

**State of California
Office of Administrative Law**

In re:
Department of Social Services

NOTICE OF FILING ONLY

Regulatory Action:

Government Code Section 11343.8

Title MPP, California Code of Regulations

OAL File No. 2013-1218-02 EF

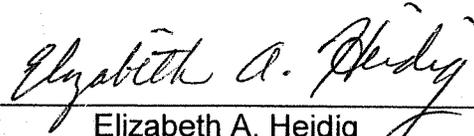
Adopt sections: 40-038
Amend sections: 22-071, 22-072, 22-305, 40-036, 40-103, 40-105, 40-107, 40-119, 40-125, 40-128, 40-131, 40-173, 40-181, 40-188, 40-190, 41-405, 42-209, 42-213, 42-221, 42-302, 42-406, 42-407, 42-716, 42-721, 42-751, 42-769, 44-101, 44-102, 44-111, 44-113, 44-115, 44-133, 44-205, 44-207, 44-211, 44-304, 44-305, 44-313, 44-314, 44-315, 44-316, 44-317, 44-318, 44-325, 44-327, 44-340, 44-350, 44-352, 47-220, 47-320, 48-001, 80-301, 80-310, 82-612, 82-812, 82-820, 82-824, 82-832, 89-110, 89-201
Repeal sections: 44-400, 44-401, 44-402, 44-403

The Department of Social Services is readopting this emergency rulemaking action which amends sixty-one sections, repeals four and adopts one section of the Manual of Policies and Procedures (MPP). The amendments are a result of the requirements of AB 6 (Chap. 501, Statutes of 2011) which mandates Semi-Annual Reporting (SAR) to replace the current quarterly reporting for the California Work Opportunity and Responsibility to Kids (CalWORKs) program. AB 6 is broad legislation that requires a number of changes in CalWORKs and requires them "to be effective as early as April 1, 2013 and no later than October 1, 2013." AB 6 also mandates that SAR be implemented in a cost-effective manner that promotes compatibility between CalWORKs and CalFresh (the food stamp) programs. In addition to the changes to conform to the mandates of AB 6, the department represents that this regulation package also contains non-substantive clean up changes and implements the statutory changes to the CalWORKs restoration of aid provisions in Welfare and Institutions Code

section 11265.4 as added by AB 959 (Chap. 506, Statutes of 2011). This matter is a deemed emergency, exempt from OAL review pursuant to section 25 of AB 6 (Chap. 501, Statutes of 2011). The emergency language is effective on 12/24/2013 and will expire on 6/24/2014. The Certificate of Compliance for this action is due no later than 6/23/2014.

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State.

Date: 12/24/2013



Elizabeth A. Heidig
Senior Counsel

For: DEBRA M. CORNEZ
Director

Original: Will Lightbourne
Copy: Zaid Dominguez

EMERGENCY FILE

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION REGULATIONS SUBMISSION

See instructions on

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2013-0705-01	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 203-1218-02EF
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY California Department of Social Services		AGENCY FILE NUMBER (if any) ORD #0513-04	

ENDORSED FILED
IN THE OFFICE OF

2013 DEC 24 PM 1:00

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

2013 DEC 18 AM 11:17
OFFICE OF
ADMINISTRATIVE LAW

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
			PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Semi-Annual Reporting (SAR) in the CalWORKs Program	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2013-0620-07EFP
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT See attachment
	AMEND See attachment
TITLE(S) MPP	REPEAL See attachment
3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
	<input checked="" type="checkbox"/> File
	<input type="checkbox"/> Other (Specify) _____
<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Print Only	
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)	
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State
	<input type="checkbox"/> \$100 Changes Without Regulatory Effect
	<input type="checkbox"/> Effective other (Specify) _____
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission
<input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> State Fire Marshal
7. CONTACT PERSON Zaid Dominguez, Manager, Office of Regulations	TELEPHONE NUMBER (916) 651-8267
FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Zaid.Dominguez@dss.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 12/13/2013
TYPED NAME AND TITLE OF SIGNATORY Pete Cervinka, Program Deputy Director for Benefits and Services	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 24 2013

Office of Administrative Law

Notice Publication/Regulations Submission, STD. 400
California Department of Social Services
Semi-Annual Reporting (SAR) in the CalWORKs Program (ORD #0513-04)
Section B.2. Specify California Code of Regulations Title(s) and Section(s):

Manual of Policies and Procedures (MPP)

Adopt Section 40-038

Amend Sections:

22-071	41-405	44-115	44-340
22-072	42-209	44-133	44-350
22-305	42-213	44-205	44-352
40-036	42-221	44-207	47-220
40-103	42-302	44-211	47-320
40-105	42-406	44-304	48-001
40-107	42-407	44-305	80-301
40-119	42-716	44-313	80-310
40-125	42-721	44-314	82-612
40-128	42-751	44-315	82-812
40-131	42-769	44-316	82-820
40-173	44-101	44-317	82-824
40-181	44-102	44-318	82-832
40-188	44-111	44-325	89-110
40-190	44-113	44-327	89-201

Repeal Sections:

44-400	44-402
44-401	44-403

State of California Office of Administrative Law

In re:
Department of Social Services

NOTICE OF FILING AND PRINTING ONLY OF
EMERGENCY REGULATION(S) OR
ORDER(S) OF REPEAL

Regulatory Action:

Title MPP, California Code of Regulations

Government Code Section 11343.8

Adopt sections: 40-038
Amend sections: 22-071, 22-072, 22-305, 40-036, 40-103, 40-105, 40-107, 40-119, 40-125, 40-128, 40-131, 40-173, 40-181, 40-188, 40-190, 41-405, 42-209, 42-213, 42-221, 42-302, 42-406, 42-407, 42-716, 42-721, 42-751, 42-769, 44-101, 44-102, 44-111, 44-113, 44-115, 44-133, 44-205, 44-207, 44-211, 44-304, 44-305, 44-313, 44-314, 44-315, 44-316, 44-317, 44-318, 44-325, 44-327, 44-340, 44-350, 44-352, 47-220, 47-320, 48-001, 80-301, 80-310, 82-612, 82-812, 82-820, 82-824, 82-832, 89-110, 89-201
Repeal sections: 44-400, 44-401, 44-402, 44-403

OAL File No. 2013-0620-07 EFP

The Department of Social Services in this rulemaking amends sixty-one sections, repeals four and adopts one section of the Manual of Policies and Procedures (MPP). The majority of the amendments are a result of the requirements of new legislation. AB 6 (Chap. 501, Statutes of 2011) mandates Semi-Annual Reporting (SAR) to replace the current quarterly reporting for the California Work Opportunity and Responsibility to Kids (CalWORKs) program. AB 6 is broad legislation that requires a number of changes in CalWORKs and requires them "to be effective as early as April 1, 2013 and no later than October 1, 2013." AB 6 also mandates that SAR be implemented in a cost-effective manner that promotes compatibility between CalWORKs and CalFresh (the food stamp) programs. In addition to the changes to conform to the mandates of AB 6, this regulation package also contains clean up changes, including repealing outdated MR regulations, and correcting terms and references. It also implements the

CalWORKs restoration of aid provisions in Welfare and Institutions Code section 11265.4 as added by AB 959 (Chap. 506, Statutes of 2011).

This matter is a deemed emergency, exempt from OAL review pursuant to section 25 of AB 6 (Chap. 501, Statutes of 2011). OAL filed this emergency regulation(s) or order(s) of repeal with the Secretary of State. The emergency language is effective on 7/1/2013 and will expire on 12/31/2013. The Certificate of Compliance for this action is due no later than 12/30/2013.

Date: 7/1/2013


Elizabeth A. Heidig
Senior Counsel

For: DEBRA M. CORNEZ
Director

Original: Will Lightbourne
Copy: Zaid Dominguez

EMERGENCY

File

print instructions on reverse)

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

For use by Secretary of State only

ENDORSED FILED IN THE OFFICE OF

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2013-0620-07EFA
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2013 JUL -1 PM 3:38

For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

2013 JUN 20 P 4:59
OFFICE OF ADMINISTRATIVE LAW

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY California Department of Social Services	AGENCY FILE NUMBER (if any) ORD #0513-04
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
			PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Semi-Annual Reporting (SAR) in the CalWORKs Program	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT See attachment
	AMEND See attachment
TITLE(S) MPP	REPEAL See attachment

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)		<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) July 1, 2013
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Zaid Dominguez, Manager, Office of Regulations	TELEPHONE NUMBER (916) 651-8267	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Zaid.Dominguez@dss.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Will Lightbourne</i>	DATE 6/12/2013
TYPED NAME AND TITLE OF SIGNATORY Will Lightbourne, Director	

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
JUL 01 2013
Office of Administrative Law

Notice Publication/Regulations Submission, STD. 400
California Department of Social Services
Semi-Annual Reporting (SAR) in the CalWORKs Program (ORD #0513-04)
Section B.2. Specify California Code of Regulations Title(s) and Section(s):

Manual of Policies and Procedures (MPP)

Adopt Section 40-038

Amend Sections:

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40-036	42-221	44-207	47-220
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40-105	42-406	44-304	48-001
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40-181	44-102	44-318	82-832
40-188	44-111	44-325	89-110
40-190	44-113	44-327	89-201

Repeal Sections:

44-400	44-402
44-401	44-403

Amend Section 22-071 to read:

22-071 ADEQUATE NOTICE

22-071

.1 Except as provided in Section 22-071.2, the county shall give the claimant adequate notice as defined in Section 22-001(a)(1) in the following instances: (Continued)

~~.12 For CalWORKs and Food Stamp cases, Section 22-071.12(MR) shall become inoperative and Section 22-071.12(QR) shall become operative in a county on the date Quarterly Reporting/Prospective Budgeting (QR/PB) becomes effective in that county, pursuant to the Director's QR/PB Declaration. For CalWORKs and CalFresh cases, Section 22-071.12(QR) shall become inoperative and Section 22-071.12(SAR) shall become operative in a county on the date Semi-Annual Reporting (SAR) becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) For CalWORKs and Food Stamp cases, when aid is denied, decreased, suspended, cancelled, discontinued, or terminated.~~

(QR) For CalWORKs and Food Stamp cases, when aid is denied, decreased, not changed following a recipient mid-quarter report, cancelled, or discontinued. When aid is not changed due to a voluntary recipient mid-quarter report, the notice shall be sent as soon as administratively possible but no later than thirty days from the date the voluntary report is made.

(SAR) For CalWORKs and CalFresh cases, when aid is denied, decreased, not changed following a recipient mid-period report, cancelled, or discontinued. When aid is not changed due to a voluntary recipient mid-period report, the notice shall be sent as soon as administratively possible, but no later than thirty days from the date the voluntary report is made.

.13 For all cases other than CalWORKs and ~~Food Stamp~~ CalFresh cases, when aid is denied, decreased, suspended, cancelled, discontinued, or terminated. (Continued)

.14 When the county demands repayment of an overpayment or a ~~food stamp~~ CalFresh overissuance. (Continued)

.16 When a ~~food stamp~~ CalFresh application is pended (see Section 63-504.24). (Continued)

.2 The adequate notice requirement is not applicable to certain actions involving Social Services (Division 30) and ~~Food Stamps~~ CalFresh (MPP Section 63-504.266). (Continued)

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

Reference: Sections 10553, 10554, 10613, 11209, 11265.1, 11265.2, and 11265.3, Welfare and Institutions Code; and 45 CFR 255.4(j)(1) and 256.4(b).

Amend Section 22-072 to read:

22-072 TIMELY NOTICE - AID PENDING HEARING

22-072

.1 Except as provided below, in all instances where the county action would result in a discontinuance, termination, suspension, cancellation, or decrease of aid, or in a change in the manner or form of payment to a protective or vendor payment, the county shall mail timely and adequate notice as defined in Sections 22-001a.(1) and 22-001t.(1) to the persons affected. (Continued)

.12 In the ~~Food Stamp~~ CalFresh Program the provisions of Section 22-072 shall be limited and modified by Sections 63-504.266, .267, and 63-804.6, and 63-107.9. (Continued)

.2 Timely notice shall not be required in the following instances, although the county shall send adequate notice no later than the effective date of the action: (Continued)

(j) ~~Section 22-072.2(j)(MR) shall become inoperative and Section 22-072.2(j)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Reserved~~

~~(MR) The county receives a complete Monthly Eligibility Report (CA 7) after the eleventh calendar day of the report month and the county's action to discontinue or decrease aid is a result of the information on the CA 7 or the recipient's failure to submit a timely or complete report of earnings without good cause as specified in Section 40-181.23(MR).~~

~~(QR) The county receives a complete Quarterly Eligibility Report (QR 7) after the eleventh calendar day of the QR Submit Month and the county's action to discontinue or decrease aid is a result of the information on the QR 7 or the recipient's failure to submit a timely or complete report of earnings without good cause as specified in Section 40-181.23(QR).~~

HANDBOOK BEGINS HERE

~~(1) Subsection (j) is enjoined by the injunction in Saldivar v. McMahon.~~

HANDBOOK ENDS HERE

(k) (Continued)

~~(l) Section 22-072.2(l)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's AR/PB Declaration. Section 22-072.2(l)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

(QR) For CalWORKs and Food Stamp cases, the county determines there will be no change in a recipient's cash aid as a result of a recipient mid-quarter report.

(SAR) For CalWORKs and CalFresh cases, the county determines there will be no change in a recipient's cash aid as a result of a recipient mid-period report. (Continued)

.5 Except as provided in Sections 22-054.1 and 22-072.7, when the claimant files a request for a state hearing prior to the effective date of the Notice of Action, which is subject to Section 22-072.1, aid shall be continued in the amount that the claimant would have been paid if the proposed action were not to be taken, provided the claimant does not voluntarily and knowingly waive aid. This section shall not apply to CalWORKs (Welfare to Work) supportive services payments (see Section 42-750.213). In the ~~Food Stamp~~ CalFresh Program, benefits shall be continued on the basis authorized immediately prior to the notice of adverse action. (Continued)

.52 If the notice proposing action is required to be timely and is not, the hearing request shall be required to be filed before the next date on which the proposed action could become effective based on timely notice. (Continued)

.522 In the ~~Food Stamp~~ CalFresh Program if a recipient fails to file a hearing request before the effective date of the proposed action, aid pending is appropriate provided the recipient establishes good cause with the State Hearings Division or the Administrative Law Judge (see Section 63-804.613). (Continued)

.6 Aid pending shall cease when: (Continued)

.64 The claimant is granted a postponement of the hearing by the Administrative Law Judge at the hearing for a reason that does not constitute good cause as specified in Section 22-053.113.

.641 This provision shall not apply to a first time postponement in the ~~Food Stamp~~ CalFresh Program.

.65 In the ~~Food Stamp~~ CalFresh Program, the certification period expires (see Section 63-804.642(a)). (Continued)

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

Reference: Sections 10553, 10554, 10613, 11209, and 11265.1, Welfare and Institutions Code; 7 CFR 273.15(c)(4); 45 CFR 205.10; 45 CFR 255.2(h)(2); 45 CFR 256.2(c); and 45 CFR 256.4(d).

Amend Section 20-305 to read:

22-305 GENERAL PROVISIONS (Continued)

22-305

.4 Definitions

The definitions in Section 22-001 shall apply unless they are specifically provided for in this chapter. The following additional definitions, in alphabetical order, shall apply wherever the terms are used in this chapter: (Continued)

.42 Intentional Program Violation (IPV) – Means an action by an individual, for the purpose of establishing or maintaining the family's eligibility for ~~AFDC~~ CalWORKs or for increasing or preventing a reduction in the amount of the grant, which is intentionally:

.421 A false or misleading statement or misrepresentation, concealment, or withholding of facts, or

.422 Any act intended to mislead, misrepresent, conceal, or withhold facts or propound a falsity.

HANDBOOK BEGINS HERE

(a) Handbook Section 22-305.422(a)(QR) et seq. shall become inoperative and Handbook Section 22-305.422(a)(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

To determine what constitutes an IPV, CDSS recognizes a distinction in the following:

(1) ~~Handbook Section 22-305.422(a)(1)(MR) shall become inoperative and Handbook Section 22-305.422(a)(1)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

Intentional concealment or willful misrepresentation which may result in an IPV.

~~(MR) EXAMPLE: In completing the Monthly Eligibility Reports (CA-7), respondent checks the box indicating family has no income. Respondent also checks box indicating that no one had started employment that month. County evidence indicates respondent did start work during the month it was reported that no one had started work. Respondent also did receive earnings in each of the months under review.~~

(QR) EXAMPLE: In completing the Quarterly Eligibility Report (QR 7), respondent checks the box indicating the family has no income. Respondent also checks box indicating that no one had started employment in the QR 7 Reporting Period. County evidence indicates respondent did start work during the QR Data Month, but it was reported that no one had started work. Respondent also did receive earnings in each of the months under review.

(SAR) EXAMPLE: In completing the Semi-Annual Eligibility Report (SAR 7), respondent reports that the family has no income. Respondent also states that no one had started employment in the SAR 7 Reporting Period. County evidence indicates respondent did start work during the SAR Data Month, but it was reported that no one had started work. Respondent also did receive earnings in each of the months under review.

(2) ~~Handbook Section 22 305.422(a)(2)(MR) shall become inoperative and Handbook Section 22 305.422(a)(2)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

Incorrect representation, negligence, or omissions because of a mistake or a lack of understanding of eligibility requirements which do not result in an IPV.

~~(MR) EXAMPLE: Respondent reports that he/she began employment the last week of the reporting month, and that he/she will be paid every two weeks. Respondent completes the next CA 7 and checks the "No" box for income received in the month.~~

(QR) EXAMPLE: Respondent reports on the QR 7 that he/she began employment the last week of the Data Month, and that he/she will be paid every two weeks. Respondent completes a subsequent QR 7 and checks the "No" box for income received in the month.

(SAR) EXAMPLE: Respondent reports on the SAWS 2 that he/she began employment the last week of the fifth month of the SAR Payment Period and that he/she will be paid every two weeks. Respondent completes the subsequent SAR 7 and reports that they did not receive any income in the Data Month.

(3) ~~Handbook Section 22 305.422(a)(3)(MR) shall become inoperative and Handbook Section 22 305.422(a)(3)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

The CWD's omission, neglect, or error in explaining requirements for assistance or in processing information, which does not result in an IPV.

~~(MR) EXAMPLE: Respondent completes CA 7 without answering question relating to household's receipt of income during the month. Respondent does this for five months and CWD fails to return the CA 7 as incomplete. Evidence establishes respondent had income in each of these months.~~

(QR) EXAMPLE: Respondent completes QR 7 without answering question relating to household's receipt of income during the Data Month. Respondent does this for two quarters and the county fails to return the QR 7 as incomplete. Evidence establishes respondent had income during the Data Month.

(SAR) EXAMPLE: Respondent completes the SAR 7 without answering the question relating to household's receipt of income during the Data Month. The county fails to return the SAR 7 as incomplete. Evidence establishes respondent had income during the Data Month.

HANDBOOK ENDS HERE

.43 (Continued)

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

Reference: Sections 11265.1, 11265.2, and 11265.3, Welfare and Institutions Code; and 45 CFR 235.112(b) and .113(b)(2).

Amend Section 40-036 to read:

40-036 IMPLEMENTATION OF QUARTERLY REPORTING PROSPECTIVE 40-036
BUDGETING FOR CalWORKs RECIPIENTS (Continued)

.3 QR/PB regulations will no longer be operative upon the date that Semi-Annual Reporting (SAR) becomes effective in that county, pursuant to the County's SAR Declaration (see Section 40-037).

Authority cited: Sections 10553 and 10554, Welfare and Institutions Code; ~~and~~ Section 71, Assembly Bill (AB) 444 (Chapter 1022, Statutes of 2002), as amended by Section 3, AB 1402 (Chapter 398, Statutes of 2003); and AB 6 (Chapter 501, Statutes of 2011).

Reference: Sections 11265.1, 11265.2, and 11265.3, Welfare and Institutions Code; Section 70, AB 444 (Chapter 1022, Statutes of 2002); ~~and~~ Section 71, AB 444 (Chapter 1022, Statutes of 2002), as amended by Section 3, AB 1402 (Chapter 398, Statutes of 2003); and AB 6 (Chapter 501, Statutes of 2011).

Adopt Section 40-038 to read:

40-038 IMPLEMENTATION OF SEMI-ANNUAL REPORTING FOR 40-038
CalWORKs RECIPIENTS

- .1 Effective Date All regulatory action implementing the provisions of Semi-Annual Reporting (SAR) as authorized by Assembly Bill (AB) 6 (Chapter 501, Statutes of 2011), shall become effective for recipient cases upon semi-annual reporting becoming operative in the county in which they reside pursuant to the County's SAR Declaration. The SAR Declaration is a letter submitted from the County Welfare Department Director to the Director of CDSS confirming SAR implementation in that county. Counties must implement semi-annual reporting as early as April 2013 and no later than October 2013. Semi-annual reporting regulations include a unique regulation design which includes a tandem format for the operation of both quarterly and semi-annual reporting systems to account for the staggered implementation dates. Regulations that become obsolete under Semi-Annual Reporting are labeled as (QR). Regulations that are operative under Semi-Annual Reporting are labeled (SAR). Regulations not labeled are applicable to both reporting systems and therefore remain unchanged. In addition, each regulation impacted by SAR includes a disclaimer stating SAR regulations will replace the QR regulations once SAR is implemented by the county.
- .2 Divisions Impacted by Division 22, 40, 41, 42, 44, 47, 48, 80, 82, and
Semi-Annual Reporting 89.

Authority cited: Sections 10553 and 10554, Welfare and Institutions Code; Assembly Bill (AB) 6 (Chapter 501, Statutes of 2011).

Reference: Sections 11265.1, 11265.2, and 11265.3, Welfare and Institutions Code as amended by AB 6 (Chapter 501, Statutes of 2011).

Amend Section 40-103 to read:

40-103 DEFINITIONS AND DESIGNATIONS – GENERAL (Continued) 40-103

.5 ~~Section 40-103.5(QR) et seq. shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-103.5(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

(QR) Quarterly Reporting Cycle – The quarterly reporting (QR) cycle is comprised of three consecutive months which constitute a QR Payment Quarter. The following terminology is used to describe the months and the quarter of an individual QR cycle:

(SAR) Semi-Annual Reporting Cycle – The semi-annual reporting (SAR) cycle is comprised of six consecutive months which constitute a SAR Payment Period. The following terminology is used to describe the months and the period of an individual SAR cycle:

(QR) .51 QR Payment Quarter – the quarter for which cash aid is paid/issued. A quarter is comprised of three consecutive calendar months. The QR Payment Quarter begins the first day immediately following the QR Submit Month.

(SAR) .51 SAR Payment Period – the six month period for which cash aid is paid/issued. A SAR Payment Period is comprised of six consecutive calendar months. The SAR Payment Period begins the first day following the SAR Submit Month. The SAR Payment Period can be the six months following the submittal of the SAR 7 or the completion of the SAWS 2.

(QR) .52 Next QR Payment Quarter – the quarter immediately following the QR Submit Month.

(SAR) .52 Next SAR Payment Period – the SAR Payment Period immediately following the SAR Submit Month.

(QR) .53 QR Data Month – the month for which the recipient reports all information necessary to determine eligibility. The QR Data Month is the second month of each QR Payment Quarter.

(SAR) .53 SAR Data Month – the month for which the recipient reports all information necessary to determine eligibility on either the SAR 7 or the SAWS 2. The SAR Data Month is the fifth month of each SAR Payment Period. Only information from the Data Month and any known changes must be reported on the SAR 7; however, all available information must be included on the SAWS 2.

(QR) .54 QR Submit Month – the month in which the QR 7 is required to be submitted to the county. The QR Submit Month immediately follows the QR Data Month and is the third month of each QR Payment Quarter.

(SAR) .54 SAR Submit Month – the month in which the SAR 7 or the annual redetermination of eligibility is required to be completed and submitted to the county. The SAR Submit Month immediately follows the SAR Data Month and is the sixth month of each SAR Payment Period.

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(QR) The following table illustrates how months are arranged in a QR cycle.

1 st Quarter			2 nd Quarter		
January	February	March	April	May	June
	QR Data Month	QR Submit Month	QR Payment Quarter		

(SAR) The following table illustrates how months are arranged in a SAR cycle. Note that the SAR cycles are based on the Beginning Date of Aid (BDA) in order to ensure the SAR cycle is aligned with the redetermination/recertification date.

First SAR Payment Period					
<u>January BDA</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>
<u>SAR Payment Period Begins</u>	<u>Month 2</u>	<u>Month 3</u>	<u>Month 4</u>	<u>SAR Data Month</u>	<u>SAR Submit Month/ SAR 7 is due</u>

Second SAR Payment Period					
<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
<u>SAR Payment Period Begins</u>	<u>Month 2</u>	<u>Month 3</u>	<u>Month 4</u>	<u>SAR Data Month</u>	<u>SAR Submit Month/ RD/RC is due</u>

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(QR) .55 QR 7 Reporting Period – The QR Data Month and the two preceding months.

(SAR) .55 SAR Reporting Period – The SAR Data Month and the five preceding months. The SAR Reporting Period generally refers to the period of time since the last mandatory report (SAR 7 or SAWS 2) was completed. (Continued)

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

Reference: Sections 10553, 10554, 10604, 11056, and 11265.1, Welfare and Institutions Code; and 45 CFR 206.10(a)(1)(ii).

Amend Section 40-105 to read:

40-105 APPLICANT AND RECIPIENT RESPONSIBILITY 40-105

.1 Assuming Responsibility Within His/Her Capabilities (Continued)

.14 ~~Section 40-105.14(MR) shall become inoperative and Section 40-105.14(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-105.14(QR) shall become inoperative and Section 40-105.14(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) Reporting, within five calendar days of the occurrence, any change in any of these facts (see Sections 40-181.1(e)(1)(MR) and 44-315.71).~~

(QR) Applicants shall report within five calendar days of the occurrence, any change in any of these facts (see Section 40-181.1(e)(1)(QR)) and recipients shall report within ten calendar days of the occurrence, any change required to be reported during the quarter (see Section 44-316(QR)).

(SAR) Applicants shall report within five calendar days of the occurrence, any change in any of these facts (see Section 40-181.1(e)(1)(SAR)) and recipients shall report within ten calendar days of the occurrence, any change required to be reported during the semi-annual period (see Section 44-316(SAR)). (Continued)

.2 Social Security Number (SSN) (Continued)

.22 Verification of a completed SSN application on behalf of a newborn child(ren) to be added to the AU shall be submitted to the county no later than the last day of the month following the month in which the mother is released from the hospital.

.221 When a newborn child has been enumerated at birth, Form SSA 2853 is acceptable proof of application if it contains the name of the newborn, as well as the date and signature of an authorized hospital official.

(a) The SSN shall be furnished to the county within six months after receipt of the number or at redetermination, whichever occurs first.

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.222 (a) Example: Mother was discharged from the hospital on February 15, she has through March 31 to apply for an SSN for the newborn and submit verification of a completed application.

(b) ~~Handbook Section 40-105.222(b)(MR) shall become inoperative and Handbook Section 40-105.222(b)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) Example: Mother gave birth on May 8, but was not released from the hospital until May 20. She reported the birth of the child on the May CA 7 requesting that the child be added to her grant. The time period to apply for an SSN for the child and submit verification of a completed application to the CWD begins on May 21 and ends on June 30.~~

(QR) Example: Mother gave birth on May 8, but was not released from the hospital until May 20. She reported the birth of the child in May requesting that the child be added to her grant. The time period to apply for an SSN for the child and submit verification of a completed application to the county begins on May 21 and ends on June 30.
(Continued)

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.25 As a condition of eligibility, applicants for and recipients of ~~AFDC~~ CalWORKs shall cooperate in resolving any discrepancies regarding SSNs, such as discrepancies arising from a cross-check of agency SSN files with those of the SSA. When there is a failure to cooperate, aid shall be denied or discontinued only for the member(s) of the AU whose SSN(s) is in question. (Continued)

.4 Immunization Requirements (Continued)

(h) ~~Section 40-105.4(h)(MR) shall become inoperative and Section 40-105.4(h)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-105.4(h)(QR) shall become inoperative and Section 40-105.4(h)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

Restoration of Aid

~~(MR) Once verification of immunization is submitted the grant is increased to reflect the needs of the parent(s)/caretaker relative effective the first of the month in which verification is received.~~

(QR) Once verification of immunization is submitted the grant is increased to reflect the needs of the parent(s)/caretaker relative effective the first of the month following the month in which verification is received (see Section 44-316.331(d)(QR)).

(SAR) Once verification of immunization is submitted the grant is increased to reflect the needs of the parent(s)/caretaker relative effective the first of the month following the

month in which verification is received (see Section 44-316.331(d)(SAR)).
(Continued)

.5 School Attendance Requirements (Continued)

- (g) ~~Section 40-105.5(g)(MR) shall become inoperative and Section 40-105.5(g)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-105.5(g)(QR) shall become inoperative and Section 40-105.5(g)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

Restoration of Aid

~~(MR) The needs of the parent(s)/caretaker relative or child(ren) shall be restored effective the first of the month in which verification of regular school attendance is received.~~

(QR) The needs of the parent(s)/caretaker relative or child(ren) shall be restored effective the first of the month following the month in which verification of regular school attendance is received (See Section 44-316.331(d)(QR)).

(SAR) The needs of the parent(s)/caretaker relative or child(ren) shall be restored effective the first of the month following the month in which verification of regular school attendance is received (See Section 44-316.331(d)(SAR)).

Authority cited: Sections 10553, 10554, 10604, 11209, 11253.5, 11265.2, 11265.3, 11265.8, 11266, 11268, 11450.5, and 11486, Welfare and Institutions Code, SB 72 (Chapter 8, Statutes of 2011), Section 42.

Reference: Sections 10553, 10554, 10604, 11017, 11209, 11253.5, 11265.3, 11265.8, 11266, 11268, 11450, 11451.5, 11453, 11486, 13283, 14005.2, and 18945, Welfare and Institutions Code; Section 48200, Education Code; 45 CFR 205.42(d)(2)(v)(A) and (B), as printed in Federal Register, Vol. 57, No. 198, Tuesday, October 13, 1992, page 46808; 45 CFR 205.52(a)(1) and (2); 45 CFR 233.10(a)(1)(iv) and 235.112(b); 45 CFR 400.43; 7 CFR 273.16(b); 8 United States Code (USC) 1182(d)(5)(B); 42 U.S.C. 402(a)(6) and 616(b); and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193); California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996; The Trafficking Victims Protection Act of 2000 (P.L. 106-386), Sections 107(b)(1)(A), (B), and (C); The Trafficking Victims Protection Reauthorization Act of 2003 (Public Law 108-193).

Amend Section 40-107 to read:

40-107 COUNTY RESPONSIBILITY

40-107

(a) Assisting the Applicant (Continued)

- (3) ~~Section 40-107(a)(3)(MR) and Handbook Section 40-107(a)(3)(MR) shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Reserved~~

~~(MR) The applicant shall be informed of the availability of reduced income supplemental payments and of the necessity that an assistance unit request the payments in order for them to be provided.~~

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~~(MR) (See Section 44-400 regarding reduced income supplemental payments.)~~

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(4) (Continued)

(6) Applicants shall be informed:

- (A) that they may apply for ~~food stamps~~ CalFresh at the same time as they apply for ~~AFDC~~ CalWORKs.
- (B) that, if they apply for ~~food stamps~~ CalFresh at the same time as they apply for ~~AFDC~~ CalWORKs, they have the right to file a joint application and shall have a single interview for both programs.
- (C) in written form, and orally as appropriate, of the ~~AFDC and Food Stamp~~ CalWORKs and CalFresh programs, explaining the rules regarding eligibility and benefits available from both programs, and that the application interview for ~~AFDC~~ CalWORKs is sufficient for applying for ~~food stamps~~ CalFresh.
(Continued)

(d) Grant Determination

Once the applicant's eligibility is established, the county is responsible for determining the applicant's financial and medical needs. The county is further responsible for developing and carrying out plans for meeting such needs within the limitations of the W&IC, the Regulations of the State California Department of Social Services and the Department of Health Care Services. (Continued)

(f) Provision of Informational Materials

(1) Informational materials required by CDSS shall either be given to applicants during the application interview or mailed with Notice of Action forms approving or restoring ~~AFDC~~ CalWORKs grants or Certifications for Medical Assistance (see 40-174(b)(1)3).

(A) For ~~AFDC-FG/U~~ CalWORKs, brochures describing benefits available under the Child Health and Disability Prevention (CHDP) program and how and where these benefits are provided within the county shall be given to the applicant during the application interview. Provision of CHDP informational materials shall be documented by notation upon the ~~CA~~ SAWS 2 form. (Continued)

(2) The CWD shall inform all ~~AFDC~~ CalWORKs applicants/recipients of the availability of family planning services. For those ~~AFDC~~ CalWORKs applicants/recipients who voluntarily request such services, the CWD shall provide information and referral for family planning services. (See Section 40-131.3(h).) (Continued)

(B) The CWD shall display in waiting rooms and make available to ~~AFDC~~ CalWORKs applicants/recipients, copies of notices, pamphlets and other written materials which contain information concerning the availability of family planning services.

(C) The CWD shall ensure that written notice of the availability of family planning services is sent to: (1) applicants for ~~AFDC~~ CalWORKs upon denial of ~~AFDC~~ CalWORKs benefits; or (2) all ~~AFDC~~ CalWORKs recipients upon termination of ~~AFDC~~ CalWORKs benefits. (Continued)

(j) ~~Section 40-107(j)(QR) et seq. shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-107(j)(QR) et seq. shall become inoperative and Section 40-107(j)(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

(QR) Establishing the Quarterly Reporting Cycle

Applicants shall be assigned a specific Quarterly Reporting (QR) cycle using the application date, the terminal digit of the case number, or other method determined by the county. To the extent possible, the county should align the CalWORKs annual redetermination of eligibility with the Food Stamp certification period and should also align the redetermination/recertification with the month the QR 7 is due (QR Submit Month). The county shall provide the QR 7 at the end of each QR Data Month, but no later than the first day of each QR Submit Month. The county must provide the recipient with a written notice that will include:

(SAR) Establishing the Semi-Annual Reporting Cycle

Applicants shall be assigned a specific Semi-Annual Reporting (SAR) cycle using their beginning date of aid. If the applicant has an existing CalFresh recertification period, the county shall align the SAR cycle with the existing recertification period. The county must align the CalWORKs annual redetermination of eligibility with the CalFresh certification period. The redetermination/recertification acts as the second semi-annual report so it must also be aligned with the SAR Submit Month. The county shall provide the SAR 7 or SAWS 2 to the recipient by the end of the SAR Data Month in the SAR Payment Period in which it is due. The county must provide the recipient with a written notice that will include:

(QR) (1) The AU's individual QR cycle,

(SAR) (1) The AU's individual SAR cycle.

(QR) (2) The month in which the initial QR 7 and subsequent QR 7s are due, and

(SAR) (2) The months in which the SAR 7 and the annual redetermination of eligibility (SAWS 2) are due, and

(QR) (3) The QR Data Month they will be responsible for reporting information.

(SAR) (3) The SAR Data Months they will be responsible for reporting information.

(QR) (A) Quarterly Reporting Cycle Based on Application Date

The county shall establish three QR cycles, each comprised of four QR Payment Quarters (see Section 40-103.5(QR)). The county shall assign the applicant to one of these cycles based on the month of application. The month of application shall be considered the first month of the QR Payment Quarter regardless of whether cash aid is issued in that month.

(SAR) (A) Semi-Annual Reporting Cycle Based on Beginning Date of Aid

The county shall establish six SAR cycles, each comprised of two SAR Payment Periods (see Section 40-103.5(SAR)). The county shall assign the applicant to one of these cycles based on the beginning month of aid. Unless the SAR cycle is being established to align with an existing CalFresh recertification date, the beginning month of aid shall be considered the first month of the SAR Payment Period.

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(QR) This model requires CWDs to consider a client's application month as the first month of the QR Payment Quarter. This month will begin the QR cycle for the new reporting

system. Clients will be assigned to one of three cycles, based on their application date. For purposes of discussing months within the cycle, the following definitions will apply:

QR Payment Quarter – the quarter in which benefits are paid. The QR Payment Quarter will include three consecutive months. The month of application will be considered the first month of the “QR payment quarter” for purposes of identifying the appropriate client reporting cycle, regardless of whether benefits are issued in that month or as a supplemental payment in a subsequent month.

QR Data Month – the 2nd month of the quarter for which the client reports all information necessary to determine eligibility and

QR Submit Month – The third month of the quarter in which the QR 7 is required to be submitted to the CWD.

<u>January</u> (Application Month)	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>
QR Payment Quarter Begins	QR Data Month	QR Submit Month	QR Payment Quarter Begins	QR Data Month	QR Submit Month

<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
QR Payment Quarter Begins	QR Data Month	QR Submit Month	QR Payment Quarter Begins	QR Data Month	QR Submit Month
					RV/RC due

<u>January</u> (13th month)
QR Payment Quarter Begins
New FS Cert Period

The following cycles would be assigned to each applicant, based on application date.

Cycle 1:

Application/QR Payment Quarter	QR Data Month	QR Submit Month
January	February	March
April	May	June
July	August	September
October	November	December

Cycle 2:

Application/QR Payment Quarter	QR Data Month	QR Submit Month
February	March	April
May	June	July
August	September	October
November	December	January

Cycle 3:

Application/QR Payment Quarter	QR Data Month	QR Submit Month
March	April	May
June	July	August
September	October	November
December	January	February

This system enables the county to align the reporting/budgeting cycle with the FS recertification date. The month in which the certification period expires will always be the QR Submit Month, which will be when the recertification can be completed to set up the thirteenth month's allotment.

(SAR) This model requires CWDs to consider a client's beginning date of aid as the first month of the SAR Payment Period. This month will begin the SAR cycle for the new reporting system. Clients will be assigned to one of six cycles, based on their beginning date of aid. For purposes of discussing months within the cycle, the following definitions will apply:

SAR Payment Period – the six months in which benefits are paid. The SAR Payment Period will include six consecutive months. The beginning date of aid will be considered the first month of the "SAR Payment Period" for purposes of identifying the appropriate client reporting cycle.

SAR Data Month – the fifth month of the SAR period for which the client reports all information necessary to determine eligibility, and

SAR Submit Month – the sixth month of the SAR period in which the SAR 7 is required to be submitted to the CWD or the annual redetermination is required to be completed.

<u>January</u> (Beginning Date of Aid)	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>
<u>SAR Payment Period Begins</u>	<u>Month Two</u>	<u>Month Three</u>	<u>Month Four</u>	<u>SAR Data Month</u>	<u>SAR Submit Month/ SAR 7 due</u>

<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
<u>SAR Payment Period Begins</u>	<u>Month Two</u>	<u>Month Three</u>	<u>Month Four</u>	<u>SAR Data Month</u>	<u>SAR Submit Month</u>
					<u>RD/RC due</u>

<u>January</u> (13th month)
<u>SAR Payment Period Begins</u>
<u>New CalFresh Cert Period</u>

The following cycles would be assigned to each applicant, based on the beginning date of aid.

Cycle 1:

<u>Beginning Date of Aid/SAR Payment Period</u>	<u>SAR Data Month</u>	<u>SAR Submit Month</u>
<u>January</u>	<u>May</u>	<u>June</u>
<u>July</u>	<u>November</u>	<u>December</u>

Cycle 2:

<u>Beginning Date of Aid/SAR Payment Period</u>	<u>SAR Data Month</u>	<u>SAR Submit Month</u>
<u>February</u>	<u>June</u>	<u>July</u>
<u>August</u>	<u>December</u>	<u>January</u>

Cycle 3:

<u>Beginning Date of Aid/SAR Payment Period</u>	<u>SAR Data Month</u>	<u>SAR Submit Month</u>
<u>March</u>	<u>July</u>	<u>August</u>
<u>September</u>	<u>January</u>	<u>February</u>

Cycle 4:

<u>Beginning Date of Aid/SAR Payment Period</u>	<u>SAR Data Month</u>	<u>SAR Submit Month</u>
<u>April</u>	<u>August</u>	<u>September</u>
<u>October</u>	<u>February</u>	<u>March</u>

Cycle 5:

<u>Beginning Date of Aid/SAR Payment Period</u>	<u>SAR Data Month</u>	<u>SAR Submit Month</u>
<u>May</u>	<u>September</u>	<u>October</u>
<u>November</u>	<u>March</u>	<u>April</u>

Cycle 6:

<u>Beginning Date of Aid/SAR Payment Period</u>	<u>SAR Data Month</u>	<u>SAR Submit Month</u>
<u>June</u>	<u>October</u>	<u>November</u>
<u>December</u>	<u>April</u>	<u>May</u>

This system enables the county to align the reporting/budgeting cycle with the CalFresh recertification date. The month in which the certification period expires will always be the SAR

Submit Month, which will be when the recertification is completed to establish the thirteenth month's allotment.

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(QR) (B) Quarterly Reporting Cycle Based on Terminal Digits

The county shall establish three QR cycles, each for a particular set of numbers. Counties shall determine the groupings. The county shall assign a cycle to an applicant/recipient based on the last digit of his/her case number.

(SAR) (B) Semi-Annual Reporting Cycles Based on Other Methods

Under SAR, counties may establish reporting cycles based on factors established or approved by the department; however, the SAR cycle must be aligned with the CalWORKs redetermination date and the CalFresh recertification date.

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This handbook section will become inoperative on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Following is one example of how a county might set up their QR cycle based on terminal digits:

Cycle 1 will be assigned to cases ending in 0, 1, 2, and 3.

Cycle 2 will be assigned to cases ending in 4, 5, and 6.

Cycle 3 will be assigned to cases ending in 7, 8, and 9.

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Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code; SB 72, (Chapter 8, Statutes of 2011), Section 42.

Reference: Sections 10613, 11209, 11265.1, 11268, 11322.5, 11323.3, 11324.8(a), (b) and (c), 11454, 11454(b) and (e), 11454.2, 11495.1, and 11500, Welfare and Institutions Code; ~~Section 37 of AB 444 (Chapter 1022, Statutes of 2002)~~; 42 USC Sections 608(a)(7), 45 CFR 205.42(d)(2)(v)(A) and (B) as printed in Federal Register, Vol. 57, No. 198, Tuesday, October 13, 1992, page 46808; 45 CFR 205.52(a)(1) and (2); 45 CFR 205.55; and California Department of Health Services Manual Letter 77-1; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 40-119 to read:

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

.2 Optional Persons ~~Section 40-119.2(MR) shall become inoperative and Section 40-119.2(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-119.2(QR) shall become inoperative and Section 40-119.2(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) The county shall consider either the SAWS 1, SAWS 7, or the CA 7 the application for adding an optional person.~~

(QR) The county shall consider either the SAWS 1, QR 3, or the QR 7 the application for adding an optional person.

(SAR) The county shall consider either the SAWS 1, SAR 3, or the SAR 7 the application for adding an optional person.

.3 Person Added to AU (Continued)

.31 ~~CA CW~~ 8A A ~~CA CW~~ 8A "Statement of Facts to Add a Child Under 16 Years," or

.32 ~~CA CW~~ 8 A ~~CA CW~~ 8 "Statement of Facts for Additional Persons." (Continued)

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

Reference: 45 CFR 206.10(a)(1)(ii), (a)(8), and (b)(2); 45 CFR 233.10(a)(1)(ii)(A) and (B); 45 CFR 233.100(a)(3)(iii) and (vi)(A); and Sections 11265.1, 11265.3, and 11450(b), Welfare and Institutions Code.

Amend Section 40-125 to read:

40-125 REAPPLICATIONS, RESTORATIONS, AND COUNTY OF RESPONSIBILITY 40-125

.1 County Responsibility – General Requirements (Continued)

.12 County Receipts for Hand-Carried Documents (Continued)

.123 CWDs that maintain a system of logging hand-delivered documents are exempt from the receipts for documents requirement.

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For farm laborers applying for ~~AFDC~~ CalWORKs on the basis of part-time employment, if the family has accompanied the employed member to a county, whether or not there is a home base in some other county, the county in which the family is presently located is responsible for accepting the application, determining eligibility, paying aid and providing services until the family returns to their home base, or if they have no home base, until the family remains in one county for a period of time at least 60 days. The employed member need not remain with the family, but may go to work in one or more other counties.

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.2 Definitions (Continued)

.3 Determining County of Responsibility – County Where Applicant Lives (Continued)

.31 Applicant in County "B" Maintaining Living Place in County "A"

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In ~~AFDC~~ CalWORKs, if the family remains in an established home in County "A" while one or more members are in County "B" for temporary employment, including farm labor, the entire family is considered to be living in County "A."

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.32 (Continued)

.4 Applicant is in County B but lives in County A

.41 Responsibility of County B

County B shall assist in completing the application Form ~~CA~~ SAWS 1 and in securing the Statement of Facts (~~CA~~ SAWS 2), and shall also obtain pertinent information and immediately send the application, the Statement of Facts and supporting documents and information to the county in which the applicant lives (County A).

Upon the request of County A, County B shall assist in determining initial and continuing eligibility, developing a service plan, and in providing needed services to the applicant.

When the applicant or recipient in a state hospital is to be released and will reside in a County B (see .32 above), County B shall also upon request of the State Department of Health Care Services or State Department of Social Services liaison staff, provide any needed assistance to expedite the application process or to determine continuing eligibility. This county shall also assist, as needed, in planning for care of the applicant outside the hospital, keeping County A informed promptly of its activities on behalf of the applicant. (Continued)

.7 California Youth Authority Parolees

In ~~AFDC~~ CalWORKs the cost of care of California Youth Authority (CYA) parolees in foster homes is normally the responsibility of the CYA even though the child may be eligible to ~~AFDC~~ for CalWORKs. However, the CYA does not have the means of providing support for the children of a parolee mother even though she is living in a boarding home. In such cases, the county should accept and process the application for the parolee mother's children. If they are found eligible, the caretaker mother is included in the ~~AFDC~~ CalWORKs grant as a needy parent.

Financial responsibility for eligible Youth Authority wards who are living in their own homes or with relative is also carried by the county under the ~~AFDC~~ CalWORKs program. (Continued)

.9 Request for Restoration of Aid

When a county receives a request for restoration of aid, all provisions of Chapter 40-100 shall apply except as modified below.

.91 The county may require that the applicant complete a new Statement of Facts (~~CA~~ SAWS 2) as specified in Sections 40-115.22 and 40-128.1, except as specified in Section 40-125.94.

.911 The county shall determine on a case-by-case basis the need for completion of a new ~~CA~~ SAWS 2. Reasons for requesting a new ~~CA~~ SAWS 2 may include but are not limited to, the following: (Continued)

.912 When the county determines that a new CA SAWS 2 is required, failure by the applicant to complete the CA SAWS 2 shall result in denial of the request for restoration (See Section 40-171.221(d)).

~~.92 Section 40-125.92(MR) shall become inoperative and Section 40-125.92(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-125.92(QR) shall become inoperative and Section 40-125.92(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) If the applicant is determined to be eligible within the month following discontinuance, the applicant must provide the Monthly Eligibility Reports (CA 7), to the extent needed for purposes of retrospective grant computation, for the month prior to the last month of aid and for the last month in which the applicant was aided, unless complete CA 7s for these months are in the county's possession. (See Sections 44-313.2(MR) and 44-317.)~~

(QR) If the applicant is determined to be eligible within the month following discontinuance, the applicant must provide a current QR 7 unless a complete QR 7 for the quarter in which the applicant was discontinued is in the county's possession. The applicant may be assigned to the previous QR cycle or a new QR cycle based on the date of the most recent request for aid.

(SAR) If the applicant is determined to be eligible within the month following discontinuance, the applicant must provide a current SAR 7 unless a complete SAR 7 for the SAR Payment Period in which the applicant was discontinued is in the county's possession. The applicant may be assigned to the previous SAR cycle or a new SAR cycle as long as the SAR cycle remains aligned with their redetermination/recertification date.

~~.921 Section 40-125.921(MR) shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) The CA 7(s) are not required when aid is to be computed prospectively. (See Section 44-313.1.)~~

~~.922 Repealed by Manual Letter No. EAS-98-03, effective 7/1/98. (Continued)~~

.94 Section 40-125.94~~(MR QR)~~ shall become inoperative and Section 40-125.94~~(QR SAR)~~ shall become operative in a county on the date QR/PB SAR becomes effective in that county, pursuant to the Director's QR/PB County's SAR Declaration.

~~(MR) Restorations in the Calendar Month Following a CA 7 Related Discontinuance~~

(QR) Restorations in the Calendar Month Following a QR 7 Related Discontinuance

(SAR) Restorations in the Calendar Month Following a SAR 7 Related Discontinuance

.941 Section 40-125.941(~~MR QR~~) shall become inoperative and Section 40-125.941(~~QR SAR~~) shall become operative in a county on the date ~~QR/PB SAR~~ becomes effective in that county, pursuant to the ~~Director's QR/PB County's SAR~~ Declaration.

~~(MR)~~ ~~When a recipient who has been discontinued for failure to submit a complete CA 7 requests restoration of AFDC during the calendar month following discontinuance, but after the first working day, the CWD shall determine if the recipient had good cause (Section 40-181.23(MR)) for failure to submit a complete report.~~

(QR) When a recipient who has been discontinued for failure to submit a complete QR 7 requests restoration of CalWORKs during the calendar month following discontinuance, but after the first working day of the next QR Payment Quarter, the county shall determine if the recipient had good cause (Section 40-181.23(QR)) for failure to submit a complete report.

(SAR) When a recipient who has been discontinued for failure to submit a complete SAR 7 requests restoration of CalWORKs during the calendar month following discontinuance, but after the first working day of the next SAR Payment Period, the county shall determine if the recipient had good cause (Section 40-181.23(SAR)) for failure to submit a complete report.

.942 Section 40-125.942(~~MR QR~~) shall become inoperative and Section 40-125.942(~~QR SAR~~) shall become operative in a county on the date ~~QR/PB SAR~~ becomes effective in that county, pursuant to the ~~Director's QR/PB County's SAR~~ Declaration.

~~(MR)~~ ~~If the recipient had good cause for failure to submit a complete report, the discontinuance action shall be rescinded, eligibility redetermined and the grant amount computed based on information contained in the complete CA 7 submitted by the recipient.~~

(QR) If the recipient had good cause for failure to submit a complete report, the discontinuance action shall be rescinded, eligibility redetermined and the grant amount computed based on information contained on the complete QR 7 submitted by the recipient.

(SAR) If the recipient had good cause for failure to submit a complete report, the discontinuance action shall be rescinded, eligibility redetermined and the grant amount computed based on information contained on the complete SAR 7 submitted by the recipient.

~~.943 If the recipient is not found to have good cause, the CWD shall redetermine eligibility in accordance with Sections 40-125.91 and .92 (Requests for Restorations of Aid). Section 40-125.943(QR) et seq. shall become inoperative and Section 40-125.943(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(QR) When a recipient who has been discontinued for failure to submit a complete QR 7 requests restoration of CalWORKs during the calendar month following discontinuance, and is not found to have good cause, the CWD shall redetermine eligibility based on the information contained on the complete QR 7 submitted by the recipient as follows:~~

~~(QR) (a) Eligibility will be based on recipient rules. The recipient will not be subject to applicant eligibility criteria.~~

~~(QR) (b) An application (SAWS 1), Statement of Facts (SAWS 2), and intake interview are not required.~~

~~(QR) (c) If found eligible, aid will be restored, prorated, effective the date that the recipient submitted the complete QR 7. (See Section 44-315.72 for instructions on how to calculate prorated benefit amounts.)~~

~~(SAR) When a recipient who has been discontinued for failure to submit a complete SAR 7 requests restoration of CalWORKs during the calendar month following discontinuance, and is not found to have good cause, the CWD shall redetermine eligibility based on the information contained on the complete SAR 7 submitted by the recipient as follows:~~

~~(SAR) (a) Eligibility will be based on recipient rules. The recipient will not be subject to applicant eligibility criteria.~~

~~(SAR) (b) An application (SAWS 1), Statement of Facts (SAWS 2), and intake interview are not required.~~

~~(SAR) (c) If found eligible, aid will be restored, prorated, effective the date that the recipient submitted the complete SAR 7. (See Section 44-315.72 for instructions on how to calculate prorated benefit amounts.)~~

~~(QR) .95 Section 40-125.95(QR) et seq. shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(QR) Restorations Based on Excess Property~~

~~(QR)~~ When a former recipient requests restoration of cash aid after a discontinuance due to excess property, the county shall verify that the AU did not transfer assets for less than fair market value (see Section 42-221).

~~(QR)~~ .951 If an AU requests restoration of cash aid before the effective date of discontinuance, the county shall evaluate the property spend down and if the AU is verified property eligible, the county shall rescind the discontinuance.

.952 Section 40-125.952(QR) shall become inoperative and Section 40-125.952(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(QR)~~ ~~.952~~ If a former recipient requests restoration after the effective date of discontinuance, the county shall determine the AU's eligibility and grant amount based on the information provided at the time of request for restoration. Beginning date of aid rules will apply (see Section 44-317). The AU may be assigned to the previous QR cycle or a new QR cycle based on the date cash aid is restored.

(SAR) If a former recipient requests restoration after the effective date of discontinuance, the county shall determine the AU's eligibility and grant amount based on the information provided at the time of request for restoration. Beginning date of aid rules will apply (see Section 44-317). The AU may be assigned to the previous SAR cycle or a new SAR cycle based on the date cash aid is restored; however the SAR cycle must remain aligned with the redetermination and recertification date.

~~(QR)~~ ~~.96 Section 40-125.96(QR) et seq. shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(QR)~~ Restorations Based on Excess Income

~~(QR)~~ When an AU is discontinued due to excess income, the recipient may request restoration of cash aid if the AU experiences a loss or reduction of reasonably anticipated income that was used to determine financial ineligibility.

~~(QR)~~ .961 If an AU requests restoration of cash aid before the effective date of discontinuance, the county shall determine income eligibility and rescind the discontinuance if the AU is found eligible.

.962 Section 40-125.962(QR) shall become inoperative and Section 40-125.962 (SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(QR)~~ ~~.962~~ If a former recipient requests restoration after the effective date of discontinuance, the county shall determine the AU's eligibility and grant

amount based on the information provided at the time of request for restoration. Beginning date of aid rules will apply (see Section 44-317). The AU may be assigned to the previous QR cycle or a new QR cycle based on the date cash aid is restored.

(SAR) If a former recipient requests restoration after the effective date of discontinuance, the county shall determine the AU's eligibility and grant amount based on the information provided at the time of request for restoration. Beginning date of aid rules will apply (see Section 44-317). The AU may be assigned to the previous SAR cycle or a new SAR cycle based on the date cash aid is restored; however the SAR cycle must remain aligned with the redetermination and recertification date.

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

Reference: 45 CFR 233.60, Section 3510 (October 1961), Federal Handbook of Public Assistance Administration; Section 11349, Government Code; Sections 10553, 10554, 10604, 11008, 11023.5, 11056, 11102, 11265.1, 11265.2, 11450.12, and 11451.5, Welfare and Institutions Code; and ACF-AT-94-5; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 40-128 to read:

40-128 APPLICANT'S STATEMENT OF FACTS

40-128

.1 Filing the Statement of Facts

.11 The applicant, in support of his/her application, shall complete, sign, and file with the county the Statement of Facts (~~CA SAWS~~ 2) supporting his/her eligibility for assistance. The statement may be filed with the county at the time of application or at any subsequent time prior to completion of the determination of eligibility. In case of an applicant in "immediate need," see Section 40-129. (Continued)

.12 Minor Parent Residing with Unaided Senior Parent(s).

.121 Section 40-128.121(QR) shall become inoperative and Section 40-128.121(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) The minor parent (see Section 44-133.71) who applies for aid while residing in the same household as his/her unaided senior parent(s) must report the income of his/her parent(s).

(QR) In addition to the form CA 2 or CA 20, the minor parent shall submit a complete Supplement to the Statement of Facts (CA 23) to the county welfare department. The minor parent is responsible for obtaining all information necessary to complete the CA 23 and for obtaining the necessary verification from the senior parent(s). The information and the submitted verification must provide the county welfare department with the facts necessary to make a correct eligibility and grant determination.

(SAR) The minor parent (see Section 44-133.51) who applies for aid while residing in the same household as his/her unaided senior parent(s) must report the income of his/her parent(s).

(SAR) In addition to the SAWS 2, the minor parent shall submit a Senior Parent Statement of Facts (SAR 23) to the county welfare department. The minor parent is responsible for obtaining all information necessary to complete the SAR 23 and for obtaining the necessary verification from the senior parent(s). The information and the submitted verification must provide the county welfare department with the facts necessary to make a correct eligibility and grant determination.

.122 Section 40-128.122(QR) shall become inoperative and Section 40-128.122(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Failure to provide a complete CA 23 (as defined in .121 above) shall result in the denial of aid to the minor parent and child in accordance with Section 40-105.1.

(SAR) Failure to provide a complete SAR 23 (as defined in .121 above) shall result in the denial of aid to the minor parent and child in accordance with Section 40-105.1.

.13 Aliens Sponsored by Agencies or Organizations

.131 Section 40-128.131(QR) shall become inoperative and Section 40-128.131(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) An alien sponsored by an agency or organization (See Section 43-119.3) who applies for aid shall provide the County Welfare Department (CWD) with a statement of the ability of the sponsor to meet his/her needs. As a part of his/her application for aid on the form CA 2 or CA 20, the sponsored alien shall submit a complete Form CA 24 (Sponsoring Agency or Organization's Statement of Facts Regarding Ability to Meet the Alien's Needs) to the CWD. The alien is responsible for ensuring that the CA 24 is complete.

(SAR) An alien sponsored by an agency or organization (See Section 43-119) who applies for aid shall provide the County Welfare Department (CWD) with a statement of the ability of the sponsor to meet his/her needs. As a part of his/her application for aid on the form SAWS 2, the sponsored alien shall submit a complete Form SAR 22 (Sponsor's Statement of Facts) to the CWD. The alien is responsible for ensuring that the SAR 22 is complete.

.132 Section 40-128.132(QR) shall become inoperative and Section 40-128.132(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Failure to provide a complete CA 24 (as defined in .131 above) shall result in the denial of aid to the alien.

(SAR) Failure to provide a complete SAR 22 (as defined in .131 above) shall result in the denial of aid to the alien.

.14 A change in an aid recipient's status from that of a medically needy person certified for medical assistance to that of a grant recipient requires a new application. A Statement of Facts (~~CA~~ SAWS 2) is required before a cash grant is authorized for such person only in circumstances described in Section 40-183.5.

.2 Who May Sign the ~~AFDC~~ CalWORKs Statement of Facts

Every effort should be made to obtain the parent's or guardian's signature on the Statement of Facts (~~CA SAWS~~ 2) regardless of who signs the application (~~CA SAWS~~ 1). However, a relative or the social service agency representative who has responsibility for the care and supervision of the child may sign the ~~CA SAWS~~ 2 in the following instances: (Continued)

.25 At county option, the placement worker shall have the authority to complete an FC 2 in place of the ~~CA SAWS~~ 2 under the following circumstances: (Continued)

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

Reference: 45 CFR 205.50(a)(1)(i)(A); 42 USC 602(a)(39); Family Support Action Transmittal 91-15 dated April 23, 1991; and Section 5053 of the Omnibus Budget Reconciliation Act (OBRA) of 1990.

Amend Section 40-131 to read:

40-131 INTERVIEW REQUIREMENT 40-131

.1 Interview Required Prior to Granting Aid

.11 A face-to-face interview with the applicant is required prior to the granting of aid. For the home visit requirement in ~~AFDC~~ CalWORKs, see Section 40-161.

.12 For any applicant who chooses to apply for both ~~AFDC and food stamps~~ CalWORKs and CalFresh, as specified in Section 40-107(a)(~~56~~)(B), the CWD shall conduct a single interview for both programs. ~~AFDC~~ CalWORKs applicants shall not be required to see a different eligibility worker or otherwise be subjected to two interview requirements to obtain the benefits of both programs.

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.121 Following the single interview, the application may be processed by separate workers to determine the eligibility and benefit levels for ~~food stamps and~~ AFDC CalWORKs and CalFresh.

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.2 Inability of Applicant to Participate in Interview (Continued)

.3 Content of Application Interview (Continued)

(m) The furnishing of the Social Security Number (SSN) is a condition of eligibility required by 42 U.S.C. Section 402(a)(25) 1320b-7(a)(1) of the Social Security Act, and that the SSN will be utilized in the administration of the ~~AFDC~~ CalWORKs Program. (Continued)

(p) ~~Section 40-131.3(p)(MR) shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~
Reserved

(MR) ~~The availability of a reduced income supplemental payment and the necessity that an assistance unit request the payment in order for it to be provided.~~

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(MR) ~~(See Section 44-400 regarding reduced income supplemental payments.)~~

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- (q) (Continued)
- (r) The availability of transitional child care benefits and transitional Medi-Cal benefits for recipients who are discontinued from ~~AFDC~~ CalWORKs due to certain employment-related circumstances. (Continued)
- (s) The availability of program activities and supportive services of the ~~GAIN~~ WTW Program for which applicants and recipients may be eligible. (See Sections 40-107(a)(6) and (a)(7).) (Continued)
- (u) At application and each annual redetermination, applicants/recipients shall receive an informing notice regarding the availability of Stage One child care (see Section 47-301.2).

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- (v) ~~See Section 89-730 for the additional informing requirements for applicants subject to the California Work Pays Demonstration Project as specified in Division 89. Reserved~~

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- (w) (Continued)

Authority cited: Sections 10553, 10554, 10604, and 18904, Welfare and Institutions Code.

Reference: Sections 10613, 11209, 11253.5, 11265.8, 11268(a), 11280, 11323.3, 11324.8(a), AB 312, Chapter 1568, Statutes of 1990, 11495.1, 11500(b), and 11511(a), Welfare and Institutions Code; Section 37 of AB 444 (Chapter 1022, Statutes of 2002); 7 U.S.C. 2020(i), 7 CFR 273.2(j), 42 U.S.C. 616(f), 682(c)(2), (3) and (4), and 1320b-7(a)(1), 45 CFR 205.52(a)(1), 45 CFR 250.20, 45 CFR 250.40(a) and (b); 45 CFR 255.1; 45 CFR 256.1(b), and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193); California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996.

Amend Section 40-173 to read:

40-173 COUNTY DEPARTMENT RESPONSIBILITY FOR NOTIFYING APPLICANTS AND RECIPIENTS 40-173

Prior to county action (except as provided in .7 below), the applicant or recipient shall be (a) notified of any county action which relates to his application, affects aid payment to him or his certification for medical assistance, or affects aid payments to him or his family, and (b) informed of his responsibility for reporting facts material to the determination of his eligibility. Such notification, advice, etc., shall be in simple understandable language. Required notifications are:

.1 ~~Section 40-173.1(MR) shall become inoperative and Section 40-173.1(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-173.1(QR) shall become inoperative and Section 40-173.1(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) Notice of County Action Granting Aid, Changing the Amount of the Grant or Changing the Recipient's Status~~

(QR) Notice of County Action Granting Aid, Changing the Amount of the Grant, Changing the Recipient's Status or Not Changing the Amount of the Grant Following the Submittal of a Recipient Mid-quarter Report.

(SAR) Notice of County Action Granting Aid, Changing the Amount of the Grant, Changing the Recipient's Status or Not Changing the Amount of the Grant Following the Submittal of a Recipient Mid-Period Report.

Use appropriate Notice of Action form. Use appropriate Notice of Action form to report county action authorizing a supplemental grant or changing status from a cash grant to MN. (See Section 40-183.) (Continued)

.5 Notice to Recipient of His/Her Responsibility

Use the ~~CA~~ SAWS 2A instruction sheet to notify the recipient of his/her responsibilities according to Section 40-181. The notification shall be given at least the following times: (Continued)

.8 Section 40-173.8(QR) et seq. shall become inoperative and Section 40-173.8(SAR) et seq. shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) Notification of Income Reporting Threshold (IRT)

(QR) Counties must inform each AU in writing of their individual IRT at least once per quarter. Informing shall also occur when MAP amount changes, when the AU or family MAP size changes, when there is a change of persons who are required to report income, at redetermination, or upon recipient request. The informing notice shall include:

(SAR) Notification of Income Reporting Threshold (IRT)

(SAR) Counties must inform each AU in writing of their individual IRT at least once per SAR period. Informing shall also occur when the AU or family MAP size changes, when there is a change of persons who are required to report income, when the amount of income used to calculate the grant changes, at redetermination, when the federal poverty levels are updated, upon recipient request and any other time the AU's IRT amount changes. The informing notice shall include:

(QR) .81 The requirement to report the receipt of gross monthly income that exceeds the IRT;

(SAR) .81 The requirement to report the receipt of gross monthly income that exceeds the IRT;

(QR) .82 The dollar amount of gross monthly income for the family MAP that exceeds the IRT; and

(SAR) .82 The dollar amount of the IRT for the AU; and

(QR) .83 The consequences of failing to report.

(SAR) .83 The consequences of failing to report.

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

Reference: Sections 10553, 10554, 10613, 11209, 11265.3, 11500(b), 11502(a) and (b), and 11511(a), Welfare and Institutions Code; 45 CFR 250.20; 45 CFR 250.40(b); 45 CFR 255.1; 45 CFR 256.1(b); 45 CFR 256.2(b)(1); 45 CFR 256.4(c); and Administration for Children and Families-Action Transmittal-91-1, dated June 16, 1992; and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193): California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996.

Amend Section 40-181 to read:

40-181 CONTINUING ACTIVITIES AND DETERMINATION OF ELIGIBILITY 40-181

.1 General County Responsibility

(a) ~~Section 40-181.1(a)(MR) shall become inoperative and Section 40-181.1(a)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-181.1(a)(QR) shall become inoperative and Section 40-181.1(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) The CWD paying aid shall be responsible for continuing to determine eligibility to insure payment only to eligible recipients in the correct amount, to assist recipients to meet their financial and service needs as fully as possible, and to make maximum use of their resources and capabilities. For AFDC FG or U cases, eligibility shall be established by the use of the CA 2 at the time of application and then at one year intervals, and also by the CA 7 (Monthly Eligibility Report).~~

(QR) The county paying aid shall be responsible for continuing to determine eligibility to insure payment only to eligible recipients in the correct amount, to assist recipients to meet their financial and service needs as full as possible, and to make maximum use of their resources and capabilities. For CalWORKs cases, eligibility shall be established by the use of the SAWS 2 at the time of application and then at one-year intervals, and also by the QR 7, and by recipients mid-quarter reports (see Section 44-316(QR) also see Section 82-832.3(QR)).

(SAR) The county paying aid shall be responsible for continuing to determine eligibility to insure payment only to eligible recipients in the correct amount, to assist recipients to meet their financial and service needs as fully as possible, and to make maximum use of their resources and capabilities. For CalWORKs cases, eligibility shall be established by the use of the SAWS 2 at the time of application and then at one-year intervals, and also by the SAR 7, and by recipient mid-period reports (see Sections 44-316(SAR) and 82-832.3(SAR)).

(1) Section 40-181.1(a)(1)(QR) shall become inoperative and Section 40-181.1(a)(1)(SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) Eligibility regarding deprivation, household/AU composition, property, and the transfer of assets for less than fair market value shall only be determined on a quarterly basis based on the information reported on the QR 7. The county shall compare the information reported on the QR 7 with mid-quarter recipient

reports (see Section 44-316(QR)) for accuracy. (Also see Section 82-832.3(QR).)

(SAR) Eligibility regarding deprivation, household/AU composition, property, and the transfer of assets for less than fair market value shall only be determined on a semi-annual basis based on the information reported on the SAR 7 or the SAWS 2. The county shall compare the information reported on the SAR 7 or the SAWS 2 with any mid-period recipient reports for accuracy. (See Sections 44-316(SAR) and 82-832.3(SAR).)

(2) Section 40-181.1(a)(2)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(SAR) The SAR 7 only asks for the recipient to report any changes since he or she last reported in regards to property, deprivation, and household/AU composition. If a recipient reports on the SAR 7 that there have been no changes since they last reported, the information on the last verified report (the SAWS 2 or any verified mid-period report) shall be used to determine continuing eligibility.

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(3) Handbook Section 40-181.1(a)(3)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(SAR) **Example:** A recipient is in a March through August SAR Payment Period. They make a voluntary mid-period report in April that they received an inheritance in the amount of \$5,000 and provide verification. The county sends the recipient a "no-change NOA" informing them that property is only evaluated once per SAR Payment Period. On the July SAR 7 submitted in August, the recipient reports that there have been no changes to their property since they last reported. The county discontinues the AU at the end of the SAR Payment Period for being over the property limit.

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~~(b) Section 40-181.1(b)(MR) shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Reserved~~

~~(MR) The CWD shall send the Reduced Income Supplemental Payment Request Form, CA 40, monthly to all assistance units which have reported income and for two months following a termination of reported income.~~

(c) AFDC-FC and Kin-GAP cases

- (1) For AFDC-FC cases, eligibility shall be established by use of the ~~CA SAWS 2~~ at the time of application if the parent or legal guardian is available and cooperating. If the parent or legal guardian is unavailable or not cooperating, eligibility shall be established by use of the ~~CA SAWS 2~~ or FC 2. AFDC-FC eligibility shall be reestablished by use of the ~~CA SAWS 2~~ or FC 2 at six-month intervals. (Continued)
- (d) ~~Section 40-181.1(d)(MR) shall become inoperative and Section 40-181.1(d)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.1(d)(QR) shall become inoperative and Section 40-181.1(d)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~
- ~~(MR) Additional determinations shall be made as necessary if unexpected changes in income, property or other circumstances occur which affect the eligibility or grant level of the recipient.~~
- ~~(QR) Additional determinations shall be made as necessary if unexpected changes in income or other circumstances occur which affect the eligibility or grant level of the recipient in accordance with Section 44-316(QR).~~
- ~~(SAR) Additional determinations shall be made as necessary if unexpected changes in income or other circumstances occur which affect the eligibility or grant level of the recipient in accordance with Section 44-316(SAR).~~
- (e) Issuance of aid in the correct amount is a primary program objective. To achieve this objective it is essential that the county shall:
- (1) ~~Section 40-181.1(e)(1)(MR) shall become inoperative and Section 40-181.1(e)(1)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.1(e)(1)(QR) shall become inoperative and Section 40-181.1(e)(1)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~
- ~~(MR) Give applicants and recipients at the time of application and at least once every twelve months thereafter complete explanations in writing regarding factors which may cause ineligibility, underpayments or overpayments, penalties due to an IPV, and their responsibility to report changes within five calendar days (Section 40-105.14(MR), Applicant and Recipient Responsibility). The factors which are to be explained shall include changes in income and resources, changes in need, etc. These requirements are met by the use of the CA 2 in CalWORKs. These requirements are met by the use of the KG 2A in Kin-GAP. Verbal explanations shall also be given when necessary to assure~~

~~understanding. The recipient shall signify his/her understanding of his/her responsibilities in writing.~~

- (QR) Give applicants and recipients at the time of application and at least once every 12 months thereafter complete explanations in writing regarding factors which may cause ineligibility, underpayments or overpayments, penalties due to an IPV, and their responsibility to report changes as prescribed by Section 40-105.14(QR) (Applicant and Recipient Responsibility). The factors which are to be explained shall include changes in income and resources, changes in need, etc. These requirements are met by the use of the SAWS 2A-QR in CalWORKs. These requirements are met by the use of the KG 2A in Kin-GAP. Verbal explanations shall also be given when necessary to assure understanding. The recipient shall signify his/her understanding of his/her responsibilities in writing.
- (SAR) Give applicants and recipients at the time of application and at least once every 12 months thereafter complete explanations in writing regarding factors which may cause ineligibility, underpayments or overpayments, penalties due to an IPV, and their responsibility to report changes as prescribed by Section 40-105.14(SAR) (Applicant and Recipient Responsibility). The factors which are to be explained shall include changes in income and resources, changes in need, etc. These requirements are met by the use of the SAWS 2A in CalWORKs. These requirements are met by the use of the KG 2A in Kin-GAP. Verbal explanations shall also be given when necessary to assure understanding. The recipient shall signify his/her understanding of his/her responsibilities in writing.
- (2) ~~Section 40-181.1(e)(2)(MR) shall become inoperative and Section 40-181.1(e)(2)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.1(e)(2)(QR) shall become inoperative and Section 40-181.1(e)(2)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~
- ~~(MR) In CalWORKs, the monthly redetermination of eligibility shall follow the procedures described above. This requirement is met by the use of the CA 7. The CA 7 shall be carefully checked each month upon its receipt so that correct grant computations are made. Special care should be taken to correct grant adjustments for overpayments when income/resources change.~~
- (QR) In CalWORKs, the quarterly redetermination of eligibility shall follow the procedures described above. This requirement is met by the use of the QR 7. The QR 7 shall be carefully checked each quarter upon its receipt so that correct grant computations are made. Special care should be taken to correct grant adjustments for overpayments when income/resources change.

(SAR) In CalWORKs, the semi-annual redetermination of eligibility shall follow the procedures described in Section 40-181.1(a). This requirement is met by the use of the SAR 7 or the SAWS 2. The SAR 7 and SAWS 2 shall be carefully checked each semi-annual period upon receipt so that correct grant computations are made. Special care should be taken to correct grant adjustments for overpayments when income/resources change.

(3) (Continued)

~~(g) Section 40-181.1(g)(MR) shall become inoperative and Section 40-181.1(g)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.1(g)(QR) shall become inoperative and Section 40-181.1(g)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Aid shall not be discontinued due solely to circumstances beyond the control of the recipient which prevents reporting changes within five calendar days or the prompt return of the CA 2 or CA 7 eligibility redetermination forms.~~

(QR) Aid shall not be discontinued due solely to circumstances beyond the control of the recipient which prevents reporting changes that are required to be reported within ten calendar days of the change or prevents the prompt return of the SAWS 2 or QR 7 eligibility redetermination forms.

(SAR) Aid shall not be discontinued due solely to circumstances beyond the control of the recipient which prevents reporting changes that are required to be reported within ten calendar days of the change or prevents the prompt return of the SAWS 2 or SAR 7 eligibility redetermination forms. (See Section 40-181.216(SAR) for information on good cause determinations for failing to complete the annual redetermination timely and Section 40-181.23(SAR) for information on good cause determinations for failure to submit a complete SAR 7 timely.)

(h) (Continued)

.2 Periodic Determination of Eligibility

.21 A redetermination of all circumstances of the recipient subject to change shall be completed at least once every twelve (12) months. The applicant/recipient shall complete the appropriate Statement of Facts at the time of application and at least once every 12 months after determination of eligibility. At the time of the annual redetermination and completion of the appropriate Statement of Facts, each recipient shall be either given or mailed informational material required by SCDSS.

.211 For ~~AFDC-FG/U~~ CalWORKs brochures describing benefits available under the Child Health and Disability Prevention (CHDP) program and how and

where the benefits are provided within the county shall be given to the recipient during the redetermination interview specified in .311 below. Provisions of CHDP informational material shall be documented by notation upon the ~~CA~~ SAWS 2 form.

~~.212 Section 40-181.212(MR) shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) Recipients of AFDC-FG/U shall be informed of the availability of reduced income supplemental payments and of the necessity that an assistance unit request the payment in order for it to be provided.~~

.212 Section 40-181.212(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(SAR) The annual redetermination must be completed in the sixth month of the second Semi-Annual Payment Period of every year (six months after the SAR 7 is submitted). Because the redetermination acts as the second income eligibility report, a complete SAWS 2 must be received by the 15th day of the month in which it is due in order to allow sufficient time to determine benefit amounts and issue timely notice for the following Semi-Annual Payment Period.

(SAR) (a) Because the redetermination process acts as the second semi-annual eligibility report, the redetermination must be aligned with the SAR reporting cycle. The redetermination must be completed in the 6th month of the SAR cycle in which a SAR 7 is not due. However, if for any reason a redetermination takes place outside of the normal SAR Cycle, the county shall act mid-period on all information to increase, decrease, or discontinue cash aid as appropriate.

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(SAR) Counties must align the CalWORKs redetermination period with the CalFresh recertification period (Section 63-504). In addition, counties must also align the submission of the annual redetermination with the 6th month of the SAR Payment Period in which a SAR 7 is not due.

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.213 Section 40-181.213(QR) shall become inoperative and Section 40-181.213 (SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) The determination shall be considered completed as soon as the appropriate Statement of Facts has been reviewed and a decision made and recorded by the Eligibility Worker as to whether eligibility continues or ineligibility exists. The next due date for completion of the Statement of Facts shall be established in relationship to this decision. In no event shall the decision on the completed Statement of Facts be delayed solely for the purpose of avoiding a change in the periodic due date of determination of eligibility.

(SAR) The determination shall be considered completed as soon as the appropriate Statement of Facts has been reviewed and a decision made and recorded by the Eligibility Worker as to whether eligibility continues or ineligibility exists. The Statement of Facts shall be due once a year, in the same month of each year, unless the redetermination date needs to be changed in order to align it with the CalFresh recertification date.

.214 Section 40-181.214(QR) shall become inoperative and section 40-181.214(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) If a recipient's circumstances change in such a way that it is necessary to review certain aspects of eligibility before the next Statement of Facts is due, the county shall decide whether a new Statement of Facts shall be completed. If the county decides it is necessary that the Statement of Facts be completed before the scheduled redetermination date, the next due date shall be adjusted accordingly.

(SAR) Late Redeterminations

(SAR) (a) When the redetermination of eligibility (SAWS 2) is not received by the 15th day of the month in which it is due, the county shall send the appropriate discontinuance notice.

(SAR) (b) In addition to the notice of discontinuance, the county shall attempt to make a personal contact with the recipient either by telephone or in a face-to-face meeting. During the personal contact the county shall remind the recipient that a redetermination must be completed no later than the last day of the month in which it is due.

(SAR) (1) When the recipient cannot be personally contacted, a written reminder notice, which shall include language specified by CDSS, shall be mailed no later than five days prior to the last calendar day of the month. Under no circumstances shall the reminder notice be mailed in the same envelope as the discontinuance notice required in Section 40-181.214(a)(SAR).

(SAR) (c) The CWD shall document in the case file how and when the contact was attempted or made.

(SAR) (d) If the recipient submits a completed SAWS 2 by close of business on the last day of the month in which it was due, the county shall rescind the discontinuance and determine eligibility and grant amount pursuant to 40-181.215(SAR) and 44-315(SAR).

.215 Section 40-181.215(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(SAR) Processing Late Redeterminations

(SAR) (a) If a redetermination is completed after the 15th but on or before the last day of the month, the county shall:

(SAR) (1) Rescind the discontinuance action; and

(SAR) (2) Determine eligibility based on the information reported on the SAWS 2.

(SAR) (b) If the recipient submits a complete SAWS 2 during the month following discontinuance, upon recipient request, the CWD shall determine whether the recipient had good cause for failure to complete the redetermination timely, in accordance with Section 40-181.216(SAR).

.216 Section 40-181.216(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(SAR) Good Cause Determination for Failure to Complete a Redetermination Timely

(SAR) A recipient may have good cause for not meeting the redetermination reporting requirements. Good cause exists only when the recipient cannot reasonably be expected to fulfill his/her reporting responsibilities due to factors outside of his/her control. The burden of proof rests with the recipient.

(SAR) (a) A good cause exemption shall only be granted if the request is made by the parent, other caretaker relative, or an authorized representative.

(SAR) (b) A request is defined as any clear expression to the county, whether verbal or written, that the recipient wants an opportunity to present his/her explanation for not meeting the redetermination reporting requirements. A request for a State Hearing also may be considered a request for good

cause determination when the issue to be heard specifically relates to Section 40-181.21(SAR).

- (SAR) (c) In lieu of a request, as required by (2) above, a county has the discretion to independently determine that one of the situations specified in (d) below exists.
- (SAR) (d) Good cause exists in only the following situations:
 - (SAR) (1) When the recipient is suffering from a mental or physical condition which prevents timely and complete reporting.
 - (SAR) (2) When the recipient's failure to submit a timely and complete report is directly attributable to county error.
 - (SAR) (3) When the county finds other extenuating circumstances.
- (SAR) (e) When the recipient has good cause for not reporting timely, the county shall rescind the discontinuance.
- (SAR) (f) If the recipient is not found to have good cause for not reporting timely, the county shall determine eligibility based on applicant rules from the date that the complete SAWS 2 was submitted.
- (SAR) (g) If the SAWS 2 is received more than a month following discontinuance, it shall be treated as a request for restoration of aid and eligibility shall be determined based on applicant rules from the date the complete SAWS 2 was received. (See Section 40-125.9.)

~~.217 Section 40-181.217(QR) and Handbook Section 40-181.217(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.217(QR) and Handbook Section 40-181.217(QR) shall become inoperative and Section 40-181.217(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

- (QR) If the redetermination process is established outside of the QR Data Month, the county shall act mid-quarter on all information to increase, decrease, or discontinue cash aid as appropriate.

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- (QR) Counties are encouraged to align the CalWORKs redetermination period with the Food Stamp Program recertification period (Section 63-504) to the extent possible. In addition, counties are strongly encouraged to align the submission

of the annual redetermination with the submission of the QR 7, so that the QR Data Month information is also the information used for the redetermination.

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- (SAR) For CalWORKs purposes, a redetermination is complete when all of the following requirements are met:
- (SAR) (a) The response to all questions pertaining to CalWORKs eligibility and grant amount shall provide the county with information sufficient to answer the question. The information provided on the SAWS 2 together with the submitted evidence must be sufficient for the county to determine eligibility and grant amounts. This includes the income and any change in resources of a stepparent living in the home, and any person who is required to apply for aid under Section 40-118 but is excluded from the AU. Reported income shall include current earned, unearned, exempt, and nonexempt income and any reasonably anticipated changes to that income; and
- (SAR) (b) Evidence shall be submitted with the SAWS 2 to verify the gross amount of all earned income received and the date of receipt. Evidence shall be submitted to verify initial receipt of or a change in the amount of unearned income received. Such evidence includes but is not limited to: pay stubs, letters of award or benefits (such as unemployment, disability, or Social Security), statements showing interest income, dividend income, tax return showing the amount of EIC received, etc. Documents and records submitted with the SAWS 2 shall be promptly returned to the recipient; and
- (SAR) (c) The address along with other information provided on the SAWS 2 shall be sufficient for county administrative purposes, including the ability to locate the recipient; and
- (SAR) (d) Information reported on the SAWS 2 must be consistent with other information which the county has verified to be accurate; and
- (SAR) (e) The SAWS 2 shall be signed under penalty of perjury by each natural or adoptive parent or aided spouse of a parent or other caretaker relative living in the home, unless an individual so specified is temporarily absent from the home (see Section 82-812); and
- (SAR) (f) The redetermination interview has been completed; and
- (SAR) (g) The SAWS 2 shall include the SAR 22 (Sponsors Statement of Facts, Income and Resources) when the recipient is a sponsored noncitizen.

(SAR) (h) The SAWS 2 shall include the SAR 23 (Senior Parent Statement of Facts) when a minor parent lives with his/her senior parent (see Section 89-201.5).

~~.215~~ .218 If the recipient is receiving or is potentially eligible to receive unconditionally available income, including but not limited to Old Age, Survivors, and Disability Insurance (OASDI) or benefits available to veterans of military service, it shall not be necessary to initiate a verification or referral procedure unless circumstances indicate a change in the recipient's eligibility for the benefit.

~~.216~~ .219 If, during a redetermination, the county determines that a recipient is no longer exempt from cooperation requirements, the county shall enforce those requirements.

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(a-) See Section 82-510, Cooperation Requirements

~~.22~~ Section 40-181.22(MR) shall become inoperative and Section 40-181.22(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.22(QR) shall become inoperative and Section 40-181.22(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(MR) ~~AFDC recipients other than AFDC FC shall, in addition to the annual completion of the CA 2, complete and return the CA 7 to the County Welfare Department (CWD) by the 5th calendar day of each report month but not before the first calendar day of that month. CA 7s not received by the 11th of the month shall be considered late.~~

(QR) CalWORKs recipients shall, in addition to the annual completion of the SAWS 2, complete and return the QR 7 to the county by the 5th calendar day of each QR Submit Month but not before the first calendar day of that month. QR 7s not received by the 11th of the QR Submit Month shall be considered late.

(SAR) CalWORKs recipients shall, in addition to the annual completion of the SAWS 2, complete and return a SAR 7 to the county by the 5th calendar day of the SAR Submit Month in which a redetermination is not due, but not before the first calendar day of that month. SAR 7s not received by the 11th of the SAR Submit Month shall be considered late.

~~.221~~ Section 40-181.221(MR) shall become inoperative and Section 40-181.221(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.221(QR) shall become inoperative and Section 40-181.221(SAR) shall

become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR)~~ ~~Late CA 7s~~

(QR) Late QR 7s

(SAR) Late SAR 7s

(a) ~~Section 40-181.221(a)(MR) shall become inoperative and Section 40-181.221(a)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.221(a)(QR) shall become inoperative and Section 40-181.221(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~ Section 40-181.221(a)(QR) shall become inoperative and Section 40-181.221(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR)~~ ~~When the CA 7 is not received by the eleventh day of the report month or the CA 7 is received but is not complete in accordance with the completeness criteria specified in Section 40-181.241(MR), the CWD shall send the appropriate discontinuance notice.~~

(QR) When the QR 7 is not received by the 11th day of the QR Submit Month or the QR 7 is received but is not complete in accordance with the completeness criteria specified in Section 40-181.241(QR), the county shall send the appropriate discontinuance notice.

(SAR) When the SAR 7 is not received by the 11th day of the SAR Submit Month or the SAR 7 is received but is not complete in accordance with the completeness criteria specified in Section 40-181.241(SAR), the county shall send the appropriate discontinuance notice.

(b) ~~Section 40-181.221(b)(MR) shall become inoperative and Section 40-181.221(b)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.221(b)(QR) shall become inoperative and Section 40-181.221(b)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~ Section 40-181.221(b)(QR) shall become inoperative and Section 40-181.221(b)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR)~~ ~~When a CA 7 has not been received at the CWD after the notice of discontinuance has been sent, the CWD shall attempt to make a personal contact with the recipient either by telephone or in a face to face meeting. During the personal contact the CWD shall remind the recipient that a complete CA 7 must be received by the CWD no later than the first working day of the payment month.~~

(QR) When a QR 7 has not been received at the county after the notice of discontinuance has been sent, the county shall attempt to make a personal contact with the recipient either by telephone or in a face-to-face meeting. During the personal contact the county shall remind the recipient that a complete QR 7 must be received by the county no later than the first working day of the next QR Payment Quarter.

(SAR) When a SAR 7 has not been received at the county after the notice of discontinuance has been sent, the county shall attempt to make a personal contact with the recipient either by telephone or in a face-to-face meeting. During the personal contact the county shall remind the recipient that a complete SAR 7 must be received by the county no later than the end of the first working day of the next SAR Payment Period.

(1) When the recipient cannot be personally contacted, a written reminder notice, which shall include language specified by SCDSS, shall be mailed no later than five days prior to the last calendar day of the report month. Under no circumstances shall the reminder notice be mailed in the same envelope as the discontinuance notice required in Section 40-181.221(a).
(Continued)

(d) ~~Section 40-181.221(d)(MR) shall become inoperative and Section 40-181.221(d)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-181.221(d)(QR) shall become inoperative and Section 40-181.221(d)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) If the recipient contacts the welfare office on the first working day of the payment month to report nonreceipt of his or her warrant, the CWD shall inform the recipient of a pending discontinuance due to nonreceipt of a complete CA 7 and shall inform him/her that the discontinuance will be rescinded if a complete CA 7 is received by the end of that day.~~

(QR) If the recipient contacts the county on the first working day of the QR Payment Quarter to report nonreceipt of his or her warrant, the county shall inform the recipient of a pending discontinuance due to nonreceipt of a complete QR 7 and shall inform him/her that the discontinuance will be rescinded if a complete QR 7 is received by the end of that day.

(SAR) If the recipient contacts the county on the first working day of the SAR Payment Period to report nonreceipt of his or her benefits, the county shall inform the recipient of a pending discontinuance due to nonreceipt

of a complete SAR 7 and shall inform him/her that the discontinuance will be rescinded if a complete SAR 7 is received by the end of that day.

(e) Section 40-181.221(e)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(SAR) If the recipient turns in an incomplete SAR 7 to the county on or before the first working day of the next SAR Payment Period, the county shall attempt to make a personal contact with the recipient, either by phone or by mail, to inform them that their SAR 7 is still not complete and that the discontinuance still stands.

~~(ef) Section 40-181.221(e)(MR) shall become inoperative and Section 40-181.221(e)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.221(f)(QR) shall become inoperative and Section 40-181.221(f)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) The CWD shall not take action to notify the Child Support Enforcement Unit of the District Attorney's Office of any affected employment or training program of a CA 7 related discontinuance until after the first working day of the payment month.~~

(QR) The county shall not take action to notify the Local Child Support Agency or any affected employment or training program of a QR 7 related discontinuance until after the first working day of the next QR Payment Quarter.

(SAR) The county shall not take action to notify the Local Child Support Agency or any affected employment or training program of a SAR 7 related discontinuance until after the first working day of the next SAR Payment Period.

.222 Section 40-181.222(QR) shall become inoperative and Section 40-181.222(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Processing Late CA QR 7s

(SAR) Processing Late SAR 7s

~~(a) Section 40-181.222(a)(MR) et seq. shall become inoperative and Section 40-181.222(a)(QR) et seq. shall become operative in a county on the date~~

QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.222(a)(QR) et seq. shall become inoperative and Section 40-181.222(a)(SAR) et seq. shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(MR) If a complete CA 7 is received after the eleventh but on or before the first working day of the payment month, the CWD shall:

(MR) (1) Rescind the discontinuance action; and

(MR) (2) Determine eligibility based on the information reported on the CA 7; and

(3) Repealed by Manual Letter No. EAS-98-03, effective 7/1/98.

(QR) If a complete QR 7 is received after the 11th but on or before the first working day of the next QR Payment Quarter, the county shall:

(QR) (1) Rescind the discontinuance action; and

(QR) (2) Determine eligibility based on the information reported on the QR 7.

(SAR) If a complete SAR 7 is received after the 11th but on or before the first working day of the next SAR Payment Period, the county shall:

(SAR) (1) Rescind the discontinuance action; and

(SAR) (2) Determine eligibility based on the information reported on the SAR 7.

(b) (Continued)

(c) Section 40-181.222(c)(QR) shall become inoperative and Section 40-181.222(c)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) If a complete QR 7 is received after the first working day of the next QR Payment Quarter, but during the month following discontinuance for non-submittal of a complete QR 7, eligibility and benefits shall be determined as described in Section 40-125.943(QR).

(SAR) If a complete SAR 7 is received after the first working day of the next SAR Payment Period, but during the month following discontinuance for

non-submittal of a complete SAR 7, eligibility and benefits shall be determined as described in Section 40-125.943(SAR).

~~.223 Section 40-181.223(MR) shall become inoperative and Section 40-181.223(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.223(QR) shall become inoperative and Section 40-181.223(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) In reunification cases, as defined in Section 80-301(r)(4), the parents are not required to submit a monthly eligibility report as long as the reunification plan remains in place.~~

~~(QR) In reunification cases, as defined in Section 80-301(r)(4), the parents are not required to submit a quarterly eligibility report as long as the reunification plan remains in place.~~

~~(SAR) In family reunification cases, as defined in Section 80-301(r)(4), the parents are not required to submit a semi-annual eligibility report as long as the reunification plan remains in place.~~

~~.23 Section 40-181.23(MR) shall become inoperative and Section 40-181.23(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.23(QR) shall become inoperative and Section 40-181.23(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Good Cause Determination for Failure to Submit a Complete CA 7 Timely~~

~~(MR) A recipient may have good cause for not meeting the monthly reporting requirements. Good cause exists only when the recipient cannot reasonably be expected to fulfill his/her reporting responsibilities due to factors outside of his/her control. The burden of proof rests with the recipient.~~

~~(QR) Good Cause Determination for Failure to Submit a Complete QR 7 Timely~~

~~(QR) A recipient may have good cause for not meeting the quarterly reporting requirements. Good cause exists only when the recipient cannot reasonably be expected to fulfill his/her reporting responsibilities due to factors outside of his/her control. The burden of proof rests with the recipient.~~

~~(SAR) Good Cause Determination for Failure to Submit a Complete SAR 7 Timely~~

(SAR) A recipient may have good cause for not meeting the semi-annual reporting requirements. Good cause exists only when the recipient cannot reasonably be expected to fulfill his/her reporting responsibilities due to factors outside of his/her control. The burden of proof rests with the recipient.

~~.231 Section 40-181.231(MR) shall become inoperative and Section 40-181.231(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.231(QR) shall become inoperative and Section 40-181.231(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) A good cause exemption shall only be granted if the request is made by the parent, other caretaker relative, or an authorized representative unless a good cause determination is required in accordance with Section 40-125.94(MR) (Requests for Restoration in the Calendar Month Following a CA 7 Discontinuance).~~

(QR) A good cause exemption shall only be granted if the request is made by the parent, other caretaker relative, or an authorized representative unless a good cause determination is required in accordance with Section 40-125.94(QR) (Restoration in the Calendar Month Following a QR 7 Discontinuance).

(SAR) A good cause exemption shall only be granted if the request is made by the parent, other caretaker relative, or an authorized representative unless a good cause determination is required in accordance with Section 40-125.94(SAR) (Restoration in the Calendar Month Following a SAR 7 Discontinuance).

~~(a) Section 40-181.231(a)(MR) shall become inoperative and Section 40-181.231(a)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.231(a)(QR) shall become inoperative and Section 40-181.231(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) A request is defined as any clear expression to the CWD, whether verbal or written, that the recipient wants an opportunity to present his/her explanation for not meeting the monthly reporting requirements. A request for State Hearing also may be considered a request for good cause determination when the issue to be heard specifically relates to Section 40-181.22(MR).~~

(QR) A request is defined as any clear expression to the county, whether verbal or written, that the recipient wants an opportunity to present his/her explanation for not meeting the quarterly reporting requirements. A

request for a State Hearing also may be considered a request for good cause determination when the issue to be heard specifically relates to Section 40-181.22(QR).

(SAR) A request is defined as any clear expression to the county, whether verbal or written, that the recipient wants an opportunity to present his/her explanation for not meeting the semi-annual reporting requirements. A request for a State Hearing also may be considered a request for good cause determination when the issue to be heard specifically relates to Section 40-181.22(SAR).

.232 (Continued)

~~.24 Section 40-181.24(MR) shall become inoperative and Section 40-181.24(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.24(QR) shall become inoperative and Section 40-181.24(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Criteria for Evaluating Information Reported on the CA 7~~

~~(QR) Criteria for Evaluating Information Reported on the QR 7~~

~~(SAR) Criteria for Evaluating Information Reported on the SAR 7~~

~~.241 Section 40-181.241(MR) shall become inoperative and Section 40-181.241(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.241(QR) shall become inoperative and Section 40-181.241(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) For CalWORKs purposes, a CA 7 is complete when all the following requirements are met:~~

~~(QR) For CalWORKs purposes, a QR 7 is complete when all the following requirements are met:~~

~~(SAR) For CalWORKs purposes, a SAR 7 is complete when all the following requirements are met:~~

~~(a) Section 40-181.241(a)(MR) shall become inoperative and Section 40-181.241(a)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.241(a)(QR) shall become inoperative and~~

Section 40-181.241(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) The date the CA 7 (Rev. 7/87) is signed shall be no earlier than the first day of the report month.~~

(QR) The date the QR 7 is signed shall be no earlier than the first day of the QR Submit Month.

(SAR) The date the SAR 7 is signed shall be no earlier than the first day of the SAR Submit Month.

(1) ~~Section 40-181.241(a)(1)(MR) shall become inoperative and Section 40-181.241(a)(1)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-181.241(a)(1)(QR) shall become inoperative and Section 40-181.241(a)(1)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) This requirement is met when the date entered on the CA 7 by the recipient, together with other dated material provided with the CA 7 and the date on which the CWD mailed or gave the CA 7 to the recipient, clearly establishes that the CA 7 was signed no earlier than the first day of the report month.~~

(QR) This requirement is met when the date entered on the QR 7 by the recipient, together with other dated material provided with the QR 7 and the date on which the county mailed or gave the QR 7 to the recipient, clearly establishes that the QR 7 was signed no earlier than the first day of the QR Submit Month.

(SAR) This requirement is met when the date entered on the SAR 7 by the recipient, together with other dated material provided with the SAR 7 and the date on which the county mailed or gave the SAR 7 to the recipient, clearly establishes that the SAR 7 was signed no earlier than the first day of the SAR Submit Month.

(2) ~~Section 40-181.241(a)(2)(MR) et seq. shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) This requirement does not apply when:~~

- (MR) (A) The first day of the report month falls on a nonpostal delivery day;
 - (MR) (B) The CA 7 is mailed by the CWD for delivery on the last postal delivery day of the budget month; and
 - (MR) (C) The recipient signs and dates the CA 7 on or before the last day of the budget month.
- (b) ~~Section 40-181.241(b)(MR) shall become inoperative and Section 40-181.241(b)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-181.241(b)(QR) shall become inoperative and Section 40-181.241(b)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- (MR) ~~The address along with other information provided on the CA 7 shall be sufficient for county administrative purposes, including the ability to locate the recipient; and~~
 - (QR) The address along with other information provided on the QR 7 shall be sufficient for county administrative purposes, including the ability to locate the recipient; and
 - (SAR) The address along with other information provided on the SAR 7 shall be sufficient for county administrative purposes, including the ability to locate the recipient; and
- (c) ~~Section 40-181.241(c)(MR) shall become inoperative and Section 40-181.241(c)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-181.241(c)(QR) shall become inoperative and Section 40-181.241(c)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- (MR) ~~The CA 7 shall be signed by each natural or adoptive parent or aided spouse of a parent or other caretaker relative living in the home, unless an individual so specified is temporarily absent from the home (see Section 82-812); and~~
 - (QR) The QR 7 shall be signed under penalty of perjury by each natural or adoptive parent or aided spouse of a parent or other caretaker relative living in the home, unless an individual so specified is temporarily absent from the home (see Section 82-812); and

- (SAR) The SAR 7 shall be signed under penalty of perjury by each natural or adoptive parent or aided spouse of a parent or other caretaker relative living in the home, unless an individual so specified is temporarily absent from the home (see Section 82-812); and
- (d) (Reserved)
- (e) ~~Section 40-181.241(e)(MR) shall become inoperative and Section 40-181.241(e)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.241(e)(QR) shall become inoperative and Section 40-181.241(e)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~
- ~~(MR)~~ ~~The response to all questions pertaining to AFDC eligibility and grant amount shall provide the CWD with information sufficient to answer the question. The information provided on the CA 7 together with the submitted evidence must be sufficient for the county to determine eligibility and/or grant amounts. This includes the income and any change in resources of a stepparent living in the home, and any person who is required to apply for aid under Section 40-118 but is excluded from the assistance unit. Reported income shall include earned, unearned, exempt, and nonexempt income receive during the budget month; and~~
- (QR) The response to all questions pertaining to CalWORKs eligibility and grant amount shall provide the county with information sufficient to answer the question. The information provided on the QR 7 together with the submitted evidence must be sufficient for the county to determine eligibility and/or grant amounts. This includes the income and any change in resources of a stepparent living in the home, and any person who is required to apply for aid under Section 40-118 but is excluded from the AU. Reported income shall include earned, unearned, exempt, and nonexempt income received during the QR Data Month and income reasonably anticipated to be received during the next QR Payment Quarter; and
- (SAR) The response to all questions pertaining to CalWORKs eligibility and grant amount shall provide the county with information sufficient to answer the question. The information provided on the SAR 7 together with the submitted evidence must be sufficient for the county to determine eligibility and/or grant amounts. This includes the income and any change in resources of a stepparent living in the home, and any person who is required to apply for aid under Section 40-118 but is

excluded from the AU. Reported income shall include earned, unearned, exempt, and nonexempt income received during the SAR Data Month and any reasonably anticipated changes to this income during the next SAR Payment Period; and

(f) ~~Section 40-181.241(f)(MR) shall become inoperative and Section 40-181.241(f)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 40-181.241(f)(QR) shall become inoperative and Section 40-181.241(f)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) Evidence shall be submitted with the CA 7 to verify the gross amount of all earned income received and the date of receipt. Evidence shall be submitted to verify initial receipt of or a change in the amount of unearned income received. Such evidence includes but is not limited to: pay stubs, letters of award or benefits (such as unemployment, disability, or Social Security), statements showing interest income, dividend income, tax return showing the amount of EIC received, etc. Documents and records submitted with the CA 7 shall be promptly returned to the recipient; and~~

(QR) Evidence shall be submitted with the QR 7 to verify the gross amount of all earned income received and the date of receipt. Evidence shall be submitted to verify initial receipt of or a change in the amount of unearned income received. Such evidence includes but is not limited to: pay stubs, letters of award or benefits (such as unemployment, disability, or Social Security), statements showing interest income, dividend income, tax return showing the amount of EIC received, etc. Documents and records submitted with the QR 7 shall be promptly returned to the recipient; and

(SAR) Evidence shall be submitted with the SAR 7 to verify the gross amount of all earned income received and the date of receipt. Evidence shall be submitted to verify initial receipt of or a change in the amount of unearned income received. Such evidence includes but is not limited to: pay stubs, letters of award or benefits (such as unemployment, disability, or Social Security), statements showing interest income, dividend income, tax return showing the amount of EIC received, etc. Documents and records submitted with the SAR 7 shall be promptly returned to the recipient; and

(g) ~~Section 40-181.241(g)(MR) shall become inoperative and Section 40-181.241(g)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB~~

- Declaration. Section 40-181.241(g)(QR) shall become inoperative and Section 40-181.241(g)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- ~~(MR)~~ Information reported on the CA 7 must be consistent with other information which the county has verified to be accurate; and
 - (QR) Information reported on the QR 7 must be consistent with other information which the county has verified to be accurate; and
 - (SAR) Information reported on the SAR 7 must be consistent with other information which the county has verified to be accurate, including any verified mid-period reports; and
- (h) ~~Section 40-181.241(h)(MR) shall become inoperative and Section 40-181.241(h)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.241(h)(QR) shall become inoperative and Section 40-181.241(h)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~ Section 40-181.241(h)(QR) shall become inoperative and Section 40-181.241(h)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- ~~(MR)~~ The CA 7 shall include form CA 72 (as defined in .25(MR) below) when the recipient is a sponsored alien.
 - (QR) The QR 7 shall include form QR 72 (as defined in Section 40-181.25(QR)) when the recipient is a sponsored alien.
 - (SAR) The SAR 7 shall include form SAR 72 (as defined in Section 40-181.25(SAR)) when the recipient is a sponsored alien.
- (i) ~~Section 40-181.241(i)(MR) shall become inoperative and Section 40-181.241(i)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 40-181.241(i)(QR) shall become inoperative and Section 40-181.241(i)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~ Section 40-181.241(i)(QR) shall become inoperative and Section 40-181.241(i)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- ~~(MR)~~ The Supplemental Monthly Income Report (CA 73) shall be submitted with the CA 7 when a minor parent (see Section 44-133.51) lives with his/her senior parent. The completeness of the CA 73 shall be determined using the criteria for evaluating the completeness of the CA 7.

- (QR) The Senior Parent Quarterly Income Report (QR 73) shall be submitted with the QR 7 when a minor parent lives with his/her senior parent (see Section 89-201.5). The completeness of the QR 73 shall be determined using the criteria for evaluating the completeness of the QR 7.
- (SAR) The Senior Parent Semi-Annual Income Report (SAR 73) shall be submitted with the SAR 7 when a minor parent lives with his/her senior parent (see Section 89-201.5). The completeness of the SAR 73 shall be determined using the criteria for evaluating the completeness of the SAR 7.
- ~~.242 Failure to provide the information or evidence specified in .241(MR) above shall result in the discontinuance of the assistance unit unless otherwise specified in .25(MR) and .26(MR) below. (See Section 40-181.22(MR).)~~
Reserved
- .243 The following information or evidence shall be provided before the appropriate deduction or disregard from earnings is allowed:
- (a) Verification of self-employment expenses (see Section 44-113.212 (MR)).
- ~~.244 Section 40-181.244(MR) shall become inoperative and Section 40-181.244(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.244(QR) shall become inoperative and Section 40-181.244(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~
- ~~(MR) Failure to provide the information or evidence specified in .243 above shall result in the disallowance of the deduction. Failure to provide the information on the form or to provide the evidence shall not, in and of itself, render the CA 7 incomplete as defined in .241(MR) above.~~
- (QR) Failure to provide the information or evidence specified in Section 40-181.243 shall result in the disallowance of the deduction. Failure to provide the information on the form or to provide the evidence shall not, in and of itself, render the QR 7 incomplete as defined in Section 40-181.241(QR).
- (SAR) Failure to provide the information or evidence specified in Section 40-181.243 shall result in the disallowance of the deduction. Failure to provide the information on the form or to provide the evidence shall not, in and of itself, render the SAR 7 incomplete as defined in Section 40-181.241(SAR).
- .25 Sponsored Alien Reporting.

~~Section 40-181.25(MR) shall become inoperative and Section 40-181.25(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.25(QR) shall become inoperative and Section 40-181.25(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) In addition to the Monthly Eligibility Report (CA 7), the recipient who is a sponsored alien as defined in Section 43-119 shall report the income and resources of the sponsor.~~

~~(QR) In addition to the Quarterly Eligibility Report (QR 7), the recipient who is a sponsored alien as defined in Section 43-119 shall report the income and resources of the sponsor.~~

~~(SAR) In addition to the Semi-Annual Eligibility Report (SAR 7), the recipient who is a sponsored alien as defined in Section 43-119 shall report the income and resources of the sponsor.~~

~~.251 Section 40-181.251(MR) shall become inoperative and Section 40-181.251(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.251(QR) shall become inoperative and Section 40-181.251(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

Reporting of the sponsor's income and resources.

~~(MR) The recipient shall submit a completed Sponsors Monthly Income and Resources Report (CA 72) to the CWD. The recipient is responsible for obtaining all information necessary to complete the CA 72 and for obtaining any cooperation necessary from the sponsor.~~

~~(QR) The recipient shall submit a completed Sponsors Quarterly Income and Resources Report (QR 72) to the county. The recipient is responsible for obtaining all information necessary to complete the QR 72 and for obtaining any cooperation necessary from the sponsor.~~

~~(SAR) The recipient shall submit a completed Sponsors Semi-Annual Income and Resources Report (SAR 72) to the county. The recipient is responsible for obtaining all information necessary to complete the SAR 72 and for obtaining any cooperation necessary from the sponsor.~~

~~.252 Section 40-181.252(MR) shall become inoperative and Section 40-181.252(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-~~

181.252(QR) shall become inoperative and Section 40-181.252(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR)~~ The CA 72 shall be due by the 5th calendar day of each month but not before the first calendar day of the report month. When the CWD has not received the completed CA 72 by the 11th calendar day of the report month, the recipient has not met the requirement for returning a complete CA 7. See Section 40-181.22(MR). The CA 72 shall be considered complete if all the following requirements are met:

(QR) The QR 72 shall be due by the 5th calendar day of the QR Submit Month but not before the first calendar day of the next QR Payment Quarter. When the county has not received the completed QR 72 by the 11th calendar day of the QR Submit Month, the recipient has not met the requirement for returning a complete QR 7. See Section 40-181.22(QR). The QR 72 shall be considered complete if all the following requirements are met:

(SAR) The SAR 72 shall be due by the 5th calendar day of the SAR Submit Month but not before the first calendar day of the next SAR Submit Month. When the county has not received the completed SAR 72 by the 11th calendar day of the SAR Submit Month, the recipient has not met the requirement for returning a complete SAR 7. See Section 40-181.22(SAR). The SAR 72 shall be considered complete if all the following requirements are met:

~~(a) Section 40-181.252(a)(MR) shall become inoperative and Section 40-181.252(a)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.252(a)(QR) shall become inoperative and Section 40-181.252(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Dated no earlier than the first day of the report month; and~~

(QR) Dated no earlier than the first day of the QR Submit Month; and

(SAR) Dated no earlier than the first day of the SAR Submit Month; and

(b) (Continued)

~~(f) Section 40-181.252(f)(MR) shall become inoperative and Section 40-181.252(f)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.252(f)(QR) shall become inoperative and Section 40-181.252(f)(SAR) shall become operative in a county on the date SAR~~

becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) Evidence shall be submitted with the CA 72 to establish the gross amount of income received by the sponsor, and the date of receipt. See Section 40-181.241(f)(MR) for examples of acceptable evidence.~~

(QR) Evidence shall be submitted with the QR 72 to establish the gross amount of income received by the sponsor, and the date of receipt. See Section 40-181.241(f)(QR) for examples of acceptable evidence.

(SAR) Evidence shall be submitted with the SAR 72 to establish the gross amount of income received by the sponsor, and the date of receipt. See Section 40-181.241(f)(SAR) for examples of acceptable evidence.

~~.253 Section 40-181.253(MR) shall become inoperative and Section 40-181.253(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.253(QR) shall become inoperative and Section 40-181.253(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) A complete CA 7 includes form CA 72 (as defined in .251(MR) above) when a member of the FBU is a sponsored alien. The failure to provide a completed CA 72 on or before the 1st calendar day of the payment month shall result in discontinuance for those members of the FBU who are sponsored aliens.~~

(QR) A complete QR 7 includes form QR 72 (as defined in Section 40-181.251 (QR)) when a member of the AU is a sponsored alien. The failure to provide a completed QR 72 on or before the 1st calendar day of the next QR Payment Quarter shall result in discontinuance for those members of the AU who are sponsored aliens.

(SAR) A complete SAR 7 includes form SAR 72 (as defined in Section 40-181.251(SAR)) when a member of the AU is a sponsored alien. The failure to provide a completed SAR 72 on or before the 1st calendar day of the next SAR Payment Period shall result in discontinuance for those members of the AU who are sponsored aliens.

~~.26 Section 40-181.26(MR) shall become inoperative and Section 40-181.26(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.26(QR) shall become inoperative and Section 40-181.26(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

- ~~(MR)~~ Failure to report or verify the receipt of a child/spousal support disregard payment issued under Section 43-203.11 will not result in an incomplete CA 7 nor in termination of aid.
- (QR) Failure to report or verify the receipt of a child/spousal support disregard payment issued under Section 82-520.2 will not result in an incomplete QR 7 nor in termination of aid.
- (SAR) Failure to report or verify the receipt of a child/spousal support disregard payment issued under Section 82-520.2 will not result in an incomplete SAR 7 nor in termination of aid.

.3 Methods of Periodic Determination of Eligibility

- .31 Regulations governing the method of the initial determination also govern all continuing and periodic determinations. (See Sections 40-157 and 40-161.)
 - .311 Annual redeterminations, using the ~~CA SAWS 2~~ form, shall include an interview with the parent or person responsible for the child. Where the parent is institutionalized, the interview should be conducted with the person having the responsibility for care and control of the child. This interview shall include a discussion of the recipient's responsibility to cooperate in a quality control review [see Section 40-131.3 (q)].
 - .312 ~~Section 40-181.312(MR) shall become inoperative and Section 40-181.312(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.312(QR) shall become inoperative and Section 40-181.312(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~
- ~~(MR)~~ ~~Monthly redeterminations using the CA 7 form, or special nonscheduled investigations conducted by the county, may include an interview with the parent or person responsible for the child.~~
- (QR) Quarterly redeterminations using the QR 7 form, or special nonscheduled investigations conducted by the county, may include an interview with the parent or person responsible for the child.
- (SAR) Semi-Annual redeterminations using the SAR 7 form, or special nonscheduled investigations conducted by the county, may include an interview with the parent or person responsible for the child.
- .32 ~~Section 40-181.32(MR) shall become inoperative and Section 40-181.32(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-181.32(QR) shall become~~

inoperative and Section 40-181.32(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) The recipient's statements or the statements of his/her guardian or any other person acting for him/her and completing the appropriate Statement of Facts and CA 7(s), together with information obtained from all other sources, shall be assessed in the light of facts previously known and in relation to potentials for change in eligibility status or amount of grant.~~

(QR) The recipient's statements or the statements of his/her guardian or any other person acting for him/her and completing the appropriate Statement of Facts and QR 7(s), together with information obtained from all other sources, shall be assessed in the light of facts previously known and in relation to potentials for change in eligibility status or amount of grant.

(SAR) The recipient's statements or the statements of his/her guardian or any other person acting for him/her and completing the appropriate Statement of Facts and SAR 7(s), together with information obtained from all other sources, shall be assessed in the light of facts previously known and in relation to potentials for change in eligibility status or amount of grant.

.33 (Continued)

.5 Determination of Eligibility During Absence From the State, County or Country (Continued)

.52 Except for children receiving Kin-GAP, when a periodic determination of eligibility is due during a recipient's temporary absence from the state or county, the Statement of Facts (~~CA SAWS~~ 2) shall be sent to a welfare agency in the locality. Such agency shall be requested to interview the recipient, secure the signed ~~CA SAWS~~ 2 and return it with a report on the recipient's plan regarding his/her living arrangements, current needs and income, if he/she is out of state. (Continued)

Authority cited: Sections 10553, 10554, 10604, 11203, 11265.1, 11369, and 18904, Welfare and Institutions Code.

Reference: 42 U.S.C. 616(b) and (f); 45 CFR 233.28 and 233.29(c); and 45 CFR 235.112(b); 7 CFR 273.16(b); Sections 10063, 10553, 10554, 10604, 11008, 11203, 11253.5, 11254, 11265, 11265.1, 11265.2, 11265.3, 11265.8, 11280, 11450.12, 11451.5, 11486, and 11495.1, Welfare and Institutions Code; ~~Section 37 of AB 444 (Chapter 1022, Statutes of 2002)~~; and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193); California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 40-188 to read:

40-188 TRANSFER PROCEDURE

40-188

.1 First County

The first county shall: (Continued)

.13 Provide Documentation

Provide the second county within seven working days from the date that the first county notifies the second county of a case transfer (per Section 40-188.11), with copies of the most recent:

.131 CalWORKs

~~CA-1/SAWS 1 (Application for Cash Aid, Food Stamps~~ CalFresh and/or Medical Assistance). (Continued)

.14 Determine Eligibility

~~Section 40-188.14(MR) shall become inoperative and Section 40-188.14(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's Declaration. Section 40-188.14(QR) shall become inoperative and Section 40-188.14(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR)~~

~~Determine continuing eligibility and amount of cash aid from the Monthly Eligibility Report due during the transfer period.~~

(QR)

Determine continuing eligibility and amount of cash aid from the most recent Quarterly Eligibility Report due during the transfer period. Once eligibility is determined, cash aid shall continue until the end of the QR Payment Quarter in which the transfer period ends.

(SAR)

Determine continuing eligibility and amount of cash aid from the most recent Semi-Annual Eligibility Report (SAR 7 or SAWS 2) due during the transfer period. Once eligibility is determined, cash aid shall continue until the end of the SAR Payment Period in which the transfer period ends.

Authority cited: Sections 10553, 10554, 10605, 11052.6, 11053, 11102, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 10605, and 11265.1, Welfare and Institutions Code; and Nickols v. Saenz Court Order Case Number 310867; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 40-190 to read:

40-190 COUNTY RESPONSIBILITY (Continued) 40-190

.2 Payment Responsibility There shall be no interruption nor overlap in payment of aid when a recipient moves from one county to another county.

.21 Section 40-190.21(QR) shall become inoperative and Section 40-190.21(SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's~~ County's SAR Declaration.

(QR) Quarterly Reporting Cycle The second county shall establish the recipient's quarterly reporting cycle which may differ from the first county's quarterly reporting cycle.

(SAR) Semi-Annual Reporting Cycle The second county shall establish the recipient's semi-annual reporting cycle which may differ from the first county's semi-annual reporting cycle, but must remain aligned with the CalFresh recertification date.

.22 General Rule (Continued)

Authority cited: Sections 10553, 10554, 10604, 11053, 11102, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 10604, 11004, and 11265.1, Welfare and Institutions Code; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 41-405 to read:

41-405 TERMINATION OF DEPRIVATION 41-405

.1 When a basis for deprivation ceases, and the family remains in need, the county shall determine if any other basis for deprivation exists.

.11 Section 41-405.11(QR) shall become inoperative and Section 41-405.11(SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) When a basis for deprivation ceases mid-quarter, the county shall not take mid-quarter action based on changes in deprivation. Any change in deprivation shall be reported on the QR 7 and any change in eligibility or grant amount that results from the change in deprivation shall be effective the first day of the next QR Payment Quarter.

(SAR) When a basis for deprivation ceases mid-period, the county shall not take mid-period action based on changes in deprivation. Any change in deprivation shall be reported on the SAR 7 or the SAWS 2 and any change in eligibility or grant amount that results from the change in deprivation shall be effective the first day of the next SAR Payment Period.

~~.2 Section 41-405.2(MR) et seq. shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) Assistance shall be continued, if the family is in need, for a readjustment period not to exceed three calendar months when:~~

~~(MR) .21 Deprivation, which is due to relinquishment, incapacity or absence, ceases, or~~

~~(MR) .22 Deprivation changes to deprivation due to separation or desertion of a parent.~~

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~~(MR) The purpose of the readjustment period is to enable aid and service to be provided in order to help the family to become reestablished and to eliminate or minimize situations that will cause the family to have need for further public assistance.~~

HANDBOOK ENDS HERE

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

Reference: Sections 11265.2 and 11450.5, Welfare and Institutions Code.

Amend Section 42-209 to read:

42-209 DIFFERENTIATION OF PROPERTY AND INCOME (Continued) 42-209

.2 Section 42-209.2(QR) shall become inoperative and Section 42-209.2(SAR) shall become operative in a county on the date ~~QR/PB SAR~~ becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) Under QR/PB, nonrecurring lump sum payments, which are not recurring regular income and usually nonrecurring in regard to amount and/or source, shall be treated as property in the month of receipt and any subsequent months.

(SAR) Under SAR, nonrecurring lump sum payments, which are not recurring regular income and usually nonrecurring in regard to amount and/or source, shall be treated as property in the month of receipt and any subsequent months.

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

Reference: Sections 11265.1, 11265.2, 11265.3, and 11450.5, Welfare and Institutions Code.

Amend Section 42-213 to read:

42-213 PROPERTY ITEMS TO BE EXCLUDED IN EVALUATING PROPERTY 42-213
WHICH MAY BE RETAINED

.1 Real Property to Be Excluded

.11 The following items are to be excluded in evaluating real property: (Continued)

- (h) ~~Section 42-213.11(h)(MR) shall become inoperative and Sections 42-213.11(h)(QR) and (h)(1)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

- (MR) ~~The separate and community shares of real property of the absent parent which are unavailable to the CalWORKs family or child (i.e., the family or child does not have possession or control of the property so that the property may be used to meet current needs). Such unavailable property is to be excluded in cases where the child is living apart from his/her parent or parents. The exclusion applies to a child in foster care regardless of whether his/her parents are maintaining a home together.~~

- (MR) ~~An availability determination of the separate community shares of real property of an absent parent must be made by the county as part of the initial eligibility determination. After the initial eligibility determination, the county only needs to make another availability determination when the county receives information that there has been a change.~~

- (QR) ~~The separate and community shares of real property of the absent parent which are unavailable to the CalWORKs family or child (i.e., the family or child does not have possession or control of the property so that the property may be used to meet current needs). Such unavailable property is to be excluded in cases where the child is living apart from his/her parent or parents. The exclusion applies to a child in foster care regardless of whether his/her parents are maintaining a home together.~~

- (1) Section 42-213.11(h)(1)(QR) shall become inoperative and Section 42-213.11(h)(1)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

- (QR) (4) An availability determination of the separate community shares of real property of an absent parent must be made by the county as part of the initial eligibility determination. After the initial eligibility determination,

the county shall only make a determination when the county receives information on the QR 7 that there has been a change.

(SAR) An availability determination of the separate community shares of real property of an absent parent must be made by the county as part of the initial eligibility determination. After the initial eligibility determination, the county shall only make a determination when the county receives information on the SAR 7 or SAWS 2 that there has been a change. If the county receives a voluntary mid-period report of such a change, this information will only be reevaluated when the following semi-annual report is processed.

(i) (Continued)

.12 Real property, not otherwise excluded, that the assistance unit is making a good faith effort to sell may be exempt from consideration in the resource limit described in Section 42-207 for a period of no more than nine consecutive months. Any six-month period, which was the maximum period permitted by these regulations as they were effective prior to January 1, 1987, ending on or after December 31, 1986 may be extended to nine months at the recipient's request. (Continued)

.127 Section 42-213.127(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(SAR) If the nine month exemption period ends in the middle of a SAR Payment Period, and the property has not sold, the county must take mid-period action to discontinue the AU at the end of the month in which the exemption period ended, with timely and adequate notice (see Section 44-316.331(t)(SAR)).

.2 Personal Property and Vehicles to Be Excluded: The county shall determine personal property items and vehicles to be excluded in evaluating property in accordance with methods established under the ~~Food Stamp~~ CalFresh Program (see ~~Food Stamp~~ CalFresh regulations at Manual of Policies and Procedures Sections 63-501.3, .52, and .53) except as noted below. (Continued)

.23 Restricted accounts shall be excluded for CalWORKs recipients.

.231 Restricted Accounts (Continued)

(l) Applying the Period of Ineligibility

~~Section 42-213.231(l)(MR) shall become inoperative and Section 42-213.231(l)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 42-213.231(l)(QR) shall become inoperative and Section 42-213.231(l)(SAR) shall become operative in a county on the

date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

- ~~(MR)~~ ~~When the county determines that a period of ineligibility is applicable, the period of ineligibility shall begin on the first day of the month following the nonqualifying withdrawal.~~
- (QR) When the county determines that a period of ineligibility is applicable, the period of ineligibility shall begin on the first day of the month of the next QR Payment Quarter following the reported nonqualifying withdrawal on the QR 7 and continue for the determined number of months.
- (SAR) When the county determines that a period of ineligibility is applicable, the period of ineligibility shall begin on the first day of the month of the next SAR Payment Period following the reported nonqualifying withdrawal on the SAR 7 or SAWS 2 and continue for the determined number of months.

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(m) Examples

Handbook Section 42-213.231(m)(QR) examples 1 and 2 shall become inoperative and Section 42-213.231(m)(SAR) examples 1 and 2 shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(1) Example 1:

(QR) An AU of three is in an April/May/June Quarter.

Bank balance prior to May withdrawal:	\$5,000
Amount withdrawn from account:	\$4,500
Amount used to purchase home:	\$3,000
Amount used to buy furniture:	\$1,500

(SAR) An AU of three is in a January through June SAR Period.

<u>Bank balance prior to May withdrawal:</u>	<u>\$5,000</u>
<u>Amount withdrawn from account:</u>	<u>\$4,500</u>
<u>Amount used to purchase home:</u>	<u>\$3,000</u>
<u>Amount used to buy furniture:</u>	<u>\$1,500</u>

(A) (Continued)

Example 2:

(QR) An AU of three is in the April/May/June Quarter and has the following property:

\$ 100	checking account
+1000	restricted account
<u>+ 800</u>	savings account
\$ 1900	Total

(SAR) An AU of three is in a January through June SAR Period and has the following property:

<u>\$ 100</u>	<u>checking account</u>
<u>+1000</u>	<u>restricted account</u>
<u>+ 800</u>	<u>savings account</u>
<u>\$ 1900</u>	<u>Total</u>

(A) (Continued)

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(n) Shortening The Period of Ineligibility

The county shall shorten the period of ineligibility when the AU reapplies for aid and the standard of need increases. (Continued)

.4 The home which was the usual home of an applicant/recipient who has entered into marital separation shall be treated as follows:

.41 The usual home shall be exempt in determining an applicant's eligibility for CalWORKs and for three months following the end of the month in which aid begins. (Continued)

.411 Section 42-213.411(QR) shall become inoperative and Section 42-213.411(SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) If the exemption period ends mid-quarter, the county shall not act on the information during the QR Payment Quarter. The usual home shall be used to determine eligibility for the QR Payment Quarter following the QR Payment Quarter in which the exemption period ended.

(SAR) If the exemption period ends mid-period, the county shall not act on the information during the SAR Payment Period. The usual home shall be used to

determine eligibility for the SAR Payment Period following the SAR Payment Period in which the exemption period ended.

.42 The usual home shall be exempt in evaluating a recipient's retained property during the month of separation and for three months following the end of the month in which the separation occurs.

.421 Section 42-213.421(QR) shall become inoperative and Section 42-213.421(SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) If the exemption period ends mid-quarter, the county shall not act on the information during the QR Payment Quarter. The usual home shall be used to determine eligibility for the QR Payment Quarter following the QR Payment Quarter in which the exemption period ended.

(SAR) If the exemption period ends mid-period, the county shall not act on the information during the SAR Payment Period. The usual home shall be used to determine eligibility for the SAR Payment Period following the SAR Payment Period in which the exemption period ended.

.43 (Continued)

Authority cited: Sections 10553, 10554, 10604, and 11155.2, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 11155, 11155.2, 11155.5, 11257, 11257.5, 11265.1, 11265.2, 11450, and 11450.5, Welfare and Institutions Code; Sidwell v. McMahon, United States District Court (E.D. Cal.) May 7, 1990, civil no. S-89-0445; Public Laws 97-458, 98-64, and 103-286; and Federal Action Transmittal 91-23, 45 CFR 233.20(a)(3)(i)(B) ; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

Amend Section 42-221 to read:

42-221 TRANSFER OF PROPERTY OR INCOME

42-221

~~.1 Section 42-221.1(MR) shall become inoperative and Section 42-221.1(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) The receipt of aid shall not limit or restrict a recipient's right to give, receive, sell, exchange, or change the form of property or income holdings. A period of ineligibility (POI) shall result when a recipient AU gives away or transfers, for less than fair market value (FMV), nonexcluded income or property that would cause the AU to exceed its eligibility for benefits. (See Section 42-207 for property limits.)~~

~~(QR) The receipt of aid shall not limit or restrict a recipient's right to give, receive, sell, exchange, or change the form of property. A period of ineligibility (POI) shall result when a recipient AU gives away or transfers, for less than fair market value (FMV), nonexcluded property (including cash) that would cause the AU to exceed its eligibility for cash aid. (See Section 42-207 for property limits.) (Continued)~~

.4 Income

~~Section 42-221.4(MR) shall become inoperative and Section 42-221.4(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) A POI shall result when, in the month of receipt, a recipient gives away or transfers, for less than FMV, nonexempt, nonrecurring income that would cause the AU to be ineligible for a cash aid payment. A transfer for less than FMV results when a recipient uses nonexempt, nonrecurring income to purchase a product or service with an FMV less than the money transferred. (See Section 44-315 for amount of aid.)~~

~~(QR) Nonrecurring lump sum income/payments shall be treated as property and shall be subject to any application of POI rules for a transfer of property for less than FMV.~~

~~.41 Section 42-221.41(MR) et seq. shall become inoperative and Section 42-221.41(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) Income is considered nonrecurring for purposes of the transfer of POI Income rules if all the following apply:~~

~~(QR) Income is considered nonrecurring if all of the following apply: (Continued)~~

~~.42 Section 42-221.42(MR) et seq. shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) The POI shall be computed based on the amount of net nonexempt income (NNI) given away or transferred for less than FMV that would have made the AU ineligible for a cash aid payment. The county shall determine the POI as follows:~~

~~(MR) .421 The amount of the nonexempt income given away or transferred is combined with all other nonexempt income to determine the NNI. (See Section 44-315 for amount of aid.) Subtract the MAP from the NNI;~~

~~(MR) .422 Take the amount transferred, and subtract from it the value of anything received from the transfer.~~

~~(MR) .423 Compare the amount calculated in Section 42-221.421(MR) with the amount calculated in Section 42-221.422(MR) and determine the lesser of the two amounts;~~

~~(MR) .424 Divide the lesser of the two amounts in Section 42-221.423(MR) by the MBSAC for the AU, and~~

~~(MR) .425 Round the resulting figure down to the nearest whole number to determine the number of months in the POI.~~

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~~.5 Section 42-221.5(MR) et seq. shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) Example: While on aid, a recipient AU of four persons receives disability-based unearned income (DUI) in the amount of \$3,005. The recipient gives \$2,000 to a relative. The AU has \$800 per month in gross earned income.~~

~~(MR) .51 Computation Factors:~~

\$3,005	DUI
<u>—225</u>	Income Disregard
\$2,780	Net DUI
 	
—\$800	Earned Income
<u>—400</u>	50% Earned Income Disregard
—400	Nonexempt Earned Income
 	
\$2,780	Net DUI
<u>+400</u>	Nonexempt Earned Income
\$3,180	NNI

\$3,180	NNI
—728	MAP for four (Region 1)
\$2,452	Adjusted NNI

\$2,000	Amount of income transferred
—0	Amount received from the transfer
\$2,000	Difference

\$2,452	Adjusted NNI
\$2,000	Difference between the amount transferred and the value of anything received from the transfer (lesser of the two)

~~\$2,000 divided by \$920 (MBSAC for four, Region 1) = 2.17 months~~

~~POI = 2 months (rounded down from 2.17 months)~~

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.65 Applying the Period of Ineligibility (POI)

~~.651 Section 42-221.61(MR) shall become inoperative and Section 42-221.61(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) When the family has transferred property or income which results in a POI, the POI begins as follows:~~

~~(QR) When the family has transferred property which results in a POI, cash aid shall be discontinued and the POI shall begins as follows:~~

~~.611 Section 42-221.611(MR) shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) When the period of ineligibility is one month, the POI shall begin in the payment month and aid shall be suspended.~~

~~.612 Section 42-221.612(MR) shall become inoperative in a county and Section 42-221.612(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) When the POI is two months or more, aid shall be discontinued and the POI shall begin in:~~

~~(QR)~~ When a POI has been determined, cash aid shall be discontinued and the POI shall begin in:

~~(a)~~ Sections ~~42-221.612(a)(MR)~~ shall become inoperative and Section ~~42-221.612(a)(QR)~~ shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 42-221.51(a)(QR) shall become inoperative and Section 42-221.51(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR)~~ The month following the transfer when the county has taken appropriate action to avoid or minimize an overpayment for that month. Any aid received by the family unit during that month is an overpayment.

OR:

~~(QR)~~ The first month of the next QR Payment Quarter following the transfer and shall continue for the determined number of months of ineligibility. Any aid received by the AU during the ineligible months of the quarter is an overpayment.

~~(SAR)~~ The first month of the next SAR Payment Period following the transfer and shall continue for the determined number of months of ineligibility. Any aid received by the AU during the ineligible months of the SAR Period is an overpayment.

~~(b)~~ Section ~~42-221.612(b)(MR)~~ shall become inoperative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.

~~(MR)~~ The payment month.

~~.613 (b)~~ Section ~~42-221.613(MR)~~ shall become inoperative and Section ~~42-221.613(QR)~~ shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 42-221.51(b)(QR) shall become inoperative and Section 42-221.51(b)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR)~~ When the transfer is discovered too late to suspend or discontinue for the corresponding payment month, the POI shall begin in that corresponding payment month and any aid payments received during the POI are overpayments.

(QR) When the transfer is discovered too late to discontinue for the first month of the QR Payment Quarter, the POI shall begin the first of a month within that QR Payment Quarter after timely and adequate notice is given. Any aid received by the AU during the ineligible month(s) of the current quarter is an overpayment.

(SAR) When the transfer is discovered too late to discontinue for the first month of the SAR Payment Period, the POI shall begin the first of a month within that SAR Payment Period after timely and adequate notice is given. Any aid received by the AU during the ineligible month(s) of the current SAR Payment Period is an overpayment.

~~.614 (c) Section 42-221.614(MR) shall become inoperative and Section 42-221.614(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 42-221.51(c)(QR) shall become inoperative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) When the transfer is in the first or second month of aid, any resulting POI begins in the month the transfer was made. Any aid received during the POI is an overpayment.~~

(QR) When the transfer is in the first or second month of aid, any resulting POI shall begin the first month of the next QR Payment Quarter and shall continue for the determined number of months.

~~.76 Section 42-221.7(MR) shall become inoperative and Section 42-221.7(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) Transfer of property or income rules do not apply to applicant families.~~

~~(QR) Transfer of property rules do not apply to applicant families.~~

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

Reference: Sections 11157.5 (Ch. 270, Stats. of 1997 and Ch. 902, Stats. of 1998), 11265.1, 11265.2, 11265.3, and 11450.5, Welfare and Institutions Code.

Amend Section 42-302 to read:

42-302 48-MONTH TIME LIMIT REQUIREMENTS FOR ADULTS (Continued) 42-302

.2 Counting the 48-Month Limit

~~Section 42-302.2(MR) shall become inoperative and Section 42-302.2(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR)~~

~~Any month or partial month in which an adult is included in an AU that receives a cash grant, including Reduced Income Supplemental Payments (Section 44-400) and Special Needs, (Section 44-211), shall count for the purposes of the 48-month time limit, except as provided in Sections 42-302.21 (Exempt Months) and 42-302.22 (Diversion Count).~~

~~(MR)~~

~~Any overpayment month, (an entire month of aid in which the recipient was not entitled to cash aid), that is fully repaid shall not count for the purposes of the 48-month time limit.~~

~~(QR) Counting the 48-Month Limit~~

~~Any month or partial month in which an adult is included in an AU that receives a cash grant, including Special Needs (see Section 44-211), shall count for the purposes of the 48-month time limit, except as provided in Sections 42-302.21 (Exempt Months) and 42-302.22 (Diversion Count).~~

~~(QR)~~

~~Any overpayment month, (an entire month of aid in which the recipient was not entitled to cash aid), that is fully repaid shall not count for the purposes of the 48-month time limit.~~

.21 Exempt Months

(Continued)

Authority cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 11266.5, 11320, 11320.3, 11454, 11454(e) and (e)(5), 11454.2, 11454.5, 11454.5(b) and (b)(4) and (5), and 11495.1, Welfare and Institutions Code; Section 37 of AB 444 (Chapter 1022, Statutes of 2002); and 42 U.S.C. 608(a)(7)(a), (B) and (D).

Amend Section 42-406 to read:

42-406 COUNTY WELFARE DEPARTMENT RESPONSIBILITY

42-406

.1 Physical absence from the state indicates a possible change of residence. The county shall make inquiry, ~~at the time of the next aid payment~~ on a monthly basis, from all applicants or recipients who have been continuously absent from the state for 30 days or longer in order to ascertain the recipient's intent to maintain California residency. If the inquiry establishes (see Section 42-407.2) that the recipient is no longer a California resident, aid shall be discontinued ~~immediately at the end of the month in which timely and adequate notice can be given.~~

.2 The response to the inquiry shall include, but is not limited to, the following:
(Continued)

~~.24 Section 42-406.24(MR) shall become inoperative and Section 42-406.24(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 42-406.24(QR) shall become inoperative and Section 42-406.24(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration~~

~~(MR) the completion and return of Form CA 7, giving his current employment status, and all other factors normally used to compute the recipient's needs.~~

(QR) the completion and return of QR 3 or QR 7, giving his current employment status, and all other factors normally used to compute the recipient's needs.

(SAR) the completion and return of the SAR 3 or SAR 7, giving his or her current employment status, and all other factors normally used to compute the recipient's needs.

.25 (Continued)

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

Reference: Section 11265.2, Welfare and Institutions Code.

Amend Section 42-407 to read:

42-407 EVIDENCE OF RESIDENCE INTENTION

42-407

.1 Applicant or Recipient Physically Present in State

~~Section 42-407.1(MR) shall become inoperative and Section 42-407.1(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 42-407.1(QR) shall become inoperative and Section 42-407.1(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) The written statement of the applicant or recipient is acceptable to establish his intention and action on establishing residence unless the statement is inconsistent with other statements on the Form CA 2, Form CA 7, or with the conduct of the person or with other information known to the county.~~

(QR) The written statement of the applicant or recipient is acceptable to establish his intention and action on establishing residence unless the statement is inconsistent with other statements on the SAWS 2, QR 7, or recipient mid-quarter report, or with the conduct of the person or with other information known to the county.

(SAR) The written statement of the applicant or recipient is acceptable proof to establish his or her intention of establishing residence unless the statement is inconsistent with the conduct of the person, with other information known to the county, or with other statements on the SAWS 2, SAR 7, or recipient mid-period reports.

.2 Absence From the State

.21 If an applicant or recipient does not respond, within 30 days, to the monthly county inquiry of residence (Section 42-406), it shall be presumed that he does not intend to maintain California residency and aid shall be discontinued ~~immediately~~ at the end of the month in which timely and adequate notice can be given.

.22 If the applicant or recipient responds to the inquiry, and advises the county that he does not intend to return to California, aid shall be discontinued ~~immediately~~ at the end of the month in which timely and adequate notice can be given. (Continued)

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

Reference: Section 11265.2, Welfare and Institutions Code; Senate Bill (SB) 991, Chapter 1285, Statutes of 1989; and WRL vs. McMahon, Case No. 268972 (Sacramento Superior Court), October 31, 1990.

Amend Section 42-716 to read:

42-716 WELFARE-TO-WORK ACTIVITIES (Continued)

42-716

.7 Grant-based OJT (Continued)

.74 The CWD shall administer grant-based-OJT funded positions in a manner that minimizes any break in income received by the participant as a grant, or as a wage subsidized by the diverted grant and/or grant savings upon entry into, during, or upon exit from the assignment.

~~.741 Section 42-716.741(MR) shall become inoperative and Section 42-716.741(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 42-716.741(QR) shall become inoperative and Section 42-716.741(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Notwithstanding any other provision of Sections 44-313.1(MR) and .2(MR), the AU's monthly aid grant shall be prospectively budgeted as specified in Section 44-313.11(MR) during the grant based OJT placement. The prospective budgeting period shall begin in the month the participant is expected to receive her/his first grant-based subsidized wages and for the two months after the assignment ends. CWDs shall explain the requirements of prospective budgeting to all OJT participants.~~

(QR) A grant-based OJT placement may begin mid-quarter.

(SAR) A grant-based OJT placement may begin mid-period.

.742 (Continued)

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

Reference: Sections 11253.5(b), 11265.1, 11265.2, 11320.3(b)(2), 11322.6, 11322.61, 11322.63, 11322.7, 11322.8, 11322.9, 11323.25, 11324.4, 11324.6(a), 11325.21(a) and (d)(1), 11325.22(b)(1), 11325.7(a), (c), (d), 11325.8(a), (c), (d), and (f), 11326, 11327.5, 11450.5, 11451.5, 11454, and 11454.2, Welfare and Institutions Code; and Section 8358(c)(2), Education Code; 7 U.S.C. 2029(a)(1); 7 U.S.C. 2035; U.S. Department of Labor guidance on FLSA, with attached U.S.D.A., Food and Nutrition Service (FNS) guidance on an SFSP, dated May 22, 1997; Simplified Food Stamp Program approval letters from FNS to implement the provisions of an SFSP, dated May 5, 2000 and August 3, 2000.

Amend Section 42-721 to read:

42-721 NONCOMPLIANCE WITH PROGRAM REQUIREMENTS (Continued) 42-721

.4 Sanctions

.41 Financial sanctions shall be applied when a non-exempt welfare-to-work participant has failed or refused to comply with program requirements without good cause and compliance efforts have failed. (Continued)

.412 Section 42-721.412(QR) shall become inoperative and Section 42-721.412 (SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) A financial sanction is a county-initiated mid-quarter change pursuant to Section 44-316.331(b)(QR).

(SAR) A financial sanction is a county-initiated mid-period change pursuant to Section 44-316.331(b)(SAR).

.42 (Continued)

.48 The CWD shall restore aid: (Continued)

.483 Section 42-721.483(QR) shall become inoperative and Section 42-721.483 (SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) Restoration of aid due to the noncomplying participant performing the activities he or she previously refused to perform, in accordance with Sections 42-721.43 and 44-318.13(QR), is a county-initiated mid quarter change pursuant to Section 44-316.331(c)(QR).

(SAR) Restoration of aid due to the noncomplying participant performing the activities he or she previously refused to perform, in accordance with Sections 42-721.43 and 44-318.13(SAR), is a county-initiated mid-period change pursuant to Section 44-316.331(c)(SAR). (Continued)

.49 The CWD shall grant aid:

- .491 On the first day of the month following the date that the individual contacted the county to indicate his or her desire to end the sanction, once the activities in accordance with Section 42-721.43 have been successfully completed, if the individual applies for aid, is determined to be in compliance with program requirements, and is otherwise eligible.

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Handbook Section 42-721.491(a)(QR) shall become inoperative and Handbook Section 42-721.491(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

- (QR) (a) Example: An individual who was sanctioned and left aid with his family after failing to participate in vocational education contacts the CWD on July 1 to reapply for aid. His family is determined eligible for aid on July 5 and aid is granted to the family as of July 5; before aid can be granted for the sanctioned individual he must cure his sanction. The individual signs his curing plan on July 5, participates in a vocational education program for 30 days, and successfully cures his sanction on August 3. If the individual is otherwise eligible, his cash aid is granted back to August 1 as a county-initiated mid-quarter change pursuant to Section 44-316.331(c)(QR).
- (SAR) (a) Example: An individual who was sanctioned and left aid with his family after failing to participate in vocational education contacts the CWD on July 1 to reapply for aid. His family is determined eligible for aid on July 5 and aid is granted to the family as of July 5; before aid can be granted for the sanctioned individual he must cure his sanction. The individual signs his curing plan on July 5, participates in a vocational education program for 30 days, and successfully cures his sanction on August 3. If the individual is otherwise eligible, his cash aid is granted back to August 1 as a county-initiated mid-period change pursuant to Section 44-316.331(c)(SAR).

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.5 State Hearing and Formal Grievance (Continued)

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

Reference: Sections 11203, 11265.2, 11320, 11320.31, 11322.9, 11324.8(d), 11327.4, 11327.5(a) through (e), 11327.6, 11327.8, 11327.9, 11328.2, 11333.7, 11454, 11454.2, and 16501.1(d), (e), (f), and (g), Welfare and Institutions Code

Amend Section 42-751 to read:

42-751 UNDERPAYMENTS AND OVERPAYMENTS FOR 42-751
TRANSPORTATION AND ANCILLARY SUPPORT SERVICES (Continued)

.4 Collection of Overpayments (Continued)

(e) Reasonable efforts shall include written notification of the amount of the overpayment and that repayment is required. The following are reasonable cost-effective collection methods: (Continued)

(4) Section 42-751.4(e)(4)(QR) shall become inoperative and Section 42-751.4(e)(4)(SAR) shall become operative in a county on the date ~~QR/PB SAR~~ becomes effective in that county, pursuant to the ~~Director's QR/PB~~ County's SAR Declaration.

(QR) Recoupment by grant adjustment shall be conducted in accordance with Section 44-352.41(QR).

(SAR) Recoupment by grant adjustment shall be conducted in accordance with Section 44-352.41(SAR).

(f) (Continued)

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

Reference: Sections 10063, 11004(g), (h), (i), (k), and (l), 11265.2, and 11323.4(b), Welfare and Institutions Code.

Amend Section 42-769 to read:

42-769 APPLICATION OF BONUSES AND SANCTIONS (Continued) 42-769

.4 Treatment of Bonuses and Sanctions in Other Calculations

~~Section 42-769.4(MR) shall become inoperative and Section 42-769.4(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) The CWD shall not include a Cal-Learn bonus or sanction in the calculation of an overpayment adjustment, a homeless assistance payment, or a reduced income supplement payment.~~

~~(QR) The county shall not include a Cal-Learn bonus or sanction in the calculation of an overpayment adjustment or a homeless assistance payment.~~

.5 Section 42-769.5(QR) shall become inoperative and Section 42-769.5(SAR) shall become operative in a county on the date ~~QR/PB~~ SAR becomes effective in that county, pursuant to the Director's ~~QR/PB~~ County's SAR Declaration.

(QR) Treatment of Bonuses and Sanctions as County-Initiated Mid-Quarter Actions

(QR) Cal-Learn bonuses and sanctions are considered county-initiated mid-quarter actions as described in Section 44-316.33(QR).

(SAR) Treatment of Bonuses and Sanctions as County-Initiated Mid-Period Actions

(SAR) Cal-Learn bonuses and sanctions are considered county-initiated mid-period actions as described in Section 44-316.33(SAR).

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

Reference: Sections 10063, 11265.2, and 11333.7(a) and (d), Welfare and Institutions Code; Section 37 of AB 444 (Chapter 1022, Statutes of 2002); 45 CFR 250.40(a); Federal Waiver Terms and Conditions for the California Work Pays Demonstration Project, March 1994, and Waiver Authority for the California Work Pays Demonstration Project as transmitted by the United States Department of Health and Human Services Administration for Children and Families letter dated March 1, 1994.

Amend Section 44-101 to read:

44-101 INCOME DEFINITIONS

44-101

(a) ~~Section 44-101(a)(MR) shall become inoperative and Section 44-101(a)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 44-101(a)(QR) shall become inoperative and Section 44-101(a)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) Income, generally, is any benefit in cash or in kind which is in fact currently available to the individual or is received by him as a result of current or past labor or services, business activities, interests in real or personal property, or as a contribution from persons, organizations or assistance agencies. To be considered in determining the cash aid payment, income must, in fact, be currently available to needy members of the family in meeting their needs during the budget period. Subject to this limitation and the exemptions and exclusions, as specified in Section 44-111 of this chapter, such benefits are taken into consideration as income in evaluating the need of the recipient and in determining the amount of cash aid to which the recipient is entitled.~~

(QR) Income, generally, is any benefit in cash or in kind which is reasonably anticipated to be available to the individual or is received by him as a result of current or past labor or services, business activities, interests in real or personal property, or as a contribution from persons, organizations or assistance agencies. To be considered in determining the cash aid payment, income must be reasonably anticipated to be available to needy members of the family in meeting their needs during the QR Payment Quarter. Subject to this limitation and the exemptions and exclusions, as specified in Section 44-111 of this chapter, such benefits are taken into consideration as income in evaluating the need of the recipient and in determining the amount of cash aid to which the recipient is entitled.

(SAR) Income, generally, is any benefit in cash or in-kind which is reasonably anticipated to be available to the individual or is received by him/her as a result of current or past labor or services, business activities, interests in real or personal property, or as a contribution from persons, organizations or assistance agencies. To be considered in determining the cash aid payment, income must be reasonably anticipated to be available to needy members of the family in meeting their needs during the SAR Payment Period. Subject to this limitation and the exemptions and exclusions, as specified in Section 44-111 of this chapter, such benefits are taken into consideration as income in evaluating the need of the recipient and in determining the amount of cash aid to which the recipient is entitled.

(b) Separate and Community Income

(1) Separate income is: (Continued)

(D) Section 44-101(b)(1)(D)(~~MR~~ QR) shall become inoperative and Section 44-101(b)(1)(D)(~~QR~~ SAR) shall become operative in a county on the date QR/PB SAR becomes effective in that county, pursuant to the Director's QR/PB County's SAR Declaration.

~~(MR) Funds awarded a married person from his/her spouse in a civil action for personal injuries are considered that spouse's separate income during the month of receipt, and separate property if retained past the month of receipt.~~

(QR) Funds awarded a married person from his/her spouse in a civil action for personal injuries are considered that spouse's separate income during the month of receipt, and separate property if retained past the month of receipt. If these funds are paid as a nonrecurring lump sum payment, then the funds shall be treated as property in accordance with Section 42-209.2(QR).

(SAR) Funds awarded a married person from his/her spouse in a civil action for personal injuries are considered that spouse's separate income during the month of receipt, and separate property if retained past the month of receipt. If these funds are paid as a nonrecurring lump sum payment, then the funds shall be treated as property in accordance with Section 42-209.2(SAR).

(2) Community income is: (Continued)

~~(C) Section 44-101(b)(2)(C)(~~MR~~) shall become inoperative and Section 44-101(b)(2)(C)(~~QR~~) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 44-101(b)(2)(C)(QR) shall become inoperative and Section 44-101(b)(2)(C)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Funds awarded a married person in a civil action for personal injuries are considered community income during the month of receipt and community property if retained past the month of receipt except as provided in Section 44-101(b)(1)(D) and Sections 42-203.431 through .434.~~

(QR) Funds awarded a married person in a civil action for personal injuries are considered community income during the month of receipt and community property if retained past the month of receipt except as provided in Section 44-101(b)(1)(D)(QR), 42-203.5, and 42-205.3. If these funds are paid as a nonrecurring lump sum payment, then the funds shall be treated as property in accordance with Section 42-209.2(QR).

(SAR) Funds awarded a married person in a civil action for personal injuries are considered community income during the month of receipt and community property if retained past the month of receipt except as provided in Section 44-

101(b)(1)(D)(SAR), 42-203.5, and 42-205.3. If these funds are paid as a nonrecurring lump sum payment, then the funds shall be treated as property in accordance with Section 42-209.2(SAR).

(c) ~~Section 44-101(c)(QR) et seq. shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(QR)~~ Reasonably Anticipated Income

(1) Section 44-101(c)(1)(QR) shall become inoperative and Section 44-101(c)(1)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) ~~(+)~~ Income is reasonably anticipated when the county determines it is reasonably certain that the recipient will receive a specified amount of income during any month of the QR Payment Quarter. This definition applies to both earned and unearned income. See Section 44-315.31(QR).

(SAR) Income is reasonably anticipated when the county determines it is reasonably certain that the recipient will receive a specified amount of monthly income during the SAR Payment Period. This definition applies to both earned and unearned income. See Section 44-315.31(SAR).

(d) Current Income (Continued)

(l) Lump Sum Income

~~Section 44-101(l)(MR) shall become inoperative and Section 44-101(l)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR)~~ Lump sum income is any income received by an AU which is not recurring regular income. Lump sum income is usually nonrecurring in regard to amount and/or source. Lump sum income includes but is not limited to the following: retroactive social insurance payments, real estate commissions such as from sales, income from freelance work, net proceeds from sale of a crop and bonuses.

(1) Section 44-101(l)(1)(QR) shall become inoperative and Section 44-101(l)(1)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) ~~(+)~~ Lump sum nonrecurring payments are considered property under the quarterly reporting/prospective budgeting system (see Section 42-209.2(QR)).

(SAR) Lump sum nonrecurring payments are considered property under the semi-annual reporting system (see Section 42-209.2(SAR)).

(m) ~~Section 44-101(m)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(QR)~~ Income Reporting Threshold (IRT)

(1) Section 44-101(m)(1)(QR) shall become inoperative and Section 44-101(m)(1)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) ~~(+)~~ The level of income that triggers the need for a CalWORKs AU to report a mid-quarter change in income.

(SAR) The level of income that triggers the need for a CalWORKs AU to report a mid-period change in income (see Section 44-316.324(SAR)).

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

Reference: Sections 10553, 10554, 11265.1, 11265.2, 11265.3, 11450.5, and 11451.5 (Ch. 270, Stats. 1997), Welfare and Institutions Code; Federal Action Transmittal ACF-AT-94-12; 45 CFR 233.20(a)(6)(iii); 45 CFR 233.20(a)(6)(v)(B); Sallis v. McMahon, Sacramento County Superior Court, case no. 364308, January 30, 1991 and 45 CFR 233.20(a)(3)(iv)(B) and (a)(4)(ii)(d).

Amend Section 44-102 to read:

44-102 AVAILABILITY OF INCOME

44-102

.1 ~~Section 44-102.1(MR) shall become inoperative and Section 44-102.1(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 44-102.1(QR) shall become inoperative and Section 44-102.1(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) All income shall be considered currently available during the month received, except:~~

(QR) All reasonably anticipated income shall be considered to be available to meet the needs of the AU during the QR Payment Quarter and shall be considered when determining eligibility and grant amount, except:

(SAR) All reasonably anticipated income shall be considered to be available to meet the needs of the AU during the SAR Payment Period and shall be considered when determining eligibility and grant amount, except:

.11 INTEREST INCOME (Continued)

.14 ~~Section 44-102.14(MR) shall become inoperative and Section 44-102.14(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~ Section 44-102.14(QR) shall become inoperative and Section 44-102.14(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) MONTHLY RECURRING UNEARNED GOVERNMENTAL BENEFITS - Monthly benefits (e.g., Social Security benefits, or Veterans benefits, etc.) shall be considered to be available in the month the payment was intended, rather than actually received, when the income meets the following criteria:~~

(QR) MONTHLY RECURRING UNEARNED GOVERNMENTAL BENEFITS - Monthly benefits (e.g., Social Security benefits, or Veterans benefits, etc.) shall be considered to be available in the month the payment is reasonably anticipated to be received or is intended for (see Section 44-315.31(QR)), when the income meets the following criteria:

(SAR) MONTHLY RECURRING UNEARNED GOVERNMENTAL BENEFITS - Monthly benefits (e.g., Social Security benefits, or Veterans benefits, etc.) shall be considered to be available in the month the payment is reasonably anticipated to be received or is intended for (see Section 44-315.31(SAR)), when the income meets the following criteria:

.141 (Continued)

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

Reference: Sections 11157 (Ch. 270, Stats. 1997), 11265.2, and 11450.5, Welfare and Institutions Code.

Amend Section 44-111 to read:

44-111 PAYMENTS EXCLUDED OR EXEMPT FROM CONSIDERATION AS INCOME (Continued) 44-111

.4 Exclusions or Exemptions of Other Payments and Income (Continued)

44 Infrequent Income

- .441 Income that is received in prospectively budgeted months and is received too infrequently to be reasonably anticipated, shall be exempt from consideration; ~~as allowed in Food Stamp Regulations, Section 63-502.2(d).~~

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~~Food Stamp Regulations, Section 63-502.2(d) states, any prospectively budgeted income in the certification period which is received too infrequently or irregularly to be reasonably anticipated, but not in excess of \$30 in a quarter, is excluded as income.~~

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.45 Income in Kind (Continued)

.47 Child/Spousal Support Disregard (Continued)

- .472 ~~Section 44-111.472(MR) shall become inoperative and Section 44-111.472(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) When a current child/spousal support payment is directly received by the assistance unit from the absent parent, the first \$50 of such payment is disregarded and the balance of the support payment is considered income to the assistance unit.~~

~~(QR) When a current child/spousal support payment is received or reasonably anticipated to be received by the assistance unit directly from the absent parent, the first \$50 of such payment is disregarded and the balance of the support payment is considered income to the AU. (Continued)~~

Authority cited: Sections 10553 and 10554, Welfare and Institutions Code; SB 72 (Chapter 8, Statutes of 2011), Section 42.

Reference: Sections 10553, 10554, 11008.15, 11265.2, 11280, 11322.6(f)(3), 11157, 11450.5, 11450.12, 11451.5, and 11451.7, Welfare and Institutions Code; 42 USC Section 602(g)(1)(E)(i); Section 8, Public Law 93-134; Section 2, Public Law 98-64; Section 13736, Public Law 103-66; Section 1, Public Law 100-286, Section 202(a), Public Law 100-485 and 20 USC 1087uu; 45 CFR 233.20(a)(3)(iv)(B), (a)(3)(xxi), 45 CFR 233.20(a)(4)(ii); (a)(4)(ii)(d); 45 CFR 233.20(a)(4)(ii)(p) and (q); 45 CFR 233.20(a)(11)(v)(C); 45 CFR 255.3(f)(1); 45 CFR 400.66; 45 CFR 401.12; Federal Action Transmittals ACF-AT-94-27 and 94-4 and FSA-IM-89-1; 45 CFR 233.20(a)(1)(ii); 45 CFR 233.20(a)(3)(x); and *Cadaret v. Wagner* (Super. Ct. Sacramento County, 2011, No. 34-2009-80000302, Stipulation for Settlement and Order)

Amend Section 44-113 to read:

44-113 NET INCOME (Continued)

44-113

.2 Earnings

.21 Computation of Net Nonexempt Earned Income for CalWORKs

To determine the amount of Net Nonexempt Earned Income for the month, the following steps shall be taken:

.211 ~~Section 44-113.211(MR) shall become inoperative and Section 44-113.211(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 44-113.211(QR) shall become inoperative and Section 44-113.211(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Determine the total amount of commissions, wages or salary earned as an employee during or applicable to the month (i.e., total income irrespective of expenses, voluntary or involuntary deductions). To determine total earnings for the month, some earnings may have to be allocated to the month pursuant to Section 44-102. Also, the monetary value of any in-kind earned income per Section 44-115 shall be included. Do not include earnings exempted in entirety under Section 44-111.22.~~

(QR) Determine the total amount of commissions, wages or salary earned as an employee that the AU reasonably anticipates receiving (see Section 44-101(c)(1)(QR)) during each month of the QR Payment Quarter (i.e., total income irrespective of expenses, voluntary or involuntary deductions). To determine total earnings for each month, some earnings may have to be allocated to each month pursuant to Section 44-102. Also, the monetary value of any in-kind earned income per Section 44-115 shall be included. Do not include earnings exempted in entirety under Section 44-111.22.

(SAR) Determine the total amount of commissions, wages or salary earned as an employee that the AU received in the Data Month and any reasonably anticipated (see Section 44-101(c)(1)(SAR)) changes to this income in the next SAR Payment Period (i.e., total income irrespective of expenses, voluntary or involuntary deductions). Also, the monetary value of any in-kind earned income per Section 44-115 shall be included. Do not include earnings exempted in entirety under Section 44-111.22.

.212 ~~Section 44-113.212(MR) shall become inoperative and Section 44-113.212(QR) shall become operative in a county on the date QR/PB becomes~~

effective in that county, pursuant to the Director's QR/PB Declaration. Section 44-113.212(QR) shall become inoperative and Section 44-113.212(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

~~(MR) Determine the total profit earned from self-employment by an applicant/recipient whose earnings are not exempted under Section 44-111.22 by offsetting the business expenses against the gross income from self-employment. When the computation of total profit earned from self-employment disclosed shows that a loss has occurred, earned income from self-employment shall be zero. No additional offset shall be allowed against the family's other income.~~

(QR) Determine the total profit reasonably anticipated to be earned from self-employment during each month of the QR Payment Quarter by an applicant/recipient whose earnings are not exempted under Section 44-111.22 by offsetting the reasonably anticipated monthly business expenses against the reasonably anticipated monthly gross income from self-employment. When the computation of total profit earned in a month from self-employment disclosed shows that a loss has occurred, earned income from self-employment for that month shall be zero. No additional offset shall be allowed against the family's other income.

(SAR) Determine the total monthly profit reasonably anticipated to be earned from self-employment by an applicant/recipient whose earnings are not exempted under Section 44-111.22 by offsetting the Data Month business expenses against the Data Month gross income from self-employment. When the computation of total profit earned in a month from self-employment disclosed shows that a loss has occurred, earned income from self-employment for that month shall be zero. No additional offset shall be allowed against the family's other income. Unless the recipient reasonably anticipates a change, use this income amount to calculate the grant for the upcoming SAR Payment Period.

(a) The applicant or recipient who is self-employed shall choose one of the following deductions: (Continued)

~~(2) Section 44-113.212(a)(2)(MR) shall become inoperative and Section 44-113.212(a)(2)(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) verified actual self-employment expenses to the same extent allowed in the Food Stamp Program (Section 63-503.41).~~

~~(QR)~~ reasonably anticipated self-employment expenses to the same extent allowed in the ~~Food Stamp~~ CalFresh Program (Section 63-503.41).

(b) (Continued)

~~.213 Section 44-113.213(MR) shall become inoperative and Section 44-113.213(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 44-113.213(QR) shall become inoperative and Section 44-113.213(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Combine the total earnings for the family determined in Section 44-113.211 (MR) with any net self-employment income determined in Section 44-113.212 (MR).~~

(QR) Combine the total monthly earnings for the family determined in Section 44-113.211(QR) with the monthly net self-employment income determined in Section 44-113.212(QR).

(SAR) Combine the total monthly earnings for the family determined in Section 44-113.211(SAR) with the monthly net self-employment income determined in Section 44-113.212(SAR).

~~.214 Section 44-113.214(MR) shall become inoperative and Section 44-113.214(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.~~

~~(MR) Apply, as specified in Section 44-111.23, the \$225 disregard to any disability-based unearned income for the family.~~

~~(QR) Apply, as specified in Section 44-111.23, the \$225 disregard to the reasonably anticipated total monthly disability-based unearned income for the family.~~

~~.215 Section 44-113.215(MR) shall become inoperative and Section 44-113.215 (QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration. Section 44-113.215(QR) shall become inoperative and Section 44-113.215(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.~~

~~(MR) Apply any remainder of the \$225 disregard to any earned income for the family determined in Section 44-113.213(MR).~~