



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

June 17, 2011

ALL COUNTY LETTER NO. 11-46

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CALFRESH COORDINATORS
ALL QUALITY CONTROL 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: SUPPLEMENTAL SECURITY INCOME/STATE
SUPPLEMENTARY PAYMENT (SSI/SSP) RECIPIENTS IN
SUSPENDED STATUS AND ELIGIBILITY TO CALFRESH

REFERENCE: SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)
WAIVER #2110010

The purpose of this letter is to inform County Welfare Departments (CWDs) of a recent change to CalFresh eligibility restrictions on former SSI/SSP recipients, due to a waiver approval by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS).

BACKGROUND

Once an individual is no longer eligible for SSI/SSP, the Social Security Administration (SSA) places the case in a suspended, rather than terminated status. SSA regulations at 20 CFR 416.1335 provide that an individual in suspended status has 12 consecutive months to have their SSI/SSP benefits reinstated if he or she becomes eligible again without having to file a new application. After 12 months, the individual is automatically terminated from the SSI/SSP program.

As a result of California's SSI/SSP cash-out policy, federal regulations at 7 CFR 273.20 prohibit eligibility to CalFresh during any month that a person receives SSI/SSP during that month. Paragraph (b) of that section specifies that this includes people whose SSI/SSP benefits have been suspended.

SUMMARY OF CHANGES

The California Department of Social Services (CDSS) has requested and received FNS approval of a waiver request to allow for two categories of suspended SSI/SSP recipients to participate in CalFresh, if otherwise eligible under regular eligibility rules, during the 12-month SSA suspension period. A copy of the waiver is attached. The first group consists of persons in suspended status as a result of cuts to the state portion of the SSI/SSP grant. SSI/SSP eligibility rules state that an individual's monthly income,

after certain deductions, cannot exceed the maximum SSI/SSP monthly payment. California has reduced the maximum SSI/SSP rate by cutting the SSP several times over the past two years. Another state budget cut effective July 1, 2011 will impact more recipients. This waiver applies to those SSI/SSP suspensions resulting from the July 1, 2011 budget cut and all other future reductions in SSI/SSP payments due to state budget cuts while the waiver remains in effect.

The second group consists of Humanitarian Refugees/Asylees in suspended status due to the expiration of their extended federal time limits. In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act which made most legal immigrants ineligible for SSI, except for certain Humanitarian Refugees/Asylees during their first seven years in the United States. Beginning in 2003, many reached their seven-year limit and lost eligibility for SSI. These refugees/asylees were not eligible to receive SSI benefits until 2008 when Congress extended their time limits by two years. The first groups of refugees/asylees reached the end of their additional two-year extension on October 1, 2010, and were placed in suspended status by SSA.

In an effort to increase program access and ensure that these two categories of otherwise eligible individuals have access to nutritional assistance, FNS has approved CDSS' waiver request for a 24-month period from June 13, 2011, through June 13, 2013.

VERIFICATION REQUIREMENTS

For applicants impacted by this waiver, CWDs must verify that their SSI/SSP suspension is due to their being in one of the categories referenced above before approving an application for CalFresh, provided they meet all other eligibility requirements. For verification purposes, CWDs must review the applicant's letter from SSA informing them of their suspension and the specific reason for the suspension. If the applicant is unable to provide the suspension letter from SSA or the suspension letter does not indicate the specific reason for suspension, CWDs shall assist the applicant in obtaining the required verification of the reason for suspension before determining eligibility for benefits. Sample copies of the suspension letters from SSA are attached.

Verification documentation must be included in the client's file. Appropriate verification documentation may be a copy of the client's SSI suspension letter indicating that the reason for suspension meets the requirements of this waiver or notes in the case record reflecting other verification from SSA.

QUALITY CONTROL (QC)

FNS has denied CDSS' request for a QC hold harmless period for recipients who were in suspended status that may have been approved for CalFresh benefits prior to the end of the 12-month SSI/SSP suspension.

No special QC procedures are required for cases subject to the provisions of this waiver. Cases should be reviewed using standard review procedures contained in the FNS Handbook 310.

If you have any questions please contact Tracy Ahlenstorf of the CalFresh Policy Bureau at (916) 653-5528 or via e-mail at tracy.ahlenstorf@dss.ca.gov.

Sincerely,

Original Document Signed By:

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

Attachments



June 13, 2011

**United States
Department of
Agriculture**

SNAP-10-6/Waiver 2110040 Modification CA

Food and
Nutrition
Service

Western Region

90 Seventh St.
Suite 10-100
San Francisco, CA
94103

Ms. Linda Patterson
Cal Fresh Branch
744 P Street, MS 16-32
Sacramento, CA 95814-5512

Dear Ms. Patterson:

This is in your response to your June 8, 2011 request to modify waiver #2110040, items 11 and 12. Modifications were approved for section 12 of the waiver response: information required for extension. In addition, we have modified the waiver approval dates to June 13, 2011 through June 13, 2013. Please replace the prior waiver response with the attached modified response.

If you have any questions regarding the modified waiver, please contact Dave Bailey via email at dave.bailey@fns.usda.gov .

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Stewart".

DENNIS STEWART
Regional Director
Supplemental Nutrition Assistance Program
Western Region

Attachment

cc:

CA SPO, POI, SNAP, WRO
CA QC, SNAP, WRO

Attachment 1

WAIVER RESPONSE

1. **Waiver serial number:** 2110040
2. **Type of request:** Modification
3. **Primary regulation citation:** 7 CFR 273.20(b)
4. **Secondary regulation citation:** 7 CFR 273.20(a)
5. **State:** California
6. **Region:** Western Regional Office
7. **Regulatory requirements:**

Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.20(a) make individuals who receive supplemental security income (SSI) benefits and/or State supplementary payments (SSP) as a resident of California ineligible to receive SNAP because the State's SSI/SSP payments include the value of the SNAP allotment. SNAP regulations go on to clarify in 7 CFR 273.20(b) that SSI/SSP recipients in California whose SSI/SSP are suspended will remain ineligible for SNAP until terminated from the SSI program.
8. **Proposed alternative procedures:**

California's Department of Social Services (CDSS) is requesting that certain groups of SSI recipients in suspended status be eligible for SNAP benefits during the 12 month suspension period. Specifically, the two groups of SSI recipients in suspended status subject to this waiver are:

 - Individuals in California suspended from the SSI program as a result of cuts to the State portion of the SSI/SSP.
 - Humanitarian Refugees or Asylees suspended from the SSI program due to expired Federal time limits.

CDSS will verify that the reason for SSI suspension meets one of the above scenarios before approving the individual for SNAP, provided they meet the other SNAP eligibility requirements. To verify an applicant's status, CDSS will contact SSA directly or review an applicant's notification letter from SSA if that letter notes the specific reason for the suspension.
9. **Action and reason for approval or denial:**

Food and Nutrition Service (FNS) shares CDSS' concerns that clients subject to this waiver may not be receiving the necessary nutrition assistance they need,

particularly during the 12-month SSI suspension. FNS is approving this waiver in an effort to increase program access and ensure these individuals have access to nutritious food.

FNS is denying the CDSS' request to approve this waiver retroactively to October 1, 2010. Furthermore, the 120-day QC error exclusion at 275.12(d)(2)(vii) applies only to new Program regulations, implementation of mandatory changes in Federal law, and, at FNS option, optional regulatory or legislative provisions to offset the impact of required changes resulting from the passage of a new law or publication of a regulation. CDSS' request is not directly related to the passage of a new law and is specifically a waiver. Therefore, FNS is denying the request for a QC hold harmless period for Humanitarian Refugees/Asylees who were in suspended status but may have been approved SNAP benefits prior to the end of the suspension period.

This modification supersedes any prior waiver approvals.

10. Regulatory or legislative basis for action:

Approval is based on 7 CFR 272.3(c)(1)(ii), which allows FNS to approve waivers that would result in a more effective and efficient administration of the program.

11. Conditions and reasons:

This waiver is approved under the following conditions:

- The waiver is limited to two groups of SSI recipients in suspended status:
 - Individuals in California who receive SSI/SSP benefits but have been suspended from the SSI program due to state budget cuts that reduced their SSP grant.
 - Humanitarian Refugees or Asylees in suspended status with the SSI program due to expired Federal time limits.
- *Verification Requirements.* For applicants subject to this waiver, CDSS must verify the reason for SSI suspension before approving the applicant for SNAP, provided the applicant meets regular SNAP eligibility requirements. For verification purposes, CDSS can review the applicant's notification letter from the Social Security Administration (SSA) if that letter notes the specific reason for the suspension. If the individual is unable to provide a suspension letter from SSA or an individual's SSI suspension letter does not indicate a specific reason for suspension the CDSS must contact SSA directly to verify the reason for suspension.

Verification documentation must be included in the client's file. Appropriate verification documentation may be a copy of the clients SSI suspension letter indicating the reason for suspension meets the requirements of this waiver or notes from a verification phone call with SSA.

- Due to the small population affected by this waiver and the long history of cash-out in California, we are requesting the CDSS make a good faith effort to reach out to clients subject to this waiver and inform them of their potential eligibility for SNAP. Outreach efforts should be clear to avoid confusion with other SSI/SSP active or suspended recipients to avoid issuance of benefits to clients not subject to this waiver.
- CDSS will ensure that local offices are informed of the waiver and verification requirements and, if necessary, that training is conducted to assure that the terms of this waiver are implemented and maintained correctly.
- CDSS has the capacity to and will provide to FNS the required data outlined in section 12 of this waiver response form.

12. Information required for extension:

FNS will consider a 24-month extension of this waiver based on the following information:

- I. A State wide sample of 100 cases minimum processed under this waiver to include the following information:
 - a. Amount of benefits issued to each individual* in the sample.

**For mixed SSI households, indicate the amount of increase or decrease in the SNAP household allotment.*

A mid-term report with the above data is due no later than 12 months before the expiration date listed in section 13. A final report (an additional 100 cases minimum) with the above data is due no more than 30 days after the expiration date listed in section 13.

13. Expiration date:

This waiver is effective June 13, 2011 and expires June 13, 2013.

14. Limitation, if any, on regional office approval of like requests:

The approval of this waiver is for the California Department of Social Services only.

15. Quality control procedures:

No special QC procedures are required for cases subject to the provisions of this waiver. Cases should be reviewed using standard review procedures contained in the FNS Handbook 310.

16. **Date of national office action:** Original approval: April 14, 2011; Modification: June 8, 2011.
17. **Date of State agency's request:** February 15, 2011
18. **Date of regional office's transmittal of request to national office:** February 17, 2011 with revisions submitted March 29, 2011
19. **Date of regional office's transmittal or response to State agency:** June 14, 2011
20. **Actual implementation date:**

We will be in touch with you soon about your Medicaid coverage. In the meantime, your Medicaid coverage should not change until we talk to you.

You Can Review The Information in Your Case

The decisions in this letter are based on the law. You have a right to review and get copies of the information in our records that we used to make the decisions explained in this letter. You also have a right to review and copy the laws, regulations and policy statements used in deciding your case. To do so, please contact us. Our telephone number and address are shown under the heading "If You Have Questions."

Things You Should Know

- Even though you are not due payments, you are still considered to be eligible under the Supplemental Security Income program. You should report any event that might affect your eligibility or allow you to receive payments again.
- This decision refers only to your claim for Supplemental Security Income payments.
- Would you like to work? If so, you should know about special SSI rules. These rules can help you keep Medicaid and may help you keep getting some SSI even though you are working. The enclosed fact sheet tells you more about special SSI rules for people who work.

If You Disagree With The Decision

You do not have the right to appeal the State's decision to reduce payments for its residents.

However, if you disagree with the way we figured your payment, you may appeal this part of the decision. We will review your case and consider any new facts you have.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did not get it within the 5-day period.
- You must have a good reason for waiting more than 60 days to ask for an appeal.
- To appeal, you must fill out a form called "Request for Reconsideration." The form number is SSA-561. To get this form, contact one of our offices. We can help you fill out the form.

SSA-LB155

04/04/2009

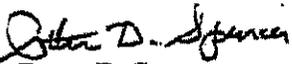
If You Have Questions

For general information about SSI, please visit our website at www.socialsecurity.gov on the Internet. You will find the law and regulations about SSI eligibility and SSI payment amounts at www.socialsecurity.gov/SSIRules/.

For general questions about SSI or specific questions about your case, please call us toll-free at 1-800-772-1213, or call your local Social Security office at 650-994-2024. Our lines are busiest early in the week and early in the month, so if your business can wait, it's best to call at other times. We can answer most questions over the phone. If you need assistance for any reason, you can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
SUITE 201
355 GELLERT BLVD
DALY CITY CA 94015

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.


Peter D. Spencer
Regional Commissioner

Enclosure(s):
SSI Rules That Help You Work

SSA-L8155

04/04/2009

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If You Need Help Finding A Job

We can ask someone who offers vocational rehabilitation services to help you find a job or give you training.

If You Want To Know More

If you want to know more about these rules, contact any Social Security office and ask to speak to someone about work incentives.

SSA-18155

P.014

APR-07-2009 11:44

Social Security Administration
Supplemental Security Income
Notice of Planned Action

SOCIAL SECURITY
825 RIVERSIDE PARKWAY
STE 1000
WEST SACRAMENTO CA 95605
Date: January 31, 2011

001384 1 AB 0.360 0011 LTR T16 M10 0124
E29 11S1921J80656



MAIL ROOMS - NOT A FAX FAX SERVICE N.P.A. IN JUNE FAX
00000000
UNCLASSIFIED//FOR OFFICIAL USE ONLY

Type of Eligibility:
Member of Couple-
Disabled

You Will Lose Your SSI on March 1, 2011

We plan to stop your Supplemental Security Income (SSI) payments beginning March 1, 2011. This is 7 years after February 2004, the month you were admitted as a refugee under section 207 of the Immigration and Nationality Act (INA).

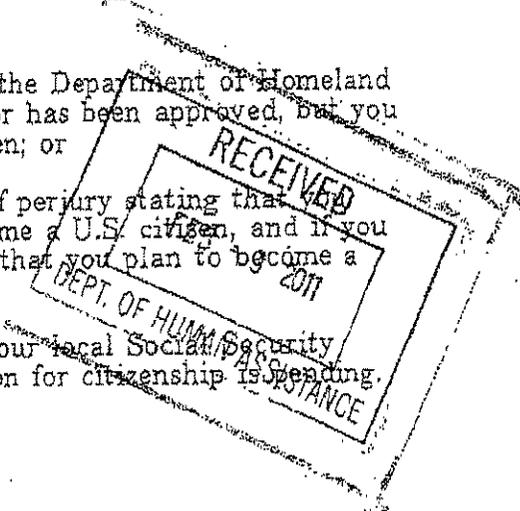
We urge you to read this entire letter, including the information about Medicaid eligibility and the information about appeal rights.

Contact Us Immediately If You Think You May Be Eligible

You may still be eligible for SSI if:

- you have applied for U.S. citizenship with the Department of Homeland Security, and your application is pending or has been approved, but you have not yet been sworn in as a U.S. citizen; or
- you sign a declaration under the penalty of perjury stating that you have made or are making an effort to become a U.S. citizen, and if you do not qualify for citizenship at this time, that you plan to become a U.S. citizen if and when the law allows.

If you have applied for citizenship, please visit your local Social Security office. Bring with you proof that your application for citizenship is pending.



See Next Page

01/31/2011

If Your Application For U.S. Citizenship Is Pending

A recent class action settlement called the "Kaplan Class" may help you. Under this settlement, you can ask the Department of Homeland Security (DHS) to expedite a pending application for U.S. citizenship. You can also ask them to waive the fee. Please contact the DHS for additional information.

For questions, please visit www.uscis.gov/portal/site/uscis or call the U.S. Citizenship and Immigration Services National Center at 1-800-375-5283.

If You Become A U.S. Citizen

Please let us know if you become a citizen. We may be able to continue your payments as long as you meet all other SSI eligibility rules.

You Must Now Be In One Of The Categories Below To Be Eligible For SSI

Since we do not have proof that you are eligible based on a category listed below, we are stopping your SSI beginning March 1, 2011.

1. Citizens or nationals of the U.S.
2. Aliens who are lawfully admitted for permanent residence under the Immigration and Nationality Act (INA) and who have worked long enough to have at least a total of 40 qualifying quarters of work. An alien may get the 40 quarters of work himself or herself. Also, work done by a spouse or parent may count toward the 40 quarters of work for getting SSI only.

We can help you get the information you need to prove how many quarters of work you, your spouse, or your parents have.

We cannot count any quarter of work acquired after December 31, 1996 if the alien or the worker received certain types of federally funded assistance during that quarter.

To qualify based on 40 quarters of work:

- the alien had to enter the U.S. before August 22, 1996, or
 - if the alien entered the U.S. on or after August 22, 1996, the alien had to have been in one or more of the alien eligibility categories listed in this letter for 5 years or more.
3. Certain aliens who are blind or disabled and were lawfully residing in the U.S. on August 22, 1996.
 4. Certain aliens who were lawfully residing in the U.S. and who were receiving SSI benefits on August 22, 1996.



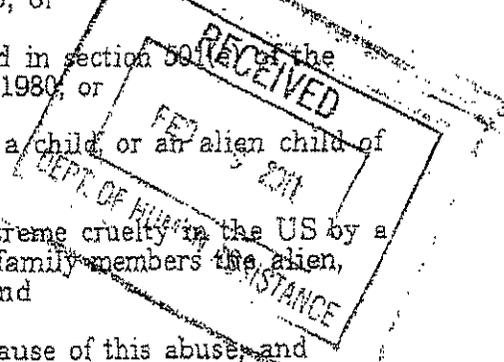
01/31/2011

5. American Indians born outside the U.S. who are admitted under section 289 of the INA or who are members of federally recognized Indian tribes under section 4(e) of the Indian Self-Determination and Education Assistance Act.
6. Certain aliens who are:
 - active duty members of the U.S. Armed Forces (except for training purposes only), or
 - honorably discharged veterans of the U.S. Armed Forces but not discharged because of alien status, or
 - spouses, including unremarried widows or widowers, or unmarried dependent children of people in the above two groups.

AND

Under categories 3 and 6, the alien must also be one of the following:

- lawfully admitted for permanent residence under the INA; or
- a refugee under section 207 of the INA; or
- an asylee under section 208 of the INA; or
- a person whose deportation is withheld under section 243(h) of the INA as in effect prior to April 1, 1997, or whose removal has been withheld under section 241(b)(3) of the INA; or
- a parolee under section 212(d)(5) of the INA for at least one year; or
- a person granted conditional entry under section 203(a)(7) of the INA as in effect prior to April 1, 1980; or
- a Cuban or Haitian entrant as defined in section 501(a) of the Refugee Education Assistance Act of 1980; or
- a certain alien, or an alien parent of a child, or an alien child of a parent who has:
 - been battered or subjected to extreme cruelty in the US by a spouse, parent, or certain other family members the alien, parent and/or child lived with; and
 - been determined to need SSI because of this abuse; and
 - a determination from Immigration and Naturalization Service (INS) for a certain change in status.



01/31/2011

7. Aliens who are eligible under P.L. 110-328, "The SSI Extension for Elderly and Disabled Refugees Act." This law temporarily extends the 7 year eligibility limit for certain refugees, asylees, and certain other immigrants, including victims of human trafficking, for 2 or 3 years during the period October 1, 2008, through September 30, 2011. To qualify under P.L. 110-328, the alien must:

- have a pending or approved citizenship application and not yet have been sworn in as U.S. citizen; or
- sign a declaration under the penalty of perjury stating that the alien has made or is making an effort to become a U.S. citizen, and if the alien does not qualify for citizenship at this time, that the alien plans to become a U.S. citizen if and when the law allows.

Proofs To Bring If You Contact Us

If you contact us, the types of documents you can show us include:

- U.S. naturalization papers or U.S. passport; or
- Proof of your alien status (for example, an unexpired Department of Homeland Security immigration document such as Form I-94, Arrival Departure Record, or Form I-551, Permanent Resident Card); or
- An order from an immigration judge withholding deportation or granting asylum; or
- U.S. military service identity card (U.S. Form DD-2 or HSPD-12, Armed Forces Identity Card); or
- Discharge Certificate from U.S. Military (Department of Defense Form 214); or
- Proof that you are a member of a federally recognized Indian tribe.

You can also give us information about qualifying quarters of work. But remember that we can help you prove how many quarters of work you, your spouse, or your parents have.

Information About Medi-Cal

If you are getting medical assistance from the Medi-Cal program, even though you will not be eligible for SSI, you may still be eligible for medical assistance if you need help with medical bills. That's because some aliens may still be eligible for medical assistance if they have little or no income or resources.



If the Medi-Cal agency decides that you are eligible to remain on Medi-Cal, your Medi-Cal benefits will continue.

01/31/2011

If the Medi-Cal agency decides that you are not eligible to continue on Medi-Cal, it must send you a separate letter and information about how to appeal that decision. If you appeal, you will continue to receive Medi-Cal benefits until the appeal is decided. If you have not heard from them in 60 days, you may want to contact your local medical assistance office or your local county welfare office. If you call or visit that agency, please have this letter with you.

You Can Review The Information in Your Case

The decisions in this letter are based on the law and information in our records. You have a right to review and get copies of the information in our records that we used to make the decisions explained in this letter. You also have a right to review and copy the laws, regulations, and policy statements used in deciding your case. To do so, please contact us. Our telephone number and address are shown under the heading "If You Have Questions".

Things You Should Know

- Let us know if your alien status changes and you think you may be eligible for SSI.
- If we stop your SSI and you do not become eligible again before March 2012, you may have to file a new application to get SSI.

This information is also being sent to _____

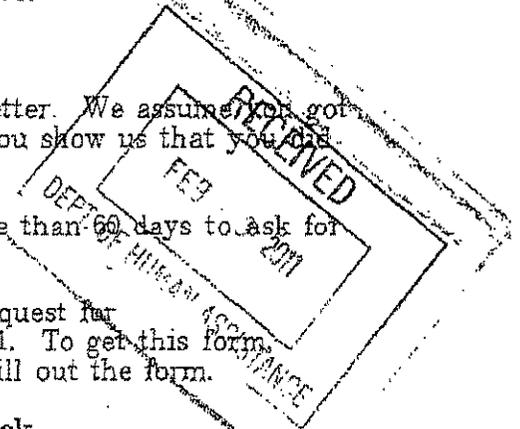
You Have Important Appeal Rights

If you disagree with the decision, you have the right to appeal. We will review your case and consider any new facts you have.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did not get it within the 5-day period.
- You must have a good reason for waiting more than 60 days to ask for an appeal.
- To appeal, you must fill out a form called "Request for Reconsideration." The form number is SSA-561. To get this form, contact one of our offices. We can help you fill out the form.

Appeal In 10 Days To Keep Getting the Same Check

You can ask for an appeal any time within the 60 days. But if you want to keep getting the same check until we decide your case, you must ask for the appeal within the first 10 days.



01/31/2011

- The 10 days start the day after you get this letter.
- If you lose your appeal, you might have to pay back some or all of this money.

However, even if you appeal in 10 days, we may not send you the check in March 2011 if both of the following are true:

- The decision we make on your appeal is the same as our earlier decision, and
- We send or give you a letter with our new decision in time to stop the check from being sent.

How To Appeal

There are three ways to appeal. You can pick the one you want. If you meet with us in person, it may help us decide your case.

- Case Review. You have a right to review the facts in your file. You can give us more facts to add to your file. Then we'll decide your case again. You won't meet with the person who decides your case.
- Informal Conference. You'll meet with the person who decides your case. You can tell that person why you think you're right. You can give us more facts to help prove you're right. You can bring other people to help explain your case.
- Formal Conference. This is a meeting like an informal conference. The difference is you can ask us to make people come to help prove you're right. We can make them bring important papers about your case, even if they don't want to help you. You can question these people at your meeting.

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it.

If You Have Questions

For general information about SSI, please visit our website at www.socialsecurity.gov on the Internet. You will find the law and regulations about SSI eligibility and payments at www.socialsecurity.gov/SSIRules/.



Social Security Administration Supplemental Security Income Notice of Planned Action

26051 ACERO ROAD
MISSION VIEJO CA 92691

Date: September 6, 2010

016072 1 MS 0.382 0066 LTR T16 M10 0830
058 10S1231R54648

[REDACTED]

Type of Eligibility:
Individual-Disabled

You Will Lose Your SSI on October 1, 2010

We plan to stop your Supplemental Security Income (SSI) payments beginning October 1, 2010. You were eligible for SSI based on the SSI Extension for Elderly and Disabled Refugees Act. This law temporarily extended the 7-year eligibility limit for refugees, asylees, and certain victims of human trafficking.

We urge you to read this entire letter, including the information about Medicaid eligibility and the information about appeal rights.

Contact Us Immediately If You Think You May Be Eligible

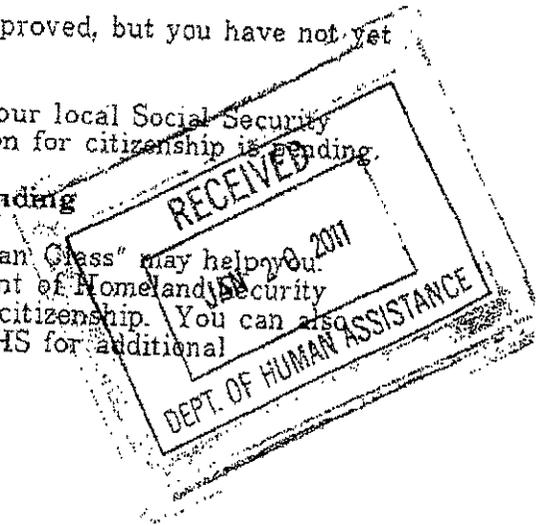
You may still be eligible for SSI if:

- you have applied for U.S. citizenship with the Department of Homeland Security; and
- your application is pending or has been approved, but you have not yet been sworn in as a U.S. citizen.

If you have applied for citizenship, please visit your local Social Security office. Bring with you proof that your application for citizenship is pending.

If Your Application For U.S. Citizenship Is Pending

A recent class action settlement called the "Kaplan Class" may help you. Under this settlement, you can ask the Department of Homeland Security (DHS) to expedite a pending application for U.S. citizenship. You can ask them to waive the fee. Please contact the DHS for additional information.



See Next Page

MAIL STOP 033007 NO TAF P.X3 FISSIGN NPA 0100301 JAM 00000000 JUN 20 10 31 45 85 7 9 8 1 4 8 5 7 7 9 8 1 0 0 9

09/06/2010

For questions, please visit www.uscis.gov/portal/site/uscis or call the U.S. Citizenship and Immigration Services National Center at 1-800-375-5283.

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We can help you get the information you need to prove how many quarters of work you, your spouse, or your parents have.

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3. Certain aliens who are blind or disabled and were lawfully residing in the U.S. on August 22, 1996.
 4. Certain aliens who were lawfully residing in the U.S. and who were receiving SSI benefits on August 22, 1996.
 5. American Indians born outside the U.S. who are admitted under section 289 of the INA or who are members of federally recognized Indian tribes under section 4(e) of the Indian Self-Determination and Education Assistance Act.
 6. Certain aliens who are:



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- Proof of your alien status (for example, an unexpired Department of Homeland Security immigration document such as Form I-94, Arrival Departure Record, or Form I-551, Permanent Resident Card); or
- An order from an immigration judge withholding deportation or granting asylum; or
- U.S. military service identity card (U.S. Form DD-2 or HSPD-12, Armed Forces Identity Card); or
- Discharge Certificate from U.S. Military (Department of Defense Form 214); or
- Proof that you are a member of a federally recognized Indian tribe.

You can also give us information about qualifying quarters of work. But remember that we can help you prove how many quarters of work you, your spouse, or your parents have.

Information About Medi-Cal

If you are getting medical assistance from the Medi-Cal program, even though you will not be eligible for SSI, you may still be eligible for medical assistance if you need help with medical bills. That's because some aliens may still be eligible for medical assistance if they have little or no income or resources.

If the Medi-Cal agency decides that you are eligible to remain on Medi-Cal, your Medi-Cal benefits will continue.

If the Medi-Cal agency decides that you are not eligible to continue on Medi-Cal, it must send you a separate letter and information about how to appeal that decision. If you appeal, you will continue to receive Medi-Cal benefits until the appeal is decided. If you have not heard from them in 60 days, you may want to contact your local medical assistance office or your local county welfare office. If you call or visit that agency, please have this letter with you.

You Can Review The Information in Your Case

The decisions in this letter are based on the law and information in our records. You have a right to review and get copies of the information in our records that we used to make the decisions explained in this letter. You also have a right to review and copy the laws, regulations, and policy statements used in deciding your case. To do so, please contact us. Our telephone number and address are shown under the heading "If You Have Questions."

Things You Should Know

- Let us know if your alien status changes and you think you may be eligible for SSI.



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- Informal Conference. You'll meet with the person who decides your case. You can tell that person why you think you're right. You can give us more facts to help prove you're right. You can bring other people to help explain your case.
- Formal Conference. This is a meeting like an informal conference. The difference is you can ask us to make people come to help prove you're right. We can make them bring important papers about your case, even if they don't want to help you. You can question these people at your meeting.

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it.

If You Have Questions

For general information about SSI, please visit our website at www.socialsecurity.gov on the Internet. You will find the law and regulations about SSI eligibility and payments at www.socialsecurity.gov/SSIRules/.

For general questions about SSI or specific questions about your case, please call us toll-free at 1-800-772-1213, or call your local Social Security office at 949-581-9096. Our lines are busiest early in the week and early in the month, so if your business can wait, it is best to call at other times. We can answer most questions over the phone. If you need assistance for any reason, you can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
26051 ACERO ROAD
MISSION VIEJO CA 92691



