

DEPARTMENT OF SOCIAL SERVICES

4 P Street, Sacramento, CA 95814



September 8, 1997

ALL COUNTY LETTER NO. 97-53

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR TRANSMITTAL

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

SUBJECT: REPEAL OF FOOD STAMP MANUAL SECTION (M.S.) 63-403 AND USE OF M.S. 63-405 FOR BOTH APPLICANT AND RECIPIENT NON-CITIZEN ELIGIBILITY PROVISIONS AND PROCEDURES; ADMINISTRATIVE ERROR NOTICE OF ACTION CHANGES; AND UPDATE OF M.S. 63-300.51(b) AND 63-405

REFERENCE: ALL COUNTY LETTER NO. (ACL) 97-41, dated July 21, 1997; Manual Sections (M.S.) 63-300.51(b), (b)(1) through (b)(9); 63-403; 63-405.111(d), and (e), 63-405.112(e)(1), .112(e)(2)(A)1., .2, and .3 through .41.

This letter provides County Welfare Departments (CWDs) with information about the revised food stamp regulations for determining the eligibility of non-citizens. It also transmits the forms revisions that All County Letter (ACL) 97-41 indicated would be sent in the near future. The regulation revisions are part of the regulation package that implements Phase II of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, which you were informed of via ACL 97-41, dated July 21, 1997. Attached to this letter are the Phase II (Attachment 7) regulations, including all the Manual Sections (M.S.) referenced in both ACLs.

Current regulations indicate that Food Stamp M.S. 63-403 is to be applied to non-citizens who were participating in the Food Stamp Program on August 22, 1996, and that Food Stamp M.S. 63-405 is to be applied to non-citizens who are initially applying for food stamps. Effective immediately, CWDs should no longer use M.S. 63-403 since it has been repealed. M.S. 63-405 is to be used to determine the eligibility of all non-citizens, both applicants and recipients.

If you have any questions regarding the information contained in this All County Letter, please contact the following Food Stamp Program Bureau staff regarding the specific program areas:

- o Implementation of Regulations---Alan Rowe, (916) 653-5208 or CALNET at 463-5208.
- o Food Stamp Notices of Action (NOAs)---Melissa Buchanan at (916) 654-8467 or CALNET at 464-8467.



BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachments

ADMINISTRATIVE ERROR NOTICE OF ACTION (NOA) CHANGES

As previously delineated in ACL 97-41, dated July 21, 1997 and ACIN I-22-97 dated April 4, 1997, regarding the Aktar v. Anderson court case, the Court of Appeal of the State of California issued a decision which lifted the ban on the collection of food stamp overissuances by involuntary means (e.g., state income tax intercept, lawsuit/civil judgement and wage attachment or garnishment/writs of execution), in accordance with PRWORA for all overissuances which occurred on or after September 22, 1996, the date of implementation of PRWORA. Counties were instructed to implement the court decision October 1, 1996. The court further ruled that Administrative Error overissuances which occurred prior to October 1, 1996, could not be collected by involuntary means.

Enclosed are copies of three new NOAs; DFA 377.7D1 "Food Stamp Repayment Notice for Administrative Errors Only", DFA 377.7D2 "Food Stamp Repayment Notice for Administrative Errors Only, Final Notice" and DFA 377.7E1 "Food Stamp Repayment Agreement for Administrative Errors Only." These forms were developed to address the collection of an administrative error overissuance occurring on or after October 1, 1996. The new warning statement reflects counties' ability to collect administrative error overissuances by involuntary means.

Also enclosed are copies of the revised DFA 377.7D "Food Stamp Repayment Notice for Administrative Errors Only" and DFA 377.7E "Food Stamp Repayment Agreement for Administrative Errors Only." At the bottom of each form, where the form number is identified, a statement has been added to indicate that the form is only to be used for administrative error overissuances which occurred prior to October 1, 1996.

DESCRIPTION OF REGULATION REVISIONS

Manual Section (M.S.) 63-300.51(b) and M.S. 63-405 have been updated to reflect current policy and procedures. The regulations have been amended or repealed as summarized below:

- o The word "defined" in M.S. 63-300.51(b) has been changed to "specified" for accuracy and consistency with other manual sections. Also, the cross reference has been changed from M.S. 63-403.1(b) through (I) to M.S. 63-405.11 through .17 because of the repeal of M.S. 63-403.
- o M.S. 63-300.51(b)(1) through HANDBOOK at M.S. 63-300.51(b)(3)(A)1. have been repealed for one or more of the following reasons: the instructions are no longer valid; the manual sections referenced or forms indicated have been obsolete; and/or the regulations are now contained in M.S. 63-405.
- o M.S. 63-300.51(b)(4) through (9) have been renumbered to M.S. 63-300.51(b)(1) through (6) because of the repeal of M.S. 63-300.51(b)(1) through HANDBOOK at M.S. 63-300.51(b)(3)(A)1. In addition, in newly renumbered Section 63-300.51(b)(1), the paragraph now ends with the phrase "The CWD shall accept other forms of documentation or corroboration from INS." The remainder of the paragraph has been

repealed because the instructions given are no longer valid and/or the regulations are now contained in M.S. 63-405. Also, in newly renumbered M.S. 63-300.51(b)(2)(C) the reference to the CA 6 is repealed because it is obsolete.

- o M.S. 63-403 through M.S. 63-403.321 have been repealed, and the provisions of M.S. 63-405 now apply to all applicant and recipient non-citizens.
- o In Section 63-405, the heading is changed to "CITIZENSHIP OR ELIGIBLE ALIEN STATUS" to clarify that one or the other status is required for food stamp eligibility. The previous heading and the cross reference "(See Section 63-403 for procedures for aliens who were participating in the Food Stamp Program on August 22, 1997)" are repealed. As of August 23, 1997, the provisions of Section 63-405 apply to all applicant and recipient aliens. Therefore, it is no longer necessary to make any distinction between applicant or continuing aliens, or to identify PRWORA as the authority for the change. Also, the lack of reference to United States (U.S.) citizenship as being one of the requirements for eligibility was inadvertently omitted from the previous regulations. It has been added once again. The definition of U.S. citizen as contained in previous Section 63-403 has been lifted verbatim and placed in this section. It is still accurate.
- o M.S. 63-405.111(d) has been repealed because it contains information about Form I-94 which may be misleading. Consequently, M.S. 63-405.111(e) has been renumbered to 63-405.111(d).
- o In M.S. 63-405.112(e)(1), the sentence, "A consent for the release of information must be . . . spouse or parent of a household member." has been amended. It now reads as follows, "A consent form . . . except for the person signing the food stamp application." This change is made because only the person signing the food stamp application is exempted from authorizing the release of his employment history in writing. All other individuals, including household members, are required to sign an authorization for release of the information. The language regarding a deceased spouse or parent has been removed since it serves no purpose.

In addition, the language, ". . . , but must instead be obtained manually. The full name, . . . cannot receive food stamps pending such verification.", has been repealed. The procedure is not in effect at this time.

- o In M.S. 63-405.112(e)(2)(A)1., the "ESTABLISHING QUARTERS CHART" has been taken out of regulation and moved to the handbook section because it does not meet the standard of necessity for regulatory language in the Administrative Procedures Act. Also, on the chart, \$670 has been added as the amount of earnings needed to earn a credit in 1997.
- o M.S. 63-405.2 has been amended to repeal all cross references because they are no longer needed. The sponsored alien and reporting of illegal alien provisions, previously located in M.S. 63-403.33 and .4 are now included as M.S. 63-405.3 and

FOOD STAMP REPAYMENT AGREEMENT FOR ADMINISTRATIVE ERRORS ONLY

NAME

CASE NUMBER

WORKER

CASE NAME

ADDRESS

TERMS AND CONDITIONS – The County Welfare Department made a mistake in the amount of your food stamps. You do not have to agree to benefit reduction unless you want to repay this way. If you do, you must sign this agreement. See attached REPAYMENT NOTICE (DFA 377.7D).

You may repay extra food stamp benefits by using one or more methods listed here:

1. Lump Sum Payment - You may repay all or part of the amount owed at one time with cash and/or coupons.
2. Benefit Reduction - If you are getting food stamps now, you may repay by having your household's benefits reduced for all or part of the amount owed. You may wish to talk to us about the amount to be reduced.
3. Installments - You may repay all or part of the amount owed in monthly payments with cash and/or coupons.

4. Ordered Repayment

- The court or Administrative Law Judge ordered that you repay as indicated below. These repayment terms cannot be changed by you or by the county.

If we have not already talked to you about the terms of this Agreement, or if you have any questions, call the welfare collector at _____.

After you complete and sign this Agreement, return all copies to the county in the envelope provided. Do not send cash or coupons through the mail with this Agreement. When approved by the county, a signed copy of this Agreement will be sent to you.

AGREEMENT

I, _____, understand this Agreement is between me and _____ County because extra food stamps in the amount of \$ _____ were overissued due to the county's error. I agree to repay this amount by the method(s) checked below:

Lump Sum Payment

I will repay by a lump sum cash payment of \$ _____ due on _____.

I will repay by a lump sum coupon payment of \$ _____ due on _____.

Benefit Reduction

I will repay by having my household's benefits reduced by \$ _____ each month, beginning _____.

Installments

I will repay by monthly cash payments of \$ _____ due on the _____ day of each month beginning _____.

I will repay by monthly coupon payments of \$ _____ due on the _____ day of each month beginning _____.

I also understand and agree that:

1. My repayment schedule is based on my current ability to pay as figured by the county. Any changes in my ability to pay may change my monthly payments.
2. If anything changes I may ask the county to refigure the repayment terms checked above.
3. If I do not pay as agreed and I do not get a new payment schedule, the county may ask that the total amount owed be paid now.

Signature

Date

County

To be completed by the county:

The above signed Agreement has been accepted by _____ on _____
for _____ County. Payments should be made at:

(Signature of Authorized County Official)

.4, respectively, since all of M.S. 63-403 has been repealed. M.S. 63-503.49 is now included as a cross reference in M.S. 63-405.332. For clarity, the other cross references have been repealed. The remaining language conveys that there are still other manual sections pertaining to noncitizens, not included in M.S. 63-405, that remain in effect.

- o M.S. 63-405.3 and .4 have been moved from M.S. 63-403.33, .4 and .41, which have been repealed. Also, a cross reference was added to M.S. 63-405.32 for clarification. The new language is "See Section 63-503.49 for deeming procedures."

IMPLEMENTATION INSTRUCTIONS

CWDs shall discontinue use of M.S. 63-403 and begin using M.S. 63-405 for all non-citizens, both applicants and recipients, (bullets 4 and 5) on September 1, 1997.

All other changes indicated above shall be implemented either upon filing of the regulations with the Secretary of State or September 1, 1997, whichever is later.

FOOD STAMP REPAYMENT NOTICE FOR ADMINISTRATIVE ERRORS ONLY

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
Case : _____
Name : _____
Number : _____
Worker : _____
Name : _____
Number : _____
Telephone : _____
Address : _____

(ADDRESSEE)

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

Warning: If you believe this overissuance is wrong, this is your last chance to ask for a hearing. If you stay on food stamps the county can lower your food stamps to collect the overissuance unless it was the county's fault. If you go off food stamps before the overissuance is paid back, the county may take what you owe out of your income tax refund as allowed by law.

WE ASK THAT YOU EITHER:

- Pay in full, or
- Sign the Repayment Agreement and pay as agreed.
 - Complete, sign and return the enclosed Repayment Agreement (DFA 377.7E).
 - Your repayment agreement will be based on your current ability to pay as figured by the county. Any changes in your ability to pay may change your monthly payments.

If you do not sign and return the agreement within 30 days after the date of this notice, we cannot reduce the amount of Food Stamps you get.

However, if you do not agree to pay, the county may use other ways of collecting the amount owed such as permitted by law.

The County Welfare Department made a mistake.

Too many Food Stamps were issued to you.

Here's why:

You received \$ _____ in extra food stamps that were issued for the period. _____. This amount was reduced by \$ _____ because we received repayment of part of the amount owed. You now owe \$ _____.

- You do not have to use any Social Security or SSI benefits you get to repay this overissuance.

Rules: These rules apply. You may review them at your welfare office: MS 63-801.22, 63-801.43, 63-801.7

YOUR HEARING RIGHTS

To Ask For a State Hearing

- You only have 90 days to ask for a hearing. The 90 days started the day after we gave or mailed you this notice.
- You have a much shorter time to ask for a hearing if you want to keep your same benefits.

To Keep Your Same Benefits While You Wait For a Hearing

You must ask for a hearing before the action takes place.

- Your Cash Aid will stay the same until your hearing.
- Your Medi-Cal will stay the same until your hearing.
- Your Food Stamps will stay the same until the hearing or the end of your certification period, whichever is earlier.
- Your Transitional Child Care (TCC) will stay the same until the hearing or the end of your eligibility period, whichever is earlier. **For all other child care programs, your benefits will NOT stay the same until your hearing.**
- If the hearing decision says we are right, you will owe us for any extra cash aid or food stamps you got.

To Have Your Benefits Cut Now

If you want your Cash Aid or Food Stamps cut while you wait for a hearing, check one or both boxes.

- Cash Aid Food Stamps

To Get Help

You can ask about your hearing rights or free legal aid at the state information number.

Call toll free: 1-800-952-5253

If you are deaf and use TDD, call: 1-800-952-8349

You may get free legal help at your local legal aid office or welfare rights group.

Other Information

Child and/or Medical Support: The District Attorney's office will help you collect support even if you are not on cash aid. There is no cost for this help. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you any current support money collected. They will keep past due money collected that is owed to the county.

Family Planning: Your welfare office will give you information when you ask for it.

Hearing File: If you ask for a hearing, the State Hearing Office will set up a file. You have the right to see this file. The State may give your file to the Welfare Department, the U.S. Department of Health and Human Services and the U.S. Department of Agriculture. (W. & I. Code Section 10950).

HOW TO ASK FOR A STATE HEARING

The best way to ask for a hearing is to fill out this page. Make a copy of the front and back for your records. Then, send or take this page to:

Your worker will get you a copy of this page if you ask. Another way to ask for a hearing is to call 1-800-952-5253. If you are deaf and use TDD, call: 1-800-952-8349.

HEARING REQUEST

I want a hearing because of an action by the Welfare Department of _____ County about my

- Cash Aid Food Stamps Medi-Cal Child Care
 Other (list) _____

Here's why: _____

- Check here and add a page if you need more space.
- I want the person named below to represent me at this hearing. I give my permission for this person to see my records or come to the hearing for me.

NAME _____

ADDRESS _____

- I need a free interpreter.
 My language or dialect is: _____

My name: _____

Address: _____

Phone: _____

My case number: _____

My signature: _____

Date: _____

FOOD STAMP REPAYMENT AGREEMENT FOR ADMINISTRATIVE ERRORS ONLY

CASE NUMBER

WORKER

NAME

CASE NAME

ADDRESS

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- Installments** - You may repay all or part of the amount owed in monthly payments with cash or coupons.
- Ordered Repayment**

The court or Administrative Law Judge ordered that you repay as indicated below. These repayment terms cannot be changed by you or by the county.

If we have not already talked to you about the terms of this Agreement, or if you have any questions, call the welfare collector at _____.

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Benefit Reduction

I will repay by having my household's benefits reduced by \$ _____ each month, beginning _____.

Installments

I will repay by monthly cash payments of \$ _____ due on the _____ day of each month beginning _____.

I will repay by monthly coupon payments of \$ _____ due on the _____ day of each month beginning _____.

I also understand and agree that:

- My repayment schedule is based on my current ability to pay as figured by the county. Any changes in my ability to pay may change my monthly payments.
- If anything changes I may ask the county to refigure the repayment terms checked above.
- If I do not pay as agreed and I do not get a new payment schedule, the county may ask that the total amount owed be paid now.
- If I do not pay as agreed and the county sues me to collect the amount owed, I may also be required to pay collection costs, attorney fees, and court costs.
- If I do not pay, the county may take my state income tax refund and/or ask the court to attach my wages or any property I own.

SIGNATURE

DATE

COUNTY

To be completed by the county:

The above signed Agreement has been accepted by _____ on _____
for _____ County. Payments should be made at:

(Signature of Authorized County Official)

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To Ask For a State Hearing

- You only have 90 days to ask for a hearing. The 90 days started the day after we gave or mailed you this notice.
- You have a much shorter time to ask for a hearing if you want to keep your same benefits.

To Keep Your Same Benefits While You Wait For a Hearing

You must ask for a hearing before the action takes place.

- Your Cash Aid will stay the same until your hearing.
- Your Medi-Cal will stay the same until your hearing.
- Your Food Stamps will stay the same until the hearing or the end of your certification period, whichever is earlier.
- Your Transitional Child Care (TCC) will stay the same until the hearing or the end of your eligibility period, whichever is earlier. **For all other child care programs, your benefits will NOT stay the same until your hearing.**
- If the hearing decision says we are right, you will owe us for any extra cash aid or food stamps you got.

To Have Your Benefits Cut Now

If you want your Cash Aid or Food Stamps cut while you wait for a hearing, check one or both boxes.

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To Get Help

You can ask about your hearing rights or free legal aid at the state information number.

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You may get free legal help at your local legal aid office or welfare rights group.

Other Information

Child and/or Medical Support: The District Attorney's office will help you collect support even if you are not on cash aid. There is no cost for this help. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you any current support money collected. They will keep past due money collected that is owed to the county.

Family Planning: Your welfare office will give you information when you ask for it.

Hearing File: If you ask for a hearing, the State Hearing Office will set up a file. You have the right to see this file. The State may give your file to the Welfare Department, the U.S. Department of Health and Human Services and the U.S. Department of Agriculture. (W. & I. Code Section 10950).

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The best way to ask for a hearing is to fill out this page. Make a copy of the front and back for your records. Then, send or take this page to:

Your worker will get you a copy of this page if you ask. Another way to ask for a hearing is to call 1-800-952-5253. If you are deaf and use TDD, call: 1-800-952-8349.

HEARING REQUEST

I want a hearing because of an action by the Welfare Department of _____ County about my

- Cash Aid Food Stamps Medi-Cal Child Care
 Other (list) _____

Here's why: _____

- Check here and add a page if you need more space.
- I want the person named below to represent me at this hearing. I give my permission for this person to see my records or come to the hearing for me.

NAME _____

ADDRESS _____

- I need a free interpreter.
 My language or dialect is: _____

My name: _____

Address: _____

Phone: _____

My case number: _____

My signature: _____

Date: _____

FOOD STAMP REPAYMENT NOTICE FOR ADMINISTRATIVE ERRORS ONLY FINAL NOTICE

Notice Date : _____
 Case Name : _____
 Number : _____
 Worker Name : _____
 Number : _____
 Telephone : _____
 Address : _____

(ADDRESSEE)

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing unless you already had a hearing on the amount you owe. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

The County Welfare Department made a mistake. We told you before that you must repay the extra Food Stamps that were issued to:

- You.
- _____, whom you sponsor.

You still owe \$ _____.

Warning: If you think this overissuance is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on food stamps, the County can collect the overissuance by lowering your monthly food stamps. If you go off of food stamps before the overissuance is paid back, the county may take what you owe out of your state/federal income tax refund.

YOU DID NOT AGREE TO REPAY:

- You can pay in full, or
- You can repay the extra Food Stamps by the terms you agree to on the enclosed Repayment Agreement (DFA 377.7E1).
 - Complete, sign and return the enclosed Repayment Agreement.
 - Your repayment agreement will be based on your current ability to pay as figured by the county. Any changes in your ability to pay may change your monthly payments.
- You do not have to use any Social Security or SSI benefits you get to repay this overissuance.
- If you do not agree to pay, the county may use other ways of collecting the amount owed such as through the courts.
- If the county sues you for the amount due, you may also be required to pay court costs.
- If you do not pay the amount owed, the county may take your state income tax refund and/or ask the court to attach your wages or any property you own.

YOU DID NOT REPAY AS AGREED:

- You must tell us when you cannot pay as agreed. You must explain why you cannot pay. You may ask the county to figure a new repayment plan.
 - Complete, sign and return the enclosed Repayment Agreement (DFA 377.7E1).
- If you are getting Food Stamp benefits and you do not return a new Repayment Agreement within 10 days after the date of this notice, your household's benefits will be reduced to \$_____ beginning _____.
- If you do not pay as agreed and you do not get a new repayment plan, the county may ask that the total amount owed be paid now.
- If you do not agree to pay, the county may use other ways of collecting the amount owed such as through the courts.
- If the county sues you for the amount due, you may also be required to pay court costs.
- If you do not pay the amount your owed, the county may take your state income tax refund and/or ask the court to attach your wages or any property you own.

Rules: These rules apply. You may review them at your welfare office: MS 63-801.22, 63-801.43, 63-801.7.

YOUR HEARING RIGHTS

To Ask For a State Hearing

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- Cash Aid Food Stamps Medi-Cal Child Care
 Other (list) _____

Here's why: _____

Check here and add a page if you need more space.

I want the person named below to represent me at this hearing. I give my permission for this person to see my records or come to the hearing for me.

NAME _____

ADDRESS _____

I need a free interpreter.
My language or dialect is: _____

My name: _____

Address: _____

Phone: _____

My case number: _____

My signature: _____

Date: _____

FOOD STAMP REPAYMENT NOTICE FOR ADMINISTRATIVE ERRORS ONLY

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
Case Name : _____
Number : _____
Worker Name : _____
Number : _____
Telephone : _____
Address : _____

(ADDRESSEE)

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

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The County Welfare Department made a mistake.
Too many Food Stamps were issued to you.
Here's why:

YOU MUST EITHER:

- Pay in full, or
- Sign the Repayment Agreement and pay as agreed.
 - Complete, sign and return the enclosed Repayment Agreement (DFA 377.7E).
 - Your repayment agreement will be based on your current ability to pay as figured by the county. Any changes in your ability to pay may change your monthly payments.
- If you do not sign and return the agreement within 30 days after the date of this notice, the amount of food stamps you get will be reduced to \$_____ beginning_____.
- If you do not agree to pay, the county may use other ways of collecting the amount owed such as through the courts.
- If the county sues you for the amount due, you may also be required to pay court costs.
- If you do not pay the amount owed, the county may take your state income tax refund and/or ask the court to attach your wages or any property you own.

You received \$_____ in extra food stamps that were issued for the period_____. This amount was reduced by \$_____ because we received repayment of part of the amount owed. You now owe \$_____.

• You do not have to use any Social Security or SSI benefits you get to repay this overissuance.

Rules: These rules apply. You may review them at your welfare office: MS 63-801.22, 63-801.43, 63-801.7

YOUR HEARING RIGHTS

To Ask for a State Hearing

- You only have 90 days to ask for a hearing. The 90 days started the day after we gave or mailed you this notice.
- You have a much shorter time to ask for a hearing if you want to keep your same benefits.

To Keep Your Same Benefits While You Wait For a Hearing

You must ask for a hearing before the action takes place.

- Your Cash Aid will stay the same until your hearing.
- Your Medi-Cal will stay the same until your hearing.
- Your Food Stamps will stay the same until the hearing or the end of your certification period, whichever is earlier.
- Your Transitional Child Care (TCC) will stay the same until the hearing or the end of your eligibility period, whichever is earlier. **For all other child care programs, your benefits will NOT stay the same until your hearing.**
- If the hearing decision says we are right, you will owe us for any extra cash aid or food stamps you got.

To Have Your Benefits Cut Now

If you want your Cash Aid or Food Stamps cut while you wait for a hearing, check one or both boxes.

- Cash Aid Food Stamps

To Get Help

You can ask about your hearing rights or free legal aid at the state information number.

Call toll free: 1-800-952-5253

If you are deaf and use TDD, call: 1-800-952-8349

You may get free legal help at your local legal aid office or welfare rights group.

Other Information

Child and/or Medical Support: The District Attorney's office will help you collect support even if you are not on cash aid. There is no cost for this help. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you any current support money collected. They will keep past due money collected that is owed to the county.

Family Planning: Your welfare office will give you information when you ask for it.

Hearing File: If you ask for a hearing, the State Hearing Office will set up a file. You have the right to see this file. The State may give your file to the Welfare Department, the U.S. Department of Health and Human Services and the U.S. Department of Agriculture. (W. & I. Code Section 10950).

HOW TO ASK FOR A STATE HEARING

The best way to ask for a hearing is to fill out this page. Make a copy of the front and back for your records. Then, send or take this page to:

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HEARING REQUEST

I want a hearing because of an action by the Welfare Department of _____ County about my

- Cash Aid Food Stamps Medi-Cal Child Care
 Other (list) _____

Here's why: _____

- Check here and add a page if you need more space.
- I want the person named below to represent me at this hearing. I give my permission for this person to see my records or come to the hearing for me.

NAME _____

ADDRESS _____

- I need a free interpreter.
 My language or dialect is: _____

My name: _____

Address: _____

Phone: _____

My case number: _____

My signature: _____

Date: _____

Adopt Section 63-1435 to read:

63-1435 IMPLEMENTATION OF PERSONAL RESPONSIBILITY AND
WORK OPPORTUNITY RECONCILIATION ACT (PRWORA)
OF 1996 - PHASE II

63-1435

.1 Implementation for Non-Citizen Provisions:

.11 County welfare departments (CWDs) shall implement the provisions in Section 63-405 for all currently certified non-citizen food stamp recipients on September 1, 1997.

.12 CWDs shall implement the provisions in Sections 63-300.51(b) through (b)(6); Sections 63-405.111(d) and (e), .112(e)(1), .112 (e)(2)(A)1., .2 and .3 through .41 upon filing with the Secretary of State.

.2 Implementation for All Other Provisions:

Effective upon filing with the Secretary of State, CWDs shall implement the adopted or amended provisions for all new Food Stamp applications and administrative error (AE) over issuances.

.21 Continuing cases and existing AE over issuances shall be converted as follows:

.211 CWDs shall implement the provisions in Sections 63-502.35, .36, .37, and .38; and Sections 63-503.311 and .312 for all continuing cases at the household's request, at recertification, when the case is reviewed next or the CWD becomes aware a review is needed, whichever occurs first. Restored benefits to entitled households shall be provided retroactive to March 1, 1997.

.212 CWDs shall implement the provisions in Section 63-402.229; Section 63-503.441 and .444(b); and Sections 63-504.121, .122, .132, .133, and .141 for all continuing cases at the household's request, at recertification, when the case is reviewed next or the CWD becomes aware a review is needed, whichever occurs first.

.213 CWDs shall implement the provisions in Sections 63-407.52, .53, .542, and .611(a); Sections 63-408.212(a), .23, .612, and .612(a) for all continuing cases upon filing with the Secretary of State.

YOUR HEARING RIGHTS

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HEARING REQUEST

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- Cash Aid Food Stamps Medi-Cal Child Care
 Other (list) _____

Here's why: _____

- Check here and add a page if you need more space.
- I want the person named below to represent me at this hearing. I give my permission for this person to see my records or come to the hearing for me.

NAME _____

ADDRESS _____

- I need a free interpreter.
 My language or dialect is: _____

My name: _____

Address: _____

Phone: _____

My case number: _____

My signature: _____

Date: _____

.214 CWDs shall implement the provisions in Sections 63-801.431(d) and (e), .441(a), .442, .512, .722(a)(2), .723, .731, .732, .733, and .823 for all existing AE over issuances upon filing with the Secretary of State, for only that portion of the claim that occurred on or after October 1, 1996, based on Aktar v. Anderson.

.215 Handbook Sections 63-501.522(a) and .524(a); and Handbook Sections 63-1101.24, .27, .3, .31 are updated with current amounts for ease of use.

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

Reference: Sections 10554 and 18904, Welfare and Institutions Code; and 7 U.S.C. 2015(d)(1), P.L. 104-193, Sections 115, 402, 801, 809, 810, 815, and 844 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

Amend Section 63-300.51 to read:

63-300 APPLICATION PROCESS (Continued)

63-300

.5 Verification (Continued)

.51 Mandatory Verification

The CWD shall verify the following information prior to certification for households initially applying: (Continued)

(b) Alien Status

Based on the application, the CWD shall determine if members identified as aliens are eligible aliens, as ~~defined~~ specified in Sections 63-403.1(b) through ~~(h)~~ 405.11 through .17, by requiring that the household present verification for each alien member.

~~(1) Aliens in the categories specified in Sections 63-403.1(b), (c) and (h) shall present an INS I-551 or the "Re-entry Permit," a passport booklet for lawful permanent resident aliens.~~

~~(A) Canadian-born North American Indians may verify their permanent residency status with birth records, affidavits from Tribal officials, INS Form I-181, or other INS documentation acceptable to the CWD.~~

~~(2) Aliens in the categories specified in Sections 63-403.1(d) through 63-403.1(g) shall present an INS I-94. The CWD shall accept the INS form I-94 as verification of eligible alien status only if the form is annotated with Sections 207, 208, 212(d)(5), or 243(h)(1) of the Immigration and Nationality Act; or if the form is annotated with one of the following terms or a combination of the following terms: Refugee, parolee, paroled, conditional entry or entrant, or asylum. An INS I-94 annotated with the letters (A) through (L) shall be considered verification of ineligible alien status unless the alien can provide other documentation from INS which indicates that the alien is eligible. If the INS I-94 does not bear any of the above annotations and the alien has no other verification of alien classification in his or her possession, the CWD shall advise the alien of the following:~~

- (A) ~~Classification under Sections 207, 208, 212(d)(5) or 243(h) of the Immigration and Nationality Act shall result in eligible status.~~
 - (B) ~~The alien may be eligible if acceptable verification is obtained.~~
 - (C) ~~The INS G-639 is acceptable verification of eligible alien status if properly annotated by an INS representative as evidence of lawful admission for permanent residence or parole for humanitarian purposes.~~
- (3) ~~Aliens in the categories specified in Section 63-403.1(i) through (l) shall present documentation from INS which clearly identifies that the alien has been granted legal status in one of those categories.~~
- (A) ~~Documentation may include, but is not limited to, a letter, notice of eligibility, or an identification card from INS. INS forms I-688, I-688A and I-688B must be encoded with the section number under which the alien was admitted entitling them to have their food stamp eligibility considered.~~

~~HANDBOOK BEGINS HERE~~

- i. ~~Examples of acceptable documentation include, but are not limited to, the I-688, I-688A and I-688B annotated with Section 210(a) or Section 245A of the Immigration and Nationality Act.~~

~~HANDBOOK ENDS HERE~~

- (4) ~~If the proper INS documentation is not available, the alien may state the reason and submit other conclusive verification. The CWD shall accept other forms of documentation or corroboration from INS that the alien is classified pursuant to Sections 101(a)(15), 101(a)(20), 207, 208, 210(a), 210A(a), 212(d)(5), 243(h)(1), 245A, 245A(b)(1), or 249 of the Immigration and Nationality Act, or other conclusive evidence such as a court order stating that deportation has been withheld pursuant to Section 243(h) of the Immigration and Nationality Act. A properly completed INS G-641 also shall be acceptable verification of eligible alien status.~~

(52) If the alien has no documentation at all of eligible alien status, (not even an INS form I-94) the CWD shall inform the alien that:

(A) he/she is ineligible to participate in the Food Stamp Program without INS verification of alien status,

(B) he/she may contact INS or otherwise obtain the necessary documentation and

(C) if he/she wishes, he/she may sign a Form ~~CA-6~~ authorizing the CWD to request verification of the alien's status.

(63) (Continued)

(74) (Continued)

(85) (Continued)

(96) (Continued)

Authority cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554, 11023.5, 11348.5, and 18904, Welfare and Institutions Code; 7 CFR 273.2(b)(ii), (c)(5), proposed (f)(1)(xii) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, (f)(3)(ii), and (j)(1); 7 CFR 273.4(a)(10); and USDA Food and Nutrition Service Office, Western Region, Administrative Notice 84-56, Indexed Policy Memo 84-23; 7 U.S.C.A. 2020(e)(2); Americans with Disabilities Act (ADA), Public Law (PL) 101-336, 1990; U.S.D.A. Food and Consumer Services Administrative Notice No. 94-22 dated January 7, 1994; Chapter 306, Statutes of 1988, and AB 1371, Chapter 306, Statutes of 1995; and Blanco v. Anderson Court Order, United States District Court, Eastern District of California, No. CIV-S-93-859 WBS, JFM, dated January 3, 1995.

Amend Section 63-402.2 to read:

63-402 HOUSEHOLD CONCEPT (Continued)

63-402

.2 Nonhousehold and Excluded Household Members (Continued)

.22 Excluded Household Members (Continued)

.229 Drug Felony Conviction

Individuals convicted (under federal or state law) of any felony offense that has as an element, the possession, use, or distribution of a controlled substance. A controlled substance does not include distilled spirits, wine, malt beverages, or tobacco. This is a permanent exclusion and shall only affect convictions occurring after August 22, 1996. (Continued)

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 273.1(a)(1) through (a)(2)(ii) through (b)(2)(iii), (c), (c)(1), (c)(6), 7 CFR 273.1(d)(1) and (2), (e)(1), and (g); 7 CFR 273.2(j)(4); 7 CFR 273.9(b)(2)(ii); 7 CFR 273.10(c)(1)(i); 7 CFR 273.11(b)(1); 7 CFR 274.5 and 7 CFR 274.10; Public Law (P.L.) 100-77, Section 802; P.L. 103-66; USDA Food and Consumer Services, Administrative Notice 94-39; USDA Administrative Notice 89/65/Policy Memo 89-11 and 89-12; and 7 U.S.C. 2015(d)(1), P.L. 104-193, Sections 115, 803, 815, and 821 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

Repeal Section 63-403 (Title and introductory language) and Sections 63-403.1(b) through .321 to read:

~~63-403 CITIZENSHIP AND ALIEN STATUS FOR ALIENS PARTICIPATING 63-403
IN THE FOOD STAMP PROGRAM ON AUGUST 22, 1996, THE DATE
OF ENACTMENT OF THE PERSONAL RESPONSIBILITY AND WORK
OPPORTUNITY RECONCILIATION ACT (PRWORA) OF 1996~~

~~(See Section 63-405 for procedures for applicant aliens who were not participating in the Food Stamp Program on August 22, 1996.)~~

- ~~1 (b) An alien lawfully admitted for permanent residence as an immigrant as defined in Sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act (INA). However, an alien lawfully admitted for permanent residence pursuant to Section 245A of the INA shall be eligible as specified in (i) and (j) of this section.~~
- ~~(c) An alien who entered the United States prior to January 1, 1972, or some later date as required by law, and has continuously maintained residency in the United States since then, and is not ineligible for citizenship, but is considered to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General pursuant to Section 249 of the INA.~~
- ~~(d) An alien who is qualified for entry pursuant to Section 207 or Section 208 of the INA.~~
- ~~(e) An alien granted asylum through an exercise of discretion by the Attorney General pursuant to Section 208 of the INA.~~
- ~~(f) An alien lawfully paroled into the United States as a result of an exercise of discretion by the Attorney General for emergent reasons or reasons deemed strictly in the public interest pursuant to Section 212(d)(5) of the INA. A majority of the Vietnamese and Cuban refugees were admitted under this statutory provision.~~
- ~~(g) An alien living within the United States to whom the Attorney General has withheld deportation pursuant to Section 243 of the INA.~~
- ~~(h) An alien who was lawfully admitted for permanent residence into the United States as an immigrant, as defined in the INA, Section 101(a)(15) and Section 101(a)(20), by relying upon an affidavit of support in order to overcome Section 212(a)(15) of the INA.~~
- ~~(i) An alien who is defined as aged, blind, or disabled in accordance with Section 1614(a)(1) of the Social Security Act and who is considered to be lawfully admitted for permanent or temporary residence pursuant to Section 245A(b)(1) and 245A(h) of the INA. Such aliens may obtain lawful permanent resident status under Section 245A(b)(1) of the INA no earlier than November 7, 1988.~~

- (j) ~~An alien who is granted lawful temporary resident status pursuant to Section 245A of the INA at least five years prior to applying for food stamps and who subsequently gained lawful permanent resident status pursuant to Section 245A of the INA. Such aliens may obtain temporary residence status no earlier than May 5, 1987.~~
- (k) ~~An alien who is, as of June 1, 1987, or thereafter, a special agricultural worker and lawfully admitted for temporary residence in accordance with Section 210(a) of the INA.~~
- (l) ~~An alien who is lawfully admitted for temporary residence as an additional special agricultural worker as of October 1, 1989 through September 30, 1993 in accordance with Section 210A(a) of the INA.~~

~~.2~~ ~~Ineligible Aliens~~

~~Aliens other than those described above shall not be eligible to participate. This includes, but is not limited to, alien visitors, tourists, diplomats and students who enter the United States temporarily with no intention of abandoning their residence in a foreign country.~~

~~.21~~ ~~Income and Resources~~

~~The income and resources of an ineligible alien handled as outlined in Section 63-503.44.~~

~~.3~~ ~~Verification~~

~~.31~~ ~~Verification of Citizenship~~

~~Verification of citizenship shall not be required except in questionable cases which affect a household's eligibility or benefit level. Requirements for verification of citizenship are addressed in Section 63-300.532.~~

~~321~~ Based on the application, the CWD shall determine if members identified as aliens are eligible aliens, as defined in Sections 63-403.1(b) through (1), by requiring that the household present verification for each alien member. Requirements for the verification of alien status are addressed in Section 63-300.51(b).

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 273.2(j)(3) and (4), 7 CFR 273.4(a)(8), 7 CFR 273.10(b), 7 CFR 273.6, U.S.D.A. Food and Nutrition Service Administrative Notice 92-30, Federal Register, Vol. 56, No. 233, page 63594, U.S.C. 2015 (d)(1), Public Law 104-193, Section 815 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996), and Administrative Notice 97-02.

SECTION 63-405

Phase I of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 was filed with the Secretary of State on August 21, 1997, and became effective August 22, 1997. Phase II of PRWORA was filed with the Secretary of State on August 29, 1997, and became effective September 1, 1997. Because the two regulation packages were only recently officially filed, no Food Stamp Manual pages have been printed. The regulations exist only in the strikeout/underlined format. Sections of the Phase II regulations that were unchanged from Phase I do not have the actual regulatory text printed. Rather, the manual section merely states, "Continued", to reflect that it is unchanged from Phase I. Consequently, the reader is unable to read and understand the Phase II regulations without referring to the Phase I regulations. To facilitate the reading of this section of the Phase II regulations, Section 63-405 of the Phase I regulations is included as Attachment 8.

Renumber Sections 63-403.1 and .1(a) as the Introductory Paragraph to Section 63-405 and amend; Renumber Sections 63-403.33 through .334 to Sections 63-405.3 through .34, respectively, and Sections 63-403.4 through .41(c) to Sections 63-405.4 through .413, respectively; and amend Section 63-405 (Title and introductory language) and Sections 63-405.111, .112(e), .2, .32, and .412 to read:

63-405 ~~PROVISIONS AND PROCEDURES FOR DETERMINING THE~~ 63-405
~~ELIGIBILITY OF APPLICANT ALIENS RESULTING FROM THE~~
~~PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY~~
~~RECONCILIATION ACT (PRWORA) of 1996~~ CITIZENSHIP OR
ELIGIBLE ALIEN STATUS

~~(See Section 63-403 for procedures for aliens who were participating in the Food Stamp Program on August 22, 1996.)~~

~~63-403.1~~

~~Citizens and Eligible Aliens~~ CWDs shall limit participation in the Food Stamp Program to individuals who are residents of the either United States ~~and one of the following:~~ citizens or eligible aliens.

~~(a) A United States citizen:~~ For the purpose of qualifying as a United States citizen, the United States shall be defined as the 50 states and the District of Columbia, Puerto Rico, Guam, and the Virgin Islands. Additionally, citizens of American Samoa, Swain's Island and the Northern Mariana Islands who reside in the United States shall be considered to have met the citizenship eligibility requirements.

- .1 (Continued) **(SEE ATTACHMENT 8)**
- .11 (Continued) **(SEE ATTACHMENT 8)**
- .111 Acceptable Immigration and Naturalization Service (INS) documentation:
 (Continued) **(SEE ATTACHMENT 8)**
 - (d) ~~An I-94 that states "Processed for I-551. Temporary evidence of lawful admission for permanent residence valid until _____.~~
 ~~Employment authorized."~~
 - (ed) Documentation from INS that clearly identifies that the alien is a legal permanent resident pursuant to Section 245A of the INA.
- .112 Eligibility requirements: (Continued) **(SEE ATTACHMENT 8)**
 - (e) (Continued) **(SEE ATTACHMENT)**

- (1) The required quarters of coverage must be verified by the Social Security Administration's automated system. A consent for release of information must be signed by the person whose work history is being requested, except for the ~~work history of a household member or of a deceased spouse or parent of a household member~~ person signing the food stamp application. If a completed consent form cannot be obtained from a living parent or spouse who is not a member of the household, the work history cannot be requested through the automated system, but must instead be obtained manually. The full name, social security number, date of birth, sex, relationship to applicant, month and year relationship began, and the month and year of last applicable quarter must be obtained and mailed to: SSA, OCRO, P.O. Box 17750, Baltimore, Maryland, 21235-0001.

An individual whose eligibility requires verification of quarters of coverage through the manual system cannot receive food stamps pending such verification.

An applicant shall be an eligible household member pending verification of his or her work history by the automated system if the eligibility criteria detailed below are met. At the eligibility interview the CWD shall ask the following questions about the alien whose eligibility needs to be determined. (Continued) **(SEE ATTACHMENT 8)**

- (2) (Continued) **(SEE ATTACHMENT 8)**

(A) Lag Quarters (Continued)

1. (Continued) **(SEE ATTACHMENT 8)**

ESTABLISHING QUARTERS

~~The term "quarter" means the 3 calendar month periods ending with March 31, June 30, September 30, and December 31 of any year.~~

~~Social Security credits (formerly called "quarters of coverage") are earned by working at a job or as a self employed individual. A maximum of 4 credits can be earned each year.~~

For 1978 and later, credits are based solely on the total yearly amount of earnings. All types of earnings follow this rule. The amount of earnings needed to earn a credit increases and is different for each year. For 1978 through 1996, the amount of earnings needed for each credit is:

1978.....\$250	1988.....\$470
1979.....\$260	1989.....\$500
1980.....\$290	1990.....\$520
1981.....\$310	1991.....\$540
1982.....\$340	1992.....\$570
1983.....\$370	1993.....\$590
1984.....\$390	1994.....\$620
1985.....\$410	1995.....\$630
1986.....\$440	1996.....\$640
1987.....\$460	

A current year quarter may be included in the 40 quarter computation:

To determine the number of credits, divide the individual's total yearly earnings by the amount shown above for that year. For example, earnings of \$1360 in 1982 results in four credits (\$1360 divided by 340). ~~DO NOT CREDIT CALENDAR QUARTERS THAT HAVE NOT ENDED.~~

If you need to use quarters before 1978:

- ~~o A credit was earned for each calendar quarter in which an individual was paid \$50 or more in wages (including agricultural wages for 1951-1955);~~
- ~~o Four credits were earned for each taxable year in which an individual's net earnings from self-employment were \$400 or more; and/or~~
- ~~o A credit was earned for each \$100 (limited to a total of 4) of agricultural wages paid during the year for years 1955 through 1977.~~

HANDBOOK BEGINS HERE

ESTABLISHING QUARTERS

The term "quarter" means the 3 calendar month periods ending with March 31, June 30, September 30, and December 31 of any year.

Social Security credits (formerly called "quarters of coverage") are earned by working at a job or as a self employed individual. A maximum of 4 credits can be earned each year.

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<u>1979.....\$260</u>	<u>1989.....\$500</u>
<u>1980.....\$290</u>	<u>1990.....\$520</u>
<u>1981.....\$310</u>	<u>1991.....\$540</u>
<u>1982.....\$340</u>	<u>1992.....\$570</u>
<u>1983.....\$370</u>	<u>1993.....\$590</u>
<u>1984.....\$390</u>	<u>1994.....\$620</u>
<u>1985.....\$410</u>	<u>1995.....\$630</u>
<u>1986.....\$440</u>	<u>1996.....\$640</u>
<u>1987.....\$460</u>	<u>1997.....\$670</u>

A current year quarter may be included in the 40 quarter computation.

To determine the number of credits, divide the individual's total yearly earnings by the amount shown above for that year. For example, earnings of \$1360 in 1982 results in four credits (\$1360 divided by 340). DO NOT CREDIT CALENDAR QUARTERS THAT HAVE NOT ENDED.

If you need to use quarters before 1978:

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- o Four credits were earned for each taxable year in which an individual's net earnings from self-employment were \$400 or more; and/or
- o A credit was earned for each \$100 (limited to a total of 4) of agricultural wages paid during the year for years 1955 through 1977.

HANDBOOK ENDS HERE

- (3) If upon further review SSA cannot establish additional earnings and the alien does not have at least 40 qualifying quarters, the CWD shall establish an inadvertent household error claim for over issuance for the months food stamps were received while searching for additional quarters of coverage.

.12 A refugee under Section 207 of the INA. (Continued) **(SEE ATTACHMENT 8)**

- .2 Other alien provisions and procedures not superseded by Section 63-405 remain in effect; ~~including sponsored alien provisions (Sections 63-403.33 and 503.49), treatment of income, resources and deductions of an ineligible alien (Section 63-503.442), ineligible aliens (Sections 63-300.51(b)(8) and .403.2), and reporting of illegal aliens (Section 63-403.4).~~

~~63-403~~

.33 Responsibilities of Sponsored Aliens

For a period of three years from the alien's date of entry or date of admission as a lawful permanent resident, the sponsored alien shall be responsible for the following:

- .331 Obtaining the cooperation of his/her sponsor.
- .332 Providing the CWD at the time of application and at the time of recertification with any information and/or documentation necessary to calculate the deemed income and resources of the alien's sponsor and the sponsor's spouse. See Section 63-503.49 for deeming procedures.
- .333 Providing the names (or other identifying factors) of other aliens for whom the alien's sponsor has signed an agreement to support.
- .334 Reporting the required information about the sponsor and sponsor's spouse should the alien obtain a different sponsor during the certification period and for reporting a change in income should the sponsor or the sponsor's spouse change or lose employment or die during the certification period. Such changes shall be handled in accordance with the timeliness standards and procedures described in Sections 63-505.3 and .5 as appropriate.

~~63-403~~

.4 Reporting of Illegal Aliens

The CWD shall immediately inform the local INS office whenever personnel responsible for the certification or recertification of households discovers that an applicant or a household member is under an order of deportation. For purposes of this section, the term household member shall mean a person whose name appears on the application or other documents and who would have been a food stamp household member except for his/her

alien status. When a person indicates inability or unwillingness to provide documentation of alien status, that person shall be classified as an ineligible alien. In such cases the CWD shall not continue efforts to obtain such documentation. The ineligible alien's income and resources shall be available to the household as specified in Section 63-503.44. CWD disclosure to INS shall be deemed to be within the administration of the Food Stamp Program as described in Section 63-201.3. (See Section 63-403.325.)

.41 For reporting purposes, reliable sources of information regarding orders of deportation shall be limited to:

(a).411 The alien's or other household member's admission,

(b).412 Food stamp documents, or

(c).413 Presentation of INS documents showing that the alien is under an order of deportation.

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 273.2(j)(3) and (4); 7 CFR 273.4(a)(8); 7 CFR 237.10(b); 7 CFR 273.6; U.S.D.A. Food and Nutrition Service, Administrative Notice 92-30; Federal Register, Vol. 56, No. 233, page 63594; Public Law 104-193, Section 402 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); Administrative Notice 96-47; Administrative Notice 96-48 (Part A, page 6); and Administrative Notice 96-55; Administrative Notice 97-02; Administrative Notice 97-13; and Administrative Notice 97-44; and Administrative Notice 97-82.

Amend Sections 63-407.5 and .6 to read:

63-407 WORK REGISTRATION REQUIREMENTS (Continued)

63-407

.5 Failure to Comply (Continued)

.52 Within 10 days of determining that noncompliance with any of the ~~general~~ Food Stamp work requirements at Sections 63-407.42, ~~43, and .44~~ was without good cause, as specified in Section 63-407.51, the CWD shall issue a notice of action informing the household of the sanction being imposed on the noncompliant registrant. In addition to the requirements specified in Section 63-504.21, the notice shall contain a description of the act of noncompliance, identify the minimum length of the food stamp sanction and shall specify that ~~the individual may reapply at the end of the disqualification period~~ if, at any time, the individual becomes exempt in accordance with Section 63-407.611, the sanction shall end and the individual may reapply for food stamps. Information shall also be included describing the action which can be taken to end the sanction, in accordance with Section 63-407.612 when the minimum sanction period identified in Section 63-407.53 is completed. (Continued)

.53 For purposes of determining the appropriate sanction to apply, the CWD shall count any previous sanctions imposed on the registrant for failing to comply with the requirements of Sections 63-407.4 and .55, and Section 63-408. If the registrant qualifies for one of the exemptions listed at Section 63-407.611, during the minimum sanction period identified in Sections 63-407.531, .532 or .533, the sanction shall end and the registrant may reapply and be approved for food stamps if otherwise eligible.

.531 The first food stamp sanction shall continue for one month or until ~~eligibility is established~~ compliance is achieved, whichever is longer.

.532 The second food stamp sanction shall continue for three months or until ~~eligibility is established~~ compliance is achieved, whichever is longer.

.533 The third or subsequent food stamp sanction shall continue for six months or until ~~eligibility is established~~ compliance is achieved, whichever is longer. (Continued)

.54 (Continued)

.542 ~~If the CWD determines that the work requirement is not comparable, the individual, shall not be disqualified. However, if the individual:~~ An individual shall not be disqualified if, prior to the effective date of the sanction identified in Section 63-407.53, that individual becomes exempt in accordance with Sections 63-407.21(a), (b), (d), (f), (g), or (h). An

~~individual who receives Food Stamp sanctions in accordance with Section 63-407.54 and subsequently qualifies for any of the exemptions listed in this section may reestablish eligibility following completion of the minimum sanction period identified in Section 63-407.531, .532, or .533. When, for reasons including exemption, a sanction is not imposed, it will not be counted as an instance of noncompliance.~~ (Continued)

.6 Ending Disqualification

.61 If an individual is otherwise eligible following completion of the minimum sanction period identified in Section 63-407.53, eligibility may be reestablished if the individual:

.611 Becomes exempt in accordance with Sections 63- 407.21(a), (b), (d), (f), (g) or (h).

(a) This provision applies at any time during the period of disqualification. (Continued)

Authority cited: Sections 10553, 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 273.1(d)(2); 7 CFR 273.7(d)(1)(ii)(A) and (E); 7 CFR 273.7(f), (f)(1)(vi), (f)(2), and (f)(4)(ii); 7 CFR 273.7(h); 7 U.S.C. 2014(e), 7 U.S.C. 2015(d)(1), (d)(2), (d)(4)(i)(II), and (o); U.S.D.A. Food and Nutrition Service Administrative Notice 94-39; Public Law 104-193, Sections 815, 817, 819 and 824 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); and U.S.D.A. Food and Consumer Service Administrative Notices 97-22 and 97-65.

Amend Sections 63-408.2 and .6 to read:

63-408 VOLUNTARY QUIT (Continued)

63-408

.21 (Continued)

.212 Specify that the sanction period shall begin the first of the month following the month the registrant is provided a timely notice of action and shall continue for the period identified in Section 63-407.53.

(a) The notice shall inform the registrant that if, at any time, he/she becomes exempt in accordance with Section 63-408.612, the sanction shall end and he/she may reapply for food stamps.
(Continued)

.23 If the quit occurred or is determined during the last month of a certification period, the noncompliant registrant shall be denied eligibility for the period specified in Section 63-407.53, unless he/she becomes exempt in accordance with Section 63-408.612. (Continued)

.6 Ending a Voluntary Quit Disqualification

.61 Following the end of the minimum disqualification period identified in Section 63-407.531, .532, or .533, a registrant may begin participating in the Program after reapplying and being determined eligible if the individual: (Continued)

.612 ~~Becomes exempt from the work registration requirements~~ Qualifies for one of the work registration exemptions listed at Section 63-407.21, other than the exemptions specified in Section 63-407.21(c), (e), or (g).

(a) This provision applies at any time during the period of disqualification. (Continued)

Authority cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; California Code of Regulations, Title 22, Division 12, Chapter 1 commencing with Section 101151, Chapter 2 commencing with Section 101251, and Chapter 3 commencing with Section 102351.1; 7 U.S.C. 2015(d)(1) and (o), Public Law 104-193, Sections 815 and 824 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); and U.S.D.A. Food and Consumer Service Administrative Notices 97-22 and 97-65.

Amend Section 63-501.52 to read:

63-501 RESOURCE DETERMINATIONS (Continued)

63-501

.5 Resource Values (Continued)

.52 Handling of Licensed Vehicles (Continued)

.522 (Continued)

(a) ~~The vehicle exclusion limit for vehicles shall be:~~

- (1) ~~\$4,500 through August 31, 1994;~~
- (2) ~~\$4,550 from September 1, 1994 through September 30, 1995;~~
- (3) ~~\$4,600 from October 1, 1995 through September 30, 1996;~~
~~and~~
- (4) ~~\$5,000 from October 1, 1996 through September 30, 1997.~~

HANDBOOK BEGINS HERE

(ba) For example, ~~through August 31, 1994,~~ a household owning an automobile with a fair market value of \$5,500 shall have ~~\$4,500~~ \$4,650 excluded and ~~\$1,000~~ \$850 applied to its resource level.

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.523 (Continued)

.524 In the event a licensed vehicle is assigned both a fair market value in excess of the vehicle exclusion limit as specified in Section 63-501.522(a) and an equity value, only the greater of the two amounts shall be counted as a resource.

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- (a) For example, a second car which is not used by a household member to go to work will be evaluated for both fair market value and for equity value. Based on a vehicle exclusion limit of ~~\$4,500~~ \$4,650, if the fair market value is \$5,000 and the equity value is \$1,000 the household shall be credited with only the \$1,000 equity value, and the ~~\$500~~ \$350 excess fair market value will not be counted.

.525 (Continued)

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.526 (Continued)

Authority Cited: Sections 10553, 10554, 11209, and 18904, Welfare and Institutions Code.

Reference: Sections 10554, 18901, and 18904, Welfare and Institutions Code; 7 Code of Federal Regulations (CFR) 272.8(e)(17); 7 CFR 273.2(j)(4); and 7 CFR 273.8(e)(11) and (18); 7 CFR 273.8(h); Public Law (P.L.) 100-50, Sections 22(e)(4) and 14(27), enacted June 3, 1987; P.L. 101-201; P.L. 101-426, Section 6(h)(2), as specified in United States Department of Agriculture (U.S.D.A.), Food and Nutrition Service (FNS), Administrative Notice (AN) 91-37; P.L. 101-508, Section 11111(b); P.L. 101-624, Section 1715; P.L. 102-237, Section 905, as specified in Federal Administrative Notice 92-12, dated January 9, 1992; Section 2466d., Title 20, United States Code (U.S.C.); 7 U.S.C. 2014(d); 26 U.S.C. 32(j)(5); 42 U.S.C.A. 5122 as amended by P.L. 100-707, Section 105(i); U.S.D.A., FNS, ANs 91-30 and 94-39; Index Policy Memo 90-22, dated July 12, 1990; U.S.D.A., FNS, AN 94-58, dated July 5, 1994; and P.L. 104-193, Sections 810 and 827 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

Amend Section 63-502.3 to read:

63-502 INCOME, EXCLUSIONS AND DEDUCTIONS (Continued)

63-502

.3 Income Deductions (Continued)

.35 Homeless Shelter Deduction

~~.352(a)~~

.351 The homeless ~~standard shelter allowance deduction~~ is available to homeless households who are not receiving free shelter for the entire month, fiscal or calendar, depending on the county's issuance cycle. If the homeless ~~standard shelter allowance deduction~~ is used, separate utility costs may not be claimed since this allowance includes a utility cost component.

~~.352(a)(1)~~

.352 All homeless households which incur, or reasonably expect to incur, shelter costs during a month shall be eligible to use the homeless ~~standard shelter allowance deduction~~ without providing verification of the shelter costs. Higher shelter costs may be used if verification is provided.

~~.352(a)(2)~~

.353 Homeless households which do not incur shelter costs during the month shall not be eligible for the homeless ~~standard shelter allowance deduction~~.

.356 Excess Shelter Deduction (Continued)

.3561 If the Food Stamp eligible household member(s) shares shelter costs with others, the household's deduction amount shall be determined as specified in Section 63-502.367.

.3562 Shelter costs shall include only the following:

(a) If actual verified homeless shelter costs are higher than the homeless shelter deduction, the actual cost may be used as a housing cost instead of a homeless shelter deduction and utility costs may be claimed.

(b) through (f) (Continued)

.3563 Standard Utility Allowance (SUA)

(a) Entitlement to SUA

(1) (Continued) ...

- (A) Households who are using the homeless ~~standard shelter allowance deduction~~ shall not be entitled to the SUA because a utility component is included in the homeless ~~standard shelter allowance deduction~~.
(Continued)

.367 Shared Living Expense Deductions (Continued)

.3671 Treatment of Separate Households (Continued)

(a) through (c) (Continued)

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(d) UTILITY ALLOWANCE DECISION CHART

IF THE HOUSEHOLD (HH)...

THEN...

(1) through (7) (Continued)

HOMELESS HOUSEHOLDS

(8) Receives Homeless ~~Standard Shelter Allowance Deduction~~

Not entitled to SUA.

HANDBOOK ENDS HERE

.3672 Food Stamp Households with Excluded Members (Continued)

(a) through (c)(2) (Continued)

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.3673 (Continued)

(a) through (d) (Continued)

HANDBOOK ENDS HERE

.3674 To prorate within the food stamp household, the CWD shall:

(a) through (c) (Continued)

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.3675 EXAMPLES (Continued)

I through VI (Continued)

HANDBOOK ENDS HERE

.378 Child Support Deduction (Continued)

.3781 (Continued)

.3782 (Continued)

.3783 (Continued)

.3784 (Continued)

.3785 (Continued)

.3786 (Continued)

Authority Cited: Sections 10553, 10554, 11209, 18900, 18901 and 18904 Welfare and Institutions Code.

Reference: Sections 10554, 18901, and 18904, Welfare and Institutions Code; Public Law (P.L.) 99-603, Section 201(a), Section 245A(h)(1)(A)(iii) Immigration Reform and Control Act, P.L. 100-50, Sections 22(e)(4) and 14(27), enacted June 3, 1987; P.L. 100-77; P.L. 101-201; P.L. 101-508, Section 11111(b); P.L. 103-66, Section 5(c), (d) and (e) and Section 8(a); 7 Code of Federal Regulations (CFR) 271.2; 7 CFR 273.1(c)(6); 7 CFR 273.7(f); 7 CFR 273.9; 7 CFR 273.9(b)(1), (c), and proposed amended (c)(1)(ii) as published in the Federal Register, Vol. 59, No. 167, on August 30, 1994; (c)(1)(ii)(G), (d) and proposed (d)(7) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, 7 CFR 273.10(d)(1)(i); 7 CFR 273.11(b)(1); 7 CFR 273.11(c), (d), (d)(1), and (e); 7 CFR 273.21(j)(1)(vii)(A); 7 United States Code (U.S.C.) 2014(c), (d), (e), (k)(1)(B), and (k)(2)(F); 7 U.S.C. 2015(e); 7 U.S.C. 2017(a); 20 U.S.C. 2466d.; 26 U.S.C. 32(j)(5); P.L. 104-193, Sections 807, 808, 809, 811,

and 829 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); (Court Order re Final Partial Settlement Agreement in Jones v. Yeutter (C.D. Cal Feb. 1, 1990) [Dock. No. CV-89-0768].); United States Department of Agriculture (U.S.D.A.) Food and Consumer Services (FCS) Administrative Notice (AN) 88-40, Indexed Policy Memo 88-10, dated April 20, 1988; U.S.D.A., FNS ANs 91-24, 91-30, 94-39, and 94-41; U.S.D.A.; and the July 8, 1988 district court order in Hamilton v. Lyng.

Amend Section 63-503.3 and .4 to read:

63-503 DETERMINING HOUSEHOLD ELIGIBILITY AND
BENEFIT LEVEL (Continued)

63-503

.3 Calculating Net Income and Benefit Levels

.31 Net Monthly Income (Continued)

.311 To determine a household's net monthly income, unless the household contains a member who is elderly or disabled as defined in Section 63-102(e), the CWD shall: (Continued)

(f) Subtract the homeless shelter deduction.

(fg) (Continued)

(gh) (Continued)

(hi) (Continued)

.312 To determine the net monthly income of a household that includes a member who is elderly or disabled as defined in Section 63-102(e) the CWD shall: (Continued)

(fe) Subtract the monthly dependent care up to the current maximum.

(ef) (Continued)

(g) Subtract the homeless shelter deduction.

(gh) (Continued)

(hi) (Continued)

(ij) (Continued)

.4 Households with Special Circumstances (Continued)

.44 Treatment of Income and Resources of Excluded Members

.441 Household Members Excluded for Conviction of a Drug Felony, IPV Disqualification, or Workfare or Work Requirement Sanction, or is a Fleeing Felon

During the period of time that a household member is ineligible to participate because of conviction of a drug felony, disqualification for IPV, noncompliance with work requirements as specified in Section 63-407.4, ~~or~~ imposition of a sanction while participating as a member of a household disqualified for failure to comply with Workfare requirements, or is a fleeing felon, the eligibility and benefit level of any remaining household members shall be determined as follows: (Continued)

.444 Reduction or Termination of Benefits Within the Certification Period (Continued)

(b) When a household member is excluded for Workfare or work requirement sanction, SSN disqualification, ~~or~~ ineligible alien status, conviction of a drug felony, or is a fleeing felon, and the household's allotment is subsequently reduced or terminated, the CWD shall issue a notice of action as specified in Section 63-504.26 and, as appropriate, as specified in Section 63-407.56. The notice shall inform the household of the exclusion, the reason for the exclusion, the eligibility and monthly allotment of the remaining members and the actions the household must take to end the disqualification. (Continued)

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 271.2; 7 CFR 272.3(c)(1)(ii); 7 CFR 273.1(b)(2)(iii), (c)(3)(i), (ii) and (e)(1)(i) as published in the Federal Register, Volume 59, No. 110 on June 9, 1994; 7 CFR 273.2(j)(4); 7 CFR 273.9(b)(1)(ii) and (b)(2)(ii); 7 CFR 273.10(a)(1)(iii)(B); 7 CFR 273.10(c)(2)(iii), (c)(3)(ii), proposed amended 7 CFR 273.10(d) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994; (d)(1)(i), (d)(2), (d)(3), (d)(4), and proposed (d)(8) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, and proposed amended 7 CFR 273.10(e)(1)(i)(E-H) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994; 7 CFR 273.11(a)(2)(i), (b)(1), (b)(1)(i) and (ii), (c), (c)(1), (c)(2)(iii), (c)(3)(ii), (d)(1), and (e)(1); 7 CFR 273.21(f)(2)(ii), (iii), (iv), and (v), (g)(3), (j)(1)(vii)(B), and (S); (Court Order re Final Partial Settlement Agreement in Jones v. Yeutter (C.D. Cal. Feb. 1, 1990) ___ F. Supp. ___; Waiver Letter WFS-100:FS-10-6-CA, dated October 2, 1990, U.S.D.A., Food and Consumer Services; Administrative Notice No. 89-12, No. 92-23, dated February 20, 1992, No. 94-39, and No. 94-65; P.L. 100-435, Section 351, and P.L. 101-624, Section 1717; [7 U.S.C. 2012, 2014(e), and 2017(c)(2)(B)]; 7 U.S.C. 2015(d)(1); and P.L. 104-193, Sections 815, 827 and 829 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

Amend Section 63-504.1 to read:

63-504 HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY 63-504

.1 Certification Periods (Continued)

.12 Additional Requirements for Establishing Certification Periods for Monthly Reporting Households

.121 Public Assistance and Categorically Eligible Households

Households in which all members are contained in a single Public Assistance (PA) grant, and the food stamp applications are processed jointly ~~in accordance with as specified in~~ Section 63-301.6, ~~shall~~ may have their food stamp recertifications, to the extent permitted by regulation, at the same time they are redetermined for PA eligibility.

The CWD shall assign PA food stamp households certification periods that expire no later than the end of the month following the month in which the PA redetermination is scheduled. The certification period shall be established for no longer than ~~14~~ 12 months ~~but no less than six months~~. The CWD shall be permitted to recertify food stamps when the PA redetermination occurs. However, if the PA redetermination is ~~not made by the end of the month for which it was scheduled~~ and the food stamp recertification cannot be jointly processed, the CWD shall send the household a notice of expiration of its food stamp certification period ~~in accordance with as specified in~~ Section 63-504.624 and proceed to recertify the household for food stamps in order not to exceed the 12 months. The certification period may be shortened ~~in accordance with as specified in~~ Section 63-504.14 to keep the time frames on the same schedule.
(Continued)

.122 Nonassistance Households

All nonassistance households (NA) subject to monthly reporting shall be certified for a period not to exceed 12 months, ~~but not less than six months~~.
(Continued)

.13 Additional Requirements for Establishing Certification Periods for Nonmonthly Reporting Households (Continued)

.132 Public assistance households shall be assigned certification periods in accordance with Section 63-504.121, except that the certification period ~~shall not exceed 12 months, but may be less than six months~~ and shall take into consideration the predictability of the household's circumstances.

.133 Households consisting ~~entirely of unemployable or~~ all adult members who are elderly or disabled persons with very stable incomes shall be certified for up to ~~12~~ 24 months provided other household circumstances are expected to remain stable. The CWD shall have at least one contact with these households every 12 months. The contact may be in the form of a telephone interview, an in-office interview or some form of a written report. (Continued)

.14 Shortening the Length of the Certification Period

.141 The CWD may shorten the certification period of any household when the CWD determines the need to do so based on individual case circumstances which shall include, but not be limited to, those circumstances specified below. ~~However, the CWD shall not shorten the certification period of monthly reporting households if it will result in a certification period of less than six months unless the household agrees to be recertified early.~~ (Continued)

Authority Cited: Sections 10554, 11265.1, and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 271.2; proposed 7 CFR 273.2(f)(1)(xii) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, (f)(8)(i); (f) (8)(i)(A) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994; 7 CFR 273.2(j)(3) and (4); 7 CFR 273.8(b); 7 CFR 273.10(d)(4), (g)(1)(i) and (ii); proposed 7 CFR 273.12(a)(1)(vi) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, and (c); 7 CFR 273.13(a)(2); 7 CFR 273.14(b)(3); 7 CFR 273.21(e)(1), (f)(1)(iii), (f)(1)(iv)(B), proposed (h)(2)(ix) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, (h)(3)(ii), (i), (j), (j)(1)(vi), (j)(1)(vii)(A) and (r), (j)(2)(iii), (j)(3)(ii), (j)(3)(iii)(C), and proposed (j)(3)(iii)(E) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994; 7 CFR 274.10; P.L. 100-435, Section 351, P.L. 101-624, and P.L. 103-66; Section 1717, [7 U.S.C. 2014(e)]; 7 U.S.C. 2014(d)(7) and 2017(c)(2)(B); U.S.D.A. Food and Consumer Services, Administrative Notices 94-39 and 97-50; and P.L. 104-193, Sections 801, 807 and 827 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

Amend Sections 63-801.4, .5, .7, and .8 to read:

63-801 CLAIMS AGAINST HOUSEHOLDS (Continued)

63-801

.4 Collecting Claims Against Households and Sponsors of Alien Households (Continued)

.43 Initiating Collection on Claims

.431 CWDs shall initiate collection action by providing the household or the sponsor of an alien household notice of action requesting repayment which provides the following information: (Continued)

(d) ~~For inadvertent household error and intentional Program violation claims, t~~The household, or the sponsor shall be informed of the length of time the household has to decide which method of repayment it will choose and inform the CWD of its decision, and of the fact that the household's allotment will be reduced if the household fails to agree to make restitution.

(e) ~~For administrative error claims, the household shall be informed of the availability of allotment reduction as a method of repayment if the household prefers to use this method. Choice of this option is entirely up to the household and the household shall have its allotment reduced as specified in Section 63-801.737(a).~~

(fe) (Continued)

(1) (Continued)

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(gf) (Continued)

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.432 (Continued)

.44 Action Against Households and Sponsors of Alien Households Who Fail to Respond

.441 The CWD shall reduce the household's Food Stamp benefits without further notice as specified in Section 63-801.73, when:

(a) Collection action has been initiated against the household or the sponsor for repayment of an ~~inadvertent household error or intentional Program violation~~ claim; and (Continued)

~~.442~~ If any ~~nonparticipating or participating household against whom collection action has been initiated for repayment of an administrative error claim does not respond to the first notice of action requesting repayment, additional notices shall be sent at reasonable intervals, such as 30 days, until:~~

~~(a) The household or the sponsor has responded by paying or agreeing to pay the claim;~~

~~(b) The criteria for suspending collection action, specified in Section 63-801.5, have been met; or~~

~~(c) The CWD initiates other collection actions.~~

~~.443~~ Other Collection Methods (Continued)

.5 Suspending and Terminating Collection of Claims

.51 Suspending Collection of Inadvertent Household and Administrative Error Claims (Continued)

.512 If collection action was initiated, and at least one demand letter has been sent, the CWD may be permitted to suspend further collection action of an inadvertent household error claim or of an administrative error claim against a nonparticipating household ~~or of an administrative error claim against a participating or nonparticipating household~~ when: (Continued)

.7 Method of Collecting Payments (Continued)

.72 Installments (Continued)

.722 If the household or the sponsor fails to make a payment in accordance with the established repayment schedule (either a lesser amount or no payment), the CWD shall notify the household or the sponsor that no payment or an insufficient payment was received.

(a) The notice of action requesting repayment shall inform the household or the sponsor that: (Continued)

(2) Unless the overdue payments are made or the CWD is contacted to discuss renegotiation of the payment schedule, the benefits of a currently participating household ~~against which an inadvertent household error or intentional Program violation claim has been~~ with an established claim will be reduced without a further notice and as specified in Section 63-801.73. (Continued)

.723 In cases where the household is currently participating in the Food Stamp Program and a payment schedule is negotiated for repayment of an ~~inadvertent household error or intentional Program violation~~ claim, the CWD shall ensure that the negotiated amount to be repaid each month through installment payments is not less than the amount which could be recovered through allotment reduction. Once negotiated, the amount to be repaid each month through installment payments shall remain unchanged regardless of subsequent changes in the household's monthly allotment. However, the CWD, the household, or the sponsor shall have the option to initiate renegotiation of the payment schedule if they believe that the economic circumstances of the household or the sponsor have changed enough to warrant such action.

.73 Reduction in Food Stamp Allotments

.731 CWDs shall collect repayments for an ~~inadvertent household error claim or an intentional Program violation~~ claim from a household currently participating in the Program by reducing the household's food stamp allotments as provided in Section 63-801.44.

~~.732 CWDs shall collect payments for an administrative error claim from a household currently participating in the Food Stamp Program by reducing the household's food stamp allotments if the household prefers to use this method of repayment. Choice of this option is entirely up to the household and no household shall have its allotment reduced by an amount with which it does not agree for payment of an administrative error claim.~~

.7332 (Continued)

.7343 If the household requests to make a lump sum cash and/or food stamp coupon payment as full or partial payment of the claim, the CWD shall accept this method of payment. The CWD shall reduce the household's allotment as specified in Section 63-801.7376, to recover any amounts of ~~an inadvertent household error or intentional Program violation~~ claim not repaid through a lump sum cash and/or food stamp coupon payment, unless a payment schedule has been negotiated with the household.

.7354 (Continued)

.7365 (Continued)

.7376 (Continued)

.8 Submission of Payments (Continued)

.82 Each CWD shall submit, for each calendar quarter, a FNS-209. (Continued)

.823 In accounting for ~~inadvertent household error and intentional Program violation~~ claims collections, the CWD shall include cash or coupon repayments and the value of allotments recovered or offset by the restoration of lost benefits. The value of benefits not issued as a result of a household member being disqualified, shall not be considered recovered allotments and shall not be used to offset an intentional Program violation claim. (Continued)

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 271.2; 7 CFR 273.18(a), (a)(1)(ii), and (a)(2); 7 CFR 273.18(c)(1)(ii) and (c)(2)(ii) (Federal Register, Vol. 58, No. 209, pp. 58454 and 58455, dated November 1, 1993); 7 CFR 273.18(d)(4)(iii); 7 CFR 273.18(e)(1); 7 CFR 273.18(g)(4)(ii); 7 CFR 273.18(h)(4); 7 CFR 273.18(k)(5); U.S.D.A., Food and Nutrition Service letter WFS-100:FS-10-6-CA, dated October 7, 1991; and P.L. 104-193, Sections 809 and 844 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

Adopt Section 63-405 to read:

Post Hearing: Amend Section 63-405 to read:

63-405 ~~LEGAL ALIEN ELIGIBILITY PROCEDURES AND PROVISIONS~~ 63-405
~~AND PROCEDURES FOR DETERMINING THE ELIGIBILITY~~
~~OF APPLICANT ALIENS SECONDARY TO RESULTING FROM~~
~~THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY~~
~~RECONCILIATION ACT (PRWORA) OF 1996 FOR FOOD STAMP~~
~~APPLICANT ALIENS ONLY~~

(See Section 63-403 for procedures for aliens who were participating in the Food Stamp Program as of on August 22, 1996.)

.1 Eligible Eligibility Requirements and Verification of Aliens Status

~~The CWD shall limit~~ An alien who is a resident of the United States and meets the verification and eligibility requirements for one of the following categories is eligible for participation in the Food Stamp Program. to aliens who are residents of the United States as follows:

.11 ~~A legal permanent resident as specified in either Section 63-405.111 or .112, and who meets one of the criteria as specified in Section 63-405.2: Lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act (INA).~~

.111 ~~As verified by Acceptable Immigration and Naturalization Service (INS) documentation:~~

(a) ~~a~~An INS I-551;

(b) ~~a~~An I-327 "Re-entry Permit";

(c) ~~a~~A foreign passport stamped with an entry indicating temporary evidence of ~~LPR, L~~ lawful ~~P~~permanent ~~R~~residence, ~~LPR~~, status;

(d) ~~a~~An I-94 that states "Processed for I-551. Temporary evidence of lawful admission for permanent residence valid until _____ . Employment authorized."; ~~or~~

(e) ~~d~~Documentation from INS that clearly identifies that the alien is a legal permanent resident pursuant to Section 245A of the INA; ~~or.~~

Renumber Handbook Sections 63-1101.3 et seq. and .4 to Sections 1101.4 et seq. and .5, respectively; modify Handbook Section 63-1101.2; and include Handbook Section 63-1101.3 to read:

63-1101 TABLES OF COUPON ISSUANCE (Continued)

63-1101

.2 Income Deductions (Continued)

.24 Excess Shelter Deduction. Effective ~~July 1, 1994~~ January 1, 1997 through September 30, ~~1995~~ 1998, the maximum deduction shall be ~~\$231~~ \$250. Effective October 1, ~~1995~~ 1998 through ~~December 31, 1996~~ September 30, 2000 the maximum deduction shall be ~~\$247~~ \$275. Effective October 1, 2000 forward, the maximum deduction shall be \$300. The applicable maximum deduction shall apply for all households except those containing an elderly or disabled member ~~and it shall be adjusted annually~~. Households containing elderly or disabled members are entitled to an excess shelter deduction for the monthly amount that exceeds 50 percent of the household's monthly income after all applicable deductions have been allowed (see Section 63-502.35). ~~Effective January 1, 1997 no maximum limit shall be applied to the excess shelter deduction.~~ (Continued)

.27 Homeless ~~Standard Shelter Allowance~~ Deduction. Effective October 1, 1992, ~~the homeless standard shelter allowance shall be \$132, and it shall be adjusted annually on October 1~~ deduction is \$143. (Continued)

.3 Vehicle Exclusion Limit

.31 The vehicle exclusion limit for vehicles shall be \$4650 from October 1996, forward.

.34 Income Eligibility Standards (Continued)

.341 Maximum Gross Income Standards (Continued)

.342 Maximum Net Monthly Income Standards (Continued)

.343 Maximum Gross Income Standards for Elderly and Disabled Separate Household Status (Continued)

.45 Reciprocal Table for Prorating Initial Month's Benefits (Continued)

.112 Canadian-born, North American Indians whose permanent residency has been verified by birth records, affidavits from tribal officials, an INS Form I-181, or other INS documentation acceptable to the CWD. Eligibility requirements:

.12 An alien as specified in Sections 63-405.121 through .123. He/she may receive food stamps for a maximum of 5 years from the date his/her status was granted:

.121(a) An alien who was admitted Entered the U.S. as a refugee, as verified by an INS Form I-94 annotated with under Section 207 of the Immigration and Naturalization Act (INA); within the last five years; or

.122(b) An alien who was admitted as an asylee, as verified by an INS Form I-94 annotated with Was granted asylum under Section 208 of the INA; within the last five years; or

.123(c) An alien whose Had deportation has been withheld, as verified by an INS Form I-94 annotated with under Section 243(h) of the INA; (before April 1, 1997, or under Section 241(b)(3) of the INA on or after April 1, 1997) within the last five years; or

.2 A Legal Permanent Resident must either:

.21 (d) Be Is a veteran (honorably discharged for a reasons other than on account of alienage as documented by a DD Form 214 or other acceptable verification), an a person on active duty military person in the U.S. armed forces, or is the spouse or unmarried dependent child of a veteran (honorably discharged for reasons other than on account of alienage); or active duty military person as described above; or

.22 (e) Has 10 years (40 calendar quarters) of qualifying employment as defined under Title II of the Social Security Act, 42 United States Code, Section 413; or can be credited with such qualifying quarters through parents (before the applicant turned 18) and/or spouse (for work performed during their marriage and the alien remains married to such spouse or such spouse is deceased). Beginning with the first quarter of 1997, no quarter of coverage shall be countable if the individual who earned it received any federal means-tested public benefits.

.221 Quarters of qualifying employment can be combined with those of a spouse (for work performed during their marriage and the alien remains married to such spouse or such spouse is deceased), and/or parent (for work performed while the alien was under the age of 18), to meet this requirement, provided that beginning January 1, 1997, the spouse and/or parent of such alien did not receive any federal means-tested public benefits during the period the qualifying quarter of coverage is credited.

(a) If quarters of coverage are verified by Social Security Administration then eligibility is established. No further documentation/verification is required.

(b) For certification pending verification of the quarters of coverage requirement the following procedures apply. The applicant alien shall provide the full name, social security number, date of birth, and sex of each individual (self, parent or spouse) whose work history is relevant to the determination of eligibility. In addition, the applicant shall provide a release form signed by each such individual, giving the Social Security Administration permission to release information on that individual to the CWD and/or applicant.

(1) The CWD shall determine if the applicant alien has resided in the United States, either by himself/herself, or in combination with his parents, and/or spouse, as specified in Section 63-405.221 for at least 10 years. If a combination of 10 years of residency cannot be established, eligibility under Section 63-405.221(b) cannot be established. If the 10 year minimum residency requirement is met, then:

(2) The CWD shall determine if the applicant alien, either by himself/herself, or in combination with his parents, and/or spouse, earned sufficient money to establish the necessary quarters of coverage to meet the Social Security requirement. Refer to the "Establishing Quarters" section below to determine if the earnings are sufficient for eligibility.

- (1) The required quarters of coverage must be verified by the Social Security Administration's automated system. A consent for release of information must be signed by the person whose work history is being requested, except for the work history of a household member or of a deceased spouse or parent of a household member. If a completed consent form cannot be obtained from a living parent or spouse who is not a member of the household, the work history cannot be requested through the automated system, but must instead be obtained manually. The full name, social security number, date of birth, sex, relationship to applicant, month and year relationship began, and the month and year of last applicable quarter must be obtained and mailed to: SSA, OCRO, P.O. Box 17750, Baltimore, Maryland, 21235-0001.

An individual whose eligibility requires verification of quarters of coverage through the manual system cannot receive food stamps pending such verification.

An applicant shall be an eligible household member pending verification of his or her work history by the automated system if the eligibility criteria detailed below are met. At the eligibility interview the CWD shall ask the following questions about the alien whose eligibility needs to be determined.

- (A) How long has the applicant alien, and if necessary, the applicant alien's parents (before the applicant turned 18) and/or spouse (for work performed during their marriage and the alien remains married to such spouse or such spouse is deceased) lived in the United States? If the period of time is more than 10 years, it is not necessary to ask question B. Skip to question C. However, if the period of time is less than 10 years, question B shall be asked.

(B) Did the applicant alien, the applicant alien's parents (before the applicant turned 18) and/or spouse (for work performed during their marriage and the alien remains married to such spouse or such spouse is deceased) ever perform work covered by Social Security and pay social security taxes, while not residing in the United States? If so, for how many calendar quarters or years? If an applicant neither lived in the country at least 10 years, or can be credited with social security calendar quarters of coverage while living in another country; or if the combination of years lived in the United States and social security calendar quarters of coverage totals less than 10 years, then the applicant shall be denied food stamps. If the total is at least 10 years, then question C shall be asked.

(C) In how many of the years reported in answer to question one did the applicant alien, the applicant alien's parents (before the applicant turned 18) and/or spouse (for work performed during their marriage and the alien remains married to such spouse or such spouse is deceased) earn money through work? If the answer is at least 10 years, or if the answer combined with the answer to question number two is at least 10 years, then the alien whose eligibility is in question shall be included in the food stamp household and remain eligible until verification of earnings is received from the SSA. No further documentation of earnings is required at application. The applicant's affirmative statements are sufficient. If the total is less than 10 years then the applicant shall be denied food stamps.

(2) If the SSA's automated system does not verify that the earnings requirement is met, and the alien believes the records are incorrect, the CWD shall inform the alien of the option of challenging SSAs records. The alien shall provide a document from SSA indicating that the number of quarters is under review. SSA will work with the alien to determine whether additional quarters can be established. An alien challenging SSAs records shall be allowed to participate up to six more months.

(A) Lag Quarters

The automated quarters of coverage (QC) history may not contain information for the current or preceding year. If the applicant/recipient disagrees with QC history provided by the automated inquiry and the problem is missing quarters during the lag period:

1. Accept current employer-prepared wage statements, W-2 or W-2c forms, or a copy of the federal or state income tax return, indicating that Social Security taxes were withheld, as proof of earnings. Determine the number of credits by dividing the client's total yearly earnings by the amount shown in the "ESTABLISHING QUARTERS" chart below for that year.

ESTABLISHING QUARTERS

The term "quarter" means the 3 calendar month periods ending with March 31, June 30, September 30, and December 31 of any year.

Social Security credits (formerly called "quarters of coverage") are earned by working at a job or as a self employed individual. A maximum of 4 credits can be earned each year.

For 1978 and later, credits are based solely on the total yearly amount of earnings. All types of earnings follow this rule. The amount of earnings needed to earn a credit increases and is different for each year. For 1978 through 1996, the amount of earnings needed for each credit is:

<u>1978.....\$250</u>	<u>1988.....\$470</u>
<u>1979.....\$260</u>	<u>1989.....\$500</u>
<u>1980.....\$290</u>	<u>1990.....\$520</u>
<u>1981.....\$310</u>	<u>1991.....\$540</u>
<u>1982.....\$340</u>	<u>1992.....\$570</u>
<u>1983.....\$370</u>	<u>1993.....\$590</u>
<u>1984.....\$390</u>	<u>1994.....\$620</u>
<u>1985.....\$410</u>	<u>1995.....\$630</u>
<u>1986.....\$440</u>	<u>1996.....\$640</u>
<u>1987.....\$460</u>	

A current year quarter may be included in the 40 quarter computation.

Use the current year amount as the divisor t To determine the number of quarters available credits, divide the individual's total yearly earnings by the amount shown above for that year. For example, earnings of \$1360 in 1982 results in four credits (\$1360 divided by 340). DO NOT CREDIT CALENDAR QUARTERS THAT HAVE NOT ENDED.

If you need to use quarters before 18 years ago 1978:

- o A credit was earned for each calendar quarter in which an individual was paid \$50 or more in wages (including agricultural wages for 1951-1955);
- o Four credits were earned for each taxable year in which an individual's net earnings from self-employment were \$400 or more; and/or
- o A credit was earned for each \$100 (limited to a total of 4) of agricultural wages paid during the year for years 1955 through 1977.

If the combined earnings are insufficient, eligibility under Section 63-405.221(b) cannot be established. If the earnings are sufficient, then:

- (3) The CWD shall verify from INS documents, the date of entry into the country of the applicant, spouse and/or parent. If the dates of entry are inconsistent with having 10 or more years of work, the applicant alien shall be determined ineligible. If the dates are consistent with having 10 or more years of work then the alien only has to self declare that he or she, alone or in combination with his or her parents and/or spouse, has met the work requirement. No further documentation of earnings is required at this time. The alien is eligible pending verification from the Social Security Administration. The CWD shall inform an alien determined to be eligible under Section 63-405.221(b) that a claim will be established for any benefits to which he/she was not entitled.

- (4) If information received from the Social Security Administration is believed by the alien to be incomplete or inaccurate, the CWD shall refer the applicant alien to the SSA for review. The Social Security Administration will give the alien a document indicating that the number of quarters is under review. The alien can then continue to receive benefits for 6 months from the date of SSA's initial response or until SSA has completed its review, whichever is earlier.
- (3) If upon further review SSA cannot establish additional earnings and the alien does not have at least 40 qualifying quarters, the CWD shall establish an inadvertent household error claim for over issuance for the months food stamps were received while searching for additional quarters of coverage.

.12 A refugee under Section 207 of the INA.

.121 Acceptable Immigration and Naturalization Service (INS) documentation:

- (a) INS Form I-94 annotated with Section 207 of the Immigration and Naturalization Act (INA).

.122 Eligibility requirements:

- (a) Was granted that status within the last five years; or
- (b) Is a veteran (honorably discharged for a reason other than on account of alienage as documented by a DD Form 214 or other acceptable verification), person on active duty in the U.S. armed forces, or are the spouse or unmarried dependent child of a veteran or active duty person as described above.

.13 An asylee under Section 208 of the INA.

.131 Acceptable Immigration and Naturalization Service (INS) documentation:

- (a) INS Form I-94 annotated with Section 208 of the INA.

.132 Eligibility requirements:

- (a) Was granted asylum within the last five years; or
- (b) Is a veteran (honorably discharged for a reason other than on account of alienage as documented by a DD Form 214 or other acceptable verification), person on active duty in the U.S. armed forces, or are the spouse or unmarried dependent child of a veteran or active duty person as described above.

.14 Had deportation withheld under Section 243(h) of the INA before April 1, 1997, or under Section 241(b)(3) of the INA, on or after April 1, 1997.

.141 Acceptable Immigration and Naturalization Service (INS) documentation:

- (a) INS Form I-94 annotated with Section 243(h) of the INA, if dated prior to April 1, 1997, or Section 241(b)(3) of the INA, if dated on or after April 1, 1997.

.142 Eligibility requirements:

- (a) Had deportation withheld within the last five years; or
- (b) Is a veteran (honorably discharged for a reason other than on account of alienage as documented by a DD Form 214 or other acceptable verification), person on active duty in the U.S. armed forces, or are the spouse or unmarried dependent child of a veteran or active duty person as described above.

.15 A conditional entrant under Section 203(a)(7) of the INA.

.151 Acceptable Immigration and Naturalization Service (INS) documentation:

- (a) INS Form I-94 annotated with "Paroled as a refugee", or "Paroled as an asylee".

.152 Eligibility requirements:

- (a) Is a veteran (honorably discharged for a reason other than on account of alienage as documented by a DD Form 214 or other acceptable verification), person on active duty in the U.S. armed forces, or are the spouse or unmarried dependent child of a veteran or active duty person as described above.

.16 A parolee under Section 212(d)(5) of the INA.

.161 Acceptable Immigration and Naturalization Service (INS) documentation:

- (a) INS Form I-94 annotated with Section 212(d)(5) or Section 207;
- (b) INS Form I-512 annotated with Section 212(d)(5);
- (c) INS Form I-551 annotated with M93; or
- (d) INS Form I-688B annotated with Section 274a.12(a)(4) or (c)(11).

.162 Eligibility requirements:

- (a) Granted parolee status for at least one year; and is a veteran (honorably discharged for a reason other than on account of alienage as documented by a DD Form 214 or other acceptable verification), person on active duty in the U.S. armed forces, or are the spouse or unmarried dependent child of a veteran or active duty person as described above.

.17 A battered spouse and/or child.

.171 Eligibility requirements:

- (a) Is a veteran (honorably discharged for a reason other than on account of alienage as documented by a DD Form 214 or other acceptable verification), person on active duty in the U.S. armed forces, or are the spouse or unmarried dependent child of a veteran or active duty person as described above.

.2 Other alien provisions and procedures not superseded by Section 63-405 remain in effect, including sponsored alien provisions (Section 63-403.33 and Section 63-503.49), treatment of income, resources and deductions of an ineligible alien (Section 63-503.442), ineligible aliens (Section 63-300.51(b)(8) and Section 63-403.2), and reporting of illegal aliens (Section 63-403.4).

.3 Verification of Alien Status

.31 The CWD shall determine if members identified as aliens are eligible aliens, as defined in Section 63-405.1 by requiring that the household present verification for each alien member.

- .32 If proper INS documentation is not available, the alien may state the reason and submit other conclusive verification. The CWD shall accept other forms of documentation or corroboration from INS that the alien qualifies under one of the classifications specified in Section 63-405.1. Other conclusive evidence is a court order stating that deportation has been withheld pursuant to Section 243(h) of the INA. A properly completed INS G-641 or a G-639, properly annotated by an INS representative, shall be acceptable verification of eligible alien status.
- .33 If the alien has no INS documentation of eligible alien status, the CWD shall inform the alien that:
- .331 He/she is ineligible to participate in the Food Stamp Program without INS verification of alien status;
- .332 He/she may contact INS or otherwise obtain the necessary documentation; and
- .333 If the alien wishes, he/she may authorize the CWD to request verification of the alien's status.
- .34 If an alien gives written consent for the CWD to contact INS to obtain verification of the alien's status, the CWD shall do so. However, the CWD shall not contact INS to obtain information about the alien's correct status without the alien's written consent.
- .35 If the alien does not wish to contact INS or give permission for the CWD to contact INS, the household shall be given the option of withdrawing its application or participating without that member. The CWD shall not continue efforts to obtain such documentation.
- .36 If an all-alien household is denied benefits because necessary alien verification is missing, and the CWD subsequently receives the required verification, the CWD shall within 30 days following receipt of verification notify the household that the members may now be eligible to participate in the Food Stamp Program and that the household may reapply.

Except as indicated in Section 63-405.221(b), the verification procedures as specified in Section 63-300.5, remain in effect.

.4 Ineligible Aliens

.41 Aliens other than those specified in Section 63-405.1 shall not be eligible to participate. This includes, but is not limited to, alien visitors, tourists, diplomats and students who enter the United States temporarily with no intention of abandoning their residence in a foreign country.

.42 For households whose alien members have not provided verification, the CWD shall determine that the alien is ineligible and an excluded member. If the CWD subsequently receives verification of eligible status, the information shall be treated as a reported change in household membership in accordance with the timeliness standards in Section 63-504.35 or 63-504.42.

.43 The eligibility and monthly allotment of the remaining household members of a household containing individuals excluded for being ineligible aliens shall be determined as follows:

.431 Resources

The resources of such excluded members shall continue to count in their entirety to the remaining household members.

.432 Income

A pro rata share of the income of such excluded members shall be counted as income to the remaining members. This pro rata share is calculated by first subtracting the allowable exclusions from the excluded member's income and dividing the remaining income evenly among the household members, including the excluded members. All, but the excluded members' share is counted as income for the remaining household members.

.433 Deductible Expenses

(a) The earned income deduction shall apply to the prorated income earned by such excluded members which is attributed to the household.

(b) The household's allowable shelter, dependent care, and child support expenses as specified in Section 63-502.37 which are paid in their entirety by the excluded member(s) shall be prorated as specified in Section 63-502.36 and only the Food Stamp eligible member(s) pro rata share shall be counted as a deduction.

- (c) If such excluded member(s) shares allowable shelter, utility, dependent care, and/or child support expenses as specified in Section 63-502.37 with the Food Stamp eligible household member(s), deduct the excluded member's contribution from the applicable expense and the net amount is the Food Stamp household's allowable deduction. If the contributed amount cannot be differentiated (e.g., pooled income), the Food Stamp household's deduction amount shall be determined as specified in Section 63-502.36.

.434 Eligibility and Benefit Level

Such excluded members shall not be included when determining their households' sizes for the purposes of:

- (a) Assigning a benefit level to the household;
- (b) Comparing the household's monthly income with the income eligibility standards;
- (c) Comparing the household's resources with the resource eligibility limits; or,
- (d) Determining the categorical eligibility of the remaining household members as specified in Sections 63-301.7 and .82.

.5 The sponsored alien provisions as specified in Section 63-503.49 remain in effect.

.6 Reporting of Illegal aliens

.61 The CWD shall immediately inform the local INS office whenever personnel responsible for the certification or recertification of households discovers that an applicant or a household member is under an order of deportation. For purposes of this section, the term household member shall mean a person whose name appears on the application or other documents and who would have been a food stamp household member except for his/her alien status. CWD disclosure to INS shall be deemed to be within that administration of the Food Stamp Program as described in Section 63-201.3.

.611 For reporting purposes, reliable sources of information regarding orders of deportation shall be limited to:

- (a) The alien's or other household member's admission;
- (b) Food stamp documents;
- (c) Presentation of INS documents showing that the alien is under an order of deportation;

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 273.2(j)(3) and (4), 7 CFR 273.4(a)(8), 7 CFR 273.10(b), 7 CFR 273.6, U.S.D.A. Food and Nutrition Service Administrative Notice 92-30, Federal Register, Vol. 56, No. 233, page 63594; Public Law 104-193, Section 402 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); Administrative Notice 96-48 (Part A, page 6); and Administrative Notice 97-02; Administrative Notice 97-13; and Administrative Notice 97-44.

