

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



July 14, 2004

ALL COUNTY INFORMATION NOTICE NO. I-49-04

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) FAMILY REUNIFICATION (FR) PROGRAM

REFERENCE: ALL COUNTY LETTER (ACL) 02-36 AND 03-52

The purpose of this letter is to transmit the notice of action (NOA) and informing notice required to implement the final CalWORKs FR regulations, which were approved by the Office of Administrative Law and became effective April 15, 2004. A copy of the final regulations was sent to the counties by the Department's Office of Regulations Development. The FR regulations can be obtained through the Department's website at http://www.dss.cahwnet.gov/ord/CalWORKs18_1465.htm.

The release of this letter has been delayed as a result of the Department's initial intent to include an attachment to this letter, in a questions and answers format, that provides additional guidance to counties regarding the provision of FR services under the CalWORKs program. However, because additional policy issues have been raised by counties, and to avoid any further delays, the Department is now issuing this letter without the questions and answers document, which will be sent to counties under separate cover.

Background

Assembly Bill 429, Chapter 111, Statutes of 2001, requires the county to provide CalWORKs welfare-to-work (WTW) activities and supportive services to the parents of children who have been removed from the home by Child Welfare Services (CWS) and placed into out-of-home care, provided that the county determines that the activities and services are necessary to reunify the family. As part of a CWS FR and/or CalWORKs WTW plan that must be established by the county pursuant to Manual of Policies and Procedures (MPP) Section 42-711.61, these CalWORKs-funded services may continue for up to 180 days from the date that the children are removed from their parents. However, the county may grant a good cause extension to the 180-day period, and allow eligible individuals to continue participation in the services beyond that time, if it determines that these individuals need additional time to complete their reunification efforts.

Changes to Existing CalWORKs Regulations

Significant clarifications of, and additions to, existing CalWORKs regulations because of FR include the following:

- Section 42-710.66 was added to specify that the 18- or 24-month time limit does not apply to individuals who are receiving FR services.
- Section 42-711.512 was added to require that a county provide WTW activities and services to a reunification parent, including a sanctioned individual, if the county determines that such services are necessary to reunify the family.
- Section 42-711.558 was added to specify that an assessment shall not be required for those WTW activities and services that are only provided as a component of an FR plan. However, a CalWORKs assessment and WTW plan would be necessary for any CalWORKs WTW activities and services that are provided separate and beyond those specified in the FR plan.
- Section 42-711.61 was amended to give counties the option of utilizing an FR plan, in lieu of a WTW plan, to provide all CalWORKs-funded FR activities and services to an individual. This section also specifies that if the county uses an FR plan instead of a WTW plan, the county must inform the individual, in writing, of his or her eligibility for CalWORKs FR services.
- Section 42-721.13 was added to specify that CalWORKs WTW sanction provisions do not apply to a reunification parent whose CalWORKs FR activities and services are only included in an FR plan, and that a noncompliant individual will remain eligible for those activities and services until the expiration or termination of a voluntary placement agreement or until the court terminates the reunification plan.
- Section 42-721.413 was added to specify that the time during which a sanctioned individual is considered to be a reunification parent counts toward meeting the CalWORKs minimum sanction period.

Family Reunifications Forms

The following NOA and informing notice must be used to implement the CalWORKs FR provisions. A copy of each form is attached to this ACL.

- CalWORKs M82-812 (04/22/04) – Family Reunification/Zero Grant
This NOA is used to inform parents that their cash aid is changing because all of their children have been removed from the home.
- WTW 34 (4/04) – Welfare to Work Family Reunification Plan
This informing notice tells parents that their cash aid has been reduced because all of their children have been removed from the home, the county has determined that they may continue to receive CalWORKs WTW activities and supportive services because those services will assist to reunify the family, and that those activities and supportive services will be provided under an FR plan, a WTW plan, or both.

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Camera-Ready Copies and Translations

For a camera-ready copy of English and Spanish forms, please contact the Forms Management Unit (FMU) at (916) 657-1907. If your office has internet access, you may obtain these forms from the CDSS webpage at: http://www.dss.cahwnet.gov/cdssweb/On-lineFor_271.htm. For counties with access to the California Department of Social Services (CDSS) restricted website for forms and NOAs, you can access NOAs at www.cdsscounties.ca.gov. If your county does not have a login and password, you can obtain them by calling Dan Bode at (916) 654-1396.

As soon as translations are completed, they are posted at the Language Translation Services website. Copies of the translated forms and publications can be obtained from the CDSS webpage at: http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm. For any questions on translated materials or to request a copy of a translated form or message, please contact Language Translation Services at (916) 445-6778.

Your County Forms Coordinator is to distribute translated forms 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 State regulations in MPP Division 21, Civil Rights Nondiscrimination, Section 115.

Contacts

If you have additional questions about the impact of FR on CalWORKs, please contact the individuals listed for the subject areas in Attachment I of this ACIN.

Sincerely,

***Original Document Signed
By Charr Lee Metsker on 7/14/04***

CHARR LEE METSKER, Chief
Employment and Eligibility Branch

Attachments

c: CWDA
CSAC

**FAMILY REUNIFICATION
CONTACTS**

Family Reunification/ CalWORKs Interface	Vince Toolan CalWORKs Eligibility Bureau (CEB) (916) 654-1808
Temporary Absence	Jackie Shelley, CEB (916) 654-1061
Eligibility Redetermination/ Cal-Learn	Dennis Ragasa, CEB (916) 653-9546
60-Month Time Limits	Charissa Miguelino, CEB (916) 657-3665
18- or 24-Month Time Limits	Ellen Horton, Employment Bureau (916) 651-6567
Welfare-to-Work Requirements/ Supportive and Work Services	Employment Bureau (916) 654-2137
Fiscal Claiming	Your County's Fiscal Policy Analyst (916) 657-3440
Child Care Services	Child Care Bureau (916) 657-2144
Food Stamps	Frederick Hodges, Food Stamp Bureau (916) 653-7973
Medi-Cal	Erin Lynch, Medi-Cal Eligibility Branch (916) 654-5769
Child Welfare Services	Permanency Policy Branch (916) 654-1801
Foster Care	Karen Gunderson (916) 651-7395

State of California
Department of Social Services

Noa Msg Doc No.: M82-812 Page 1 of 2
Action : Change
Issue: AU Composition
Title: Family Reunification/zero grant

Auto ID No.:
Source :
Issued by :
Reg Cites :82-820, 82-812.68, 82-812.684, and 82-812.685

Use Form No. : NA 290
Original Date : 4/22/04
Revision Date : New

MESSAGE:

As of _____, the County is changing your cash aid from \$_____ to \$0_____.

Here's why:

You no longer have a child living with you.

To get aid, you must have a child living with you who is:

Eligible for cash aid, or

Getting Supplemental Security Income (SSI), or

Getting foster care, or

Getting Kin-GAP, or

Being sanctioned by the CalWORKs Welfare-to-Work Program.

You are the parent of a child or children who have been removed from your home and placed in out of home care. You may still be eligible to receive CalWORKs welfare-to-work services with a CalWORKs Family Reunification plan if you meet the following conditions:

- Your child(ren) has been removed from your home and placed in out-of-home care;
- You and your child(ren) were receiving CalWORKs assistance when the child(ren) was removed;
- The Child Welfare Services Worker has determined that CalWORKs welfare-to-work services are needed for family reunification and your child(ren) will be back in the home within six months.

If the court decides that reunification is not possible, your CalWORKs Family Reunification plan will be discontinued.

If the county finds that you are eligible for continued CalWORKs welfare-to-work services in a Family Reunification plan, you will receive another notice.

Medi-Cal: This notice DOES NOT change or stop Medi-Cal benefits. **Keep using your plastic Benefits Identification Card(s).** You will get another notice telling you about any changes to your health benefits.

Food Stamps: This notice DOES NOT stop or change your food stamp benefits. You will get a separate notice telling you about any changes to your food stamp benefits.

Receiving Medi-Cal and/or food stamps only DOES NOT count against your cash aid time limits.

INSTRUCTIONS: Use to change to zero grant when the/all eligible child(ren) has/have been removed from the home and placed in out of home care (Family Reunification cases).

WELFARE TO WORK FAMILY REUNIFICATION PLAN

 PARTICIPANT NAME:

 CASE NAME:

 CASE NUMBER:

 IDENTIFICATION NUMBER:

 WELFARE TO WORK WORKER NAME:

As of _____, your cash aid was reduced because all of your children were removed from your assistance unit. You were informed of this action in a separate notice on _____.

You may still participate in the California Work Opportunity and Responsibility to Kids (CalWORKs) Welfare to Work program because the county has determined that your participation will assist to reunify your family.

The CalWORKs Welfare to Work services that you need to reunify your family will be provided:

- As part of a family reunification plan. If you have any questions about this plan, please call your child welfare worker at () _____.
- As part of a family reunification plan and as part of a CalWORKs Welfare to Work plan. If you have any questions about the family reunification plan, please call your child welfare worker at () _____. If you have any questions about the Welfare to Work plan, please call your Welfare to Work worker at () _____.
- As part of a CalWORKs Welfare to Work plan. If you have any questions about this plan, please call your Welfare to Work worker at () _____.

State Hearing: You have the right to ask for a state hearing if you disagree with any of the decisions made by the county about participating in Welfare to Work.

Rules: These rules apply to the above action(s): Manual of Policies and Procedures Section 42-711.51 and 42-711.6. You may review them at your welfare office.

YOUR HEARING RIGHTS

You have the right to ask for a hearing if you disagree with any county action. You have only 90 days to ask for a hearing. The 90 days started the day after the county gave or mailed you this notice.

If you ask for a hearing before an action on Cash Aid, Medi-Cal, Food Stamps, or Child Care takes place:

- Your Cash Aid or Medi-Cal will stay the same while you wait for a hearing.
- Your Child Care Services may stay the same while you wait for a hearing.
- Your Food Stamps will stay the same until the hearing or the end of your certification period, whichever is earlier.

If the hearing decision says we are right, you will owe us for any extra Cash Aid, Food Stamps or Child Care Services you got.

To let us lower or stop your benefits before the hearing, check below:

Yes, lower or stop: Cash Aid Food Stamps Child Care

While You Wait for a Hearing Decision for:

Welfare to Work:

You do not have to take part in the activities.

You may receive child care payments for employment and for activities approved by the county before this notice.

If we told you your other supportive services payments will stop, you will not get any more payments, even if you go to your activity.

If we told you we will pay your other supportive services, they will be paid in the amount and in the way we told you in this notice.

- To get those supportive services, you must go to the activity the county told you to attend.
- If the amount of supportive services the county pays while you wait for a hearing decision is not enough to allow you to participate, you can stop going to the activity.

Cal-Learn:

- You cannot participate in the Cal-Learn Program if we told you we cannot serve you.
- We will only pay for Cal-Learn supportive services for an approved activity.

OTHER INFORMATION

Medi-Cal Managed Care Plan Members: The action on this notice may stop you from getting services from your managed care health plan. You may wish to contact your health plan membership services if you have questions.

Child and/or Medical Support: The local child support agency will help collect support at no cost even if you are not on cash aid. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you current support money collected but will keep past due money collected that is owed to the county.

Family Planning: Your welfare office will give you information when you ask for it.

Hearing File: If you ask for a hearing, the State Hearing Division will set up a file. You have the right to see this file before your hearing and to get a copy of the county's written position on your case at least two days before the hearing. The state may give your hearing file to the Welfare Department and the U.S. Departments of Health and Human Services and Agriculture. **(W&I Code Sections 10850 and 10950.)**

TO ASK FOR A HEARING:

- Fill out this page.
- Make a copy of the front and back of this page for your records. If you ask, your worker will get you a copy of this page.
- Send or take this page to:

OR

- Call toll free: 1-800-952-5253 or for hearing or speech impaired who use TDD, 1-800-952-8349.

To Get Help: You can ask about your hearing rights or for a legal aid referral at the toll-free state phone numbers listed above. You may get free legal help at your local legal aid or welfare rights office.

If you do not want to go to the hearing alone, you can bring a friend or someone with you.

HEARING REQUEST

I want a hearing due to an action by the Welfare Department of _____ County about my:

Cash Aid Food Stamps Medi-Cal

Other (list) _____

Here's Why: _____

- If you need more space, check here and add a page.
- I need the state to provide me with an interpreter at no cost to me. (A relative or friend cannot interpret for you at the hearing.)

My language or dialect is: _____

NAME OF PERSON WHOSE BENEFITS WERE DENIED, CHANGED OR STOPPED

BIRTH DATE

PHONE NUMBER

STREET ADDRESS

CITY

STATE

ZIP CODE

SIGNATURE

DATE

NAME OF PERSON COMPLETING THIS FORM

PHONE NUMBER

- I want the person named below to represent me at this hearing. I give my permission for this person to see my records or go to the hearing for me. (This person can be a friend or relative but cannot interpret for you.)

NAME

PHONE NUMBER

STREET ADDRESS

CITY

STATE

ZIP CODE