



CDSS

JOHN A. WAGNER
DIRECTOR

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

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER
GOVERNOR

August 21, 2009

ACIN No.: I-59-09

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: **CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI) PAYMENT STANDARDS EFFECTIVE NOVEMBER 1, 2009**

REFERENCE: **ACIN I-93-08**
ACIN I-23-09
ACIN I-26-09

The purpose of this All-County Information Notice (ACIN) is to advise counties of a change in the payment standards for CAPI as a result of the recent budget signed by the Governor.

BACKGROUND

On February 20, 2009, the Governor signed into law Senate Bill X3 6 (Chapter 13, Statutes of 2009). Under this new law, the Supplemental Security Income/State Supplementary Program (SSI/SSP) payment standards were reduced to the December 2008 levels, effective May 1, 2009. Subsequently, there was an additional 2.3% reduction which became effective July 1, 2009.

On July 28, 2009, the Governor signed into law Assembly Bill X4 4 (Chapter 4, Statutes of 2009). Under this new law, the SSI/SSP payment standards were further reduced. The individual rate was reduced by 0.6 percent and the couple rate was reduced to the minimum amount allowed under federal law. As required by Section 18941 of the Welfare and Institutions Code (WIC), the CAPI payment standards are based on the SSI/SSP payment standards, minus \$10.00 for an individual and \$20.00 for a couple. Consequently, there will be a decrease in the CAPI payment standards effective November 1, 2009. The rates for those living in Title XIX medical facilities, and the Non-Medical Out-of-Home Care living arrangements are exempt from the reduction. The new CAPI payment standards chart effective November 1, 2009 is attached.

The November 1, 2009 reductions will have no effect on the following values:
1) presumed maximum value of in-kind support and maintenance; 2) the allowance for ineligible children in deeming situations; 3) the sponsor's allocation in alien deeming situations; or 4) the allowance for parent(s) in parent-to-child deeming situations.

COORDINATION WHEN ONE SPOUSE RECEIVES SSI/SSP

As stated above, WIC Section 18941 requires CAPI benefits to be equivalent to SSI/SSP benefits, except that the CAPI payment standards must be \$10.00 less for an individual and \$20.00 less for a couple. A unique situation arises when one member of a couple receives SSI/SSP and the other receives CAPI. All-County Letter No. 99-13 addressed this situation by requiring counties to count the SSI/SSP benefits received by one member as income while using a special payment standard that is \$10.00 less than the SSI/SSP payment standard for a couple. The intended result of this policy is that a CAPI/SSI/SSP couple receive combined benefits that total \$10.00 less than the SSI/SSP benefit rate for a couple, as required by WIC Section 18941.

However, the intended result will NOT occur for a CAPI/SSI/SSP couple if normal retrospective budgeting of the spouse's SSI/SSP benefit is used to determine the CAPI payment in the effective month of a reduction and the subsequent month. For example, using a November reduction, under normal retrospective counting rules, the CAPI recipient's November and December payments would be computed using the spouse's SSI/SSP benefit from September and October respectively, which is before the SSI/SSP reduction in November. This would result in the CAPI/SSI/SSP couple receiving lower combined benefits in November and December than either the SSI/SSP or CAPI couple.

In order to comply with WIC Section 18941, counties are hereby instructed, for CAPI/SSI/SSP couples, to prospectively budget the spouse's SSI/SSP benefit in the month that a reduction occurs and the subsequent month. Using a November reduction for example, the CAPI recipient's November payment should be computed using the spouse's SSI/SSP November payment, and the CAPI recipient's December payment should be computed using the spouse's SSI/SSP December payment.

RECIPIENT NOTIFICATION

The “Notice of Change Cash Assistance Program for Immigrants” (NA 692) must be sent to CAPI recipients notifying them of the payment standard reduction that is effective November 1, 2009. Under “Change in Benefits” or “Discontinuance”, check the “Other” box and enter the following language:

“A State law passed which resulted in a reduction of CAPI benefits (Welfare and Institutions Code Section 12200 et.seq).”

Any questions regarding these adjustments should be directed to Teri Harness, Program Analyst, or Marshall Browne, Manager, Operations and Technical Assistance Unit at (916) 229-3494.

Sincerely,

Original Document Signed By:

EVA L. LOPEZ
Deputy Director
Adult Programs Division

Attachment

CAPI PAYMENT STANDARDS
EFFECTIVE NOVEMBER 1, 2009
BASED ON OCTOBER 2009 SSI/SSP STANDARDS

Includes withholding the pass-through of the CPI COLA, suspension of the CNI COLA, and 2.3% reduction to SSI/SSP grant
SSI/SSP 0.6% Reduction - Individuals Only and SSP MOE Floor - Couples Only

| | INDEPENDENT LIVING | | | REDUCED NEEDS | | | NON-MEDICAL OUT-OF-HOME CARE (NMOHC) | | | | | |
|--|---------------------------|--------------------------|---------------------|--|--------------------------|---------------------|---|--------------------------|---------------------|--|--------------------------|---------------------|
| | RESIDING IN OWN HOUSEHOLD | | | HOUSEHOLD OF ANOTHER WITH IN-KIND ROOM & BOARD | | | HOUSEHOLD OF RELATIVE WITH IN-KIND ROOM & BOARD AND CERTIFIED NMOHC | | | IN LICENSED FACILITY OR HOUSEHOLD OF RELATIVE WITHOUT IN-KIND ROOM & BOARD | | |
| | TOTAL CAPI | | TOTAL SSI/SSP | TOTAL CAPI | | TOTAL SSI/SSP | TOTAL CAPI | | TOTAL SSI/SSP | TOTAL CAPI | | TOTAL SSI/SSP |
| INDIVIDUAL: | | | | | | | | | | | | |
| AGED OR DISABLED | 835.00 | | 845.00 | 629.66 | | 639.66 | 846.34 | | 856.34 | 1,076.00 | | 1,086.00 |
| - without cooking facilities (RMA) 1/ | 919.00 | | 929.00 | | | | | | | | | |
| BLIND | 898.00 | | 908.00 | 708.32 | | 718.32 | 846.34 | | 856.34 | 1,076.00 | | 1,086.00 |
| DISABLED MINOR | | | | | | | | | | | | |
| - living with parent(s) | 727.40 | | 737.40 | 507.30 | | 517.30 | | | | | | |
| - living with non-parent relative or non-relative guardian | | | | | | | 846.34 | | 856.34 | 1,076.00 | | 1,086.00 |
| COUPLE: | BOTH CAPI | ONE CAPI, ONE SSI | BOTH SSI/SSP | BOTH CAPI | ONE CAPI, ONE SSI | BOTH SSI/SSP | BOTH CAPI | ONE CAPI, ONE SSI | BOTH SSI/SSP | BOTH CAPI | ONE CAPI, ONE SSI | BOTH SSI/SSP |
| AGED OR DISABLED | | | | | | | | | | | | |
| - per couple | 1,387.20 | 1,397.20 | 1,407.20 | 1,055.33 | 1,065.33 | 1,075.33 | 1,699.66 | 1,709.66 | 1,719.66 | 2,152.00 | 2,162.00 | 2,172.00 |
| - without cooking facilities (RMA) 1/ | 1,555.20 | 1,565.20 | 1,575.20 | | | | | | | | | |
| BLIND | | | | | | | | | | | | |
| - per couple | 1,534.20 | 1,544.20 | 1,554.20 | 1,202.33 | 1,212.33 | 1,222.33 | 1,699.66 | 1,709.66 | 1,719.66 | 2,152.00 | 2,162.00 | 2,172.00 |
| BLIND/AGED OR DISABLED | | | | | | | | | | | | |
| - per couple | 1,478.20 | 1,488.20 | 1,498.20 | 1,146.33 | 1,156.33 | 1,166.33 | 1,699.66 | 1,709.66 | 1,719.66 | 2,152.00 | 2,162.00 | 2,172.00 |

TITLE XIX MEDICAL FACILITY

| | Individual | Couple |
|------------------|------------|--------|
| Total CAPI | \$40 | \$80 |
| SSI/SSP | 50 | 100 |

1/ RMA - Restaurant Meals Allowance - \$84 Individual; \$168 Couple