DEPARTMENT OF BENEFIT PAYMENTS

May 24, 1974

ALL-COUNTY LETTER NO. 74-94

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ALVAREZ v. CARLESON

REFERENCE:

A public hearing was held on March 7, 1974 to consider regulatory changes which would clarify the treatment of OASDI income, or income from similarly restricted sources, in determining AFDC eligibility and grant computation. Amended regulations have been adopted and will be transmitted to you shortly.

A Judgment entered in the case of Alvarez v. Carleson requires that a notice be mailed to all AFDC families, in English and Spanish, advising of the opportunity to have their AFDC grant recomputed if a child in the family receives restricted income. You are therefore directed to send such a notice on or before July 1, 1974 to each AFDC family in your county. The forms of the English and Spanish notices which must be used are attached. The English notice can be printed on one side of a card and the Spanish version on the other, and included as a stuffer with any AFDC check mailed on or before July 1.

Sincerely,

David B. Swoap

DAVID B. SWOAP
Director

Attachments

cc: CWDA

OBSOLETE

Superseded by ACL #77-15

Issued 3-17-77

GEN 654 (2/74)

IMPORTANT ANNOUNCEMENT

If a child in your family is receiving AFDC and in addition receives income from any of the following sources: child support, OASDI benefits, veteran's benefits, or other restricted income, you may choose to exclude this child and the child's income from consideration in determining the amount of the family's AFDC grant.

Excluding such child and the child's income from your AFDC budget may increase the amount of money you can receive under the AFDC program.

Your eligibility worker will assist you in determining whether excluding a child with "restricted" income from your budget will increase your grant, and, if so, will make the adjustment if you request it, and your future checks will include the increase.

References: EAS §§ 44-101.2, 44-133.62, 44-133.9, 44-213.31

ANUNCIO IMPORTANTE

Si un niño en su familia recibe Asistencia para Familias con Niños Dependientes (AFDC) y también recibe ayuda de los siguientes recursos: Pagos para el sustento de menores de edad, beneficios a sobrevivientes de ancianos pensionados (OASDI), beneficios para veteranos u otra ayuda monetaria especial, Ud. puede excluir a ese niño y a los pagos que recibe a causa de él como consideración en la determinación de la cantidad de dinero que su familia recibirá como Asistencia para Familias con Niños Dependientes (AFDC).

Excluyendo a ese niño y a los pagos que recibe a causa de él de su presupuesto AFDC puede causar que le aumenten la cantidad de dinero que Ud. tiene derecho a recibir de acuerdo con el programa AFDC.

Su representante de elegibilidad en el Departamento de Asistencia Pública le ayudará a determinar si Ud. tiene derecho a recibir más dinero si ese niño y los pagos que recibe a causa de él son excluidos al determinar su eligibilidad. Si este es el caso su representante de eligibilidad hará los ajustes necesarios, si Ud. se lo pide, y sus cheques de aquí en adelante incluirán el aumento.

Referencia: EAS §§ 44-101.2, 44-133.62, 44-133.9, 44-213.31