



CDSS

WILL LIGHTBOURNE
DIRECTOR

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

744 P Street, MS 8-17-12, Sacramento, CA 95814



EDMUND G. BROWN JR.
GOVERNOR

May 17, 2011

ALL COUNTY INFORMATION NOTICE NO. I-28-11

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 JULY 1, 2011

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

BACKGROUND

On March 24, 2011, the Governor signed into law Senate Bill 72 (Chapter 8, Statutes of 2011) which will reduce the Supplemental Security Income/State Supplementary Payment (SSI/SSP) standards for individuals. Effective July 1, 2011, payment standards for individuals will be reduced to the minimum allowable level under federal regulations. This reduction is in compliance with federal maintenance of effort requirements as provided in 20 Code of Federal Regulations sections 416.2096-2098. The rates for those living in Title XIX medical facilities and Non-Medical Out-of-Home Care living arrangements are exempt. The CAPI payment standards that will become effective on July 1, 2011 are the direct result of the new Budget reduction on the SSI/SSP rates.

As required by the Welfare and Institutions Code (WIC) section 18941, the CAPI payment standards are based on the SSI/SSP payment standards, minus \$10.00 for an individual and \$20.00 for a couple. As a result, effective July 1, 2011, CAPI payment standards for Individuals will be reduced by an amount comparable to the SSI/SSP reductions. The new CAPI payment standards chart, effective July 1, 2011, is attached. The rates for those living in Title XIX medical facilities or in a Non-Medical Out-of-Home Care living arrangement are exempt from the reduction. The rates for couples and disabled minors living independently with parents will be unaffected by this change because their SSP rates are already at the Maintenance of Efforts (MOE) level.

The July 1, 2011 reduction 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 CAPI payment in the effective month of a reduction and the subsequent month. For example, using a July reduction, under normal retrospective counting rules, the CAPI recipient's July and August payments would be computed using the spouse's SSI/SSP benefit from May and June respectively, which is before the SSI/SSP reduction in July. This would result in the CAPI/SSI/SSP couple receiving lower combined benefits in July and August 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 July reduction for example, the CAPI recipient's July payment should be computed using the spouse's SSI/SSP July payment, and the CAPI recipient's August payment should be computed using the spouse's SSI/SSP August 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 which is effective July 1, 2011. Under "Change in Benefits" or "Discontinuance," check the "Other" box and enter the following language:

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“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 Cynthia Lopez-Yates, Program Analyst, or Marshall Browne, Manager, Operations and Technical Assistance Unit, at (916) 651-5350.

Sincerely,

Original Document Signed By:

EILEEN CARROLL
Deputy Director
Adult Programs Division

Attachment

c: CWDA
Ms. Rene Mallow, Department of Health Care Services

CAPI PAYMENT STANDARDS
EFFECTIVE JULY 1, 2011
BASED ON JULY 2011 SSI/SSP STANDARDS
Includes SSP MOE Floor for Individuals and suspension of the CNI COLA

	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	820.40		830.40	599.17		609.17	846.34		856.34	1,076.00		1,086.00
- without cooking facilities (RMA) 1/	904.40		914.40									
BLIND	875.40		885.40	654.17		664.17	846.34		856.34	1,076.00		1,086.00
DISABLED MINOR												
- living with parent(s)	727.40		737.40	506.17		516.17						
- 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	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
- per couple	1,555.20	1,565.20	1,575.20									
- without cooking facilities (RMA) 1/												
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