

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



August 29, 1996

ALL COUNTY LETTER NO. 96-45

TO: ALL COUNTY WELFARE DIRECTORS

**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: ELIMINATION OF THE STATE-ONLY AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND STATE-ONLY PREGNANCY SPECIAL NEED PAYMENTS**

**REFERENCE: SENATE BILL(SB) 1780, (CHAPTER 206, STATUTES OF 1996)**  
 MPP 40-119.2; 40-119.3-.5; 44-205.62 & .63; 44-209.233, .234 & .235; 44-209.4; 44-211.62 & .63; 44-211.632 & 44-211.633; 44-211.64 - .66; 44-212.1; 80-301; 80-301.s (8) 80-310.c; and 88-410

The purpose of this All County Letter (ACL) is to provide counties with regulations regarding the elimination of the State-only AFDC and the State-only pregnancy special need payment for pregnant women with no other eligible children. A copy of the draft regulations are attached. ACL 96-38 eliminated the State-only AFDC and the State-only special need payment for all new applicants effective September 1, 1996. This change does not affect existing cases nor does it affect applicants who apply prior to the effective date, whose applications are being processed.

**CAL-LEARN**

Otherwise eligible pregnant-only teens who apply on or after September 1, 1996, who subsequently reach the age of 19 or obtain a high school diploma or its equivalent, and are not in their third trimester of pregnancy are not eligible for AFDC and/or the pregnancy special need payments.

**NOAs**

Copies of the Notice of Action (NOA) messages needed to implement this change were attached to the ACL 96-38. However, we have identified an additional NOA which is to be used for those teens no longer eligible to participate in Cal-Learn. This new NOA is attached. A

camera ready copy of the NOA message in Spanish, Cambodian, Chinese, and Vietnamese will be available approximately 30 days from the date of this letter upon request through the Language Services Bureau.

CONTACTS

If you have any questions regarding the regulations, please contact Varaniece Hall at (916) 653-6161, CALNET 454-6161. For NOA translations, contact the Language Services Bureau at (916) 657-1282, CALNET 454-1282.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Wagstaff".

BRUCE WAGSTAFF  
Deputy Director  
Welfare Programs Division

Attachment

DRAFT

Repeal Section 40-119.2 to read:

40-119 HOW AND WHERE APPLICATION IS MADE (Continued) 40-119

~~.2 State-only to Federal AFDC The county shall consider the latest CA 7 or SAWS 7 the application for converting from State-only AFDC to federal AFDC.~~

~~.21 Pregnant Woman-only The county shall consider the CA 7 or SAWS 7 received in the month before federal eligibility occurs as the application for federal AFDC for a pregnant woman with no other children who is receiving State-only AFDC.~~

~~.22 Federal AFDC-U The county shall determine the principal earner and establish the connection with the labor force when converting to federal AFDC-U.~~

.32 Optional Persons (Continued)

.43 Persons Added to AU (Continued)

.431 CA 8A (Continued)

.432 CA 8 (Continued)

.54 Statement of Facts (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: 45 CFR 206.10(a)(1)(ii), (a)(8), and (b)(2); 45 CFR 233.10(a)(1)(ii)(A) and (B); and 45 CFR 233.100(a)(3)(iii) and (vi)(A); and Section 11450(b), Welfare and Institutions Code.

Amend Chapter 44-200 (Title) and Sections 44-205.62 and .63 to read:

CHAPTER 44-200 ~~FBU~~ AU COMPOSITION AND NEED (Continued)

44-205 ESTABLISHING THE AU (Continued) 44-205

.6 Based on Pregnancy (Continued)

.62 When the unaided father of the unborn is living in the home with a pregnant woman who is an ~~FBU~~ AU of one without an eligible child, the father is an excluded parent and his income is treated in accordance with Section 44-133.3.

.63 The application for aid based on pregnancy and/or the application for the pregnancy special need is considered an application for the "family". ~~See Section 40-103.5 and for an exception, see Section 41-603.~~ In addition to the pregnant woman, the family includes the following: (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: 42 USC 602(a)(19)(G)(I)(I); 54 FR 42172 (October 13, 1989); 45 CFR 206.10(a)(1)(vii) and 250.34(c)(3); Federal Action Transmittal SSA-AT-86-01, Sections 10553, 10554, 10604, and 11327.5(c)(3), and 11450(b), Welfare and Institutions Code; and Simon v. McMahon, Stipulation for Dismissal and Order, April 21, 1989, Contra Costa Superior Court, No. 272468.

Repeal Section 44-209.4 et seq., adopt Section 44-209.235, and amend Sections 44-209.233 and .234 to read:

44-209 IDENTIFICATION OF PERSONS FOR THE CLAIMING OF FINANCIAL PARTICIPATION (Continued)

44-209

.2 Federally Eligible Persons (Continued)

.23 A pregnant woman: (Continued)

.233 whose child, if born, and living with the mother would have been federally eligible for AFDC in the month of payment; and either

.234 whose pregnancy has reached the three-month period immediately before the month of anticipated birth. If the child is born prior to the originally estimated date of birth, the anticipated month of birth is changed to the month in which the birth occurred and Federal Financial Participation is retroactively available for the three-month period prior to the month of birth; or

.235 who is under the age of 19 and has not obtained a high school diploma or its equivalent. (Continued)

~~.4 Federally Ineligible Persons~~

~~.41 All persons included in the FBU who are not determined to be "federally eligible persons" under .2 or "essential persons" under .3 are federally ineligible children or adults.~~

~~.42 A pregnant woman not otherwise federally eligible whose pregnancy has not reached the three-month period before the month of anticipated birth.~~

~~.43 A pregnant woman, not otherwise federally eligible, when the unborn child, if born and living with the mother, would not be a federally eligible child in the month of payment.~~

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: 45 CFR 233.20(a)(2)(vii); FSA-AT-91-1, dated January 1, 1991; and Sections 10553, 10554, 10604, and 11203, and 11450(b), Welfare and Institutions Code.

Amend Section 44-211.6 to read:

44-211 SPECIAL NEEDS IN AFDC (Continued)

44-211

.6 Pregnancy Special Needs (Continued)

.62 In addition to the basic grant, a pregnancy special need payment shall be authorized for all eligible pregnant women who have provided medical verification, subject to the conditions in MPP Sections 44-211.63 through and .664.

.63 Federally Eligible Applicants (Continued)

.632 A pregnant teen with no other eligible children who is under the age of 19, has not obtained a high school diploma or its equivalent and is otherwise eligible to receive AFDC, shall receive the pregnancy special need payment from the date of application and continuing through the month of birth.

.6323 (Continued)

~~.64~~ Federally Ineligible Applicants

~~.641~~ A pregnant woman with no eligible children who has applied for AFDC and would be eligible to receive federal AFDC but has not reached her third trimester of pregnancy, shall be entitled to receive the pregnancy special need payment from the date of application through the month of birth.

~~.642~~ A pregnant woman with no eligible children who has applied for AFDC and is eligible to receive state-only AFDC shall be entitled to receive the pregnancy special need payment from the date of application through the end of the state-only eligibility time frame, or through the month of birth, whichever occurs first.

~~.643~~ A pregnant woman who has applied for AFDC as part of an assistance unit with eligible children and has been determined eligible to receive state-only AFDC shall be entitled to receive the pregnancy special need payment from the date of application through the end of the state-only eligibility time frame, or through the month of birth, whichever occurs first.

.654 Federally Eligible Recipients (Continued)

~~.66~~ Federally Ineligible Recipients

~~.661~~ The pregnancy special need payment for a pregnant woman who is receiving AFDC in an assistance unit with state-only eligible persons shall be granted from the first of the month in which the county received the request.

HANDBOOK BEGINS HERE

.675 (Continued)

HANDBOOK ENDS HERE

DRAFT

Authority Cited: Sections 10553, 10554, 11209 and 11450(g), Welfare and Institutions Code.

Reference: Sections 11056, 11266(a)(2), 11271, 11272, 11273, and 11273(b), 11450(a)(1), (b), and (c), 11450(f)(2)(C), 11450(f)(2)(E)(I), (ii) and (iii), and 11453.2, Welfare and Institutions Code; 45 CFR 206.10(a)(1)(ii), 45 CFR 206.10(a)(8), 45 CFR 233.10(a)(1)(iv), 45 CFR 233.20(a)(2)(v)(A), 45 CFR 234.11, 45 CFR 234.60, and 45 CFR 234.60(a)(2)-(11).

DRAFT

Amend Section 44-212.1 to read:

44-212 MINIMUM BASIC STANDARD OF ADEQUATE CARE

44-212

.1 Definition -- The Minimum Basic Standard of Adequate Care is set forth in W&I Code Section 11452, as the amount which is necessary to provide an Family Budget Assistance Unit with the following: (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: 45 CFR 233.20(a)(1)(i) and Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Repeal Section 80-301s.(8) and reference to State-Only AFDC in Section 80-301 to read:

80-301 DEFINITIONS (Continued)

80-301

s. (1) (Continued)

~~(8) State-Only AFDC~~

~~"State-only AFDC" means the state and county funded AFDC programs for persons who do not meet specific federal eligibility requirements.~~

(98) (Continued)

~~(109)~~ (Continued)

~~(110)~~ (Continued)

~~(121)~~ (Continued)

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: (As listed below:)

TERM	PREVIOUS CITE	REFERENCE
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(Continued)

<del>State-only AFDC</del>	N/A	<del>Section 11450(b), Welfare and Institutions Code. (Continued)</del>
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DRAFT

Repeal Section 80-310c.(1) to read:

80-310 DEFINITIONS - FORMS (Continued)

80-310

a. through b. Reserved

c. (1) CA 7

~~The "Monthly Eligibility Report" (Rev. 1/93) is used to gather information monthly to determine ongoing AFDC eligibility. The CA 7 may also be used as the application for converting State only cases to federal AFDC and requesting AFDC for an optional person. (Continued)~~

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: 45 CFR 206.10(a)(8); and Sections 11054 and 11450(b), Welfare and Institutions Code.

State of California  
Department of Social Services

Noa Msg Doc No.: M44-211M Page 1 of 1  
Action : Discontinue  
Issue: Eligibility  
Title: Pregnant Woman Only

Auto ID No.:  
Source :  
Issued by :  
Reg Cite : 44-211.6

Use Form No. : NA 290  
Original Date : 09-01-96, New  
Revision Date :

MESSAGE:

As of \_\_\_\_\_, the County is stopping your cash aid.

Here's why:

Cash aid for pregnant women, with no other eligible children, is paid only to assistance units with:

- o a pregnant teen under age 19 who does not have a high school diploma (or its equivalent); OR
- o a woman who is in her last four months of pregnancy.

\_\_\_\_\_ got her high school diploma (or its equivalent).

\_\_\_\_\_ turned age 19.

INSTRUCTIONS: Use this message to discontinue PWO teen cases that graduate or turn age 19 prior to their third trimester.

file : pkian/MSERIES/pg.44211m

# DRAFT

Amend Chapter 88-400 (Title) and Repeal Section 88-410 to read:

CHAPTER 88-400     STATE ONLY AFDC CHART FOR DETERMINING RELATEDNESS OF CARETAKER RELATIVES

~~88-410     STATE AFDC FOR PREGNANT WOMEN~~

~~88-410~~

- ~~.1     AU of One                             A State only AU of one without an eligible child shall be established when a pregnant woman (regardless of age) meets all of the following conditions.~~
- ~~.11    Verification                            Medical verification of pregnancy is provided to the county, and~~
- ~~.12    Eligibility                                The pregnant woman and unborn child, if born and living with the mother, would be eligible for AFDC in the payment month, and~~
- ~~.13    No Federal Eligibility                  The pregnant woman is not eligible for federal AFDC, and~~
- ~~.14    No Other AU Eligibility                The pregnant woman could not be included in another AU.~~

~~HANDBOOK BEGINS HERE~~

- ~~.2     Pregnancy Special Need                A pregnant woman may be eligible to receive a pregnancy special need payment.~~

~~HANDBOOK ENDS HERE~~

~~{Previous cite: 44-205.6}~~

~~Authority Cited:     Sections 10553 and 10554, Welfare and Institutions Code.~~

~~Reference:            Sections 11450(a) and (b), Welfare and Institutions Code.~~

**ATTACHMENT**

**NOTICE OF ACTION (NOA) MESSAGES**

**M44-211M (9/96) Pregnant Woman Only - Discontinue**

The M44-211M message was developed to discontinue the grant for teens, who have other eligible children, and who graduate or turn age 19 prior to their third trimester.

**INSTRUCTIONS FOR UPDATING THE AFDC NOA HANDBOOK**

- o M44-211M (9/96) Insert into the AFDC NOA Handbook.