STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

REASON FOR THIS TRANSMITTAL

[ ] State Law Change
[X] Federal Law Change
[ ] Court Order or Settlement Agreement
[ ] Clarification Requested by One or More Counties
[ ] Initiated by CDSS

March 21, 1994

ALL COUNTY LETTER NO. 94-25

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: AGED, BLIND, OR DISABLED ALIENS, AND THE RADIATION EXPOSURE COMPENSATION ACT

This letter is to provide County Welfare Departments (CWDs) with information regarding changes to the Food Stamp regulations. These regulations were filed on an emergency basis and were effective January 1, 1994.

AGED, BLIND, OR DISABLED ALIENS

Current Food Stamp regulation Section 63-403.1(i) allows aliens who are aged, blind or disabled to participate in the Food Stamp Program if they are lawfully admitted for permanent residence. However, aliens who have temporary status under current regulation Section 63-403.1(j) have to wait at least five years prior to applying for Food Stamps.

Food Stamp regulation Section 63-403.1(i) is being revised as a result of a United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) revised interpretation of the Immigration and Nationality Act (INA). This change will eliminate the five-year waiting period for aged, blind, or disabled aliens who are lawfully admitted for temporary resident status. These temporary residents now may participate in the Food Stamp Program.

RADIATION EXPOSURE COMPENSATION ACT

Food Stamp regulations also are being revised as a result of the passage of Public Law 101-426, the Radiation Exposure Compensation Act of 1990. The Act provides the payment made from the Radiation Exposure Compensation Trust Fund for certain diseases attributed to radiation exposure are excluded from income and resources for determining eligibility to receive benefits. Regulation Section 63-501.3(k)(18) is being adopted to exclude these payments as income or resources for Food Stamp budgeting purposes.

Currently certified households are to be converted to the revised regulations at the time of recertification or at any time the casefile is reviewed prior to recertification. New applications should be processed in accordance with these regulatory changes.

If you have any questions regarding these changes, please contact Myra Meyer, Food Stamp Program Bureau, at (916) 657-3283.

MICHAEL C. GENEST
Deputy Director
Welfare Programs Division