

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



June 28, 2002

ALL COUNTY INFORMATION NOTICE NO. I-47-02

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CalWORKs PROGRAM SPECIALISTS  
ALL WELFARE-TO-WORK COORDINATORS

**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: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) 60-MONTH TIME LIMIT PROCEDURES FOR INFORMING RECIPIENTS OF THEIR TIME ON AID

REFERENCE: WELFARE AND INSTITUTIONS CODE (WIC) SECTIONS 11454, 11454.5 AND 11495.1; ALL COUNTY LETTERS (ACL) 97-65, 98-37, 99-90, 00-48, 03-01 AND 02-33; AND ACIN I-52-99

This letter provides counties with temporary instructions to implement the 60-month time limit procedure for informing recipients of their 54<sup>th</sup> month of aid. The 60-month time limit emergency regulations, previously provided in ACL 02-33, detailed the procedures for informing recipients of their time on aid. The emergency regulations were submitted to the Office of Administrative Law, became effective March 1, 2002 and went to public hearing in April 2002.

The California Department of Social Services (CDSS) received testimony from county welfare agencies, the California Welfare Directors Association (CWDA) and welfare advocates. Testimony from the counties indicated that the requirements for notices of action (NOAs) with specific detailed information would impose a prohibitive and costly workload on county staff since not all counties have been able to automate the notice at this time. In an effort to address these concerns, CDSS is modifying the regulations to allow counties the option to provide the attached informing notice, Notice of Your CalWORKs Time Limit – 54<sup>th</sup> Month On Aid (CW 2189), to notify recipients who have reached their 54<sup>th</sup> month on aid. Accordingly, counties must send either the NOA or the informing notice to recipients during the month of July 2002 to ensure that recipients are fully informed of their remaining time on aid. Additionally, to ensure that recipients have information regarding time limit exemptions, counties must send a copy of the CalWORKs 60-Month Time Limit form CW 2184 (4/02) along with the time limit NOA or informing notice.

The regulations will be readopted with the change for the optional 54<sup>th</sup> month on aid informing notice. As CDSS is considering further modifications to the informing process based on the extensive testimony received, counties will be provided additional instructions on other changes to the procedures to inform recipients of their remaining time on aid. These instructions will be issued in an ACL as the regulatory process is finalized.

## **Forms Designation and Modification of Forms**

The CW 2189 has been designated as "Required Form-No Substitute Permitted." Forms in this category may not be modified or reconstructed.

## **Camera-Ready Copies and Translations**

Language Translation Services (LTS) will mail camera-ready copies of Spanish, Chinese, Vietnamese and Russian translations of the CW 2189 (6/02) within the first week of July 2002. You do not need to initially request forms or messages from LTS. To order additional camera-ready forms or messages in Spanish, Russian and Asian languages, fax your request to LTS at (916) 657-3429 or e-mail your request to [lsu@dss.ca.gov](mailto:lsu@dss.ca.gov). For a camera-ready copy and/or additional copy of an English form please call Forms Management Unit (FMU) at (916) 657-1907 or CALNET at 437-1907. If your office has Internet access, you may obtain various forms from the CDSS web page at <http://www.dss.cahwnet.gov>. FMU is making forms available on the Internet. If the name, mailing address or e-mail address of your CalWORKs Forms Coordinator changes, please contact FMU by telephone at (916) 654-1282 or by e-mail to [fmud@dss.ca.gov](mailto:fmud@dss.ca.gov).

Your CalWORKs Forms Coordinator is to distribute translated forms and messages to each program and location. Each county shall provide bilingual/interpretive services and written translations to non-English or limited English proficient populations as required by the Dymally Alatorre Bilingual Services Act (Government Code Section 7290 et seq.) and by the state regulations in MPP Division 21, Civil Rights Nondiscrimination, Section 115.

If you have any questions regarding this letter or need additional information, please contact Charissa S. Miguelino at (916) 657-3665.

Sincerely,

***Original Document Signed By***

BRUCE WAGSTAFF  
Deputy Director  
Welfare to Work Division

Attachment

c: CWDA  
CSAC

## CalWORKs 60-Month Time Limit



### CalWORKs 60-MONTH TIME LIMIT ON AID

Beginning January 1, 1998, an adult (parent, aided stepparent, and/or caretaker relative) can only receive 60 months (5 years) of cash aid from the California Work Opportunity and Responsibility to Kids (CalWORKs) program. This includes cash aid received from California or other states' Federal Temporary Assistance for Needy Families (TANF) Program.

#### The 60-month time limit does **NOT** apply to:

- Children
- Medi-Cal Benefits
- Food Stamp Benefits
- Aid that was received from California or other states under the Aid to Families with Dependent Children (AFDC) Program before 1/1/98.

### FACTS YOU SHOULD KNOW ABOUT THE CalWORKs 60-MONTH TIME LIMIT

#### Time Limit Exemptions - "Clock Stoppers"

A month on cash aid does **not** count toward your CalWORKs 60-month time limit if at any time during that month **you are**:

- Disabled (*You must have medical proof of a disability that is expected to last at least 30 days.*)
- 60 years or older.
- Caring for an ill or incapacitated person living in your home, which stops you from working or participating in welfare-to-work activities.
- A victim of domestic abuse and the county has waived the 60-month time limit.
- Eligible for, or participating in, or exempt from Cal-Learn or another teen parent program approved by the California Department of Social Services. (*This exemption does not apply if you are age 19, eligible to volunteer to participate but you choose not to participate in Cal-Learn.*)
- Living in Indian Country, as defined by federal law, or an Alaskan native village, in which at least 50 percent of the adults are unemployed.

#### More "Clock Stoppers" to the CalWORKs 60-Month Time Limit

A month does **not** count if:

- You did not receive CalWORKs cash aid because your cash grant was less than \$10 or you were sanctioned.
- Your cash grant is fully repaid by child support collection.
- You are only receiving supportive services such as child care, transportation, and case management.

***For more information regarding time limits, see back page.***

## CalWORKs 60-Month Time Limit

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### Time Limit Exceptions - “Time Extenders”

When you have been aided for 60 months, cash aid may continue for you after the 60 months, if **you** and **all** parents, aided stepparents, and/or caretaker relatives in the home are in one of the following situations:

- Caring for an ill or incapacitated person living in your home, which stops you from working or participating in welfare-to-work activities.
- 60 years or older
- Caring for a dependent child of the court, or a child at risk of placement in foster care, which stops you from working or participating in welfare-to-work activities.
- Evaluated by the county and are found to be unable to work or take part in welfare-to-work activities. This exception only applies when the adult has a history of cooperating with welfare-to-work rules.
- Not in the assistance unit (AU) for any reason other than reaching the 60-month time limit.
- Disabled and receiving certain types of disability benefits (State Disability Insurance, Workers Compensation Temporary Disability Insurance, In-Home Supportive Services, or State Supplementary Program benefits). This exception only applies if the disability stops you from working or participating in welfare-to-work activities.

### CalWORKs 60-Month Time Limit Waiver for Extending Aid

If you are a victim of domestic abuse and the county determined that your condition or situation stops or impairs your ability to work or to participate in welfare-to-work activities, the county may waive the 60-month time limit, and your aid can continue.

### Choosing to Leave Cash Aid

If your family is receiving a monthly cash grant that is a small amount, you may choose to decline the grant and leave cash aid so that the months will not count toward your CalWORKs 60-month time limit. This **will** save you some months for cash aid in the future. You should contact your worker to find out more information about leaving cash aid and if it will be beneficial to you.

### Diversion

There are special time limit rules for diversion, which some applicants choose to get instead of on-going aid. The month in which the diversion payment is paid counts as one month toward the CalWORKs 60-month time limit, unless the recipient reapplies and gets cash aid during the diversion period. In that case, the recipient may choose to have all the months in the diversion period counted toward the 60-month time limit, or to repay the diversion payment by reducing the monthly cash grant.

#### **RULES FOR OTHER STATES**

Other states have different rules for the 60-month limit. If you have received TANF aid in another state - or if you plan to move to another state - you must contact that state to find out about the time limit requirements.

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**NOTICE OF YOUR CalWORKs TIME LIMIT  
-54<sup>TH</sup> MONTH ON AID**

COUNTY	
CASE NAME	
CASE NO.	OTHER ID NO.
WORKER NAME	

Questions? Ask your worker.

**THIS NOTICE GIVES YOU INFORMATION ABOUT YOUR CalWORKs 60-MONTH TIME CLOCK.**

As of \_\_\_\_\_, the County has determined that you, \_\_\_\_\_, have received a total of **54 months** of your lifetime 60-month time limit of CalWORKs cash aid. You may be eligible to receive aid for 6 more months from that date.

**CONTACT YOUR WORKER RIGHT AWAY IF YOU:**

- Need more information about the months that you used.
- Are or were exempt from the CalWORKs 60-month time limit and you have not requested the exemption.
- Do not agree with the county.
- Need more information about the CalWORKs 60-month time limit requirements, or exemptions, or how to ask for a time limit exemption.

**THE 60-MONTH TIME LIMIT WILL NOT AFFECT YOUR ELIGIBILITY FOR FOOD STAMPS OR MEDI-CAL.**

If you think the time limit is not applied to you correctly, you can ask for a hearing. Contact your worker for information on how to ask for a hearing. You will also receive a Notice of Action to tell you when you have used your lifetime 60-months of CalWORKs cash aid.