



JOHN A. WAGNER
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER
GOVERNOR

December 2, 2008

ALL-COUNTY INFORMATION NOTICE NO.: I-93-08

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CAPI PROGRAM MANAGERS

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: JANUARY 2009 COST-OF-LIVING ADJUSTMENTS THAT AFFECT THE CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI) AND CAPI BENEFIT AMOUNT WHEN SPOUSE RECEIVES SSI/SSP

REFERENCE: ACIN 1-81-03 AND ACL 99-13

This All-County Information Notice (ACIN) provides the new Cash Assistance Program for Immigrants (CAPI) Payment Standards, effective January 1, 2009 and clarification for computing benefits for a CAPI recipient whose spouse receives Supplemental Security Income/State Supplementary Payment (SSI/SSP). The attached CAPI Payment Standards chart details the payment standards that will be effective on January 1, 2009.

As required by section 18941 of the Welfare and Institutions Code (WIC), the CAPI payment standards are based on the SSI/SSP payment standard minus \$10.00 for an individual and \$20.00 for a couple. Under the provisions of Assembly Bill (AB) 1279 (Chapter 759, Statutes of 2008), the state Cost-of-Living Adjustment (COLA) was suspended for all of 2009. The federal SSI COLA was passed through for 2009. The increased CAPI Payment Standards that will become effective on January 1, 2009 are the result of the federal COLA for SSI and are reflected on the attached chart.

The federal SSI COLA also affects the following values for the entire 2009 calendar year that can impact CAPI eligibility and benefit amounts effective on January 1, 2009:

PRESUMED MAXIMUM VALUE (PMV) OF IN-KIND SUPPORT AND MAINTENANCE

- To compute this value, take 1/3 of the federal SSI amount and add \$20.00. This changes the Presumed Maximum Value (PMV) from \$232.33 to \$244.66 for an individual and from \$338.66 to \$357.00 for a couple.

ALLOWANCE FOR INELIGIBLE CHILDREN IN DEEMING SITUATIONS

- To compute this allowance, determine the difference between the federal SSI benefit amount for a couple and the federal SSI benefit amount for an individual. This computation changes the allowance from \$319.00 to \$337.00.
- This allowance is entered, when appropriate, on the Income Eligibility Worksheet (SOC 452), line B.2.a, when determining a CAPI benefit amount for a case involving deemed income from an ineligible spouse, or on line A.4.a. of the Income Eligibility-Child Worksheet (SOC 452A) when determining eligibility for a minor child and income must be deemed from his or her parent(s).

SPONSOR'S ALLOCATION IN ALIEN DEEMING SITUATIONS

- This allocation equals the federal SSI rate for an individual. The federal SSI COLA changes the allocation from \$637.00 to \$674.00.
- This allowance is entered, when appropriate, on the Sponsor to Alien Deeming Worksheet (SOC 454), line 2, when determining a CAPI benefit amount for a case involving deemed income from a sponsor.

ALLOWANCE FOR PARENT(S) IN PARENT-TO-CHILD DEEMING SITUATIONS

- The allowance for one parent is equal to the federal SSI Individual rate. The allowance for two parents is equal to the federal SSI Couple rate. The federal SSI COLA changes the allowance from \$637.00 to \$674.00 for one parent and from \$956.00 to \$1011.00 for two parents.
- This allowance is entered on the Income Eligibility-Child Worksheet (SOC 452A) when determining eligibility for a minor child and income must be deemed from his or her parent(s).

COLA 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 the couple receives SSI/SSP and the other receives CAPI. All-County Letter (ACL) 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 the CAPI/SSI/SSP couple receives 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 COLA and the subsequent month. Using a January COLA for example, under normal retrospective counting rules the CAPI recipient's January and February payments would be computed using the spouse's SSI/SSP benefit from November and December respectively – before the SSI/SSP COLA in January – resulting in the CAPI/SSI/SSP couple receiving higher combined benefits in January and February 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 COLA occurs and the subsequent month. Using a January COLA for example, the CAPI recipient's January payment should be computed using the spouse's SSI/SSP January payment, and the CAPI recipient's February payment should be computed using the spouse's SSI/SSP February payment.

Using January 2009 as an example, the difference between retrospective and prospective budgeting is illustrated in the following table:

	Retrospective Budget	Prospective Budget
01/09 CAPI/SSI Couple Rate	\$1569	\$1569
Spouse's SSI/SSP used in budget calculation	\$870 (11/08)	\$907 (01/09)
01/09 CAPI payment	\$699	\$662
Total income actually received by couple in 01/09	\$1606	\$1569
<i>The total payment of \$1606 received in this example under retrospective budgeting is derived from the spouse's SSI/SSP payment of January 2009, plus the CAPI payment of January 2009, and exceeds both the SSI/SSP couple rate of \$1579 and the CAPI/SSI couple payment rate of \$1569. Therefore, the prospective budget must be used.</i>		

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Any questions regarding these adjustments should be directed to the Adult Programs Branch, Operations and Technical Assistance Unit, at (916) 229-3494.

Sincerely,

Original Document Signed By:

EVA L. LOPEZ
Deputy Director
Adult Programs Division

Attachment

c: CWDA

CAPI PAYMENT STANDARDS
EFFECTIVE JANUARY 1, 2009
BASED ON JANUARY 2009 SSI/SSP STANDARDS
Includes pass-through of the CPI COLA 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	897.00		907.00	673.34		683.34	846.34		856.34	1,076.00		1,086.00
- without cooking facilities (RMA) 1/	981.00		991.00									
BLIND	962.00		972.00	754.34		764.34	846.34		856.34	1,076.00		1,086.00
DISABLED MINOR												
- living with parent(s)	783.00		793.00	547.34		557.34			856.34	1,076.00		1,086.00
- 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												
- per couple	1,559.00	1,569.00	1,579.00	1,249.66	1,259.66	1,269.66	1,699.66	1,709.66	1,719.66	2,152.00	2,162.00	2,172.00
- without cooking facilities (RMA) 1/	1,727.00	1,737.00	1,747.00									
BLIND												
- per couple	1,786.00	1,796.00	1,806.00	1,476.66	1,486.66	1,496.66	1,699.66	1,709.66	1,719.66	2,152.00	2,162.00	2,172.00
BLIND/AGED OR DISABLED												
- per couple	1,701.00	1,711.00	1,721.00	1,390.66	1,400.66	1,410.66	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