



CDSS

WILL LIGHTBOURNE
DIRECTOR

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

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



EDMUND G. BROWN JR.
GOVERNOR

March 23, 2012

ALL COUNTY INFORMATION NOTICE I-11-12

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS
ALL CALFRESH COORDINATORS
ALL COUNTY CONSORTIUM PROJECT MANAGERS
ALL COUNTY REFUGEE COORDINATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO
KIDS (CalWORKs) PROGRAM: NEW REGULATION CLARIFYING
THE EXCLUSION OF ADOPTION ASSISTANCE PROGRAM (AAP)
PAYMENTS AS INCOME

REFERENCE: ALL COUNTY LETTERS (ACL) NO. 90-101 and NO. 11-47,
MANUAL OF POLICIES AND PROCEDURES (MPP) SECTION
44-111.61, ALL COUNTY INFORMATION NOTICES (ACIN)
NO. I-05-92 AND NO. I-58-08, Cadaret v. Wagner (Superior
Court of California, Sacramento County, 2011, No. 34- 2009-
80000302)

<u>REASON FOR THIS TRANSMITTAL</u>
<input type="checkbox"/> State Law Change
<input type="checkbox"/> Federal Law or Regulation Change
<input checked="" type="checkbox"/> Court Order
<input type="checkbox"/> Clarification Requested by One or More Counties
<input type="checkbox"/> Initiated by CDSS

The purpose of this All County Information Notice is to alert County Welfare Departments (CWDs) that on October 28, 2011 the California Department of Social Services (CDSS) issued Manual Letter EAS No. 11-01. The letter was issued to CWDs to alert them that CDSS had revised the CalWORKs regulations at MPP Section 44-111.61(n) which describes income that is exempted when determining eligibility and grant amounts. The regulations specify that payments made under the Adoption Assistance Program are to be excluded for the purposes of determining CalWORKs eligibility and grant amounts.

The Department had previously issued directions to the CWDs on November 1, 1990 to exclude AAP payments (ACL 90-101). However, as a component of the settlement agreement in the Cadaret v. Wagner case, CDSS agreed to implement regulations specifically instructing CWDs that AAP payments are to be excluded when eligibility and grant amounts are determined for the CalWORKs program. In compliance with that

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order, and to ensure clarity and uniformity in program processes, CDSS has completed the revision of the CalWORKs regulations by adding MPP Section 44-111.61(n), which states "Payments received from any federal, state, or local Adoption Assistance Program" are to be considered as exempt income for CalWORKs purposes.

For any further information on this subject, please see ACL 11-47. CDSS Manual Letter EAS 11-01 is available on the internet at:

<http://www.dss.cahwnet.gov/ord/entres/getinfo/pdf/eas1101.pdf>. The complete

CalWORKs EAS regulations are available online at:

<http://www.dss.cahwnet.gov/ord/PG302.htm>

If you have any questions regarding this letter, please contact the following CDSS representatives:

CalWORKs Eligibility County Consultant
CalFresh Policy, Tracy Ahlenstorf
RCA, ECA, and TCVAP County Analyst

(916) 654-1322

(916) 657-3283

(916) 654-4356

Sincerely,

Original Document Signed By:

KÄREN DICKERSON, Chief
Employment and Eligibility Branch