STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

March 1, 1995

ALL COUNTY LETTER NO. 95-10

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

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IMPLEMENTATION OF REVISED RESOURCE AND INCOME EXCLUSION PROVISIONS

REFERENCE: Manual Sections (M.S.) 63-029; 63-501.111, 63-501.3(b), (j), (k), and (p); 63-502.135, 63-502.2(b)(2)(C), (e), (j), (l) and (l)(4)&(6), 63-502.352(d)(1); 63-506; 63-507 and 63-507(a)(5) and (a)(18).

This letter is to provide information and implementation instructions to the County Welfare Departments (CWDs) on revisions to the Resource and Income Exclusion sections of the Manual of Policy and Procedures (MPP). These regulations will be effective April 1, 1995. A summary of the regulation changes follows.

Implementation of Revised Resource and Income Exclusion Provisions (M.S. 63-029)

The following implementation instructions apply to the adopted provisions of M.S. 63-507(a)(5) and (a)(18), the energy assistance reimbursements/allowances, and victims of Nazi persecution payments.

1. For continuing cases and households entitled to restored benefits, these provisions shall be implemented and benefits restored to the date of application or August 1, 1994, whichever is later. This applies when the household makes the request, at recertification, when the case is next reviewed, or when the CWD becomes aware that a review is needed.

2. Households that applied for benefits from August 1, 1994 through March 31, 1995, and were denied due to excess income because of receipt of payments from energy assistance programs or payments to victims of Nazi persecution, are entitled to benefits restored to the date of application or August 1, 1994, whichever is later. Benefits are restored if the households are otherwise entitled to benefits and request a review of their case or the CWD becomes aware that a review is needed.

Resource Determinations (M.S. 63-501.111; 63-501.3(b),(j),(k) and (p)

M.S. 63-501.111, 63-501.3(b) and (j) are being amended for cross-referencing and clarification purposes, with M.S. 63-501.3(j) being cross-referenced to a new section M.S. 63-506, as noted below. M.S. 63-501.3(k) is being relocated to a new section M.S. 63-507, also described below. M.S. 63-501.3(k)(13) is being relocated and renumbered as M.S. 63-501.3(p).

It should be noted that vehicle resource determinations will continue to be found in M.S. 63-501.51 through 63-501.53.

Income Exclusions and Deductions (M.S. 63-502.135; 63-502.2(b)(2)(C),(e),(j),(l),(l)(4)&(6); 63-502.352(d)(1)

M.S. 63-502.135, 63-502.2(b)(2)(C), (e), (j), (l), (l)(4)&(6) and 63-502.352(d)(1) which deal with on-the-job training (OJT) income, lump-sum payments, energy assistance payments/allowances, and federally excluded income are being amended and cross-referenced to new M.S. 63-507. M.S. 63-502, in part, is being transferred to new section 63-507 in order to provide all income exclusions under one section (other than Native American/Alaska Native income and resource exclusions which are now located in M.S. 63-506).

Excluded Resources and Income of Native Americans or Alaska Natives (M.S. 63-506)

M.S. 63-506 is being adopted to place under one section all of the Native American/Alaska Native resource and income exclusions.

Resources and Income Excluded by Other Federal Laws (M.S. 63-507; 63-507(a)(5) and (a)(18))

M.S. 63-507 is being adopted to place under one section all food stamp resource and income exclusions, other than those related to Native Americans/Alaska Natives. Included will be two additional exclusions dealing with energy assistance reimbursements/allowances, M.S. 63-507(a)(5), and excludable payments made to Nazi persecution victims, M.S. 63-507(a)(18).

If you have any questions concerning these revised regulations, please contact Ernie Villalobos of the Food Stamp Program Bureau at (916) 657-1680.

Bruce Wagstaff

BRUCE WAGSTAFF
Acting Deputy Director
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c: CWDA