STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • *www.cdss.ca.gov*

WILL LIGHTBOURNE
DIRECTOR

EDMUND G. BROWN JR.
GOVERNOR

August 18, 2015

REASON FOR THIS TRANSMITTAL

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

ERRATA

ALL COUNTY LETTER NO. 15-20E

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CALWORKS PROGRAM SPECIALISTS
ALL COUNTY CALFRESH COORDINATORS
ALL COUNTY WELFARE TO WORK COORDINATORS
ALL COUNTY CONSORTIUM PROJECT MANAGERS
ALL COUNTY CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL COUNTY PROBATION OFFICERS
ALL COUNTY ELIGIBILITY SUPERVISORS
ALL FOSTER CARE MANAGERS
ALL COUNTY SFIS COORDINATORS
ALL COUNTY EBT PROJECT MANAGERS
CHILD WELFARE SERVICES NEW SYSTEM
TITLE IV-E AGREEMENT TRIBES
JUDICIAL COUNCIL STAFF

SUBJECT: ERRATA TO THE CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs): THE APPROVED RELATIVE CAREGIVER (ARC) FUNDING OPTION PROGRAM

REFERENCE: ALL COUNTY LETTER (ACL) NO. 15-20

The purpose of this errata is to modify ACL No. 15-20. This errata shows the prior and the modified language for the impacted paragraphs only, and should be read in conjunction with ACL No. 15-20.

Prior Language

Page 14, second sentence under “ARC Aid Codes,” reads:

These codes must be entered into the primary Medi-Cal Eligibility Data System (MEDS) aid code field (AC_06).

Modified Language

This sentence is modified to provide:

These codes must be entered into the Medi-Cal Eligibility Data System (MEDS) aid code fields (ACS1_06) or (ACS2_06)."

Prior Language

Page six, section "Retroactivity Option," reads:

Retroactivity Option

CWDs have the **option** of making retroactive payments back to January 1, 2015, as long as the CWD implements the ARC Program prior to July 1, 2015. CWDs that implement the ARC Program after June 30, 2015 cannot make retroactive payments.

- **In order to implement the ARC Program prior to July 1, 2015, a CWD would have to opt-in to the program either before or during the month of May 2015—with ARC Program implementation beginning on June 1, 2015.**

The CWD's ability to make retroactive ARC payments will be determined by the program's date of implementation in the county (and not by the county's opt-in date).

For CWDs who opt-in **and** implement the ARC Program prior to July 1, 2015, the beginning date of aid can be adjusted back to January 1, 2015 if the following applies:

- For children **already receiving CalWORKs and who have a completed ARC application,** the CWD has the **option** to issue an ARC payment back to the date of the CalWORKs application, but no earlier than January 1, 2015.

- For children **not already receiving CalWORKs**, but who fill out an ARC application and the CWD has made a CalWORKs determination, go back and claim to the date of the ARC application.

In no instance can the CWD make payments retroactively if a CalWORKs determination, regardless of eligibility, has not been done. Retroactivity back to January 1, 2015 is not a requirement but a CWD option. If the CWD chooses to issue payments retroactive to January 1, 2015, the above factors apply. Electing to issue retroactive payments means payments back to January 1, 2015. A CWD may not choose a different month to start the retroactive payments.

If retroactivity is applied, the CWD must ensure, via manual calculations, that the CalWORKs AU is not overpaid. The examples in Attachment 2 show how to calculate and issue a supplemental payment for the retroactive months.

Modified Language

As modified, this section now provides:

Retroactivity Option

Making retroactive ARC payments is not a requirement but a CWD option.

CWDs have the **option** of making retroactive payments provided the CWD implemented the ARC Program prior to July 1, 2015. Counties that implemented the ARC Program prior to July 1, 2015 must inform the California Department of Social Services of their decision to make retroactive payments no later than September 30, 2015, by emailing the notice to ARCFO@dss.ca.gov. An approved relative caregiver is eligible to receive retroactive payments for an eligible child who is currently placed with the approved relative caregiver when a completed and signed ARC application on behalf of the child is received by the CWD on or before September 30, 2015. Approved relative caregivers may only receive retroactive payments for the months the child was placed with them.

How Far Back in Time Does Retroactivity Apply?

Counties who choose to make retroactive ARC payments must make retroactive payments only to eligible children from the date of January 1, 2015, or the earliest date the child met all ARC eligibility requirements, whichever is later. For example, if a child did not meet all ARC eligibility requirements until March 1, 2015, the retroactive ARC payments for the child would only be paid back to March 1, 2015. Conversely, if a child met all ARC eligibility requirements on November 1, 2014, the retroactive payments for the child would be paid back to January 1, 2015, the effective date of the ARC Program.

Retroactive Payments Versus Back Payments

Issuing retroactive payments is distinct from issuing back ARC payments to eligible children. Retroactive payments are intended to bridge the possible payment gap created between January 1, 2015 and the county's ARC program implementation date, provided the county implements ARC prior to July 1, 2015. Back payments are intended to bridge the payment gap between the county's implementation date and the date the county actually issues ARC payments. For example, a county that implements

the ARC program effective June 1, 2015 but is not able to issue payments until August 10, 2015 is obligated to make back payments to eligible children for June and July. This requirement to issue back ARC payments exists whether or not a county has opted to make retroactive payments.

Approved Relative Caregiver

A child is not eligible for ARC unless the relative caregiver has been **approved**, meaning the relative and home of the relative are approved as meeting health and safety standards that mirror those for a licensed Foster Care parent. Until the relative caregiver is approved, the case is not eligible for ARC, regardless of the date the ARC 1 was signed.

In addition, a child does not have to receive, or be eligible to receive, CalWORKs in order to receive retroactive ARC payments. As a reminder, retroactive ARC payments consist entirely of ARC state general funds. (CalWORKs cannot be paid retroactively.) However, if an eligible child is already receiving CalWORKs at the time of application to the ARC Program, the CalWORKs amount that the child has already received must be deducted from any retroactive ARC payments.

Thus, if retroactivity is applied, the CWD must ensure, via manual calculations, that the CalWORKs AU is not overpaid. The examples in ACL 15-20, Attachment 2 show how to calculate and issue a supplemental payment for the retroactive months.

CONTACTS

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. Policy related questions concerning the ARC Program can also be directed to the Foster Caregiver Policy and Support Unit at (916) 651-7465, or ARCFO@dss.ca.gov.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division