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

August 12, 1994

ALL COUNTY LETTER NO. 94-66

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: SIMPLIFICATION OF FOOD STAMP HOUSEHOLD DEFINITION (RDB #0594-17)

REFERENCE: MANUAL SECTIONS (MS) 63-028, 63-402 .141, .142 (a) (b) AND (c); AND 63-402.145 (a) AND (b)

ALL COUNTY LETTER NO. 94-26, DATED MARCH 21, 1994

This letter provides County Welfare Departments (CWDs) with information concerning the implementation of revised provisions contained in the above-referenced regulation package. These regulations implement provisions of the Mickey Leland Childhood Hunger Relief Act (Public Law 103-66). This regulation package is expected to be filed with the Office of Administrative Law (OAL) around mid-August with an anticipated effective date of September 1, 1994. The following is a summary of the regulation changes:

Implementation of Simplification of Food Stamp Household Definition M.S. 63-028

- M.S. 63-028 specifies effective September 1, 1994, CWDs shall implement these provisions for all food stamp household applicants.

- For continuing cases, these provisions shall be implemented upon request by the household, at recertification, when the case is next reviewed, or when the county welfare department becomes aware that a review is needed, whichever occurs first.

Household Concept M.S. 63-402.141, 63-402.142 (a) (b) and (c); 63-402.145 (a) and (b)

- M.S. 63-402.141 clarifies that separate household status cannot be granted to children under 18 years of age (other than foster children) living with a member of the household who has parental control.

- M.S. 63-402.142 (a) has been repealed. This provision stated that parents living with their natural, adopted or step children, or children living with their natural, adopted or stepparents can be a separate household if one parent is elderly or disabled.

- M.S. 63-402.142 (b) and (c) have been amended and now specify that separate household status cannot be applied to parents living with their natural, adopted or step children, or children living with their natural, adopted, or stepparents unless:

  (1) The child is 22 years of age or older and purchases and prepares food separately.

  (2) The child is 21 years old or less, purchases and prepares food separately and is:

    (a) married and living with his/her spouse or;

    (b) is a parent of a minor child (parent of a minor child includes an individual exercising parental control of any child under 18 years of age).

    The requirement that a six month certification period be established for these households has been repealed.

  (3) The child is participating in the other parent's Food Stamp household.

- M.S. 63-402.145 (a) and (b) are being repealed since these provisions no longer apply.

  The requirement that a sibling (natural, adopted, half-or step) be a parent of a minor child or exercising parental control of any child(ren) under 18 years of age to qualify for separate household status has been repealed. Further, the requirement that a six month certification period be established for these households has been repealed.

If you have any questions regarding these implementation guidelines, you may contact the Food Stamp Program Bureau, Policy Implementation Unit at (916) 654-1896.

MICHAEL C. GENEST
Deputy Director