for a CalWORKs AU to report mid-quarter change in income. See **OPS 23-110.35 - Income Reporting Threshold CalWORKs** for more information.
CW 44-111.2 – Treatment of Income	**When a child receives earnings, how is the income treated?** When a child under the age of 19 reports earnings, the income is exempt if: • He/she is a full-time student; or • He/she has a school schedule that is equal to at least one-half of a full-time curriculum and is not employed full-time (less than 173 hours per month). See **Income – Earned** for LEADER procedures.
	How are payments from the Workforce Investment Act (WIA) program treated? The payments from WIA (formerly Job Training Partnership Act [JTPA] program) are treated as follows: • If the payment is for a child, the income is disregarded from both eligibility and the grant determination. • If the payment is for an adult who is participating in a WIA program, the income is exempt as income to the extent the payment reimbursement does not exceed the actual expenses. The exemption does not apply to earnings received from WIA. See **Income – Earned** for LEADER procedures.
	How is the income from Services Wage Based Community or Grant Diverted WEX treated? It is treated like unearned income in that the amount is deducted from the CalWORKs cash grant. Because of this it is not subject to the $225 and 50% disregards.
	How is the income from an Income Tax Refund (ITR) treated?

	Income Tax refunds are considered personal property and are treated in accordance with the Food Stamp Regulations. See ***CW 42-213.2 Personal Property*** for more information. See **FS 63-501.1 Resource Determination** for more information.
	<u>Are payments for Public Sources exempt?</u> Yes, they are exempt. Types of payments may include: • Relocation assistance benefit resulting from area redevelopment, urban renewal, freeway constructions, etc. • Renters Credits. • Senior Citizen Homeowners and Renters Property Tax Assistance Program (disabled, blind or 62 years of age or older). • California Victims of Crimes Program. • Training Allowance paid to participants participating in the Department of Rehabilitation training program.
	<u>Is the first $50 received from a child support/spousal payment disregarded?</u> Yes, the first $50 of current child/spousal support paid to the AU is disregarded when determining both continuing eligibility and grant amount. This applies when: • The child/spousal payment is received by the Child Support Services Department (CSSD)/Court Trustee from the absent parent; or • A child/spousal payment is received directly from the absent parent (the balance of the support payment is considered income to the AU). The total amount of the current child/spousal support disregard cannot exceed $50 per AU regardless of whether the payment is received by CSSD/Court Trustee or directly from the absent parent. **NOTE:** When the child support disregard has

	been reported, the income must be identified on LEADER as a child support disregard, not a direct payment from the absent parent. See **Income – Child/Spousal Support** for LEADER procedures. See ***CW 82-500 Child Support Enforcement Regulations*** for more information.
	<u>How are the payments received from Earned Income Tax Credit (EITC) treated?</u> The payment received from EITC is considered personal property in the month received and subsequent months. An EITC payment is treated in accordance to Food Stamp regulations. See ***CW 42-213.2 Personal Property*** for more information.
	<u>What loans/grants are exempt as income?</u> Listed below are just a few of the loans/grants that are exempt: • Carl D. Perkins Vocational, and Applied Technology Education Act. o Excluded if the proceeds are used to meet attendance costs for a student attending school on a least a half-time basis which includes tuition, fees, rental/purchase of required equipment, materials/supplies, books, transportation, dependent care and miscellaneous personal educational expenses. • Title IV of the Higher Education Act or under the Bureau of Indian Affairs student assistance program. This includes loans/grants that are partially funded by Title IV. o Supplemental Educational Opportunity Grant Program o Carl D. Perkins Loans (differs from the Carl D. Perkins Vocational Act)

	o Robert C. Byrd Honors Scholarship Program o National Science Scholars Program o State Student Incentive Grants (Cal Grant Program) o Paul Douglas Teacher Scholarship Program o College Work Study o Income Contingent Loan (ICL) Program o Bureau of Indian Affairs Higher Education Grant o Indian Health Service Scholarship Program o Pell Grant o Federal Family Education Loan (FFEL) Program: • Guaranteed Student Loan (GSL) Program • Stafford Loan Program • Consolidation Loan Program • Supplemental Loans for Students (SLS) Program • Parent Loans for Students (PLUS) Program o Other grants received by undergraduate students for educational purposes made or insured under any program administered by the Federal Secretary of Education; and o Any other grants when it is verified that the proceeds are not available to meet current needs.
	<u>If an applicant/participant receives a loan from a friend or family member, how is the income treated?</u> A loan is exempt if there is a written agreement signed and dated by the lender and applicant/participant that clearly specifies:

	1. The obligation of the applicant/participant to repay the loan; and 2. A repayment plan that provides for installments of specified amounts that continues on a regular basis until the loan is fully repaid.
	How is the income received from a college work study program treated? Earned income from any college work study program is exempt. This applies for both eligibility and grant determination.
	How is the income received from the Independent Living Program (ILP) treated? Income and incentive payments earned by a child 16 years of age or older that is participating in the ILP are exempt as income for purposes of eligibility and grant determination when received as part of the ILP written transitional independent living plan.
CW 44-111.4 – Private Non-Profit Organization	**When a homeless family is living in a shelter and is not required to pay rent, how is the in-kind income treated?** Any income in-kind (i.e., free rent, utilities, etc.) that is provided on the basis of a need by a private non-profit organization is exempt as income. Private non-profit organizations are religious, charitable, education or other organizations (i.e., Salvation Army, Red Cross). See ***CW 44-211.5 Homeless Assistance (HA) – General*** for more information.
CW 44-111.6 – Exempt Under Federal Law (FL)	**What type of income is exempt under federal law?** Income which is exempt under federal law may include but is not limited to: • Funds distributed or held in trust for members of any Native American tribe under Public Law (PL) 92-254 or 94-540. • Compensation received by participants 60 years old or older for volunteer services performed under PL 89-73:

	o Retired Senior Volunteer Program o Foster Grandparents Program o Older Americans Community Service Program of the National Older Americans Act • Value of supplemental food received under PL 92-433 and 93-150, Child Nutrition Act (WIC) and the National School Lunch Act. • Payments received under PL 93-113, Domestic Volunteer Services Act of 1973 to welfare participants who are VISTA Volunteers and payments for supportive services/reimbursement of out-of-pocket expenses made to persons serving in the Service Corps of Retired Executives (SCORE) and the Active Corps of Executives (ACE) pursuant to Section 418. **NOTE:** In 1994, Congress transferred the VISTA program to the Corporation for National and Community Service (CNCS) and the name was changed from VISTA to AmeriCorps*VISTA. • Payments received under PL 100-383, as restitution made to U.S. citizens and permanent resident non-citizens of Japanese ancestry and to Aleuts as a result of being relocated by the U.S. government during World War II. • Payments received under PL 101-201 and PL 101-239, from all Agent Orange settlements. • Payments received under PL 103-286, as restitution made to victims of Nazi persecution.

CW 44-113 – Net Income	**<u>What action is taken when the participant has a home that is not used as the primary residence and the value is over the property limit?</u>**
	
	When the property (other than a home/place of residence) is over the property limit, the AU must make a good faith effort to sell the property.
	
	If the property is over the property limit and the property is producing income (i.e., rent, etc.), the net income from the property (including property in which a life estate is held) is computed as follows until the property has been sold:
	
	• Deduct from the gross income all normal items of expenses. Expenses include:
	  o Taxes/assessments;
	  o Interest on encumbrance payments (do not deduct principal payments);
	  o Insurance;
	  o Utilities (if applicable); and
	  o Upkeep and major repairs.
	
	• For the upkeep and major repairs, the participant may choose to have the deduction:
	  o Actual monthly amount; or
	  o 15% of the gross monthly rental plus $4.17 a month.
	
	• The difference is treated as net income to the AU.
	
	See ***CW 42-213.12 Good Faith Effort to Sell Property*** for more information.

	<u>What action is taken when the participant has a home that is not used as the primary residence and the value is not over the property limit?</u> If the property is within the property limit, the above computation continues to be applied. See ***CW 44-113 – Net Income*** for more information.
CW 44-113.2 - Disregards	**<u>When the participant is receiving earnings, how much is disregarded for work expenses?</u>** LEADER determines the following

	deduction/disregard to the gross earnings received from commissions, wages, salary including the value of any in-kind earned income: • $225, and • 50% to the remaining earned income. See **Income – Earned** for LEADER procedures.
	<u>How is the earned income received from a person who is in the military treated?</u> The income from active duty would be considered available and the AU is eligible for the $225 + 50% earned income disregard. However, the AU could become financially ineligible for continued aid if the family's combined income fails the net income test. To be eligible, the net non-exempt income of the family must be the same as or less than MAP plus special needs. See **Income – Earned** for LEADER procedures.
	<u>When the participant is self-employed, how much is disregarded for work expenses?</u> The applicant/participant who is self-employed (e.g., babysitter, housekeeper, rental of rooms and Room and Board, etc.) must choose one of the following deductions/disregards: • 40 % of gross self-employed income; or • Actual verified self-employment expenses. **NOTE:** Participants are allowed to change the method of deduction only at redetermination or every 6 months, whichever occurs first. See **Income – Self-Employment** for LEADER procedures. See **FS 63-503.41** for more information.
	<u>How do you determine when a room and board situation exists?</u> The EW must determine that the living arrangement is not a shared housing situation. Generally, the owner or primary renter of a dwelling, the person providing board and/or room

	services, is responsible for: • All housecleaning duties, including the room(s) of the roomer/boarder(s); • Providing and changing all of the linens throughout the house; and • Shopping for and preparing all food for the individuals residing in the home/apartment, including the boarder (board and room situation only).
	<u>If a participant chooses the 40% self-employment option, does the participant need to submit actual business expenses to receive the deduction?</u> No, in lieu of submitting verified actual expenses, the 40% is applied as a standard business expense deduction from the gross self-employment income. See **Income – Self-Employment** for LEADER procedures. See **FS 63-503.41** for more information.
	<u>How is income from self-employment treated in the applicant net income test?</u> Applicants have the choice of using 40% or actual business expenses in determining self-employment income to be used in the eligibility and grant computations. LEADER applies the deduction prior to disregarding $90 for the applicant net income test. See **OPS 23-110.33 - Self-Employment Income Averaging** for QR Policy.
	<u>When the participant receives a disability-based payment, how much is disregarded?</u> LEADER applies a $225 deduction/disregard to a disability-based payment; the 50% (applied to earnings) does not apply to disability-based payments. See **Income – Earned** for LEADER procedures.
	<u>How is a deduction/disregard applied when receiving income from both earnings and</u>

	<u>disability-based?</u> The deduction/disregard of $225 is first applied to the disability-based income and the remaining of the $225 is applied to the earnings. See **Income – Earned** for LEADER procedures.
	<u>When a child receives income from a parent's disability, are the disregards applied?</u> Yes, LEADER applies the disregard to any family member's income that is from the specific disability income sources. See **Income – Earned** for LEADER procedures.
	<u>If two family members receive disability-based unearned income, can each member receive the $225 disregard?</u> No, LEADER applies the $225 disregard once to the total family income. See **Income – Earned** for LEADER procedures.
CW 44-113.3 – Net Received by Someone Other than the Parent	**<u>When someone outside of the home receives income from Social Security, Railroad Retirement or other pension for an AU member, is the income deducted?</u>** When a representative payee resides outside of the home, and receives income (SSA, RR or other pension) for a child and/or other AU member, the EW must: • Explain to the applicant/participant that the benefits received by the representative payee are paid for the child and/or the other AU member. • Encourage the applicant/participant to obtain these benefits for the child and/or other AU member. This includes asking that the payee be changed. • Ask how much of the benefit is made available to the child and/or other AU member. If the representative payee does not provide any income for the support of the child and/or other AU member, the income cannot be deducted

	from the AU's case. • Obtain a PA 853 (out of drawer), Affidavit, signed by the applicant/participant and the representative payee to verify amount made available to the child and/or AU member. This must be obtained at: o Application; o Each redetermination; o Any time a change is reported; and o The time the EW learns of the income.
CW 44-113.4– UAM	**<u>How is the contribution determined when an Unrelated Adult Male (UAM) is living in the home?</u>** When a CalWORKs mother reports that a UAM is living in the home, a CW 71(LEADER generated), Statement of Cash Aid Mother and Unrelated Adult Male (out of drawer), must be completed. The form determines the financial arrangements between the UAM and the participant. See ***CW 43-100 Responsible Relatives*** for more information. See **Income – Unearned** for LEADER procedures.
CW 44-113.5– Child Support	**<u>When the AU receives a child support payment directly from the absent parent, how is the income treated?</u>** Child/spousal support that is paid directly to the AU by the absent parent is treated as unearned income (minus the $50) until the payment is provided to the Child Support Services Department (CSSD). The payment must continue to be deducted until the participant provides proof that the income has been received by CSSD. However, if the payment is not provided to CSSD a 25% penalty may be imposed. If the child support payment is for an MFG child, the payment is exempt. See ***CW 82-500 Child Support Enforcement Program*** for more information. See **Income – Child Support** for LEADER procedures.

CW 44-115 – In-Kind Rent	**<u>Is free housing deducted when a participant is not paying rent or making the monthly house payment?</u>** Free housing is appropriately budgeted when: • The mortgage holder refuses to accept anything but the full payment for all house payments due; • The house is in foreclosure; • An insurance plan or other person or company is paying the loan payments and principle, interest, insurance and taxes are all included in the mortgage payment; or • No rent is being paid and the landlord is not attempting to collect the amount owed. See **Income – InKind** for LEADER procedures.
	<u>If the participant does not pay the mortgage, taxes or insurance, but must pay for the repairs and upkeep, is this considered a "free housing" situation?</u> This is a free housing situation and the in-kind value of housing would be deducted from the grant. See **Income – InKind** for LEADER procedures.
	<u>If the participant pays only the taxes and insurance, is this a "free housing situation"?</u> Insurance and property taxes are considered a part of the cost of owing a house. There is no deduction of the in-kind income for housing. See **Income – InKind** for LEADER procedures.
	<u>A participant pays a reduced rent to a landlord in exchange for his/her services as a manager of the apartment building, how is the grant determined?</u> There is no deduction from the grant unless the rent is totally free in return for his/her services as a manager.
	<u>A participant receives free rent in exchange for managing the apartment building, how is the</u>

	<u>grant determined?</u> The actual value of the housing is compared to the in-kind amount for housing. The lesser of the two values is treated as earned income and the disregards are deducted. See **Income – InKind** for LEADER procedures.
	<u>When someone other than the applicant/participant pays the house payment or a utility bill, how is the grant determined?</u> When someone other than the applicant/participant pays: • The house payment (including the taxes and insurance) directly to the mortgage company, the in-kind amount for housing is deducted; and/or • <u>All</u> the utilities (including phone) payments directly to the utilities companies, the in-kind amount for utilities is deducted. **NOTE:** If the applicant/participant pays one of the utility bills, no deduction for free utilities can be made. See **Income – InKind** for LEADER procedures.
	<u>When a family receives free rent from a shelter, is free rent deducted from the grant?</u> Any income in-kind provided on the basis of a need by a private non-profit organization is exempt as income.
	<u>When the AU receives a contribution other than a child/spousal support payment from an absent parent, how is the grant determined?</u> The following will provide examples of contributions made by an absent parent: <u>Example 1</u> Each month, the absent parent pays $100 directly to the parochial school for tuition. In this case, the payment is not available to meet the need item and cannot be considered income to the AU.

	<u>Example 2</u> Each month, the absent parent pays $40 directly to the appliance company for a washing machine. In this case, the payment is not available to meet the need item and cannot be considered income to the AU. <u>Example 3</u> Each month, the absent parent pays $100 directly to the landlord towards the participant's rent of $500. In this case, there is no income deduction because only need items met in full can be considered as income. If the absent parent paid the rent in full, an in-kind amount for housing would be deducted from the AU. <u>Example 4</u> Each month, the absent parent pays child support of $100 directly to the participant. In this case, the payment is counted as income. **<u>Reminder</u>** The participant must send the payment to Child Support Services Department (CSSD) or a 25% penalty may be applied.
CW 44-115.2 – In-Kind Income	**<u>What is required when a relative is living in the home?</u>** When an applicant/participant is living in a home with a relative, the relative may choose to make a voluntary contribution to the related Assistance Unit (AU) members. The PA 32 (out of drawer), Statement of Non-Needy Relative, is used to evaluate the voluntary contribution(s) made by the relative. If the relative refuses to complete the PA 32, the parent's/caretaker's statement on the SAWS 2, QR 7 and/or CW 8 will suffice. See **Income – InKind** for LEADER procedures. See ***CW 82-800 Assistance Unit*** for more information.
	<u>How is the income evaluated when a caretaker</u>

relative (other than a parent) is caring for a child(ren)?

When a parent is not in the home and a relative is caring for a child(ren), the caretaker (non-needy) relative may wish to contribute income (in-kind) to the support of the child(ren) in his/her care. If he/she does, the amount of the contribution is based on the In-Kind Values.

See **Non-Needy Caretaker Case – Establish** for LEADER procedures.

See ***CW 43-100 Responsible Relatives*** for more information.

See ***CW 82-800 Assistance Unit*** for more information.

CW 44-115.3 – In-Kind Values

What are the in-kind income values?

For L. A. County (Region 1), LEADER will determine the following values:

# in AU	Housing	Utilities	Food	Clothing
1	**211**	**44**	**117**	**36**
2	**283**	**50**	**249**	**69**
3	**309**	**53**	**318**	**103**
4	**325**	**56**	**394**	**138**
5	**325**	**56**	**477**	**173**
6	**325**	**56**	**552**	**206**
7	**325**	**56**	**615**	**244**
8	**325**	**56**	**673**	**272**
9	**325**	**56**	**740**	**312**
10	**325**	**56**	**799**	**343**

See ***CW 44-300 Amount of Aid*** for more information.

What is the process when a participant does not agree with the deduction of the need item?

	Applicants/participants have the responsibility to document and provide verification that the value of the need item(s) is less than the in-kind value.
	When the AU includes a penalized person, how is the grant for in-kind income determined? The actual grant amount that is paid to the AU is used in determining in-kind payments. **EXAMPLE** Family of three, consisting of a parent and two children. The parent is penalized for failure to provide immunization verification for one of the children; therefore, the MAP is for an AU of two. The family receives a full item of need (housing, utilities, food or clothing) for free. The in-kind amount is based on the number of persons whose needs are included in the AU's MAP. In this case, the in-kind value is for two and the needs of the penalized parent is not allowed.

CW 44-133.2 – SSI Income	**When an AU member has been found eligible for SSI/SSP, what action is taken?**
	
	When notified by Social Security Administration (SSA) and/or by the participant that an AU member has been approved for Supplemental Security Income/State Supplemental Program (SSI), the following will apply:
	
	• The EW will data enter the income in LEADER.
	• Request verification of SSI/SSP payment (award letter, copy of the check).
	• Initiate a SSA 1610 (out of drawer) to document SSI/SSP.
	• The SSI/SSP payment and/or lump sum retroactive payment is exempt; however, the income must be reported on the QR 7.
	• LEADER will;
	  o Initiate the appropriate NOA, including the MT 40-001, No Change NOA, if information is received mid-quarter.
	  o Discontinue the participant at the end of the quarter with a 10-day NOA.
	
	NOTE: For the treatment of income from CAPI, refer to CAPI Handbook.

	Link to CAPI Handbook
	How is a voluntary contribution from an SSI/SSP recipient treated? When an SSI/SSP recipient resides with the CalWORKs family, completion of the PA 300 (out of drawer), Affidavit Regarding Pooled vs. Contributed Income – AFDC Family, will help determine if the SSI/SSP recipient voluntarily contributes income that must be deducted as income to the AU (contribution is not mandatory).
CW 44-133.3 – Income From Other Programs	**How are payments received from Foster Care (FC), Adoption Assistance Program (AAP) and Kinship Guardianship Assistance Payment (Kin-GAP) treated?** The payments from the FC, AAP and Kin-GAP programs are disregarded as income to the AU. See ***CW 82-820.22 Kin-GAP Program*** for more information.
CW 44-133.4 – Sanction/Penalized Individuals	**How do you treat the income and needs of individuals who are sanctioned/penalized/excluded by law?** The following will help in determining the treatment of income for the individuals listed below: Sanctioned Individuals sanctioned for failure to comply with GAIN requirements or failure to assign support rights are removed from the AU. However, for purposes of calculating the grant, they are not categorized as AU members or non-AU members. The intent of this sanction is to make these individuals ineligible for cash aid and to not consider their needs and count their income. Excluded by Law These individuals are excluded by law (fleeing felons, drug felons, etc.) and are ineligible for cash aid. They are not in the AU and are considered non-AU members. Their needs will be considered in the MAP for non-AU members only if they have income that will be used in the grant computation.

	Penalized Individuals who are penalized for failure to comply with immunization or school attendance requirements or for being found guilty of fraud remain in the AU, but their needs are not allowed. This means that although they are considered AU members, the aid payment cannot be increased by their needs. In addition, because they remain AU members, their income is used in the grant computation. Child Support Penalties Individuals who are penalized for failure/refusal to cooperate with the Child Support Services Department (CSSD) for child support/paternity establishment purposes remain in the AU and continue to have their needs and income considered in the MAP for the AU. The penalty is a 25% reduction in the AU's grant, calculated by LEADER. MFG The MFG child(ren) remains in the AU, but their needs are not allowed in the MAP and the aid payment cannot be increased. For applicants, the MFG child is considered in MBSAC for the AU.
CW 44-133.5 – Excluded Person	**How do you treat the income and needs of a person who is excluded from the AU?** If the excluded person has income, the income is counted and their needs are allowed. This does not apply to parents excluded for a sanction, or those receiving another aid program (SSI/CAPI). Parents whose needs and income are considered may include: • A step-parent who is the spouse of the applicant/ participant and is not the parent of any of the children who are required to be in the AU. • Natural or adoptive parent who is excluded by law. • Fathers of unborn children in pregnant women only cases.

	How do you treat the income and needs of an undocumented non-citizen? LEADER determines the income and the needs of the following undocumented non-citizens: • An undocumented non-citizen spouse of an AU member. • An undocumented non-citizen parent of a child in the AU. • An undocumented non-citizen parent of an undocumented non-citizen child. • An undocumented non-citizen child of an AU member. • An undocumented non-citizen child who is the sibling or half-sibling of a child in the AU. **EXAMPLE 1:** Household consists of father (undocumented non-citizen), eligible mother with one common child. The mother has another child (undocumented non-citizen) who receives direct child support in the amount of $85 per month from the child's absent parent. The mother receives $500 earned income per month and the father has no income. Applicant Eligibility Determination $500 Earned Monthly Income of Mother - 90 Applicant Earned Income Disregard $410 Subtotal + 85 Unearned Income of Undoc Non-Citizen $495 Total Net Nonexempt Income $495 Less than MBSAC for 4 Family passes the Financial Eligibility Test Participant Financial Eligibility Determination $500 Earned Monthly Income of Mother - 225 $225 Income Disregard $275 Subtotal -137.5 50% Earned Income Disregard $137 Net Nonexempt Earned Income (rounded

	down) + 85 Unearned Income of Undo Non-Citizen Child $222 total Net Nonexempt Income $222 Less than Nonexempt MAP for 4 Grant Computation **$862 Nonexempt MAP for 4** **-222 Total Net Nonexempt Income** **$640 Potential Grant** **$584 MAP for AU of 2 (Mother and Citizen Child)** **$584** Aid Payment is the less of the Potential Grant or MAP for the AU
	EXAMPLE 2 A mother and two children are in the April/May/June quarter. Mother submits the QR 7 in June and reports she will lose her job on August 15th. The mother anticipates that she will receive two checks in July, $300 for one pay period and $400 for the other. She also anticipates that she will receive a final check of $200 in August. She doesn't anticipate any income for September. Monthly Income Computation $700 July Monthly Income $200 August Monthly Income $ 0 September Monthly Income $900 $300 $900 divided by three (the number of months the QR Payment Quarter. Eligibility Determination $300 Family's Monthly Average Earned Income -225 $225 Income Disregard $ 75 Subtotal -37.5 50% Earned Income Disregard $37 Total Family Net Nonexempt Income Grant Computation $563 Family MAP for Three

	- 37 Total Family Net Nonexempt Income $526 Aid Payment
CW 44-133.7 – Sponsor's Income	**How is the income of a sponsor for a non-citizen treated?** When a non-citizen is sponsored for entry into the U.S., the income (earned/unearned) of the sponsor and the sponsor's spouse is deemed to the non-citizen's income. This does not apply if the sponsor and his/her spouse receive public cash assistance (SSI, GR, etc.). See ***CW 43-100 Responsible Relatives*** for more information.
CW 44-133.8 Income and Needs of Timed-out Adults	**How is the income and needs of a timed-out adult(s) handled?** Income and needs of adults living in the home who have been removed from the Assistance Unit (AU) due to exceeding the 60-month time limit must be treated as follows: • Parents required to be in the Assistance Unit: o The net non-exempt income of timed-out parents who are required to be in the AU and living in the home is considered available to the AU. The needs of the parents are not considered. See Income - Earned for LEADER procedures. • Non-parent caretaker relatives: o The income and needs of timed-out non-parent caretaker relatives living in the home are not considered. See Income - Earned for LEADER procedures • Stepparents not required to be in the AU: o Timed-out stepparents not required to be in the AU and living in the home are no longer eligible to be optional AU members. The income and needs of a timed-out stepparent are considered only when the stepparent has income and is living in the home. The needs of the stepparent are not considered if the stepparent has no income.

	<u>What happens when a timed-out adult reports income?</u> Eligibility staff must enter the income of the timed-out adult according to existing procedures. LEADER is programmed to calculate the cash benefit amount. Refer to ***CW 42-300 Time Limits*** See Income - Earned for LEADER procedures
	<u>What happens to an MFG case when the cash aided adult times-out?</u> Although the timed-out adult is no longer eligible to cash benefits, the case remains open (both adult and child remain eligible to cash based Food Stamps and Medi-Cal benefits). **NOTE:** Timed-out adults are not eligible to the Special Needs allowance.

CW 44-200 - AU COMPOSITION AND NEED

CW 44-205 - Processing Medi-Cal for Newborns	**When is a newborn added to Medi-Cal?** Newborns to women who are Medi-Cal eligible in a CalWORKs case, must be aided immediately upon notification of the birth. See **OPS 23-110.21** for more information.
	What effective date is used to aid the newborn? After being notified of the date of birth, name, gender and it has been established that the newborn is residing with the mother, staff is to authorize aid on LEADER for the newborn effective the date of birth.
	Can aid for a newborn be authorized without verification? Yes. Aid can be authorized without verification of the newborn's birth (birth certificate, SSN, CW8 – Statement of Facts to add a child under age 16, [out of drawer]). Staff may obtain the date of birth, name and gender of the newborn via telephone. Staff is to enter the information of the newborn on LEADER, but indicate the missing documents (birth certificate, Social Security Card, etc.) as "Not received." Then run SFU/EDBC. This will allow LEADER to aid the newborn for Medi-Cal from the month of birth without aiding him/her on CalWORKs. LEADER will generate the Verification Check List (VCL) and mail it to the participant requesting the missing documents. If the participant fails to return the verification by the end of the quarter, LEADER will take the appropriate action on the CalWORKs portion of the case. See ***CW 44-317.1 – Beginning Date of Aid (BDA)*** for more information.
CW 44-205.6 - Father of Unborn	**When is the father of an unborn added to the Assistance Unit (AU)?** If deprivation exists, the first of the month following the report of the birth of the newborn, if adding the person results in increased benefits. The father's eligibility may be delayed until he completes the necessary procedures such as applying for UIB/DIB in order to provide required documentation.

	If adding the father does not result in increased benefits, the father will be added to the AU the first of the month of the following quarter. If a pregnant woman with no other eligible children is living with the father (unmarried/married) of the unborn, the father: • Must sign all documents used to establish eligibility (i.e., SAWS 2, QR 7, etc.), • Must meet all requirements as though he were aided (i.e., GAIN, etc.). • (Who has income) is treated as an excluded parent with income. See ***CW 44-133.4 – Sanction/Penalized Individuals*** for more information. See **OPS Section 23-110.20 - Adding A Person** for more information.
	How is a father treated when he is found to be ineligible prior to the addition to the AU? If the father was initially determined eligible, then is subsequently determined ineligible prior to the authorization of aid, he is treated as an excluded person for the next QR Payment Quarter. The AU will be discontinued at the end of that quarter. The father's needs and income are considered. See ***CW 44-133.4 – Sanction/Penalized Individuals*** for more information.
	When the father of the unborn is living in the home and there are no other children in common, is deprivation a determining factor? Yes, when the father of the unborn lives with the pregnant woman and there are no children in common, deprivation must be considered. If deprivation does not exist, the unmarried father is treated as an Unrelated Adult Male (UAM). The unmarried parent is responsible for the support of his children. The unmarried parent is not legally responsible for the support of the child's other parent and/or children that are not in common. See ***CW 43-103 Responsibility for Support*** for more information.

	See **CW 43-107 Cooperation Requirements –UAM** for more information.
CW 44-206.2 - Striker	**Can the family receive cash aid if the parent is participating in a strike?** The entire family is ineligible for aid payments when the parent is participating in a strike. See ***CW 41-440 Deprivation*** for more information. See ***CW 82-800 Assistance Unit*** for more information**.**
	When the caretaker relative is involved in a lockout, is he/she considered on strike? Stoppage or slowdown of work by employees in good faith is not considered a strike or participating in a strike when a lockout has occurred or when the action was necessitated by an imminent health and safety hazard or dangerous working conditions at the place of employment as determined by the Division of Occupational Safety and Health.
CW 44-207.1 - MBSAC	**What is the Minimum Basic Standard of Adequate Care (MBSAC)?** MBSAC is the amount of money that is necessary to provide a family with: • Housing • Clothing • Food • Utilities • Items for household operation, education, incidentals, recreation, personal needs and insurance. • Essential medical/dental or other remedial care not otherwise provided at public expense.
CW 44-207.2 - Financial Test	**When is the financial eligibility test applied?** LEADER applies the financial eligibility test to all applicant cases. The family's income (minus the first $90 of earned income for each employed person) must be less than MBSAC. The MBSAC for the family is used in determining financial eligibility. MBSAC is also applied to: • The value of in-kind income for the AU.

- The amount of income from a sponsor to sponsored non-citizen.
- The period of ineligibility for non-qualifying withdrawals from restricted accounts.

NOTE: The total amount of a direct child support payment is used in the financial eligibility test. The $50 child support disregard is applied <u>after</u> the applicant passes the financial eligibility test.

<u>When is the AU determined financially eligible?</u>

LEADER determines an AU financially eligible for the QR Payment Quarter if the family's combined reasonably anticipated monthly net non-exempt income for the quarter, after the income and needs of the family are considered, is less than the MAP for the AU.

An AU will remain financially eligible during the quarter if the family's combined monthly net non-exempt income does not exceed the family's MAP for more than one month of the QR Payment Quarter.

<u>EXAMPLE</u>

A mother is receiving aid for herself and her four children. Also living in the home is an unaided stepparent (spouse). The stepparent earns $403 a week from full-time employment. The mother receives $300 a month in SDI benefits.

<u>Monthly Earned Income Calculation</u>

$1612	Monthly Income ($403 x 4)
$ 403	Average Weekly Pay ($1612÷4)
$1744.99	Total Monthly Income ($403x4.33)
$5234.97	Total Quarter's Income ($1744.99x3)
$1744.99	Average Monthly Income ($5234.97÷3)

$ 300	Disability-based Unearned Income
- 225	Income Disregard
$ 75	Net Non-exempt Disability-based Unearned Income
$1744.99	Gross Family Earned Income
- 872.49	50% Earned Income Disregard
$ 872.49	Net Non-exempt Earnings
+ 75	Disability-based Unearned Income
$ 947.49	Total Net Non-exempt Income

	$1101 MAP for 6 - 947.49 Total Net Non-exempt Income $ 153 Potential Grant $ 980 MAP for AU of 5 $ 153 Potential Grant $ 153 Aid Payment (lower of Potential Grant and MAP for AU)
	How is financial eligibility determined when adding a person mid-quarter? The new grant amount is based on the AU's existing averaged monthly income and the new person's calculated averaged monthly income for the remaining months of the quarter. The previously calculated existing AU's income is not recalculated. The new person's calculated income is added to the existing AU's income for the remaining months of the quarter.
	What is Net Non-Exempt Income? Net non-exempt income is the gross income for the Assistance Unit (AU) and from the non-AU members (if applicable), minus all applicable income (i.e., exemptions/disregards). Gross income includes: • Earnings of a part-time student applicant. • Current child support payments collected by the county (excluding payments for MFG children).
CW 44-207.3 - Lump Sum	**How is lump sum income treated?** For a person whose income is used in computing eligibility/grant, the lump sum income is treated as property in the month received and in subsequent months in accordance with Food Stamp Regulations: • Income in the month received; and • Property in the following month(s). See **FS 63-501.1 Resource Determination** for more information.
CW 44-211 - Special Needs	**What is a special need?** A special need is a need for certain goods or services

	that are essential for their support. The EW is responsible for assisting the applicant/participant in identifying any special need that he/she may have. The following will assist the EW in evaluating special needs: • Is there a medical need that is prescribed by a doctor? For example: o Diet – low calorie, low sodium, diabetic or bland. o Transportation – number of doctor appointments each month. o Excessive use of utilities – use of special breathing machine for asthma, etc. o Special equipment – medical need for phone, etc. • If the applicant/participant owns his/her own home, is there a need for household repairs because of an uncontrollable circumstance (i.e., earthquake damage, domestic violence, fire or a flood, etc.)? • Is there a household emergency (i.e., need for beds, bedding, dishes, kitchenware, heater, stove, refrigerator and/or clothing or temporary shelter, etc.)? • Is there a need for assistance in the home for housework or laundry because of a medical condition that prevents him/her from performing normal tasks? • Is the family homeless and has no place to live and has received homeless assistance (HA) in the last 12 months? • Is the mother pregnant and needs to begin prenatal care?
CW 44-211.2 – Recurring Special Needs	**<u>What is a recurring special need?</u>** Recurring special need is a special need that results in added costs to the family and the need is expected to occur during two or more months in a calendar year. Verification/evidence is required to confirm the special need prior to approval of the special need allowance. Thereafter, actual cost must be verified quarterly on the QR 7, with certain exceptions (See

	next question.) The total allowances, available for each Assistance Unit (AU) per month cannot exceed the amount resulting from multiplying $10 by the number of persons in the AU. <u>Therapeutic Diet</u> • Authorized when recommended by the participant's physician on the PA 596 (LEADER generated), Special Diet Allowance Report. LAC/USC provides form H-4015 to authorize the diet. <u>Housekeeping</u> • The participant employs someone to do the cooking, washing, ironing and household cleaning when it is verified that the family caretaker can no longer do these functions and such duties cannot be performed without charge by persons in the household. A medical statement and receipt from the housekeeper is needed. <u>Transportation</u> • When the participant must travel an unusual distance or travel daily to receive required medical treatments. A medical statement and receipts are needed. If documentation is not provided, the costs are computed at $0.12 a mile. <u>Laundry</u> • The participant needs to change and clean bedding or clothing more than usual because of a medical condition. A medical statement is needed. Without the verification of actual cost, an allowance of $3.00 per month is allowed. <u>Telephone</u> • The cost of a special telephone service or equipment device when a member of the household is handicapped by an auditory impairment. Medical statement is needed.

<table>
<tr><td></td><td colspan="2">Utilities

• The cost of excessive use of utilities when verified in excess of the in-kind values for utilities for the AU. A medical statement is needed. Without the verification of actual cost, an allowance of $5.00 per month is allowed.</td></tr>
<tr><td rowspan="3"></td><td colspan="2"><u>Can a participant receive a special need payment for a therapeutic diet without verification?</u>

The participant is entitled to establish actual expenses related to the diet plan if it is to his/her benefit to do so. If the recommended diet plan includes one or a combination of the following diets, the participant may receive the amount indicated for the highest cost diet without verification of actual cost.</td></tr>
<tr><td><u>$15.00 for the following diets:</u></td><td><u>$9.00 for the following diets:</u></td></tr>
<tr><td>Diabetic, 2200 calories or more

High Caloric – High Protein (including special formula for infant)

Lactation (while breast feeding)</td><td>Diabetic, under 2200 calories

Bland

Low Fat – Cholesterol

Low Salt (sodium under 3 grams)</td></tr>
<tr><td></td><td colspan="2"><u>Can a special needs payment be started mid-quarter?</u>

See OPS Section 23-110.94-Special Needs-Recurring/Non-Recurring for more information.</td></tr>
<tr><td>CW 44-211.3 – Non-Recurring Special Needs</td><td colspan="2"><u>What is a non-recurring special need?</u>

A non-recurring special need is a special need that is granted to an eligible Assistance Unit (AU) when any one of the following conditions exist:

• A household emergency resulting from sudden and unusual circumstances beyond the AU’s control.

• Homelessness when the AU is looking for</td></tr>
</table>

	permanent housing. There is no Homeless Assistance (HA) payment for RCA cases. • An AU is ineligible if there is over $100 in non-exempt liquid resources (i.e., checking account, cash on-hand, etc.).
CW 44-211.4 - Sudden/Unusual Circumstances	**<u>Can a participant receive a non-recurring special need payment when the home has been damaged?</u>** An AU is entitled to receive a non-recurring special need payment to repair or replace clothing or household equipment, to provide assistance for damages to the home, or to pay for interim shelter when the AU's home was destroyed or made uninhabitable or inaccessible. Loss or damage caused by wear and tear, breakdown or obsolescence is not considered as sudden and unusual circumstances beyond the control of the family. <u>Processing the Participant's Request</u> A home call is made to verify the current need for housing that was destroyed/uninhabitable or furniture/clothing that was damaged, lost or destroyed. Contact is made with the landlord when housing is made unavailable due to eviction. A PA 853 (out of drawer), Affidavit, is prepared by the participant, listing: • The destroyed items; • Who owned them; • If any destroyed items have already been replaced by other resources (e.g., American Red Cross, etc.); and • The circumstances leading to the need for housing. The PA 371 (out of drawer), Non-Recurring Special Need Worksheet, is completed in duplicate and a copy is given to the participant. This will serve as a guideline for maximum amounts allowable and estimates needed. If it is impossible to obtain written estimates of the cost of utilities deposits or telephone installation, the participant's sworn statement on a PA 853 is obtained. The case record with the estimates along with the PA 853, PA 390 (out of drawer), Special Need Request,

	and the PA 371 are submitted through the chain of command to the District Director (DD) for approval. The request can be denied at any level. If the request is approved by the DD, the case and request is sent with a cover memo to the Division Chief for approval. Any money that is given to a family by a community resource (e.g., American Red Cross, private individuals, etc.) specifically to purchase the non-recurring special need item(s) needed is <u>not considered income</u>. Also, the County cannot duplicate any such allowance that is made. The participant is required to provide receipts that the items were purchased or payment was made. The receipts must be submitted within 15 days from the time the special need money was received (via a FAC). If the receipts are not received or if the item(s) cost less than the amount of the payment, follow the appropriate overpayment procedures.
	<u>What is the relationship between Homeless Assistance (HA) and emergencies resulting from sudden and unusual circumstances?</u> The HA payment, unless exempt, provides once-in-a-lifetime assistance for homeless families. The household emergency resulting from sudden and unusual circumstances beyond their control has no time limit but is restricted to families with emergencies. In some instances, a family may receive both HA and a non-recurring special need payment. **<u>EXAMPLE</u>** A fire damages the family's apartment and the stove is destroyed. The landlord is making the repairs and the family will return to the apartment. The family would be eligible for HA temporary shelter payments while the apartment is being fixed. In addition, the family may also receive a non-recurring special need payment of up to $142 to purchase a stove. See **Homeless - CalWORKs** for LEADER procedures.

What is the amount of the payment when there is a household emergency?

The total amount allowed for the payment for household emergencies cannot exceed $600 for each incident resulting from sudden and unusual circumstances. The payment cannot be made unless the clothing, household items or home belonged to a member of the AU.

The AU is entitled to receive a non-recurring special need payment that cannot exceed the total amount of $600 for each incident resulting from a sudden and unusual circumstance. The items may include but is not limited to:

Non-Recurring Special Need	**Description/Payment**
Bed Frame and Mattress	Repair or replace/$143
Bedding, Dishes/Kitchenware	Repair or replace/$12 for each member in the AU
Clothing	Replace – not to exceed $25 for each member in the AU
Cook Stove	Repair or replace/$142
Space Heater	Repair or replace/$73
Refrigerator	Repair or replace/$190
Other Essential Furniture	Repair or replace/$50
House Repairs	The amount of the payment for each item to be repaired/replaced or to assist with damage to the AU's home (cannot exceed $600).
Interim Shelter	Temporary shelter cost when the home has become uninhabitable or inaccessible and if there is no eligibility to the Homeless Assistance (HA) program.

	Moving & Storage Costs	Cost necessary to move and store items after the home has been damaged.
	When the AU includes a penalized person, is he/she entitled to a special need payment? The penalized person is not entitled to the following special need payment: • Recurring - therapeutic diet, special transportation, special laundry, etc. • Nonrecurring – household emergencies resulting from sudden/unusual circumstances, replace clothing, household equipment, etc.	
CW 44-211.5 - Homeless Assistance (HA) – General	**What is the benefit of the Homeless Assistance (HA) program?** The goal of HA is to keep families together. HA provides temporary and permanent housing payments, reducing the risk of families separating due to homelessness and children going into foster care. See **Homeless - CalWORKs** for LEADER procedures.	
	When is the Assistance Unit (AU) considered homeless? An AU is considered homeless when: • It lacks a fixed and regular nighttime residence. • It is sharing a residence with family or friends on a temporary basis. • It has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations. • It is residing in a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. • It has a need for housing in a commercial establishment, shelter, publicly funded transitional housing or from a person in the business of renting properties who has a history of renting properties. **EXAMPLES**	

	<u>Example 1</u> An otherwise eligible AU, who temporarily resides with another family, requests HA payments to obtain separate housing. The EW determines that the AU is eligible to receive HA payments because the family has a need for commercial shelter, and lacks a fixed and regular nighttime residence. <u>Example 2</u> A participant jointly owns a home with her husband. However, due to her fear of physical or emotional harm to her and her children, she will not reside with her husband. Although the residence is legally available to her, it is not accessible; in this situation the family is homeless. <u>Example 3</u> Upon arrival in Los Angeles, the family applies for CalWORKs and HA. An authorized phone call to the manager of the apartment in Arizona verifies that the apartment is still available to the family; however, the family intends to reside in Los Angeles. The family does not have a fixed and regular nighttime residence in California. The reason for the family's homelessness is not a consideration. The EW determines that the family is apparently CalWORKs eligible and meets the definition of homelessness. A temporary shelter payment is authorized. <u>Example 4</u> A family is evicted from their apartment. The family is temporarily sleeping at a family member's home. The family is not paying rent. Since the family is only sleeping with the family member temporarily, it does not have a fixed or regular nighttime residence. The family is homeless and qualifies for HA. See **Homeless – CalWORKs** for LEADER procedures.
	<u>When is the PA 1323, Important Information for Homeless Families, utilized?</u> At the time that HA is requested or when it is discovered that the applicant/participant is homeless, the PA 1323 (out of drawer), Important Information for Homeless Families, is to be given. This is particularly

	important since the HA payment period may span several days or months and calls for a number of visits to the district office.
	When is the CW 42, Statement of Facts for Homeless Assistance, utilized? The Assistance Unit (AU) must complete a CW 42 (LEADER generated), Statement of Facts Homeless Assistance, when he/she is applying for temporary shelter payment and/or permanent HA. The form is designed to gather information specific to the elements of eligibility for HA. **NOTE:** The English and Spanish versions of the CW 42 are LEADER generated; the Armenian, Cambodian, Chinese, Korean, Russian, Tagalog, and Vietnamese language versions of the CW 42 are out of drawer forms. **NOTE:** The CW 42 is completed when the applicant/participant first requests temporary shelter or when the applicant/participant requests a permanent housing payment. There is no need to complete a CW 42 each time the applicant/participant returns for a subsequent issuance of the temporary shelter payment for the same incidence of homeless.
	Can applications for HA be screened out? No. Applications for HA are **not** to be screened out or withdrawn. The request for HA must be processed by LEADER, denied or approved, on the **same day**, using the NOA290-45D (LEADER generated) Denial of Temporary Shelter/Permanent Housing, NOA290-42A (LEADER generated) Approval of Temporary Shelter, or NOA290-44A (LEADER generated) Approval of Permanent Housing. **NOTE:** Requests for HA **cannot** be verbally taken or denied. A CW 42 must be completed for every request (temporary or permanent) and a NOA issued to the applicant/participant when the request for HA is denied. **NO VERBAL DENIALS.**
	When does the period of homelessness begin and when does it end? The homeless period begins when the

	applicant/participant applies for either temporary shelter or permanent housing and ends when the participant secures permanent housing (i.e., the homeless family rents an apartment on its own or moves in with someone or another family and the rental agreement is re-negotiated to include the homeless family). **The key word here is "permanent" vs. "temporary."** If a participant moves in with someone or another family on a temporary basis, even if the participant pays rent and stays there for an extended period of time, the homeless period continues and the family is entitled to a permanent housing payment once permanent housing is secured. If a participant, after receiving temporary shelter secures permanent housing without asking for the permanent housing payment, this ends the homeless period for the family and the participant **is not eligible** to another temporary shelter or permanent housing payment unless the participant meets one of the exceptions to the Once-In-A-Lifetime rule. **EXAMPLES** Example 1 After receiving a temporary shelter payment, a family moves in with a relative. A verbal agreement is made to pay part of the rent. After two years, the family needs to move to a new residence since the stay with the relative was only "temporary." The family is eligible to a permanent housing payment without having to meet an exception to the Once-In-A-Lifetime rule. Example 2 After receiving a temporary shelter payment, a family secures permanent housing by moving in with a relative. The rental agreement is re-negotiated to include the homeless family. After two years the family needs to move again. The family is not eligible to a permanent housing payment unless the family meets one of the exceptions to the Once-In-A-Lifetime rule.
	Is the family required to have a reason for homelessness before receiving a HA payment? For the first incidence of homelessness, an Assistance Unit (AU) may receive HA payments. The reason for the family's homelessness is not a factor in

	determining eligibility for HA. The parent/caretaker's statement on a PA 853 (out of drawer), Affidavit, is sufficient to verify homelessness when there is no other conflicting evidence.
	Can a family be required to reside in a shelter for any period prior to applying for HA? There is no requirement for families to be in a shelter for any period prior to application for HA.
	Can a HA payment be issued if the AU has no shelter cost? Although an Assistance Unit (AU) may be considered homeless, a HA payment cannot be issued if the AU has no shelter cost.
	Can a family receive HA during an eviction process? The family is eligible for HA when the family has actually vacated the residence.
	Is a family required to have a notice of eviction prior to applying or receiving HA? For the first incidence of homelessness, the family cannot be required to provide an eviction notice (including a Marshall's Notice) for HA. When the applicant/participant is unable to provide documentation of homelessness, a sworn statement signed by the applicant/participant is sufficient.
	Is a family living in its car considered homeless even though there is no eviction notice? A family living in its car meets the definition of homelessness because it is without a fixed and regular nighttime residence.
	Can HA be issued to prevent homelessness? HA cannot be issued to prevent homelessness/eviction. If eviction is expected, the EW is to explain the HA program and provide the caretaker with a copy of the PA 1323 (out of drawer), Important Information for Homeless Families, and encourage the family to immediately seek permanent housing. Note that the Marshall does not enforce evictions on weekends.

	NOTE: The EW is to explore the Emergency Assistance to Prevent Eviction (EAPE) Program to determine if the eviction could be stopped if assistance is provided to the applicant/participant. If a participant receives HA and is moving (or has moved) back to a former residence or is obtaining shelter at a former residence, the EW is to evaluate if the participant ever met the definition of "homelessness." If not, the entire amount of the HA issued is an overpayment and is to be collected. In addition, if fraud is suspected, a referral to WFP&I is to be initiated.
CW 44-211.52 - Temporary Homeless Assistance	**<u>What are the Temporary HA requirements?</u>** The family must: • Be apparently eligible for CalWORKs or receiving CalWORKs; • Meet the definition of homelessness and have less than $100 in resources [e.g., cash on hand (not to include the current month's grant), checking account, etc.]; and • Obtain temporary shelter from a commercial establishment (i.e., hotel, motel, etc.) or from a person in the business of renting properties who has a history of renting properties.
	<u>What action is taken when the applicant/participant is determined eligible for HA payments?</u> Applicants who are apparently eligible for CalWORKs and participants who are homeless and request temporary HA payments: • Must be issued or denied on the same day as the request. • Must be seeking permanent housing and provide verification of the search. • Are eligible for up to 16 **consecutive days**. • Can receive $40 per night for an AU of 4 plus $10 for each additional person (up to $80 per night). The AU members must be CalWORKs eligible.
	<u>Is the EW required to verify a homeless payment through MEDS before issuing a payment?</u>

	Yes, before issuing a homeless payment, the EW must view the Homeless Program Inquiry through MEDS. Homeless payments are automatically updated via LEADER to MEDS. **NOTE:** The EW shall also verify the LEADER Homeless Assistance Summary screen and Case Comments in the Data Collection subsystem and the Auxiliary Issuance screen on the Benefit Issuance subsystem to ensure prior HA payments have not been made, before issuing a HA payment. See **MEDS - Access from LDR Dsktp** for LEADER procedures.
	<u>Is a family that is temporarily residing with another family considered homeless?</u> An otherwise eligible Assistance Unit (AU) that <u>temporarily</u> resides with another family is considered eligible to receive HA because it lacks a fixed and regular nighttime residence.
	<u>Can a family be considered homeless when the housing is shared with another person/family?</u> An Assistance Unit (AU) is not considered homeless when it is sharing housing unless the housing is being shared on an emergency basis and is temporary. The AU must lack a "fixed and regular nighttime residence," and have a need for commercial shelter. Shared housing is generally characterized as a living situation in which each family pays part of the rent and/or utilities and all families are included in the rental/lease agreement. <u>Evaluating Shared Housing and Temporary HA</u> To help differentiate between shared and temporary housing, the EW should ask the applicant/participant if his/her name is on one or more of the following: • The rental agreement. • The utility bill (i.e., gas, electric, etc.). • The telephone bill or in the telephone directory. **If the answer is "yes" to any of the above, the housing is shared.**

	Answers to the following questions must be weighed: 1. How long have you lived at this address? 2. How many bedrooms are in the house/apartment and how many people were living there before you and your family moved in? 3. Does the landlord know you live there? **EXAMPLE** A parent and two children live in a one-bedroom apartment. A homeless family (mother and three children) moved in yesterday. Even if the landlord knows that the homeless family is staying there, the stay must be temporary because a one-bedroom apartment is too small for seven people.
	How are the HA payments treated when the landlord is receiving CalWORKs? Participants of CalWORKs who have a history of renting rooms are eligible to receive HA payments. Monies received by participant for providing shelter/housing to participant must be reported on the QR 7. Temporary Shelter The money is treated as income from the rental of rooms, whether or not the provider participant is the landlord. Permanent Housing If the provider participant is the landlord, the income is treated as follows: • The security deposit is treated as property as it is designated for a non-need item. • The monthly rent is treated as income. If the provider participant is not the landlord, no permanent housing payment is to be issued. See ***CW 44-100 Income*** for more information. See **Income - Room &/or Board** for LEADER procedures.
	Are "pending" AU members allowed to receive homeless assistance?

	Yes.
CW 44-211.53 – Permanent Housing Assistance	**<u>What are the Permanent HA requirements?</u>** The family must meet the definition of homelessness and • Have less than $100 (e.g., cash, checking account, etc.); • Be approved for CalWORKs; • His/her share of the housing payments cannot exceed 80% of the Assistance Unit's (AU) MAP; • May receive payments for fees the landlord requires before the family moves in (e.g., last month's rent, key deposits, cleaning fees, etc.); • The payment for move-in costs cannot exceed two times the total rent or share of the total rent (rental amount before subsidies); • The participant cannot pay any overage when the housing/move-in costs (monthly rent and/or the last month's rent) exceed 80% of the AU's MAP. **<u>EXAMPLE</u>** A participant who is employed applies for permanent HA payments. The participant locates permanent housing; however, the monthly rent amount exceeds 80% of the AU's MAP. Although the participant can pay the overage with his/her earnings, the rent exceeds 80% of the AU's MAP; therefore, the request for HA **<u>cannot</u>** be authorized. • May receive **additional** funds/payments for needed utility deposits.
	<u>What deposits are included when a payment for permanent housing is processed?</u> CalWORKs must be approved before a security deposit is issued for permanent housing. The payment cannot exceed two times the Assistance Unit's (AU) rent or portion of the rent and the rent or portion of the rent cannot exceed 80% of the AU's MAP. The security deposit includes the last month's rent and any fees the landlord requires before the family moves in. Additional payments may be issued for any deposits a utility company requires to turn on (i.e., gas, electricity and/or water).
	<u>What verification is required before issuing</u>

	permanent HA payments? The participant must provide a written rental agreement prepared by a property owner, landlord, rental agent or other person acting in a similar capacity (i.e., Section 8 worker who provides final cost-breakdown). When security deposits are a condition of occupancy, the amount of those deposits must be included in the agreement.
	What action is taken when the rental agreement for permanent HA is questionable? If the validity of the rental agreement is questionable or if a copy of a written rental agreement is not provided, the EW, with the participant's authorization, must verify by contacting the landlord. If the participant refuses to authorize the contact or a rental agreement has not been made, the request for permanent housing assistance is denied. If it cannot be verified that a rental agreement has been made, the participant must complete (under penalty of perjury) a PA 853 (out of drawer), Affidavit, containing the following information: • Name and phone number of landlord, • Location of rental, • Terms of rental, and • Dollar amount of deposits and rent. Upon receipt of a rental agreement, verbal statement from the landlord or affidavit, the EW must contact the Property Services Unit at (626) 854-4732 to verify the accuracy and the consistency of the property information. Information needed by the Property Services Unit to complete an inquiry is the case name, the owner's name and the address of the property. If the rental is one of a set of units, the unit number must also be given. If the documentation does not contain the property owner's name, after obtaining the participant's consent, the EW is to contact the landlord and obtain the owner's name. In addition, the EW must give the Property Services Unit the EW file number and the district number so that the response may be returned to the district office by fax. A response from the Property Services Unit will be given within the same day if the inquiry is received before 3:00 p.m. If received after 3:00 p.m.,

	the response will be provided before 10:00 a.m. the following workday. If there is a discrepancy between the rental agreement and the Property Services information, the EW must present the information to the participant for clarification. If the participant maintains the accuracy of the information presented, the EW (after obtaining the participant's consent) is to contact the landlord/owner by telephone to resolve the items in question. If the discrepancies cannot be resolved, the EW is to: • Have the participant complete a PA 853 (out of drawer), Affidavit, including the information specified above (name and phone number of landlord, etc.); • Issue the HA funds being requested; and • Request a home call be made by the Early Fraud Detection Unit in order to speak with the landlord/owner to resolve the items in question.
	Can permanent HA be issued for a participant who is moving into someone's garage? Permanent HA is not to be issued for substandard housing (e.g., store front, garage, condemned apartment). Substandard housing is any public/private place that is not designed as regular sleeping accommodations.
	Can a participant receive permanent HA to move into transitional housing? Yes. Even if it is for two years, it is considered to be a permanent residence and therefore, the family can receive the permanent housing payment. The HA payment cannot be used for participants entering a Sober Living facility. **NOTE:** The family must understand that this payment is to be considered their once-in-a-lifetime HA payment.
	Can a new caretaker relative receive HA? An Assistance Unit (AU) that has received HA for an eligible child is ineligible for HA payments except under the following conditions: a) There is a new caretaker relative who was not

	living with the AU at the time the original HA payment was issued; b) The new caretaker has not previously received HA on behalf of or as part of another AU; and c) The former caretaker relative is no longer living in the home with the AU. **NOTE:** The EW must determine if eligibility for an exception under once-in-a-lifetime applies. **<u>EXAMPLES</u>** <u>Example 1</u> An aided mother, father and two children received temporary shelter and permanent housing assistance. Mother and father separated and each has a child. A new case is established for the father and child. Both families become homeless again and request HA. There is no HA available to them unless the parent(s) qualifies for an exception. Both mother and father received HA when they were an intact family. <u>Example 2</u> An aided parent and child received temporary shelter and permanent HA. Two other children return to the home. Shortly thereafter, the family is homeless again. The parent requests HA for the two children who returned to the home after HA was issued. There is no HA available to the two children unless the parent qualifies for an exception. The children are linked to the parent's case and the parent has already received once-in-a-lifetime HA. <u>Example 3</u> An aided parent and three children received temporary shelter and permanent HA. One of the children moves in with a needy caretaker relative. A new case is established. Shortly thereafter, the caretaker relative is homeless and requests HA. The caretaker relative has not received HA and the child is now linked to the new caretaker relative's case. In this case, both the caretaker relative and the child are eligible to HA.
	<u>What are the exceptions to the Once-in-a-Lifetime rule?</u> Provisions of **AB 908** limit HA to once-in-a-lifetime.

	The new regulations apply to prior recipients of HA and to new applicants. **<u>However, participants who received HA prior to January 16, 1996 are again eligible to HA</u>**. The HA payments are issued once-in-a-lifetime **unless** the family qualifies for and verifies one of the following exceptions: • Whenever a state or federally declared natural disaster is the direct and primary cause of homelessness (no limit). • When the following situations occur, the family must verify through a third-party governmental or private health and human services agency that its **<u>homelessness was due</u>** to: o Domestic violence caused by a spouse, partner or roommate (the individual cannot self-declare); o The former residence becomes uninhabitable due to sudden and unusual circumstances beyond the family's control; or o A medically verified physical or mental illness, excluding drug addiction or psychological stress. **NOTE:** These exceptions are limited to a once every 12-month period.
	<u>What verification is required for once-in-a-lifetime exception?</u> Examples of verification for the exception include the following: <u>Domestic violence</u> – copies of records or reports from police departments, medical facilities, battered women's shelters signed by an administrator, counselor or designated staff member and Adult and Child Protective Services, Family Service Bureau, Crisis Counseling Service agencies. **NOTE:** The individual cannot self-declare. <u>Physical or mental illness (excluding drug addiction or psychological stress)</u> – medical verification from the

	appropriate treating physician, state certified nurse, nurse practitioner, physician's assistant, therapist, psychologist, licensed counselor, medical or clinical personnel with access to the patient's records who can verify the diagnosis. **EXAMPLE** An Assistance Unit (AU) applies for HA under the exception of a mental condition. The AU had been homeless for some time and had no interim contact with any governmental or private health or human services agency that could verify that homelessness was caused by the mental condition. The AU was able to provide proof of the mental condition from a psychologist and a written statement from the former landlord stating that the AU was evicted because of disruptive behavior toward the other tenants. Based on the verification provided by the AU, the EW determines that the AU is eligible for HA due to the mental illness exception. Uninhabitability of the residence – written statements or copies of reports from police/fire departments, the American Red Cross, health department or any other agencies authorized to verify uninhabitability of the former residence.
	If a parent, who is in a domestic abuse situation, voluntarily leaves his/her permanent residence and becomes homeless, can the family receive HA? If the Assistance Unit (AU) has received HA before and becomes homeless due to a domestic abuse situation, the AU meets an exception to the once-in-a-lifetime rule and is eligible for HA. The AU must provide verification of the exceptional circumstance through a third-party governmental or private health and human services agency, such as the police department or a battered women's shelter.
	When the participant qualifies for a HA exception, how often can a payment be authorized? HA payments issued under an exception are limited to one period (up to 16 consecutive days) of temporary shelter payments **and** one payment of permanent housing (limited to once in 12 months). Payments can only be authorized for a continuous period of homelessness caused by the same specific circumstances.

	What action is taken when an applicant applies for HA in one county and moves to another county? If County A has issued an Immediate Need (IN) or HA payment based on apparent CalWORKs eligibility and the applicant applies for HA in County B, an ICT is to be processed. However, the ICT process cannot delay County B's timely processing of the HA request. If eligible, County B, where the family physically resides, is responsible for issuing the HA payment. See ***CW 40-125.5 Applicant Goes to Another County*** for more information. See **MEDS-Access from LDR Dsktp** for LEADER procedures.
	When a participant moves in or out of Los Angeles County and has received HA, how are the counties alerted? On outgoing ICTs, the CW 215 (out of drawer), Notification of Transfer, must include one of the following statements: • No HA issued; or • Temporary or permanent HA issued; or • HA issued under an exception and 12 month period of ineligibility ends on _____(insert date). If it appears that a homeless family has applied for or received aid in another county in California, the CW 215, must be reviewed as part of the HA eligibility determination process. Contact the other county if the CW 215 does not contain information about HA.
	If an applicant/participant receives a HA payment for which he/she was not entitled, can this payment be collected through the overpayment recovery process? Overpayments resulting from an applicant/participant receiving HA funds for which he/she is not entitled are subject to the same regulations that apply to CalWORKs aid payments for which an applicant/participant is not entitled. Client Error Overpayment

	If the AU receives a temporary shelter or permanent housing payment and they were really not homeless (i.e., did not meet the definition of homelessness), the entire amount of HA issued is considered an overpayment and is collectable. If a participant is issued HA payment(s) and subsequently it is determined that he/she was ineligible to CalWORKs during the period of the HA issuance(s), the entire amount of the CalWORKs grant, including the HA payment(s) is considered an overpayment and is collectable.
	If the Assistance Unit (AU) receives HA but the family does not use the payments for shelter, is the HA considered an overpayment? HA payments issued to homeless families who are eligible to CalWORKs are not considered overpayments. This applies even if the family does not use the payments for shelter or fails to obtain permanent housing from a commercial establishment/person in the business of renting properties. The family is considered to have mismanaged the funds. The only recourse is to issue any future payments as "restrictively endorsed checks" (i.e., two-party district issued check). **EXAMPLES** Example 1 The participant received $1,200 for permanent housing and $85 for utilities. Later the EW learns that the actual move-in costs paid by the participant was only $1,000 for permanent housing. The $200 difference is not considered an overpayment and is not collectable. Example 2 The participant received $1,200 for permanent housing and $85 for utilities. Later the EW learns that the participant purchased a car with the payment. The entire issuance amount of $1,285 is not considered an overpayment and is not collectable. Example 3 The participant is issued a temporary shelter payment of $280 instead of $240 (amount to which eligible).

	The difference of $40 is not an overpayment and is not collectable.
	<u>If an applicant/participant receives a temporary shelter payment but the shelter cost is less than the payment, is the difference considered an overpayment?</u> Temporary shelter payments are issued as a flat amount. Therefore, if an applicant/participant receives $40 a day for temporary shelter but the shelter cost is only $20 a day, the difference of $20 a day is not considered an overpayment.
	<u>If an applicant/participant is issued a temporary shelter payment and the payment is not used to meet the temporary shelter need, is this considered an overpayment?</u> If the payment for temporary shelter was not used to meet the shelter need, it is not considered an overpayment. However, mismanagement of CalWORKs funds is to be presumed and subsequent HA funds are to be issued via restrictive endorsement. The temporary shelter payments that were issued are not considered to be overpayments because the payments were based on potential CalWORKs eligibility that could not be verified. **<u>EXAMPLE</u>** An applicant receives $280 for 7 days of temporary shelter. The cost for temporary shelter is $210 for 7 days. A two-party district issued check is issued in the amount of $210. The overage amount of $70 is made payable to the applicant/participant.
	<u>Is the EW required to see the children before HA can be issued?</u> No, the applicant is not required to bring the child(ren) into the district office before authorizing HA and/or CalWORKs. See ***CW 42-111 Child's Existence*** for more information.
	<u>If apparent CalWORKs eligibility cannot be established within the same workday in which the</u>

applicant requested temporary shelter, what action is taken?

If apparent CalWORKs eligibility cannot be established within the same workday in which the applicant requests temporary shelter, the EW must arrange for the family to stay for the night at a shelter. The shelter must be accessible and at no cost to the family. If these shelter conditions cannot be met, the EW must issue temporary HA for one night or until the next business day. The evaluation of apparent CalWORKs eligibility is to be made no later than the following workday.

Referral Resources

When necessary to arrange for the homeless family to stay for the night at a shelter, the EW is to:

1. Contact by phone 2-1-1 LA County;
2. Identify him/herself and ask to speak to the Emergency Shelter Coordinator (ESC);
3. Arrange for overnight shelter for the family with the ESC;
4. Provide the family with the emergency shelter information; and
5. Ensure the shelter is accessible and at no cost to the family.
6. Refer the family to the Homeless Case Manager.

NOTE: Whenever a referral address/number is given to an applicant/participant, whether its for food, shelter, clothing, and/or health care, the EW/HREW is to call the number first to ensure that the agency is able to assist with the applicant's/participant's needs. If a list of referrals is given, the EW/HREW must verify all referrals.

Below is a list of Access Centers that can help families with referrals for food, shelter, clothing and health care.

Access Center	**Address/Phone #**
Weingart Center	506 S. Main St. Los Angeles (213) 624-3370

	Multi-Service Center	1301 W. 12th St. Long Beach (562) 733-1147
	Watts Labor Community Action Committee	958 E. 108th St. Los Angeles (323) 563-4730
	Los Angeles Family Housing	2431 E. 1st St. Los Angeles (323) 260-7524
	Ocean Park Community Center	1616 7th St. Santa Monica (310) 450-4050
	Los Angeles Family Housing	7843 Lankershim Bl. No. Hollywood (818) 982-4061
	If a family believes that they are wrongfully evicted, they are to be given the following numbers for free legal help:	
	Legal Services	**Phone #**
	Neighborhood Legal Services of L.A. County	(800) 433-6251
	Legal Aid Foundation of L.A. County	(800) 399-4529
	Asian Pacific American Legal Center	Cambodian/Khmer (800) 867-3126 Chinese (800) 520-2356 Korean (800) 867-3640 Vietnamese (800) 267-7395

	<u>How many days of temporary shelter can a worker authorize for the first issuance?</u> Temporary shelter payments must be issued the same day the request is received and approved. Seven days worth of temporary shelter payments are to be issued at a time. Temporary shelter payments may not be issued for more than seven days at a time. The initial temporary shelter payment may be issued for less than seven days for the following reasons: a) When the applicant/participant is expected to secure permanent housing before the end of the seven day period; b) When the applicant/participant needs to provide necessary documentation to prove the exceptional circumstances to meet any of the homeless assistance exceptions to the once-in-a-lifetime rule; or c) When potential CalWORKs eligibility cannot be established within the same workday in which the applicant requests temporary shelter. In any of the above situations, the ability of the applicant/participant to return to the district office must be considered. **NOTE:** Homelessness must be established within three (3) workdays from the day of the request or it must be denied.

	When the participant has located permanent housing, how much HA is allowed? When the Assistance Unit (AU) has found permanent housing that does not rent for more than 80% of the AU's MAP (without special needs), the maximum security deposits cannot exceed two months of the AU's monthly rent or share of the rent. When the last month's rent is included as part of the security deposits, the last month's rent cannot exceed 80% of the AU's MAP. The participant cannot pay any overage when the housing/move-in costs (monthly rent and/or the last month's rent) exceeds 80% of the AU's MAP. Example An employed participant applies for permanent HA payments. The monthly rent and the move-in costs (includes the last month's rent) exceeds 80% of the AU's MAP. Although the participant can pay the overage with his/her earnings, the current and last month's rent exceeds 80% of the AU's MAP; therefore, the request for HA cannot be authorized. The maximum security deposits must be paid to a commercial establishment or a person in the business of renting properties who has a history of renting properties. Security deposits include last month's rent and any legal payment, fee, deposit or charge that is required by a landlord as a condition of assuming occupancy. In addition to the security deposits, the participant may also receive a deposit for the actual costs of utility deposits (turn-on fees) required for gas, electricity and/or water. The payment cannot include the costs of overdue utility bills. The amount of utility deposits must be verified. This may be verified by a written statement/bill from the utility company or through EW contact (authorized by the participant) with the utility company.

	EXAMPLE	
	1st Month's Rent	$ 500
	Maximum Security Deposits	$1,000 ($500 x 2)
	Security Deposits Required by Landlord:	
	• Last Month's Rent	$ 500
	• Cleaning Fee	+ 200
	• Keys	+ 25
	Total Security Deposits	$ 725
	Utility Deposits	+ 125
	Total Permanent HA Payment	**$ 850**

<u>Can a family who moves into subsidized housing receive the maximum security deposit for HA?</u>

If otherwise eligible, a family that requests HA to move into subsidized housing can receive the maximum permanent housing payment of two times the rent which the family is **<u>obligated to pay</u>** (rent before any subsidies). This payment is to pay for security deposits (i.e., last month's rent, etc.) that are required by a landlord as a condition of assuming occupancy provided the subsidizing agency does not pay these costs. The total rental amount in subsidized housing **<u>can exceed</u>** 80% of MAP; however, the Assistance Unit's (AU) share of the monthly rent cannot exceed 80% of MAP. Like all other families receiving a permanent housing payment, the family occupying subsidized housing is responsible for paying the first month's rent.

Once initial eligibility for HA has been evaluated, the following two-step process is to be used:

<u>Step 1</u>

Determine if the AU's share of the monthly rent exceeds 80% of the AU's MAP.

<u>Step 2</u>

Determine if the portion of the move-in costs (security deposits, etc.) includes the last month's rent. If the last month's rent is required, the amount cannot exceed 80% of the AU's MAP.

The following is a case scenario with different housing costs resulting in different outcomes:

• **The AU consists of four family members.** • **MAP is $862.** • **80% of MAP is $690.**	**First Step**	**Second Step**	**Outcome to HA**

	Family locates permanent housing for $1,300/mo • Maximum move-in costs $2,600 ($1,300 x 2) • Subsidized amount is $1,000/mo • Move-in cost is $2,600: o Last month's rent $300 o Security Deposit $900 o Cleaning Fee $900 o Appliances $400 o Keys $100	**Pass** Monthly share of $300/mo does not exceed 80% of MAP	**Pass** Last month's rent of $300 does not exceed 80% of MAP	**Eligible**
	Family locates permanent housing for $2,000/mo • Maximum move-in cost is $4,000 ($2,000 x 2) • Subsidized amount is $1,300/mo • Family's share is $1,000/mo • Move-in costs is $3,000: o Last month's rent $2,000 o Security deposit $1,000	**Fail** Monthly share of $1,000/mo exceeds 80% of MAP	**Fail** (Did not pass first step)	**Ineligible**
	<u>When a penalized person is in the Assistance Unit (AU), is he/she included in the MAP amount for the HA payments?</u> No, the actual number of persons in the AU is used in determining the HA payment for permanent housing. The cost of the rent cannot be more than 80% of the AU's MAP (without special needs).			
	<u>Are the needs of an MFG child considered when issuing temporary shelter and/or permanent housing payments?</u> The needs of an MFG child are considered when			

	issuing temporary shelter payments. The MFG child is considered eligible, and a recipient of CalWORKs. Therefore, the child is included in the MBSAC for determining the applicant's financial eligibility and is also considered eligible for: a) Special needs, including temporary homeless assistance payments; b) Food Stamps; c) Child care; and d) Cash-based Medi-Cal. However, benefits that are derived from the MAP, such as permanent housing for homeless assistance, will not include the MFG child.
DPSS Housing Program	**<u>What is the DPSS Housing Program?</u>** The DPSS Housing Program is the umbrella program for DPSS' various housing/homeless programs, including: • Diversion; • Housing Relocation Program (HRP); • Homeless Assistance (HA) Program; • Emergency Assistance to Prevent Eviction (EAPE) Program; • Moving Assistance (MA) Program; • Temporary Homeless Assistance Program (THAP)+14; • Rental Subsidy Assistance (RA); and • Homeless Case Management (HCM). With the exception of Diversion and the HA Program, these are programs funded by the County.
	<u>Why was it necessary to create the DPSS Housing Program and what are the benefits of integrating the programs?</u> While DPSS has always administered the Diversion, HRP, and HA Programs, the EAPE and MA Programs have been contracted out to the Los Angeles Homeless Services Authority (LAHSA) and its subcontractors since they were established in 2002. As of April 1, 2004, these two programs were brought in-house to be administered by DPSS' eligibility staff. Bringing these two programs into DPSS provided the Department the opportunity to review all its housing/homeless programs, integrate all of the programs, and align their eligibility requirements,

	where possible. By redesigning the process into one integrated DPSS Housing Program, the Department can better assist participants, as well as reduce and prevent homelessness.
Emergency Assistance to Prevent Eviction (EAPE) Program	**<u>What is the benefit of the EAPE Program?</u>** Under the EAPE Program, families who are at risk of losing their housing because of non-payment of rent due to a financial hardship (not for any other lease violations) may receive funds to pay rent and/or utilities for up to two months in arrears to assist the family in maintaining permanent housing. The family must demonstrate that they are experiencing a financial crisis (e.g., exhausted time limits) that could result in homelessness if assistance is not given. In addition, applicants/participants must provide proof of the financial hardship.
	<u>Who is eligible to receive funds under the EAPE Program?</u> The following population is eligible to receive funds under the EAPE Program: • Applicant/participant parents who are working or enrolled in GAIN/RITE/Cal-Learn activities; • Applicant/participant parents who are either unemployed or exempt from GAIN/RITE, as well as “child only” cases (i.e., undocumented parent/s, SSI parent/s, and non-needy payees); and • Time-limited adults who are employed/not employed or participating/not participating in post-time limited services.
	<u>Who is not eligible to receive funds under the EAPE Program?</u> The following population is **not** eligible to receive funds under the EAPE Program: • Persons convicted of welfare fraud (e.g., Intentional Program Violation [IPV]); • Drug felons and fleeing felons; • Welfare-to-Work (WTW) sanctioned individuals (GAIN/RITE/Cal-Learn); and • Other CalWORKs penalized individuals (child support, school enrollment verification, immunization records, etc.).

	NOTE: For sanctioned and penalized individuals (bullets #3 and #4), the participant is eligible if the WTW sanction is cured or the participant complies with the CalWORKs requirement/s for which he/she is being penalized/sanctioned and meets the other requirements for the program.
	Is there a limit amount that an applicant/participant may receive under the EAPE Program? Yes. Funds under the EAPE Program cannot exceed a maximum total of $2,000 per family for life. Funds can be accessed "as needed" until the maximum dollar amount has been exhausted. Applicants/participants may continue to apply for the EAPE program every month if the same financial hardship persists, but only until the $2,000 limit has been exhausted.
	Is the applicant/participant obligated to pay part of the past due rent/utilities as a condition of eligibility under the EAPE Program? Yes. Under the EAPE program, as a condition of eligibility, the Housing Resource Eligibility Worker (HREW) will explore with the applicant/participant to determine **up to what amount of the past due rent/utilities the applicant/participant is able to pay** (the applicant/participant must agree to pay part of the past due rent/utilities to be eligible for EAPE).
	Can the EAPE Program be used to pay for current month's rent/utilities? When an applicant/participant requests assistance under the EAPE program to cover the rent for the same month as the application, the Eligibility Worker (EW) is to: 1. Explore if the applicant/participant has already received an eviction notice or three-day notice to pay or quit. 2. Deny the EAPE application if the applicant/participant has not received an eviction notice or three-day notice to pay or quit. However, the participant is to be informed that he/she may **come back and re-apply** for the past due rent and/or overdue utilities the following month.

	3. Continue processing if the applicant/participant has received an eviction notice or three-day notice to pay or quit. The EW must determine if the applicant/participant has a financial hardship that was the direct cause for non-payment or rent. • If a financial hardship exists, process the application due to the fact that a financial crisis was the direct cause for non-payment of rent and if assistance is not given, the family could end up homeless. Proof of the financial hardship is required. The eviction notice or three-day notice to pay or quit is not in itself proof of the financial hardship. • If no financial hardship exists, deny the application since a financial crisis was not the direct cause for non-payment of rent. **NOTE:** In situations where the family is applying for the current month's rent and is not eligible, the Housing Resource Eligibility Worker (HREW) shall explore whether the family had a decrease in income and the decrease was voluntarily reported. When LEADER determines that the decrease in income results in increased benefits, LEADER will issue a supplemental for the month of the reported change and increase benefits for the remaining months of the quarter.
	Is it a condition of eligibility under the EAPE program that the rent be within 80% of the Maximum Aid Payment (MAP) for the size of the family? No. It is not a condition of eligibility, under the EAPE program, that the rent be within 80% of the MAP for the size of the family. However, if the applicant's/participant's rent exceeds 80% of the MAP, the HREW should consider advising the applicant/participant/timed-out participant to start looking for less costly housing (within 80% of the MAP) and inform the applicant/participant of the MA program to assist the participant with moving expenses when less costly housing is found.
	What should the EW do when the total amount of the EAPE request exceeds the $2,000 limit?

	When the total amount of the past due rent and/or utilities exceeds the $2,000 limit allowed under the EAPE program, funds (not to exceed the $2,000 limit) can be issued **only** if the applicant/participant can provide proof that arrangements have been made with the landlord and/or utility companies to pay the overage in installments. However, the balance is the sole responsibility of the applicant/participant and he/she must provide an explanation as to how he/she is planning to pay the balance. Otherwise, the request is to be denied. The above procedure can also be applied when the applicant/participant owes more than two months in back rent/utilities. EAPE payment requests that include utility costs must be fully explored to determine the correct amount due for the last two months in arrears. **EXAMPLE** When the payment request includes several billing periods, each of the utility bills from those periods must be provided as supporting documentation. Collateral contacts are required to verify if any amounts were already paid and to determine payment for the two months in arrears.
	Can funds under the EAPE Program be used to pay for late rent fees? Yes. Funds under the EAPE program may be used to pay for late rent fees (landlords can do this only if the lease or rental agreement contains a late rent fee provision).
	What should the HREW do when the utility bills are under a different name? When the utility bills are under a different name from the applicant/participant, a PA 853 (out of drawer), Affidavit, must be completed with an explanation as to why the bill/s is/are under a different name.
Moving Assistance (MA) Program	**What is the benefit of the Moving Assistance Program?** Families who are homeless or at risk of homelessness (already received eviction notice or 3-day notice to pay or quit) may receive funds to assist the family to secure permanent housing.

	If the family is homeless, the family must have exhausted all other means of assistance including Homeless Assistance (if eligible) to qualify for MA. Families who are not homeless or at risk of homelessness must demonstrate that they are experiencing a financial hardship that could result in homelessness if assistance is not provided. Proof of the financial hardship is required. Funds cannot be used to reimburse expenses already paid by the participant.
	Who is eligible to receive funds under the MA Program? The following population is eligible to receive funds under the MA Program: • CalWORKs participants; • Participant parents who are working or enrolled in GAIN/RITE/Cal-Learn activities; • Participant parents who are either unemployed or exempt from GAIN/RITE, as well as "child only" cases (i.e., undocumented parent/s, SSI parent/s, and non-needy payees); and • Time-limited adults who are employed/unemployed or participating/not participating in post-time limited services.
	Who is not eligible to receive funds under the MA Program? The following population is not eligible to receive funds under the MA Program: • Persons convicted of welfare fraud (e.g., Intentional Program Violation [IPV]); • Drug felons and fleeing felons; • WTW sanctioned individuals (GAIN/RITE/Cal-Learn); and • Other CalWORKs penalized individuals (child support, school enrollment verification, immunization records, etc.). **NOTE:** For sanctioned and penalized individuals (bullets #3 and #4), the participant is eligible if the WTW sanction is cured or the participant complies with the CalWORKs requirement/s for which he/she is being penalized and meets the other requirements for the program.

	<u>Can MA funds be utilized for a participant to move out of state or out of county?</u> No. MA funds are available only to participants who are residents of Los Angeles County and intend to continue to reside in Los Angeles County.
	<u>Is there a limited amount that a participant may receive under the MA Program?</u> Yes. MA funds are limited to a once-in-a-lifetime (OLT) payment of $2,000 per family. Participants may qualify for future requests when exceptions to the OLT policy are met. Exceptions to the OLT policy are: 1) Whenever a state or federal declared natural disaster is the direct and primary cause of need, there is no limit to the number of times MA may be received; 2) Whenever the need is due to domestic violence by a spouse, partner, or roommate, MA is limited to once in 12 consecutive months; 3) Whenever the former residence becomes uninhabitable due to sudden and unusual circumstances beyond the participant's control, MA is limited to once in 12 consecutive months; or 4) Whenever need is caused by a family member with a medically verified physical or mental illness (excluding alcoholism, drug addiction or psychological stress), MA is limited to once in 12 consecutive months. When an exception is applied, the new incident begins in the month in which the MA payment is issued, and ends 12 consecutive months later.
	<u>What verification is required for the Once-in-a-Lifetime exception?</u> Examples of verification for the exception include the following: <u>Domestic violence</u> – copies of records or reports from police departments, medical facilities, battered women's shelters signed by an administrator, counselor or designated staff member and Adult and

	Child Protective Services, Family Service Bureau, Crisis Counseling Service agencies. **NOTE:** The individual cannot self-declare. Physical or mental illness (excluding drug addiction or psychological stress) – medical verification from the appropriate treating physician, state certified nurse, nurse practitioner, physician's assistant, therapist, psychologist, licensed counselor, medical or clinical personnel with access to the patient's records who can verify the diagnosis. **EXAMPLE** An Assistance Unit (AU) applies for HA under the exception of a mental condition. The AU had been homeless for some time and had no interim contact with any governmental or private health or human services agency that could verify that homelessness was caused by the mental condition. The AU was able to provide proof of the mental condition from a psychologist and a written statement from the former landlord stating that the AU was evicted because of disruptive behavior toward the other tenants. Based on the verification provided by the AU, the EW determines that the AU is eligible for HA due to the mental illness exception. Uninhabitability of the residence – written statements or copies of reports from police/fire departments, the American Red Cross, health department or any other agencies authorized to verify uninhabitability of the former residence.
	What services are provided under the MA Program? Under MA, funds to pay move-in costs, including security deposits (last month's rent), utility turn-on fees, moving costs (e.g., truck rental), and the purchase of a stove and/or refrigerator will be provided to assist the family to secure permanent housing. Also, **for timed-out participants only**, and included in the $2,000 limit, the MA program will also pay for up to the amount of the adult portion of the reduced grant for two months, in order for families to remain in their current residence while waiting to move to less costly housing.

	<u>Can the MA Program be used in conjunction with the Homeless Assistance Program when the family is in need of purchasing a stove and/or refrigerator for the new place?</u> Yes. The MA program can be used in conjunction with the HA program when the participant is in need of purchasing a stove and/or refrigerator because the new place of residence does not have one. In this situation, the participant must be informed that the maximum allowance for the purchase of a stove and/or refrigerator under the MA program is $405. This is to be considered the family's OLT MA payment. Additionally, the request for the MA payment must be made within 30 calendar days from the date the Permanent HA payment was issued. **NOTE:** When the total amount of the appliance estimate exceeds the $405 allowable maximum limit due to taxes, delivery and/or warranty extension fees, the Intake EW or HREW must explain to the applicant/participant that the maximum issuance is only $405 and that he/she is responsible for any overage. The EW must document the explanation and the applicant's/participant's understanding of the policy in LEADER **Case Comments**.
	<u>Can funds under the MA Program be used for families to replace or repair existing household equipment?</u> No. Funds under the MA program cannot be used for families to repair or replace existing household equipment such as a stove and/or refrigerator, or to pay for interim shelter when the AU's home was destroyed or made uninhabitable or inaccessible. **NOTE:** When the HREW is faced with any of the situations described above, the HREW must explore to determine whether the family is eligible for a Nonrecurring Special Need Payment (NSNP). <u>If the family is eligible for the NSNP, that payment takes precedence over the MA payment</u>.
	<u>Does the MA payment include the first month's rent?</u> No. The MA payment does not include the first month's rent. The MA payment may include the

	security deposit, including cleaning/keys fees and last month's rent, provided that the total amount does not exceed two times the actual rent without subsidies. Also, the amount of the last month's rent cannot exceed 80% of the AU's MAP. Additionally, the MA payment may also include utility turn-on fees, a stove and/or refrigerator (not to exceed $405) if the new place does not have one, and/or reasonable moving expenses (e.g., truck rental).
	Are participants requesting MA required to provide evidence of property availability and cost? Yes. As a condition of eligibility, participants are required to provide proof of property availability and the cost. The only acceptable documentation is as follows: 1. Written rental agreement; 2. Telephone call to the landlord (if rental agreement is questionable or not provided); or 3. PA 853, Affidavit.
	Are workers required to verify property ownership information? Yes. Upon receipt of a rental agreement, verbal statement from the landlord or PA 853, Affidavit, the worker must contact the Property Services Hotline at (626) 854-4732 or by fax at (626) 964-4272 to verify the accuracy and the consistency of the property ownership information. Information needed by Property Services to complete an inquiry is as follows: 1. Case Name; 2. Property Owner's Name; and 3. Address of the Property (including unit/apartment # and city). **NOTE:** If the documentation does not contain the property owner's name, after obtaining the participant's consent, the worker is to contact the landlord and obtain the owner's name.
	How can applicants/participants apply for the EAPE and MA Programs?

	All applications must be made in person at a CalWORKs district office by completion of the PA 2124, *Emergency Assistance to Prevent Eviction (EAPE) and Moving Assistance (MA) Application*. **NOTE:** Applicants/participants must not be verbally denied. When an applicant/participant calls requesting EAPE or MA benefits, the EW must instruct the caller to come into the district office to complete an application form. When the applicant/participant arrives to the district office, the EW must refer the applicant/participant to the HREW via the PA 4012, Referral to Housing Program Eligibility Worker. The EW shall never tell the caller that someone will contact him/her on the telephone to discuss their request for EAPE, MA or any of the various DPSS homeless services.
	Who is responsible for processing an application for the Housing Program? For applicants, Intake Workers are responsible for processing all requests for the Housing Program (HP). For approved cases, the regular Eligibility Worker (EW) is to refer any HP requests (via the PA 4012 [out of drawer], Referral to the Housing Program Eligibility Worker) to the HREW who is responsible for processing all HP requests. All HP requests for participants in a Specialized Supportive Services file, are to be processed by the Specialized Supportive Services EW.
	How can the HREW verify previous EAPE or MA issuances? The HREW is to review the Issuance Summary screen on LEADER to verify if the applicant/participant has previously received any EAPE and/or MA payments or if the participant has already exhausted the $2,000 dollar limit amount.
	Who is responsible for verifying documentation/receipts provided by the applicant/participant to prove the financial hardship for the EAPE and MA programs?

	The EW is responsible for verifying all documentation/receipts provided by the applicant/participant to prove the financial hardship for the EAPE and MA programs. Also, the Housing Resource Eligibility Supervisor (HRES) and the Deputy District Director (DDD) must verify all EAPE and MA program applications, including supporting documentation to ensure accurate evaluation for EAPE/MA services. Additionally, the HRES and the DDD must verify all receipts submitted by the applicant/participant to ensure EAPE/MA funds were used for the intended purpose.
	What Notices of Action (NOA) are to be used to approve or deny an EAPE or MA request? When approving or denying an EAPE or MA request, the EW is to use the PA 6017 (out of drawer), Emergency Assistance to Prevent Eviction & Moving Assistance - Approval/Denial NOA. These NOAs are available in all threshold languages (Armenian, Cambodian, Chinese, English, Korean, Russian, Spanish, Tagalog, and Vietnamese).
	How are EAPE and MA payments issued on LEADER? The EAPE/MA payments are to be authorized via the LEADER Auxiliary Issuance process. All payments for EAPE and MA require the Deputy District Director's (DDD) signature.
	What is the payment processing time for EAPE and MA requests? EAPE and MA payments are to be authorized for issuance within one (1) workday after receipt of all required verification/documentation. In emergent situations, funds are to be available for applicant's/participant's access on the same day.
	How are applicants/participants informed of the EAPE and MA Programs? The PA 4027 (out of drawer), Emergency Money to Prevent Eviction and the PA 4028 (out of drawer), Money to Help You Move flyers are used to publicize the EAPE and MA programs. The flyers provide important information regarding how to apply for these services and who to contact in case of

	questions. The flyers are to be included with the CalWORKs Intake packet for applicants and must be provided to participants during the CalWORKs redetermination process.
Temporary Homeless Assistance Program (THAP) +14	**<u>What is the Temporary Homeless Assistance Program (THAP)+14?</u>** Currently, families are eligible for up to 16 consecutive days of CalWORKs Temporary Homeless Assistance (HA). With certain exceptions, once they exhaust this once-in-a-lifetime benefit, they cannot access the Temporary HA program again. DPSS will supplement the State's Temporary HA program by providing an additional 14 days of Temporary HA. The additional two weeks of assistance will enable families to stay in hotels/motels longer while they continue to search for permanent housing.
	<u>Who is eligible to receive the THAP+14 benefits?</u> Eligibility to the THAP+14 benefits is only for homeless families who: 1) are currently accessing the Temporary HA program; or 2) have already exhausted their 16 days of the Temporary HA program for the same period of homelessness. **NOTE:** The homeless period starts when the applicant/participant applies for either temporary homeless assistance or permanent housing and ends when the participant secures permanent housing. In addition, those families meeting this criteria must: • Be apparently eligible for CalWORKs (new applicants only); **or** • Be receiving CalWORKs or has exhausted the CalWORKs 60-Month Time Limit. **AND**

	• Is a Domestic Violence (DV) victim and has signed a DV waiver; **or** • The applicant/participant is employed or participating in GAIN/RITE or, if timed out, employed or participating in PTL Services; **NOTE:** Applicants/participants who are mandatory GAIN participants, must agree to be expedited into GAIN/RITE in order to be eligible to the THAP+14 benefits. Signing the GN 6117 will satisfy this requirement (a PA 853, Affidavit, is acceptable when a GN 6117 is not available).
	<u>Who is not eligible to receive funds under the THAP+14 Program?</u> The following population is **not** eligible to receive funds under the THAP+14 Program: • Persons convicted of welfare fraud (e.g., Intentional Program Violation [IPV]); • Drug felons and fleeing felons; • Applicants/participants who are unemployed or exempt from GAIN/RITE; • "Child only" cases (i.e., undocumented parent(s), SSI/SSP parent(s), and non-needy payees); • Applicants/participants who are not eligible to the State's Homeless Assistance temporary shelter payments or meet one of the exceptions to the once-in-a-lifetime HA payments rule; • Welfare-to-Work (WTW) sanctioned individuals (GAIN/RITE/Cal-Learn); and • Other CalWORKs penalized individuals (child support, school enrollment verification, immunization records, etc.). **NOTE:** THAP+14 benefits cannot be denied for the sole reason of a GAIN sanction or CalWORKs penalty/sanction unless there are no other aided family members in the case. Every attempt should be made to assist the participant in resolving the GAIN sanction/CalWORKs penalty/sanction issue; however, THAP+14 benefits can still be issued for any remaining eligible AU members (excluding the sanctioned/penalized

	individual[s]).
	<u>Participants who received their once-in-a-lifetime temporary and permanent homeless assistance benefits in the past and are now homeless again, are they eligible to the THAP+14 benefits?</u> No. However, the EW must first determine if the participant meets any of the exceptions to the once-in-a-lifetime homeless assistance temporary shelter payments before the THAP+14 benefits can be issued. **<u>EXAMPLES</u>** <u>Example 1</u> A participant is in the office applying for the THAP+14 benefits. The EW discovers that the participant received temporary and permanent homeless assistance in 1999. The participant is now homeless again due to a fire in the apartment, making the apartment uninhabitable and the exception can be verified. The participant is eligible to another 16 consecutive days of temporary homeless assistance and, if still homeless after the 16 days are over, eligible to the THAP+14 benefits. <u>Example 2</u> A participant is in the office applying for the THAP+14 benefits. The EW discovers that the participant received temporary and permanent homeless assistance in 2001. The participant is now homeless again. The participant does not meet any of the exceptions to the once-in-a-lifetime rule for homeless assistance. The participant is not eligible to a payment of the THAP+14 benefits for the new period of homelessness.
	<u>How is the applicant/participant expedited into GAIN/RITE?</u> Once the participant signs the GN 6117 or PA 853, the EW takes the form to the district GAIN Coordinator who in turn is responsible for calling the Scheduling Clerk in the corresponding GAIN Regional Office to request that the applicant/participant be expedited into GAIN/RITE. **NOTE:** If the applicant/participant signs a PA 853, the affidavit must include the following

	information: • Applicant/Participant Name; • Applicant/Participant Case Number; • Applicant/Participant SSN; • Current address; • Home or message telephone number; and • Parenting or pregnant teen status.
	<u>What are the THAP+14 requirements?</u> The family must: • Be apparently eligible for CalWORKs (new applicants only), receiving CalWORKs, has exhausted the CalWORKs 60-Month Time Limit, or have a participant with a DV waiver; • Meet the definition of homelessness and have less than $100 in resources [e.g., cash on hand (not to include the current month's grant), checking/savings account, etc.]; • Obtain temporary shelter from a commercial establishment (i.e., hotel, motel, etc.) or from a person in the business of renting properties who has a history of renting properties; • Must provide verification of the THAP+14 expense (i.e., hotel/motel receipt, etc.); and • Must be seeking permanent housing and provide verification of the search.
	<u>How much can the eligible AU get for THAP+14?</u> The eligible AU can receive $40 per night for an AU of up to four (4) plus $10 per night for each additional person (up to $80 per night). The AU members must be CalWORKs eligible (an MFG child should be counted when determining the amount of the THAP+14 payment).
	<u>Do the THAP+14 benefits need to be 14 consecutive days?</u> No. The THAP+14 benefits do not necessarily have to be 14 consecutive days. However, eligible applicants/participants are only entitled to 14 days of the THAP+14 benefits once-in-a-lifetime with exceptions.

	EXAMPLES Example 1 After receiving 16 consecutive days of the HAP temporary shelter payments, the participant is approved for the THAP+14 benefits. The EW issues 7 days worth of THAP+14 benefits. After the 7 days, the participant is placed in a 30-day emergency shelter with no cost to the participant. After the 30 days, the participant continues to be homeless and can no longer remain in the emergency shelter. The participant is eligible to the remainder of the THAP+14 benefits due to the fact that this is the same period of homelessness and the participant continues to be homeless. Example 2 The participant is approved for the THAP+14 benefits and the EW issues 7 days worth of THAP+14 benefits. After the 7 days, the participant moves in with her mother, on a temporary basis, in order for the mother to provide child care while she is working. After a few months, the participant is told that she can no longer stay with her mother. The participant is entitled to the remainder of the THAP+14 benefits due to the fact that this is the same period of homelessness and the participant continues to be homeless.
	Can the THAP+14 payment be issued if the AU has no shelter cost? No. Although an AU may be considered homeless, a THAP+14 payment cannot be issued if the AU has no shelter cost.
	Can the THAP+14 benefits be issued if the AU never received the Temporary Homeless Assistance payments? No. If the applicant/participant indicates on the request for THAP+14 benefits that he/she never received the Temporary Homeless Assistance payments, the request for THAP+14 must be denied and a CW 42, Statement of Facts - Homeless Assistance (application for Homeless Assistance benefits) is given to the applicant/participant. The application for Temporary HA is to be processed on the same day.

	Additionally, if the applicant/participant indicates on the application for THAP+14 benefits that he/she had received Temporary HA payments before, the EW must explore to determine whether the family is eligible for one of the exceptions to the once-in-a-lifetime rule for HA before issuing the THAP+14 benefits.
	Can the AU be excused from the permanent housing search requirement while receiving the THAP+14 benefits? Yes. Good cause for not searching for permanent housing includes, but is not limited to, the following situations: • The AU does not have access to a telephone, either through having one itself, or through a friend, shelter, or accessible public place; • The AU has no transportation; or • The permanent housing located by the AU is not yet available for occupancy.
	Does the AU have to receive all 16 consecutive days of the Temporary HA payments to be eligible for the THAP+14 benefits? No. The AU does not have to receive all 16 consecutive days of the Temporary HA payments to be eligible to the THAP+14 benefits. **EXAMPLE** A participant received seven (7) days of Temporary HA. The participant did not return on the seventh day to receive the next installment. A month later the participant returns stating that he/she did not return because she was staying with a friend, but the friend can no longer provide shelter for the family. The participant is not entitled to the remainder of the 16 consecutive days of the Temporary HA payments; however, the participant may be eligible to the THAP+14 benefits, if all program requirements are met.
	How is the AU notified of the THAP+14 benefits? At the time the applicant/participant requests

	Temporary HA or if the applicant/participant states that the family is homeless, the Intake EW or HREW must explain the program to the applicant/participant and provide the applicant/participant with a PA 6012, *Rental Subsidy Assistance (RA)/ Temporary Homeless Assistance Program (THAP)+14 Application* to request the benefits.
	Does the applicant/participant need to complete an application form to request THAP+14 benefits? Yes. The applicant/participant needs to complete the PA 6012 to request THAP+14 benefits. The request must be approved or denied on the same day. **NOTE: No verbal denials**. An applicant/participant cannot be verbally told he/she does not qualify for the THAP+14 benefits. DPSS must complete a PA 6012 and issue the appropriate Notice of Action with the application determination.
	How are the THAP+14 benefits issued? The payments are issued in increments of seven (7) days worth of THAP+14 benefits. The payments are issued on LEADER via the Auxiliary Issuance process. The Intake EW or HREW selects one of the following pay type selections: • **THAP+14-1st Iss** (for the first issuance of the THAP+14 benefits) • **THAP+14-2nd Iss** (for the second or subsequent issuances of the THAP+14 benefits) The payments must be authorized by the Eligibility Supervisor and the Deputy District Director.
	How are the THAP+14 benefits issued when the eighth day falls on a Saturday, Sunday or a Holiday? In that instance, the EW must discuss the situation with the applicant/participant, issue only “x” number of days and have the participant return to the office the Friday before or the last workday prior to the Saturday, Sunday or Holiday in question, to issue the remainder of the THAP+14 benefits.

	Is a Notice of Action (NOA) required? Yes, a NOA is to be given for each issuance or denial of THAP+14 benefits. The EW must use the PA 6013, Notice of Approval Rental Subsidy Assistance (RA)/ Temporary Homeless Assistance (THAP)+14 or PA 6014, Notice of Denial Rental Subsidy Assistance (RA)/ Temporary Homeless Assistance (THAP)+14 for this purpose. The Notices of Action are not automated on LEADER at this time and must be given manually, by the EW.
Rental Subsidy Assistance (RA)	**What is Rental Subsidy Assistance?** Rental Subsidy Assistance (RA) is a once-in-a-lifetime, short-term temporary payment to assist eligible CalWORKs families pay their rent. The RA pays up to $250 per family (depending on the family size) for up to four consecutive months for non-subsidized permanent housing.
	Who is eligible for RA? Eligibility to RA is a two-step determination process: Step 1 - Eligible Population: • Applicant/participant must be CalWORKs eligible; • Must be eligible to receive Permanent Homeless Assistance and/or Moving Assistance; and • Must agree to receive RA payments. **NOTE:** Applicants/Participants who are mandatory GAIN participants, must agree to be expedited into GAIN/RITE in order to be eligible to RA benefits. Signing the GN 6117 or a PA 853, Affidavit, will satisfy this requirement. Step 2 - Housing Situation: If the above are met, the applicant/participant must have either: • Signed a rental agreement to secure non-subsidized permanent housing within the past 30 days of the request for RA and is requesting Moving Assistance for appliances; or • Found non-subsidized permanent housing and

	has requested permanent housing and/or Moving Assistance.
	<u>Who is not eligible to RA payments?</u> The following population is not eligible to receive RA payments: • Families who are not CalWORKs eligible; • Families who are not eligible to receive Permanent Homeless Assistance and/or Moving Assistance; • Families who have exhausted the CalWORKs 60-Month Time Limits; • Unemployed or exempt from GAIN/RITE; • "Child only" cases (i.e., undocumented parent/s, SSI/SSP parent(s), or non-needy payee); • Families who have been living in their home for over 30 days; • Families living in subsidized housing, including Section 8 or receiving other contributions for rent; and • Families who are requesting EAPE, Diversion, Housing Relocation, or have moved from one Section 8 home to another. **NOTE:** Families who have received EAPE in the past may qualify for RA as long as they meet all RA program requirements.
	<u>What does the applicant/participant need to do to get RA?</u> At the time the applicant/participant reports that they have found a permanent place to live and request Permanent HA or MA, the HREW will evaluate RA eligibility then explain the program to the applicant/ participant and provide them with the PA 6012, Rental Subsidy Assistance (RA)/Temporary Homeless Assistance Program (THAP)+14 Application. The family can then opt to receive RA by simply signing the appropriate section of the PA 6011, RA-Agreement (out of drawer) form. The RA-Agreement will be filled out by the HREW indicating amount of subsidy and months the subsidy will be issued. **NOTE:** A rent receipt or verification that rent has been paid must be provided for each month a subsidy is issued before another subsidy

	payment is issued.
	<u>Can a family decline RA?</u> Yes, a family does not have to accept RA payments and may decline the assistance. In this case, the family must sign the appropriate decline section of the PA 6011, RA-Agreement form. **NOTE:** In this case, the PA 6012, RA application does not need to be completed.
	<u>Is a rental agreement required for RA ?</u> Yes, a rental agreement is required prior to issuance of RA payments. The rental agreement will verify the following information: • Date rental agreement was signed; • Date of move; • Address; • Amount of rent; • Management company name; and • Landlord's name.
	<u>Can a PA 956, Housing/Utility Verification Form, be used in lieu of a rental agreement for RA?</u> No. Initial RA payments may not be issued until a signed rental/lease agreement has been received and verified by the landlord.
	<u>Can a handwritten rental agreement be acceptable verification for RA?</u> A handwritten rental agreement is not acceptable unless: 1. Agreement is written on official letterhead; 2. HREW has confirmed that the landlord is in the business of renting; 3. Agreement contains all the required information; and 4. Agreement has been verified with the landlord by the HREW.
	<u>Once RA eligible, how are the consecutive months determined?</u>

	The consecutive months are determined by the HREW at the time the PA 6011, RA-Agreement form is completed and the applicant/participant agrees to receive RA. The initial month will be effective as follows: • The month following the month in which the move actually took place, (if the move occurred within 30 days of RA agreement and applicant/participant is requesting MA); **or** • When requesting Permanent HA and/or MA, the month in which the move will actually occur according to the rental agreement. **<u>EXAMPLES</u>** <u>Example 1</u> A CalWORKs family reports on January 1, 2005 that they have located a place to rent and need Permanent HA to assist with deposit and last month's rent in order to move in. The family is scheduled to move in on February 1. The family is eligible to receive Permanent HA and agrees to receive RA. The Permanent HA is issued for the move-in costs. An RA payment is then issued as a two-party check, for February, and the family will continue to receive RA for March, April and May (as long as they remain CalWORKs eligible and provide a rent receipt for each month a subsidy is paid before another subsidy payment is issued). <u>Example 2</u> On February 21, 2005, a CalWORKs family reports a new address and is requesting Moving Assistance for appliances. The family actually moved in on February 2, 2005. The HREW offers RA and the family accepts. RA is issued, as a two-party check, for March, April, May, and June (as long as they remain CalWORKs eligible and provide a rent receipt for each month a subsidy is paid before another subsidy payment is issued).
	<u>What action is taken if an applicant/participant does not return a rent receipt for a month an RA payment was issued?</u>

	If a rent receipt is not received prior to the end of the month or within 30 days of the last RA payment, no future RA payments will be issued, unless good cause is established.
	What is considered good cause for failure to provide a rent receipt? Good cause must be determined by the HPEW at the time a participant re-establishes contact and claims the remaining RA eligible months. Good cause includes, but is not limited to, verified: • medical emergencies; • incarceration; and • domestic violence.
	If various months lapse before the applicant/participant returns for additional RA payments, how long will they remain eligible to RA payments? As long as good cause can be established, and a rent receipt is provided showing that rent was paid for eligible RA payment months, an applicant/participant can claim any remaining RA payments as indicated on the original PA 6011, RA-Agreement. Example Participant is eligible to RA for February, March, April and May. RA is issued for February. Participant fails to return receipt or contact EW in March and April, but returns in mid-May with the rent receipts for February, March, April, and May showing that the monthly rent was paid. EW verifies payments with landlord and establishes good cause due to participant being hospitalized in March and April. Participant is eligible to the remaining RA payments as indicated on the original PA 6011, RA-Agreement and therefore payments are issued. **NOTE:** In the case of the example, the RA payments would be issued directly to the participant via their EBT account.
	How are RA payment amounts determined? RA payments are determined using the following payment issuance table:

Assistance Unit Size	Month 1	Month 2	Month 3	Month 4
1 to 2	$150	$150	$150	$150
3 to 7	$200	$200	$200	$200
8 and over	$250	$250	$250	$250

How are RA payments issued?

All RA payments will be issued via the LEADER Auxiliary Issuance method and issued as a two party check. The HREW can issue the RA payment following existing LEADER procedures, by selecting the **appropriate "RA"** aid payment type under **"Auxiliary Issuance Detail**, *"Field Name."* The pay type selections are as follows:

- **Rent Subsidy-1st Mo**
- **Rent Subsidy-2nd Mo**
- **Rent Subsidy-3rd Mo**
- **Rent Subsidy-4th Mo**

Do RA payments count as income to the AU?

No, RA payments are issued in addition to the AU's grant. Just like Permanent HA and Moving Assistance, these payments will not count against the AU's grant.

Do RA payments count as income for Food Stamps?

No. RA payments will not be counted as income for Food Stamps.

Can RA payments be used for other housing related issues?

No, the RA payment must be used to help with the rent for the current month. Although a family can receive RA in addition to Permanent HA and/or Moving Assistance, funds cannot be used to reimburse expenses already paid by the participant and cannot be used to supplement any other housing related issue (i.e., delinquent rent, utility turn on fees, EAPE, etc.).

Can RA be denied? If so, what are some of the reasons for denial?

	Yes. RA payments can be denied for the following reasons: • A family is not CalWORKs eligible; • A mandatory GAIN participant is sanctioned and refuses to cooperate with GAIN/RITE; • A request is initiated by an applicant/participant over 30 days after they signed a rental agreement to secure permanent housing; • A family has acquired subsidized housing; or • The family's rent exceeds 80% of MAP.
	Can a participant become ineligible to RA during the four-month RA issuance period? Yes. It is possible for a participant who has been approved and/or received any of the approved RA payments to become ineligible at any time during the four-month issuance period. In this case the participant would not be eligible to any remaining RA payments. Reasons for ineligibility would include: ▪ Participant's CW case terminates; or ▪ Participant becomes GAIN sanctioned and unwilling to cooperate with GAIN/RITE; or ▪ Participant moves from the residence that was authorized for RA.
	Must a Notice of Action be issued when issuing declining or denying RA payments? Yes, all issuances, declines or denials require proper notification. The HREW is to use the PA 6013, Notice of Approval Rental Subsidy Assistance (RA)/ Temporary Homeless Assistance Program (THAP)+14 or PA 6014, Notice of Denial Rental Subsidy Assistance (RA)/Temporary Homeless Assistance Program (THAP)+14 for this purpose. The Notices of Action are not automated on LEADER at this time and must be given manually, by the HREW.
CW 44-211.6 – Pregnancy Special Need (PSN)	**When an applicant/participant is pregnant, can she receive a special need payment?** In addition to the basic grant, an eligible pregnant woman can receive a pregnancy special need (PSN) payment. The PSN payment is currently $47 per month.

	See **Pregnancy Information - On LEADER** and **Pregnancy Special Need** for LEADER procedures.
	Can a pregnant applicant with no eligible children receive the PSN payment if she is not in her third trimester? No, an applicant woman with no other eligible children is not eligible to receive cash aid until she is in her third trimester (based on pregnancy verification). If she is in her third trimester, eligibility begins the date of application through the end of the quarter in which the child is expected to be born once required verification is provided. If the birth of the child is voluntarily reported mid-quarter, the pregnancy special need payment is discontinued at the end of the month prior to the month the newborn is added into the AU. See **Pregnancy Special Need** for LEADER procedures. See ***CW 44-317.2 BDA – Pregnant Woman*** for more information.
	Can an "applicant" woman with other eligible children receive the PSN if she is not in her third trimester? Yes, an applicant with other eligible children may receive the PSN from the date of application through the end of the quarter in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-quarter, the PSN is discontinued at the end of the month prior to the month the newborn is added into the AU. **NOTE:** For an MFG child, the PSN is discontinued at the end of the quarter and the MFG child is to be added to the AU the first of the next quarter. See **Pregnancy Special Need** for LEADER procedures. See ***CW 44-317.2 BDA – Pregnant Woman f***or more information.
	Can an "applicant" pregnant teen with no eligible

	children receive the PSN if she is not in her third trimester? Yes, a pregnant teen (under the age of 19) with no other eligible children may receive the PSN (based on the pregnancy verification) from the date of application through the end of the quarter in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-quarter, the PSN is discontinued at the end of the month prior to the month the newborn is added into the AU, as long as she: • Has not obtained a high school diploma; or • Has not obtained its equivalent; and is • Otherwise eligible to receive CalWORKs. See ***CW 42-100 Age*** for more information. See ***CW 89-200 Minor Parent*** for more information.
	When does the "third trimester" begin? The third trimester is based on the pregnancy verification. The pregnancy verification must have the expected date of delivery (EDD). Based on the EDD, begin counting back three months before the EDD (birth) month. **EXAMPLE** A pregnant woman applies for cash aid in August and states her baby is due in February. • The month of February (EDD) does not count • January is the first month • December is the second month • November is the third month (third trimester) In this case, the third trimester begins November; she is not eligible in August, the month of application.
	When a participant with other eligible children reports that she is pregnant, can she receive the PSN if she is not in her third trimester? Yes, a participant/recipient of CalWORKs may receive the PSN from the first of the month in which the pregnancy verification is received through the end of the quarter in which the child is expected to be

	born once required verification has been provided. If the birth of the child is voluntarily reported mid-quarter, the PSN is discontinued at the end of the month prior to the month the newborn is added into the AU.
	Can a penalized person who is pregnant receive the PSN payment? The penalized person who is pregnant is not entitled to a PSN payment/allowance.
	When the participant does not report the birth mid-quarter and the participant is receiving a PSN payment, when is the PSN discontinued? The PSN payment is discontinued at the end of the quarter in which the child was expected to be born.
	When a participant reports the birth of an MFG child, when is the PSN payment discontinued? The PSN is discontinued at the end of the quarter and the MFG child is to be added to the AU the first of the next quarter. Because benefits cannot be reduced mid-quarter due to the discontinuance of the PSN, the PSN will continue through the end of the quarter (the month prior to the month in which the MFG child is added to the AU.)

CW 44-300 AID PAYMENTS

CW 44-302.1 - Direct Deposit – Definition	**<u>What is a Direct Deposit payment?</u>** With Direct Deposit, participants can choose to have their cash benefits directly deposited into their account each month at a financial institution of their choice. The EW must offer Direct Deposit at intake, redetermination or upon request to **all** participants who receive cash aid benefits. The EW must review the PA 1675-2 (out of drawer), Direct Deposit Overview, with each applicant/participant at intake and at any point of contact thereafter.
	<u>What are the benefits to Direct Deposit?</u> The benefits of the Direct Deposit program include: • Access to cash aid on the 1st of each month. • Elimination of fees for using Automated Teller Machines (ATMs). • Money is available 24 hours a day/7 days a week. • A safe and reliable way to get cash aid.
	<u>What if the participant does not have a bank/credit union account?</u> Participants who do not have an existing bank/credit union account must be given the PA 1675-1(out of drawer), Bank Information Brochure, to select a bank/credit and how to open an account. Once the account is open, the participant can sign up for Direct Deposit.
	<u>What if the participant has a current bank/credit union account?</u> For participants with bank accounts who want Direct Deposit, the participant must be given the PA 1675-2 (out of drawer), Direct Deposit Information Flier. The flyer provides a brief explanation about the benefits and how to sign-up for Direct Deposit. Participants who request additional Direct Deposit information are to contact (800) 815-5005.
	<u>What is the process when the participant requests Direct Deposit?</u> When the participant requests Direct Deposit the

	EW must provide the participant with the following: • PA 1675 (out of drawer), Direct Deposit Authorization Sign-Up Form. • Staple the LEADER screen prints (Case Profile and Case Member) to the PA 1675. • Postage-paid return envelope pre-addressed to the Auditor-Controller for processing. **NOTE:** The mailing address for all Direct Deposit Sign-up and Cancellation forms is: Los Angeles County Auditor-Controller P. O. Box 7000 Downey, CA 90241-9907. The EW must ensure that: • The participant follows the instructions printed on the reverse side of the PA 1675. • The participant completes Section I of the PA 1675. • The participant understands the importance of ensuring that the LEADER screen prints remain stapled to the PA 1675. • If using a checking account, the participant must attach a voided check. • If the participant is designating a bank savings account or a credit union account, the financial institution must complete Section II of the PA 1675. • The participant mails the PA 1675, screen prints, etc. in the postage-paid return envelope pre-addressed to the Auditor-Controller for processing. **NOTE:** Any PA 1675s inadvertently returned to the district office are to be forwarded to the Direct Deposit Liaison. The Direct Deposit Liaison will immediately forward them to the Auditor-Controller via the cashier using the district locked bag process for affidavits.

	<u>Is the participant's name required on the bank/credit union account?</u> The bank/credit union account can be in the participant's name or in a joint account with another person. However, the participant must understand that if there is another name on the account, that person can also use the funds in the account. This means that an account holder, other than the participant, can also access the benefits. Any funds withdrawn cannot be replaced.
	<u>What action is taken when there is a payee change?</u> When there is a payee change on a case with Direct Deposit, the EW must take immediate action to ensure that the case issuance method is correct with the new payee and the new payee is requesting Direct Deposit, a new PA 1675 (out of drawer) must be completed. When there is a payee change on a case with Direct Deposit and the new payee does not want Direct Deposit, the EW must complete a PA 1675-3 (out of drawer), Direct Deposit Cancellation Form, with the annotation at the top of the form "Completed by EW." The EW must forward the PA 1675-3 with the LEADER screen prints (Case Profile and Case Member) immediately to the Auditor-Controller via the cashier using the district locked bag process. See **Direct Deposit Payee Change** for LEADER procedures.
	<u>What action is taken when the participant request to cancel Direct Deposit?</u> When a participant requests to cancel his/her Direct Deposit, the EW must verify the issuance method and: • Print the LEADER screen prints (Case Profile and Case Member) and staples to the PA 1675-3. • Give the PA 1675-3, with the screen prints attached and a business-reply envelope (pre-addressed to the Auditor-Controller) to the participant.

	• Instruct the participant to complete the form and return it in the pre-addressed envelope provided, alerting the participant not to detach the LEADER screen prints. **NOTE:** Any PA 1675-3 received in the office without an envelope, is to be forwarded along with the LEADER screen prints to the Auditor-Controller via the cashier using the district locked bag process.
	What benefits are deposited in the participant's account? The following benefits are deposited into the account: • Monthly automatic benefits are deposited by the first day of each month. • Supplemental benefits are deposited two days after they are authorized. • With the availability of the Intranet Direct Deposit System (IDDS), information is now available to better assist staff to determine if benefits were processed by the Auditor-Controller for deposit into the participant's account. **NOTE:** The data on LEADER and IDDS only reflects that the Auditor-Controller sent the authorization to the bank/credit union, not that it was actually accepted by the bank and credited to participant's account. The IDDS data will not confirm the acceptance of the funds nor will it confirm the deposit of benefits into the participants' account. **Exception:** Homeless Assistance (HA) benefits authorized on approved Direct Deposit cases are to be issued via District Pick-up so that the benefits are available as soon as possible.
	What action is taken when benefits are deposited into an overdrawn account or benefits are garnished? When benefits are deposited into an overdrawn account, the bank/credit union will deduct the

	amount owed by the participant from his/her account. The county will not be responsible for replacing any benefits to the participant. In this situation, it is the responsibility of the participant to maintain sufficient funds in his/her account. Los Angeles County will not be responsible for any garnishments deducted from benefits deposited into the designated account authorized by the participant. This means that benefits deposited and later seized or garnished (e.g., by the IRS, etc.) cannot be replaced.
	What action is taken when the participant reports that the benefits are not in his/her account? When a participant reports that a notification of deposit was received and benefits are not in his/her account, the participant's eligibility must be verified on LEADER. If the payments are available, the EW must: • Make arrangements for the participant to immediately complete the PA 1675-4 (out of drawer), Non-Receipt of Direct Deposit Affidavit. • Explain to the participant that the Auditor-Controller will investigate and send a notice within 5 working days of what happened to the benefits. • Forward the completed PA 1675-4 to the cashier for processing to the Auditor-Controller following the existing locked-bag procedures. If there is no record of issuance, review the case for current eligibility. See **Direct Deposit – Identifying** for LEADER procedures.
	What action is taken if the participant indicates he/she would like to access the Direct Deposit program, but has problems with ChexSystems? When the participant indicates he/she would like to access the Direct Deposit program, but has problems with ChexSystems or poor credit history, the EW is to provide the PA 1675-9 (out of drawer), Electronic Transfer Account (ETA), which provides

	information about the availability of an ETA. ETA is a special kind of bank account that allows only direct deposits of government benefits/withdrawals of available cash at Automated Teller Machines (ATMs). The individual cannot make other deposits to this account or write checks against it. The account is intended for individuals who do not have or may not qualify for a checking or savings account, but would like to have government benefits directly deposited to this account.
	Once Direct Deposit is set up, how is the participant informed that the benefits are available? The participant will be mailed a notice (DD-01, Approval for Direct Deposit) with information of when Direct Deposit will be available. The form is centrally mailed in English and Spanish with the PA 15, Important Message.
	With Direct Deposit, if the benefits are not used in one month, will they be available the following month? Any amount left over from a prior month will be in the account. As long as the amount in the bank is under the allowable limit of $2,000 ($3,000 if someone in the AU is 60 years or older), the participant can continue to qualify for aid.
	Can the participant receive part of the benefits in cash and have part of it in Direct Deposit? No, the entire amount of the benefits must be in Direct Deposit.
	Will the Auditor-Controller process requests for Direct Deposit with address and/or Social Security number (SSN) discrepancies? The Auditor-Controller will return all requests for Direct Deposit with address and/or SSN discrepancies directly to the participant for resolution. These discrepancies may include: • An address on a voided check is different from the case record. The participant will be required to have the bank complete Section II of the PA 1675. In addition, the participant will be

	responsible for contacting the EW to correct the address on record. • The SSN listed on the PA 1675 is different from the case record. The participant will be required to contact the EW to either provide an SSN or to provide the correct SSN. Acceptable verification will be either the Social Security card or a letter from the Social Security Administration to verify that the SSN used by the participant is the number assigned. The request for Direct Deposit will not be accepted until the matter is resolved.
	Will the information on the account be available to the County? The account activity cannot be obtained/viewed by the EW without the participant's signed authorization. However, the participant must provide and attach a current bank statement to the monthly CW 7 report.
CW 44-302.2 - Electronic Benefit Transfer (EBT) – Definition	**What is EBT or Electronic Benefit Transfer?** EBT, electronic benefit transfer, is an electronic payment delivery system using debit card technology. This system is used to deliver cash benefits to participants (primary cardholders) and designated alternate cardholders. EBT will, in no way, impact the benefit amount, eligibility requirements or what cardholders may purchase using their EBT card. Much like an ATM card, cardholders will use the EBT card with a personal identification number (PIN) to access their benefits electronically. All cardholders will use their EBT card at participating retailers with a point-of-sale (POS) device and Automated Teller Machines (ATMs) displaying the Quest® logo. See **CW16-000 EBT** for more information.
CW 44-305.1 - Payee Change	**When can a payee name be changed?** The payee may be changed to another relative when: • The current payee requests the change. • The new caretaker relative requests the change and the current payee is not available or able to request the change (i.e., hospitalized, etc.).

	A PA 853 (out of drawer), Affidavit, from the current or prospective payee explaining the situation must be obtained before a change is made. The affidavit must include the following information: o Relationship of prospective payee to the child; o Why the payee should be changed; and o Date the circumstances requiring a payee change occurred. The prospective payee's relationship to the child must meet the relationship requirements. The relationship evidence must be compared with information in the case record. Examples of evidence may include: • Birth certificates; • Marriage certificate; • Baptismal certificate; • Family bible; or • Obituary notice.
	When there is a change in payee, can the new payee receive duplicate aid for the same child(ren)? No duplicate cash aid for the same child(ren) can be issued in the same month. **EXAMPLE** A parent with one child receives CalWORKs. In the same month, the parent leaves the child with the grandmother stating that he/she is no longer able to care for the child. He/she does not make available to the grandmother any money from the monthly grant. If the grandmother requests CalWORKs for the child, no cash aid can be issued to the grandmother for the month the child came into the home.
	Can a temporary payee be designated when the parent/caretaker relative is temporarily absent from the home? When the participant has an emergency and he/she is temporarily absent from the home, the parent/caretaker relative may request and designate

	a “temporary” payee. In this instance, the “temporary” payee does not have to be a relative. Whenever possible, the parent/caretaker relative must provide the designated “temporary” payee with a signed note stating that the individual is to receive the grant. The parent’s/caretaker relative’s signature must be compared by the EW with the signature on the most recent CW 7 or other official document.
CW 44-310 - Protective Payee	**When is a protective payee action taken?** When the parent/needy caretaker relative has been sanctioned from the AU, the grant must be made by protective payments. The only time this will apply is when the participant has failed to assign child support rights **or** has failed to comply with GAIN. The EW must inform the sanctioned individual of the protective payee requirements. The participant must select an individual who meets the following criteria: • Interest in or concern with his/her welfare. • Existence of a positive relationship with the participant. • Accessibility to the participant. • Good character and reliability. If after making all reasonable efforts, the participant is unable to locate an appropriate individual, he/she must complete a PA 853 (out of drawer), Affidavit, to document why he/she is unable to select a protective payee. In this case, the payments must continue to be made to the sanctioned caretaker. See ***CW 82-800 Assistance Unit*** for more information.
CW 44-313.1 - Reasonably Anticipated Income	**Can income be reasonably anticipated for the initial months of aid?** Yes. See **OPS Section 23-110.30 - Reasonably Anticipated Gross Inco**me for more information.
	Can Disability Insurance Benefits (DIB) and Unemployment Insurance Benefits (UIB) be reasonably anticipated?

	DIB and UIB can only be reasonably anticipated if the applicant/participant has begun receiving benefits or has an award letter stating the exact amount of the benefits to be received, how and when benefits are paid (frequency of payment) and the exact date the applicant/participant will receive the benefits.
	Should income ever be projected or estimated? No, income should always be reasonably anticipated.
W 44-314.1 - Maximum Family Grant (MFG) – Definition	**What is the Maximum Family Grant (MFG)?** LEADER will determine when a child is born into an AU that has received aid for at least ten months immediately prior to the birth. The child cannot be included in the AU size; this means that the grant cannot be increased for that child.
	Who are "nested teens?" A "nested teen" is a minor parent aided as a dependent child rather than as a parent, "nested teens" are: • Minor parents who are dependents (eligible children) in their senior parent's case; or • Minor parents who reside with an appropriate caretaker relative, whether or not the caretaker relative is needy.
	Is the MFG rule applied to children who are born to minor parents? Yes, as long as the AU received an informing notice (CW2102A or CW2102) at least 10 consecutive months before the child's birth.
	When does the MFG rule need to be applied? When determining if the MFG rule is applied to a newborn, the EW must: 1. Confirm that the AU was notified of the MFG rule in writing using the appropriate notice at least ten months before the birth of the child. 2. Ensure the MFG rule only applies to AUs whose

	case file contains a signed copy (or documentation of a refusal to sign) of the informing notice which contains a written acknowledgment of the notice that was provided to the AU at application **or** most recent redetermination that was at least ten months before the child's birth. 3. Determine if the AU had a break-in-aid for two consecutive months during the ten months before the birth of the child. 4. Determine if the AU meets any exception to the MFG rule.
	For MFG purposes, what is considered a break-in-aid? For purposes of determining MFG, the following conditions will be considered a month in which the AU did not receive cash aid. • A month(s) in which the AU receives a zero basic grant (ZBG) (e.g., extra paycheck, penalty reduced the grant to zero, etc.). • A month(s) in which the reunification family does not receive a cash aid payment.
	If the grant is reduced to zero because of a penalty or an overpayment adjustment, is that month counted as a break-in-aid? Yes, each should be counted as a break-in-aid for MFG purposes. See ***CW 44-315.9 Zero Basic Grant*** for more information.
	When the AU receives a special need or homeless assistance payment, is this considered a break-in-aid? No, since the AU actually received a cash aid payment, these months will not count as a break-in-aid for MFG purposes.
	How is the two-month break-in-aid determined when one or more family members leave the AU?

	The MFG rule applies when the AU has not had a break-in-aid for two continuous months in the ten months before the birth month of the newborn. The MFG rule will generally apply as long as one or more members of the AU remain on aid. The MFG rule does not apply if all members of the AU are off aid for the same two consecutive month periods. The following examples will illustrate if a break-in-aid has occurred. In each example, the AU has been notified in writing of the MFG rule at least ten consecutive months before the birth of the child. <u>Example 1</u> A mother with one child (#1) received aid until October 31, when the case was discontinued. From June through October of the following year, a non-needy aunt received aid for child #1. The mother with child #1 reapplies for aid in November. Four months later (March), the mother has another child. Does the MFG rule apply to the new child? No, the second AU with the mother and child #1 did not exist ten months prior to the birth of the new child. The AU (mother and child #1) did not become effective until November, four months before the birth of the new child. Therefore, the new child was not born into an AU that received aid for at least ten consecutive months prior to the birth of the new child. The MFG rule does not apply to the new child. The fact that child #1 was on aid with an aunt from June through October does not change this case. That AU (child #1 and the aunt) is not relevant, as it began after the mother and child #1 established a two-month break-in-aid. <u>Example 2</u> Both mother and father are in the home along with two children. Mother becomes pregnant in January. In March, the two children move out of the home and into Foster Care. The AU was discontinued at the end of the month. Neither parent received aid in April or May. The children were returned to the home on June 1. On June 1, the parents reapply and are approved for aid effective June 1. The mother had twins in October. Does the MFG rule apply to the twins?

	No, the MFG rule does not apply to the twins because there was a two-month break-in-aid (April and May). No member of the AU received CalWORKs for two consecutive months in the ten months prior to the birth of the twins. Foster Care payments are not considered “cash aid” for purposes of determining MFG. <u>Example 3</u> A case with mother with two children, the case was inappropriately discontinued on 3/31, although aid should have been received for April and May. Aid was restored in June. A new child was born in October. Does the MFG rule apply to the child born in October? No, in this case, the participant had a two-month break-in-aid (April and May). The MFG cannot be applied to the parent and her new child for this county-caused error, even if the county restores aid for those two months. <u>Example 4</u> Mother with two children receiving aid continuously for one year in county #1. On June 1, the father took custody of the children and applied for aid in county #2. Aid was approved for the father and the two children effective June 1. In November, the mother joined the AU in county #2 and was approved effective December. When she joined the AU, she was pregnant by the father of the two children. The new child was born in March. Does the MFG rule apply to the new child? Yes, the AU has not demonstrated that there is a break-in-aid of two consecutive months. The children were never off aid. The mother rejoined the AU in November and was included in the AU. The new child was born into an AU that received aid continuously for the ten months (May of the previous year) prior to the birth. <u>Example 5</u> A pregnant mother with two children receiving aid continuously for two years. The two children are removed from her home. Because she is in her third trimester, the mother continues to receive aid (MAP of 1) and the pregnancy special need. Does the MFG rule apply when the baby is born?

	Yes, the MFG rule applies to the new child. The mother continued to receive a MAP of 1 and the special needs after the children were removed until the birth of the new child. The mother has not demonstrated that she had a break-in-aid for two continuous months in the ten months before the birth of the child.
	Is the MFG rule applied when a family received aid in another state and moves to California? No, the MFG rule is not recognized in other states; therefore, the months of aid in another state is never considered when counting the ten consecutive months on aid. **NOTE:** The MFG rule applies in California.
CW 44-314.2 - MFG – Ten Consecutive Months	**How is the "ten consecutive months prior to birth" determined?** To apply MFG, count backward ten months starting with the month before the child's birth. For example, if the child was born in January, begin counting backwards from December, the month before the child's birthrate. The 10th month would be March.
	Is the month of application counted as a month in which aid was received? Yes, a partial month (month of application) counts as a month in which aid was received.
	Can the MFG rule be applied to the child born to an excluded parent? Yes, the MFG rule is applied to parents who received aid on behalf of their children, even if they do not receive aid for themselves. Therefore, the MFG rule applies to the child of a parent receiving SSI or an undocumented parent if the child is a citizen.

CW 44-314.3 Premature MFG Child	**How is the ten consecutive months of aid calculated when a baby is born prematurely?** If an applicant/participant does not receive a written informing notice of the MFG rule at least ten months before the birth of the child, the MFG rule cannot be applied. **EXAMPLE** In February, a mother with one child is approved for CalWORKs. In the month of application, the mother became pregnant (EDD - November 28) in the same month in which she was provided the informing notice. On October 20, the child is born prematurely. In this case, the child was born prematurely in the 8th month and did not receive the written informing notice at least ten months before the birth of the child. Therefore, the MFG rule cannot be applied to this child.
	How is the applicant/participant informed about the MFG rule? Informing Notices There are two MFG notices used to inform applicants/participants about the MFG rule and how it applies to the children of minors receiving aid in their parents' AU. The form also provides information about the count of zero grant months as part of the two-month break-in- aid (during the ten months prior to the child's birth) that prevents the MFG rule from applying. The informing notices are: • CW 2102A, The Maximum Family Grant (MFG) Rule for Recipients of Cash Aid. The State mailed mass informing notices on August 31, 2000. • CW 2102 (LDR generated), The Maximum Family Grant (MFG) Rule for Recipients of Cash Aid, which contains a written acknowledgment of receipt of the informing notice, is to be signed by the applicant/participant. The original must be maintained in the case file and a copy given to the applicant/participant. The CW 2102 (LDR generated) must be provided at Intake, at each yearly Redetermination or whenever there is a change

	in payee. <u>Notices of Action (NOAs)</u> The EW must manually prepare/mail the following MFG NOAs in the appropriate primary language: • M44-314 (11/00), Approval: Aid Payments Maximum Family Grant • M44-314A (11/00), Other: Aid Payments, Maximum Family Grant • M44-314B (11/00), Change: Aid Payments, Maximum Family Grant
CW 44-314.4 – Continuous (24) Months	**<u>How long is the MFG rule applied?</u>** The MFG rule continues to be applied until the AU has not received aid for at least 24 consecutive months.
CW 44-314.5 - Exemptions	**<u>Are there circumstances when the MFG rule is not applied?</u>** The MFG rule will not apply when one of the following exemptions has been **<u>verified</u>**: • The child was conceived as a result of an act of rape and: o The rape has been reported to a law enforcement agency, medical or mental health professional or an organization that provides counseling to victims of rape prior to or within three months after the birth of the child; and o Provide written verification that the incident of rape was reported and the date that the report was made. • The child was conceived as a result of incest and: o Paternity has been established; or o The incest has been reported to a law enforcement agency, medical or mental health professional or an organization that provides counseling to victims of incest

	prior to or within three months after the birth of the child; and o Provide written verification that the incident of incest was reported and the date the report was made. • The child was conceived as a result of the failure of: o An intrauterine device; o Norplant; or o The sterilization of either parent. • The child was conceived while either parent was an unaided non-parent caretaker relative. • The child is not living with either parent. • A teen parent, who has met the age requirement at the time the child was born or a former teen parent, who establishes his/her own AU. When this occurs, the MFG rule is not applied to: o Any existing child of the teen parent or former teen parent; or o Any new child born to the teen parent or former teen parent during the first ten months after establishing his/her own AU.
	<u>If a pregnancy occurs due to the failure of Depo-Provera, does this method of sterilization meet the MFG exempt for a contraceptive failure?</u> Yes, Depo-Provera can be considered equivalent to Norplant for MFG purposes. This is a sterilization method by injection that is administered by a physician to prevent pregnancy. Therefore, the MFG rule will not apply when the county receives medical verification that the pregnancy occurred as the result of failure of this sterilization method.
	<u>Can an MFG exemption for a failed contraceptive be allowed more than once?</u> The applicant/participant must provide medical verification of her sterilization status after the birth of the first child. The MFG rule would apply if her physician informed the woman that the first

	sterilization had failed and she would need other birth control methods to prevent pregnancy in the future. However, the MFG rule would not apply if her physician indicated that a second sterilization or other birth control methods were not necessary to prevent future pregnancies.
	Will the MFG rule continue to apply to the child of a minor parent when the minor parent establishes his/her own AU? When a former minor parent who was aided in a CalWORKs case establishes his/her own AU, the MFG rule is no longer applied to any existing MFG child of this former minor parent. The MFG rule cannot be applied to any new child born to this former minor parent during the first ten months after establishing his/her own AU. Additionally, the MFG rule cannot be applied unless the former minor parent received a copy of the CW 2102A/CW 2102 when he/she applied for aid in his/her own case.
	When an AU consists of a parent, sibling, and SSI minor parent with his/her children, is the MFG rule applied to the unaided minor parent's child? No, the MFG rules does not apply to the child of a minor parent who was unaided, even if his/her senior parent and/or siblings have been on aid for at least ten months before the baby was born. The MFG rule would apply if the minor parent received aid for another child.
CW 44-314.6 – Eligibility	**Is the MFG child considered a participant of CalWORKs?** Unless an exemption applies, a child that is born into an existing AU cannot receive a MAP increase (or be included in the MAP for permanent shelter payments for HA) if the AU has received CalWORKs continuously for at least ten consecutive months prior to the birth. Although the grant will not increase, the child is: • Eligible for CalWORKs related benefits (i.e., Medi-Cal, Food Stamps, child care, etc.);

	• Eligible for special needs (i.e., temporary shelter payments for HA); **NOTE:** The MFG child cannot be included or receive payments for HA permanent shelter. • Included in the MBSAC for determining applicant financial eligibility.
	<u>How is the income for the MFG child treated?</u> When the AU receives income for the MFG child from the following sources, the income is exempt: • Any child support payments from the absent parent for the MFG child(ren), whether paid directly or through the Court Trustee. • Benefits from the Social Security Administration or other government programs that are based on an absent parent's disability or retirement and paid to or on behalf of the MFG child is considered child support for MFG purposes.
CW 44-315.3 - Amount of Aid	**<u>How is the amount of aid calculated?</u>** By using the reasonably anticipated monthly income to determine cash aid for the QR Payment Quarter. See **OPS Section 23-110.30 - Reasonably Anticipated Gross Inco**me for more information.
	<u>What action is to be taken when a participant states that his/her income is expected to change during the QR Payment Quarter?</u> The income will be calculated using the actual amount of income the participant will receive for the months of the quarter by adding each month's total income and dividing that total by the number of months in the QR Payment Quarter.
	<u>What are the current MBSAC and MAP levels in Los Angeles County (Region 1)?</u> The MBSAC/MAP levels are as follows:

		Exempt	Non-Exempt

# in AU	MBSAC	MAP	80%	MAP	80%
1	**469**	398	318	359	287
2	**769**	653	523	584	467
3	**953**	808	646	723	579
4	**1133**	961	769	862	690
5	**1293**	1094	875	980	784
6	**1453**	1229	983	1101	881
7	**1596**	1350	1080	1210	968
8	**1739**	1473	1179	1318	1055
9	**1885**	1591	1272	1424	1139
10 or more*	**2046**	1709	1367	1530	1224

*For MBSAC add $16 for each additional needy person. For MAP, add any special need payment amounts for the family to the MAP.

See ***CW 89-110.2 – Exempt and Non-Exempt Assistance Units (AU)*** for more information.

See ***CW 44-115.3 Income In-Kind Values*** for more information.

See **Income – Inkind** for LEADER procedures.

Which Region receives the higher MBSAC/MAP levels?

The following counties in Region 1 receive the higher MBSAC/MAP levels:

Alameda	Orange	Santa Clara
Contra Costa	San Diego	Santa Cruz
Los Angeles	San Francisco	Solano
Marin	San Luis Obispo	Sonoma
Monterey	San Mateo	Ventura
Napa	Santa Barbara	

When no payment is issued for a month due to the $10 minimum requirement, is the AU considered to have received CalWORKs?

When no payment is issued for a month due to the $10 minimum grant requirement, the AU is considered to have received CalWORKs in that month (except that month is not countable for time limits).

This is also true for cases at intake that are

	approved for aid, but no grant is issued for the month of approval because the grant entitlement is less than $10.
	How is the monthly grant amount calculated when the AU's income reported for the QR Data Month is expected to continue through the next QR Payment Quarter? **EXAMPLE:** A nonexempt family of four (pregnant mom, stepfather (father of the unborn) and her two separate children) is in a Jul/Aug/Sept quarter. The stepfather has gross earned income of $775 per month, with no other income and not other reasonably anticipated changes in income.

$775	Reasonably Anticipated Monthly EI
- 225	$225 Income Disregard
$550	Subtotal
- 275	50% EI Disregard
$275	Total Net Nonexempt Income
$862	MAP for Four
+ 47	Special Needs AU (third trimester)
$909	Total (MAP plus special needs)
- 275	Net Nonexempt Income
$634	Potential Grant
$723	Nonexempt AU MAP for Three
+ 47	Special Needs for AU
$770	Total MAP plus Special Needs
$ 634	Actual Grant Amount

	How is the monthly grant amount calculated when the income reported is expected to differ for one or more months of the quarter? **EXAMPLE**: A nonexempt AU of four is in the Oct/Nov/Dec quarter. Mother submits the Nov. QR 7 on

December 10th. On the QR 7 she reports that she started a part-time job in December that will only last until the end of January, when the holiday shopping season has ended. She reports that she will get paid $900 in January and $800 in February. One child is also receiving SSA disability benefits (DBI) of $100 per month based on the absent father's disability.

Benefits for the Jan/Feb/Mar quarter are computed based on the income the AU reasonably anticipates it will receive during that quarter as follows:

$ 100	Monthly DBI
$ 900	Reasonably anticipated EI for January
+ 800	Reasonably anticipated EI for February
+ 0	Reasonably anticipated EI for March
$1700	Subtotal of income for the quarter
$ 566	Reasonably anticipated Income divided by the number of months in the quarter 1700/3 = average monthly earnings
$ 100	Reasonably anticipated Monthly DBI
- 225	Less DBI Unearned income disregard
$ -125	Remaining Disregard
$ 566	Reasonably anticipated EI
- 125	Less remaining income disregard
$ 441	Subtotal
- 220.50	Less 50% EI disregard
$ 220.50	Subtotal net nonexempt income
$ 0.00	Add reasonably anticipated monthly DBI
+ 220.50	Add reasonably anticipated earnings
$ 220.50	Total NNI
$ 862	MAP for AU of Four
- 220	Less NNI
$ 642	New Monthly Grant for Quarter

When a participant reports a mid-quarter income

change, how is the grant calculated?

EXAMPLE:
A nonexempt AU of three (mother and two children) is in the Oct/Nov/Dec quarter. On her previous QR 7 (August), mother reported her earned income to be $600 and that she expected no changes for the next QR Payment Quarter.

$600	Reasonably Anticipated Monthly Income
- 225	$225 Income Disregard
$375	Subtotal
- 187.50	50% Earned Income Disregard
$187	
$723	Nonexempt MAP for Three
- 187	Less Net Nonexempt Income
$536	AU Monthly Grant for the Quarter

On October 25th, the mother voluntarily reports that the father, with no income, moved into the home on October 24th. The father is determined eligible and is reasonably anticipated to have monthly income of $200 for November and $100 for December.

LEADER would process the mid-quarter income changes and determine the grant for the remaining months of the quarter as follows:

$200	Father's Reasonably Anticipated Income for Nov.
+100	Father's Reasonably Anticipated Income for Dec.
$300	Subtotal
$150	Father's EI divided by the remaining Months of the quarter $300/2 = $150
$600	AU's existing previously determined reasonably anticipated EI (not recalculated)
+150	Father's Reasonably Anticipated EI
$750	Total Net Nonexempt Income
-225	$225 Income Disregard
$525	Subtotal
- 262.50	50% Earned Income Disregard
$262	Total Net Nonexempt Averaged Income
$862	Nonexempt MAP for Four (incl. Father)
- 262	Less Net Nonexempt Income
$ 600	AU monthly grant for the remaining months of the quarter

	The father is added to the existing AU effective November 1st since his addition to the AU will increase the cash aid. A supplement of $60 is issued to the AU for November and the grant is increased to $577 for the month of December.
CW 44-315.9 - Zero Basic Grant (ZBG)	**When the AU receives a zero basic grant (ZBG), is the AU considered to have received CalWORKs?** An AU is considered to have received a cash aid payment even when: • The payment is not sent due to penalty which reduced the payment to zero; • The grant amount is $10 or less; • The grant for the AU is reduced to zero to adjust for a prior overpayment; • The grant based on On-the-Job Training is diverted to the employer as a wage subsidy to offset the participant's wages.
CW 44-316.3 Reporting Changes Affecting Eligibility	**How are applicants/participants required to report changes affecting eligibility?** Applicants/participants are required to report changes as mid-quarter reports and/or on the QR 7. Mid-quarter reports are changes applicants/ participants report between QR 7 submissions. These changes can be reported verbally or in writing at anytime during the QR Payment Quarter.
	What are mid-quarter actions? Mid-quarter actions are actions taken based on a mid-quarter report received from the applicant/ participant and/or based on information known to the county. These mid-quarter actions are: • Voluntary mid-quarter applicant/participant reports; • Mandatory mid-quarter applicants/participant reports; and • County-Initiated mid-quarter actions. See **OPS Section 23-110.18 - Mid-Quarter Reports** for more information.

	<u>Is adding a person to and existing AU a voluntary mid-quarter report?</u> Yes. When an AU voluntarily reports a new person in the home, it must be determined: • If the new person is CalWORKs eligible; and • If the new person were added into the AU, would the AU still meet all eligibility conditions; and • If the addition of the new person would increase or decrease the grant or make the AU ineligible. See **OPS Section 23-110.20 Adding A Person** for more information.
	<u>Is a request for discontinuance for aid to existing AU members a voluntary report?</u> Yes. At any time during the quarter, a voluntary request can be made to discontinue the entire AU or any individual AU member who is no longer in the home or is an optional person. The request can be made: • Verbally, and LEADER will discontinue cash aid or remove the individual at the end of the month in which timely notice can be provided; or • Written, and LEADER will discontinue cash aid or remove the individual at the end of the month with adequate notice.
	<u>When an individual AU member requests to be removed from the case, can benefits be discontinued/reduced mid-quarter?</u> Yes. If an individual requests discontinuance from an existing AU, the worker is to discontinue the individual even when that individual's request results in a decrease in aid for the remaining AU members. The worker: • Should not presume that a mid-quarter report of an individual leaving the home is a voluntary request for discontinuance of that AU member. Must verify with the AU if the AU is seeking to discontinue that individual and inform the AU that removal of the individual will decrease cash aid to the remaining AU members. • At the request of the individual AU member, take action to remove the individual AU member from the AU even if the AU has not voluntarily

	reported the departure. The individual's request takes precedence over the AU's decision to not make this voluntary mid-quarter report.
	<u>What are the mandatory mid-quarter reports the applicants/participants are required to report and when is action taken to discontinue?</u> They are: • Drug felony convictions. • Fleeing felon status. • Violation of conditions of parole or probation. • Address changes. • Income Exceeding the Income Reporting Threshold (IRT). When any of the above are reported, LEADER will take action to discontinue the applicant/participant at the end of the month in which timely and adequate notice can be provided.
	<u>What are the county-initiated mid-quarter changes?</u> See **OPS Section 23-110.35 - Income Reporting Threshold - CalWORKs** for more information.
CW44-317.1 - Beginning Date of Aid (BDA)	**<u>When is the beginning date of aid (BDA)?</u>** The date on which the applicant meets all eligibility conditions, even though verification or documentation of the eligibility condition is received at a later date. Technical conditions of eligibility that are met at a later date are considered to be met on the date of application as long as they are completed by the date the case is authorized except for social security enumeration (verification of the SSN application or the actual card). Applications are to be processed within 30 days. It is expected that approval action be taken without delay when all required documentation has been received. See ***CW 40-129.2 Immediate Need – Technical Condition*** for more information.
	<u>Can CalWORKs be authorized if the eligibility requirements have not been met?</u> Aid cannot be authorized prior to the time an

	applicant becomes eligible. Exceptions are Immediate Need (IN) and Homeless Assistance (HA). An applicant is eligible as soon as he/she has acted to meet all technical conditions of the eligibility requirements. However, aid cannot be authorized until documentation has been provided. Interim documentation is acceptable. **EXAMPLE** The applicant who reports an SSN meets this condition of eligibility on the date he/she reports it. However, the card documenting that the number or a receipt for a request for a replacement of the card must be provided before aid is authorized. The applicant who has no SSN meets this technical condition of eligibility on the date he/she applies or attempts to apply for an SSN. Proof of the SSN application or of the attempt to apply must be provided before aid is authorized. See ***CW 40-129.2 Immediate Need – Technical Condition*** for more information.
	What is the beginning date of aid (BDA) for a child who has been denied or is pending Foster Care? The BDA is: • The placement date in the caretaker relative's home. This is used when the caretaker does not receive CalWORKs. The placement date is found in the SAWS 1 application completed with DCFS. Do not use the CalWORKs application date; or • The first of the month following the caretaker relative's report of the child in the home. This is used when the caretaker currently receives CalWORKs. **EXAMPLE** The child was placed in the grandmother's home on July 9. On August 7, DCFS denied the July 9 Foster Care application. The grandmother applied for CalWORKs on August 8. CalWORKs benefits are issued for the child beginning July 9, the placement date (provided all other eligibility

	requirements are met). **EXAMPLE** The QR cycle is cycle 1 May/June/July. The child was placed with the aunt on June 3. The aunt is currently receiving CalWORKs with her son and reports on her June QR 7 due in July that the child was placed in her home. The child is approved for aid on the aunt's case effective July 1.
	Is there a time limit for applying for CalWORKs when Foster Care benefits are denied? Yes, the caretaker relative must apply within a "reasonable" period of time; usually within three to six months from the date of placement in order to be eligible effective the date of placement. However, the caretaker relative may take longer to apply. In these instances the EW must explore the reasons why he/she had not applied earlier. **EXAMPLE** The child was placed with the grandmother on January 20, 2005. Foster Care benefits were denied in June 2005. The grandmother applied for CalWORKs on November 10, 2005. The grandmother did not apply for CalWORKs sooner because she had an appeal pending for the Foster Care denial and did not know she could apply for CalWORKs. Aid must be approved for benefits for the child effective January 20, 2005, the date the child was placed in the grandmother's home. **EXAMPLE** The child was placed in with the maternal grandmother on September 1, 2003. Foster Care benefits were denied on November 15, 2003. The grandmother applied for CalWORKs on December 1, 2005. The grandmother did not apply for CalWORKs sooner because she had an arrangement with the child's mother who had been providing for the child. Aid cannot be approved for the child effective the date of placement, September 1, 2003. Aid must be approved for the child effective the date of the CalWORKs application, December 1, 2005.
	Can CalWORKs benefits be restored for a period of time in which Foster Care benefits were

	denied? Yes, CalWORKs benefits can be restored for a period of time in which Foster Care benefits were denied. **EXAMPLE** The child was placed by DCFS in the caretaker relative's home on July 5. The caretaker relative did not meet the Foster Care requirements (living arrangements, etc.) until September 10. Foster Care benefits were approved effective September 10 and denied for the period of July 5 through September 9. CalWORKs eligibility is evaluated and issued for the period of July 5 through September 9 (date of placement through the date prior to the Foster Care approval).
	What is the beginning date of aid (BDA) for a child that has been placed by DCFS and who is aided in an existing CalWORKs case? The BDA is the first of the month following the removal of the aided child from the existing case, in which a timely notice can be provided. **EXAMPLE** The QR Cycle is Cycle 1 May/June/July. An aided child was removed from the mother's home and placed in the grandmother's home on June 5. The mother is not required to report that the child no longer lives in her home until her next QR 7 is due in July. On June 6, the grandmother applied for CalWORKs. A timely notice is issued and the child is removed from the mother's case effective June 30. The child is approved for aid on the grandmother's case effective July 1. This is an acceptable County Initiated Mid-Quarter Action. There is no overpayment in the mother's case for June. **NOTE:** The grandmother's June application should not be denied. LEADER will make the grandmother's case ineligible for June and approve effective July. See **OPS 23-110.183 – County Initiated Mid-Quarter Action**, for more information. See **Individual-Remove From Assistance Unit/FS**

	Household, for LEADER procedures.
	<u>What is the beginning date of aid (BDA) for a child that has been placed by DCFS and is aided in an existing CalWORKs case for which a timely notice cannot be provided?</u> The BDA is the first of the month following the month in which a timely notice can be provided. **<u>EXAMPLE</u>** The QR Cycle is Cycle 2 June/July/August. The child was removed from the mother's home and placed with an aunt on June 4. The mother reported on her QR 7 received on August 29 that the child no longer lives in her home. On August 29, the child is removed from the mother's case effective September 30, the earliest effective date for which a timely notice can be provided. On September 4, the aunt applied for CalWORKs. The child is added and approved for aid in the aunt's case effective October 1. There is an overpayment in the mother's case for October as the change was not reported timely. **<u>EXAMPLE</u>** The QR Cycle is Cycle 3 Jan/Feb/March. The child was removed from the mother's home and placed in a cousin's home on February 27. The mother is not required to report that the child no longer lives in her home until her next QR 7 is due in March. On February 28 the cousin applied for CalWORKs and the child is removed from the mother's case effective March 31, the earliest effective date for which a timely notice can be provided. The child is added and approved for aid on the cousin's case effective April 1. There is no overpayment in the mother's case for March. See **Individual-Remove From Assistance Unit/FS Household**, for LEADER procedures. See **Add Individual To A Case**, for LEADER procedures.
	<u>What is the beginning date of aid (BDA) for a child that has been placed by DCFS, is aided in an existing CalWORKs case in which the change was not reported and the new caretaker did not apply for CalWORKs in the quarter in which the</u>

	child was placed? The BDA is the first of the month of the new payment quarter. **EXAMPLE** The QR Cycle is Cycle 2 Sept/Oct/Nov. The child was removed from the mother's home and placed in the uncle's home on September 5. The mother did not report on her QR 7 (due in November) that the child no longer lived in her home. On December 10, the uncle applied for CalWORKs and the child is removed from the mother's case effective November 30. The child is added and approved for aid on the uncle's case effective December 1. There is an overpayment in the mother's case for December for failure to report a mandatory change on the QR 7. See **Individual-Remove From Assistance Unit/FS Household**, for LEADER procedures. See ***CW 44-350 Overpayments***, for more information.
	What is the beginning date of aid (BDA) for a child that was removed by DCFS from one aided caretaker but not immediately placed with the new caretaker? The BDA is: • The first of the month of the new payment quarter; or • The date the child was placed if after the first of month of the new payment quarter. **EXAMPLE** The QR Cycle is Cycle 1 May/June/July. The child was removed from the mother's home on May 10 but not placed in the grandfather's home until July 20. The mother reported on her QR 7 received by the county on July 10 that the child no longer lived in her home. On July 10, the child was removed from the mother's case effective July 31. On August 7, the grandfather applied for CalWORKs. The child is added and approved for aid on the grandfather's case effective August 1.

	EXAMPLE The QR Cycle is Cycle 3 April/May/June. The child was removed from the mother's home on April 2 but not placed in the grandmother's home until July 3. The mother reported on her QR 7 received by the county on June 5 that the child was no longer living in her home. On June 5, the child was removed from the mother's case effective June 30. On July 15, the grandmother applied for CalWORKs. The child is added and approved for aid on the grandmother's case effective July 3, the placement date. See **Individual-Remove From Assistance Unit/FS Household**, for LEADER procedures.
	What is the beginning date of aid (BDA) for a needy caretaker relative (non-parent)? The beginning date of aid for a needy caretaker relative is the same as the child provided he/she meets the CalWORKs eligibility requirements. See ***CW 82-804.1 – Caretaker Relative Requirements***, for more information.
Out of State Placement	**Can aid be approved when Foster Care benefits were denied and the child has been placed with a caretaker relative out of state?** Yes, when the child living in LA County is placed by DCFS with a caretaker relative out of state and there is no Foster Care eligibility, the family can receive CalWORKs benefits through DPSS. These cases are processed and centralized in the Metro Family District 13.
CW 44-317.2 BDA – Pregnant Woman	**What is the BDA for a pregnant woman and when a child is born?** When a woman is pregnant and is determined to be eligible (i.e., third trimester, etc.) and when the child is born, LEADER determines the BDA: • For a pregnant woman with no other eligible children, it is the date of application. • When the mother of a newborn is being aided as a pregnant woman or is receiving a pregnancy special need payment in the month of birth:

	o Aid for the otherwise eligible newborn (non-MFG), begins on whether the addition results in an increase or decrease in cash aid: ▪ Increase: The first of the month after the birth is reported and all conditions of eligibility have been met. ▪ Decrease: The first day of the following QR Payment Quarter after the birth is reported and all conditions have been met. o Aid for the otherwise eligible MFG newborn, begins on whether the addition results in no change or a decrease in cash aid: ▪ No PSN/No Change: The first of the month after the birth is reported provided that all conditions of eligibility have been met and provided that the mother is not receiving a pregnancy special need payment and the grant will not decrease as a result of adding the newborn. ▪ PSN/Decrease: The first day of the next QR Payment Quarter following the report of the birth and all verification has been provided, when the mother has been receiving a pregnancy special need payment or the grant would otherwise decrease as a result of adding the newborn. o Aid for the otherwise eligible father of the newborn on whether the addition results in an increase or decrease in cash aid. ▪ Increase: The first of the month after the birth is reported and all conditions of eligibility have been met. ▪ Decrease: The first day of the following QR Payment Quarter after the birth is reported and all conditions have been met. See ***CW 44-211.6 Pregnancy Special Need*** for more information. See **Pregnancy Information - On LEADER** and **Pregnancy – Special Need** for LEADER procedures.
	When a pregnancy is terminated, what action is taken?

	The grant for a pregnant woman, one-person AU and/or the pregnancy special need, is discontinued the last day of the month in which pregnancy is terminated (i.e., abortion or miscarriage) provided a timely NOA can be given. Any aid paid in such cases for any month following the month of termination of a pregnancy is an overpayment.
CW 44-317.3 - Inter-County Transfer (ICT)	**When the case is identified as an ICT, what is the BDA?** When the case is an ICT, the aid begins on the first of the month following the discontinuance of aid by the other county. See ***CW 40-125.5 ICT*** for more information.
CW 44-317.6 – Foster Care/Kin-GAP	**When a CalWORKs child begins receiving Foster Care (FC) or Kinship Guardianship Assistance Payment (Kin-GAP), what is the BDA?** When a CalWORKs child is transferring from FC or Kin-GAP or vice versa, but the child remains in the home of the same related caretaker, the effective date of the program transfer is the first of the month following the request for change of program. See ***CW 44-133.3 Treatment of Income – FC and Kin-GAP*** for more information. See ***CW 82-820.22 – Kin-GAP Program*** for more information.
CW 44-317.8 - Denied Application	**What is the BDA when a denied case reapplies for aid within 30 days of the original application date?** When an application that was previously denied is approved, the BDA begins on the day of the original application. **EXAMPLE** On February 1st, an application is made. The applicant fails to provide essential information (i.e., checking account statement, car registration, pay stubs, etc.). A denial action is taken and a NOA is generated prior to the end of the 30-day process.

	The applicant reapplies within that time frame and meets all the eligibility requirements. In this case, aid is authorized (effective) February 1st. See **Rescission – Procedure** for LEADER procedure.
CW 44-318.1 - BDA for New Individuals	**When adding an individual to an existing AU, what is the BDA?** When adding an individual to an existing AU, the BDA will be as follows:

Individual	BDA
Mandatory Included Person	• **Increase**: The first of the month after the change is reported and all conditions of eligibility have been met. • **Decrease**: The first day of the QR Payment Quarter following the required reporting of the individual on the QR 7 provided all conditions of eligibility have been met.
Optional Person	• **Increase**: The first of the month after the change is reported and all conditions of eligibility have been met. • **Decrease**: The first day of the QR Payment Quarter following the required reporting of the individual on the QR 7 provided all conditions of eligibility have been met.
Sanction/Non-Cooperating Person	The first of the month following the date the person meets the requirement that caused that person to be excluded from the AU, after all conditions of eligibility have been met and the minimum sanction periods have passed.

	Unreported Mandatory Included Person	The first day of the month of the QR Payment Quarter following the quarter in which the individual was required to be reported on the QR 7 provided that the individual meets all requirements for eligibility when he/she was required to be included in the AU but was not reported on the QR 7. Eligibility conditions are considered to have been met from the first day of the QR Payment quarter following the quarter in which the individual was discovered in the home, providing he/she is cooperating in meeting those conditions.
	Newborn Child	• **Increase**: The first of the month after the birth is reported and all conditions of eligibility have been met. • **Decrease**: The first day of the next QR Payment Quarter after the change is reported on the QR 7 and after all conditions of eligibility have been met.

	Newborn MFG Child	When an MFG newborn child is added results in no change or decrease in cash aid: • **No PSN/No Change**: The first of the month following the report of the birth provided that all conditions of eligibility have been met and provided that the mother is not receiving a pregnancy special need payment and the grant will not decrease as a result of adding the newborn. • **PSN/Decrease**: The first day of the next QR Payment Quarter following the report of the birth and all verification has been provided, when the mother has been receiving a pregnancy special need payment or the grant would otherwise decrease as a result of adding the newborn.
	Father of a Newborn	When a father of a newborn is added and results in a cash aid: • **Increase**: The father is added the first of the month after the report of the birth and all conditions of eligibility have been met. • **Decrease**: The first of the next QR Payment Quarter after the report of the birth and all conditions of eligibility have been met.
	See ***CW 82-800 Assistance Unit*** for more information.	
CW 44-325.3 - Change in Amount of Payment	**<u>What action is taken when a participant becomes ineligible during the month?</u>** Generally, if the participant is eligible on the first day of the month, he/she is eligible for aid for the entire month. If aid is discontinued on the last day of the month in which the participant becomes ineligible, there is no overpayment.	
CW 44-340.1 - Underpayment-	**<u>What is an underpayment?</u>**	

Definition	An underpayment occurs when the applicant/participant receives less than the amount to which he/she is entitled in a given month(s). The applicant's/participant's failure to apply for or request aid (i.e., mandatory included person, etc.) does not create an underpayment. **EXAMPLE:** If information reported on the QR 7 results in an increase of cash aid and the grant cannot be increased by the first day of the month of the next QR Payment Quarter, an underpayment exists. A supplemental should be issued for that month and the cash aid increased for the remaining month of that quarter provided the participant reported the change timely.
	When is an underpayment not established? See **OPS Section 23-110.7 -Underpayments** for more information.
	What action is taken when a participant later provides verification of actual income received that differs from the reasonably anticipated used at the time the benefits were calculated? No under payment will be established when the actual income received is less than what was reasonably anticipated during the QR Payment Quarter and the participant did not voluntarily report the change in circumstances or a decrease of income during the QR Payment Quarter.
	Are mid-quarter supplemental payments considered an underpayment? No, a mid-quarter supplemental payment resulting from a voluntary mid-quarter report that was correctly computed based on a recalculation of reasonably anticipated income and/or other changed AU circumstances shall not be considered an underpayment and is not subject to an overpayment offset.
CW 44-340.3 – Calculating - Underpayments	**How is an underpayment calculated?** LEADER will determine an underpayment when the correct grant for each month in question is calculated and compared to the amount actually paid to the participant for each month; and if the amount to the participant in any month is less than the correct grant for that month, an underpayment exists.

	<u>If the participant later reports the actual amount of income received and it differs from the anticipated amount, should the actual amount received be used and the benefits recalculated?</u> No, a supplemental payment that was correctly calculated based on the determination of reasonably anticipated income is not subject to an overpayment determination provided that the participant's report, upon which the grant was originally determined, was complete and accurate. If there is a computational error, the supplemental payment must be corrected.
CW 44-340.4 Correcting Underpayments	**<u>How is an underpayment corrected?</u>** Underpayments must be corrected promptly following month of discovery. The month of discovery is the month in which the EW obtained any information that could have reasonably led to a determination that an underpayment occurred. • An underpayment can be corrected through retroactive payment(s). • If an AU has both an underpayment and an overpayment, the amount must be balanced (one against the other) before making a retroactive corrective payment. • Payments are to be issued to correct underpayments even when the family is not currently aided. For purposes of determining continued eligibility and amount of assistance, retroactive payments are exempt as income/resource in the month received and in the following month.
	<u>When an underpayment is discovered, can a payment be issued when the family is not on aid?</u> Underpayments must be issued to former CalWORKs participants who are not currently aided. If a former participant initiates the request, he/she must state why and when the underpayment occurred. The District Director (DD) must designate an EW to process such underpayments. Before issuing retroactive benefits, the payments must be authorized by the Deputy District Director (DDD).

	An underpayment includes a special need only if the special need was requested and the agency failed to process the request. <u>Designated EW</u> 1. Reviews the underpayment request made by a former participant or discovered by district staff. 2. Requests case from FKI. 3. Reviews the case. 4. Contacts the former participant to obtain clarification/ documentation, as needed. 5. If appropriate, computes the underpayment. 6. Balances the underpayment against any overpayment. 7. If appropriate, issues the underpayment via <u>Auxiliary</u> and enters "Case Closed – Not to be reopened. Edwards vs. McMahon court order" and specifies the month, year and the amount of the underpayment for each month in <u>Case Comments</u>. <u>DDD</u> 1. Upon review, approve and authorizes the Auxiliary payment.
CW 44-350 - Overpayment Definition	**<u>What is an overpayment?</u>** An overpayment is any amount of any aid payment received by the AU that he/she was not entitled to receive. An overpayment may be all or a portion of an aid payment. This includes, but is not limited to, an immediate need payment, a special need payment or aid paid pending a state hearing, in certain circumstances. All reasonable steps must be taken to promptly correct and collect any overpayments following discovery of the action. See **Benefit Recovery – Definitions** for LEADER procedures.
CW 44-350.1 -	**<u>Can an overpayment be recovered from another</u>**

Overpayment Recovery	**<u>program?</u>** Overpayments on one program cannot be corrected from another program. For example, an overpayment on the General Relief case cannot be adjusted from the CalWORKs grant or vice versa.
	<u>Can an overpayment be recovered when a supplemental was issued based on reasonably anticipated income?</u> No, any supplemental payment that was correctly computed based on the EW's determination of reasonably anticipated income provided that the EW's actions we based solely on the participant's report. If there is a computational error, the supplemental payment is to be corrected.
CW 44-350.2 - Overpayment Types	**<u>What are the overpayment types and how much can be recovered?</u>** LEADER will determine the following: <u>Client/Household Error</u> An overpayment caused by the participant when he/she fails to report a change in income and/or a change in the AU. When this happens the grant is reduced by 10% of the MAP amount for the AU. <u>Agency Error</u> An overpayment caused by the county or non-fraud. When this happens the grant is reduced by 5% of the MAP amount for the AU. See **Benefit Recovery – Definitions** for LEADER procedures.
CW 44-350.5 Overpayments Due to the Inability to Provide 10-day Notice	**<u>Can an overpayment be established without 10-day notice?</u>** No, an overpayment should be established when the AU receives more cash aid than it was entitled to receive due to the inability to provide 10-day notice of an adverse action following the receipt of a mandatory report, including the QR 7.
CW 44-350.6 - Non-Assessment of an Overpayment	**<u>When will an overpayment not be assessed?</u>** An overpayment will not be assessed based on any differences between the amount of income that was reasonably anticipated the participant would receive

	during the QR Payment Quarter and the income the participant actually received during that period, provided the participant reports were complete and accurate.
CW 44-351.2 - Voluntary Grant Offset	**Can the applicant/participant request to have his/her grant reduced by more than 5% or 10%?** A voluntary cash adjustment/repayment (Vol Offset) in excess of the 5% or 10% of MAP is allowed upon the applicant's/participant's written request via the PA 853 (out of drawer), Affidavit. The EW must clearly explain to the participant that a higher repayment amount is voluntary. The participant is not required to make a voluntary payment and he/she may choose to have the grant adjusted based on the appropriate amount (5% or 10%). See **Benefit Recovery – Definitions** for LEADER procedures.
CW 44-351.3 - Balancing Overpayments	**Can an overpayment be balanced against an underpayment?** When an AU has both an overpayment and an underpayment, the amount (unless balancing is prohibited by a court order), is offset one against the other, with one exception. Overpayments cannot be offset against any underpayment that is based on a voluntary report of decreased income that resulted in a supplemental payment.
CW 44-352.1 – Overpayment Recoupment/Calculation of Overpayments	**When is an overpayment based on excess property assessed?** It is to be assessed based on information that the participant was required to have reported on the QR 7.
	How are excess property overpayments calculated? The overpayment is to be calculated as follows: • Determine the period of time that the participant held property exceeding the property limit. • Determine the month within the period in which the property value, on the first day of the month, was the highest and calculate the amount by which the property exceeded the eligibility limit. • Calculate the total amount of aid actually paid to the participant during the months the excess property was held, subtracting any money, excluding child support recoupment, received by

	the county that was credited against the aid payment for those months. • Determine whether the participant received aid in "good faith." The "good faith" determination is based on a preponderance of evidence establishing that the participant believed him/herself to be eligible to the aid received.
	<u>On what is the "good faith" determination based?</u> The following are examples of questions to be considered in making the "good faith" determination. Not all questions apply in all situations. • How was the participant informed of his/her reporting responsibilities? (e.g., Mass mailing, intake interview, home visit, never?) • Is there information in the case record that indicates the participant's apparent understanding of his/her reporting requirements with regard to property? • What is the participant's history of reporting? • Did the participant know the value of the property in question? • Did county actions contribute to the situation causing the overpayment? • Is there other information about the participant's situation that would have an influence on the determination (i.e., language/age barrier)?
Time Limits - Overpayments	**<u>When an overpayment has been repaid, is this counted for time limit purposes?</u>** An entire month of aid in which the adult was not entitled to cash aid, that is fully collected/repaid does not count for time limit purposes. **<u>EXAMPLE</u>** An Assistance Unit (AU) received income that made the AU ineligible for cash assistance for one month. The overpayment occurred in August 2003. The entire overpayment will be collected by December 2004. Once the entire repayment has been collected, that month (August 2003) is not counted for time limit purposes. See ***CW 42-302.2 Time Limits – Overpayments*** for more information.

CW 44-352.2 – Closed Case	**Can an overpayment be recovered when the overpaid AU is no longer receiving CalWORKs?** An overpayment cannot be collected from any individual who was in the AU if he/she is no longer receiving aid. This applies only when: • The overpayment is an Agency Error; or • The total amount of the overpayment is less than $35.
CW 44-352.3 - Overpayment Recovery from Caretaker Relative	**Can an overpayment be recovered from a caretaker relative?** The person responsible for the overpayment is the individual who manages the CalWORKs grant, which is usually the caretaker relative (needy or non-needy). The county must first try to recover the overpayment from the caretaker relative at the time the overpayment occurred, this applies whether or not he/she is currently receiving CalWORKs. If that caretaker relative is no longer aided on CalWORKs, the county must attempt to locate him/her so arrangements for collection can be made. If the caretaker relative cannot be located or if he/she has died, the overpayment must be recovered from the other members of the overpaid AU.
	Can an overpayment be recovered from a caretaker relative who was not a member of the AU? When the caretaker (non-needy) relative was not a member of the AU at the time of the overpayment, a recovery can be adjusted from the other overpaid AU members.
	What is the effect of bankruptcy on overpayments? When a bankruptcy petition is filed with the court, all debts appropriately listed by the petitioner (participant) become non-collectable. This includes any CalWORKs overpayments that are listed on the bankruptcy petition. The court sends a notice of filing directly to all listed creditors. If the participant

	lists DPSS as a creditor, the notice will probably be mailed to the district office. If misdirected, the petition should be cleared and forwarded to the appropriate District Administrator. The Administrative Deputy must contact the CalWORKs Program Section to determine what further action is to be taken.
CW 44-352.5 - Referral to WFP&I	**When an overpayment has been discovered, is a referral to WFP&I required?** When the EW determines that an overpayment (client/household error) was caused by an applicant's/participant's failure to report information (including an alleged IPV), a referral to WFP&I must be made. A failure to report occurs when the participant has: • Made an oral/written misstatement in response to an oral/written question from the county/state concerning his/his income, resources or other circumstances that may affect the eligibility or grant amount; • Failed to report changes in income/resources or other circumstances which may affect the amount of the grant; and • Failed to report receipt of a grant amount that he/she knew represented an erroneous payment. See **Intentional Program Violation (IPV)** for LEADER procedures. See **Fraud Referrals – Initiate** for LEADER procedures.

CW 69-201.1 - Trafficking Victims	**What is Trafficking?** Under section 103(8) of the Trafficking Victims Protection Act, the term "severe forms of trafficking in persons" means: • Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not reached 18 years of age; or • The recruitment, harboring transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
	Are adult victims of trafficking eligible for benefits to the same extent as refugees? Yes. Victims of trafficking who have been certified by the Office of Refugee and Resettlement (ORR) under the United States Department of Health and Human Services are eligible to benefits and services to the same extent as refugees, e.g., CalWORKs, Refugee Cash Assistance (RCA), Food Stamps, etc. See ***CW 42-400 Residence*** for additional information.
	Are children who have been subjected to trafficking eligible for benefits to the same extent as refugees? Yes. Children who are under 18 years old and who have been subjected to trafficking are eligible for benefits to the same extent as refugees. Children do not need to be certified.
	Are family members of victims of trafficking also eligible for benefits to the same extent as refugees? Yes, certain family members are eligible as follows:

	• If the victim was under age 21 when the trafficking visa was filed, his/her eligible family members include spouse, children, parents and unmarried siblings who were under age 18 when the trafficking visa was filed. • If the victim was age 21 or over when the trafficking visa was filed, his/her eligible family members include spouse and children only.
	Can victims of trafficking and eligible family members be eligible for RCA when they are not eligible for CalWORKs? Yes. Victims of trafficking and family members who are not eligible for CalWORKs may be eligible for RCA if they are within the first 8 months from the Date of Entry (DOE). Unlike CalWORKs, RCA does not require that the caretaker be related within the fifth degree or that the children be deprived due to absence, death, disability or unemployment of a parent. Families/individuals who are not eligible for CalWORKs but may be eligible for RCA, should be referred to a district designated to process RCA benefits. The districts are: South Family, Southwest Family, Glendale, Metro North and San Gabriel Valley.
	What is certification? The Office of Refugee and Resettlement (ORR) may certify an adult victim of trafficking who: • Is willing to assist in every reasonable way in the investigation and prosecution of trafficking cases; **<u>and</u>** • Has made a bona fide application for a T-visa or is a person whose continued presence the Attorney General is ensuring to carry out a prosecution of traffickers.
	Who conducts certification activities? The Office of Refugee and Resettlement (ORR)

	conducts certification activities. DPSS eligibility staff cannot issue trafficking victim certifications or letters for children.
	Do children who have been subjected need certification? No. Children who have been subjected to trafficking **do not** need to be certified by The Office of Refugee and Resettlement(ORR) in order to receive benefits. At this time, ORR is issuing letters, similar to adult certification letters, stating that the child is a victim of a severe form of trafficking and is eligible for benefits to the same extent as a refugee.
	What proof do adult victims of trafficking have that they have been certified? Adult victims of trafficking who have been certified will be issued a certification letter by the Office of Refugee and Resettlement (ORR).
	Are the certification letters or letters for children valid indefinitely? No. Once the validity of the certification letter for adults or letter for children is verified, the adult/children are eligible so long as they continue to meet the requirements of the Office of Refugee and Resettlement (ORR) and the certification letter or letter for children continues to be valid. The status of the letter(s) must be re-verified during every yearly re-determination by contacting the trafficking verification line.
	What documents must adult victims of trafficking submit when they apply for benefits? Adult victims of trafficking must submit their original certification letters. To apply for benefits, adult victims **do not** need to provide any immigration documents.
	What if the applicant is pending certification from the Office of Refugee and Resettlement (ORR)?

	Applicants pending certification from ORR may have a T-visa bona fide determination (form I-797), or a T-visa approval letter notice (form I-797a). It is likely that these individuals will very soon have their ORR certification. The applicant should be given an opportunity to provide the ORR certification letter before benefits are denied for him/her.
	What documents must eligible family members of a victim of trafficking submit when they apply for benefits? Eligible family members of a victim of trafficking must provide a Derivative T-visa or approval letter notice (form I-797a) with code T-2, T-3, T-4 or T-5.
	Are the Derivative T-visa or I-797a approval notice valid indefinitely for eligible family members of victims of trafficking? No. Once the validity of the Derivative T-visa or I-797a approval notice is verified, the individual is eligible so long as he/she continues to meet the requirements of the Office of Refugee and Resettlement and the documentation continues to be valid. The status of the Derivative T-visa/I-797a must be re-verified during every yearly re-determination by contacting the trafficking verification line.
	Will victims of trafficking or eligible family members have standard identity documents? Many victims of trafficking or eligible family members do not yet have standard identity documents such as driver's licenses. If there is difficulty confirming identity in these cases, the trafficking verification line should be contacted at (866) 401-5510 for assistance.
	What is the Date of Entry (DOE) for victims of trafficking and eligible family members? The DOE for refugee benefits purposes is the date of certification found in the body of the certification letter or letter for children. For eligible family members, the DOE is the date on the I-797a approval notice or the

	date of entry stamped on the individual's Derivative T-visa or I-94, Arrival/Departure Card. Benefit eligibility begins on this date or the application date, whichever is later, provided all other eligibility requirements are met.
	Will victims of trafficking or eligible family members have social security numbers for work purposes? Some victims of trafficking or eligible family members may not yet have or may not be able to obtain social security numbers for work purposes. These individuals should be assisted in obtaining a **non-work** Social Security Number (SSN) by providing them with a PA 4013, "Non-Work Social Security Number Referral Letter" (out of drawer). The PA 4013 does not have to be in the applicant's primary language. However, the applicant must be given verbal translation of the form and informed in his/her primary language, the purpose of the PA 4013 and that SSA will require original documents showing age, identity and lawful immigration status. In addition, the applicant must be made aware that if the non-work SSN is used to work, SSA may inform the United States Citizenship and Immigration Services (USCIS).
	Does the Trafficking Victims Protection Act give victims of trafficking or eligible family members refugee status under immigration laws? No. The Act does not give victims of trafficking or eligible family members refugee status under immigration laws. The Act makes these individuals eligible for benefits to the same extent as refugees.
	Do victims of trafficking or eligible family members need to have a certain immigration status in order to receive benefits? No. Victims of trafficking or eligible family members **do not** need to hold a certain immigration status in order to receive benefits. (Victims of trafficking need to be certified by the Office of Refugee and Resettlement [ORR] in order to receive benefits.)

	Although they do not need them for benefit purposes, victims of trafficking or eligible family members may hold a variety of immigration documents including an I-94, Arrival/Departure Card with a stamp showing parole under section 212(d)(5) of the Immigration and Nationality Act, an employment authorization document, or proof of deferred action or an order of supervision.
	Should the Systematic Alien Verification for Entitlements (SAVE) system be used to confirm a trafficking victim's or eligible family member's eligibility for benefits? No. The SAVE system does not contain information about victims of trafficking or eligible family members.
	What process should be followed when a victim of trafficking applies for benefits? • Accept the certification letter or letter for children in place of immigration documentation. Victims of trafficking do not need to provide any documentation of their immigration status. • Accept the non-immigrant T-2, T-3, T-4 or T-5 Derivative T-visa for eligible family member as documentation of eligibility. • Call the trafficking verification line at (866) 401-5510 to confirm the validity of the certification, letter for children or Derivative T-visa and to notify the Office of Refugee and Resettlement (ORR) of the benefits for which the individual has applied. Due to time difference, calls should be made before 2:00 p.m. • Identify the Date Of Entry (DOE) for refugee benefit purposes. The individual's DOE is the certification date which is in the body of the certification letter or letter for children. For eligible family members, the DOE is the date on the I-797a approval notice for the individual's Derivative T-visa or the date of entry stamped on the individual's passport or I-94, Arrival Departure Record. • If the victim of trafficking does not have or is not

	able to obtain a Social Security Number (SSN) for work purposes, provide a PA 4013, "Non-Work Social Security Number Referral Letter."
	How are cash and food stamp benefits issued for victims of trafficking and eligible family members? Until LEADER programming is complete, cash and food stamp benefits for victims of trafficking and eligible family members must be issued via auxiliary issuance. See **Auxiliary Issuance - Add New Benefit** for LEADER procedures. See **Auxiliary Issuance - Aid Code Table** for LEADER procedures. Note: For Medi-Cal benefits, a PA 5308 must be manually completed and a Benefit Issuance Card must be issued.
	How is the Aid Payment calculated for victims of trafficking and eligible family members? Until LEADER programming is complete, the cash aid amount for victims of trafficking and eligible family members must be calculated manually. This means that the cash aid amount must be calculated as follows: <u>Example 1</u> The family <u>does not have</u> income and consists of mother and two children who are victims of trafficking. The Aid Payment is the Maximum Aid Payment (MAP) for the AU. This Aid Payment must be issued via auxiliary. See ***CW 44-315.3 - Amount of Aid MBSAC/MAP*** for additional information. <u>Example 2</u> The family consists of the mother and two children. All three are victims of trafficking. The mother has earnings of $603 per month.

	Step 1 - Determine the Net Non-exempt Income $603 Earned Income of mother -225 Income Disregard $378 Subtotal -189 50% Earned Income Disregard $189 Net Non-exempt Income Step 2 - Determine Aid Payment that must be issued via auxiliary $723 Non-Exempt MAP for 3 -189 Net Non-exempt Income $534 Aid Payment See ***CW 44-100 Income*** for additional information. <u>Example 3</u> The family consists of two U.S. citizen children and parents who are victims of trafficking. The father has earnings of $429 per month. LEADER will calculate benefits based on eligibility for the children only. Any portion of the Aid Payment that the family is entitled to receive that is not calculated/issued by LEADER must issued via auxiliary. Step 1 - Determine Aid Payment $862 Non-Exempt MAP for AU of 4 -102 Net Non-exempt Income ($429 minus $225, minus 50%) $760 Aid Payment Step 2 - Determine the portion of the Aid Payment that must be issued via auxiliary $760 Total Aid Payment -584 Aid Payment calculated/issued by LEADER $176 Portion of the Aid Payment that must be issued via auxiliary
	Is there a special indicator on LEADER that must be selected for victims of trafficking and eligible family members?

	Yes, the “Trafficking Victim” special indicator on LEADER must be selected for all victims of trafficking and eligible family members. The case must also be flagged. This allows for the identification/control of the cases. See **Special Indicator - Individual** for LEADER procedures. See **Special Indicator - Case** for LEADER procedures.
	Should cases of victims of trafficking be centralized with a designated EW? Yes. Until LEADER programming is complete, it is recommended that the District Director assign cases of victims of trafficking to a designated EW in the district.

CW 81-200 DIVERSION SERVICES

CW 81-215.1 - Definition	**What are diversion services?** A diversion service provides a lump sum payment to apparently eligible CalWORKs applicants with the intent of diverting them from long-term aid. The payment covers a specific unforeseen and non-recurrent need that removes obstacles from continuing, beginning or obtaining a job. See ***CW 40-129 Immediate Need (IN)*** for more information.
	What is the diversion period? It is the time period represented by the value of the diversion payment divided by the current Maximum Aid Payment (MAP) amount for the Assistance Unit (AU). **EXAMPLE** In March, an AU of four (4) received a payment in the amount of $2,600. The AU's diversion period is considered three (3) months ($2,600 divided by $862 = 3.0). Partial months do not count.
CW 81-215.2 - Informing Applicants	**Who informs applicants about diversion?** It is the responsibility of the CalWORKs Intake Eligibility Worker (EW) to inform all applicants about the diversion services during the initial intake interview. To ensure that all applicants have been informed about the diversion payment option prior to the regular processing of the CalWORKs application, the EW must: • Explain and have the applicant complete and sign the PA 2019 (out of drawer), Diversion Informing Notice, in duplicate. • File the original PA 2019 in the case record and the second copy must be given to the applicant. Applicants applying for homeless assistance must be evaluated for Diversion. If the applicant qualifies for diversion, he/she must be given the opportunity to choose a diversion payment or homeless assistance.

CW 81-215.3 - Who Qualifies	**<u>Who qualifies for diversion?</u>** To qualify for Diversion the applicant must be **<u>apparently eligible</u>** for CalWORKs and: • Has a need that prevents him/her from continuing, beginning or obtaining a job; and • Has not exhausted his/her 60-month time clock. See ***CW 40-129 Immediate Need (IN)*** for more information. See ***CW 42-302 Time Limits Requirements*** for more information.
	<u>Who determines if an applicant qualifies for diversion?</u> The CalWORKS intake EW screens the applicant for diversion using the following criteria: Does the applicant have a need that prevents him/her from working or maintaining employment? If yes, the applicant must meet one of the following: • Have a job and has sufficient income per month that will enable them to meet the family's needs; • Have a verifiable job offer; • Be currently unemployed and have the ability to find gainful employment in a short period of time; or • Have sufficient income from another source (i.e., unemployment benefits). For those individuals who are unemployed, staff must determine, by reviewing the work history on the SAWS 2, (LEADER generated), Statement of Facts for Cash Aid, Food Stamps and Medi-Cal, if this candidate has the potential of finding employment. Staff should look for: length of time on the job, type of expertise, and is his/her qualification/expertise one that is in demand**.**

	<u>Who does not qualify for diversion?</u> The following individuals do not qualify for diversion: • An applicant who applies and reapplies for public assistance in short periods of time demonstrating the inability to maintain self-sufficiency; • Applicants experiencing an ongoing or recurrent need crisis due to apparent inability to maintain employment or financial mismanagement (self created); • Applicants with a history of multiple job changes within short periods of time (for example, an applicant that changes jobs each month); • Timed-out adults; • Persons convicted of welfare fraud (e.g., Intentional Program Violations (IPV); • Drug and fleeing felons; • Individuals currently sanctioned (GAIN and child support); and • Non-needy caretaker relatives.
	<u>Will a diversion payment cover a need for repairing an automobile?</u> Yes, a diversion payment may also cover: • Transportation, (i.e., auto repairs, auto insurance); • Work tools; • Special license fees; • Safety clothes; • Child care costs, (i.e., deposits, registration); • Relocation (move closer to job);

	• Rent and/or utilities; and • Other reasonable expense determined on a case basis. A diversion payment will not cover: • Traffic/parking tickets, or other legally imposed penalties that restrict or prevent operation of a vehicle or renewal of drivers' license; • Child support payments; • Employer's background investigation pending an offer; • Union dues; or • Start-up costs of self-employment. (This program will pay for some costs involved in continuing a self-employment business that has established a record of success.)
	Can a diversion payment cover the full costs of the need? The amount of a diversion payment will vary based on documented need and the number of persons in the Assistance Unit (AU). The amount of payment may be for a single need or for a combination of needs. In most instances, the diversion payment will be made to cover the full costs of the identified need, regardless of the income received by the applicant, which must be within CalWORKs eligibility limits.
	What is the form W-9 and why is it needed? Verification of the need(s) and completion of the form W-9, Request for Taxpayer Identification Number and Certification, if applicable, is required before a diversion payment is authorized. The W-9 must be forwarded to the district cashier prior to issuing a diversion payment. The W-9 is completed by a business that is providing a service (i.e., auto shop, auto mechanic, etc.). **NOTE:** It is critical that all businesses receiving payment for any of these types of services are required to complete a W-9 regardless

	of how much is paid for those services. This is important because, if the same vendor accumulates a total of $600 (i.e., $300 for one applicant, $200 for another and $100 for a third), the Los Angeles County Auditor-Controller is required to report this information to the Internal Revenue Service (IRS).
	How many times can an applicant receive diversion services? There is **no limit** on the number of times an applicant's household can receive diversion services, as long as the lifetime amount has not been exceeded. Each application must be separately evaluated and must meet the established criteria for diversion and approved by the Deputy District Director (DDD) and the District Director (DD). The following maximum payment amounts must be followed: • **Standard Payment of $2,000** or the equivalent to the Assistance Unit's (AU) current MAP amount for three months, whichever is greater, based on the AU's size. For example a family of four (4) could receive as much as $2,112. MAP for 4 = $862 x 3= $2,586. • **Compelling Need Payment of $4,000 -** Compelling Need is defined as a one-time expense that exceeds the standard amount, but is necessary to allow an applicant to remain self-sufficient. • **Annual Payment of $4,000** or more depending on the size of the AU. • **Lifetime payment of $10,000.** Diversion payments received by applicants from other counties will count toward the annual and lifetime maximum payments. **Processing Time** After eligibility is established and all required documents are received, payments must be issued

	• Within three (3) workdays, if an emergency; or • Within five (5) workdays for all others. <u>Specialized Diversion EW</u> • Verify time on aid; • Determine if the applicant meets the diversion eligibility criteria; • Review LEADER for previous diversion payments; • Determine if a diversion payment is an appropriate option based on the applicant's current circumstances; and • Assess the applicant's need(s) to determine if the need would be covered by the diversion payment maximum. Once an applicant has been identified as a potential diversion candidate, the Specialized Diversion EW must obtain the approval of his/her Eligibility Supervisor (ES) prior to offering the applicant diversion. The ES shall obtain approval of his/her Deputy District Director (DDD) prior to offering diversion. **Upon receiving the approval of the DDD the Specialized Diversion EW must:** • Request the applicant to complete the PA 2020 (out of drawer), Diversion Agreement; • Refer applicant for fingerprinting and interview with the Child Support Services Department (CSSD) Co-located staff;(CSSD referrals must be annotated **"Diversion-Non-Welfare Family".** • Request W-9, Request for Taxpayer Identification Number and Certification, if applicable; • Manually prepare a M81-215A, Notice of Action (NOA) denying CalWORKs; • Inform applicant to provide verification within 10 days that the diversion payment was used as requested. • Request LEADER to issue diversion; • Forward W-9 to District Cashier • Deny CalWORKs; • Obtain follow-up documentation from applicant verifying that the diversion payment was used for the requested need within 10 days of the diversion payment issuance; and

	• Apply an overpayment if the applicant fails to provide follow-up proof. <u>ES</u> • Review each CalWORKs application to ensure that an assessment of an applicant's eligibility to diversion was accurate; • Review recommendations from the Specialized Diversion EW to determine if a diversion payment is an appropriate option; • Review case and documentation to determine the applicant's eligibility to a diversion payment. • Sign and date the Diversion Checklist. • Obtain DDD and/or DD approval prior to the Specialized Diversion EW offering a diversion payment to the applicant. • Approve and sign the Diversion Agreement; • Authorize denial of the CalWORKs application via the existing LEADER procedures **after** the diversion payment has been issued; • Ensure that documentation verifying that the diversion payment was used for the requested need is obtained within 10 days of the diversion payment issuance; and • Ensure that an overpayment is assessed if the applicant fails to provide requested follow-up documentation. <u>District Director (DD)</u> The DD may designate a Deputy District Director (DDD) to: • Review cases of potential diversion applicants; • Review case documentation to determine the applicant's eligibility to a diversion payment; • Sign the applicant's Diversion Agreement; and • Authorized the diversion payment via Auxiliary Issuance. See **Auxiliary Issuance – Add New Benefit** for LEADER procedures.
	<u>Is a home call required before a diversion payment is issued?</u> A home visit prior to issuing diversion is required when living arrangements or other factors affecting

	eligibility cannot be satisfactorily determined without such a visit.
CW 81-215.4 - Diversion Period	**What happens when an applicant chooses or declines diversion services?** An applicant may either choose diversion or decline it and receive CalWORKs, if otherwise eligible. If the applicant chooses to receive diversion, the CalWORKs cash aid application must be denied when the diversion payment is authorized. However, if the applicant declines diversion the case is approved for cash aid**.**
	Can an applicant reapply for CalWORKs after receiving a diversion payment? Yes, applicants may reapply for CalWORKs after receiving a diversion payment. If an applicant reapplies for CalWORKs within the diversion period and is determined eligible, the previously issued payment must be collected. The applicant has two choices: 1. Repay the entire diversion payment through a monthly grant reduction of 10%; **or** 2. Have the entire diversion period count toward the CalWORKs 60 month time limits. If the applicant reapplies for CalWORKs after the diversion period has ended and is determined eligible, only one (1) month of the diversion period is counted toward the 60-month time limit. The EW is required to review for any overpayment and determine if LEADER has computed the repayment when a participant comes into the office to re-apply for CalWORKs within the diversion period. Additionally, the EW must complete the overpayment manually.
	What happens if an individual reapplies for CalWORKs after the diversion period has ended? If an individual reapplies for CalWORKs after the diversion period has ended and is determined eligible for aid, one month of the diversion period must be counted toward the 60-month time limit.

CW 81-215.6 - Child Support Income	**What happens if the applicant is currently receiving child support income?** Any child support collected by the applicant or recovered by the county must not be used to offset the diversion payment.
CW 81-215.7 - Potential Eligibility for Other Programs	**How does a diversion payment affect other programs?** Diversion payments are not considered income for Food Stamp eligibility and benefit level determination. These payments are considered non-recurring lump sum monies and are counted as a resource in the month received. Individuals issued a diversion payment are eligible to Domestic Violence Supportive Services, Medi-Cal and childcare assistance, if otherwise eligible, in accordance with the program rules and regulations governing these programs.

CW 82-502.1 – Child Support Enforcement Program	**What is the Child Support Enforcement Program?** The Child Support Enforcement Program has been established to identify and locate absent parents, establish paternity, and establish and enforce the child and spousal support obligation. The Department of Public Social Services (DPSS) and the Child Support Services Department (CSSD) work together in this effort to obtain child support for families receiving CalWORKs and/or Medi-Cal. Duties of Eligibility Worker (EW) include: • Informing the applicant/participant of the cooperation requirements and the benefits of cooperation in the Child Support Enforcement Program; • Informing the applicant/participant of the right to claim a "good cause" exemption from the cooperation requirements; • Completing determinations for "good cause" exemptions; • Notifying CSSD when the applicant/participant has claimed "good cause" to not comply with the cooperation requirements; • Referring applicant/participants to CSSD via a CW 371 (out of drawer), DPSS/CSSD Two-Way Gram; • Collecting absent parent information from the applicant/participant and entering it on LEADER prior to referral to CSSD; • Imposing and removing child support sanctions (removal of applicant/participant from Assistance Unit [AU]); and • Imposing and removing the 25% child support grant penalty. Duties of CSSD Child Support Officer (CSO) include:

	• Conducting on-site interviews in the DPSS district office for new applicants and certain participants with household changes; • Opening a child support case for the applicant/participant; • Collecting money owed on existing court orders; • Obtaining health insurance for the child(ren); • Determining when an applicant is cooperating; and • Notifying EW when the applicant/participant has not cooperated.
CW 82-506.1 – Assigning Support Rights	**<u>Is an applicant required to assign child support rights?</u>** Yes, as a condition of eligibility, the applicant must trade the right to child support in exchange for CalWORKs. This means that the parent or needy caretaker is giving the County the right to keep child/spousal support payments that are collected by the Child Support Services Department (CSSD). The money collected is used to pay back the CalWORKs aid received by the AU.
CW 82-506.4 - Refusal to Assign	**<u>What if the applicant/participant refuses to assign support rights?</u>** There is no exemption ("good cause") for refusing to assign support rights. However, the applicant/participant has the right to refuse to do so on the CW 2.1 (out of drawer), Notice and Agreement for Child, Spousal and Medical Support. If he/she refuses to assign rights, the EW must inform him/her that the refusal will result in a sanction (removal from the AU) and will require aid payments for the children by protective payments. The refusal must be done in writing on the CW 2.1 before a sanction can be imposed. Although the applicant/participant may refuse to assign support rights, the refusal does not stop the CSSD staff from performing case activities. The applicant/participant is still referred to

	CSSD collocated staff and the applicant/participant is expected to cooperate. When the applicant/participant is referred to CSSD, the CW 371 (out of drawer), DPSS/CSSD Two Way Gram, must clearly indicate that the applicant/participant refused to assign his/her support rights. See ***CW 44-310 - Protective Payee*** for more information See **Sanction/Penalties/POI** for LEADER procedures
	Can a participant be sanctioned for refusing to assign support rights and also have a 25% penalty applied to the AU? Yes, a participant could be sanctioned from the AU for refusing to assign support rights and have the CalWORKs grant reduced by 25% for failing to cooperate with the CSSD staff. See ***CW 44-310 - Protective Payee*** for more information See **Sanction/Penalties/POI** for LEADER procedures
CW 82-508.1 – Informing the Applicant	**What notice advises the applicant/participant of his/her rights/responsibilities/cooperation requirements in the child support program?** The CW 2.1, Notice and Agreement for Child, Spousal and Medical Support, is a mandatory form and is: • Not LEADER generated and must be provided "out of drawer"; • Used to notify the applicant/participant of the child support assignment and cooperation rules; • Used to notify the applicant/participant of the right to claim "good cause"; • Used to document the applicant/participant's refusal to assign support rights (must be done in writing on the form before a sanction

	can be applied); • Completed and signed in duplicate for each absent parent by the applicant/participant; • Reviewed by the EW with the applicant/participant; and • Signed by the EW.
CW 82-510.1 – Cooperation Requirements	**<u>What are the child support requirements?</u>** Unless "good cause" exists, CalWORKs applicants/participants must: • Provide any relevant information in his/her possession about the identity and whereabouts of each absent parent or alleged father; • Complete, sign and date the CW 2.1 (out of drawer), Notice and Agreement for Child, Spousal and Medical Support; • Attend an interview with CSSD collocated staff upon application for CalWORKs or upon a household change that requires an interview referral; • Submit to genetic testing (including child) if paternity is in question; • Serve as a witness in court or at other hearings related to child support; • Forward child support payments received directly from the absent parent(s) (with or without court order) to CSSD; and • Identify potential sources of medical coverage, including private health insurance policies, pending judgments, etc. **NOTE:** Cooperation requirements do not apply to Non-needy caretakers.
	<u>Are there benefits when the applicant/participant cooperates?</u> Yes, benefits include:

	• $50 disregard – The family will receive up to $50 of current child support paid by the absent parent to CSSD. This does not count in computing the CalWORKs grant. • Extending the 60-month time clock – A month that is repaid by child support collected does not count towards the CalWORKs 60-month time limit. • Proving Paternity or establishing who the father is – Gives the child the legal rights and privileges of a child born within a marriage. It allows the child to receive the father's health care coverage, workers' compensation dependent benefits, social security/veterans benefits, inheritance, and the emotional benefits of knowing who his/her father is. • Future income – Right now, the absent parent may not be able to pay child support but he/she may be able to do so later. For this reason, child support rights need to be established as soon as possible. Also, later on there may be unemployment/disability insurance benefits, military allotments, retirement, and tax refunds, investments/property resources that can be assigned or utilized to pay child support. See ***CW 44-100 Income*** for more information See **Income - Child Support** for LEADER procedures
	Who informs the applicant of the child support cooperation requirements and benefits of cooperation? It is the responsibility of the EW to explain and review: • The PA 175, Child Support Guide (out of drawer). The guide is given at intake, redetermination and to any individual who may request child support services; • The benefits of cooperation (e.g., $50 disregard, 60 month time limit extension, etc.);

	• The requirements of providing information regarding the identity and whereabouts of the absent parent/alleged father; • The importance of staying for the initial child support interview with CSSD or make arrangements if he/she cannot stay; • The right to claim "good cause" (e.g., afraid of harm, child conceived from incest/rape, etc.); • The child support penalty if he/she fails to cooperate with CSSD in locating/establishing paternity.
	What is the role of the DPSS Child Support Liaison? The Child Support Liaison, at the level of Deputy District Director, is designated within the district office. The liaison for each office can be found in the DPSS Quarterly Liaison Listing. The role of Child Support Liaison includes: • Being informed of policy and procedures of the child support enforcement program; • Becoming involved in child support related issues arising within the district office in order to help resolve them; • Emailing "good cause" claim information (CW 51 & CW 371) received from the EW to the CSSD Child Support Liaison; • Forwarding PA 6010, Redetermination Update on Absent Parent Information, forms to CSSD collocated staff; and • Submitting the "PA 6010 Supp" report to the BWS Divisional Staff Assistant by the 2nd work day of the month. The report must include the number of PA 6010 forms forwarded to CSSD collocated staff for the prior month.
	What is the CW 371, DPSS/CSSD Two-Way Gram? The CW 371 (out of drawer) is used by the EW to exchange applicant/participant information with CSSD collocated and Divisional staff. It is also used by the EW to refer

	applicants/participants as needed to the CSSD collocated staff for a required interview. The CW 371 replaced the PA 1346, DPSS/CSSD Two-Way Gram.
	Where does CSSD staff conduct their initial child support interview? CSSD staff are collocated in each CalWORKs district office. They conduct on-site interviews for CalWORKs applicants and certain approved participants with household changes.
	When is an applicant/participant referred to the CSSD collocated staff for an interview? For intake cases the referral/scheduled interview with CSSD collocated staff should be completed on the day of the intake interview. For approved cases, the referral/scheduled interview should be completed within 10 work days from the date of the participant's report of the change. The interview referral should be done in the following instances: • When there is at least one absent parent; • When the unmarried parents are living together and paternity has not been established; • When an unmarried parent returns to the home and paternity has not been established; • When a parent leaves the home; • When a child with an absent parent is added to the AU (including a minor parent and/or MFG); • When a child for whom paternity has not been established is added to the AU and the father lives in the home; and • When the minor has his/her own case, a referral must be made for both of the minor's absent parent(s) and the absent parent of the minor's child(ren).

	EXAMPLE A 15-year-old minor parent residing with her mother applies for her own case (self and child). A referral must be made for her absent father **and** the absent father of her child. See **Child Support - Referrals** for LEADER procedures
	Should a pregnant woman with no other children be referred to CSSD collocated staff? No, pregnant women with no other children should not be referred to CSSD collocated staff for the opening of a child support case. The referral should be initiated upon the birth of the child provided there is an absent parent or the unmarried father is in the home and a valid copy of the CS 909, Declaration of Paternity is not provided. The EW must manually control for the referral to CSSD.
	What if the applicant/participant cannot stay for the interview with CSSD collocated staff? If the applicant/participant cannot stay for his/her interview (i.e., lack of child care, doctor's appointment, etc.), the EW must inform the applicant to make another appointment with the CSSD collocated staff. Applicants/participants who do not reschedule the interview with the CSSD collocated staff will result in a "no show" notification to the EW. A 25% penalty to the AU's grant must be imposed for "no show" notices. See **Sanction/Penalties/POI** for LEADER procedures
	What action does the collocated Child Support Officer (CSO) take after completing the applicant/participant interview? The CSO will complete Part 2 of the CW 371, DPSS/CSSD Two Way Gram, indicating the child support case number and whether the

	applicant/participant cooperated. The completed form is returned to the EW. The child support case is sent to a corresponding CSSD division for additional processing.
	What action must the EW take when the collocated CSO has completed the applicant/participant interview? The EW must take appropriate action based on the CSO's notice of cooperation or non-cooperation via the returned CW 371. The returned CW 371 must be filed in the case. **NOTE:** For intake cases, the case must include a copy of the returned CW 371 before it is transferred to an approved file. This ensures that the CSO has completed the interview and a child support case has been opened. See ***CW 82-510.4 - Non-Cooperation*** for additional information See ***CW 82-512 - Exemption from Cooperation Requirements*** for additional information See ***CW 82-514- Evaluation of Good Cause*** for additional information
	When is the "absent parent" information entered? Intake The EW **must** enter the absent parent information during the intake interview and **prior** to forwarding the CW 371 referral with LEADER screen prints to CSSD collocated staff. Approved The EW **must** enter the absent parent information on the same day the absent parent information is received from the participant and **prior** to forwarding the CW 371 referral with LEADER screen prints to CSSD collocated staff. See **Absent/Unmarried Parent Screens - Completion** for LEADER procedures

	<u>Should absent parent information be reviewed during the redetermination interview?</u> Yes, the PA 6010, Redetermination Update On Absent Parent Information, is an additional tool used to review key absent parent information during the redetermination interview. The PA 6010 should only be completed by participants with an existing child support case. The PA 6010, in English and Spanish, is centrally mailed to CalWORKs participants with the redetermination appointment. The form must be provided (out of drawer) for Non-English/Spanish speaking participants at the redetermination interview. <u>The EW must</u>: • Review the PA 6010 with the participant, focusing on areas with missing information and ensuring that the information provided is printed and legible (e.g., case name, case number, SSN). For information not available or unknown, "Unk" must be used; • Review **<u>all</u>** fields in the LEADER **Absent/Unmarried Parent** screen and enter the information that the participant is able to provide; • Ensure that a child support case exists with CSSD: o The child support case number for each child must be included on the PA 6010. The child support case number is found in the **LEADER View ARS Summary** screen; OR o If the child support case number is not on LEADER, attach to the original PA 6010, a copy of the annotated Two-Way Gram returned from CSSD that reflects the child support case number. • File a copy of the PA 6010 in the case; • Immediately and no later than within 2 work

	days, forward the original PA 6010 (with Two-Way gram when applicable) to the district Child Support Liaison; and • Document the LEADER Case Comments screen with all actions taken. <u>The district Child Support Liaison must:</u> • Review the PA 6010s received for completeness ensuring that a child support case number for each child is included; **NOTE:** PA 6010 forms that are not appropriately completed and do not include the child support case number should not be forwarded to CSSD. Incomplete forms should be reviewed with the Eligibility Supervisor to ensure that the information is complete. • Photocopy and forward original PA 6010 forms and any attached Two-Way Gram to CSSD collocated staff on a weekly basis. Copies of PA 6010 forms forwarded must be maintained in administration for one year; and • By the 2nd work day of each month, forward the PA 6010 Supp report to the BWS Division Chief. The report must show the number of PA 6010s forwarded to CSSD in the prior month.
	<u>Should the PA 6010 be completed if a child support case does not exist?</u> No, a PA 6010 should not be completed if a child support case does not exist with CSSD. Existing procedures for referring the participant to CSSD via the CW 371, DPSS/CSSD Two Way Gram, should be followed so that a child support case can be opened. <u>The PA 6010 is not a referral to CSSD.</u> See **Child Support - Referrals** for LEADER procedures
	<u>What documents are required before forwarding referrals to the CSSD collocated staff for an interview?</u>

	The collocated staff will reject referrals (via the Deputy District Director) if the following documents are not included for each absent parent: • A completed CW 371 (out of drawer), DPSS/CSSD Two-Way Gram; • A DA 118 (LEADER generated), Declaration in Lieu of Testimony - Parent/Custodian or a DA 153 (LEADER generated), Declaration in Lieu of Testimony – Custodian; • A photocopy of the interim or permanent birth documentation for each aided child (including minor parent(s) and/or MFG children) on the case; **NOTE:** There is no requirement to follow up with a copy of the permanent documentation when interim documentation has been provided. • A photocopy of any child support document showing awards made by the courts and/or divorce/legal separation documents; and • LEADER screen prints: Case Profile, Case Members, and Demographics screen. The screens must show that the absent parent information has been entered. See **Child Support Referral** for LEADER procedures
	<u>What are the CSSD Divisions and corresponding DPSS District Offices?</u> • For DPSS districts 02, 09, 11, 82, 90, Division I (Encino) 15531 Ventura Blvd., Encino, CA 91436 • For DPSS districts 05, 12, 38, 89, 42, 66, Division II (Commerce) 5770 S. Eastern Ave., Commerce, CA 90040 • For DPSS districts 03, 04, 20, 36, 16 Division III (West Covina) 2934 Garvey Ave., West Covina, CA 91791 • For DPSS districts 06, 17, 27, 83, 12

	Division IV (El Segundo) 621 Hawaii Street, El Segundo, CA 90245 • For DPSS districts 26, 31, 40, 62 Division V (Torrance) 20221 S. Hamilton Ave., Torrance, CA 90502 • For DPSS districts 34, 51 Division VI (Palmdale) 1050 E. Palmdale Blvd., Palmdale, CA 93550
	When is the participant referred to a CSSD Division? The participant is referred to a CSSD Division when he/she is penalized and now wants to cooperate. The participant must be provided with the telephone number to the Child Support Officer who recommended the penalty and the CSSD Call Center number: (323) 890-9800 (local and outside CA), (800) 615-8858 (local toll and outside CA), (323) 725-3907 (TDD). For intake cases, the applicant should be referred to the collocated Child Support Officer recommending the penalty. All actions taken should be entered in the LEADER Case Comments screen (i.e., participant wants to cooperate, “good cause” does not exits, Child Support Officer telephone number provided, etc.).
	Should CSSD staff be notified of changes in the CalWORKs case? Yes, the EW must complete the CW 371 (out of drawer) and forward to CSSD collocated staff for Intake cases or to the corresponding division for approved cases in the following instances: • When persons are added or deleted from the Assistance Unit (AU); • When “good cause” has been 1) claimed; 2) granted; or 3) denied; • When a sanction has been imposed due to refusal to assign child support rights in

	writing on the CW 2.1, Notice And Agreement; • When a penalty has been imposed due to a notice of non-cooperation recently received from CSSD; • When the AU reports receipt of direct child support payments for a child (including MFG) from the absent parent(s); and • When a fraud referral has been initiated (must indicate the reason for the referral in the "Comments" section of the CW 371, DPSS/CSSD Two-Way Gram).
	When is the CS 909, Declaration of Paternity utilized? The CS 909 (out of drawer), Declaration of Paternity, is available for unmarried parents wishing to **voluntarily** establish paternity. When both unmarried parents are in the home with an aided child(ren) in common and paternity has not been established by a court order the following steps are to be taken : • Prior to signing the declaration, the EW must read the section of the CS 909 titled "What Does It Mean If You Sign a Declaration of Paternity" located on the blue coversheet of the form to the unmarried parents. If the parents do not understand the form or the consequences of signing the form or request additional information, they should be advised to contact the CSSD collocated staff or a private attorney. • If the unmarried parents choose not to complete the CS 909, continue to refer the unmarried parents to the CSSD collocated staff. • If the unmarried parents indicate that the CS 909 has been signed at a hospital, they must provide a valid copy of the declaration in order to establish legal paternity. If staff has reason to question the validity of the document, the couple should be referred to the CSSD collocated staff for resolution of

	the paternity issue. • The unmarried parents are not to be referred to the CSSD collocated staff if the CS 909 has been signed by both of the unmarried parents. **NOTE:** Both the CSSD collocated staff and the EW are must offer the unmarried parents the opportunity to voluntarily sign the CS 909.
	<u>What is the process when the unmarried parents choose to sign the CS 909, Declaration of Paternity?</u> When the unmarried parents choose to voluntarily sign the CS 909 (out of drawer), Declaration of Paternity, the EW must ensure that the following is completed: 1. Instruct both parents to complete Section A and B. Both sections must be legible and completed in black ink. 2. The EW must complete Section C in black ink (if not previously witnessed. 3. Print and enter: Los Angeles County, DPSS, District Location and address including zip code. 4. Photocopy the completed CS 909 and file on the left side of the Documentation/Activity folder. The parents will be given the first and second copy. 5. Within three (3) workdays of the parent's signature, forward the original and third copy to the ES. 6. Ensure that the action taken is documented in "Case Comments". <u>ES</u> 1. Ensure the CS 909 is complete and legible. Within four (4) workdays of the parent's signature, forward the original and third copy of the CS 909 to the CSSD collocated staff.

CW 82-510.4 – Non-Cooperation	**<u>How does the CSSD staff inform the EW when the applicant/participant has not cooperated?</u>** The collocated Child Support Officer (CSO) or the divisional CSO will forward a "Child Support Actions" form that is completed and attached to the CW 371, DPSS/CSSD Two-Way Gram.
	<u>What action must the EW take following CSSD's notice of non-cooperation?</u> The EW must determine whether a 25% grant penalty should be imposed following CSSD's notice of non-cooperation. CSSD does not impose the penalty. CSSD only makes a determination of non-cooperation and does not have the authority to penalize the participant. In addition, CSSD may not make a finding of non-cooperation for a CalWORKs applicant/participant before he/she is given the opportunity by CSSD to attest that he/she has no further information about the absent parent and the information already provided is complete and accurate to the best of his/her knowledge and belief. Upon receipt of the Child Support Actions and CW 371 forms from CSSD indicating non-cooperation, the following actions must be taken by the EW **BEFORE** a 25% grant penalty can be imposed: • Contact the applicant/participant to evaluate the reason why he/she did not cooperate (i.e., child was ill, job interview, etc.) and resolve the issue; or • Determine if the applicant/participant has a "good cause" and make the final determination before imposing a penalty; or • Determine if the applicant/participant is cooperating in good faith but is unable to identify or assist in locating the absent parent. A penalty cannot be imposed when the applicant/participant has cooperated to his/her fullest extent. In these circumstances the Child Support Officer should be contacted to resolve the issue;

	• Provide the applicant/participant with the telephone number to the Child Support Officer recommending the penalty and the CSSD call center number: (323) 890-9800, (local), (800) 615-8858 (local toll), (323) 725-3907 (hearing impaired; TDD); and • Enter all actions taken in the LEADER Case Comments screen (i.e., "good cause" has been evaluated, etc.). **EXAMPLE** The Child Support Actions and CW 371 forms indicate that the participant failed a scheduled appointment with CSSD collocated staff. The EW contacts the participant to determine why she missed the appointment. The participant explains that she had a doctor's appointment and failed to notify CSSD to reschedule her appointment. Therefore, the EW refers the participant to the CSSD collocated staff to re-schedule the appointment and follows up to ensure the participant attends the interview. The EW does not impose a penalty. **EXAMPLE** The Child Support Actions and CW 371 forms indicate that the participant was non-cooperative. She did not provide information to locate the absent parent. The EW contacts the participant to determine if "good cause" exists. The participant did not have "good cause"; however, she stated that she had provided all the information she knows about the whereabouts of the absent parent to the best of her ability. After contacting the Child Support Officer, the EW discovers that the participant was not given an opportunity to attest that she has no further information about the absent parent and the information already provided is complete and accurate to the best of her knowledge and belief. Following the EW's contact, the Child Support Officer takes action and submits a corrected CW 371 and Child Support Actions form indicating that the participant has cooperated. The EW does not impose a penalty.
	What happens when the applicant/participant

	has not cooperated? When the applicant/participant has not cooperated and "good cause" does not exist, a 25% grant penalty must be imposed. The EW must : • Impose the 25% grant penalty; • **File** the original Child Support Action and CW 371 forms received from CSSD on the left side of the Documentation/Activity folder. Both forms are crucial for tracking penalties and case audits. • Complete (in duplicate) a CW 371 clearly indicating the effective date of the 25% grant penalty; • Forward the CW 371 to the Child Support Officer (may be a CSSD collocated staff or at the CSSD division). • Document in LEADER Case Comments all actions taken. See **Sanction/Penalties/POI** for LEADER procedures
	Can multiple instances of non-cooperation exist in one case? No, it is considered one instance of non-cooperation when one parent with children from different parents refuses to cooperate with the CSSD. A 25% grant penalty can only be applied once regardless of the number of children he/she has. **EXAMPLE** An AU consists of a parent with two children, each with a different absent parent. The parent fails to cooperate for either of the children's parents. In this case, LEADER applies a 25% penalty only once.
	Can multiple instances of non-cooperation exist when the AU consists of a senior parent and a minor parent?

	Yes, since there are two different individuals who are not cooperating for two separate children, there are two instance of non-cooperation. LEADER applies the penalty sequentially. **EXAMPLE** An Assistance Unit (AU) consists of a senior parent with two children. One child is a minor teen parent with his/her child. **Both** the senior parent and minor teen parent fail to cooperate with the CSSD regarding the absent parents of their respective children. In this case, there are two different individuals who are not cooperating for different children. LEADER applies the penalty sequentially.
	Can a 25% penalty be applied to an Assistance Unit (AU) when there is a non-needy caretaker relative? No, a penalty cannot be applied when a non-needy caretaker relative does not cooperate. However, the non-needy caretaker is to be referred to CSSD. See ***CW 82-804.1 - Caretaker Relative Requirements*** for additional information
	Can a 25% penalty be applied to an Assistance Unit (AU) even if the parent is not aided (i.e., non-citizen parent, GAIN sanction, etc.)? Yes, if the parent who fails to cooperate with the CSSD staff is not aided, the AU is penalized.
	Is an applicant/participant required to forward child support payments to the CSSD? Yes, the forwarding of direct child/spousal support payments to CSSD is a cooperation requirement. The requirement applies to a second parent with separate child(ren) and to a minor parent with respect to child support payments received from the absent parent of his/her child, (whether the minor parent is aided as a child on his/her case, parent's case or as a

	parent on a separate case). Failure to turn in child/spousal support to CSSD may result in a 25% penalty. **NOTE:** Child support payments for an MFG child should not be forwarded to CSSD; however, the applicant/participant must continue to report the payment(s) on the QR 7. The EW must instruct the applicant/participant at intake/redetermination to: • Immediately report the receipt of a child/spousal support payment to the CSSD's Call Center at (323) 890-9800 (local and outside CA), (800) 615-8858 (local toll and CA), (323) 725-3907 (TDD). **NOTE:** CSSD will provide the applicant/participant with mailing instructions, etc. • Report receipt of child/spousal support payment on the QR 7) and to indicate on the form if the payment was forwarded to CSSD. See ***CW 44-314.1 - Maximum Family Grant (MFG) -Definition*** for more information See ***CW 44-113.5 - Child Support*** for more information
	What is the process for forwarding child/spousal support payments to CSSD? When the EW learns of a direct child/spousal support payment, the forwarding of the payment(s) to the CSSD must be monitored (via FAC). The EW must: • Advise the applicant/participant to forward the child/spousal support payment(s) to CSSD to avoid a 25% penalty if he/she fails to comply; • Complete and submit a CW 371 (out of drawer), DPSS/CSSD Two-Way Gram to

	CSSD; • Enter the income on LEADER, ensuring that the child is linked to the appropriate absent parent; • Control for 30 days (via FAC) to follow-up with the applicant/participant to ensure that he/she has made arrangements with CSSD for the payments; • After 30 days, contact the participant to determine if he/she contacted CSSD; a. If the participant has not contacted CSSD, a 25% penalty is imposed and the payment continues to be deducted from the monthly grant. b. If the participant has verification that the payment was forwarded to the CSSD, the child support income is stopped on LEADER. c. If the participant has attempted in good faith to forward payment to CSSD, the EW/ES must follow-up via the Child Support District Liaison (Administrative Deputy District Director) before a penalty is imposed. See **Income - Child Support** for LEADER procedures See **Future Action Controls - User Initiated - Create** for LEADER procedures
	<u>Can a penalty be imposed when an applicant/participant who has been granted "good cause" refuses to forward direct child support payments to CSSD?</u> No, a penalty cannot be imposed when an applicant/participant who has been granted "good cause" refuses to forward direct child support payments. CSSD ceases collection activities when "good cause" exists. See **Income – Child Support** for LEADER procedures.
	<u>Who removes the child support penalty?</u>

	Only the EW can remove the 25% child support penalty. The penalty is removed following CSSD's notice (via CW 371) of subsequent cooperation by the participant <u>or</u> when the penalty was found to be in error <u>or</u> when good cause is established based on new circumstances. CSSD only makes a determination of non-cooperation and does not have the authority to impose or remove the penalty. The EW must determine if a penalty should be imposed after evaluating if "good cause" exists and ensuring that CSSD has given the participant the opportunity to attest that he/she has no further information about the absent parent, etc. All actions must be entered in the LEADER Case Comments screen (i.e., determination made on whether child support penalty should be imposed, Child Support Officer [name and number] contacted, etc.).
	<u>When is a child support penalty removed?</u> The EW must remove the penalty when: • "good cause" exists; or • The applicant/participant has subsequently cooperated with CSSD (e.g., has provided absent parent information, agreed to submit to genetic testing, etc.); or • The applicant/participant has attested to CSSD that she has no further information about the absent parent and the information already provided is complete and accurate to the best of his/her knowledge and belief. There is no conflicting information.
	<u>What action must the EW take upon CSSD's notice of the participant's subsequent cooperation or notice that the penalty was recommended in error?</u> Upon receipt of the Child Support Actions form and CW 371 (out of drawer), DPSS/CSSD Two-Way Gram, indicating that the participant has cooperated, the EW must:

	• Remove the 25% penalty effective the first of the following month in which the participant cooperated; or • Effective the date the penalty was imposed if the penalty was found to be in error. See **Sanctions/Penalties/POI** for LEADER procedures
CW 82-512 – Exemption from Cooperation Requirements	**What is "good cause"?** Sometimes opening a child support case may not be in the best interest of the child(ren). Applicants/participants are exempt from cooperating if they have a "good cause" for not cooperating. CSSD will not pursue child support when "good cause" exists. When "good cause" exists, any existing child support case is closed by CSSD.
	What are the reasons for claiming "good cause"? Reasons for claiming "good cause" include: • Cooperation would increase the risk of physical, sexual or emotional harm to the child(ren) (because the batterer may learn of an open child support case); • Cooperation would increase the risk of domestic abuse for the parent/caretaker relative (because the batterer may learn of an open child support case); • The child(ren) was conceived due to incest/rape. • Court proceedings are going on for the adoption of the child(ren). • The applicant/participant is working with an adoption agency to resolve the issues of whether to keep/relinquish the child for adoption. • Other credible reasons why cooperation would not be in the best interest of the child(ren).

	<u>Who determines if "good cause" exists?</u> Only the EW can determine if "good cause" exists. The EW must explore if "good cause" exists when: • The applicant/participant indicates that he/she has a "good cause" for not cooperating; or • When a Child Support Actions and CW 371 forms received indicate that the participant has not cooperated; or • When a CW 371 received from CSSD indicates that "good cause" may exist due to the participant's statement/report.
CW 82-514 – Evaluation of Good Cause	**<u>How does an applicant/participant claim "good cause"?</u>** A claim for "good cause" can be requested at any time, the applicant/participant must: • Complete and sign in duplicate the CW 51(out of drawer), Child Support – Good Cause Claim for Non-cooperation, in his/her primary language. • Provide documentation within 20 days (control with FAC) of claiming "good cause". For cases in which it is difficult to obtain supporting evidence, the EW must allow additional (reasonable) period of time, following up in another 30 days to check for the receipt of the verification (via FAC). The EW must: • Ensure that the applicant/participant understands his/her rights for non-cooperation. • Review the "good cause" criteria. • Ensure that the applicant/participant understands that documentation for "good cause" must be provided within 20 days from the day the claim for "good cause" was made (via FAC).

	• Ensure that the applicant/participant understands the services (i.e., community, legal, etc.) that are available to assist him/her in obtaining the necessary documentation. **NOTE:** When "good cause" is claimed or has been granted, **<u>Do not refer</u>** the applicant/participant to the CSSD collocated staff for interview or to a CSSD division.
	<u>What is acceptable documentation when "good cause" is claimed?</u> The following describes acceptable documentation: • Birth certificates, medical/mental health, rape crisis, domestic violence program, or police/sheriff records that show that the child(ren) was conceived due to incest or rape. • Records that show applicant/participant has asked for help for abuse to him/her and/or the child(ren); or records that show evidence of abuse. These records can be from police/sheriff, governmental agency, or court records; facts from a domestic violence program/professional with knowledge that he/she has asked for help in dealing with abuse; physical evidence of abuse, or any evidence that supports an exemption from the cooperation rules. • Court documents or other records that show that a legal adoption is pending in court. • A written statement from an adoption agency confirming that applicant/participant is being helped to decide whether to keep or place the child(ren) up for adoption. • Credible sworn statements via **PA 853** (out of drawer), **Affidavit**, about the history of abuse or the increased risk of abuse from either the applicant/participant or other individuals with knowledge about the circumstances for the claim of "good cause".

	What services are available when the applicant/participant needs help getting documentation for "good cause"? When the applicant/participant claims "good cause", he/she may have difficulty getting documentation and/or is not aware of the services that are available. The EW must: • Clearly explain the services (i.e., community, legal, etc.) to assist him/her in obtaining the necessary documents. • Refer/assign to a Specialized Supportive Services EW when cooperation would place the applicant/participant family at risk of abuse. • Allow additional time and closely monitor the case when the applicant/participant cannot provide the documentation (evidence) within 20 days (via FAC) from the day the claim for "good cause" was made. Follow up the case in another 30 days to check for the receipt of the documentation (via FAC).
	What community agencies are available when the applicant/participant needs assistance with "good cause"? The following services are available when the applicant/participant needs assistance in obtaining documentation for "good cause": • 211 of Los Angeles County– o 211, or for the hearing impaired TTY (800) 660-4026 • Legal Services – o American Civil Liberties Union – (213) 977-9500 o Asian Pacific American Legal Center – (213) 977-7500 o Bet Tzedek Legal Services – (323) 939-0506

	o Community Legal Services – (714) 571-5231 o Legal Aid Foundation of LA – (800) 399-4LAW o Neighborhood Legal Services of LA County – (800) 433-6251 o Public Counsel – (213) 385-2977 • <u>Other Services</u> - o Domestic Violence Hotline – (800) 978-3600 o Health Consumer Center – (800) 896-3203 o Maternal and Child Health Access – (213) 749-4261 o Women Helping Women Services – (323) 655-3807 o Rape or Sexual Abuse Hotline – (800) 585-6231 **NOTE:** Action is not taken if the applicant/participant does not follow up on an agency referral.
	<u>What is the process for informing CSSD when an applicant/participant has claimed "good cause" for not cooperating?</u> The EW must: • Forward the CW 51(approved by ES) and CW 371 to the district Child Support Liaison within 2 work days of receipt. The CW 371 must indicate one of the following: 1) Claimed – "good cause" is pending, 2) Granted – "good cause" exists, or 3) Denied – "good cause" does not exist. **NOTE:** Applicants/participants who are denied "good cause" must be referred to CSSD collocated staff for an interview as needed.

	• When the claim is pending, the "good cause" determination must be completed within 20 calendar days from the date the CW 51 was received unless the applicant/participant needs more time to provide information. The updated CW 51 and CW 371 must be forwarded to the district Child Support Liaison indicating whether the claim was subsequently granted or denied; **NOTE:** A referral to the CSSD collocated staff for interview must not be made when "good cause" has been granted or the claim is pending. • Update "good cause" information on LEADER; • Enter the outcome in "Case Comments" (i.e., "good cause" claimed, etc.). The Child Support Liaison must: • Maintain a log of CW 51s and CW 371s received; • Ensure all information on the forms is legible and completed appropriately; • Scan forms and **E-mail** them to the corresponding CSSD Child Support Liaison within 2 work days of receipt (forms should not be forwarded to CSSD collocated staff); and • Forward to ES any CW 371s received from CSSD Child Support Liaison requesting a "good cause" evaluation. Control via FAC, for good cause evaluation by EW within 20 days.

CW 82-600 CONDITIONS OF ELIGIBILITY/COOPERATION/SANCTIONS

CW 82-610 – Potentially Available Income	**<u>Can aid be granted when a mandatory Assistance Unit (AU) member fails to apply or accept potentially available income?</u>** No, LEADER will deny/discontinue Aid when a mandatory AU member does not apply or accept potentially available income. See ***CW 82-800 Assistance Unit*** for more information.
	<u>Can aid be granted when an optional person fails to apply/accept potentially available income?</u> Yes, aid may be authorized. However, the optional person who refuses to apply or accept income that is potentially available is deleted/removed from the grant by LEADER. See ***CW 82-800 Assistance Unit*** for more information.
	<u>What is available income?</u> Any income that the applicant/participant may potentially receive is considered available to the AU.

	<u>What are examples of available income?</u>
	
	Available income may include:
	
	• <u>Social (State) Insurance Benefits</u>
	  o Old Age Security and Disability Insurance (OASDI)
	  o Unemployment Insurance Benefits (UIB)
	  o Disability Insurance Benefits (DIB)
	
	• <u>Military Benefits</u>
	  o Available to veterans (their spouses/dependents) of military service
	  o Available to active members (their spouses/ dependents) of military service

	• <u>Retirement Benefits</u> o Railroad retirement o Union retirement o Private pension • <u>Insurance Benefits</u> o Life insurance disability • <u>Worker's Compensation Benefits</u> • <u>Debts/Other Income</u> o Any outstanding debts owed to the applicant/participant. o Any other available unearned income. **NOTE:** Available income may not be budgeted unless it can be reasonably anticipated. By definition, income can be reasonably anticipated when: • the gross amount AND the expected date of receipt are known; and • the AU is reasonably certain that the income will be received within the QR payment quarter. See **OPS 23-110.30 Reasonably Anticipated Gross Income** for more information. See ***CW 44-100 Income*** for more information.
	<u>Is the applicant/participant required to apply for income that is potentially available to the Assistance Unit (AU)?</u> Yes, the applicant/participant is required to take all action necessary to obtain income that he/she is potentially eligible to receive. In addition, the applicant/participant must provide verification/documentation that he/she has applied/accepted/received income that is available to the AU. **NOTE:** All case records must be reviewed at intake or at redetermination for potential receipt of income.

	When is an applicant/participant "apparently eligible" for Disability Insurance Benefit (DIB)? Individuals are "apparently eligible" for DIB if they have worked full or part-time within the past 19 months in employment covered by the Unemployment Insurance Compensation Law and: • Are unemployed due to a medical condition that prevents them from doing their regular work; and • Are under doctor's care. This includes chiropractors, podiatrists, dentists, optometrists, psychologists, etc.
	What is the referral process for a veteran or a dependent of a veteran? An Assistance Unit (AU) or Non-AU member (including an absent parent) who is a veteran or a dependent of a veteran (spouse, child or parent) and is not currently receiving veterans' benefits is referred to the County Veterans Service Office (CVSO) via the CA/CW 5 (LEADER generated), Veterans' Benefits Verification and Referral. Processing the CA/CW 5 1. The CA/CW 5 is a one-time only referral process and is not initiated if the individual is still on active duty or one of the following is not known: • Veteran's Social Security Number (SSN) and Date of Birth (DOB); or • Veteran's Military Serial Number; or • Veterans Administration (VA) Claim Number. 2. Under the Veterans Administration (VA) criteria, the term "child" means an unmarried person who is: • Under the age of 18; • Under age 23 if attending a school that has been approved by the VA; • A child over 18 where, prior to attaining age 18, became permanently incapable of self-support due to a mental or physical disability.

	3. The CA/CW 5 form is used to verify receipt of and/or the amount of veterans' benefits only when the applicant/participant cannot provide a current award letter or the benefit check. **NOTE:** If the CA/CW 5 form is not initiated, enter in the "County Use Only" section of the SAWS 2 and in "Case Comments" stating why a referral was not initiated and place the form in the case file.
CW 82-612 – Unemployment Insurance Benefits (UIB)	**What action is taken when an applicant/participant does not apply for Unemployment Insurance Benefits (UIB)?** LEADER denies or discontinues Aid when an applicant/participant who has been referred to Employment Development Department (EDD) fails to apply/accept or fails (without good cause) to meet the conditions of eligibility for UIB.
	Who is referred to Employment Development Department (EDD)? All mandatory persons who are in the Assistance Unit (AU) are referred to EDD when they are apparently eligible and have not applied for Unemployment Insurance Benefits (UIB). See ***CW 82-800 Assistance Unit*** for more information.
	If an applicant/participant has not worked in the last 19 months, should he/she be required to apply for Unemployment Insurance Benefits (UIB)? No, the applicant/participant must be apparently eligible for UIB. The EW should not require an applicant/participant to apply for UIB when he/she: • Has not worked in employment covered by the Unemployment Insurance Compensation Law in the past 19 months. • Is receiving UIB/Disability Insurance Benefits (DIB) or has a UIB/DIB claim which is being processed or has exhausted UIB/DIB benefits. • Is ill or injured.

	• Has been denied/discontinued from UIB benefits and has no subsequent employment that would change the UIB action. • Is employed 40 hours a week. • Is participating in a strike.
	What action is taken when a participant fails to meet a UIB requirement? LEADER will fail and discontinue aid to a participant who is required to apply for or accept UIB, and fails to do so, at the end of the current quarter. The participant's aid can be rescinded the first day of the month that he/she complies with the UIB requirements. Based on the Unemployment Insurance eligibility criteria, an unemployed individual is eligible to receive unemployment benefits in any week only if he/she meets a condition of eligibility which may include: • Submitting a claim(s); and • Registering for work; and • Continuing to report; and • Is able/available to work; and • Is unemployed for a waiting period of one week; and • Conducting a search for suitable work in accordance with EDD.
CW 82-614 – Good Cause	**Can an applicant/participant claim good cause for failing to meet a condition of eligibility for UIB?** Yes, the EW must determine whether good cause exists for an applicant/participant who fails to meet a condition of eligibility for UIB when the applicant/participant is: • Apparently eligible for UIB; and • Required to register for work.

	Examples of good cause may include: • Illness/incapacity; or • Court-related appearance or incarceration; or • Emergency family crisis or sudden change of immediate family circumstances; or • Breakdown in transportation arrangements with no readily accessible alternate means of transportation; or Breakdown in childcare arrangement or availability of childcare not suited for special needs of child (handicapped, mentally challenged, etc.).
CW 82-620 – Intentional Program Violation (IPV)	**How is the EW notified when an IPV has been imposed?** WFP&I will notify the District Director when an individual in the Assistance Unit (AU) has committed an Intentional Program Violation (IPV). IPV Process Following the court conviction of a current (active) or former (inactive) participant, the Welfare Fraud Investigator will: • Determine the amount (more/less than $5,000); and • Determine the term of the penalty (six/twelve months, etc.); and • Update and enter the information on the LEADER Sanction Information screen, but **will not run SFU/EDBC**. District Fraud Liaison When an IPV has occurred, the District Director (DD) will receive a confidential memorandum (IPV Notification Memo) from the WFP&I Director with case information and instructions. The DD must **immediately** forward the confidential notification to the designated District Fraud Liaison (DFL).

	Upon receipt of the confidential notification from the DD, the DFL must **<u>immediately</u>** log each case with the following: • Case name, • Case number, • Status of case (active or closed), • Date of confidential memorandum, and • Date received from WFP&I. **NOTE:** All IPV penalties received from WFP&I must be processed within one day. • For Inactive (Closed) Cases: **<u>Immediately</u>** upon receipt, the DFL: • Logs case information; • Reviews and ensures that the LEADER Sanction Information screen is complete; • Makes two copies of the confidential memorandum; o Maintains one copy for district records; and o Files second copy in the historical case record (follow existing procedures to retrieve case from FKI). • For Active Cases: **<u>Immediately</u>** upon receipt, the DFL: • Logs case information; • Reviews and ensures that the LEADER Sanction Information screen is complete; • Makes four copies of the confidential notification: o Maintains one copy for control purposes; o Forwards three copies to the designated Fair Hearing (FH) EW. • Instructs the FH EW to **authorize** the

	case within one day and complete the appropriate Notice of Action (NOA);
	
	• Receives the confidential notification and a copy of the LEADER screen print from the FH EW;
	
	• Reviews LEADER to ensure that the case has been authorized;
	
	• Forwards a copy of the confidential notification and the LEADER screen print via a PA 6-1, Miscellaneous Transmittal (out of drawer) to the WFP&I Director via County Messenger;
	
	• If the case has been transferred to another district office:
	
	  o Ensures that the confidential notification is faxed to the DD in the new district location; and
	
	  o Notifies the WFP&I Director of the new case location.
	
	• If notified by the Intake/ICT EW that the application (Special Indicator) or the ICT packet (CA/CW 215) indicates an existing IPV penalty, the DFL must **immediately** notify the WFP&I section to impose the penalty.
	
	Fair Hearing (FH) EW
	
	Immediately upon receipt of the confidential notification from the DFL, the FH EW:
	
	• Verifies case status;
	
	• Reviews and ensures the LEADER Sanction Information screen is complete for each program;
	
	• Runs SFU/EDBC and authorizes the case;
	
	• Ensures that a timely and proper NOA is generated;
	
	• Completes “case comments”;

	• Prints a copy of the LEADER Sanction Information screen; • Forwards one copy of the confidential notification memorandum and the LEADER screen printout to the DFL; • Forwards a one copy of the confidential notification the Case-Carrying EW; • Files one copy of the confidential notification in a folder marked “IPV Penalties.” <u>Case-Carrying EW</u> • Upon receipt of a copy of the confidential memorandum from the FH EW, files in the case record. <u>Intake EW</u> <u>Each Application</u> • Reviews the LEADER **Special Indicator** for an IPV; • If the **Special Indicator** does not show an IPV, process the application; • If the **Special Indicator** shows an IPV, **<u>immediately</u>** copy the Special Indicator screen and forward to the DFL. <u>Inter-County Transfer EW</u> • If the incoming ICT (CA/CW 215) indicates an IPV penalty, the EW must immediately contact the DFL; • If the outgoing ICT has an individual in the AU with an IPV penalty, the CA/CW 215 must be annotated. See **Intentional Program Violation (IPV)** for LEADER procedures.
	<u>What action is taken when an individual has committed an IPV?</u> Individuals who fail to cooperate with certain program requirements are penalized rather than

	sanctioned. LEADER determines the individual's income and needs. See ***CW 44-100 Income*** for more information. See **Intentional Program Violation (IPV)** for LEADER procedures.

CW 82-800 ASSISTANCE UNIT (AU)

CW 82-804.1 - Caretaker Relative Requirements	**What are the caretaker relative requirements?** A caretaker relative must be **related** within the 5th degree by: • Blood (biological); • Marriage; or • Adoption. See **Household Relationship Screen – Completion** for LEADER procedures.
	Is legal guardianship a requirement before a caretaker relative can apply/receive aid for a child? **No**, a caretaker relative is not required to be the child's legal guardian or have formal legal custody to receive CalWORKs. See **Household Relationship Screen Completion** for LEADER procedures.
CW 82-808.1 - Relationship of a Caretaker Relative	**Which biological relatives can apply/receive aid for an eligible child?** The following biological relatives are related within the 5th degree and can apply/receive aid for an eligible child: 1st Degree • Parent 2nd Degree • Grandparent • Sibling 3rd Degree • Great-Grandparent • Uncle or Aunt • Nephew or Niece 4th Degree • Great-Great Grandparent • Great-Uncle or Great-Aunt • First Cousin 5th Degree • Great-Great-Great Grandparent • Great-Great Uncle or Great-Great Aunt • First Cousin's Children

	NOTE: LEADER determines if the relationship is within the acceptable degree when the relationship of the child is linked to the caretaker. See **Household Relationship Screen – Completion** for LEADER procedures.
	Which step-relatives can apply/receive aid for an eligible child? The following step-relatives are related within the 5th degree and can apply/receive aid for an eligible child: • Step-father • Step-mother • Step-brother • Step-sister
	Can a spouse of a person who is related within the 5th degree be a caretaker relative? Yes, a **spouse** of a person who is within the 5th degree (biological or a specified step-relative) can be a caretaker relative. This applies even after the marriage has been terminated by death or divorce. **EXAMPLE** The former wife of the child's great uncle can be a caretaker relative. **EXAMPLE** The husband of the child's step-sister can be a caretaker relative.
	Can a person who legally adopts a child be a caretaker relative? Yes, a person who legally adopts a child or that person's relatives (within the 5th degree or a specified step-relative) can be a caretaker relative. This applies even after the child has been relinquished, adopted or the parental rights are terminated.

	What are examples of persons who do not meet the relationship requirement for CalWORKs? A person **other than** the spouse of relatives within the 5th degree, **cannot** be a caretaker relative. **EXAMPLE** The mother of the eligible child's step-father cannot be a caretaker relative. **EXAMPLE** The sister of the eligible child's step-mother cannot be a caretaker relative.
CW 82-808.11 – Acceptable Verification	**What is acceptable relationship verification?** The following verification/evidence from a caretaker relative may include: • Adoption papers or records; • Birth certificate(s); • Baptismal records of birth and parentage; • Bureau of Vital Statistics or local government records of birth and parentage; • Census records; • Church records (including a statement from priest, minister, etc.) of parentage or relationship; Hospital or public health records of birth and parentage; • Court records of parentage (including Minute Order, Court Report, etc.); • Court support records; • Day care center records; • Divorce papers; • Family Bible. • Indian census records; • Insurance policy; • Juvenile court records (including DCFS documents); • Marriage licenses or records; • Outpatient care records maintained by a hospital, clinic or physician; • Paternity records maintained by a Child Support Agency; • School records; or

	• Voluntary social service agency records;
	<u>What if the caretaker relative is unable to provide the verification?</u> It is the caretaker relative's responsibility to provide verification that is accessible/available to him/her. However, when efforts to obtain verification that is accessible have failed, a PA 853 (out of drawer), Affidavit, signed by the caretaker relative is acceptable when: • Verification/evidence is not currently accessible/available; • The attempts to obtain verification are documented in the case record; and • Evidence is not conflicting. **NOTE**: This is not a PA 853-1, Affidavit to Document U.S. Citizenship, Identity and Birth. **<u>EXAMPLE</u>** The applicant states that she is the paternal aunt and provides the birth certificate for herself, her brother (presumed father) and the child. The name of the child's father is not on the birth certificate. <u>Evidence **is not** conflicting, a PA 853, Affidavit, is acceptable</u> and aid should be approved (provided all other eligibility requirements are met). A referral to the Child Support Services Department (CSSD) for paternity establishment should be initiated with a follow up by the EW. **<u>EXAMPLE</u>** The applicant states that she is the paternal grandmother and provides the birth certificate for her son (presumed father) and the child. The father on the child's birth certificate is someone other than the applicant's son and there is no other evidence supporting the applicant's claim (e.g., court records). <u>Evidence **is** conflicting, a PA 853, Affidavit, is not acceptable</u> and aid cannot be approved. However, a referral to CSSD should be initiated to assist the family with paternity establishment.

	EXAMPLE The applicant states that she is the maternal aunt but does not have the birth certificate for the child or the child's mother. She only has some notes from the child's recent doctor appointment. Evidence **is not** conflicting, a PA 853, Affidavit, is acceptable and aid should be approved (provided all other eligibility requirements are met). A PA 853-1, Affidavit to Document U.S. Citizenship, Identity and Birth, should be obtained for the child and verified by initiating a PA 230, Request for Verification/Certification of Evidence.
	Is the PA 853-1, Affidavit to Document U.S. Citizenship, Identity and Birth, used to verify relationship? No, the PA 853-1 is used to provide interim documentation of citizenship. The PA 853-1 is used when an applicant declares himself or herself to be a citizen by birth of the United States (US) or US territory and other verification such as birth certificate is not available. A PA 230, Request for Verification/Certification of Evidence, should be submitted to verify the information on the PA 853-1 forms completed. Relationship is verified via any of the acceptable verification documents. See ***CW 82-808.11 – Acceptable Verification***, for more information. See ***CW 42-111 – Establishing a Child's Age/Existence*** for more information.
	What other programs/services are available to a caretaker who does not meet the relationship requirement for CalWORKs? Non-relatives or distant relatives that do not meet the degree of relationship for CalWORKs may be able to receive other benefits including state-funded Foster Care. They should be referred to: • Alliance for Children's Rights – (213) 368-6010 • Bet Tzedek Legal Services, Kinship Care

	Project – (323) 549-5879 • Public Counsel Law Center, Children's Rights Project – (213) 385-2977 • Legal Aid Foundation of Los Angeles (LAFLA), Government Benefits/Foster Care – (213) 640-3883 • DCFS Kinship Resources Center Toll-Free Number 888-694-7263 • Community College Foundation, Kinship Education Preparation and Support (KEPS) – (818) 501-1940 • DCFS Kinship Resource Center (Grandma's House) – (562) 777-1751 or (323) 298-3515 • Relative Caregivers Assistance Program (323) 563-3794 These entities provide a variety of services to caretakers, including referral services, support groups and resource information.
	What is a non-needy Caretaker Relative? A non-needy caretaker relative is a non parent caretaker related to the child who is excluded from the AU. A non-needy caretaker relative receives aid for the child only and not himself/herself. A caretaker relative who is caring for a CalWORKs eligible child can choose to be included or excluded from the Assistance Unit (AU). See **Non-Needy Caretaker Case – Establish on LEADER** for procedures.
	Are non-needy caretaker relatives required to provide proof of their income, resources and property? No, non-needy caretaker relatives do not need to meet the CalWORKs eligibility requirements (e.g., income, property resources, etc.) in order to receive aid for the child. They only need to meet the degree of relationship for CalWORKs. Only the income and resources of the eligible child (if any) are considered.
	Is the income of a non-needy caretaker relative used in the CalWORKs grant computation?

	No, the income of a non-needy caretaker relative is not used in the CalWORKs grant computation. The exact relationship of the child to the caretaker must be entered onto LEADER. When a non-needy caretaker status is correctly entered on LEADER, the non-needy caretaker's income will not be considered in the CalWORKs grant computation. See **Non-Needy Caretaker Case – Establish on LEADER** for procedures.
	Are non-needy caretaker relatives penalized if they do not cooperate in the Child Support Enforcement Program? No, although non-needy caretaker relatives are referred to the Child Support Services Department (CSSD) collocated staff for the opening of a child support case (unless "good cause" exists), they are not required to cooperate. If a non-needy caretaker does not cooperate, the 25% child support grant penalty does not apply. See ***CW 82-500 Child Support Enforcement Program*** for additional information
	What is a "needy" Caretaker Relative? A "needy" caretaker relative is a non-parent caretaker related to the child and is included in the AU.
	Is a needy caretaker relative eligible when the only child in his/her care receives SSI? Yes, a needy caretaker relative can receive the "Exempt" MAP for an Assistance Unit (AU) of 1 when he/she is caring for an: • SSI/SSP child; • Foster Care (FC) child; or • Kinship Guardianship Assistance Payment (Kin-GAP) child. See ***CW 89-110.2 Exempt/Non-Exempt Assistance Units (AU)*** for more information.

	See ***CW 44-317.6 – Foster Care/Kin-GAP***, for more information. See ***CW 82-820.22 – Kin-GAP Program***, for more information.
	Are needy caretaker relatives required to meet all CalWORKs eligibility requirements? Yes, in addition to meeting the relationship requirement, needy caretaker relatives must meet all other CalWORKs eligibility requirements including proof of income, property and resources.
	Is the income of a needy caretaker relative used in the CalWORKs grant computation? Yes, the income of a needy caretaker relative is used in the CalWORKs grant computation.
	Can CalWORKs be approved for the child when the caretaker relative is not eligible? Yes, aid for the child should be approved (provided he/she meets the CalWORKs eligibility requirements) when eligibility for the needy caretaker cannot be established. **EXAMPLE:** The caretaker relative (child's aunt) is requesting aid for the child and herself. She earns $250 weekly. The caretaker relative is not financially eligible due to her income. Aid is approved for the child only. The caretaker will be non-needy (not aided). **EXAMPLE:** The caretaker relative (child's 2nd cousin) is requesting aid for the child and himself. The caretaker relative refuses to provide a bank statement to verify his account balance. The caretaker is not eligible because his eligibility cannot be established. Aid is approved for the child only. The caretaker relative will be non-needy (not aided).
	Are needy caretaker relatives penalized if they do not cooperate in the Child Support

	Enforcement Program? Yes, needy caretaker relatives must cooperate (unless "good cause" exists) in the Child Support Enforcement Program. They are referred to CSSD for the opening of a child support case. If they do not cooperate, a 25% grant penalty is imposed. See ***CW 82-500 Child Support Enforcement Program*** for more information. See **Sanction/Penalties/POI** for LEADER procedures.
	Does the Department of Children and Family Services (DCFS) refer applicants for CalWORKs? Yes, DCFS refers caretaker relatives to DPSS to apply for CalWORKs benefits when the family appears to be eligible for CalWORKs and: • There is a pending Foster Care application; • Foster Care benefits are denied; or • A Foster Care application is not applicable or one has not been submitted. **NOTE:** DCFS ensures that a Foster Care application is completed via the SAWS 1 when the child is placed in the caretaker relative's home.
	What is the beginning date of aid for a child who has been denied Foster Care? See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	Is there a time limit for applying for CalWORKs when Foster Care benefits are denied? See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	Can CalWORKs benefits be restored for a period of time in which Foster Care benefits were denied?

	See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	<u>What is the beginning date of aid (BDA) for a child that has been placed by DCFS and who is aided in an existing CalWORKs case?</u> See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	<u>What is the beginning date of aid (BDA) for a child that has been placed by DCFS and is aided in an existing CalWORKs case for which a timely notice cannot be provided?</u> See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	<u>What is the beginning date of aid (BDA) for a child that has been placed by DCFS, is aided in an existing CalWORKs case in which the change was not reported and the new caretaker did not apply for CalWORKs in the quarter in which the child was placed?</u> See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	<u>What is the beginning date of aid (BDA) for a child that was removed by DCFS from one aided caretaker but not immediately placed with the new caretaker?</u> See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	<u>What is the beginning date of aid for a needy caretaker relative (non parent)?</u> See ***CW 44-317.1 – Beginning Date of Aid (BDA)***, for more information.
	<u>Can aid be approved when Foster Care benefits were denied and the child has been placed with a caretaker relative out of state?</u> Yes, when the child living in LA County is placed by DCFS with a caretaker relative out of state and there is no Foster Care eligibility, the family can receive CalWORKs benefits through

	DPSS. This is due to the "Interstate Compact" agreement. These cases are processed and centralized in the Metro Family District 13.
CW 82-808.2 - Determining the Caretaker Relative	**<u>What are the factors when determining responsibility for the care and control of the child(ren)?</u>** The EW must determine who the caretaker relative is by reviewing actual circumstance in each case to determine who exercises care and control for the child. The factors may include but are not limited to the following: • Deciding where the child attends school/child care; • Dealing with the school on educational decisions and problems; • Controlling participation in extracurricular and recreational activities; • Arranging medical and dental care services; • Claiming the child as a tax dependent; and • Purchasing and maintaining the child's clothing.
CW 82-808.4 - Alternating Arrangements	**<u>How is a caretaker relative determined when the child stays for periods of one month or less?</u>** If a child stays alternately for periods of one month or less with each of his/her parents who are separated/divorced, the caretaker relative is determined as follows: <u>Where the Child Stays</u> In most circumstances, the parent with whom the child stays for the majority of the time must be the caretaker relative. The temporary absence of the parent or the child from the home does not affect this determination. If the child stays for less than the majority of the time, that parent must establish that he/she has

	the majority of the responsibility for the care and control of the child. <u>Applying Parent</u> When the child spends an equal amount of time with each parent and each parent exercises an equal share of care and control of the child, the parent who applies for aid will be the caretaker relative. This applies only if the other parent is not currently applying for or receiving aid for the child. <u>Equal Time</u> When each parent exercises an equal share of care and control and each has applied for aid for the child, the caretaker relative is determined in the following order: • The parent designated in a current court order as the primary caretaker for purposes of public assistance under Civil Code Section 4600.5(h) which states: o In making an order of joint physical custody or joint legal custody, the court may specify one parent as the primary caretaker of the child and one home as the primary home of the child, for the purposes of determining eligibility for public assistance. • When no court order designation exists and only one parent is eligible for aid, that eligible parent is the caretaker relative. • When both parents are eligible for aid, the parents must designate one parent as the caretaker relative (via a CA/CW 13 (out of drawer), Caretaker Relative Agreement). • If the parents cannot reach an agreement, the parent who first applied for aid for the child is the caretaker relative.
CW 82-808.5 - Number of Caretaker Relatives	**<u>Can an eligible child have more than one caretaker relative?</u>** No, an eligible child can only have one

	caretaker relative (non-parent) at one time. **EXAMPLE** The eligible child lives with his grandparents. Only one grandparent (grandmother or grandfather) can be the caretaker relative and be aided.
CW 82-812.1 - Temporary Absence	**How long can a member of the AU be temporarily absent from the home and still continue to receive aid?** Any member of the AU can be temporarily absent. The absence from the home may be for one full calendar month or less, unless the AU member meets a specific exception.
	Can temporary absence rules be applied at intake and approved? Yes. Temporary absence rules can be applied at intake and approved.
CW 82-812.2 - Living with Caretaker Relative	**When a child is temporarily absent from the home, is the child considered living in the home?** Yes, a child is considered to be living in the home of a caretaker relative even when the child and/or the caretaker relative are temporarily absent from the home.
CW 82-812.3 - Care & Control	**When a child is temporarily absent, what are the caretaker relative's responsibilities?** For a child to be considered temporarily absent from the home, the caretaker relative must continue to exercise responsibility for the care and control of the child. These may include but are not limited to: • Deciding where the child attends school/child care; • Arranging medical and dental services; • Purchasing and maintaining the child's clothing.

	Refer to ***CW 82-808.2 Determining the Caretaker Relative*** for details.
CW 82-812.4 - Determining Factors	**What are the factors for evaluating temporary absence?** The factors that the EW must determine may include: • The actual family circumstances (even if it is inconsistent with a court custody order); • If the caretaker relative is involved in making the major and minor decisions regarding the child; • If the individual has the ability to return or the caretaker relative has the ability to require the return of the child to the home; • If the individual intends to return to the home; • If the individual is contributing to the costs for the child's needs.
CW 82-812.5 - One Full Calendar Month	**What is the definition of one full calendar month?** One full month begins on the first of the month through the last day of the month. **EXAMPLES** Example 1 On February 2nd, a member of the AU leaves the home to visit an uncle in Nevada and returns on March 16th. The person was not gone for one full calendar month and would be considered temporarily absent from the home. Example 2 On April 16th, a member of the AU leaves home because of a death in the family. The person does not return until June 3rd. The person was gone more than one full calendar month and is not eligible for aid in June. Example 3

	In a non-leap year an individual leaves the home on February 1. The individual is not considered permanently absent until March 3rd, after 30 days away from the home.
CW 82-812.6 – Exceptions to One Full Calendar Month	**<u>What are the exceptions for absences exceeding a full calendar month?</u>** The following exceptions must be permitted for members of the AU: <u>Child in a Public Hospital</u> A child in a public hospital is considered temporarily absent for up to two full calendar months. <u>Hospitalization</u> An individual hospitalized, other than a child in a public hospital, may be considered temporarily absent for the duration of the hospital stay. Hospitalization may be in a medical hospital, psychiatric care facility or drug and/or alcohol rehabilitation treatment facility. <u>Employment</u> An individual absent from the home due to employment may be considered temporarily absent for the duration of the employment/job activity (such as training or job search). <u>School or Vocational Training</u> An individual absent from the home due to school attendance or vocational training, leading to a high school diploma or employment, may be considered temporarily absent for the duration of the schooling or specific training only when a school or training program is unavailable near the person's home. <u>Child with Special Needs</u> A child who attends a school that meets his/her special needs is considered temporarily absent for the duration of the schooling when no school nearby can provide the specialized program to allow the child to remain in the home.

	Child in a Group Home A child who is in a licensed group home due to a crisis situation (i.e., hospitalization or incapacity of the parent, parents receiving respite services to maintain family stability, etc.) is considered temporarily absent for the duration of the crisis if no Foster Care (FC) is paid for the child and the caretaker relative retains care and control concerning any major health and welfare decisions.
	Can an individual in a correctional facility qualify for an exception? There is no exception for an individual confined in a correctional facility on the first of any month and expected to remain for one full calendar month. The individual is considered permanently absent and becomes ineligible on the first of the month. If this individual is the only eligible child in the home, aid must be discontinued. See ***CW 44-350 Overpayments*** for more information.
	When a parent(s) or caretaker relative with mental health problems is hospitalized, how is the temporary absence evaluated? There may be situations when a participant may need to be hospitalized to receive treatment for mental health and/or substance abuse problems in order to accept or maintain employment or participate in other GAIN activities. When this occurs, participants may be considered temporarily absent for the duration of the hospital stay, even if it exceeds the full calendar month limit. However, the individual must continue to meet the other determining factors of temporary absence. These factors include: • The individual has the intent to return home; • The individual has the ability to return to the home; • The caretaker relative continues to exercise

	the primary responsibility for care and control of the child(ren) by being involved in major and minor decisions regarding the child's welfare and/or contributing to the costs for the child's needs. See ***CW 82-808.2 Determining the Caretaker Relative*** for more information, The EW (on a case-by-case basis) must evaluate each situation. A single factor may not be conclusive in making this determination.
	How long can a parent who is hospitalized remain in the AU? A parent who has been hospitalized will remain in the AU as long as he/she continues to meet the definition of a caretaker relative who is otherwise eligible and the parent and child(ren) are living in the same home.
	Can a second parent who is hospitalized be considered temporarily absent from the home? A mandatory included person living in the home, who is hospitalized, such as a second parent who is not the caretaker, may also be considered temporarily absent without consideration of care and control of the child(ren). See ***CW 82-820.2 Mandatory Inclusion*** for more information.
	Can a parent or caretaker relative who is called back to active duty be considered temporarily absent from the home? Yes, when the sole reason for the absence is the performance of military duty, a parent/caretaker relative recipient can be considered temporarily absent from the home for as long as the active duty status exists. In addition, the parent/caretaker must maintain care and control of the child(ren) and he/she must intend to return home and there must be no severance of family ties. Any income received the parent is counted as available to the AU.

	See ***CW 44-101 Income*** for more information. See **Income – Earned** for LEADER procedures.
	<u>Can a participant who joins the National Guard or other branch of military service be considered temporarily absent from the home?</u> Yes, CalWORKs regulations do not differentiate between joining and being recalled – both can be considered temporary absences. If the basis of deprivation were the unemployment of the PE, the family would remain eligible until income exceeds limits. **<u>EXAMPLE</u>** The unmarried father in a two-parent family joins the Marines and leaves. His military pay is projected at $1,300 a month, which would make the family financially ineligible. The father has his allotment placed in a direct deposit account that the mother cannot access. In this case scenario, the EW must determine whether this is temporary or continuous absence. If the father is temporarily absent, there is no separation from his family and he intends to return, his income would make the entire AU financially ineligible. However, if there is a separation (he is not providing for his children) and he does not intend to return to the home, continuous absence can be found. If the EW documents abandonment by the absent parent, the mother and the child may be aided. A change in deprivation would occur and the father would be removed from the AU. Additionally, the mother must agree to assign all child support rights to the County. See ***CW 44-101 Income*** for more information. See ***CW 41-401 Deprivation Factors*** for more information. See ***CW 82-500 Child Support Enforcement*** for more information. See **Absent/Unmarried Parent Screens** for

	LEADER procedures. See **Income –Earned** for LEADER procedures.
	<u>Can a parent who is in a rehabilitation facility be considered temporarily absent?</u> Yes. Temporary absence rules apply to participants who are in a rehabilitation facility. See ***CW 82.812.6, Exceptions to One Full Calendar Month, Hospitalization***, for more information.
	<u>Does temporary absence apply to an optional member of the AU, such as a stepparent, who is called back to active duty?</u> After evaluating the factors for temporary absence, the EW may determine that the optional member of the AU is temporarily absent from the home. However, if temporary absence is documented, any income from the member will be counted to the AU. See ***CW 44-101 Income*** for more information. See **Income – Earned** for LEADER procedures**.**
CW 82-812.68 – Children Receiving Out-of-Home Care (Family Reunification Plan)	**<u>When all the eligible children are removed from the home and placed in foster care, can the parent continue to receive benefits?</u>** When all eligible children are removed from the home and placed in foster care by the Department of Children and Family Services (DCFS), eligibility to CalWORKs cash aid and Medi-Cal stops. However, the parent(s) are eligible to continue to receive CalWORKs services if there is a family reunification (FR) plan (i.e., a plan to return the children to the home). DCFS and GAIN Services Workers (GSWs) will coordinate the services for the family, keeping the EW informed on the status of services. **NOTE:** LEADER will determine ongoing eligibility for Food Stamps.

	What kind of CalWORKs services can the parent receive? A parent can receive welfare-to-work and supportive services. The GAIN Services Worker (GSW) will coordinate CalWORKs services with Department of Children and Family Services (DCFS) Family Reunification (FR) plan (e.g., mental health or substance abuse services). **NOTE:** A QR 7 is not required unless the parent is receiving Food Stamps.
	How long can the parent(s) receive CalWORKs services? CalWORKs services will generally continue for six months; however, the services can be extended for an additional six months provided the parent remains otherwise eligible to CalWORKs. A six month eligibility redetermination would be required in this situation. The Department of Children and Family Services (DCFS) may continue Family Reunification (FR) services beyond the six month period for up to another six months. The six month duration must be controlled manually using a LEADER "Reminder" control. At the end of six months, the Supportive Services EW must contact the GAIN Services Worker (GSW) to determine if CalWORKs services will be extended or discontinued. If they are to be extended, a face-to-face redetermination is required.
	What are the eligibility requirements for continuation of CalWORKs services? Eligibility for Family Reunification (FR) CalWORKs services exists when all the following conditions are met: • All eligible children have been removed from the home and placed in out-of-home care;

	• The Assistance Unit (AU) (including the parent) was receiving CAlWORKs cash assistance when the child(ren) was removed from the home. An SSI, undocumented non-citizen or an adult who have reached their 60 month CalWORKs time limits are not eligible for family reunification (FR) services; • DCFS has determined that CalWORKs services are necessary for FR.
	When a child(ren) is removed from the home, can the parent(s) apply for General Relief (GR)? Yes, as an adult, the family reunification (FR) parent may be eligible for GR; if the parent requests cash aid, he/she should be referred to the appropriate GR office to apply for aid.
	How is the EW notified when there is a family reunification (FR) plan? DCFS will notify GAIN when it is determined that CalWORKs services are needed as part of the FR plan, using the DCFS 5230, AB 429 Notification Gram to DPSS GAIN Services Workers. GAIN will then send the DCFS 5230 to the Administrative Deputy in the appropriate district. The case-carrying EW must immediately: • Remove the child(ren) from the home; • Set the *Family Reunification* indicator; • Enter "Case Comments"; • Transfer case to Supportive Services EW per existing case transfer instructions, ensuring that the DCFS 5230 is attached to the top of the paper case.
	What are the responsibilities of the Supportive Services EW? Since CalWORKs on family reunification (FR) cases are terminated on LEADER, the Supportive Services EW must manually track FR activities on the FR Log.

	<u>Supportive Services EW</u> Upon receiving a FR case from the case-carrying EW, the Supportive Services EW must: • Review the LEADER case information and complete case identifying information in the 1st five (5) columns on the log; • Set a LEADER follow-up "Reminder" for him/herself by completing information on the **Reminder Request** screen in the ***Future Action Controls*** subsystem on LEADER and transferring the "Display Due Date" (set for the 1st workday of the 6th month following the child(ren)'s placement) and transfer this information to the FR Log; • When the follow-up "Reminder" is received on LEADER, contact the GAIN Services Worker (GSW) for an update on the status of FR services: o Family to be Reunited – Update Case Comments and the FR Log. If all case segments are inactive, transfer the case to Suspense per existing procedures. If the Food Stamp segment is active, transfer the case to the appropriate District/File per existing procedures. o FR Plan is Terminated - Children to Remain in Foster Care – Update Case Comments and the FR Log and transfer case as outlined in "Family to be Reunited" above. o FR Plan is Extended – DCFS is recommending that the FR plan be extended for an additional six months. This will require a manual CalWORKs redetermination. Update the FR Log and: ▪ Schedule a "Verification Return" appointment on LEADER;

	▪ Manually assemble and mail a redetermination packet ensuring that the Appointment notice is on top. The packet must include a PA 2322, Forms/Documents Needed from Applicant/Recipients, a SAWS 2, Statement of Facts for Cash Aid, Food Stamps and Medi-Cal, a DFA-A2, Application for Food Stamps (if segment is active) and a PA 481, Primary Language Designation Form. • When the participant arrives for the special CalWORKs redetermination interview, review all the documents with them and make any necessary changes on LEADER. **NOTE:** Do not start the Redetermination Driver queue <u>unless</u> Food Stamps are active and a Food Stamp recertification is due at the same time. • Manually calculate CalWORKs income eligibility at the special six month redetermination as follows: o Determine the AU's net nonexempt income (NNI) after applying all appropriate disregards. o Compare the NNI to the MAP for the family (including the children in Foster Care). o If the NNI does not exceed the MAP, the AU remains eligible to FR services. • After completing the special CalWORKs redetermination and participant is CalWORKs eligible, update the FR Log and transfer the case as outlined in "Family to be Reunited" above. • If the participant is not CalWORKs eligible, immediately notify the FR case carrying GAIN Services Worker (GSW), update Case Comments and the FR Log. Transfer the case as outlined in "Family to be Reunited" above.

	See ***CW 44-100 Income*** for more information.
CW 82-820.2 – Assistance Unit (AU)	**<u>What is an Assistance Unit (AU)?</u>** An AU must have at least one of the following individuals: • One eligible child • A caretaker relative of an SSI/SSP child, Kin-GAP child or a child receiving foster care payments (i.e., Adoption Assistance Program [AAP]). • A pregnant woman. See ***CW 44-211.6*** for more information. • A relative of a GAIN sanctioned child. See **Household Relationship Screen** – **Completion** for LEADER procedures.
CW 82-820.22 – Kin-GAP Program	**<u>What is the Kin-GAP Program?</u>** The Kin-GAP Program is a program for children who are dependents of the court and who are placed with relatives who assume guardianship and choose to exit the foster care system. • Children who receive Kin-GAP cannot receive duplicate aid from CalWORKs. • A Kin-GAP child is considered an otherwise eligible child for purposes of establishing CalWORKs eligibility. • An Assistance Unit (AU) of one may be established for an otherwise eligible "needy" caretaker relative of a Kin-GAP child if the caretaker is not included in another AU.
CW 82-820.3 – Mandatory Inclusion	**<u>Who must be included and excluded from the AU?</u>** The AU must include the following persons when they are living in the same home: • The applicant child.

	NOTE: A child (except for an MFG) who receives income (i.e., child support, Social Security benefits, etc.) cannot be excluded from the AU. • Any eligible sibling or half-sibling of the applicant child who meets the age requirement. • Any parent (except for alternatively sentenced parents) of the applicant child or the applicant's child's eligible siblings or half-sibling who meet the age requirements.
CW 82-820.5 – Penalty	**What action is taken when a mandatory included person refuses to be included?** The Aid is denied/discontinued when a mandatory included person refuses to be included in the AU.
CW 82-824.1 – Combining AUs	**When there are two or more AUs in the same home, are the AUs combined?** When there are two or more AUs in the same home, LEADER will combine the AUs when: • The parent/caretaker relatives are married to each other. • The parent/caretaker relatives have separate children with a child in common and deprivation exists. **EXAMPLE** The family consists of an unmarried couple with one child in common. The unmarried mother has separate children and the unmarried father is employed full-time. In this case scenario, the AUs are not combined because the child in common lacks deprivation. The AU would consist of the mother and her separate children. See ***CW 41-400 Deprivation*** for more information.
CW 82-828 – Optional Persons	**Who are optional persons?** The EW must explain to the

	applicant/participant the effects of including an individual who is not required to be in the Assistance Unit (AU). The explanation must include a description of the maximum aid that the family may receive if the optional person with income/resources is included in the AU. The following persons who are not required to be in the AU must be included upon request: • A non-parent caretaker relative. • Other eligible children (i.e., niece, nephew, etc.). • An essential person who meets the requirements (step-parent or a • Alternative Sentenced Person [ASP]) and: o Is related to a child in the AU; o Is related to a child who is receiving SSI or sanctioned by GAIN; and o Deprivation (i.e., death, unemployment, incapacity or absence) exists for the child(ren). **NOTE:** A child with income/property cannot be considered an optional person. See ***CW 41-400 Deprivation*** for more information.
CW 82-832 – Excluded Persons	**<u>Who must be excluded from the Assistance Unit (AU)?</u>** LEADER will determine when the following person must be excluded from the AU: • A child living with his/her minor parent who is receiving Foster Care or Kin-GAP. • A person who is not a U.S. citizen or does not have legal resident status. • The unborn child's father who is living in the home with the pregnant woman and is: o Not the parent or caretaker relative of an eligible child; or o Not an essential person.

	• A person who receives SSI/SSP, Kin-GAP or Foster Care. • A sponsored non-citizen whose needs are being met by a sponsor's deemed income. • The spouse of an eligible child, living in the senior parent's home and deprivation for the child in common does not exist. • A person who is fleeing to avoid prosecution, custody or confinement after conviction for a crime/attempt to commit a crime that is a felony. • A person who is violation of a condition of probation or parole. • A person who has been convicted in a state/federal court of a felony for possession, use or distribution of a controlled substance. The conviction must be after December 31, 1997. The term convicted also includes a plea of guilty or nolo contendere. • A person who has been sanctioned for: o Refusing to assign support rights. o Failing to cooperate in the verification of his/her citizenship or resident status. o Failing or refusing without good cause to meet GAIN (welfare-to-work) requirements. • A person who refuses/fails to furnish a Social Security number (SSN) or provide evidence of a completed application or does not cooperate in verifying a SSN. • A person who is a striker and is not a caretaker relative.
CW 82-832.1 – Kin-GAP	**<u>Can a child receive both Kin-GAP and CalWORKs?</u>** No, children who receive Kin-GAP cannot receive duplicate aid under CalWORKs.
CW 82-833 – Timed-Out Adults	**<u>When is a timed-out adult removed from the Assistance Unit (AU)?</u>**

	When an adult has received 60 months of CalWORKs. See ***CW 40-107 Time Limit Notification Requirements*** for more information. See ***CW 40-107.1 Time Limits Out of State/Other Counties Inquiries*** for more information. See ***CW 42-300 Time Limits Requirements*** for more information. See ***CW 44-352 Time Limits Overpayments*** for more information. See ***CW 44-133.8 Income and Needs of Time-Out Adult*** for more information.

CW 89-100 EXEMPT/NON-EXEMPT MAP AND RESTRICTED ACCOUNTS

CW 89-110.2 – Exempt and Non-Exempt Assistance Units (AU)	**<u>Which AU receives the higher (exempt) MAP amount?</u>** There are two MAP levels; most families receive the non-exempt (lower) MAP amount. In either case, LEADER determines the correct MAP amount. To receive the non-exempt MAP amount, each of the adult relative caretakers must meet one of the following exemption criteria: • Receives Supplemental Security Income/State Supplementary Payment (SSI/SSP); • Receives In-Home Support Services (IHSS) benefits; • Receives State Disability Insurance (SDI), Temporary Workers' Compensation (TWC), Temporary Disability (TDI) Indemnity benefits; or • Is a non-needy caretaker (non-parent) relative. See ***CW 44-300 Aid Payments*** for more information.
CW 89-130(a) – Restricted Accounts for Participants	**<u>What is a restricted account?</u>** In addition to the $2,000 property limit, a participant can keep up to $5,000 in a restricted (savings) account. The savings account can be in any financial institution, such as a bank, credit union, savings and loan, etc. The money saved in a restricted account can only be spent for one or more of the following expenses: • Purchasing a home; • Any education/vocational training expenses of the account holder or his/her dependents; or • Starting up a new business. **NOTE:** A restricted account does not apply to applicants.

CW 89-130(b) – Written Agreement	**<u>Is the participant required to sign an agreement?</u>** Yes, the EW must review the CW 86 (out of drawer), Agreement – Restricted Account CalWORKs Program, with the participant to ensure that he/she understands the restricted account rules and the penalties that may occur.
	<u>If there is a family emergency, can the money be withdrawn from the restricted account?</u> Before starting a restricted account, the participant should have cash and other resources to pay for unexpected expenses. The money cannot be used to pay for emergencies, not even when the emergency is due to a death or life-threatening situation.
CW 89-130(g) – Qualifying Withdrawal	**<u>Once the funds have been withdrawn from the account, how much time is allowed to spend the funds?</u>** The participant is allowed 30 calendar days from the date of the withdrawal to spend the funds for one or more of the allowable expenses.
CW 89-130(4) – No Expense Incurred	**<u>Can funds be withdrawn for expenses that are anticipated?</u>** No, funds that are withdrawn in anticipation of an expense that does not occur must be deposited back (within 30 calendar days) into the restricted account.
CW 89-130(h) – Verification	**<u>Is the participant required to provide verification of how the money was spent?</u>** Yes, the participant has 30 calendar days from the date of the expenditure to provide: • The balance prior to the withdrawal; • The date and amount of the withdrawal; and • A receipt cancelled check or signed statement from the provider of goods/services that verifies the type and the amount of the expense paid. <u>Examples of Proof</u> For the purchase of a home to live in:

	• Deposits, fees, down payment, principal payment. • Closing costs. • Repairs and fixtures. **NOTE:** Allowable expenses do not include the purchase of furniture or household goods. For the education or job training for the participant or his/her dependents: • Fees, tuition, books, school supplies, equipment, special clothing needs. • Student housing and meals. • Cost of transportation to and from school/vocational training. • Child care services needed to attend school. For starting a new business: • Purchase, repair and upkeep of business equipment. • Tools, uniforms or other protective or required clothing and shoes. • Payment on loan principal and interest for business assets or durable goods. • Rent and utility payments for office or floor space. • Employee salaries. • Inventory, shipping and delivery costs. • Business fees, taxes, insurance, bookkeeping or other professional services. **NOTE:** Allowable expenses do not include personal expenses, such as entertainment.
CW 89-130(j) – Good Cause	**<u>Can a participant claim good cause when he/she fails to provide verification?</u>** The EW must determine that good cause exists for exceeding the 30 calendar days timeframe. The following circumstances exists that are beyond the AU's control may include but is not limited to: • Illness or medical emergency, failed/delayed completion of a home purchase, lack of transportation or other extenuating circumstances. When the EW determines that good cause exist,

	the AU will be allowed to fulfill the necessary requirement within a reasonable period of time based on the circumstances for the delay.

CW 89-130(k) – Period of Ineligibility (POI)	**<u>Is there a period of ineligibility (POI) if the participant does not use the money for an allowable expense?</u>**
	
	Yes, a POI is applied if:
	
	• The participant withdraws money from the restricted account for an expense that is not allowed.
	
	• The participant (within 30 calendar days after a withdrawal):
	
	  o Does not spend the money on allowable expenses.
	  o Does not put back into the restricted account, any money that was not spent when the allowable expense did not occur or was less than expected.
	  o Does not give proof of the amount withdrawn (balance before the withdrawal) and how the money was spent.
	
	• The participant receives interest from a restricted account sent by the bank, credit union, etc. and does not put the interest back into the restricted account within 30 calendar days after getting the money.
	
	When it has been determined that a POI is applicable, the POI shall begin on the first day of the month of the next QR Payment Quarter following the nonqualifying withdrawal, and will continue for the calculated number of months.
	
	<u>EXAMPLE 1</u>
	
	A family of three is in the January/February/March Quarter. The family saved $5,000 in a restricted account.
	
	Bank balance prior to March withdrawal: $5,000
	Amount withdrawn from the account: $4,500
	Amount used to purchase home: $3,000
	Amount used to buy furniture: $1,500
	Since the AU used a portion of the withdrawal on a

	nonallowabe expenditure ($1,500 for furniture), the period of ineligibility is calculated as follows: $5,000 balance prior to withdrawal - 3,000 allowable expense for purchase of home $2,000 remainder Divide the $2,000 by MBSAC for 3 ($989) plus any Special Needs ($0): 2.02 mos. Round down to nearest whole number of months: 2 mos. In this scenario, the AU will be discontinued at the end of March. The POI shall begin on April 1 and will continue for the determined 2 months of ineligibility. The AU can reapply for aid after June 1. See ***CW 44-350 Overpayment Recoupment*** for more information. See **Sanctions/Penalties/POI** for LEADER procedures.
CW 89-130(n) – Shortening the Period of Ineligibility (POI)	**When a period of ineligibility (POI) has been applied, can the timeframe be shortened?** Yes, the POI can be shortened when there has been an increase in the MBSAC (cost of living increase) or the AU is eligible for a special need.
CW 89-130(q)– Termination of Written Agreement	**How is a restricted account agreement terminated?** The written agreement (via CW 86 [out of drawer], Agreement – Restricted Account CalWORKs Program) for a restricted account ends when: • The CalWORKs is discontinued; • The restricted account is closed; • The participant does not provide timely verification/proof of the account information; or • The law about restricted accounts changes.

CW 89-200 MINOR PARENT

CW 89-201 - Requirements	**<u>What are the minor parent requirements?</u>**
	
	A never-married minor, under the age of 18 years old, who is pregnant or who has a child(ren) in his/her care must (as a condition of eligibility) reside with:
	
	• A senior parent;
	
	• A legal guardian; or
	
	• An individual who meets the degree of relatedness and is age 18 years or older.
	
	• A state licensed adult-supervised supportive living arrangement which includes:
	
	  o A group home.
	
	  o A maternity home.
	
	See ***CW 82-800 Assistant Unit*** for more information.

	<u>Is a pregnant or parenting teen who turns 18 required to apply for his/her own case?</u> Pregnant or parenting teens turning 18 and aided in their parent/caretaker relative's AU have the choice of opening their own AU or remaining in his/her parent/caretaker relative's AU. The latter choice is conditional on educational and/or training requirements being met. Neither choice causes a break in aid. See ***CW 44-200 AU Composition & Need*** for more information. See ***CW 42-100 Age*** for more information. See **WA No. 47 Teens Turning Age 18 with Income** for LEADER procedures. **NOTE:** If the teen chooses to open his/her own AU, eligibility staff must take all necessary actions to expedite a seamless transition to ensure that no break in aid occurs and to prevent overlapping aid.

	EXAMPLE The QR Payment Quarter is October, November, December. The senior parent's AU consists of the senior parent (mom), her three year old son, and her pregnant teen who will turn 18 on November 1. The pregnant teen is a high school graduate and chooses to open her own AU. Per existing QR rules, LEADER will initiate a mid-quarter action to remove the 18 year old from mom's case October 31 and the pregnant teen can establish her own case effective November 1. See **OPS 23-110 County Initiated Mid-Quarter Action** for more information.
	What is Cal-Learn? The services provided under Cal-Learn are designed to encourage and assist a teen parent to return or stay in school. Cal-Learn is a mandatory program for minor parents who are under 19 years old, are pregnant/parenting and have not yet completed their high school education. Participants are not subject to GAIN work requirements nor is their time in Cal-Learn considered in calculating time limits for receiving cash aid.
	When a minor parent lives or moves with the senior parent and the senior parent is receiving CalWORKs, can the minor parent have his/her own case? No, the minor parent is required to be included in the senior parent's Assistance Unit (AU) if the senior parent is receiving aid for the minor parent's siblings based on the mandatory inclusion rules. See ***CW 82-800 Assistant Unit*** for more information.
	When a minor parent is not aided (i.e., non-citizen, SSI/SSP, etc.) will the minor parent requirements apply? Yes, the minor (i.e., non-citizens, SSI/SSP, etc.) must meet the minor parent requirements or meet one of the exemptions as a condition of eligibility. If the minor does not meet the minor parent

	requirements, the minor and the minor's child(ren) are ineligible.
	<u>If the minor parent lives with the adult parent of the baby, has he/she met the minor parent requirements?</u> No, the adult parent of the baby does not meet the definition of an acceptable adult-supervised living arrangement because he/she is not a caretaker relative of the minor parent. However, if the minor parent meets an exemption and the adult parent meet the deprivation criteria (i.e., unemployed, etc.). The minor parent, the adult father and the dependent child can be aided. See ***CW 41-400 Deprivation*** for more information.
CW 89-201.2 - Exemption	**<u>What if the minor does not meet the minor parent requirements?</u>** The minor and his/her dependent child(ren) may be exempt from the minor parent requirements when any of the following conditions exist: • Deceased – The minor parent has no parent or legal guardian who is living. • Whereabouts Unknown – The minor parent has no parent or legal guardian whose whereabouts are known. • Not Allowed to Live in Home – The minor parent has no parent or legal guardian who will allow the minor to live in his/her home. • Health/Safety – It is determined by a Child Protective Services Worker (CPSW) with the Department of Children and Family Services (DCFS) that the physical or emotional health/safety of the minor parent or his/her dependent child(ren) would be jeopardized if the minor parent and his/her child(ren) lived in the home with the minor's parent, legal guardian or other adult relative. • Live Apart for 12 Months – The minor parent has lived apart from the minor's parent or legal guardian for at least 12 months before the birth

	of the youngest child or the application for aid. • Legal Emancipation – The minor parent is **legally** emancipated (i.e., entered into a valid marriage [whether or not the marriage has been dissolved], is on active duty in the armed forces or has received a legal declaration of emancipation).
	When a minor parent exemption occurs, what type of verification is required? When a minor is exempt from the minor parent requirements, the following verification must be provided: Deceased • Death certificate (as interim, the PA 853.1 [LEADER generated], Affidavit to Document U.S. Citizenship, Identity, Birth, can be used pending return of the PA 230 [out of drawer], Request for Verification/Certification of Evidence). • Written statement from an adult relative who can confirm the parent's death. EW collateral phone call. PA 853 (out of drawer), Affidavit, completed and signed by the minor parent can be accepted only when verification cannot be obtained. • Court document. **NOTE:** If verification provided appears inconsistent or the EW suspects false information, a fraud referral must be initiated. Whereabouts Unknown • Minor parent's rent/utility receipts. • Written statement from an adult relative who can confirm that the

		whereabouts of the parents is not known. • Court document. • EW collateral phone call. • PA 853 that is completed and signed by the minor parent can be accepted only when verification cannot be obtained. **NOTE:** If verification provided appears inconsistent or the EW suspects false information, a fraud referral must be initiated.
	Not Allowed to Live in Home	• Same verification used for "whereabouts unknown."
	Health/Safety	• Verified by DCFS via CA/CW 25 (LEADER generated), Supplemental Statement of Facts – Minor Parent.
	Live Apart for 12 Months	• Minor parent's rent/utility receipts. • Statement from a landlord or house/roommate. • Other documentation showing that the minor has maintained a separate residence for 12 months. • EW collateral phone call. • PA 853 that is completed and signed by the minor parent can only be accepted when verification cannot be obtained. **NOTE:** If verification provided appears inconsistent or the EW suspects false information, a fraud referral must be initiated.

	Legal Emancipation	• Marriage license. • Court document. • Letter from the armed forces. • EW collateral phone call (pending verification). • PA 853 that is completed and signed by the minor parent can be accepted only when verification cannot be obtained. Submit a PA 230 and control via FAC. **NOTE:** If verification provided appears inconsistent or the EW suspects false information, a fraud referral must be initiated.
	What action is taken when the minor does not meet the minor parent requirements or does not qualify for an exemption? If a minor applicant does not meet the minor parent requirements (acceptable living arrangement) and he/she is not exempt, the case must be denied. If a minor participant moves out of an acceptable living arrangement (unless exempt) and does not meet the minor parent requirements, the case must be discontinued. If the minor's living situation changes and he/she meets the minor parent requirements (acceptable living arrangement) within the existing rescission timeframe, the case action must be rescinded.	
	When a minor parent applies for aid and indicates that he/she cannot return home due to a health/safety issue, can IN or HA be paid prior to the Department of Children Family Services (DCFS) determination? Yes, an IN/HA payment can be issued if the minor is otherwise eligible. The minor parent's	

	application for IN/HA is treated just like any other applicant's request.
CW 89-201.3 - Referral to DCFS	**<u>When is a referral to the Department of Children and Family Services (DCFS) required?</u>** A referral to DCFS is made when a minor parent: • Is exempt from the minor parent requirements; • The exemption has been verified; and • Eligibility has been established. The designated Minor Parent EW must complete a referral to DCFS via the CA/CW 25 (LEADER generated), Supplemental Statement of Facts – Minor Parent. **NOTE:** The EW must notify DCFS when the case is denied/discontinued. A. When an exemption is based on: • The death of a parent. • The whereabouts of a parent is unknown. • The minor parent is not allowed to live in the home. • The minor has lived apart for at least 12 months the following action is taken: 1. The minor parent must complete (duplicate) and sign (under penalty of perjury) the CA/CW 25. 2. Check the "Minor Parent Meets the following Exemption" box (County Use Only section) and check the appropriate exemption. 3. Fax to DCFS, Minor Parent Sensitive Unit (MPS) at (213) 351-2463. 4. File a copy of the CA/CW 25 in the case and document Case Comments. **NOTE:** A response from DCFS is not required. However, if a response is received, replace the copy with the original and file in the case record. The EW is not to take action if the response states the minor parent did

	not cooperate (participation is not mandatory nor is the minor sanctioned. B. When an exemption is based on: • The physical/emotional health of the minor parent or his/her child(ren). • The safety of the minor parent or his/her child(ren), the following action is taken: 1. The minor parent must complete (in duplicate) and sign (under penalty of perjury) the CA/CW 25. 2. At Intake, a response from DCFS is required before case can be authorized; however, IN/HA may be issued pending a response from DCFS. 3. Check the "Risk Assessment for Safety Issue" box (County Use Only section). 4. **Immediately** fax to DCFS at (213) 351-2463. 5. Include the district's fax number under "Comments" for return of the CA/CW 25 from DCFS. 6. Check the "CalWORKs Immediate Need" box if IN (Immediate Need) has been requested. If the minor parent has requested Homeless Assistance (HA), enter under "Comments." IN/HA must be issued per existing procedures and the case held for a response from DCFS. 7. Keep a copy of the CA/CW 25 in the case and document "Case Comments" and control via FAC (20 calendar days or 15 calendar days when IN/HA has been requested) for response from DCFS. **NOTE:** Legally emancipated minors are not referred to DCFS because they are treated as adults.
	When a referral has been initiated, is the EW required to follow-up with DCFS?

	When the exemption is based on the health/safety (Risk Assessment for Safety Issue) of the minor parent and/or his/her child(ren), a response from DCFS is required within 20 calendar days, except for IN/HA cases which requires 15 calendar days. If a response is not received by the required date, the designated Minor Parent EW must make two attempts. The EW must contact Karen Walker at DCFS (Minor Parent Sensitive Unit) at (213) 639-4058 or Lynn Reed at (213) 639-4025. If, after two contact attempts, the status of the referral is unknown, the Intake or change in living arrangement authorization must be processed within the following timeframe: • For Intake, 30 calendar days (IN/HA within 15 calendar days). • For a change in living arrangements, by the next cutoff after the 20-calendar day response was due. These cases must continue to be controlled by the designated Minor Parent EW and the ES must get involved as appropriate. See **Future Action Control – User** for LEADER procedures.
	What action is taken when a health/safety referral from DCFS is received? If DCFS response indicates there would be no health/safety issue should the minor live with the parent/legal guardian or that the minor failed to cooperate in establishing the exemption, aid must be denied/discontinued (enter outcome in LEADER Case Comments). If the minor establishes an acceptable living arrangement within the existing rescission timeframe, the denial/discontinuance must be rescinded. If DCFS response indicates that the minor parent's (or the minor's child[ren]) physical/emotional health would be jeopardized if he/she lived with the parent/legal guardian, the minor is exempt from the minor parent (living arrangement) requirements.

	When is the CA/CW 25, Supplemental Statement of Facts utilized? If the minor meets the minor parent (living arrangement) requirements (i.e., either is appropriately living with a parent, legal guardian, etc.), the CA/CW 25 (LEADER generated) must be completed and signed by the minor parent to document his/her living arrangements. The form is obtained only once during the eligibility process, unless the minor moves from an acceptable living arrangement.
CW 89-201.4 - Payee	**Can a minor parent be the payee?** Unless the minor parent is exempt from an acceptable living arrangement, the grant must be paid to the adult living in the home or group/maternity home for the minor parent. The CA/CW 25A (LEADER generated), Payee Agreement for Minor Parent, is used to document the adult's consent or refusal to act as the minor's payee. Both the adult and the minor parent must sign the CA/CW 25A before eligibility is established. The following action is taken when: • The minor parent refuses/fails to cooperate in obtaining the CA/CW 25A, the minor parent is ineligible and aid is denied/discontinued. • The adult refuses to be the payee, the minor parent may be the payee. • It is determined to be in the best interest of the minor parent and the minor parent's child(ren), the minor may be the payee instead of the adult living in the home.
	When a minor parent cannot live with his/her parent, what action is taken? The following case scenarios will assist the EW when a minor parent cannot live with his/her parents: **EXAMPLES** Example 1 A minor parent has been living with a friend for

	three months because her parent forced her out of the home. The friend has told her that she needs to move out by the end of the month. The minor has been unable to obtain a statement from her parent to confirm that he/she cannot return to the parent's home, is the minor exempt? The EW must attempt a collateral call to the minor's parent to confirm that she is not allowed to return to the home. In this scenario, the EW discovers that the minor ran away from home and refuses to return. The parent is willing to allow the minor and the minor's child to return to the home. The minor parent indicates that she fears for her safety and the safety of her child if she returns to her parent's home. DCFS determines that there would be no risk to either the minor parent or to the minor parent's child. The minor meets no other criteria for an exemption. The minor refuses to return. In this case scenario, the minor parent and the minor's child are not eligible to aid. <u>Example 2</u> A minor parent states her parents are divorced and are living at different residences. The minor's mother forced her and her child out of the home and will not allow them to return. The minor states that she has not lived with her father for over 12 months. If the minor provides a statement from her mother that she has been living with her for the past two years, but that she will no longer allow the minor and her child to live with her, the minor meets the exemption for each senior parent and the aid can be authorized (if otherwise eligible). **NOTE:** A referral to DCFS must be made for minor parent services.

CW 89-201.5 - Senior Parent Income	

When a minor parent resides in the home with an unaided parent, is the senior's parent(s) income used in the minor's grant computation?

In cases where the minor parent lives with an unaided senior parent(s), the **income** and **needs** of the senior(s) are considered (determined by LEADER).

EXAMPLES

Example 1

A minor parent with one child is living with his/her unaided senior parent. The senior parent earns $1,025. The minor parent has no income. The grant is computed as follows:

Gross Family EI	$1,025
Income Disregard	- 225
	$ 800
50% EI Disregard	- 400
Net Non-Exempt Income	$ 400
MAP for 3	$ 723
Total Net Non-Exempt Income	- 400
Potential Grant	$ 323
MAP for 2	$ 584
Actual Grant Amount (lesser of potential grant or AU MAP)	$ 323

Example 2

A minor parent is receiving aid for herself and her twin dependent children. The minor parent lives with her unaided senior parents. One senior parent earns $150.00 bi-weekly from part-time employment, and receives $560.00 monthly from Social Security Retirement benefits. The other senior parent earns $500.00 monthly from part-time employment. The minor parent has no income. Per existing QR/PB rules, the grant is computed as follows:

Average Gross Family EI	$150 x 2.167 = 325 + 500 = 825
Income Disregard	- 225

	$ 600 50% EI Disregard - 300 Net Non-Exempt Earned Income $ 300 Average Gross Family UEI $ 560 Net Non-Exempt Earned Income + 300 $ 860 Total Net Non-Exempt Income $ 860 MAP for 5 980 Total Net Non-Exempt Income - 860 Potential Grant $ 120 MAP for 3 $ 723 Actual Grant Amount (lesser of potential grant or AU MAP) $ 120
CW 89-201.6 - Income of Minor Parent	**When a minor with income is exempt from the minor parent requirements, how is the income calculated?** The income received by a minor parent is calculated based on existing income regulations. This applies when income is received by a minor who: • Is exempt from the minor parent requirements. • Meets the minor parent requirements. See ***CW 44-100 Income*** for more information. See **Income – Earned** for LEADER procedures. See **OPS 23-110.3 Income and Prospective Budgeting** for QR processing.
	When a child support payment is received on behalf of minor parent, how is the income treated? The child support payments received by/for the minor parent is considered available to the minor parent's Assistance Unit.

	See **Income – Child/Spousal Support** for LEADER procedures. See ***CW 44-111.2 Treatment of Income*** for more information.