



CDSS

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DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

June 1, 2012

ALL COUNTY INFORMATION NOTICE I-45-11E

ERRATA

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM COORDINATORS

SUBJECT: VERIFICATION REQUIREMENTS IN CALFRESH

REFERENCES: MANUAL OF POLICIES AND PROCEDURES SECTIONS
63-201.4, 63-300.32, 63-300.5, 63-300.5(a)(2), 63-300.5(e)(1),
63-300.5(e)(3), 63-300.5(e)(5), 63-300.5(e)(5)(A), 63-300.5(e)(6),
63-300.5(e)(7), 63-300.5(e)(8), 63-300.5 (e) (9), 63-300.5(e)(10),
63-300.5(e)(11), 63-300.5(f)(2), 63-300.5(g), 63-300.5 (g) (1),
63-300.5 (g) (2), 63-300.5 (j), 63-404, 63-404.13, 63-405.7,
63-405.11-17, 63-406.111(a), 63-406.2, 63-406.216(a) - (e),
63-410.21, 63-504.325(a), 63-505.311, 63-505.511-.518, 63-
508.32, 63-508.616(b)(2), 63-508.62; WELFARE AND
INSTITUTIONS CODES 10000 AND 15000; ALL COUNTY
LETTER 09-01 AND 00-19; ALL COUNTY INFORMATION
NOTICE I-64-11, AND FOOD AND NUTRITION SERVICE
VERIFICATION REQUIREMENTS AND STATE OPTION CHART

REASON FOR THIS TRANSMITTAL

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

The purpose of this erratum is to provide clarification to the County Welfare Departments (CWDs) of the verification requirements for CalFresh.

County Welfare Departments (CWDs) are to review and use this information to (a) simplify their verification policies where appropriate, (b) improve the timeliness of the application process; and (c) improve customer service. In general, counties should verify only the mandatory eligibility factors for CalFresh unless it is for the purpose of maximizing benefits.

Use of Appropriate Mandatory Verification

Page five, second bullet under Student Exemption, second paragraph, item (1) reads:

In order to be an eligible student and participate in CalFresh, a student must meet at least one of the following exemptions at the date of their interview: *(1) be working for a minimum of 20 hours per week and receive gross weekly earnings at least equal to the federal minimum wage.*

The revised sentence reads:

(1) Be working for a minimum of 20 hours per week and be paid for such employment *or, if self-employed, be employed for a minimum of 20 hours per week and receive gross weekly earnings at least equal to the federal minimum wage multiplied by 20 hours.*

Note: Food and Nutrition Service (FNS) has approved a waiver request to average student's work hours per week instead of using actual work hours. CDSS will release guidance in a subsequent All County Letter (ACL).

Page five, second bullet under Student Exemption, second paragraph, item (2) reads:

(2) Be approved for state or federal work study for the current school term;

The revised sentence reads:

(2) Be approved for state or federal work study for the current school term, and anticipate working during the term. To qualify under this provision, the student must be approved for work study at the time of application for CalFresh, the work study must be approved for the school term, and the student must anticipate actually working during that time. The exemption shall begin with the month in which the school term starts or the month work study is approved, whichever is later. Once begun, the exemption shall continue until the end of the month in which the school term ends, or it becomes known that the student refused a work assignment. The exemption shall not continue between terms when there is a break of a full month or longer unless the student is participating in work study during the break.

Page five, second bullet under Student Exemption, third paragraph reads:

Verification can include, but limited to pay stubs or letter from the employer that shows that the individual is working no more than 20 hours per week at minimum wage, an award letter from financial aid indicating that the individual is eligible for work study, documentation from school that the individual did not register for the next regular term, or, if that is not available, an affidavit from the student.

The revised sentence reads:

Verification can include, but is not limited to pay stubs or letters from the employer that shows that the individual is working no more than 20 hours per week (unless otherwise stated in regulations, per week is defined as Sunday through Saturday) at minimum wage, an award letter from financial aid indicating that the individual is eligible for work study, documentation from school that the individual did not register for the next regular term, or, if that is not available, an affidavit from the student.

Page six, third bullet under Conditions of Eligibility for Certain Drug-Related Felony Convictions, first paragraph reads:

- Conditions of Eligibility for Certain Drug-Related Felony Convictions – If a household member has been convicted in a state or federal court of a felony after August 22, 1996 that includes an element of possession or use of a controlled substance, that member must, as a condition of eligibility, provide proof that the member has completed, participated in, is enrolled in or is on a waiting list for a government recognized drug treatment program (MPP § 63-300.5(e) (11)). Other verification which shows that illegal use of the controlled substance has ceased is also acceptable (e.g., passing a drug test for employment). If proof is unavailable, the CWD must accept a self-certification under penalty of perjury as verification. The FS 26 is the form used for the applicant to certify under penalty of perjury, but it is not a required form. A written statement signed under penalty of perjury is also an acceptable form of certification. If the household member is able to self-certify and sign under penalty of perjury that they are no longer using a controlled substance, then CalFresh benefits shall be issued.

The revised sentence reads:

- Conditions of Eligibility for Certain Drug-Related Felony Convictions – If a household member has been convicted in a state or federal court of a felony after August 22, 1996 that includes an element of possession or use of a controlled

substance, that member must, as a condition of eligibility, provide proof that the member has completed, participated in, is enrolled in or is on a waiting list for a government recognized drug treatment program (MPP § 63-300.5(e) (11)). When condition 5 is used as the condition of eligibility, then the applicant must state what the evidence is and provide proof which shows that illegal use of the controlled substance has ceased. The CWD shall consider the evidence and must clearly document the reasons upon which denial or approval of benefits is made. Some examples of proof that can be provided as evidence is a collateral contact from a pastor or counselor attesting that the applicant has stopped using drugs, a copy of their drug test results passing a drug test for employment, etc. If proof of the other evidence cannot be verified, then the CWD shall accept a self-certification under penalty of perjury from the new household member. The FS 26 is another way an applicant can certify under penalty of perjury that they have stopped using drugs. The form is primarily used when adding a household member that is not included on the DFA 285 A2 QR, SAWS 2A QR or when additional information is needed on a drug related felony conviction. This form is not required to be completed and signed by the new household member if they have already been included on the DFA 285 A2 QR or SAWS 2A QR at initial application or recertification.

If you have any questions regarding the contents of this letter, please contact Rosie Avena in the CalFresh Policy Bureau, at (916) 654-1514 or e-mail at rosie.avena@dss.ca.gov.

Sincerely,

Original Document Signed By:

LINDA PATTERSON, Chief
CalFresh Branch