



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

March 25, 2014

ERRATA

ALL COUNTY LETTER NO. 13-82E

TO:

ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CALWORKS PROGRAM SPECIALISTS
ALL CALFRESH COORDINATORS
ALL COUNTY WELFARE-TO-WORK COORDINATORS
ALL COUNTY CONSORTIUM PROJECT MANAGERS
ALL COUNTY CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL COUNTY PROBATION OFFICERS

SUBJECT:

ERRATA TO THE CALIFORNIA WORK OPPORTUNITY AND
RESPONSIBILITY TO KIDS (CalWORKs): EXTENDING BENEFITS
TO NON-MINOR DEPENDENTS - QUESTIONS AND ANSWERS
(PART TWO)

REFERENCE:

ALL COUNTY LETTER (ACL) NO. 13-82

The purpose of this errata is to transmit revised responses to questions 13 and 14 of ACL No. 13-82, dated October 16, 2013. Assembly Bill 1712 (Chapter 846, Statutes of 2012) amends Welfare and Institutions Code Section 11263.5. That section provides that a child living with his or her parent, where the parent is a non-minor dependent and also a recipient of foster care, is not an eligible child for CalWORKs and must instead receive Aid to Families with Dependent Children – Foster Care (AFDC-FC) benefits.

If there are any questions regarding this errata, please contact your CalWORKs county consultant directly or call the CalWORKs Eligibility Bureau at (916) 654-1322.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

Attachment

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

Attachment

- 13. A father that meets the requirements for EFC lives in an approved SILP with his girlfriend, their child in common, and the girlfriend's parents. The girlfriend applies for CalWORKs. The father receives EFC benefits and also has earnings.**

Is the father required to be mandatorily included in the CalWORKs case? If so, does this mean he is not eligible for EFC? If not, is the EFC payment counted in the CalWORKs budget? How are his earnings treated?

The father's child is not an eligible child for CalWORKs per Welfare and Institutions Code (WIC) Section 11263.5; therefore, the child may not receive CalWORKs. The father would continue to be eligible for EFC and the infant supplement. The girlfriend can be considered a caretaker relative and receive CalWORKs for herself as an AU of one, per MPP Section 82-820.22, if otherwise eligible.

The father is not precluded from choosing to receive "regular" CalWORKs instead of EFC and may request himself and his child to be aided with his girlfriend and receive CalWORKs, if eligible. If he chooses EFC, his EFC payment will not be counted in the CalWORKs budget of his girlfriend's AU (MPP Section 44-133.3).

The NMD's earnings would also not be counted when determining CalWORKs eligibility and grant amount for the girlfriend. Per MPP Section 44-133.51, the NMD's income is not counted, because he is the recipient of another aid program.

- 14. A NMD in a SILP is pregnant and lives with the father of the unborn baby, but the couple is not married. The NMD receives a foster care payment. The father has two children of his own from a previous relationship and receives CalWORKs, CalFresh, and Medi-Cal for himself and his two children. When the child is born, will the child be required to be aided in the father's CalWORKs AU? If the NMD receives an infant supplement when the child is born, will the infant supplement count as income in the father's CalWORKs budget?**

The NMD's child must be excluded from the father's AU per WIC Section 11263.5. The NMD may receive an infant supplement for her child, and the CalWORKs AU will remain an AU of three. The infant supplement would not count as income in the father's CalWORKs budget, as the newborn is not in the

CalWORKs AU. Because the foster care payment is intended for the needs of the person receiving it, and that person is excluded from the AU, it is not considered available to meet the needs of the AU and is therefore not counted as income when determining eligibility and grant amount for the AU.