

Regulations	STANDARDS OF ASSISTANCE AU COMPOSITION AND NEED	44-203
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44-200	RELOCATION OF ASSISTANCE UNIT REGULATIONS (Continued)	44-200
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HANDBOOK CONTINUES

REGULATION CITATION	<u>SUBJECT</u>	<u>NEW REGULATION CITATION</u>
44-206.21	Strikers	Retained
44-206.22	Lump Sum	Retained
44-206.23	UIB - Principal Earner	Repealed
44-206.24	State-Only AFDC - UIB	Repealed
44-206.25	Quality Control Review	Repealed

HANDBOOK ENDS HERE

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

44-201	CHAPTER CONTENTS	44-201
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Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.

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

44-203	PERSONS WHO MAY BE INCLUDED IN THE FBU - DEFINITIONS	44-203
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Renumbered by Manual Letter No. EAS-91-14, effective 10/1/91.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: 45 CFR 233.90(c)(2)(i) and Sections 10553, 10554, and 10604, Welfare and Institutions Code.

44-205	ESTABLISHING THE AU	44-205
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- .1 Aid Based on Pregnancy
 - .11 When the unaided father of the unborn is living in the home with a pregnant woman who is in an AU of one without an eligible child, the father is an excluded parent and his income is treated in accordance with Section 44-133.3.
 - .12 The application for aid based on pregnancy and/or the application for the pregnancy special need is considered an application for the "family". In addition to the pregnant woman, the family includes the following:
 - .121 The unborn, when born and living with the mother.
 - (a) The otherwise eligible newborn shall be added to the assistance unit effective the first of the month following the month in which the birth was reported if it results in an increase in cash aid and all conditions of eligibility have been met and verification has been provided.

HANDBOOK BEGINS HERE

In most cases, the effective date of including the needs of the newborn will be the first of the month following the month in which the birth was reported.

HANDBOOK ENDS HERE

- .122 The father of the unborn when he is in the home at the time application is made and through the month of birth. See Section 82-832.13.
 - (a) Section 44-205.122(a)(QR) shall become inoperative and Section 44-205.122(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) The unaided father shall be added to the AU effective the first of the month following the month in which the birth was reported if adding him results in an increase to cash aid and all conditions of eligibility have been met and verification has been provided. If adding him results in a decrease, the father shall be added to the AU in the following quarter, if all conditions of eligibility have been met and verification provided, pursuant to Section 44-318.16(QR).

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

(SAR) The unaided father shall be added to the AU effective the first of the month following the month in which the birth was reported if adding him results in an increase to cash aid and all conditions of eligibility have been met and verification has been provided. If adding him results in a decrease, the father shall be added to the AU in the following SAR Payment Period, if all conditions of eligibility have been met and verification provided, pursuant to Section 44-318.16(SAR).

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: 42 USC 602(a)(19)(G)(i)(I); 54 FR 42172 (October 13, 1989); 45 CFR 206.10(a)(1)(vii) and 250.34(c)(3); Federal Action Transmittal SSA-AT-86-01, Sections 10553, 10554, 10604, 11265.1, 11265.2, 11265.3, 11327.5(c)(3), 11450(b) and 11450.5, Welfare and Institutions Code; and Simon v. McMahan, Stipulation for Dismissal and Order, April 21, 1989, Contra Costa Superior Court, No. 272468.

44-206 PERSONS WHO MUST BE EXCLUDED FROM THE ASSISTANCE UNIT (AU) 44-206

.1 The following persons shall be excluded from the assistance unit:

- (a) A person who is being sanctioned for any of the following reasons:
 - (1) A parent, pregnant woman, or needy caretaker relative who refuses to apply for or accept unconditionally available income. (Section 44-103.22).
- (b) Any member of a federally eligible AU, other than the caretaker relative who is the natural or adoptive parent, who is participating in a strike, as defined in Section 41-703.22, on the last day of the month, shall be ineligible in that month. The person remains ineligible for any subsequent month(s) in which the county can reasonably estimate that such person's participation in the strike will continue through the last day of the month. If aid to such person is discontinued, reduced, or denied because the county estimated that he or she would be participating in a strike on the last day of the month and the applicant or recipient later reports that such person's participation in the strike ceased before the last day of the month, the county shall rescind the discontinuance, reduction, or denial and issue the correct grant.

44-206	PERSONS WHO MUST BE EXCLUDED FROM THE ASSISTANCE UNIT (AU) (Continued)	44-206
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- .2 The entire family is ineligible for aid payments when:
- .21 A federally eligible caretaker relative who is the natural or adoptive parent living in the home of the aided child is participating in a strike as defined in Section 41-703.22, on the last day of the month. The AU remains ineligible for any subsequent month(s) in which the county can reasonably estimate that participation in the strike will continue through the last day of the month. If aid is discontinued, reduced, or denied because the county estimated that the caretaker relative parent would be participating in a strike through the last day of the month and the applicant or recipient later reports that participating in the strike ceased before the last day of the month, the county shall rescind the discontinuance, reduction, or denial and issue the correct grant.
 - .211 Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.
 - .212 An applicant or recipient will be considered to be participating in a strike if he or she has voluntarily stopped or slowed down work or otherwise interrupted the business activities of the employer as part of a concerted activity described in .211 above. When the applicant or recipient has been denied Unemployment Insurance Benefits because he or she has voluntarily left work due to a trade dispute, that person will be considered to be participating in a strike, except as specified in .213 below.
 - .213 Stoppage or slowdown of work by employees in good faith shall not be considered a strike or participation in a strike when a lockout has occurred or when the action was necessitated by an imminent health and safety hazard or abnormally dangerous working conditions at the place of employment as determined by Division of Occupational Safety and Health.

HANDBOOK BEGINS HERE

- .214 The entire family that is ineligible for aid under Section 44-206.21, may be eligible for benefits under the State-only AFDC-U Programs (see Section 41-703).

HANDBOOK ENDS HERE

- .22 Repealed by Manual Letter No. EAS-98-03, effective 7/1/98.
- .23 Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.
- .24 Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.
- .25 Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.

44-206	PERSONS WHO MUST BE EXCLUDED FROM THE ASSISTANCE UNIT (AU) (Continued)	44-206
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NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: 42 USC 602(a)(19)(G)(i)(I) and (II); Section 202(a), Public Law 100-485; 45 CFR 244.0(c) and 250.34(c)(1) and (2); and Sections 10553, 10554, 10604, 11157 (Ch. 270, Stats. 1997), and 11327.5(c)(1), Welfare and Institutions Code.

44-207	INCOME ELIGIBILITY	44-207
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- .1 The following financial eligibility test shall be applied to applicant cases.
 - .11 An applicant family shall not be eligible for cash aid unless the family's income, exclusive of the first ninety dollars (\$90) of earned income for each employed person, is less than the Minimum Basic Standard of Adequate Care (MBSAC) for the family.
 - .111 An individual who applies for CalWORKs after leaving aid due to AB 98 subsidized employment income as described in Sections 42-716.811(a) and 42-716.813(a) shall be considered a current recipient for the purpose of determining CalWORKs financial eligibility.
 - (a) During the three calendar month period after the subsidized employment ends, the county shall apply the recipient earned income disregards as described in Section 44-111.23.
 - (b) If an individual applies for CalWORKs after this three-month period has passed, he or she shall be considered an applicant for the purpose of determining CalWORKs financial eligibility as described in Section 44-207.11.

HANDBOOK BEGINS HERE

Example: Applicant applies for assistance for herself and her one dependent child. The mother (applicant) works part-time for \$600 per month. The family is nonexempt and lives in Region 2.

Applicant Eligibility Determination

\$ 600	Earned Income
- 90	\$90 Earned Income Disregard
\$ 510	Total Net Nonexempt Income
\$ 896	MBSAC for two
	Family passes the MBSAC test (MBSAC is greater than Net Nonexempt Income)

See Section 44-207.2 for second step in the financial eligibility test for applicants.

HANDBOOK ENDS HERE

44-207	INCOME ELIGIBILITY (Continued)	44-207
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- .112 The MBSAC is the amount of money which is necessary to provide a family with the following:
- a. Housing.
 - b. Clothing.
 - c. Food.
 - d. Utilities.
 - e. Items for household operation, education and incidentals, recreation, personal needs, and insurance.
 - f. Essential medical, dental, or other remedial care not otherwise provided at public expense.

HANDBOOK BEGINS HERE

- .113 The MBSAC for the family applies in determining financial eligibility for applicants, the value of in-kind income for the AU, the amount of income from a sponsor available to a sponsored alien, the period of ineligibility for non-qualifying withdrawals from restricted accounts and transfer of assets. The MBSAC amounts are set forth in Welfare and Institutions Code Section 11452.
- (a) See Section 44-315.311 for the MBSAC amounts as of July 1, 2012. (The MBSAC figures are subject to a cost-of-living adjustment on July 1 of every year. These updates to the MBSAC figures are published by CDSS through an annual All County Letter.)

HANDBOOK ENDS HERE

- .12 When estimating income for eligibility, all relevant information available to the county and the recipient shall be taken into consideration. See Section 44-113.21 for computations.
- .2 The following financial eligibility test shall be applied to both applicant and recipient cases.
- .21 Section 44-207.21(QR) et seq. shall become inoperative and Section 44-207.21(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.

44-207 INCOME ELIGIBILITY (Continued) 44-207

(QR) The AU is financially eligible as follows:

(QR) .211 An AU is financially eligible for the QR Payment Quarter if the family's combined reasonably anticipated monthly net non-exempt income for the quarter, after the income and needs of the family are considered (pursuant to Sections 44-133(QR) and 44-315.3(QR)), is less than the MAP for the AU.

(QR) .212 A recipient AU will remain financially eligible during the QR Payment Quarter if the family's combined monthly net non-exempt income does not exceed the family's MAP level for more than one month of the QR Payment Quarter in accordance with Section 44-316.324(QR).

(SAR) The AU is financially eligible as follows:

(SAR) .211 An AU is financially eligible for the SAR Payment Period if the family's combined reasonably anticipated monthly net non-exempt income for the SAR period, after the income and needs of the family are considered (pursuant to Sections 44-133(SAR) and 44-315.3(SAR)), is less than the MAP for the AU.

(SAR) .212 A recipient AU will remain financially eligible during the SAR Payment Period if the family's combined monthly net non-exempt income does not exceed the family's MAP level for more than one month of the SAR Payment Period in accordance with Section 44-316.324(SAR).

HANDBOOK BEGINS HERE

Example:

Recipient receives aid for herself and her four children. Also living in the home is the recipient's spouse (unaided stepparent). Stepparent earns \$1612 per month from full-time employment. Mother receives \$300 per month in State Disability Insurance benefits. No other income is received by family members. The AU is exempt and resides in Region 2.

Eligibility/Grant Computation:

\$ 300	Disability-Based Unearned Income
- 225	\$225 Income Disregard
\$ 75	Net Nonexempt Disability-Based Unearned Income

HANDBOOK CONTINUES

HANDBOOK CONTINUES

\$1612	Gross Family Earned Income
- 806	50% Earned Income Disregard
\$ 806	Net Nonexempt Earnings
+ 75	Disability-Based Unearned Income
\$ 881	Total Net Nonexempt Income
\$1035	Exempt MAP for Six
- 881	Total Net Nonexempt Income
\$ 154	Potential Grant
\$ 923	Exempt MAP for AU of Five
\$ 154	Potential Grant
\$ 154	Aid Payment (Lower of Potential Grant and MAP for AU)

HANDBOOK ENDS HERE

.22 Net Nonexempt Income

.221 Net Nonexempt Income is gross income for the AU and other family members (if applicable), minus all applicable income exemptions (listed in Section 44-111) and income disregards (listed in Section 44-113).

- (a) Gross income includes: 1) earnings by part-time student applicants; and 2) current child support payments collected by the county, but does not include child support payments collected by the county for a child subject to MFG (see Section 44-314.6).

.23 Section 44-207.23(QR) shall become inoperative and Section 44-207.23(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Once financial eligibility is established for the QR Payment Quarter, financial eligibility continues for the AU for the entire QR Payment Quarter unless the family's income exceeds the IRT (see Section 44-316.324(QR)) and the family's reasonably anticipated monthly income for the remainder of the QR Payment Quarter exceeds the MAP for the AU.

(SAR) Once financial eligibility is established for the SAR Payment Period, financial eligibility continues for the AU for the entire SAR Payment Period unless the family's income exceeds the IRT (see Section 44-316.324(SAR)) and the family's reasonably anticipated, net non-exempt monthly income continues to exceed the MAP for the AU for more than one consecutive month.

44-207	INCOME ELIGIBILITY (Continued)	44-207
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.24 Section 44-207.24(QR) shall become inoperative and Section 44-207.24(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 aid is discontinued because the monthly reasonably anticipated income is expected to result in financial ineligibility for the QR Payment Quarter and the AU reports that the monthly reasonably anticipated income will no longer exceed the MAP amount for the AU prior to the effective date of the discontinuance, the county shall rescind the discontinuance if the county determines the updated report is a reasonable estimate.

(SAR) If aid is discontinued because the monthly reasonably anticipated income is expected to result in financial ineligibility for the SAR Payment Period and the AU reports that the monthly reasonably anticipated income will no longer exceed the MAP amount for the AU prior to the effective date of the discontinuance, the county shall rescind the discontinuance if the county determines the updated report is a reasonable estimate.

.25 Adding Persons to the Assistance Unit

When adding persons to an existing AU, the AU is subject to the recipient financial eligibility test.

NOTE: Authority cited: Sections 10553, 10554, 11450, and 11453, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11017, 11157, 11255, 11265.1, 11265.2, 11265.3, 11280, 11322.63(b), 11450.5, 11450.12, 11450.13, and 11451.5, Welfare and Institutions Code; 45 CFR 206.10(a)(1)(vii); 45 CFR 233.20(a)(2)(i) and (xiii); (a)(3)(ii)(F), (a)(3)(vi)(B), (a)(3)(xiv), and (a)(3)(xiv)(B); and Darces v. Woods (1984) 35 Cal. 3d 871; Petrin v. Carlson Court Order, Case No. 638381, May 12, 1993; Rutan v. McMahon, Case No. 612542-L (Alameda Superior Court) February 19, 1988; Letter from Department of Health and Human Services (DHSS), December 5, 1990; Johnson v. Carlson Stipulated Judgment; Ortega v. Anderson, Case No. 746632-0 (Alameda Superior Court) July 11, 1995; Federal Terms and Conditions for the California Assistance Payments Demonstration Project as approved by the United States Department of Health and Human Services on October 30, 1992; Federal Terms and Conditions for the California Work Pays Demonstration Project as approved by the United States Department of Health and Human Services on March 9, 1994; United States Department of Health and Human Services, Office of Family Assistance, Aid to Families with Dependent Children Action Transmittal No. ACF-AT-95-10 dated September 19, 1995; and Letters from the Department of Health and Human Services, Administration for Children and Families, dated February 29, 1996, March 11, 1996, and March 12, 1996.

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44-209 IDENTIFICATION OF PERSONS FOR THE CLAIMING OF FINANCIAL PARTICIPATION 44-209

.1 General

If an FBU is determined to be financially eligible and an aid payment is to be issued, it is necessary to determine whether federal financial participation is available for each person in the FBU. For purposes of determining federal financial participation, AFDC recipients shall be categorized into two groups:

- a. Federally eligible persons and
- b. Essential persons.

What follows is a description of the categories of persons who shall be included in each group.

.2 Federally Eligible Persons

.21 Children

- .211 All children who are deprived of parental support and care due to the death (Section 41-420), incapacity (Section 41-430), or continued absence (Section 41-450) of a parent.
- .212 All children who are deprived of parental support and care due to the unemployment of a parent who meets federal eligibility conditions as specified in Section 41-440.4.

.22 Adults

- .221 The caretaker relative of any federally eligible child under .21 above, or of a child who is receiving SSI/SSP who would otherwise meet the conditions of .21 above.
- .222 The second parent of a federally eligible child under .21 above, or of a child who is receiving SSI/SSP who would otherwise meet the conditions of .21 above, when the deprivation of at least one child is the incapacity or unemployment of a parent who meets federal eligibility conditions as specified in Section 41-440.4.
- .223 The spouse of an incapacitated caretaker relative when the caretaker relative is a parent of a federally eligible child under .21 above, or of a child who is receiving SSI/SSP who would otherwise meet the conditions of .21 above.

.23 A pregnant woman:

44-209	IDENTIFICATION OF PERSONS FOR THE CLAIMING OF FINANCIAL PARTICIPATION (Continued)	44-209
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- .231 who has no federally eligible children; and
- .232 who has provided the county with medical verification of her pregnancy (see Sections 82-836 and 88-410); and
- .233 whose child, if born, and living with the mother would have been federally eligible for AFDC in the month of payment; and either
- .234 who is under the age of 19 and has not obtained a high school diploma or its equivalent; or
- .235 whose pregnancy has reached the three-month period immediately before the month of anticipated birth. If the child is born prior to the originally estimated date of birth, the anticipated month of birth is changed to the month in which birth occurred and Federal Financial Participation is retroactively available for the three-month period prior to the month of birth.

.3 Essential Persons

- .31 An essential person is a stepparent, California domestic partner of the child's parent, or ASP who is not an otherwise federally eligible person under .2 and who:
 - .311 Is related to a child determined to be federally eligible under .21, or
 - .312 Is related to a child who is either receiving SSI/SSP or sanctioned by GAIN who would otherwise be federally eligible under .21.

.32 Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.

.4 Repealed by Manual Letter No. EAS-96-07, effective 9/1/96.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: 45 CFR 233.20(a)(2)(vii), FSA-AT-91-1 dated January 1, 1991; and Sections 10553, 10554, 10604, 11203, and 11450(b), Welfare and Institutions Code; and Section 297.5(a), Family Code.

44-211	SPECIAL NEEDS IN CALWORKS	44-211
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.1 General

.11 Section 44-211.11(QR) shall become inoperative and Section 44-211.11(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 special need is a need not common to a majority of recipients for certain goods or services which are essential for their support. The county is responsible for assisting the applicant or recipient in identifying any special needs which he/she may have. In order to meet this responsibility, the county shall give the applicant or recipient a clear explanation of the types of special need allowances which are available, and of the procedure for securing payment for those needs. See Section 44-316.312(d)(QR).

(SAR) A special need is a need not common to a majority of recipients for certain goods or services which are essential for their support. The county is responsible for assisting the applicant or recipient in identifying any special needs which he/she may have. In order to meet this responsibility, the county shall give the applicant or recipient a clear explanation of the types of special need allowances which are available, and of the procedure for securing payment for those needs. See Section 44-316.312(d) (SAR).

.12 Repealed by Manual Letter 83-27, 5/5/83.

.13 Before a payment is made which includes a special need allowance, evidence is required to establish:

.131 That the conditions set forth below under which the need may be allowed are met,

.132 the total cost of the need and the payment plan,

.133 the proportion of the cost which should be borne by the recipient if the need is shared by others in the household,

.134 the period over which the need will continue.

44-211 SPECIAL NEEDS IN CALWORKS (Continued)

44-211

.2 Recurring Special Needs

Section 44-211.2(QR) shall become inoperative and Section 44-211.2(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 recurring special need is a special need for one of the items set forth below which results in added cost to the family and which is expected to occur during two or more months in a calendar year.
- (QR) The allowance for a recurring special need cannot exceed the actual increase in costs to the family as a result of the special need. Actual costs must be verified quarterly on the QR 7 except that if special need allowance guidelines established below are utilized, the county may authorize payment at the rate indicated without verification of actual cost. However, the special need must be resubstantiated at least annually upon redetermination of eligibility and may be required more often considering the type of need and potential for change.
- (QR) The total allowance which is available for each AU per month for all recurring special needs shall not exceed the amount resulting from multiplying \$10 by the number of persons in the AU.
- (SAR) A recurring special need is a special need for one of the items set forth below which results in added cost to the family and which is expected to occur during two or more months in a calendar year.
- (SAR) The allowance for a recurring special need cannot exceed the actual increase in costs to the family as a result of the special need. Actual costs must be verified every six months on the SAR 7 or the SAWS 2 except that if special need allowance guidelines established below are utilized, the county may authorize payment at the rate indicated without verification of actual cost. However, the special need must be resubstantiated at least annually upon redetermination of eligibility and may be required more often considering the type of need and potential for change.
- (SAR) The total allowance which is available for each AU per month for all recurring special needs shall not exceed the amount resulting from multiplying \$10 by the number of persons in the AU.

44-211 SPECIAL NEEDS IN CALWORKS (Continued) 44-211

.21 Therapeutic Diets

.211 Special need for a therapeutic diet shall be authorized when recommended by a physician and therapeutic diets are not limited to those listed below, except that final determination of the need may be based upon consultation with the county medical consultant.

.212 The recipient is entitled to establish actual expenses related to the diet plan if it is to his or her benefit to do so. However, if the recommended diet plan includes one or a combination of the following diets, the county may pay the amount indicated for the highest cost diet without verification of actual costs:

\$15 for the following diets:

Diabetic, 2200 calories or more
High Calorie -- High protein (including special formula for infant)
Lactation (while breast feeding)

\$9 for the following diets:

Diabetic, under 2200 calories
Bland
Low Fat -- Cholesterol
Low Salt (sodium, under three grams)

.22 Other Recurring Special Needs

A recipient is eligible for a special need allowance for the following recurring special needs when the county verifies that they occur for reasons not common to a majority of recipients and that they are essential for support. Determination of any allowance shall be consistent with the following guidelines and limitations:

.221 The actual cost of special transportation except that the allowance shall not exceed the actual cost of the least expensive mode of the transportation (including common carrier) reasonably available to the recipient. The county may compute the costs for a private automobile according to the number of miles traveled at the rate of \$0.12 a mile without further documentation by the recipient. Examples of special transportation needs are where the recipient must journey an unusual distance or travel daily to receive required medical treatments.

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44-211 SPECIAL NEEDS IN CALWORKS (Continued) 44-211

- .222 The actual cost of special laundry. The county may allow \$3.00 per month without verification of actual cost by the recipient. An example of special laundry needs would be where a recipient is required to change and clean bedding or clothing more than usual because of a medical condition.
- .223 The actual cost of employing someone to do the cooking, washing, ironing, household cleaning, and similar chore services for members of the FBU when the county verifies that the family caretaker is unable to perform any one or more of these functions, and that such duties cannot be performed without charge by persons in the household.
- .224 The actual cost of special telephone service or equipment such as the cost of an amplifying device when a member of the household is handicapped by an auditory impairment.
- .225 The actual costs of excessive use of utilities when the county verifies that the excessive use is required for a reason not common to a majority of recipients and is essential for their support. Excessive use of utilities means the FBU's share of the actual cost of utilities is in excess of the in-kind income values for utilities for that size FBU. The county may allow \$5.00 per month without verification of actual cost by the recipient.
- .23 Where a recurring special need also qualifies as an allowable service-connected expense pursuant to Section 10-305 or Chapter 30-500, the county may authorize any combination of such funds to meet the family's needs so long as there is no duplication in aid payment. When a special need is to be met from a combination of such funds, the allowance must be based on the actual costs and not the guidelines specified above.
- .3 Nonrecurring Special Need Payments
 - .31 A payment for a nonrecurring special need shall be granted to an eligible AU when any of the following conditions exist:
 - .311 Household emergencies resulting from sudden and unusual circumstances beyond the AU's control. (See MPP 44-211.4.)
 - .312 Homelessness when the AU is seeking permanent housing. (See MPP 44-211.5.)
 - (a) Repealed by Manual Letter No. EAS 06-03, effective 11/16/06

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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- .32 An AU is ineligible to receive a nonrecurring special need payment if it has over \$100 in nonexempt liquid resources with the exception of funds deposited in a restricted account described in Section 42-213.231.
- .321 The county shall evaluate nonexempt liquid resources when an AU requests a nonrecurring special need payment for any of the following:
- (a) An emergency resulting from sudden and unusual circumstances beyond the AU's control (see Section 44-211.4);
 - (b) Homeless assistance, at the time the AU applies for such assistance but not during the incident of homelessness as defined in Section 44-211.513(b).
- .33 Liquid resources of \$100 or less shall not be considered for purposes of computing the nonrecurring special need payment.

HANDBOOK BEGINS HERE

See MPP 42-211.2 for definition of liquid resources; see MPP 40-129.21 for exceptions to the MPP 42-211.2 definitions.

HANDBOOK ENDS HERE

- .4 Emergencies Resulting from Sudden and Unusual Circumstances Beyond the AU's Control
- .41 An AU is entitled to receive a nonrecurring special need payment to repair or replace clothing or household equipment; to provide assistance for damages to the home; or to pay for interim shelter when the AU's home was destroyed or made uninhabitable or inaccessible. (See MPP 44-211.42, .43, and .44 respectively.)
- .411 The loss or damage must have been caused by sudden and unusual circumstances beyond the AU's control.
- .412 The CWD shall determine the most feasible and economic method of repair or replacement including the provision of donated or used serviceable items.

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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.413 The total amount allowed for the payment for household emergencies shall not exceed \$600 for each incident resulting from the circumstances described in MPP 44-211.41 and .411.

(a) The amount of the payment for each item to be repaired or replaced, or to assist with damage to the home, shall be the actual cost, including sales tax, up to a total maximum not to exceed the amount allowed in MPP 44-211.413.

(b) Payment shall not be made to repair or replace clothing, household items or damage to the home occupied by the AU, unless the clothing, household items or home belonged to a member of the AU.

.42 Clothing and Household Equipment

.421 Within the limit specified in MPP 44-211.413, a payment made to replace clothing may not exceed \$25 for each member of the AU.

.422 Items of household equipment which may be repaired or replaced include, but are not limited to the following:

(a) Bedding, dishes, kitchen utensils - \$12 for each person in the AU

(b) Cook stove - \$142

(c) Refrigerator - \$190

(d) Space heater - \$73

(e) Double bed including mattress - \$143

(f) Other essential furniture - \$50

.43 Damage to the AU's Home

.431 Within the limit specified in MPP 44-211.413, a payment may be made for the costs of essential repair or replacement resulting from damage to the AU's home.

.432 The payment shall be allowed for the following costs:

(a) Moving and/or storage costs necessitated by the damage to the home.

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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- (b) Labor and material costs for repair of the home in which the AU lives and which a member of the AU owns.

.44 Interim Shelter

.441 An AU may receive a nonrecurring special need payment for the costs of interim shelter when its home has been destroyed, made uninhabitable or inaccessible.

.442 An AU is not eligible to receive a nonrecurring special need payment for the costs of interim shelter if it is eligible to receive the nonrecurring special need payment for homeless assistance described in MPP 44-211.5.

HANDBOOK BEGINS HERE

- (a) If an AU has received the nonrecurring special need for homeless assistance, and the AU's home is subsequently destroyed, made uninhabitable or inaccessible, the AU may qualify for interim shelter assistance in accordance with MPP 44-211.441.

HANDBOOK ENDS HERE

.5 Homeless Assistance

.51 General

A homeless AU seeking permanent housing is eligible to receive homeless assistance. Homeless assistance is available to meet the reasonable costs of securing permanent housing, preventing eviction and meeting the costs of temporary shelter while the AU is seeking permanent housing. Any AU applying for homeless assistance shall be informed that these benefits are limited to once-in-a-lifetime, with exceptions (see Sections 44-211.514 and .54). Further, the AU shall be informed that the temporary shelter payment of up to 16 consecutive days is only available during this period and that once this period ends, these benefits are exhausted, even if the AU has not received all 16 days of temporary shelter payments.

HANDBOOK BEGINS HERE

See MPP 44-211.52 for specifics regarding the payment for temporary shelter assistance; see MPP 44-211.53 for specifics regarding the payment for permanent housing assistance.

HANDBOOK ENDS HERE

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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.511 An AU is considered homeless when:

- (a) It lacks a fixed and regular nighttime residence: or
- (b) It has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations; or
- (c) It is residing in a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or
- (d) It has a need for housing in a commercial establishment, shelter, publicly-funded transitional housing, or from a person in the business of renting properties who has a history of renting properties; or
- (e) It receives a pay rent or quit notice.

HANDBOOK BEGINS HERE

- (1) Example: An otherwise eligible AU, who temporarily resides with another family, requests homeless assistance payments to obtain separate housing. The county determines that the AU is eligible to receive homeless assistance payments because: (1) they have a need for commercial shelter, and (2) they lack a fixed and regular nighttime residence. This is in accordance with the preliminary injunction ordered in Merriman v. McMahon, which remains in full force and effect.

HANDBOOK ENDS HERE

.512 Although an AU may be considered homeless, in accordance with the definition in MPP 44-211.511, a homeless assistance payment shall not be issued to an AU if the CWD establishes that the AU has shelter at no cost.

.513 An AU is eligible for a once-in-a-lifetime nonrecurring special need payment for homeless assistance unless the exception criteria in Section 44-211.54 or .514 is met. Homeless assistance shall only be granted for a continuous period of homelessness caused by the same specific circumstance and is limited to a maximum of one period of up to 16 consecutive calendar days of temporary assistance and one payment of permanent housing assistance, with exceptions. A homeless assistance payment may be granted for either, or both, temporary shelter or permanent housing. An AU may be granted a 16-consecutive-day period of temporary shelter assistance, if eligibility requirements are met (see Section 44-211.52), after a permanent housing payment has been received. A permanent housing payment may be granted whether or not a payment for temporary shelter has been issued. The initial issuance of temporary shelter and/or permanent housing payments is considered the once-in-a-lifetime homeless assistance benefit regardless of the reason for the homelessness.

44-211 SPECIAL NEEDS IN CALWORKS (Continued)**44-211**

- (a) The AU must complete a separate Statement of Facts for Homeless Assistance (CA 42) to apply for a temporary shelter payment and/or permanent housing assistance. The Statement of Facts for Homeless Assistance is designed to gather information specific to the elements of eligibility for the nonrecurring special need for homeless assistance.
 - (b) The period of homelessness begins:
 - (1) For emergency transfer of deposits in Section 44-211.535, on the date when the first homeless assistance payment is issued for either the once-in-a-lifetime benefit or for homeless assistance under an exception.
 - (2) For those once-in-a-lifetime exceptions limited to once in 12 months, on the date when the first homeless assistance payment is issued under one of these exceptions.
 - (c) The period of homelessness ends when the AU receives the payment for permanent housing, except as specified in Section 44-211.52.
- .514 An otherwise eligible AU that has received a homeless assistance payment at any time on behalf of an eligible child shall not be eligible for further homeless assistance payments, except under the following conditions:
- (a) There is a new caretaker relative who was not living with the AU at the time the original homeless assistance payment was issued, and
 - (b) The new caretaker has not previously received homeless assistance on behalf of or as part of another AU, and
 - (c) The former caretaker relative is no longer living in the home with the AU.

HANDBOOK BEGINS HERE

- (d) For additional exceptions, see Section 44-211.54.

HANDBOOK ENDS HERE

- .515 In intercounty transfer cases, the CWD where the AU resides shall be responsible for the homeless assistance eligibility determination and issuance of the homeless assistance payment from the date of the request. This is the county in which the AU is physically located and intends to reside.

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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- (a) Eligibility for and the amount of payment for homeless assistance shall be determined using the MAP amount for the county where the AU resides.

HANDBOOK BEGINS HERE

See Section 40-190.31.

HANDBOOK ENDS HERE

.516 The county shall comply with an AU's written request to make payments to the AU or to the providers of temporary shelter, permanent housing or utilities unless the conditions in Section 44-211.517 exist.

- (a) The CWD shall determine the most appropriate method of payment to third parties which includes, but is not limited to, direct vendor payments, two-party or restrictive endorsement checks, or voucher payments.

.517 The county shall make restricted payments when the county establishes a finding of mismanagement of CalWORKs cash assistance. A restricted payment is a vendor or two-party payment to a provider of temporary shelter, permanent housing or utilities for any future homeless assistance payments associated with the incident of homelessness.

- (a) Mismanagement exists only when:
 - (1) The county determines that the homeless assistance payment was not used for shelter; or
 - (2) The AU fails to provide verification that the temporary shelter payment was spent on shelter; and/or as required under Section 44-211.532(d) for permanent housing; or
 - (3) The AU provides verification which shows the homeless assistance payment was not paid to a provider who is a commercial establishment, etc., as specified in Section 44-211.526 and .532(c).
 - (4) The recipient's homelessness is the result of the failure to pay rent, other than for the following:
 - (A) A rent increase which results in the AU's rent or share of the rent being over 80 percent of the maximum aid payment, without special needs, for an AU of that size.

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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- (B) Reasonable exercise of a tenant's right to withhold rent for cause.
- (C) Domestic violence by a spouse, partner, or roommate.
- (b) The CWD shall do all of the following when restricted payments are provided to an AU:
 - (1) Issue the payment by one of the following methods, at the discretion of the CWD:
 - (A) Mail or delivery to the AU for delivery to the service provider.
 - (B) Mail or delivery directly to the service provider.
 - (2) Develop greater ability on the part of the recipient to manage funds in such a manner as to protect the welfare of the family by:
 - (A) Providing each family with informational materials.
 - (B) Referring the family to appropriate services where such services exist.

.52 Temporary Shelter

The temporary shelter payment is available once-in-a-lifetime, with exceptions (see Section 44-211.541), to a homeless AU for temporary shelter, when the AU is also seeking permanent housing.

.521 The temporary shelter payment is also available to homeless applicant AUs who are apparently eligible for CalWORKs.

HANDBOOK BEGINS HERE

- (a) Apparent eligibility is defined in Section 40-129.11.
 - (1) The potentially eligible AU must meet technical conditions of eligibility as specified in Section 40-129.214(a).
 - (2) Information from any source may be considered.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

- (b) In determining an apparently eligible AU, do not include a person who is:
- (1) An alien applicant who does not provide verification of his/her eligible alien status; or
 - (2) A woman with no eligible children who does not provide medical verification of pregnancy; or
 - (3) A person who is sanctioned.

HANDBOOK ENDS HERE

- .522 An AU may receive temporary shelter assistance, after it has been granted permanent housing assistance, when the AU still needs temporary shelter prior to assuming occupancy of the permanent housing, provided that the temporary shelter 16-consecutive-day limit has not expired.
- .523 The payment for temporary shelter shall be issued or denied within the same working day in which the AU requests homeless assistance.
- (a) When the CWD arranges for shelter in the interim, the temporary shelter may be issued no later than the close of business on the working day following the request.
 - (b) The temporary shelter payment, or CWD arranged interim shelter, shall be issued to an otherwise eligible AU on the last CWD working day before a weekend or holiday when it is established that the AU will lack shelter on the weekend or holiday.
- .524 An AU determined to be homeless may be eligible for up to 16 consecutive days of temporary shelter assistance, regardless of the CWD's schedule for issuance of payments.
- (a) The 16-consecutive-day period begins on the first day for which a temporary shelter payment is provided to an AU.
 - (b) The AU must request all temporary shelter assistance before the end of the 16-consecutive-day limit.

44-211 SPECIAL NEEDS IN CALWORKS (Continued)

44-211

- (c) The AU must provide verification of shelter expenditures and a housing search to receive reimbursement for temporary shelter assistance for expenses incurred within the 16-day period.
- (d) Unless homelessness and, when applicable, an exception have been verified, an initial temporary shelter payment shall be issued for up to three working days plus any nonworking days that are bracketed by the working days. If homelessness has been verified, payments are issued in accordance with Section 44-211.524(f) which permits an extension of benefits.

HANDBOOK BEGINS HERE

(1) EXAMPLE:

An AU requests temporary shelter on a Thursday. The following Monday is a national holiday and the CWD will be closed. The CWD may issue temporary shelter benefits for six days to pay for Thursday through Tuesday nights' shelter.

HANDBOOK ENDS HERE

- (e) The CWD shall verify the family's homelessness within the first three working days.
 - (1) The CWD shall refer the AU to its early fraud prevention and detection unit for assistance in the verification of homelessness when the AU meets the criteria outlined in Section 20-003.2 or 20-005.322.
 - (2) Other than referrals made pursuant to Section 44-211.524(e)(1), the CWD shall obtain the AU's consent for the release of information to verify homelessness.
 - (3) If the CWD is unable to verify that the AU is homeless, the AU must complete and sign a statement under penalty of perjury which includes the following information:
 - (A) A statement of liability for providing false information.
 - (B) Name, address and telephone number of previous landlord.
 - (C) Location where the AU is currently staying.

44-211 SPECIAL NEEDS IN CALWORKS (Continued)**44-211**

- (f) After homelessness and, when applicable, an exception have been verified, benefits shall be issued on a weekly basis thereafter up to seven days for a maximum total of 16 consecutive calendar days. An extension of benefits beyond the initial payment shall be based upon:
- (1) The CWD's verification of the AU's homelessness within the first three working days.
 - (2) The AU's continuing need for temporary shelter benefits.
 - (3) The AU's documentation of a search for permanent housing while receiving temporary shelter benefits.
 - (A) The CWD shall issue a housing search form to the AU for the AU to document its search for housing.
 - (i) Other than cases of suspected fraud handled by the fraud unit, when the county chooses to make a collateral contact to verify housing search, the CWD must obtain the AU's consent.
 - (B) A minimum of one contact with prospective landlords for each day the AU receives temporary shelter benefits shall be required unless the AU has good cause for not searching for housing. An AU may contact prospective landlords in person, by telephone, or in writing.

HANDBOOK BEGINS HERE

(i) **EXAMPLE**

An AU requests temporary shelter benefits on a Monday and is issued three days of benefits and a search form by the CWD. The AU returns to the CWD on Thursday. The search form shows that the only contacts were with three landlords on Thursday prior to returning to the CWD. If the CWD has verified the AU's homelessness and the AU still needs temporary shelter assistance, the CWD will consider the AU to have cooperated with the housing search requirement in Section 44-211.524(f)(3)(B), and issue up to seven more days of temporary shelter benefits.

HANDBOOK ENDS HERE

44-211 SPECIAL NEEDS IN CALWORKS (Continued)

44-211

- (ii) Good cause for not searching for permanent housing includes, but is not limited to, the following situations:
 - a. The AU does not have access to a telephone, either through having one itself, or through a friend, shelter or accessible public place, and the AU also has no transportation and is living in a rural setting that makes public transportation unfeasible.
 - b. The permanent housing located by the AU is not yet available for occupancy.
 - (C) Temporary shelter benefits shall be issued while the AU is cooperating, as outlined in Section 44-211.524(f)(3)(B) regarding housing search.
 - (D) An AU shall not be issued temporary shelter benefits if the AU has not met the housing search requirement, as outlined in Section 44-211.524(f)(3)(B), and if applicable, has not submitted verification of an exception. If the AU subsequently meets the housing and/or verification of an exception requirement(s) within the 16-consecutive-day period, the AU shall continue to receive temporary shelter benefits for the remainder of the 16-consecutive-day period if otherwise eligible. No payment shall be issued for those days during which noncooperation existed.
 - (g) The applicant/recipient shall provide verification of the amount expended for temporary shelter after receiving a temporary homeless assistance payment but before receiving any subsequent homeless assistance payment made directly to the applicant/recipient.
 - (1) Repealed by Manual Letter No. EAS-92-01, effective 1/1/92.
- .525 The amount of the nonrecurring special need payment for temporary shelter shall be specified by the State Department of Social Services pursuant to the Budget Act.
- (a) An AU with four or fewer members shall receive a daily amount as specified in Welfare and Institutions Code Section 11450(f)(2)(A).

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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HANDBOOK BEGINS HERE

- (1) Effective July 12, 2006, the amount is \$65.

HANDBOOK ENDS HERE

- (b) The fifth and each additional member of an AU shall each receive an amount equal to one-fourth of the amount specified in MPP 44-211.525(a).
- (1) The total amount available to an AU with five or more members shall not exceed a maximum of two times the amount specified in MPP 44-211.525(a).

HANDBOOK BEGINS HERE

- (2) Effective July 12, 2006, the amount for the fifth and each additional member of an AU shall be \$15.00, for a maximum of \$125 a day.

HANDBOOK ENDS HERE

.526 In order for the homeless assistance program to be available to meet shelter costs, the AU shall use a provider of housing who is a commercial establishment, shelter, publicly funded transitional housing, or person in the business of renting properties who has a history of renting properties.

- (a) When the AU fails to pay a provider in accordance with this requirement, the county shall follow the restricted payment provisions of Section 44-211.517.

HANDBOOK BEGINS HERE

(1) Example:

The AU receives three days of temporary shelter assistance in the amount of \$195. On the fourth day, the AU returns to the CWD for an extension of benefits. The AU provides a receipt that shows payment was made on two nights at XYZ Motel in the amount of \$75. The AU provides a receipt that shows on the third night the AU stayed with a friend who is not in the business of providing shelter and paid the friend \$15. The county determines that the third night the AU failed to pay a provider in accordance with this requirement. The county establishes that mismanagement of funds exists and the subsequent payment is made as a restricted payment.

(2) Example:

The AU receives three nights of temporary shelter in the amount of \$195. The AU returns on the fourth day to request an extension of benefits. The AU provides a receipt that shows the AU stayed in a shelter three nights at a cost of \$15. The AU has met the requirement of staying in a commercial establishment.

(3) Example:

The AU receives \$195 for three nights of shelter. The AU returns on the fourth night for an extension of benefits. The AU provides verification that shows \$205 was spent on two nights of shelter at the XYZ Motel. The third night the AU stayed with a friend at no cost. The AU has met the requirement of staying in a commercial establishment.

HANDBOOK ENDS HERE

.53 Permanent Housing

The once-in-a-lifetime permanent housing payment, with exceptions (see Section 44-211.541), is available to assist homeless recipient AUs in obtaining or retaining permanent housing.

.531 Permanent housing payments are available to:

- (a) Help homeless families secure a permanent residence; or

44-211 SPECIAL NEEDS IN CALWORKS (Continued) 44-211

- (b) Pay up to two months of rent arrearages to prevent eviction. Each month of the rent arrearage payment shall not exceed 80 percent of the Total Monthly Household Income (TMHI), as defined in Section 44-211.534(b) and without special needs.
- .532 A nonrecurring special need payment for permanent housing assistance to secure a permanent residence shall be made only to AUs presenting evidence that the AU has found permanent housing which does not rent for more than 80 percent of the AU's TMHI, without special needs, for an AU of that size.
- (a) If the CWD determines that an AU intends to share housing costs, and the AU's share of the total housing costs does not exceed 80 percent of its TMHI, Section 44-211.532 above shall not apply.
 - (b) Shared housing includes, but is not limited to, the following:
 - (1) Two or more AUs residing together;
 - (2) SSI/SSP recipient(s) residing with CalWORKs recipient(s);
 - (3) An AU residing with unaided person(s) providing that the AU's share does not exceed 80 percent of the TMHI.
- .533 A nonrecurring special need payment for Permanent Housing Assistance to prevent eviction shall be made to AU's when payment of arrearages will prevent the AU from being evicted.
- (a) In order to be eligible for Permanent HA arrearage payments, the AU must also meet all of the following conditions:
 - (1) The AU must provide proof of a proposed or pending eviction such as "notice to pay rent or quit" or court eviction papers;
 - (2) The AU must provide proof to the CWD that the eviction is a result of financial hardship and not for other lease or rental violations;
 - (3) The financial hardship must have been caused by extraordinary circumstances beyond the AU's control;

44-211 SPECIAL NEEDS IN CALWORKS (Continued)**44-211**

- (4) The financial hardship resulting in the AU's eviction must also render the AU homeless in accordance with MPP Section 44-211.511.
- (b) It is the county's responsibility to determine what constitutes a "financial hardship resulting from extraordinary circumstances beyond the AU's control" and this determination must be made after a careful assessment of the unique facts presented in each case.

HANDBOOK BEGINS HERE

- (1) Examples of expenses that might cause the AU to experience financial hardship include, but are not limited to:
- High hospital bills or medical expenses not covered by Medi-Cal.
 - Car repairs.
 - Funeral expenses.
 - Cost required traveling to visit an ill or dying relative or to attend a funeral.
 - High utility bills resulting from unforeseen circumstances, such as weather extremes or repair problems.
 - Loss of wages due to illness of self or family members or temporary unemployment.
- (2) Examples of reasons that might cause financial hardship for an AU that would not be considered a result of extraordinary circumstances beyond the AU's control include, but are not limited to:
- Loss of income due to purchase of non-essential household goods, gambling debts, parties, or vacations.
 - Failure to budget appropriately such as overspending on items not related to family need or mismanagement of household funds.
 - Normal occurring credit card expenses, not related to unusual or unanticipated expense.

HANDBOOK ENDS HERE

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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- (c) The county shall pay up to two months of an AU's rent arrearage, provided each month's arrearage amount does not exceed 80 percent of the AU's TMHI without special needs.
- (d) If the CWD determines that the AU that is being evicted has been sharing housing costs as described in 44-211.532(b), the county shall pay only the eligible AU's share of the rent arrearages.
- (e) The CWD must ensure that payment of the Permanent HA arrearages in a shared housing situation will prevent eviction. If making these arrearage payments would not prevent eviction the CWD shall not approve permanent HA arrearage payments.

.534 Definitions

- (a) "Income" means income to be counted towards the TMHI which includes gross earned and unearned income, including the CalWORKs computed grant, CalWORKs Special Need payments, or Supplemental Security Income (SSI) and State Supplementary Payment (SSP). An AU's CalFresh benefits do not count as income and are not included in the TMHI.
- (b) "Total Monthly Household Income" means income that can be used to determine eligibility for Permanent HA. Counties must count the income of the AU members and of any other persons whose income is currently used in calculating the AU's grant, including but not limited to sanctioned and penalized household members and persons who are excluded by law due to their undocumented non-citizen or drug/fleeing felon status.
 - (1) When an AU has asked to add a new person to their AU mid-period, any income of that person shall be included in the TMHI used to determine eligibility for and amount of Permanent HA, regardless of when the county will be increasing the AU size as a result of adding the new person.
 - (2) If the AU has reported that an AU member has left the home mid-period, and that person's income will no longer be available to help the AU pay rent, that person's income shall not be included as part of the AU's TMHI for Permanent HA.
 - (3) If an SSI/SSP recipient living in the home contributes toward the monthly rent, the family's total monthly rent amount to which the 80 percent standard is applied shall be reduced by the amount contributed by the SSI/SSP recipient.

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44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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.535 An amount not to exceed two months of an AU's rent, as described in MPP Section 44-211.531, is available to pay for the reasonable costs of security deposits when the deposits are a condition of securing a permanent residence.

- (a) Security deposits include last month's rent and any legal payment, fee, deposit or charge that is required by a landlord as a condition of assuming occupancy.
- (b) That portion of the security deposit payment, available for last month's rent shall not exceed 80 percent of the AU's TMHI, without special needs, for an AU of that size.
- (c) In order for the homeless assistance program to be available to meet the cost of security deposits, the recipient must pay the permanent housing assistance to a commercial establishment or a person in the business of renting properties who has a history of renting properties.
- (d) The recipient shall provide verification within 30 calendar days of having received the permanent housing assistance payment of:
 - (1) The amount expended for permanent housing.

44-211 SPECIAL NEEDS IN CALWORKS (Continued)

44-211

- (2) The payment of the permanent housing assistance to a commercial establishment or a person in the business of renting properties who has a history of renting properties.
- (e) Should the recipient fail to provide verification, the county shall make a determination as to whether the payment was used for permanent housing rented from a commercial establishment or a person in the business of renting properties.
- (1) A determination that the payment was not used for permanent housing or not used to pay a commercial establishment or a person in the business of renting properties shall result in a determination that mismanagement of funds exists for any future security deposit or utility payment associated with the same incident of homelessness.
- .536 The payment for permanent housing costs may include the actual costs of utility deposits in addition to the amount allowable for security deposits described in MPP 44-211.535.
- (a) The payment shall cover deposits (turn-on-fees) required for gas, electricity and/or water.
- (b) The payment shall not include the costs of overdue utility bills.
- .537 The county has one working day from the time the recipient provides the following information to issue or deny a payment for permanent housing assistance:
- (a) A written rental agreement which demonstrates the landlord's intent to rent to the AU at a cost which does not exceed 80 percent of the AU's TMHI.
- (1) If the county questions the validity of the rental agreement, or a rental agreement cannot be provided, the county shall verify that a rental agreement has been made by directly contacting the landlord or by some other means.
- (2) If the county cannot directly contact the landlord, or verify by some other means that a rental agreement has been made, then the recipient must complete and sign a statement under penalty of perjury which includes the following information:
- (A) A statement of liability for providing false information.

44-211 SPECIAL NEEDS IN CALWORKS (Continued) 44-211

- (B) Name and phone number of landlord.
 - (C) Location of rental.
 - (D) Terms of rental.
 - (E) Dollar amount of deposits and rent.
- (b) Information necessary for the CWD to establish eligibility for CalWORKs.
- (c) When applicable, verification of the exception to the once-in-a-lifetime homeless assistance benefit (see Section 44-211.541).
- .538 If due to an emergency, an AU must move within the 24-month time limit specified in MPP 44-211.513, the AU shall be allowed to transfer deposits to meet the security deposits for the new residence.
- (a) An emergency cannot result from an intentional act on the AU's part.
 - (b) If the CWD determines that the transfer was within the 24-month time limit, and not an emergency, refunded deposits shall be treated as liquid resources.
- .539 The payment for permanent housing costs is not available to assist recipients to return to their most recent former residence unless there are unusual circumstances beyond the recipient's control.
- (a) For purposes of this section, a most recent former residence is the house or the same unit in a duplex or apartment complex in which the recipient lived just prior to being determined homeless.

HANDBOOK BEGINS HERE

EXAMPLE:

A family left its residence in Shasta County in order to take advantage of a job opportunity in Los Angeles. When they arrived in Los Angeles, the job was no longer available. The family returned to Shasta County and was homeless. Their former residence was available to rent, so they requested a permanent housing payment to move into their former residence. Their request should be granted due to unusual circumstances which prompted their return to Shasta County.

HANDBOOK ENDS HERE

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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.54 Once-In-A-Lifetime Homeless Exceptions

.541 Temporary and permanent housing assistance payments are each limited to once-in-a-lifetime with the following exceptions:

- (a) Whenever a state or federally declared natural disaster is the direct and primary cause of homelessness.
- (b) Limited to a maximum of one period of up to 16 consecutive calendar days of temporary shelter and one payment of permanent housing assistance in 12 months (see Section 44-211.513(b)(2)) when homelessness is the result of any of the following exceptions:
 - (1) Domestic violence by a spouse, partner, roommate, or
 - (2) Uninhabitability of the former residence caused by sudden and unusual circumstances beyond the applicant/recipient's control which includes, but is not limited to, fire, natural catastrophe, or condemnation, or
 - (3) A medically verified physical or mental illness, excluding alcoholism, drug addiction or psychological stress.

.542 The AU shall provide verification of the exceptional circumstance(s), described in Section 44-211.541(b), which resulted in the AU's homelessness. The circumstances listed under Section 44-211.541(b)(2) and (b)(3) shall be verified through a third-party governmental or private health and human services agency. Domestic violence circumstances may be verified by sworn statement as provided in Section 44-211.543.

HANDBOOK BEGINS HERE

- (a) A county may require that a recipient of homeless assistance benefits who qualifies under this paragraph a second time in a 24-month period shall participate in a homelessness avoidance case plan as a condition of eligibility for homeless assistance benefits.
- (b) Examples of verification for the exceptions specified in Section 44-211.541(b) include the following:
 - (1) Domestic violence - copies of records or reports from police departments; medical facilities; battered women's shelters signed by an administrator, counselor or designated staff member; and Adult and Child Protective Services, Family Services Bureau, Crisis Counseling Services agencies. These types of third party verifications are acceptable when the county has determined that a sworn statement by the victim is not credible.
 - (2) Physical or mental illness - medical verification from the appropriate treating physician, state certified nurse, nurse practitioner, physician's assistant, therapist, psychologist, licensed counselor, medical or clinical personnel with access to the patient's records who can verify the diagnosis.
 - (3) Uninhabitability of the residence - written statements or copies of reports from police departments, fire departments, the Red Cross, health department or any other agencies authorized to verify uninhabitability of the former residence.
- (c) Example: An AU applies for homeless assistance, under the exception of a mental condition. The AU had been homeless for some time and had no interim contact with any governmental or private health or human services agency which could verify that homelessness was caused by the mental condition. The AU was able to provide proof of the mental condition from a psychologist and a written statement from the former landlord stating that the AU was evicted because of disruptive behavior toward the other tenants. Based on the verification provided by the AU, the county determines that the AU is eligible for homeless assistance due to the mental illness exception.

HANDBOOK ENDS HERE

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44-211 SPECIAL NEEDS IN CALWORKS (Continued)

44-211

- .543 Sworn statement by a victim of past or present domestic abuse shall be sufficient to verify the AU meets a domestic violence exception unless the county documents in writing an independent and reasonable basis to find the applicant or recipient not credible, in accordance with domestic abuse regulations found at MPP Section 42-715.12.
- (a) A sworn statement by the victim shall be acceptable verification to meet an exception for up to two periods of temporary and two payments of permanent homeless assistance.
 - (b) If the county establishes the applicant or recipient is not credible, the county shall obtain third party verification of domestic violence pursuant to Section 44-542(b)(1).
- .544 A county shall immediately inform the victim who verifies domestic violence with a sworn statement of the availability of domestic violence counseling and services, and shall refer the victim to services upon request.
- .545 A county may require an applicant/recipient who verifies domestic violence by a sworn statement to participate in a homelessness avoidance case plan.
- (a) If a county requires an applicant/recipient who verifies domestic violence by a sworn statement to participate in a homelessness avoidance case plan, the plan shall include the provision of domestic violence services, if appropriate.
 - (b) If an applicant/recipient seeking a once-in-a-lifetime exception for homeless assistance based on domestic violence has previously received homeless avoidance service based on domestic violence, the county shall review whether services were offered to the applicant/recipient and consider what additional services would assist the recipient in leaving the domestic violence situation.

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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.546 Payments for temporary shelter and permanent housing under an exception shall only be authorized for a continuous period of homelessness caused by the same specific circumstances.

HANDBOOK BEGINS HERE

- (a) An AU receives temporary shelter payments in January, 1996 for a verified exception of domestic violence. After receiving the temporary shelter payments, the AU returned to the former residence. In March, 1996 the AU requests the permanent housing payment with the CA 42 showing uninhabitability as the reason for homelessness. Since the AU had not been continuously homeless and the exception is different from that under which the temporary shelter payment was issued, the county determines the AU is not eligible for the permanent housing payment.

- (b) In January, 1996 an AU is issued temporary shelter payments because of uninhabitability. The residence was condemned. The AU then becomes homeless in February, 1996 because of a fire, which is declared a natural disaster by the state. The AU receives both the temporary shelter and permanent housing payments because of the disaster. In April, 1996 the AU returns requesting the permanent housing payment for the exception which began in January, 1996. The AU is again homeless because of uninhabitability. However, since the AU was not continuously homeless after the temporary shelter payment was issued in January 1996, and the current homelessness is not the result of the same specific circumstances, the county determines the AU is not eligible for the permanent housing payment.

HANDBOOK ENDS HERE

.6 Pregnancy Special Needs

- .61 For the purposes of this section, the term "third trimester" is defined as the beginning of the third month immediately prior to the month of anticipated birth and continuing through the month of birth.

- .62 In addition to the basic grant, a pregnancy special need payment shall be authorized for all eligible pregnant women who have provided medical verification, subject to the conditions in Sections 44-211.63 and .64.

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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.63 Eligible Applicants

.631 Section 44-211.631(QR) shall become inoperative and Section 44-211.631(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 pregnant woman with no eligible children who has applied for CalWORKs, is in her third trimester, and is eligible to receive CalWORKs shall be entitled to receive the pregnancy special need payment from the date of application through the end of the quarter in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-quarter, the pregnancy special need payment shall be discontinued at the end of the month prior to the month in which the newborn is added into the AU (see Sections 44-316.312(d)(QR) and 44-318.15(QR)).

(SAR) A pregnant woman with no eligible children who has applied for CalWORKs, is in her third trimester, and is eligible to receive CalWORKs shall be entitled to receive the pregnancy special need payment from the date of application through the end of the semi-annual period in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-period, the pregnancy special need payment shall be discontinued at the end of the month prior to the month in which the newborn is added into the AU (see Sections 44-316.312(d)(SAR) and 44-318.15(SAR)).

.632 Section 44-211.632(QR) shall become inoperative and Section 44-211.632(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 pregnant teen with no other eligible children in an AU of one who is under the age of 19, has not obtained a high school diploma or its equivalent and is otherwise eligible to receive CalWORKs, shall receive the pregnancy special need payment from the date of application through the end of the quarter in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-quarter, the pregnancy special need payment shall be discontinued at the end of the month prior to the month in which the newborn is added into the AU (see Section 44-316.312(QR) and 44-318.15(QR)).

(SAR) A pregnant teen with no other eligible children in an AU of one who is under the age of 19, has not obtained a high school diploma or its equivalent and is otherwise eligible to receive CalWORKs, shall receive the pregnancy special need payment from the date of application through the end of the semi-annual period in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-period, the pregnancy special need payment shall be discontinued at the end of the month prior to the month in which the newborn is added into the AU (see Section 44-316.312(d)(SAR) and 44-318.15(SAR)).

44-211	SPECIAL NEEDS IN CALWORKS (Continued)	44-211
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.633 Section 44-211.633(QR) shall become inoperative and Section 44-211.633(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 pregnant woman who has applied for CalWORKs as part of an AU with other eligible persons or was the caretaker of a person in accordance with Section 82-820.22 and who is eligible shall be entitled to receive the pregnancy special need payment from the date of application through the end of the quarter in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-quarter, the pregnancy special need payment shall be discontinued at the end of the month prior to the month in which the newborn is added into the AU (see Section 44-316.31(QR) and 44-318.15(QR)).

(SAR) A pregnant woman who has applied for CalWORKs as part of an AU with other eligible persons or was the caretaker of a person in accordance with Section 82-820.22 and who is eligible shall be entitled to receive the pregnancy special need payment from the date of application through the end of the semi-annual period in which the child is expected to be born once required verification has been provided. If the birth of the child is voluntarily reported mid-period, the pregnancy special need payment shall be discontinued at the end of the month prior to the month in which the newborn is added into the AU (see Section 44-316.312(d)(SAR) and 44-318.15(SAR)).

.64 Eligible Recipients

.641 Section 44-211.641(QR) shall become inoperative and Section 44-211.641(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 pregnancy special need payment for a pregnant woman who is receiving CalWORKs in an AU with eligible persons shall be granted from the month of the request continuing through the end of the quarter in which the child is expected to be born or the end of the month prior to the newborn being added to the AU, pursuant to Section 44-318.15(QR), once required verification has been provided.

(SAR) The pregnancy special need payment for a pregnant woman who is receiving CalWORKs in an AU with eligible persons shall be granted from the month of the request continuing through the end of the semi-annual period in which the child is expected to be born or the end of the month prior to the newborn being added to the AU, pursuant to Section 44-318.15(SAR), once required verification has been provided.

.642 The recipient is only required to verify pregnancy initially (when the pregnancy is reported) and when the pregnancy continues beyond the originally estimated date of birth.

**STANDARDS OF ASSISTANCE
AID PAYMENTS**

TABLE OF CONTENTS

CHAPTER 44-300 AID PAYMENTS

	Section
Money Payment Principle.....	44-301
Payment by Electronic Fund Transfer	44-302
Aid Payments - Defined.....	44-303
Money Payments.....	.1
Protective Payments.....	.2
Vendor Payments .....	.3
Aid Payment Schedules	44-304
Forwarding of Warrants .....	.1
Frequency of Delivery .....	.2
Changes in Frequency.....	.3
Recipient Option .....	.4
Standard Delivery Dates .....	.5
Exceptions to Standard Delivery Date .....	.6
Recipient Dies.....	.7
Aid Payments - Payee and Delivery	44-305
To Whom Paid and Delivered.....	.1
Alternate Payment System.....	.2
Voucher/Vendor Payments	44-307
Voucher/Vendor Payments .....	.1
Grant not Sufficient.....	.2
Untenable Living Situation .....	.3
Change of Address.....	.4
Optional Voucher/Vendor Payments .....	.5
Protective Payments.....	44-309

**STANDARDS OF ASSISTANCE
AID PAYMENTS**

TABLE OF CONTENTS

CHAPTER 44-300 AID PAYMENTS (Continued)

	Section
Exceptions to Protective Payment Requirements	44-310
Cost-of-Living Adjustments	44-311
| Budgeting Methods for CalWORKs	44-313
Prospective Budgeting .....	.1
Budgeting the Income of Individuals Added to or Deleted from an Existing Assistance Unit.....	.2
Budgeting in Approved Alternate Payment Systems.....	.3
Budgeting for Refugee or Cuban/Haitian Entrant Cases Transferred from Refugee or Cuban/Haitian Entrant Cash Assistance to AFDC-FG and AFDC-U .....	.4
Maximum Family Grant (MFG)	44-314
Definitions.....	.1
MFG.....	.2
MFG Application .....	.3
Continue MFG .....	.4
MFG Exemptions.....	.5
MFG Child Eligibility.....	.6
Amount of Aid	44-315
Definitions.....	.1
County Responsibility.....	.2
Amount of Grant .....	.3
Special Needs.....	.4
\$10 or More.....	.5
Payment in Installments .....	.6
Proration of AFDC-FG/U Grant .....	.7
| Zero Basic Grant .....	.8

**STANDARDS OF ASSISTANCE
AID PAYMENTS**

TABLE OF CONTENTS

CHAPTER 44-300 AID PAYMENTS (Continued)

	Section
Reporting Changes Affecting Eligibility and Grant Determinations and County Actions.....	44-316
Reserved.....	.1
When the County Shall Request Updated Information from Recipient Families.....	.2
Mid-Quarter (Mid-Period) Actions.....	.3
Beginning Date of Aid for New Applications	44-317
Basic Date of Aid Determination.....	.1
Aid Begins on a Specified Date .....	.2
Aid is Granted on Intercounty Transfer .....	.3
Change in Type of Assistance.....	.4
Intraprogram Status Changes .....	.6
Previously Denied Application is Approved.....	.8
Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.....	.9
Effective Date of Medical Assistance Certification.....	.10
Beginning Date of Aid (BDA) for Persons Being Added to the AU	44-318
Beginning Date of Aid.....	.1
Initial Payments	44-319
Initial Payment - Defined.....	.1
When Initial Payment is Made.....	.2
Retroactive Initial Payment.....	.3

**STANDARDS OF ASSISTANCE
AID PAYMENTS**

TABLE OF CONTENTS

CHAPTER 44-300 AID PAYMENTS (Continued)

	Section
Changes in Amount of Payment	44-325
When Change is Effective.....	.1
Discontinuance.....	.2
Cancellation or Reduction of the Second Installment of a Month's Aid Payment.....	.3
Delayed Payment	44-327
Federal and State Participation .....	.1
Factors Causing Delay in Payment .....	.2
Underpayments	44-340
General.....	.1
Investigation of Underpayments .....	.2
Calculating the Underpayments .....	.3
Correction of the Underpayment.....	.4
Retroactive Payments Exemption .....	.6
Repealed by SDSS Manual Letter No. EAS-89-06, effective 10/1/89 .....	.7
Overpayments - General	44-350
General.....	.1
Definitions.....	.2
Investigation of Overpayments .....	.3
Aid Paid Pending .....	.4
Overpayments Due to the Inability to Provide Ten-Day Notice of Adverse Action .....	.5
When Overpayments Will Not Be Assessed.....	.6

**STANDARDS OF ASSISTANCE
AID PAYMENTS**

TABLE OF CONTENTS

CHAPTER 44-300 AID PAYMENTS (Continued)

	Section
Methods of Overpayment Recovery	44-351
Voluntary Cash Recoveries.....	.1
Voluntary Grant Offset .....	.2
Balancing .....	.3
Overpayment Recoupment.....	44-352
Calculation of the Overpayment .....	.1
Amount That Can Be Recovered .....	.2
Priority Order for Overpayment Recoupment.....	.3
Methods of Recovery .....	.4
Referral to Special Investigative Unit (SIU).....	.5
| Repealed by Manual Letter No. EAS-01-04, effective 1/8/01	44-353
Mandatory Inclusion Overpayment/Underpayment.....	44-355
Mandatory Person - Presence Unknown1
Current Eligibility2

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CHAPTER 44-300 AID PAYMENTS**44-301 MONEY PAYMENT PRINCIPLE 44-301**

Each individual or family has the right to manage his/her own affairs; to decide what use of his/her money, including the aid payment, will best serve his/her interests; and to make his/her purchases through the normal channels of exchange, to enjoy the same rights and to discharge his/her responsibilities in the same manner as other members of the community.

Aid payments shall be made in conformity with the money payment principle except when a problem in money management exists (see Section 44-307); when authorized sanctions are applied when a person fails without good cause to cooperate in the WIN Demo or GAIN Programs (see Section 42-691 or 42-786); when protective payments are made in noncooperation child support cases (see Sections 43-106 and 43-107.1); when money management is required under GAIN (see Section 42-785); or when directed by the Services System to make payments to a protective payee or to a vendor or vendors (see Section 44-307).

Aid payments are for the benefit of the recipient only and do not constitute income to any other person.

44-302 PAYMENT BY ELECTRONIC FUND TRANSFER 44-302**.1 Payment by Direct Deposit**

Notwithstanding Section 25-301, direct deposit of assistance payments must be made available to CalWORKs recipients in all counties that offer a program of direct payroll deposit to some or all of their employees.

- .11 The CWD shall notify recipients of the option to receive benefits by direct deposit at the time of application or redetermination.
- .12 The recipient can request at anytime to receive direct deposit.
- .13 The recipient shall be eligible for direct deposit for the duration they are on aid.

.2 Payment by Electronic Benefit Transfer (EBT)

Pursuant to Section 16-001.3, counties may elect to use the EBT system to issue cash benefits.

NOTE: Authority cited: Sections 10553, 10554, and 11006.2, Welfare and Institutions Code. Reference: Sections 10072 and 11006.2, Welfare and Institutions Code.

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44-303	AID PAYMENTS - DEFINED	44-303
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Aid payments are:

- .1 Money payments, i.e., payments delivered unconditionally to the recipient or family or to the legally appointed guardian or conservator of the recipient's estate, with no state or county control of the use of the payments.

When a staff person in the county welfare department or in the State Department of Social Services serves as a substitute payee or as a court appointed guardian or conservator for the recipient, as provided in Sections 40-107.2 and 30-222.6, his/her determinations regarding utilization of the aid payments on behalf of the recipient do not constitute "state or county control" within the meaning of this section. However, care shall be taken to leave the recipient as much control over the use of the payment as possible and consistent with conditions.

or

- .2 Protective payments, i.e., assistance payments made to a substitute payee serving as representative of the recipient or family (see Section 44-309).

or

- .3 Vendor payments, i.e., payments made directly to a person or agency supplying goods or services to the recipient or family. Vendor payments are applicable:

- .31 In all aids, for payments on home repairs under special shelter payment provisions; and
- .32 In CalWORKs, for use in certain Homeless Assistance cases (see Section 44-211.5); and
- .33 In CalWORKs cases in which a member of the AU becomes ineligible for aid due to a felony conviction related to the use or distribution of a controlled substance (see Section 44-307.11); and
- .34 In CalWORKs cases in which a parent or caretaker relative is in sanction status for at least three consecutive months (see Section 44-307.12). A county shall establish when to begin to issue vouchers or vendor payments for at least rent and utilities after this three-month period in sanction status. This timeframe shall be included in a county's written policies and procedures.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11251.3, 11327.5(d), 11453.2, and 17012.5, Welfare and Institutions Code; Family Support Act of 1988, Public Law (PL) 100-485, October 13, 1988 and California Department of Health Services Manual Letter 77-1.

44-304 AID PAYMENT SCHEDULES 44-304

- .1 Forwarding of Warrants warrant is mailed, the envelope containing the warrant shall bear a statement that the warrant is not to be forwarded and that an address correction is requested (Welfare and Institutions Code Section 11006.4).

- .2 Frequency of Delivery Except for counties with approved alternate payment systems counties shall select either semimonthly or monthly delivery of payments.

- .3 Changes in Frequency Counties shall, when electing to change frequency of delivery:
 - .31 CDSS Notification Notify CDSS in writing at least 90 calendar days prior to converting from one payment frequency to another.

 - .32 Recipient Notification Notify all recipients of in writing at least 30 calendar days prior to converting from one payment frequency to another.

- .4 Recipient Option Counties opting for a monthly payment system shall be permitted to offer recipients the option of receiving semimonthly payments on a case-by-case basis. The total number of recipients receiving semimonthly payments shall not exceed 50% of the county's caseload.

- .5 Standard Delivery Dates
 - .51 Semimonthly Delivery The county shall deliver ongoing payments as follows when the county has selected semimonthly delivery:
 - .511 First Warrant Section 44-304.511(QR) shall become inoperative and Section 44-304.511(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

44-304 AID PAYMENT SCHEDULES (Continued) 44-304

(QR) First Warrant The county shall place the first warrant in the mail or forward the first direct deposit electronic fund transfer in time to be available to the recipient by the first day of each month of the QR Payment Quarter unless the county received the completed QR 7 after the tenth day prior to the end of the QR Submit Month.

| (QR) If the completed QR 7 is received after the tenth day prior to the end of the QR Submit Month, but on or before the first day of the next QR Payment Quarter, the county shall not delay the payment and shall place the warrant in the mail or forward the first direct deposit electronic fund transfer in time to be available to the recipient by the first calendar day of the first month of the next QR Payment Quarter if possible, but no later than the tenth calendar day of the first month of the next QR Payment Quarter.

(SAR) First Warrant The county shall place the first warrant in the mail or forward the first direct deposit electronic fund transfer in time to be available to the recipient by the first day of each month of the SAR Payment Period unless the county received the completed SAR 7 after the tenth day prior to the end of the SAR Submit Month or if the annual redetermination is not completed by the 15th day of the month in which it is due.

(SAR) If the completed SAR 7 is received after the tenth day prior to the end of the SAR Submit Month, but on or before the first day of the next SAR Payment Period, the county shall not delay the payment and shall place the warrant in the mail or forward the first direct deposit electronic fund transfer in time to be available to the recipient by the first calendar day of the first month of the next SAR Payment Period if possible, but no later than the tenth calendar day of the first month of the next SAR Payment Period.

44-304	AID PAYMENT SCHEDULES (Continued)	44-304
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	(SAR)	If the annual redetermination is not completed by the 15th day of the month in which it is due, but on or before the last day of that month, the county shall not delay the payment and shall place the warrant in the mail or forward the first direct deposit electronic fund transfer in time to be available to the recipient by the first calendar day of the first month of the next SAR Payment Period if possible, but no later than the tenth calendar day of the first month of the next SAR Payment Period.
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	.512 Second Warrant	Section 44-304.512(QR) shall become inoperative and Section 44-304.512(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
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	(QR)	The county shall place the second warrant in the mail or forward the direct deposit electronic fund transfer in time to be available to the recipient by no later than the 15 th calendar day of each month of the QR Payment Quarter.
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	(SAR)	The county shall place the second warrant in the mail or forward the direct deposit electronic fund transfer in time to be available to the recipient by no later than the 15th calendar day of each month of the SAR Payment Period.
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	.52 Monthly Delivery	Section 44-304.52(QR) shall become inoperative and Section 44-304.52(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
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	(QR)	The county shall place the warrant in the mail or forward the direct deposit electronic fund transfer in time to be available to the recipient by the first calendar day of each month of the QR Payment Quarter unless the completed QR 7 is received after the tenth day prior to the end of the QR Submit Month.
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44-304 AID PAYMENT SCHEDULES (Continued) 44-304

(QR) If the completed QR 7 is received after the tenth day prior to the end of the QR Submit Month, but on or before the first day of the next QR Payment Quarter, the county shall not delay the payment and shall place the warrant in the mail or forward the direct deposit electronic fund transfer in time to be received by the first day of the first month of the next QR Payment Quarter if possible, but not later than the tenth day of the first month of the next QR Payment Quarter.

(SAR) The county shall place the warrant in the mail or forward the direct deposit electronic fund transfer in time to be available to the recipient by the first calendar day of each month of the SAR Payment Period unless the completed SAR 7 is received after the tenth day prior to the end of the QR Submit Month or if the annual redetermination is not completed by the 15th day of the month in which it is due.

(SAR) If the completed SAR 7 is received after the tenth day prior to the end of the SAR Submit Month, but on or before the first day of the next SAR Payment Period, the county shall not delay the payment and shall place the warrant in the mail or forward the direct deposit electronic fund transfer in time to be received by the first day of the first month of the next SAR Payment Period if possible, but not later than the tenth day of the first month of the next SAR Payment Period.

(SAR) If the annual redetermination is not completed by the 15th day of the month in which it is due, but on or before the last day of that month, the county shall not delay the payment and shall place the warrant in the mail or forward the first direct deposit electronic fund transfer in time to be available to the recipient by the first calendar day of the first month of the next SAR Payment Period if possible, but no later than the tenth calendar day of the first month of the next SAR Payment Period.

.53 Notwithstanding Section 44-304.52, counties opting to use the EBT system shall issue cash benefits pursuant to Section 16-215.

44-304	AID PAYMENT SCHEDULES (Continued)	44-304
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| .6 Exceptions to Standard Delivery Date | The county shall deliver: | |
| .61 Holiday/Weekends | On the last postal delivery day preceding a holiday or weekend when the holiday or weekend will delay delivery past the specified date of delivery. | |
| .611 | With respect to electronic fund transfer, when a payment date falls on a weekend or holiday, funds shall be electronically transferred so that the funds are available on the first day of that month to recipients using direct deposit and available on the designated payment date to recipients using EBT pursuant to Section 16-215. | |

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| (a) Example: | If the payment date is on a Monday and Monday is a holiday, the electronic fund transfer must be made in time to ensure that the funds are available on the first of the month for recipients using direct deposit and available by the designated payment date for recipients using EBT. | |
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| .62 Initial Payment | Initial payments promptly but no later than 10 calendar days after authorization of aid or the beginning date of aid, whichever is later. | |
| .63 Other Types of Delivery | Payment to the recipient on the last working day prior to the specified delivery date when the payment is to be delivered by means other than the mail. | |
| .64 Late Payments | Payments that cannot be authorized before the date for regular aid payments as soon as administratively feasible. | |

44-304 AID PAYMENT SCHEDULES (Continued) 44-304

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| .65 | Out-of-County | Payments out of the county as soon as administratively feasible. |
| .66 | Vendor Payments | Payments according to specified intervals to third parties or vendors when requested by the recipient or when made in accordance with Section 44-303.3. |
| .7 | Recipient Dies | If a warrant is cashed or a direct deposit electronic fund transfer is made, but the recipient subsequently dies or becomes ineligible for aid there is no right to recovery. |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10063(a), 10072, 10553, 10554, 11006.2, 11251.3, 11265.1, 11453.2, 11455 and 17012.5, Welfare and Institutions Code; 45 CFR 206.10(a)(6)(D); 45 CFR 233.23; 45 CFR 233.29(a)-(d); 45 CFR 233.31(b)(4); 45 CFR 233.32; and Balderas v. Woods Court Order; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

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44-305	AID PAYMENTS - PAYEE AND DELIVERY	44-305
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.1 To Whom Paid and Delivered

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- .11 For Payee and Delivery requirements applicable to pregnant or parenting minors who are participants of the California Work Pays Demonstration Project, see Section 89-201.4.

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.12 Child Living with Parent or Relative

- .121 If a child is living with a caretaker relative, the warrant shall be paid only to the caretaker relative unless such relative has a legally appointed guardian or conservator or there is a substitute payee or there is a vendor designated to receive payment (see Section 44-307). In such cases, the warrant is paid to the guardian, conservator, substitute payee or vendor.
- .122 If the caretaker relative is temporarily absent from the home, the warrant may be paid to a person designated by the caretaker relative.
- .123 The warrant is to be delivered only to the payee or otherwise according to the payee's instructions. If there is an emergency, the warrant may be delivered to a person acting temporarily for the parent or relative payee. (See Section 25-530.2.)

.13 Repealed by Manual Letter Number 81-62 (1/1/82)

.2 Alternate Payment System

- .21 A county may develop a plan that divides its cases into groups and pays aid to these cases on dates other than the first and fifteenth of the calendar month, in order to allow payment dates to be spaced evenly throughout the calendar month.
- .22 Such an alternate payment system must receive written approval of the California Department of Social Services before it may be implemented. The plan must provide that:
 - .221 Each recipient shall be assigned a recurring, specified aid payment period. The budget period shall correspond to this payment period.
 - .222 The aid payment shall be issued by mail or by direct deposit electronic fund transfer in time to be available to the recipient on the dates specified under Section 44-305.23.
 - .223 Upon changing aid payment periods for any recipient, the recipient shall be provided a payment for the prorated amount of aid for the interim period between the end of the old payment period and the beginning of the new payment period. The prorated payment shall be made on the old aid payment delivery date.

44-305	AID PAYMENTS - PAYEE AND DELIVERY (Continued)	44-305
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- .224 Under the alternate payment system, references to month in the regulations shall be interpreted to mean the assigned aid payment or budget period.
- .225 Upon approval of the plan by the state and the assignment of an applicant to an alternate payment period, the recipient shall be informed of the payment period, budget period and dates he can expect his aid payment.
- .23 Aid payments to CalWORKs families residing in counties with approved semimonthly alternate payment systems shall be made in two installments during the payment period as follows:
 - .231 Section 44-305.231(QR) shall become inoperative and Section 44-305.231(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 county shall issue the first aid payment by mail or forward the direct deposit electronic fund transfer in time to be available to the recipient by the first day of each month of the assigned QR Payment Quarter, unless the county received the completed QR 7 after the tenth day prior to the end of the assigned QR Submit Month. If the QR 7 is received after the tenth day prior to the end of the assigned QR Submit Month, but on or before the first day of the next assigned QR Payment Quarter, the county shall not delay the payment and shall issue the first aid payment in time to be available to the recipient by the first day of the next assigned QR Payment Quarter if possible, but not later than the tenth day of the first month of the next assigned QR Payment Quarter.
 - (SAR) The county shall issue the first aid payment by mail or forward the direct deposit electronic fund transfer in time to be available to the recipient by the first day of each month of the assigned SAR Payment Period, unless the county received the completed SAR 7 after the tenth day prior to the end of the assigned SAR Submit Month or the annual redetermination is not completed by the 15th day of the SAR Submit Month. If the SAR 7 is received after the tenth day prior to the end of the assigned SAR Submit Month or the annual redetermination is completed after the 15th day of the SAR Submit Month, but before benefits are discontinued, the county shall not delay the payment and shall issue the first aid payment in time to be available to the recipient by the first day of the next assigned SAR Payment Period if possible, but not later than the tenth day of the first month of the next assigned SAR Payment Period.
 - .232 The county shall place the second warrant in the mail or complete the second direct deposit electronic fund transfer in time to be available to the recipient by the 15th day of the assigned payment period.
- .24 The exceptions to standard delivery dates specified in Section 44-304.6 shall be applicable to counties that have alternate payment systems.

44-305 AID PAYMENTS - PAYEE AND DELIVERY (Continued) 44-305

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10063(a), 11006.2, 11254, Welfare and Institutions Code; 45 CFR 233.29, 45 CFR 233.31(b)(4) and 45 CFR 233.32; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12 (a)(1)(vii)].

44-307 VOUCHER/VENDOR PAYMENTS 44-307

- .1 Voucher/Vendor Payments

A county shall issue vouchers or vendor payments for at least rent and utilities payments in the following instances:

 - .11 Felony Conviction

A member of the AU becomes ineligible for aid due to a felony conviction after December 31, 1997, related to the possession, use, or distribution of a controlled substance, or
 - .12 Sanction

Any time a parent or caretaker relative is in sanction status for at least three consecutive months. A county shall establish when to begin to issue vouchers or vendor payments for at least rent and utilities after this three-month period in sanction status. This timeframe shall be included in a county's written policies and procedures. The vouchers or vendor payments shall continue until the parent or caretaker relative is no longer subject to sanction.
- .2 Grant not Sufficient

When the computed grant is not sufficient to cover both rent and utilities, the county shall issue a voucher or vendor payment for the full amount of the grant. The voucher or vendor payment may be for rent, utilities, or some portion of either.

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- .21 Example:

Recipient's rent for a given month \$500.

Utilities for the month \$100.

Grant for the month \$400.

The county could either send a \$400 voucher to the landlord or send a \$100 voucher to the utility company and a \$300 voucher to the landlord.

HANDBOOK ENDS HERE

44-309	PROTECTIVE PAYMENTS (Continued)	44-309
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- .13 The protective payee shall be selected using the following criteria:
 - .113 Interest in or concern with the recipient's welfare.
 - .114 Existence of a positive relationship with the recipient.
 - .115 Accessibility to the recipient.
 - .116 Good character and reliability (see also Section 40-107.2 for recipient's right to choose).
- .14 At least every three months, the way in which the protective payee's responsibilities are carried out shall be reviewed.
- .15 Protective payments will be terminated with return to money payment status only upon compliance by the parent or needy caretaker relative with the provisions of Sections 43-106 and/or 107, or Section 42-786.

NOTE: The above function shall be funded under Title IV-A of the Social Security Act.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Sections 10553, 10554, and 10604, Welfare and Institutions Code; and California Department of Health Services Manual Letter 77-1.

44-310	EXCEPTIONS TO PROTECTIVE PAYMENT REQUIREMENTS	44-310
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- .1 Protective payments under Sections 42-691.233, 42-786.5 and 44-309 are not required if, after making all reasonable efforts (see .2 below), the county is unable to locate an appropriate individual to whom protective payments can be made. In this case, the county shall continue to make payments on behalf of the remaining members of the assistance unit to the sanctioned caretaker.
- .2 At a minimum, reasonable efforts on the part of the county to locate a protective payee shall include the following actions:
 - .21 Inform the sanctioned individual that the county is required to make protective payments if it is able to locate an appropriate protective payee.
 - .22 Ask the sanctioned individual to name a person who can act as the protective payee, and explain the selection criteria of Section 44-309.13 to the sanctioned individual.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: California Department of Health Services Manual Letter 77-1.

**STANDARDS OF ASSISTANCE
AID PAYMENTS**

44-311

Regulations

44-311 COST-OF-LIVING ADJUSTMENTS

44-311

Grant and benefit levels are adjusted annually on July 1 to reflect changes in the cost of living as provided by statute (see W&IC Sections 11453 and 13100). This section does not apply to foster care rates for AFDC children.

44-313 BUDGETING METHODS FOR CalWORKs

44-313

Section 44-313(QR), Introductory Paragraphs, shall become inoperative and Section 44-313(SAR), Introductory Paragraphs, shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Budgeting is the activity used to compute the aid payments for a QR Payment Quarter for which eligibility exists using net nonexempt income, (see Chapter 44-100) that is reasonably anticipated to be received in the QR Payment Quarter. The budgeting method used is prospective budgeting.

(QR) Budgeting is an activity separate from the determination of eligibility. All eligibility factors, including income eligibility (see Section 44-207 and 44-316.324(QR)), are considered on a prospective basis.

(SAR) Budgeting is the activity used to compute the aid payments for a SAR Payment Period for which eligibility exists using net nonexempt income, (see Chapter 44-100) that is reasonably anticipated to be received in the SAR Payment Period. The budgeting method used is prospective budgeting.

(SAR) Budgeting is an activity separate from the determination of eligibility. All eligibility factors, including income eligibility (see Section 44-207 and 44-316.324(SAR)), are considered on a prospective basis.

.1 Prospective Budgeting

.11 Section 44-313.11(QR) shall become inoperative and Section 44-313.11(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Prospective budgeting is the method of computing an aid payment for a QR Payment Quarter using income that is reasonably anticipated to be received in that quarter (see Section 44-315.31(QR)) except for those mid-quarter changes where actual income is used as specified in Section 44-316.311(QR).

(SAR) Prospective budgeting is the method of computing an aid payment for a SAR Payment Period using income that is reasonably anticipated to be received in that period (see Section 44-315.31(SAR)) except for those mid-period changes where actual income is used as specified in Section 44-316.311(SAR).

44-313	BUDGETING METHODS FOR CalWORKs (Continued)	44-313
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.111 Section 44-313.111(QR) et seq. shall become inoperative and Section 44-313.111 (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) Income from the QR Data Month, anticipated changes in income from the QR 7 and mid-quarter income changes as specified in Section 44-316 shall be considered when determining eligibility and cash aid for a QR Payment Quarter. Documentation shall be entered in the case that explains how income was projected in determining cash aid calculations. Case narrative entries shall include, but are not limited to, the following:

(QR) (a) Income the recipient reports that he/she expects to receive in the QR Payment Quarter.

(QR) (b) Whether reasonably anticipated income will be different than income that the recipient reported receiving for the QR Data Month as reported on the QR 7.

(QR) (c) Documentation of the reasons for not accepting the recipient's reasonable anticipated income if the information is questionable.

(QR) (d) Other information used to determine what income will be used in the cash aid calculations (verifications, employers' statements, case history, etc.) if the recipient's reasonable anticipated income is not used.

(SAR) Income from the SAR Data Month, anticipated changes in income from the SAR Data Month, and mid-period income changes as specified in Section 44-316(SAR) shall be considered when determining eligibility and cash aid for a SAR Payment Period. Documentation shall be entered in the case that explains how income was projected in determining cash aid calculations. Case narrative entries shall include, but are not limited to, the following:

(SAR) (a) Income the recipient reports that he/she received in the SAR Data Month.

(SAR) (b) Any changes in income from the Data Month that the recipient reasonably anticipates receiving in the SAR Payment Period as reported on the SAR 7 or annual redetermination.

(SAR) (c) Documentation of the reasons for not accepting the recipient's reasonably anticipated income if the information is questionable.

(SAR) (d) Other information used to determine what income will be used in the cash aid calculations (verifications, employers' statements, case history, etc.) if the recipient's reasonably anticipated income is not used.

44-313 BUDGETING METHODS FOR CalWORKs (Continued) **44-313**

.12 Prospective budgeting shall be used to compute:

.121 Section 44-313.121(QR) shall become inoperative and Section 44-313.121(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 CalWORKs grant for each month in a QR Payment Quarter.

(SAR) The CalWORKs grant for each month in a SAR Payment Period.

.2 Budgeting the Income of Individuals Added to or Deleted from an Existing Assistance Unit

.21 Section 44-313.21 (QR) shall become inoperative and Section 44-313.21(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 income of a new person who is added to an existing AU shall be budgeted prospectively in accordance with Section 44-316.312(b)(QR) for each month of the QR Payment Quarter.

(SAR) The income of a new person who is added to an existing AU shall be budgeted prospectively in accordance with Section 44-316.312(b)(SAR) for each month of the SAR Payment Period.

.22 The income of an individual deleted from an AU shall not be considered income to the AU for budgeting purposes in any month(s) following his or her discontinuance except in the following circumstance:

.221 When the person remains in the home following discontinuance and has income which is considered available to the AU under Section 44-133, prospective budgeting shall continue.

.3 Budgeting in Approved Alternate Payment Systems

.31 Apply the requirements of 44-313 to approved alternate payment systems (see Section 44-305.2). Substitute references to "month" with phrase "28- to 31-day period not limited to a calendar month."

.4 Budgeting for Refugee or Cuban/Haitian Entrant Cases Transferred from Refugee or Cuban/Haitian Entrant Cash Assistance to CalWORKs

.41 Prospective budgeting shall continue for recipients transferred from the Refugee Resettlement or Cuban/Haitian Entrant Programs to CalWORKs.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11265.2, 11265.3, and 11450.5, 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)].

44-314	MAXIMUM FAMILY GRANT (MFG)	44-314
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- .1 Definitions
 - The following definitions pertain only to Section 44-314.
 - .11 Break-in-Aid
 - For MFG purposes the following conditions will be considered a month in which the AU did not receive cash aid:
 - .111 A month in which the AU is eligible for a zero basic grant (ZBG) as defined in Section 44-315.8; or
 - .112 A month in which the reunification family does not receive a cash aid payment pursuant to Section 83-812.683.
 - .12 Law Enforcement Agency
 - Law enforcement agency includes federal, state, and local law enforcement agencies.
 - .13 Mental Health Professional
 - Mental health professional means a person who is licensed by the State of California to provide counseling services.
 - .14 MFG Child
 - MFG child means the child, or children in the case of a multiple birth, that is not included in the AU size for the purpose of determining the MAP.
 - .15 Received Aid
 - Received aid means received cash aid for himself/herself or on behalf of his/her eligible child(ren). This includes:
 - .151 A sanctioned parent who has a protective payee.
 - .152 A minor that receives aid as a child and who subsequently becomes a minor parent.- .2 MFG
 - When a child is born into an AU that has received aid for at least ten months immediately prior to the birth, the child shall not be included in the AU size for the purpose of determining the MAP.
- .3 MFG Application
 - The MFG applies when:
 - .31 Notice
 - The AU has received written notice of the MFG at least ten months prior to the birth of the child, and

44-314 (Cont.)	STANDARDS OF ASSISTANCE AID PAYMENTS	Regulations
44-314	MAXIMUM FAMILY GRANT (MFG) (Continued)	44-314
.531		An intrauterine device, or
.532		Norplant, or
.533		The sterilization of either parent.
.54	Unaided Caretaker Relative	The child was conceived while either parent was an unaided nonparent caretaker relative.
.55	Not Living With Parent	The child is not living with either parent.
.56	Teen Parent/Former Teen Parent	A teen parent/former teen parent, who has met the age requirements in Section 42-101 at the time the child was born, establishes his/her own AU. When this occurs, the MFG rule shall not apply to:
.561		Any existing child of the teen parent/former teen parent, or
.562		Any new child born to the teen parent/former teen parent during the first ten months after establishing his/her own AU.
.6	MFG Child Eligibility	The MFG child is eligible for and a recipient of aid including special needs.
.61	MBSAC	The MFG child is included in the AU size for the MBSAC.
.62	Child Support	Any child support payments for the MFG child shall be given to the AU and exempt from consideration as income. For treatment as a resource, see MPP Section 42-211.2.
.621		Benefits from the Social Security Administration or other government programs that are based on an absent parent's disability or retirement and paid to, or on behalf of, the MFG child shall be considered child support for MFG purposes.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11203, 11265.2, 11450.04(a), (b)(1), (2) and (3), (d)(1), (2) and (3), and (e), Welfare and Institutions Code; Sections 261, 262, and 285, Penal Code; Nickols v. Saenz, Case Number 310867, August 25, 2000; and Kehrer v. Saenz, Case Number 99CS02320, January 22, 2001.

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44-315 AMOUNT OF AID 44-315

- .1 Definitions These definitions are specific to and for purposes of this section.
- .11 Net Nonexempt Income "Net Nonexempt Income" means all earned income and disability-based unearned income less applicable disregards, plus any unearned income.

HANDBOOK BEGINS HERE

[See Chapter 44-100 to determine net nonexempt income.]

HANDBOOK ENDS HERE

- .12 Grant Amount "Grant Amount" means the amount of cash aid which is to be paid to the AU for a given month.
- .13 Potential Grant "Potential Grant" means the subtotal after the net nonexempt income is subtracted from the MAP plus special needs for the family. The potential grant may equal the grant amount if the potential grant is equal to or less than the MAP plus any special needs for the AU only.
- .2 County Responsibility The county is responsible for computing the amount of aid payment when:
- .21 Granted Aid is granted or restored;
- .22 Redetermination A redetermination of eligibility is made;
- .23 Change There is a change in need, income, or other factors affecting the amount of aid to which the recipient is eligible.
- .3 Amount of Grant The county shall calculate the amount of grant as follows:
- .31 Section 44-315.31(QR) et seq. shall become inoperative and Section 44-315.31(SAR) et seq. shall become operative in a county on the date SAR becomes effective in the county, pursuant to the County's SAR Declaration.

44-315 (Cont.)	STANDARDS OF ASSISTANCE AID PAYMENTS	Regulations
44-315	AMOUNT OF AID (Continued)	44-315
(QR) Reasonably Anticipated Monthly Income	The reasonably anticipated monthly income shall be used to determine cash aid for the QR Payment Quarter.	
(SAR) Reasonably Anticipated Monthly Income	The reasonably anticipated monthly income shall be used to determine cash aid for the SAR Payment Period.	
(QR) .311	Income shall be considered to be reasonably anticipated if the county determines that:	
(QR) (a)	The income has been or will be approved or authorized within the next QR Payment Quarter, or the household is otherwise reasonably certain that the income will be received within the QR Payment Quarter; and	
(QR) (b)	The amount of the income is known.	
(SAR) .311	Income shall be considered to be reasonably anticipated if the county determines that:	
(SAR) (a)	The income has been or will be approved or authorized within the next SAR Payment Period, or the household is otherwise reasonably certain that the income will be received within the SAR Payment Period; and	
(SAR) (b)	The amount of the income is known.	
(QR) .312	If necessary, the county may require the recipient to provide one or more months of the previous quarter's income when the county needs more information to determine what income is reasonably anticipated for the next QR Payment Quarter.	
(SAR) .312	If necessary, the county may require the recipient to provide one or more months of the previous period's income when the county needs more information to determine what income is reasonably anticipated for the next SAR Payment Period.	
(QR) .313	That portion of the AU's income which is uncertain or cannot be reasonably anticipated, in accordance with Section 44-101(c)(1)(QR), will not be counted when determining income eligibility and cash aid.	

44-315	AMOUNT OF AID (Continued)	44-315
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(SAR)	.313		That portion of the AU's income which is uncertain or cannot be reasonably anticipated, in accordance with Section 44-101(c)(1)(SAR), will not be counted when determining income eligibility and cash aid.
(QR)	.314	Determine if Income Will Continue or Be Different	The county shall determine whether the reasonably anticipated monthly income is expected to be different from the income reported for the QR Data Month for one or more months during the next QR Payment Quarter or whether the monthly income reported for the QR Data Month is expected to continue during each month of the next QR Payment Quarter.
(SAR)	.314	Determine if Income Will Continue or Be Different	The county shall determine whether the reasonably anticipated monthly income is expected to be different from the income reported for the SAR Data Month for one or more months during the next SAR Payment Period or whether the monthly income reported for the SAR Data Month is expected to continue during the next SAR Payment Period.
	.315	Income Expected to Continue	
(QR)	(a)	Weekly/Bi-Weekly Payments	Under the following circumstances the county shall add weekly or bi-weekly (every other week) Data Month income amounts reported on the QR 7 and divide that total by the number of pay periods in the Data Month to arrive at an average weekly or bi-weekly income amount to which the conversion factor (see Section 44-315.315(b)(QR)) shall be applied:
	(QR)	(1)	An AU reports on the QR 7 that it is paid on a weekly or bi-weekly basis and indicates that it does not anticipate any changes in income in the upcoming quarter compared to the Data Month income actually reported on the QR 7, and the county is in agreement with the AU's report of no change in income; or

44-315 AMOUNT OF AID (Continued)

44-315

(QR) (2)

An AU reports on the QR 7 that it is paid on a weekly or bi-weekly basis and indicates that it anticipates changes in income in the upcoming quarter, but the county determines in its follow-up review that the AU's reasonably anticipated income in the next QR Payment Quarter will not change from what was reported in the Data Month on the QR 7; or

(QR) (3)

An AU reports on the QR 7 that it is paid on a weekly or bi-weekly basis and indicates that it anticipates changes in income in the upcoming quarter and the new amount is known and that the amount will remain the same for the entire QR Payment Quarter and the county is in agreement with the AU's report of the change in income.

(SAR) (a) Weekly/Bi-Weekly
Payments

Under the following circumstances the county shall add weekly or bi-weekly (every other week) Data Month income amounts reported on the SAR 7 or the SAWS 2 and divide that total by the number of pay periods in the Data Month to arrive at an average weekly or bi-weekly income amount to which the conversion factor (see Section 44-315.315(b)(SAR)) shall be applied:

(SAR) (1)

An AU reports on the SAR 7 or SAWS 2 that it is paid on a weekly or bi-weekly basis and indicates that it does not anticipate any changes in income in the upcoming SAR Payment Period compared to the Data Month income actually reported on the SAR 7 or SAWS 2, and the county is in agreement with the AU's report of no change in income; or

(SAR) (2)

An AU reports on the SAR 7 or SAWS 2 that it is paid on a weekly or bi-weekly basis and indicates that it anticipates changes in income in the upcoming SAR Payment Period, but the county determines in its follow-up review that the AU's reasonably anticipated income in the next SAR Payment Period will not change from what was reported in the Data Month on the SAR 7 or SAWS 2; or

44-315 AMOUNT OF AID (Continued)

44-315

(SAR) (3)

An AU reports on the SAR 7 or SAWS 2 that it is paid on a weekly or bi-weekly basis and indicates that it anticipates changes in income in the upcoming SAR Payment Period and the new amount is known and the frequency of pay is anticipated to remain the same for the SAR Payment Period and the county is in agreement with the AU's report of the change in income.

HANDBOOK BEGINS HERE

(QR) Example 1:

The recipient reports on the QR 7 that four weekly paychecks were received in the following amounts: \$115, \$100, \$135, and \$95. The recipient also indicated on the QR 7 that his/her income is not expected to change during the next QR Payment Quarter compared to the income reported on the QR 7. The county will add the four weeks of income together, divide by four and then factor the resultant amount by 4.33 (use the appropriate conversion factor for the payment frequency) to arrive at the monthly income amount for the next QR Payment Quarter. If five pay periods were reported in the Data Month on the QR 7, the county will add each week together and divide by five and then factor the resultant amount by 4.33.

(SAR) Example 1:

The recipient reports on the SAR 7 that four weekly paychecks were received in the following amounts: \$115, \$100, \$135, and \$95. The recipient also indicated on the SAR 7 that his/her income is not expected to change during the next SAR Payment Period compared to the income reported on the SAR 7. The county will add the four weeks of income together ($\$115 + \$100 + \$135 + \$95 = \$445$), divide by four ($\$445 / 4 = \111.25) and then factor the resultant amount by 4.33 ($\$111.25 \times 4.33 = \481.71) (use the appropriate conversion factor for the payment frequency) to arrive at the monthly income amount for the next SAR Payment Period. If five pay periods were reported in the Data Month on the SAR 7, the county will add each week together and divide by five and then factor the resultant amount by 4.33.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

(QR) Example 2: The QR Payment Quarter is January/February/March. The recipient indicated on the QR 7 that weekly income of \$100 was received in the Data Month and marks on the QR 7 that this income amount will not continue during the upcoming QR Payment Quarter. The county consults with the recipient and finds out that the recipient anticipated a change in income because he/she hopes to get a new job in the next quarter but has no firm offer. The recipient states that if he/she does not get a new job, he/she will continue at the current job throughout the next quarter making the same amount. Due to the speculative nature of the new job and the recipient's statement regarding the current job, the county determines that the income reported in the Data Month on the QR 7 is reasonably anticipated to continue during the next quarter. Therefore, the county would apply the conversion factor of 4.33 to the \$100 weekly amount to arrive at the monthly income amount for the next QR Payment Quarter. (In this example, because the \$100 weekly amount remains the same for each pay period, the step requiring that the weekly amounts be added together and divided by the number of pay periods is not necessary.)

(SAR) Example 2: A recipient indicates on the SAR 7 that weekly income of \$100 was received in the Data Month and explains on the SAR 7 that this income amount will not continue during the upcoming SAR Payment Period because the recipient hopes to get a new job soon but has no firm offer. Due to the speculative nature of the new job, the county determines that the income reported in the Data Month on the SAR 7 is reasonably anticipated to continue during the next SAR Payment Period. Therefore, the county would apply the conversion factor of 4.33 to the \$100 weekly amount to arrive at the monthly income amount of \$433 for the next SAR Payment Period. (In this example, because the \$100 weekly amount remains the same for each pay period, the step requiring that the weekly amounts be added together and divided by the number of pay periods is not necessary.)

HANDBOOK CONTINUES

44-315	AMOUNT OF AID (Continued)	44-315
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(b) The average weekly and bi-weekly amounts arrived at above shall be converted to a monthly amount by using a 4.33 conversion factor for weekly payments and a 2.167 conversion factor for payments received bi-weekly.

(QR) (c) The conversion factors can only be used if reasonably anticipated weekly and bi-weekly payments are reasonably anticipated to be paid throughout the entire QR Payment Quarter for each week or for every other week in the QR Payment Quarter. For reasonably anticipated income that is not paid weekly or bi-weekly for one or more months of the QR Payment Quarter, the total monthly reasonably anticipated income amounts shall be added together and averaged over the months of the QR Payment Quarter, by adding each month total income and dividing by the number of months in the QR payment quarter.

(SAR) (c) The conversion factors can only be used if weekly or bi-weekly payments are reasonably anticipated to continue throughout the SAR Payment Period.

HANDBOOK BEGINS HERE

(QR) Example: The recipient reports on the QR 7 that she is paid on a weekly basis except she only works three weeks in a month and indicates that this frequency of pay will remain the same throughout the next QR Payment Quarter and will remain unchanged throughout the next QR Payment Quarter. She is typically paid \$115, \$100, and \$135. The county will add the three weeks of income together to arrive at a reasonably anticipated monthly income for the next QR Payment Quarter. Since income is not paid every week of the QR Payment Quarter, the conversion factor cannot be applied.

HANDBOOK CONTINUES

44-315 AMOUNT OF AID (Continued)

44-315

HANDBOOK CONTINUES

(SAR) Example:

The recipient reports on the SAR 7 that she is paid on a weekly basis except she only works three weeks in a month and indicates that this frequency of pay will remain the same throughout the next SAR Payment Period and will remain unchanged throughout the next SAR Payment Period. She is typically paid \$115, \$100, and \$135. The county will add the three weeks of income together ($\$115 + 100 + 135 = \350) to arrive at a reasonably anticipated monthly income for the next SAR Payment Period. Since income is not paid every week of the SAR Payment Period, the conversion factor cannot be applied.

HANDBOOK ENDS HERE

(QR) (d) Monthly/Semi-Monthly Payments

For income that is received monthly or semi-monthly (two times a month) and is expected to continue, the county shall use the total monthly income amount reported on the QR 7 for the QR Data Month to calculate cash aid for the next QR Payment Quarter. The conversion factors shall not be used for income that is received monthly or semi-monthly.

(SAR) (d) Monthly/Semi-Monthly Payments

For income that is received monthly or semi-monthly (two times a month) and is expected to continue, the county shall use the total monthly income amount reported on the SAR 7 or the SAWS 2 for the SAR Data Month to calculate cash aid for the next SAR Payment Period. The conversion factors shall not be used for income that is received monthly or semi-monthly.

HANDBOOK BEGINS HERE

(QR) Example:

The recipient reports on the QR 7 that monthly income of \$500 received in the QR Data Month will continue for the QR Payment Quarter. The county shall use the \$500 monthly income total to calculate cash aid.

HANDBOOK CONTINUES

HANDBOOK BEGINS HERE

(QR) Example:

A recipient is in a January/February/March quarter. The recipient indicated on the QR 7 that weekly income of \$100 per week was received in the QR Data Month and that this income will not continue during the April/May/June quarter. The county consults with the recipient and determines that the \$100 per week pay will only be received until the second week of May. The recipient will begin a new job on June 1 and anticipates receiving a monthly income of \$500. There are five pay periods in April, and four pay periods in May.

Once the monthly income amounts for each month of the QR Payment Quarter have been determined, add the reasonably anticipated income for each month of the quarter and divide by the number of months in the QR Payment Quarter to arrive at a reasonably anticipated monthly income. The county shall use the reasonably anticipated monthly income to calculate cash aid for the QR Payment Quarter.

The county will compute income for the new quarter as follows:

April	\$500
May	\$200
June	\$500
Total Quarter income	\$1200

The reasonably anticipated monthly income is \$400 (\$1200 divided by the number of months in the QR Payment Quarter).

The reasonably anticipated income for each month of the QR Payment Quarter \$400.

(SAR) Example:

A recipient is in a January through June SAR Payment Period. The recipient indicates on the June SAR 7 that weekly income of \$100 per week was received in the SAR Data Month and that this income will increase to \$150 per week beginning in August.

HANDBOOK CONTINUES

HANDBOOK BEGINS HERE

.321 MBSAC and MAP Levels***

(a) REGION 1 MBSAC/MAP STANDARDS

<u># in AU</u>	<u>MBSAC</u>	<u>EXEMPT MAP*</u>	<u>NONEXEMPT MAP*</u>
1	\$576	\$351	\$317
2	\$943	\$577	\$516
3	\$1,169	\$714	\$638
4	\$1,387	\$849	\$762
5	\$1,584	\$966	\$866
6	\$1,781	\$1,086	\$972
7	\$1,957	\$1,192	\$1,069
8	\$2,131	\$1,301	\$1,164
9	\$2,311	\$1,405	\$1,258
10 or more**	\$2,509	\$1,510	\$1,351

REGION 2 MBSAC/MAP STANDARDS

<u># in AU</u>	<u>MBSAC</u>	<u>EXEMPT MAP*</u>	<u>NONEXEMPT MAP*</u>
1	\$546	\$334	\$300
2	\$896	\$550	\$490
3	\$1,110	\$681	\$608
4	\$1,320	\$809	\$725
5	\$1,507	\$923	\$825
6	\$1,694	\$1,035	\$926
7	\$1,858	\$1,137	\$1,016
8	\$2,028	\$1,239	\$1,109
9	\$2,191	\$1,340	\$1,198
10 or more**	\$2,386	\$1,439	\$1,286

* See MPP Section 89-110.2 for definition of Exempt and Nonexempt AUs.

** For MBSAC add twenty two dollars (\$22) for each additional needy person.

*** MBSAC Levels effective 07/01/12, MAP Levels effective 07/01/11, MBSAC levels are subject to annual Cost of Living Adjustments. MAP levels are subject to change. (See Welfare and Institutions Code Sections 11450, 11452, and 11453.)

HANDBOOK CONTINUES

44-315 AMOUNT OF AID (Continued)

44-315

HANDBOOK CONTINUES

REGION 1 COUNTIES

REGION 2 COUNTIES

Alameda	Orange	Santa Clara	Alpine	Lake	San Bernardino
Contra Costa	San Diego	Santa Cruz	Amador	Lassen	San Joaquin
Los Angeles	San Francisco	Solano	Butte	Madera	Shasta
Marin	San Luis Obispo	Sonoma	Calaveras	Mariposa	Sierra
Monterey	San Mateo	Ventura	Colusa	Mendocino	Siskiyou
Napa	Santa Barbara		Del Norte	Merced	Stanislaus
			El Dorado	Modoc	Sutter
			Fresno	Mono	Tehama
			Glenn	Nevada	Trinity
			Humboldt	Placer	Tulare
			Imperial	Plumas	Tuolumne
			Inyo	Riverside	Yolo
			Kern	Sacramento	Yuba
			Kings	San Benito	

HANDBOOK ENDS HERE

.33 Add Special
Need Payment

Add any special need payment amounts for the family to the MAP.

44-315 AMOUNT OF AID (Continued) 44-315

- .34 Net Nonexempt Income Round to the next lower dollar the net nonexempt income from the budget month including in-kind income.

HANDBOOK BEGINS HERE

(See Chapter 44-100 for computing net nonexempt income.)

HANDBOOK ENDS HERE

- .35 Potential Grant Subtract the net nonexempt income amount from the MAP plus special need for the family. This is the potential grant amount.
- .36 AU MAP Determine the Maximum Aid Payment (MAP) for the AU only. The MAP is set forth in Welfare and Institutions Code Section 11450.
- .37 Add Special Need Payments Add any special need payments for the AU only to the MAP.
- .38 Actual Grant Amount The actual grant amount is the lesser of the potential grant amount or the sum of the MAP plus special needs for the AU only.

HANDBOOK BEGINS HERE

- .381 For additional Amount of Aid requirements applicable to pregnant or parenting minors who are Cal-Learn participants, see Section 42-762.7.
- .39 Computation Examples Handbook Section 44-315.39(QR) shall become inoperative and Handbook Section 44-315.39(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

(QR) Computation of Monthly Grant Amount for the QR Payment Quarter when the AU's Income Reported for the QR Data Month is Expected to Continue for Each Month of the QR Payment Quarter

Example 1:

A nonexempt family of four (a pregnant mom, stepfather (father of the unborn) and her two separate children) are in a July, August, and September Quarter. The stepfather has gross earned income of \$775 per month, with no other income and no reasonably anticipated changes in income for the QR Payment Quarter. The family lives in Region 1.

\$ 775	Reasonably Anticipated Monthly Earned Income for the Family
<u>- 112</u>	\$112 Income Disregard
\$ 663	Subtotal
<u>- 331</u>	50% Earned Income Disregard*
\$ 331	Total Net Nonexempt Income*
\$ 762	"Family" MAP for Four (mother, stepfather and two children) Region 1
<u>+ 47</u>	Special Needs AU (third trimester of pregnancy)
\$ 809	Total (MAP plus special needs)
<u>- 331</u>	Net Nonexempt Income
\$ 478	Potential Grant
\$ 638	Nonexempt AU MAP for Three (Region 1)
<u>+ 47</u>	Special Needs for AU
\$ 685	Total MAP plus Special Needs
\$ 478	Actual Grant Amount (lesser of potential grant or AU MAP plus special needs)

* 50% Earned Income Disregard and Net Nonexempt Income must be rounded down to the nearest dollar amount: MPP Section 44-315.34

HANDBOOK CONTINUES

HANDBOOK CONTINUES

(SAR) Computation of monthly grant amount for the SAR Payment Period when the AU's income reported for the SAR Data Month is expected to continue for the upcoming SAR Payment Period.

Example 1:

A nonexempt family of four (a pregnant mom, stepfather (father of the unborn) and her two separate children) are in a July through December SAR Payment Period. The stepfather reports receiving gross earned income of \$775 in the Data Month of November. The AU has no other income and does not reasonably anticipate any changes in income for the upcoming SAR Payment Period. The family lives in Region 1.

\$ 775	Reasonably Anticipated Monthly Earned Income for the Family
<u>- 112</u>	\$112 Income Disregard
\$ 663	Subtotal
<u>- 331</u>	50% Earned Income Disregard*
\$ 331	Total Net Nonexempt Income*
\$ 762	"Family" MAP for Four (mother, stepfather and two children) Region 1
<u>+ 47</u>	Special Needs AU (third trimester of pregnancy)
\$ 809	Total (MAP plus special needs)
<u>- 331</u>	Net Nonexempt Income
\$ 478	Potential Grant
\$ 638	Nonexempt AU MAP for Three (Region 1)
<u>+ 47</u>	Special Needs for AU
\$ 685	Total MAP plus Special Needs
\$ 478	Actual Grant Amount (lesser of potential grant or AU MAP plus special needs)

* 50% Earned Income Disregard and Net Nonexempt Income must be rounded down to the nearest dollar amount: MPP Section 44-315.34

HANDBOOK CONTINUES

HANDBOOK CONTINUES

(QR) Computation of Monthly Grant Amount for the QR Payment Quarter when the AU's Income Reported for the QR Data Month is Expected to Differ for One or More Months of the QR Payment Quarter.

Example 2:

A Region 1 nonexempt AU of four is in the October/November/December quarter. Mother submits the QR 7 for November to the county on December 10. On the QR 7, she reports that she started a part-time job in December that will only last until the end of January, when the holiday shopping season has ended. She reports that she will get paid \$900 in January and \$800 in February. One child is also receiving SSA disability benefits of \$100 per month based on an absent father's disability. SSA disability benefits are considered disability based unearned income (DBI).

Benefits for the January/February/ March quarter are computed based on the income the AU reasonably anticipates it will receive during that quarter as follows:

\$ 100	Monthly DBI
\$ 900	Reasonably Anticipated Earned Income for January
<u>+ 800</u>	Reasonably Anticipated Earned Income for February
<u>+ 0</u>	Reasonably Anticipated Earned Income for March
\$1700	Subtotal Reasonably Anticipated Earned Income for Quarter
\$ 566	Reasonably Anticipated Earned Income Divided by the Number of Months in the QR Payment Quarter $1700/3 =$ (averaged monthly earnings)*
\$ 100	Reasonably Anticipated Monthly DBI Income
<u>- 225</u>	Less DBI Disregard
0	Net DBI Income
\$ 125	Remainder of \$225 DBI Disregard
\$ 566	Reasonably Anticipated Monthly Earned Income*
<u>- 112</u>	Less remainder of \$225/112 Income Disregard
\$ 454	Subtotal*
<u>- 227</u>	Less 50% Earned Income Disregard*
\$ 227	NNI*
\$ 762	MAP for AU of Four
<u>- 227</u>	Less NNI
\$ 535	New Monthly Grant for the QR Payment Quarter

* 50% Earned Income Disregard and Net Nonexempt Income must be rounded down to the nearest dollar amount: MPP Section 44-315.34

HANDBOOK CONTINUES

44-315 AMOUNT OF AID (Continued)

44-315

HANDBOOK CONTINUES

(SAR) Computation of monthly grant amount for a SAR Payment Period when the AU's income reported for the SAR Data Month is reasonably anticipated to differ for one or more months of the SAR Payment Period.

Example 2:

A Region 1 nonexempt AU of four is in the July through December SAR Payment Period. Mother completes her redetermination on December 15. On the SAWS 2, she reports that she started a part-time job in December that will only last until the end of January, when the holiday shopping season has ended. She reports that she will get paid \$900 in January and \$450 in February. One child is also receiving SSA disability benefits of \$100 per month based on an absent father's disability. SSA disability benefits are considered disability based unearned income (DBI).

Benefits for the January through July SAR Payment Period are computed based on the income the AU reasonably anticipates it will receive during that period as follows:

Benefits for January will be computed based on earned income of \$900 and DBI of \$100 per month:

\$ 100	Reasonably Anticipated Monthly DBI Income
<u>- 225</u>	Less DBI Disregard
0	Net DBI Income
\$ 125	Remainder of \$225 DBI Disregard
\$ 900	Reasonably Anticipated Monthly Earned Income
<u>- 112</u>	Less remainder of \$225/112 Income Disregard
\$ 788	Subtotal
<u>- 394</u>	Less 50% Earned Income Disregard
\$ 394	NNI
\$ 762	MAP for AU of Four
<u>- 394</u>	Less NNI
\$ 368	Monthly Grant for January

Benefits for February will be computed based on earned income of \$450 and DBI of \$100 per month:

\$ 100	Reasonably Anticipated Monthly DBI Income
<u>- 225</u>	Less DBI Disregard
0	Net DBI Income
\$ 125	Remainder of \$225 DBI Disregard

HANDBOOK CONTINUES

HANDBOOK CONTINUES

\$ 450	Reasonably Anticipated Monthly Earned Income
<u>- 112</u>	Less remainder of \$225/112 Income Disregard
\$ 338	Subtotal
<u>- 169</u>	Less 50% Earned Income Disregard
\$ 169	NNI

\$ 762	MAP for AU of Four
<u>- 169</u>	Less NNI
\$ 593	Monthly Grant for February

Benefits for March through June will be computed based on earned income of \$0 and DBI of \$100 per month:

\$ 100	Reasonably Anticipated Monthly DBI Income
<u>- 225</u>	Less DBI Disregard
0	Net DBI Income
\$ 0	Reasonably Anticipated Monthly Earned Income
\$ 0	NNI

\$ 762	MAP for AU of Four
<u>- 0</u>	Less NNI
\$ 762	Monthly Grant for March through June

(QR) Mid-Quarter Changes to Cash Aid

Example 3:

A Region 1 nonexempt AU of three (mother and two children) is in the October, November, and December quarter. On her previous QR 7 received in September, (QR Data Month for the previous quarter was August), mother reported her earned income to be \$600 and that she expected no changes for the next QR Payment Quarter.

\$ 600	Reasonably Anticipated Monthly Income for the Family
<u>- 112</u>	\$112 Earned Income Disregard
\$ 488	Subtotal
<u>- 244</u>	50% Earned Income Disregard
\$ 244	Total Net Nonexempt Income [Rounded down]

\$ 638	Non-exempt MAP for Three, Region 1
<u>- 244</u>	Less Net Nonexempt Income
\$ 394	AU Monthly Grant for the QR Payment Quarter

HANDBOOK CONTINUES

HANDBOOK CONTINUES

On October 25, the mother voluntarily reports that the father, with no income, moved into the home on October 24. The father is determined eligible and is reasonably anticipated to have monthly income of \$200 for November and \$100 for December.

The Mid-Quarter Grant Calculation for the Remaining Months of the Quarter Would Be:

\$ 200	Father's Reasonably Anticipated Earned Income for November
<u>+ 100</u>	Father's Reasonably Anticipated Earned Income for December
\$ 300	Subtotal Reasonably Anticipated Earned Income for the Remainder of the Payment Quarter
\$ 150	Father's Earned Income Divided by the Remaining Months of the QR Payment Quarter $\$300/2 = \150 (reasonably anticipated monthly income)
\$ 600	Existing AU's Previously Determined Reasonably Anticipated Monthly Earned Income (not recalculated)
<u>+ 150</u>	Father's Reasonably Anticipated Earned Monthly Income
\$ 750	Total Net Nonexempt Income for the Potential AU
<u>- 112</u>	\$112 Earned Income Disregard
\$ 638	Subtotal
<u>- 319</u>	50% Earned Income Disregard
\$ 319	Total Net Nonexempt Averaged Income
\$ 762	Non-exempt MAP for Four, Region 1 (includes eligible father)
<u>- 319</u>	Less Net Nonexempt Income
\$ 443	AU Monthly Grant Payment for the Remaining Months of the QR Payment Quarter

Father is added to the existing AU effective November 1 since his addition to the AU will increase the cash aid. A supplement of \$49 is issued to the AU for November and the grant is increased to \$443 for the month of December.

(SAR) Mid-Period Changes to Cash Aid

Example 3:

A Region 1 nonexempt AU of three (mother and two children) is in the October through March SAR Payment Period. On her previous SAWS 2 received in September, (SAR Data Month for the previous SAR Payment Period was August), mother reported her earned income to be \$600 and that she expected no changes for the next SAR Payment Period. The grant amount for the SAR Payment Period was calculated as follows:

HANDBOOK CONTINUES

HANDBOOK CONTINUES

\$ 600	Reasonably Anticipated Monthly Income for the Family
<u>- 112</u>	\$112 Earned Income Disregard
\$ 488	Subtotal
<u>- 244</u>	50% Earned Income Disregard
\$ 244	Total Net Nonexempt Income [Rounded down]

\$ 638	Non-exempt MAP for Three, Region 1
<u>- 244</u>	Less Net Nonexempt Income
\$ 394	AU Monthly Grant for the SAR Payment Period

On November 25, the mother voluntarily reports that the father moved into the home on November 12. The father is determined eligible and is reasonably anticipated to have monthly income of \$200 a month.

The Mid-Period Grant Calculation for the Remaining Months of the SAR Payment Period Would Be:

\$ 600	Existing AU's Previously Determined Reasonably Anticipated Monthly Earned Income
<u>+ 200</u>	Father's Reasonably Anticipated Earned Monthly Income
\$ 800	Total Net Nonexempt Income for the Potential AU
<u>- 112</u>	\$112 Earned Income Disregard
\$ 688	Subtotal
<u>- 344</u>	50% Earned Income Disregard
\$ 344	Total Net Nonexempt Monthly Income

\$ 762	Non-exempt MAP for Four, Region 1 (includes eligible father)
<u>- 344</u>	Less Net Nonexempt Income
\$ 418	AU Monthly Grant Payment for the Remaining Months of the SAR Payment Period

Father is added to the existing AU effective December 1 since his addition to the AU will increase the cash aid. Because there is not time to increase the December grant, a supplement of \$24 is issued to the AU for December and the grant is increased to \$418 for the remaining months of the SAR Payment Period.

HANDBOOK ENDS HERE

44-315 AMOUNT OF AID (Continued) 44-315

- .4 Special Needs The amount of the Special Needs shall be calculated as follows:
- .41 Round to the next lower dollar the amount of recurring special needs (see Section 44-211) the Assistance Unit (AU) is eligible to receive.
- .42 Payment for recurring special needs shall be added to the amount determined payable as the basic grant, provided that the allowance available for each FBU per month for recurring special needs does not exceed the amount resulting from multiplying \$10 by the number of persons in the FBU. However, any remaining excess of net nonexempt income above the maximum aid payment not utilized to meet nonrecurring or pregnancy special needs shall be applied to meet the cost of recurring special needs.
- .43 The amount determined in .421, up to limitation determined in .422, shall be paid in addition to the basic grant.
- .44 Round to the next lower dollar the amount of nonrecurring special needs (Section 44-211) the AU is eligible to receive.
- .45 Payment for nonrecurring special needs shall be added to the amount determined payable as the basic grant. However, any remaining excess of net nonexempt income above the maximum aid payment not utilized to meet recurring or pregnancy special needs shall be applied to meet the cost of nonrecurring special needs.
- .46 Payment for a pregnancy special need shall be added to the amount determined payable as the basic grant, provided that the pregnant woman has been determined to be eligible for such need in accordance with Section 44-211.4. However, any remaining excess of net nonexempt income above the maximum aid payment not utilized to meet recurring or nonrecurring special needs shall be applied to meet the cost of the pregnancy special need.

44-315	AMOUNT OF AID (Continued)	44-315
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.5	\$10 or More	<p>If the amount determined in Section 44-315.38 is less than ten dollars (\$10), no payment shall be paid for that month. If the beginning date of aid is after the first of the month, and the amount of aid determined in Section 44-315.38 is to be prorated, and the prorated amount is less than ten dollars (\$10), no payment shall be paid for that month. Such cases shall be considered to have received a payment for all other purposes.</p> <p>If the amount determined in Section 44-315.38 is ten dollars (\$10) or more, that amount is the total grant and, if there are no overpayment adjustments, shall be authorized as the aid payment.</p>
.6	Payment in Installments	Aid need not be paid in equal installments.
.7	Proration of CalWORKs Grant	
.71		When the beginning date of aid is on the first day of the month, the recipient shall be entitled to receive a payment for the full month.
.72		When the beginning date of aid is after the first of the month (see Section 44-317) the total grant shall be prorated. The prorated grant shall be computed as follows:
.721		Determine the total monthly grant amount (see Section 44-315.38);
.722		Determine the actual number of days in the month;
.723		Divide this number into the monthly grant amount to determine the daily grant;
.724		Determine the total number of days for which the recipient is eligible in that month including the first and last day of aid for that month;
.725		Multiply this number by the daily grant amount to determine the prorated grant;
.726		If the prorated grant amount is not a whole dollar, then the prorated amount shall be rounded to the next lower whole dollar. (See Section 44-315.5 if this amount is less than ten dollars.)

HANDBOOK BEGINS HERE

.73

Reciprocal Table for Computing Partial Month's
Payments Portion of Monthly Rate or Reciprocal
Table

Day of the month	28-day Month	29-day Month	30-day Month	31-day Month	Day of the month
1st	1.0000	1.0000	1.0000	1.0000	1st
2nd	.9643	.9655	.9667	.9677	2nd
3rd	.9286	.9310	.9333	.9355	3rd
4th	.8929	.8966	.9	.9032	4th
5th	.8571	.8621	.8667	.8710	5th
6th	.8214	.8276	.8333	.8387	6th
7th	.7857	.7931	.8	.8065	7th
8th	.75	.7586	.7667	.7742	8th
9th	.7143	.7241	.7333	.7419	9th
10th	.6786	.6897	.7	.7097	10th
11th	.6429	.6552	.6667	.6774	11th
12th	.6071	.6207	.6333	.6452	12th
13th	.5714	.5862	.6	.6129	13th
14th	.5357	.5517	.5667	.5806	14th
15th	.5	.5172	.5333	.5484	15th
16th	.4643	.4828	.5	.5161	16th
17th	.4286	.4483	.4667	.4839	17th
18th	.3929	.4138	.4333	.4516	18th
19th	.3571	.3793	.4	.4194	19th
20th	.3214	.3448	.3667	.3871	20th
21st	.2857	.3103	.3333	.3548	21st
22nd	.25	.2759	.3	.3226	22nd
23rd	.2143	.2414	.2667	.2903	23rd
24th	.1786	.2069	.2333	.2581	24th
25th	.1429	.1724	.2	.2258	25th

HANDBOOK CONTINUES

HANDBOOK CONTINUES

Day of the month	28-day Month	29-day Month	30-day Month	31-day Month	Day of the month
26th	.1071	.1379	.1667	.1935	26th
27th	.0714	.1034	.1333	.1613	27th
28th	.0357	.0690	.1	.1290	28th
29th		.0345	.0667	.0968	29th
30th			.0333	.0645	30th
31st				.0323	31st

EXAMPLE: The total monthly grant amount is \$150 (see Section 44-315.43). Aid is to begin on the 17th of March, and March has 31 days. The reciprocal for the 17th day of a 31-day month is .4839. The total monthly grant amount X the reciprocal = the prorated grant amount (\$150 x .4839 = \$72.5850). \$72.5850 is rounded to \$72 which is the amount of the payment (see Section 44-315.432 if the amount of the payment is less than ten dollars).

HANDBOOK ENDS HERE

.8 Zero Basic Grant

.81 An AU is considered to have received a cash aid payment even when:

.811 The payment is not sent due to penalty which reduced the payment to zero, or

.812 The grant amount is \$10 or less. See Section 44-315.5 regarding grants \$10 or less, or

.813 The grant for the AU is reduced to zero to adjust for a prior overpayment, or

.814 The grant based on On-The-Job Training is diverted to the employer as a wage subsidy to offset the participant's wages. See Section 42-701.2(g)(2).

NOTE: Authority cited: Sections 10553, 10554, 11209, 11450, 11450(g), 11450.018(a) and (b), 11452.018(a), and 11453, Welfare and Institutions Code; SB 72 (Chapter 8, Statutes of 2011), Section 42. Reference: Sections 10553, 10554, 11004, 11017, 11209, 11253.5(d) and (e), 11254, 11265.2, 11265.3, 11265.8(a), 11323.4, 11450, 11450(g), 11450.01, 11450.015, 11450.018(a) and (b), 11451.018(a), 11450.03, 11450.5, 11451.5, 11452, 11453, and 11453(a), 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)].

(QR) 44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS	44-316
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- .1 Reserved

- .2 Sections 44-316.2(QR) et seq. shall become inoperative and Sections 44-316.2(SAR) et seq. shall become operative in a county on the date the SAR becomes effective in that county, pursuant to the County's SAR Declaration.
 - (QR) Prior to the end of each QR Payment Quarter, the county shall request updated information from recipient families concerning all changes affecting eligibility and grant amount from the QR 7 Reporting Period and expected income changes in the next QR Payment Quarter.

 - (SAR) Prior to the end of each SAR Payment Period, the county shall request updated information from recipient families concerning all changes affecting eligibility and grant amount from the current SAR Payment Period and any known income changes in the next SAR Payment Period.

 - (QR) .21 For all CalWORKs recipients, such information shall be reported on the QR 7. If the recipient fails to provide the report requested by the county by the deadline provided by Section 40-181.22(QR), then the recipient's grant will be terminated in accordance with Section 22-072.

 - (SAR) .21 For all CalWORKs recipients, such information shall be reported on the SAR 7 or the annual redetermination forms (SAWS 2). If the recipient fails to provide the report requested by the county by the deadline provided by Section 40-181.22(SAR), then the recipient's grant will be terminated in accordance with Section 22-072.

 - .22 The county shall use the QR 7 to determine continued eligibility as specified in Section 40-181.

 - (SAR) .22 The county shall use the SAR 7 or SAWS 2 to determine continued eligibility as specified in Section 40-181.

 - (QR) .23 Additionally, the county shall compare the QR 7 submitted for that QR Payment Quarter to all mid-quarter reports that were reported during that QR Payment Quarter to ensure that mid-quarter circumstances reported are consistent with the circumstances reported on the QR 7.

 - (SAR) .23 Additionally, the county shall compare the SAR 7 or SAWS 2 submitted for that SAR Payment Period to all mid-period reports that were received during that SAR Payment Period to ensure that mid-period circumstances reported are consistent with the circumstances reported on the SAR 7 or SAWS 2.

44-316 **REPORTING CHANGES AFFECTING ELIGIBILITY AND** **44-316**
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)

(QR) .231 Section 44-316.231(QR) shall become operative in a county on the date the QR/PB becomes effective in that county, pursuant to the Director's Declaration.

If the information reported on the QR 7 is inconsistent with the information provided in any mid quarter reports made during the QR 7 Reporting Period, the county shall take action to resolve the discrepancy. The county shall first attempt to contact the recipient to resolve the discrepancy. If the county is unable to contact the recipient or obtain resolution from such contact, the QR 7 shall be considered incomplete.

(SAR) .231 If the information reported on the SAR 7 or SAWS 2 is inconsistent with the information provided in any mid-period reports made during the SAR Reporting Period, the county shall take action to resolve the discrepancy. The county shall first attempt to contact the recipient to resolve the discrepancy. If the county is unable to contact the recipient or obtain resolution from such contact, the SAR 7 or SAWS 2 shall be considered incomplete.

.3 Section 44-316.3(QR) et seq. shall become inoperative and Section 44-316.3(SAR) et seq. shall become operative in a county on the date the SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Mid-Quarter Actions

(QR) The county shall act on specified changes that occur mid-quarter. Mid-quarter changes to cash aid shall be acted on separately and sequentially under quarterly reporting/prospective budgeting and include:

(SAR) Mid-Period Actions

(SAR) The county shall act on specified changes that occur mid-period. Mid-period changes to cash aid shall be acted on separately and sequentially under semi-annual reporting/prospective budgeting rules and include:

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued) 44-316

(QR) .31 Recipient Mid-Quarter Voluntary Reports

(QR) Recipients may voluntarily report verbally or in writing, changes in income and circumstances any time during the QR Payment Quarter. The county shall also accept a report of decreased income on the QR 7 as a voluntary mid-quarter report when the QR 7 is received in the Submit Month of the QR Payment Quarter. When a voluntary report of decreased income is received in the Submit Month, the county shall also treat this information as updated QR 7 income information (see Section 44-315.314(QR)) when determining cash aid for the next QR Payment Quarter. The county shall take action on voluntary reports that increase cash aid or the recipient requests voluntary discontinuance of aid. If the grant would decrease (for reasons other than a voluntary discontinuance of aid) or not change based on the voluntary report (except as provided in Section 44-318.152(a)(QR)), the county shall not take action to change the grant, but shall send a notice pursuant to Section 22-071.12(QR). Recipients must provide all verifications within ten days of a voluntary report prior to county action.

(SAR) .31 Recipient Mid-Period Voluntary Reports

(SAR) Recipients may voluntarily report verbally or in writing, changes in income and circumstances any time during the SAR Payment Period. The county shall also accept a report of decreased income on the SAR 7 or SAWS 2 as a voluntary mid-period report when the SAR 7 or SAWS 2 is received in the Submit Month of the SAR Payment Period. When a voluntary report of decreased income is received in the Submit Month outside of the SAR 7 or SAWS 2 report, the county shall also treat this information as updated SAR 7 or SAWS 2 income information (see Section 44-315.314(SAR)) when determining cash aid for the next SAR Payment Period.

(SAR) The county shall take action on voluntary reports that increase cash aid or recipient requests to voluntarily discontinue their aid. If the grant would decrease (for reasons other than a voluntary discontinuance of aid) or not change based on the voluntary report (except as provided in Section 44-318.152(a)(SAR)), the county shall not take action to change the grant, but shall send a notice pursuant to Section 22-071.12(SAR). Recipients must provide all verifications within ten days of a voluntary report prior to county action.

(QR) .311 When a voluntary report is made by the recipient regarding changes in income and/or circumstances during the QR Payment Quarter, the county must request verification in writing.

(QR) (a) If the recipient provides verification within 10 days of the voluntary mid-quarter report, the change is effective the first of the month following the voluntary report except as provided in Section 44-316.312(a)(4)(QR).

44-316	REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)	44-316
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- (QR) (b) If the recipient does not provide the necessary verification, the county shall send a No Change NOA to the AU.
- (QR) (c) If the recipient provides verification after the 10 days, the date the verification is provided shall be considered the date of a voluntary report.
- (SAR) .311 When a voluntary report is made by the recipient regarding changes in income and/or circumstances during the SAR Payment Period, the county must request verification in writing, allowing 10 days.
 - (SAR) (a) If the recipient provides verification within the 10 days given in the request for verification notice, the change is effective the first of the month following the voluntary report except as provided in Section 44-316.312(a)(4)(SAR).
 - (SAR) (b) If the recipient does not provide the necessary verification, the county shall send a No Change NOA to the AU.
 - (SAR) (c) If the recipient provides verification after the 10 days, the date the verification is provided shall be considered the date of the voluntary report.
- .312 Recipient voluntary reports include, but are not limited to, the following:
 - (a) Decreases in Reasonably Anticipated Income
 - (1) When an AU voluntary reports a decrease in income from the amount that was reasonably anticipated to be received, the county shall determine if the AU's cash aid will increase based on the changed income amount.
 - (QR) (A) When an AU receives income from more than one source, and reports that its income has decreased, only the income that experienced the decrease shall be recalculated for the current and remaining months of the quarter. The new grant amount shall be calculated using the existing averaged income that didn't change and the recalculated averaged income (the income that decreased).
 - (SAR) (A) When an AU receives income from more than one source, and reports that its income has decreased, only the income that experienced the decrease shall be recalculated for the current and remaining months of the SAR Payment Period. The new grant amount shall be calculated using the existing income that didn't change and the recalculated income (the income that decreased).

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)

44-316

- (QR) (B) When an AU consists of more than one person with income and one person experiences a decrease in income, only the changed income shall be recalculated. The new grant amount shall be based on that person's recalculated income along with the existing AUs averaged monthly income that did not change.
- (SAR) (B) When an AU consists of more than one person with income and one person experiences a decrease in income, only the changed income shall be recalculated. The new grant amount shall be based on that person's recalculated income along with the existing AUs reasonably anticipated monthly income that did not change.
- (2) When cash aid would increase due to a voluntary reported decrease in reasonably anticipated monthly income, the county shall determine a new monthly grant amount based on the report of decreased income.
- (QR) (3) The county shall use the new reasonably anticipated income for the month in which the decreased income occurred or the month it was reported, whichever is later, and the reasonably anticipated monthly income for the remaining months of the QR Payment Quarter in recalculating cash aid for the month in which the change was reported and remaining months of the QR payment Quarter.
- (SAR) (3) The county shall use the new reasonably anticipated income for the month in which the decreased income occurred or the month it was reported, whichever is later, and the reasonably anticipated monthly income determined for the rest of the SAR Payment Period in recalculating cash aid for the month in which the change was reported and remaining months of the SAR Payment Period.
- (QR) (4) The county shall issue a supplement within ten days of receiving verification. The supplement shall be based on the difference between the recalculated cash aid and the cash aid that was paid for the month the decrease in income is reported or the month the change actually occurs whichever is later and when all verification has been provided (see Section 44-340.3(QR)).
- (SAR) (4) The county shall issue a supplement within ten days of receiving verification. The supplement shall be based on the difference between the recalculated cash aid and the cash aid that was paid for the month the decrease in income is reported or the month the change actually occurs, whichever is later, and when all verification has been provided (see Section 44-340.3(SAR)).

44-316	REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)	44-316
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(QR) (5) The county shall increase the grant amount for the remainder of the QR Payment Quarter based upon the newly calculated grant in Section 44-316.312(a)(3)(QR).

(SAR) (5) The county shall increase the grant amount for the remainder of the SAR Payment Period based upon the newly calculated grant in Section 44-316.312(a)(3)(SAR).

HANDBOOK BEGINS HERE

(QR) Example 1:

An exempt AU of three, in Region 1 is in the April/May/June quarter and is receiving a QR Payment Quarter grant of \$192 per month. The grant was based on the mother having reasonably anticipated earned income of \$1200 per month. On April 15, the mother reports that she lost her job and will only receive a \$600 paycheck for the month of April and anticipates no income for the remainder of the quarter. The county requests verification of the job loss and the recipient provides the necessary documentation by April 20. The county shall recalculate aid for QR Payment Quarter as follows:

\$ 600	April Actual Income
+ 0	May Reasonably Anticipated Income
<u>+ 0</u>	June Reasonably Anticipated Income
\$ 600	Earned Income for the Quarter
 <u>÷ 3</u>	Earned Income Divided by Three
\$ 200	Reasonably Anticipated Monthly Income (month of report of decreased income plus the remaining months of the current QR Payment Quarter)
 \$ 200	Reasonably Anticipated Monthly Income
<u>- 225</u>	Income Disregard
\$ 0	Subtotal
	50% Earned Income Disregard
\$ 0	Total Net Nonexempt Income
 \$ 704	MAP for Three in Region 1(QR Payment Quarter monthly grant)
 \$ 704	Potential Monthly Grant Amount
<u>- 192</u>	Grant Already Received
\$ 512	Supplement

A supplement of \$512 is issued for the family for the month of April and the cash aid is increased to \$704 for May and June.

HANDBOOK CONTINUES

44-316	REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)	44-316
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HANDBOOK CONTINUES

(SAR) Example 1:

An exempt AU of three, in Region 1 is in the April through September SAR Payment Period and is receiving a grant of \$94 per month. The grant was based on the mother having reasonably anticipated earned income of \$1,200 per month. On June 15, the mother reports that she lost her job and will only receive a \$600 paycheck for the month of June and anticipates no income for the remainder of the SAR Payment Period. The county requests verification of the job loss and the recipient provides the necessary documentation by June 20. The county shall recalculate her aid for the SAR Payment Period as follows:

\$ 600	June Actual Income
<u>-\$112</u>	Earned Income Disregard
\$488	
<u>- 244</u>	50% Earned Income Disregard
\$244	Net Nonexempt Income for June
\$638	MAP for three in Region 1
<u>-244</u>	Net Nonexempt Income
\$394	Grant Amount for June
<u>- 94</u>	June Grant Already Received
\$300	Supplement for June
<u>+ 0</u>	Reasonably Anticipated Income for July through September
\$638	MAP for three in Region 1
\$638	Grant Amount for July through September

A supplement of \$300 is issued for the family for the month of June (no later than June 30) and the cash aid is increased to \$638 for July, August, and September.

HANDBOOK ENDS HERE

- (6) If the AU voluntarily reports a decrease in earnings that resulted from a loss or reduction in hours of employment, and the county determines that the recipient did not have good cause for the job quit/reduction in hours, the county shall impose a sanction pursuant to Section 42-721.4. However, the county shall not wait to increase cash aid due to voluntary report of decreased income while determining if good cause exists before imposing the sanction. See Section 42-721.44 for the time frame for imposing sanctions.

**44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)****44-316**

- (b) Adding Persons to an Existing AU
 - (1) When an AU voluntarily reports a new person in the home, the county shall determine:
 - (A) If the new person is CalWORKs eligible; and
 - (B) If the new person were added into the AU, the AU would still meet all eligibility conditions; and
 - (C) If the addition of the new person would increase or decrease the grant amount or render the AU ineligible.
 - (QR) (2) In determining if the new person is CalWORKs eligible, the county shall use the reasonably anticipated averaged income for the new person and the existing AU's income for the month in which the new person was voluntarily reported in the home and the remaining months of the QR Payment Quarter. In making this determination, the county shall not recalculate the existing AU's reasonably anticipated monthly income that was previously computed.
 - (SAR) (2) In determining if the new person is CalWORKs eligible, the county shall use the reasonably anticipated income for the new person and the existing AU's income for the month in which the new person was voluntarily reported in the home and the remaining months of the SAR Payment Period. In making this determination, the county shall not recalculate the existing AU's reasonably anticipated monthly income that was previously computed.
 - (3) When aid would increase due to the voluntary report of a new person, the county shall add the new person effective the first of the month following the report of the change, in which all verification has been provided and all eligibility conditions have been met.
 - (QR) (A) The county shall include the new person's reasonably anticipated monthly income along with the existing AU's reasonably anticipated monthly income to recalculate cash aid for the month the new person is added and the remaining months of the QR Payment Quarter.
 - (SAR) (A) The county shall include the new person's reasonably anticipated monthly income along with the existing AU's reasonably anticipated monthly income to recalculate cash aid for the month the new person is added and the remaining months of the SAR Payment Period.

**44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)****44-316**

- (QR) 1. The new person's income will be averaged for the remaining months of the QR Payment Quarter. The county shall not recalculate the existing AU's monthly income that was previously computed when adding a new person to the grant.
- (SAR) 1. The new person's income will be determined for the remaining months of the SAR Payment Period. The county shall not recalculate the existing AU's monthly income that was previously computed when adding a new person to the grant.
- (QR) 2. The new grant amount shall be based on the AU's existing averaged monthly income and the new person's calculated averaged monthly income for the months the new person would be included in the AU.
- (SAR) 2. The new grant amount shall be based on the AU's existing monthly income and the new person's reasonably anticipated income for the months the new person would be included in the AU.
- (QR) (B) The county shall increase the grant amount for the month the new person is added and the remaining months of the QR Payment Quarter based on the recalculation of the AU's cash aid (see Section 44-340.3(QR)).
- (SAR) (B) The county shall increase the grant amount for the month the new person is added and the remaining months of the SAR Payment Period based on the recalculation of the AU's cash aid (see Section 44-340.3(SAR)).
- (QR) (4) When adding a new person who would result in an increase in aid, but the new person does not meet all eligibility conditions, before aid is authorized, the county shall not add the person nor discontinue the existing AU mid-quarter.
- (SAR) (4) When adding a new person who would result in an increase in aid, but the new person does not meet all eligibility conditions before aid is authorized, the county shall not add the person nor discontinue the existing AU mid-period.

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)

44-316

(QR) (5) If the addition of a new person would result in a decrease in the existing AU's cash aid, the county shall not add the new person until the first day of the next QR Payment Quarter that follows the mandatory reporting of the new person on the QR 7, after all verification has been provided and all eligibility conditions have been met (except as provided in Section 82-832.3(QR)).

(SAR) (5) If the addition of a new person would result in a decrease in the existing AU's cash aid, the county shall not add the new person until the first day of the next SAR Payment Period that follows the mandatory reporting of the new person on the SAR 7 or SAWS 2, after all verification has been provided and all eligibility conditions have been met (except as provided in Section 82-832.3(SAR)).

HANDBOOK BEGINS HERE

(QR) Example: An AU of three (mother and two children) are in a January/February/March Quarter. Father, who is disabled and has a part time job, moves into the home January 10 and is voluntarily reported in January by the AU. The county recalculates aid for the QR Payment Quarter using the father's reasonably anticipated income for the quarter and determines the addition of the father would decrease aid for the existing AU. The county does not add the father into the AU mid-quarter. The county will send a No Change NOA and remind the existing AU to report the father on the next QR 7, due March 5. If the father is still living in the home, meets all eligibility conditions, and the AU remains eligible, the father will be added into the AU April 1 and his income will be used in the grant calculation for the April/May/June QR Payment Quarter.

(SAR) Example: An AU of three (mother and two children) are in a January through June SAR Payment Period. Father, who is disabled and has a part time job, moves into the home February 10 and is voluntarily reported in February by the AU. The county recalculates aid for the SAR Payment Period using the father's reasonably anticipated income for the period and determines the addition of the father would decrease aid for the existing AU. The county does not add the father into the AU mid-period. The county will send a No Change NOA and remind the existing AU to report the father on the SAWS 2, due June 15. If the father is still living in the home, meets all eligibility conditions, and the AU remains eligible, the father will be added into the AU July 1 and his income will be used in the grant calculation for the July through December SAR Payment Period.

HANDBOOK ENDS HERE

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)**44-316**

(QR) (6) If adding a new person would render the existing AU ineligible, the county shall not take action mid-quarter to discontinue the existing AU. The county shall discontinue the existing AU, with timely and adequate notice, at the end of the QR Payment Quarter in which the new person is mandatorily reported on the QR 7.

(SAR) (6) If adding a new person would render the existing AU ineligible, the county shall not take action mid-period to discontinue the existing AU. The county shall discontinue the existing AU, with timely and adequate notice, at the end of the SAR Payment Period in which the new person is mandatorily reported on the SAR 7 or SAWS 2.

(QR) (c) Request Discontinuance for Aid to Existing AU Members

(QR) At any time during the QR Payment Quarter, a voluntary request can be made to discontinue the entire AU or any individual AU member who is no longer in the home or is an optional person.

(SAR) (c) Request Discontinuance for Aid to Existing AU Members

(SAR) At any time during the SAR Payment Period, a voluntary request can be made to discontinue the entire AU or any individual AU member who is no longer in the home or is an optional person.

(1) If a voluntary request for discontinuance is made verbally, the county shall discontinue cash aid at the end of the month in which timely and adequate notice can be provided.

(2) If the request for discontinuance was made in writing, the county shall discontinue cash aid at the end of the month with adequate notice.

(3) If an individual requests discontinuance from an existing AU, the county shall discontinue the individual even when that individual's request results in a decrease in aid for the remaining AU members.

(QR) (A) The county shall not presume that a mid-quarter report of an individual leaving the home is a voluntary request for discontinuance of that AU member. In such circumstances, the county shall verify with the AU if the AU is seeking to discontinue that individual, and shall inform the AU that such a discontinuance shall result in decreased cash aid to the remaining AU members.

**44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)****44-316**

(SAR) (A) The county shall not presume that a mid-period report of an individual leaving the home is a voluntary request for discontinuance of that AU member. In such circumstances, the county shall verify with the AU if the AU is seeking to discontinue that individual, and shall inform the AU that such a discontinuance shall result in decreased cash aid to the remaining AU members.

(QR) (B) If an individual AU member who has left the home requests a discontinuance, but the AU has not voluntarily reported the departure, the individual's request for discontinuance takes precedence over the AU's decision to not make this voluntary mid-quarter report.

(SAR) (B) If an individual AU member who has left the home requests a discontinuance, but the AU has not voluntarily reported the departure, the individual's request for discontinuance takes precedence over the AU's decision to not make this voluntary mid-period report.

(d) Request for Recurring Special Needs

(QR) (1) Recurring special needs that have been requested mid-quarter and have been verified and approved will begin the first of the month in which either the need was reported or the verification substantiates that the need exists, whichever is later, and shall remain in effect until the end of the quarter in which the special need is expected to end, except as provided in Section 44-211.641(QR).

(SAR) (1) Recurring special needs that have been requested mid-period and have been verified and approved will begin the first of the month in which either the need was reported or the verification substantiates that the need exists, whichever is later, and shall remain in effect until the end of the SAR Payment Period in which the special need is expected to end, except as provided in Section 44-211.641 (SAR).

(QR) (2) When an AU member becomes pregnant mid-quarter, the county shall make payment according to existing pregnancy special need rules (see Sections 44-211.6 et seq.) and will continue payment of the special need until the end of the quarter in which the child is expected to be born.

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)**44-316**

(SAR) (2) When an AU member becomes pregnant mid-period, the county shall make payments according to existing pregnancy special need rules (see Sections 44-211.6 et seq.) and will continue payment of the special need until the end of the SAR Payment Period in which the child is expected to be born.

(QR) (A) If the pregnancy is verified to extend beyond the estimated date of confinement and extends into the next QR Payment Quarter, the county shall continue the pregnancy special need payment until the end of the QR Payment Quarter in which the new estimated date of confinement is established or until the newborn is added to the AU. See Section 44-318.15 for when to add the newborn.

(SAR) (A) If the pregnancy is verified to extend beyond the estimated date of confinement and extends into the next SAR Payment Period, the county shall continue the pregnancy special need payment until the end of the SAR Payment Period in which the new estimated date of confinement is established or until the newborn is added to the AU. See Section 44-318.15 (SAR) for when to add the newborn.

(QR) .32 Recipient Mid-Quarter Mandatory Reports

(QR) Recipients shall report in person, verbally or in writing, specific changes during the QR Payment Quarter within ten days of when the change becomes known to the AU.

(SAR) .32 Recipient Mid-Period Mandatory Reports

(SAR) Recipients shall report in person, verbally or in writing, specific changes during the SAR Payment Period within ten (10) days of when the change becomes known to the AU.

.321 The following occurrences shall be reported by the recipient to the county:

- (a) Drug felony convictions
- (b) Fleeing felon status
- (c) Violation of conditions of probation or parole
- (d) Address changes

(QR) (e) Income exceeding the Income Reporting Threshold (IRT)

(SAR) (e) Income exceeding the lowest of three levels of the Income Reporting Threshold (IRT)

44-316	REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)	44-316
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- .322 The county shall discontinue cash aid to the recipient at the end of the month in which timely and adequate notice can be provided when changes specified in Sections 44-316.321(a), (b), and (c) are reported.

- .323 The county shall act on address changes, in accordance with regulations and procedures regarding changes of residence.

- .324 Income Reporting Threshold (IRT)
 - (QR) (a) The level of income that triggers the need for a CalWORKs AU to report a mid-quarter change in income. The IRT is the greater of 130 percent of the Federal Poverty Level or the level at which an AU becomes financially ineligible.

 - (SAR) (a) The level of income that triggers the need for a CalWORKs AU to report a mid-period change in income. There are three tiers of the IRT under semi-annual reporting, the lowest of which will be the AU's current IRT amount:
 - (SAR) (1) 55 percent of the Federal Poverty Level for a family of three, plus the amount of income last used to calculate the AU's monthly grant amount.

 - (SAR) (2) The amount of income likely to render the AU ineligible for CalWORKs benefits.

 - (SAR) (3) 130 percent of the Federal Poverty Level or the level at which a household becomes financially ineligible for federal SNAP benefits (called CalFresh in California).

HANDBOOK BEGINS HERE

Handbook Section 44-316.324(a)(SAR) will become operative in a county on the date that SAR is implemented in the county, pursuant to the County's SAR Declaration.

(SAR) There are three tiers of the IRT under SAR, the LOWEST of which will be the AU's current IRT:

- 1) **Tier one:** 55 percent of the monthly income of a family of three at the Federal Poverty Level (FPL) plus the amount of income last used to calculate the AU's grant. (100 percent of the current FPL for a family of 3 as of 12-1-12 is \$1,590.83. 55 percent of \$1,590.83 = \$875. This figure will be updated annually when the FPL is updated.)

HANDBOOK CONTINUES

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)

44-316

HANDBOOK CONTINUES

- a. This tier is an INCREASE in income of \$875.
- b. This tier is the same for all AU sizes, exempt and non-exempt, in Region 1 and 2.
- c. Income over tier one of the IRT will usually only result in a decrease to the benefit amount and will not usually result in the AU losing eligibility for aid.

Example: Tier One of the CalWORKs IRT based on various income amounts	
Income	IRT (\$875 + income)
\$0	\$875 (\$875 + \$0 = \$875)
\$50	\$925 (\$875 + \$50 = \$925)
\$100	\$975 (\$875 + \$100 = \$975)
\$200	\$1,075 (\$875 + \$200 = \$1,075)
\$300	\$1,175 (\$875 + \$300 = \$1,175)
\$400	\$1,275 (\$875 + \$400 = \$1,275)
\$500	\$1,375 (\$875 + \$500 = \$1,375)
\$600	\$1,475 (\$875 + \$600 = \$1,475)
\$750	\$1,625 (\$875 + \$750 = \$1,625)
\$1,000	\$1,875 (\$875 + \$1,000 = \$1,875)
\$1,500	\$2,375 (\$875 + \$1,500 = \$2,375)

- 2) **Tier two:** The level likely to render an AU ineligible for CalWORKs benefits:

Assistance Unit Size	*Maximum Earned Income Limit Region 1, Non-Exempt	*Maximum Earned Income Limit Region 1, Exempt
0	\$ 112	\$ 112
1	\$ 746	\$ 814
2	\$1,144	\$1,266
3	\$1,388	\$1,540
4	\$1,636	\$1,810
5	\$1,844	\$2,044
6	\$2,056	\$2,284
7	\$2,250	\$2,496
8	\$2,440	\$2,714
9	\$2,628	\$2,922
10 or more	\$2,814	\$3,132

HANDBOOK CONTINUES

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)

44-316

HANDBOOK CONTINUES

Assistance Unit Size	*Maximum Earned Income Limit Region 2, Non-Exempt	*Maximum Earned Income Limit Region 2, Exempt
0	\$ 112	\$ 112
1	\$ 712	\$ 780
2	\$1,092	\$1,212
3	\$1,328	\$1,474
4	\$1,562	\$1,730
5	\$1,762	\$1,958
6	\$1,964	\$2,182
7	\$2,144	\$2,386
8	\$2,330	\$2,590
9	\$2,508	\$2,792
10 or more	\$2,684	\$2,990

*Formula: MAP X 2 + \$112

(Example: Non-exempt MAP for an AU of 3 in Region 1 is \$638. $638 \times 2 + 112 = \$1388$.)

- 3) **Tier Three:** The level likely to render a family ineligible for federal SNAP benefits. (130 percent of FPL. This Chart will be updated annually.)

Household Size	Income Reporting Threshold
1	\$1,180
2	\$1,594
3	\$2,008
4	\$2,422
5	\$2,836
6	\$3,249
7	\$3,663
8	\$4,077
9	\$4,491
10 or more	\$4,905

HANDBOOK ENDS HERE

**44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)****44-316**

(QR) (b) If any member of the AU or person included in the family MAP, when the AU's current grant was determined, has earned income or begins receiving earned income, the AU must report to the county when the family's combined gross monthly income, earned and unearned, exceeds the AU's IRT during the QR Payment Quarter.

(SAR) (b) If any member of the AU or person included in the family MAP, when the AU's current grant was determined, has earned income or begins receiving earned income, the AU must report to the county when the family's combined gross monthly income, earned and unearned, exceeds the AU's IRT during the SAR Payment Period.

(1) An AU that has earned income only or a combination of earned and unearned income shall report when the family's combined gross monthly income exceeds the AU's IRT.

(2) An AU that has no income or has unearned income only shall report if they begin to receive earned income that, once combined with other family income, exceeds the AU's IRT.

(QR) (c) When an AU reports income in excess of the IRT, the county shall redetermine the AU's financial eligibility for the QR Payment Quarter.

(SAR) (c) When an AU reports income in excess of the IRT, the county shall redetermine the AU's financial eligibility and grant amount for the SAR Payment Period.

(QR) (1) When the AU reports income in excess of the IRT in the first or second month of the current QR Payment Quarter, the county shall determine if the reported income is reasonably anticipated to continue and whether the AU's net nonexempt monthly averaged income for the remainder of the current QR Payment Quarter will exceed the AU's MAP. If the averaged income is reasonably anticipated to continue to exceed the AU's MAP for the remainder of the QR Payment Quarter, the county shall determine the AU financially ineligible and shall discontinue the AU at the end of the month in which the AU first received the income that exceeded the AU's MAP, with timely and adequate notice (see Section 44-207.23(QR)).

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)

44-316

- (SAR) (1) When the AU reports income in excess of the IRT in the first through fifth month of the current SAR Payment Period, the county shall determine if the reported income is reasonably anticipated to continue and whether the AU's net nonexempt monthly income determined for the remainder of the current SAR Payment Period will result in a lower grant amount or will exceed the income eligibility limits for CalWORKs. If the income is reasonably anticipated to continue to result in a lower grant amount for the remainder of the SAR Payment Period, the county shall recalculate the AU's grant amount for the remainder of the SAR Payment Period. If the income is reasonably anticipated to continue to exceed the AU's income eligibility limits for the remainder of the SAR Payment Period, the county shall determine the AU financially ineligible and shall discontinue the AU at the end of the month in which the AU first received the income that exceeded the AU's eligibility limits, with timely and adequate notice (see Section 44-207.23(SAR)).
- (QR) (A) If the AU reports that the income will no longer exceed the IRT prior to the effective date of the discontinuance, and the county determines that this is reasonably anticipated, the county shall rescind the discontinuance.
- (SAR) (A) If the AU reports that the income will no longer exceed the IRT prior to the effective date of the decrease or discontinuance, and the county determines that this is reasonably anticipated, the county shall rescind the decrease or discontinuance.
- (QR) (B) If the AU requests restoration of cash aid after the QR Payment Quarter in which the discontinuance takes effect, financial eligibility shall be determined in accordance with Sections 40-125.91 and .92(QR).
- (SAR) (B) If the AU requests restoration of cash aid after the SAR Payment Period in which they were discontinued for income over IRT, financial eligibility shall be determined in accordance with Sections 40-125.91 and .92(SAR).
- (QR) (2) When an AU reports income in excess of the IRT in the third month of the current QR Payment Quarter, the county shall determine if the reported income is reasonably anticipated to continue. If the income will continue, the county shall use that information together with the QR 7 information to prospectively determine eligibility and cash aid amount for the next QR Payment Quarter.

**44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)****44-316**

- (SAR) (2) When an AU reports income in excess of the IRT in the sixth month of the current SAR Payment Period, the county shall determine if the reported income is reasonably anticipated to continue. If the income will continue, the county shall use that information together with the SAR 7 or SAWS 2 information to prospectively determine eligibility and cash aid amount for the next SAR Payment Period.
- (QR) (d) If income that was reported as being in excess of the IRT is only expected to exceed the IRT for that one month and will not continue to exceed the IRT, the county shall not take action to discontinue cash aid. If the recipient's report indicates there will also be a decrease in the income previously anticipated for the QR Payment Quarter, the county shall treat this additional information as a mid-quarter report.
- (SAR) (d) If income that was reported as being in excess of the IRT is only expected to exceed the IRT for that one month and will not continue to exceed the IRT, the county shall not take action to decrease or discontinue cash aid. If the recipient's report indicates there will also be a decrease in the income previously anticipated for the SAR Payment Period, the county shall treat this additional information as a mid-period report.

HANDBOOK BEGINS HERE

- (QR) Example: An AU is in the April/May/June Quarter. In April, the AU reports timely to the county that their earned income exceeded the IRT due to overtime. When determining the reasonably anticipated income for May and June for the AU due to the IRT report, it is discovered that the AU will have no income for those months. Since the income over the IRT will not continue, the AU is not discontinued. The county shall treat this information as a mid-quarter report and recalculate the cash aid amount, after verification is received, for the decreased income for May and June. If the recalculation results in an increase of cash aid, a supplement will be issued for May and the grant increased for June.

HANDBOOK CONTINUES

44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued) 44-316

HANDBOOK CONTINUES

**(QR) Income Reporting Threshold (IRT)
for Recipient Family**

Region One	
*Reporting Size	Income Reporting Threshold
0	\$227
1	\$1009
2	\$1362 Oct. & Nov. 2004) \$1394 (Dec.2004 forward)
3	\$1698
4	\$2043
5	\$2387
6	\$2732
7	\$3076
8	\$3421
9	\$3766
10 or more	\$4111

Region Two	
*Reporting Size	Income Reporting Threshold
0	\$227
1	\$1009
2	\$1354
3	\$1698
4	\$2043
5	\$2387
6	\$2732
7	\$3076
8	\$3421
9	\$3766
10 or more	\$4111

Effective 10/1/04

Effective 10/1/04

* The numbers in this column reflect the number of persons whose needs are included in the determination of eligibility for the AU. This number may be greater than the family's AU size.

(SAR) Example: An AU is in an April through September SAR Payment Period. In May, the AU reports timely to the county that their earned income exceeded the IRT due to overtime. When determining the reasonably anticipated income for the rest of the SAR Payment Period for the AU due to the IRT report, it is discovered that the AU will lose their job at the end of May and have no income for the remaining months of the SAR Payment Period. Since the income over the IRT will not continue, the AU's grant is not decreased or discontinued. The county shall treat the information about the decreased income as a mid-period report and recalculate the cash aid amount, after verification is received, for the remaining months of the SAR Payment Period (June through September).

HANDBOOK ENDS HERE

(QR) .33 County Initiated Mid-Quarter Changes

The county shall take mid-quarter action on certain specified changes in eligibility and grant status at the end of the month in which the change occurred even if it results in a decrease in cash aid.

44-316	REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)	44-316
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(SAR) .33 County-Initiated Mid-Period Changes

The county shall take mid-period action on certain specified changes in eligibility and grant status at the end of the month in which the change occurred even if it results in a decrease in cash aid.

(QR) .331 County-initiated actions include:

- (QR) (a) An adult in the AU reaches the 48-month time limit;
- (QR) (b) The county imposes a sanction or financial penalty on an individual member of the AU;
- (QR) (c) The county removes the sanction of an individual who corrects his/her welfare-to-work participation problem, in accordance with Section 42-721.48;
- (QR) (d) The county removes the penalty for an AU that complies with the CalWORKs program requirements;
- (QR) (e) A Cal-Learn participant earns a Cal-Learn bonus or sanction;
- (QR) (f) A child in the AU reaches the age limit (see Section 42-101);
- (QR) (g) A child in the AU is placed in Foster Care;
- (QR) (h) A Refugee Cash Assistance (RCA) recipient reaches the eight-month RCA time limit;
- (QR) (i) Aid is authorized for an individual who is currently aided in another AU;
- (QR) (j) Late QR 7 adjustment;
- (QR) (k) State Hearing decision resulting in mandatory changes mid-quarter;
- (QR) (l) When an AU becomes a Family Reunification case;
- (QR) (m) An AU member is no longer a California resident;
- (QR) (n) County acts on redetermination information in accordance with Section 40-181.1(QR).

**44-316 REPORTING CHANGES AFFECTING ELIGIBILITY AND
GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)****44-316**

- (QR) (o) Adjustments to correct erroneous payments caused by (1) incorrect or incomplete recipient QR 7 or mid-quarter reporting; or (2) incorrect action or lack of action by the county on QR 7 or mid-quarter information reported by the recipient;
- (QR) (p) When it becomes known to the county that an AU member is deceased;
- (QR) (q) An AU is transferred to a Tribal TANF program;
- (QR) (r) Cost-of-living adjustments for Minimum Basic Standards of Adequate Care (including income in-kind), Maximum Aid Payment, and Social Security;
- (QR) (s) When it becomes known to the county that an individual is confined in a correctional facility on the first of a month and is expected to remain for a full calendar month or more (see Section 82-812.61).

(SAR) .331 County-initiated actions include:

- (SAR) (a) An adult in the AU reaches the 48-month time limit;
- (SAR) (b) The county imposes a sanction or financial penalty on an individual member of the AU;
- (SAR) (c) The county removes the sanction of an individual who corrects his/her welfare-to-work participation problem, in accordance with Section 42-721.48;
- (SAR) (d) The county removes the penalty for an AU that complies with the CalWORKs program requirements;
- (SAR) (e) A Cal-Learn participant earns a Cal-Learn bonus or sanction;
- (SAR) (f) A child in the AU reaches the age limit (see Section 42-101);
- (SAR) (g) A child in the AU is placed in Foster Care;
- (SAR) (h) A Refugee Cash Assistance (RCA) recipient reaches the eight-month RCA time limit;
- (SAR) (i) Aid is authorized for an individual who is currently aided in another AU;
- (SAR) (j) Late SAR 7 adjustment;

44-316	REPORTING CHANGES AFFECTING ELIGIBILITY AND GRANT DETERMINATIONS AND COUNTY ACTIONS (Continued)	44-316
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- (SAR) (k) State Hearing decision resulting in mandatory changes mid-period;
- (SAR) (l) When an AU becomes a Family Reunification case;
- (SAR) (m) An AU member is no longer a California resident;
- (SAR) (n) County acts on redetermination information in accordance with Section 40-181.1(SAR).
- (SAR) (o) Adjustments to correct erroneous payments caused by (1) incorrect or incomplete recipient SAR 7, SAWS 2 or mid-period reporting; or (2) incorrect action or lack of action by the county on SAR 7, SAWS 2 or mid-period information reported by the recipient;
- (SAR) (p) When it becomes known to the county that an AU member is deceased;
- (SAR) (q) An AU is transferred to a Tribal TANF program;
- (SAR) (r) Cost-of-living adjustments for Minimum Basic Standards of Adequate Care (including income in-kind), Maximum Aid Payment, and Social Security;
- (SAR) (s) When it becomes known to the county that an individual is confined in a correctional facility on the first of a month and is expected to remain for a full calendar month or more (see Section 82-812.61).
- (SAR) (t) Nine-month real property exemption expires (see Section 42-213.12).

NOTE: Sections 10553, 10554, and 11369, Welfare and Institutions Code. Reference: Section 10063, 11265, 11265.1, 11265.2, 11265.3, 11450.5, 11454, and 11454.2, 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)].

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44-317	BEGINNING DATE OF AID FOR NEW APPLICATIONS	44-317
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When the applicant is found eligible, the following are beginning dates of aid:

.1 Beginning Date of Aid Determination

.11 The beginning date of aid (BDA) shall not precede the date of application. Aid shall begin on the date of application, or the date on which the applicant meets all eligibility conditions, whichever is later.

.111 "The date of application" means the date on which the county receives a signed and dated application.

(a) In the event the CWD is closed during the regular eight hours of a working day as defined in Sections 11-601.214 and .215, and an application for CalWORKs benefits is deposited in a drop box, mail slot, or other reasonable accommodation in accordance with Section 11-601.311(b), the "date of application" shall be the date the application is deposited.

(b) In the event the CWD is closed during the regular eight hours of a working day as defined in Sections 11-601.214 and .215, and an applicant calls to make a request for emergency benefits in accordance with Section 11-601.313, the date of application shall be the date the telephone call is received.

HANDBOOK BEGINS HERE

(c) Example: On Friday, when the CWD is closed, an applicant deposits an application for CalWORKs benefits in a mail slot designated for that purpose. The application will be date stamped with Friday's date or it will be otherwise indicated on the application that it was received on Friday, the date of application. Had the applicant made a request for Homeless Assistance, CalFresh Expedited Services, Medi-Cal, or CalWORKs Immediate Need via the local telephone service on Friday, the date of application would be Friday and the application would have to be processed within established time frames.

HANDBOOK ENDS HERE

.112 "The date on which the applicant meets all eligibility conditions" means the date all linking and nonlinking factors of eligibility are met (see Section 40-107.3), even though verification or documentation of the eligibility condition is received at a later date. Technical conditions of eligibility, as specified in MPP 40-129.214, met at a later date are considered to be met on the date of application as long as they are completed by the date of authorization except for social security enumeration. Social security enumeration requirements must be met within 30 days of the application for assistance if aid is to begin on the date of application. (For social security enumeration requirements, see Section 40-105.2.)

HANDBOOK BEGINS HERE

- (a) At the time these regulations were promulgated, social security enumeration, application for unconditionally available income (including UIB), work registration of the principal earner who is exempt from WTW due to remoteness, work registration of the nonfederal principal earner, and cooperation with the District Attorney in accordance with MPP 43-201.1 were the only technical conditions of eligibility. If any new technical conditions of eligibility are established, this handbook section will be amended.

- (b) Example: A family applies for CalWORKs on April 3. The county schedules the face-to-face interview on April 10. At that time the county determines that on April 3 the applicant had \$2,200 in a bank account, but on April 6 the bank account was down to \$1,900. The beginning date of aid for this family is April 6, since it was on that date that the family met the eligibility requirement for CalWORKs.

- (c) Example: A family applies for CalWORKs on November 10. All family members meet the eligibility requirements except for the youngest child who does not have an SSN. On November 20, the CWD authorizes aid for everyone but the one child because verification of a completed application for an SSN had not been received. On December 10, the CWD received a copy of the MC 194 which indicated that an application for an SSN was completed on November 15 and is being processed. The county rescinds the denial for the child and authorizes aid effective November 10.

HANDBOOK ENDS HERE

.113 The beginning date of aid for each member of the AU may vary.

44-317	BEGINNING DATE OF AID FOR NEW APPLICATIONS (Continued)	44-317
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HANDBOOK BEGINS HERE

- (a) Example: A family applies for CalWORKs on November 10. All family members meet the eligibility requirements except for the youngest child who does not have an SSN. On November 20, the CWD authorizes aid for everyone but the one child because verification of a completed application for an SSN had not been received. On December 20, the CWD receives a copy of the MC 194 which indicated that an application for an SSN was completed on December 15 and is being processed. The CWD authorizes aid for the youngest child effective December 15.

HANDBOOK ENDS HERE

- .114 The BDA shall be the date of application or date of eligibility, whichever is later, for persons whose eligibility determination remains pending and aid is granted to the remaining AU.
- .2 Aid Begins on a Specified Date
 - .21 For a pregnant woman with no other eligible children, the beginning date of aid shall be the date of application, providing the pregnant woman is eligible on that date.
 - .22 When the mother of a newborn is being aided as a pregnant woman in accordance with Sections 44-205.1 and 82-836 or is receiving a pregnancy special need payment in accordance with Section 44-211.6 in the month of birth, the newborn and the father of the newborn shall be added to the case as described in Sections 44-318.15 and .16.
- .3 Aid is Granted on Intercounty Transfer

Aid is paid from the first of the month following discontinuance by the other county.
- .4 Change in Type of Assistance

Aid is paid from the first of the month following the effective date of discontinuance under the previous program.
- .5 Applicant to Leave Public Institution Where He is Ineligible – (Repealed -- Manual Letter No. 77-001)

44-317	BEGINNING DATE OF AID FOR NEW APPLICATIONS (Continued)	44-317
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.6 Intraprogram Status Changes

| .61 Transfer from Medically Needy to CalWORKs Recipient

.611 The cash grant shall be paid from the date of application or date all eligibility conditions are met, whichever is later.

| .62 Transfers Between CalWORKs and AFDC-FC

| .621 The BDA for a child converting from AFDC-FC to CalWORKs shall be the date he/she is placed in his/her parent's or relative's home or the date eligibility conditions are met, whichever is later.

| .622 When a child in an CalWORKs AU is moved to foster care, the effective date of AFDC-FC assistance is the date he/she is placed in an AFDC-FC eligible facility and is otherwise AFDC-FC eligible.

| .623 When a child is transferring from AFDC-FC to CalWORKs, or vice versa, but remains in the home of the same related caretaker, the effective date of program transfer is the first of the month following the request for change of program. (See Section 45-202.212(a).)

| .63 Transfers from AFDC-FC to Kin-GAP

| .631 When a child is transferring from AFDC-FC to Kin-GAP, but remains in the home of the same caretaker relative, the BDA of Kin-GAP is the first of the month following the dismissal of the dependency (see Section 90-105.132). AFDC-FC shall be paid until the Kin-GAP payment begins.

| .64 Transfers Between CalWORKs and Kin-GAP

| .641 When a child is transferring from CalWORKs to Kin-GAP, or vice versa, but remains in the home of the same related caretaker, the effective date of the program transfer is the first of the month following the request for change of program or the dismissal of the dependency (see Section 90-105.132).

44-317 BEGINNING DATE OF AID FOR NEW APPLICATIONS (Continued) 44-317

.7 Aid Granted on Basis of Immediate Need After Determining Eligibility or Apparent Eligibility -- Has been Deleted per Manual Letter No. 79-58.

.8 Previously Denied Application is Approved

.81 Aid shall be paid from the date it would have been paid in accordance with the beginning date of aid regulations in effect at the time the application was denied.

.9 Repealed by Manual Letter No. EAS-91-14, effective 10/1/91.

.10 Effective Date of Medical Assistance Certification

The effective date of the certification for Group I Medical Assistance for the applicant who has been found eligible for a cash grant is whichever of the following is later: (a) the first of the month of application, or (b) the first of the month in which there is eligibility (linkage).

NOTE: Authority cited: Sections 10553, 10554, 10604, 11209, and 11369, Welfare and Institutions Code. Reference: Sections 10553, 10554, 10604, and 11056, Welfare and Institutions Code; 45 CFR 205.42(d)(2)(A), as printed in Federal Register, Vol. 57, No. 198, Tuesday, October 13, 1992, page 46808; 45 CFR 206.10; 45 CFR 233.10(a)(1); 45 CFR 233.20(a)(1)(ii); 45 CFR 233.60; 45 CFR 233.90(c)(2)(i); and Blanco v. Anderson Court Order, United States District Court, Eastern District of California, No. CIV-S-93-859 WBS, JFM, dated January 3, 1995.

44-318 BEGINNING DATE OF AID (BDA) FOR PERSONS BEING ADDED TO THE AU 44-318

.1 Beginning Date of Aid The BDA shall be:

.11 Mandatorily Included Persons When mandatorily included persons added result in a cash aid:

.111 Increase The first of the month after the change is reported and all conditions of eligibility have been met.

.112 Decrease Section 44-318.112(QR) shall become inoperative and Section 44-318.112(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

44-318	BEGINNING DATE OF AID (BDA) FOR PERSONS BEING ADDED TO THE AU (Continued)	44-318
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	(QR)	The first day of the QR Payment Quarter following the required reporting of the individual on the QR 7 provided all conditions of eligibility have been met.
	(SAR)	The first day of the SAR Payment Period following the required reporting of the individual on the SAR 7 or SAWS 2 provided all conditions of eligibility have been met.
.12	Optional Persons	When optional persons added result in a cash aid:
.121	Increase	The first of the month after the change is reported and all conditions of eligibility have been met.
.122	Decrease	Section 44-318.122(QR) shall become inoperative and Section 44-318.122(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
	(QR)	The first day of the QR Payment Quarter following the required reporting of the individual on the QR 7 provided all conditions of eligibility have been met.
	(SAR)	The first day of the SAR Payment Period following the required reporting of the individual on the SAR 7 or SAWS 2 provided all conditions of eligibility have been met.
.13	Sanction/ Noncooperating Persons	Section 44-318.13(QR) et seq. shall become inoperative and Section 44-318.13(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)	The first of the month following the date the person contacted the county to indicate his or her desire to end the sanction after all of the following conditions are met:

44-318	BEGINNING DATE OF AID (BDA) FOR PERSONS BEING ADDED TO THE AU (Continued)	44-318
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(QR) (a)		All conditions of eligibility have been met (see Section 44-316.331 (c) (QR)); and
(QR) (b)		The activities in accordance with Section 42-721.43 have been successfully completed.
(SAR)		The first of the month following the date the person contacted the county to indicate his or her desire to end the sanction after all of the following conditions are met:
(SAR) (a)		All conditions of eligibility have been met (see Section 44-316.331(c)(SAR)); and
(SAR) (b)		The activities in accordance with Section 42-721.43 have been successfully completed.
.14	Unreported Mandatorily Included Persons	The date the person meets all requirements for eligibility when he/she is required to be included in the AU but aid was not requested.
.141		Eligibility conditions are considered to have been met from the first day of the month following the date the individual was discovered in the home, providing he/she is cooperating in meeting those conditions.
.15		Section 44-318.15(QR) et seq. shall become inoperative and Section 44-318.15(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)	Newborn Child and MFG Child	
(SAR)	Newborn Child and MFG Child	
(QR)	.151 Newborn Child	When a newborn child is added results in a cash aid:
(QR) (a)	Increase	The first of the month after the birth is reported and all conditions of eligibility have been met (see Section 44-211.6(QR)).

44-318	BEGINNING DATE OF AID (BDA) FOR PERSONS BEING ADDED TO THE AU (Continued)	44-318
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	(QR) (b)	Decrease	The first day of the next QR Payment Quarter after the change is reported on the QR 7 and after all conditions of eligibility have been met (see Section 44-211.6(QR)).
(SAR) .151		Newborn Child	When a newborn child is added results in a cash aid:
	(SAR) (a)	Increase	The first of the month after the birth is reported and all conditions of eligibility have been met (see Section 44-211.6(SAR)).
	(SAR) (b)	Decrease	The first day of the next SAR Payment Period after the change is reported on the SAR 7 or the SAWS 2 and after all conditions of eligibility have been met (see Section 44-211.6(SAR)).
(QR) .152		Newborn MFG Child	When an MFG newborn child is added results in no change or a decrease in cash aid.
	(QR) (a)	No PSN/No Change	The first of the month following the report of the birth provided that all conditions of eligibility have been met and provided that the mother is not receiving a pregnancy special need payment and the grant will not decrease as a result of adding the newborn.
	(QR) (b)	PSN/Decrease	The first day of the next QR Payment Quarter following the report of the birth and all verification has been provided, when the mother has been receiving a pregnancy special need payment or the grant would otherwise decrease as a result of adding the newborn.
(SAR) .152		Newborn MFG Child	When an MFG newborn child is added results in no change or a decrease in cash aid.
	(SAR) (a)	No PSN/No Change	The first of the month following the report of the birth provided that all conditions of eligibility have been met and provided that the mother is not receiving a pregnancy special need payment and the grant will not decrease as a result of adding the newborn.

44-318	BEGINNING DATE OF AID (BDA) FOR PERSONS BEING ADDED TO THE AU (Continued)	44-318
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	(SAR) (b)	PSN/Decrease	The first day of the next SAR Payment Period following the report of the birth and all verification has been provided, when the mother has been receiving a pregnancy special need payment or the grant would otherwise decrease as a result of adding the newborn.
.16		Father of a Newborn	When a father of a newborn added, in accordance with Section 44-205.122, results in a cash aid:
.161		Increase	The first of the month after the report of the birth and all conditions of eligibility have been met.
.162		Decrease	Section 44-318.162(QR) shall become inoperative and Section 44-318.162(SAR) shall become operative in a county on date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
	(QR)		The first day of the next QR Payment Quarter after the report of the birth and all conditions of eligibility have been met.
	(SAR)		The first day of the next SAR Payment Period after the report of the birth and all conditions of eligibility have been met.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11056, 11265.1, 11265.2, 11265.3, and 11327.5(d), Welfare and Institutions Code; 45 CFR 233.10 and .20(a)(13); Federal Register, Vol. 57, No. 131; and SSA-AT-86-01; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

44-319	INITIAL PAYMENTS	44-319
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- .1 Initial Payment -- Defined -- An initial payment is:
 - .11 The first payment made on new applications and restorations;
 - .12 The first payment for a child transferred from a boarding home to a family budget unit;
 - .13 The first payment for the addition of a child to a family budget unit already receiving AFDC, or for the addition of a needy relative (if none has been included before) whether or not the actual payment is increased.

44-319	INITIAL PAYMENTS (Continued)	44-319
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.2 When Initial Payment is Made

An initial payment shall be delivered within the month for which aid is granted or restored, or not later in the following month than the time such payment is required to be delivered in accordance with Section 45-303.1.

.3 Retroactive Initial Payment

An initial payment includes aid for prior months if retroactive aid is authorized because:

- .31 Aid was granted on appeal to the State Department of Social Services;
- .32 The State Department of Social Services concurs in a county recommendation that retroactive aid be paid to adjust an appeal;
- .33 An application for aid has been denied and corrective action is being taken;
- .34 The investigation was not completed by the end of the month following the date on which the application was made or the end of the month following the date on which the applicant became eligible if such is later than the date of application.

44-325	CHANGES IN AMOUNT OF PAYMENT	44-325
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.1 When Change is Effective

Section 44-325.1(QR) shall become inoperative and Section 44-325.1(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) When any change in the recipient's circumstances requires a change in grant, or a discontinuance of aid, the appropriate change or discontinuance is to be made effective in accordance with Section 44-316(QR) as soon as notice can be given pursuant to Sections 22-071(QR) and 22-072(QR).

(SAR) When any change in the recipient's circumstances requires a change in grant, or a discontinuance of aid, the appropriate change or discontinuance is to be made effective in accordance with Section 44-316(SAR) as soon as notice can be given pursuant to Sections 22-071(SAR) and 22-072(SAR).

44-325	CHANGES IN AMOUNT OF PAYMENT (Continued)	44-325
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.2 Discontinuance

Section 44-325.2(QR) shall become inoperative and Section 44-325.2(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 recipient's circumstances change to the extent that he no longer meets the eligibility requirements, aid shall be discontinued in accordance with Section 44-316.3(QR). (See Section 40-183.4 regarding appropriate action when the recipient is no longer eligible for cash grant but remains eligible for medical assistance as a medically needy person).

(SAR) If a recipient's circumstances change to the extent that he no longer meets the eligibility requirements, aid shall be discontinued in accordance with Section 44-316.3(SAR). (See Section 40-183.4 regarding appropriate action when the recipient is no longer eligible for cash grant but remains eligible for medical assistance as a medically needy person).

.3 Cancellation or Reduction of the Second Installment of a Month's Aid Payment

.31 The second installment of a month's aid payment is normally not cancelled or reduced, except when:

.311 Ineligibility for the first installment was discovered too late to give proper notice under Section 22-022; or

.312 Payment of the first installment was made because the payment date was within the termination notice period. For example, see Section 41-440.71; or

.313 An overpayment would occur if the second installment is not cancelled or decreased.

.32 Any cancelled or reduced payment is subject to all notice requirements as outlined in Section 22-022.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11006.2, 11265.1, 11265.2, and 11265.3, Welfare and Institutions Code.

44-327 DELAYED PAYMENT**44-327**

When a public assistance payment is delayed because of changes in circumstances not related to continuing eligibility or to the correctness of grant, the county shall immediately take whatever action is necessary to determine the changed circumstances and issue the payment at the earliest possible date.

.1 Federal and State Participation

Federal and state participation in CalWORKs is available for the delayed payment only if it is released within whichever of the following occurs first:

- .11 One calendar month after the county receives information upon which it can act indicating there has been a change in circumstances, or
- .12 Two months succeeding the month for which the payment was issued.

.2 Factors Causing Delay in Payment

Factors which may cause delay in payment within the meaning of this section include:

- .21 Change of address of recipient -- warrant is returned to the auditor's office and the county is so notified.
- .22 A change in payee.
- .23 A transfer of county responsibility for aid payment -- the second county inadvertently fails to begin aid on the due date and pays retroactive aid from that date.
- .24 Death of a recipient -- when reissuance of the warrant or payment is appropriate but not possible until the person entitled to the warrant or payment is determined under Probate Law, the limitations specified in .11 and .12 above are not applicable (see Handbook Section 25-520.7).
- .25 Section 44-327.25(QR) shall become inoperative and Section 44-327.25(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 complete QR 7 (see Section 40-181.241(QR)) is received after the tenth day prior to the end of the submit month regardless of good cause - the first warrant shall be mailed or electronic fund transfer made in accordance with Section 44-305.231(QR).

44-327 DELAYED PAYMENT (Continued) 44-327

(SAR) The complete SAR 7 (see Section 40-181.241(SAR)) is received after the tenth day prior to the end of the submit month or the SAWS 2 is received after the 15th day of the submit month, regardless of good cause - the first warrant shall be mailed or electronic fund transfer made in accordance with Section 44-305.231(SAR).

.26 Electronic Fund Transfer Accounts – If the direct deposit electronic fund transfer was incomplete due to, but not limited to, closed account, the failure of the direct deposit electronic fund transfer, or the payment inadvertently went to the wrong account, the county shall immediately take whatever action is necessary at the earliest possible date.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11006.2, and 11265.1, Welfare and Institutions Code.

44-340 UNDERPAYMENTS 44-340

.1 General

.11 An underpayment shall be corrected in accordance with the regulations in effect on the date of discovery.

.12 Underpayments occur when the applicant or recipient receives less than the amount to which he/she is entitled in a given month or months. Failure to apply for or request aid does not create an underpayment.

.13 The county shall take all reasonable steps necessary to correct promptly any underpayment that comes to the county's attention.

.131 Any underpayment which is due to the erroneous denial of an application for aid shall be corrected even though the applicant failed to perform an act constituting a condition of eligibility when such failure was caused by the denial. Acts which constitute conditions of eligibility shall include, but are not limited to those contained in Sections 40-105.21, 42-625, 43-106, 43-119.23, 44-103.23, and .24.

.132 For the purpose of determining the beginning date of aid for correcting an underpayment which is due to the erroneous denial of an application, see Section 44-317.8.

.133 Section 44-340.133(QR) shall become inoperative and Section 44-340.133 (SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

44-340	UNDERPAYMENTS	44-340
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(QR) If information reported on the QR 7 results in an increase of cash aid, and the county cannot increase the grant by the first day of the month of the next QR Payment Quarter, a supplement shall be issued for that month, and cash aid increased for the remaining months of that quarter provided that the recipient reported the information timely.

(SAR) If information reported on the SAR 7 or SAWS 2 results in an increase in cash aid, and the county cannot increase the grant by the first day of the month of the next SAR Payment Period, a supplement shall be issued for that month, and cash aid increased for the remaining months of that SAR Payment Period. A supplement will be provided for the month the decrease in income is reported or the month the change actually occurs, whichever is later, after all verification has been provided (see Section 44-316.31(SAR)).

.14 Section 44-340.14(QR) shall become inoperative and Section 44-340.14(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 mid-quarter supplemental payment resulting from a voluntary mid-quarter report which was correctly computed based on a recalculation of reasonably anticipated income and/or other changed AU circumstances shall not be considered an underpayment and is not subject to an overpayment offset.

(SAR) A mid-period supplemental payment resulting from a voluntary mid-period report which was correctly computed based on a recalculation of reasonably anticipated income and/or other changed AU circumstances shall not be considered an underpayment and is not subject to an overpayment offset.

.2 Investigation of Underpayments

.21 When there is a reason to suspect that an underpayment may have occurred, the worker must investigate and determine whether an underpayment did occur.

.3 Calculating the Underpayments

The calculation of the underpayment is as follows:

.31 Calculate the correct grant for each month in question, compare the correct grant to the amount actually paid to the recipient for each month; and if the amount to the recipient in any month is less than the correct grant for that month, an underpayment exists.

44-340	UNDERPAYMENTS (Continued)	44-340
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.32 An underpayment occurs when the AU receives less cash aid than the AU was entitled to receive and would be based on regulations in effect at the time the underpayment occurred.

.321 The county shall not reconcile actual verified income against prospectively budgeted income that was used in the grant calculation as income that was reasonably anticipated at the time benefits were calculated.

.33 Section 44-340.33(QR) shall become inoperative and Section 44-340.33(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) No underpayment shall be established when a change in circumstances occurs or actual income received is less than what was reasonably anticipated during the QR Payment Quarter and the recipient did not voluntarily report the change in circumstances or the decrease of income during the QR Payment Quarter in accordance with Section 44-316.31(QR).

(SAR) No underpayment shall be established when a change in circumstances occurs or actual income received is less than what was reasonably anticipated for the SAR Payment Period and the recipient did not voluntarily report the change in circumstances or the decrease of income during the SAR Payment Period in accordance with Section 44-316.31(SAR).

.4 Correction of the Underpayment

.41 Underpayments are corrected through retroactive payments.

.42 If an assistance unit has both an underpayment and an overpayment, the county shall balance one against the other before making a retroactive corrective payment.

.43 (Repealed by Manual Letter No. 82-26, effective 04/02/82.)

.44 The month of discovery is the month in which the county obtained any information which could have reasonably led to a determination that an underpayment occurred.

.45 (Repealed by Manual Letter No. 82-26, effective 04/02/82.)

.5 (Repealed by Manual Letter No. 82-26, effective 04/02/82.)

.6 For purposes of determining continued eligibility and amount of assistance, retroactive payments shall not be considered as income or as a resource in the month paid nor in the next following month.

.7 Repealed by DSS Manual Letter No. EAS-89-06, effective 10/1/89.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11004.1, 11265.1, 11265.2, 11265.3, and 11450.5, Welfare and Institutions Code.

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44-350	OVERPAYMENTS -- GENERAL	44-350
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.1 General

- .11 Any overpayment which occurred prior to April 2, 1982 and which is determined to be nonwillful, in accordance with regulations in effect during the month that the overpayment occurred, shall not be recouped except through voluntary repayment.
- .12 For any willful overpayment which was discovered prior to April 2, 1982 and the maximum adjustment period had not expired prior to April 1982, adjustment shall be continued as long as necessary to recover the overpayment.
- .13 For any overpayment, except those described in 44-350.11, which is discovered on or after April 2, 1982, the overpayment shall be recouped in accordance with regulations in effect on the date of discovery.
- .14 When the overpayment is determined to be due to excess property, the overpayment is to be recouped in accordance with the regulations in Section 44-352.11.
 - .141 For cases in which an overpayment caused by excess property was recouped under former MPP Section 44-352.11, which was effective on April 2, 1982, the county shall take the following steps:
 - (a) Recompute the overpayment in accordance with the April 1986 amendments to Section 44-352.11;
 - (b) Determine if the revised overpayment is less than the overpayment computed under the April 2, 1982 regulations.
 - (c) If the revised overpayment is less, issue a payment to correct the underpayment for any amount which has actually been recouped which exceeds the revised overpayment amount.

HANDBOOK BEGINS HERE

Note: In accordance with the Edwards v. McMahan final court order, payments are to be issued to correct underpayments even when the family is not currently aided.

HANDBOOK ENDS HERE

44-350	OVERPAYMENTS -- GENERAL (Continued)	44-350
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- .142 The case review, recomputation, and correction of any underpayments shall be completed as soon as possible and not later than the deadlines set forth below:
- (a) The date of the next annual redetermination of eligibility or the date of termination, whichever is earlier, for all current recipients on the effective date of this regulation;
 - (b) Sixty days from the date aid is granted for reapplications and requests for restoration of aid within one year of the effective date of this regulation;
 - (c) Sixty days from the date of a request for review in all other cases.
- .15 An overpayment is any amount of any aid payment an AU received to which it was not eligible. An overpayment may be all or a portion of an aid payment. This includes, but is not limited to, an immediate need payment, a special need payment or aid paid pending a state hearing.
- .151 An overpayment shall not include aid paid where all four of the following prerequisites are met:
- (a) An applicant or recipient fails to perform an act constituting a condition of eligibility for aid. Acts which constitute conditions of eligibility shall include, but are not limited to those contained in Sections 40-105.21, 42-625, 43-106, 43-119.23, 44-103.23, and .24.
 - (b) The applicant's/recipient's failure to perform an act constituting a condition of eligibility is caused by a state agency error or by a County Welfare Department (CWD) error, and not by an applicant/recipient error.
 - (1) "State agency error," for purposes of this section is the agency's failure to promptly notify the CWD that the applicant/recipient does not or no longer meets a specific condition of eligibility.

HANDBOOK BEGINS HERE

- (A) For example: EDD fails to notify the CWD that an applicant/recipient has been deregistered from Job Services (JS).

HANDBOOK ENDS HERE

44-350	OVERPAYMENTS -- GENERAL (Continued)	44-350
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- (2) "CWD error," for purposes of this section, is the CWD's failure to inform an applicant/recipient that he/she must perform an act which constitutes a condition of eligibility.

- (3) "Applicant or recipient error," for purposes of this section, shall occur only when the applicant or recipient was notified, either verbally or in writing, of the need to perform the act which constitutes a condition of eligibility and did not perform the act in question after notification, within a reasonable period of time under the circumstances.

HANDBOOK BEGINS HERE

- (A) For example, where a child becomes six years old on April 6 and the CWD informs the parent of the requirement to WIN register on July 12, the parent's failure to WIN register in July would probably be a "recipient error" and, therefore, cause an overpayment for July. However, if the parent is informed of the WIN registration requirement on July 29, a failure to register within that month would probably not be a "recipient error" and there would be no overpayment for July because the recipient did not have a reasonable period of time to WIN register before the end of the month. In either case, there is no overpayment for April, May and June.

HANDBOOK ENDS HERE

- (c) The amount of aid paid would have been the same had the act constituting the condition of eligibility been performed.

 - (d) The state agency or CWD error is discovered or an overpayment is being calculated or an overpayment is being recouped on or after January 1, 1985.
- .16 The county shall take all reasonable steps necessary to promptly correct and collect any overpayments that are known to the county including recovery of overpayments due to either applicant/recipient and/or county administrative errors, with the following exceptions:
- .161 The county shall not demand collection of nonfraudulent overpayments totaling less than \$35 from individuals no longer receiving aid. Where the nonfraudulent overpayment amounts owed by the individuals no longer receiving aid is \$35 or more, the county shall send a demand notice for repayment. No further collection efforts shall be made if the county determines that the cost to collect the overpayment exceeds the amount to be recovered.

44-350	OVERPAYMENTS – GENERAL (Continued)	44-350
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- (a) Counties shall maintain information regarding the uncollected overpayments to enable recoupment should any individuals from the prior overpaid AU reapply.
- (b) Costs which counties shall consider when determining the cost effectiveness to collect are total administrative and personnel costs, legal filing fees, investigative costs, and any other costs which are applicable.

.162 Repealed by Manual Letter No. EAS-98-03, effective 7/1/98.

.17 A supplemental payment which was correctly computed, based on the county's determination of reasonably anticipated income, shall not be subject to an overpayment determination provided that the recipient's report, upon which the county based its determination, was complete and accurate. If there is a computational error, the supplemental payment shall be corrected.

.18 Section 44-350.18(QR) shall become inoperative and Section 44-350.18(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 overpayment shall not be assessed based on any differences between the amount of income the county reasonably anticipated the recipient would receive during the QR Payment Quarter and the income the recipient actually received during that period, provided the recipient's reports were complete and accurate.

(SAR) An overpayment shall not be assessed based on any differences between the amount of income the county reasonably anticipated the recipient would receive during the SAR Payment Period and the income the recipient actually received during that period, provided the recipient's reports were complete and accurate.

.2 Definitions (in Alphabetical Order)

- a) Action for Civil Judgment - The action taken by the appropriate county official to take the recipient or former recipient to court.
- b) Administrative Error Overpayment - Except as provided in Section 44-350.151, an overpayment caused by error on the part of the county when all information necessary to a correct determination of the grant was in the possession of the county.
- c) Aid - The amount of assistance issued to a recipient.

44-350	OVERPAYMENTS -- GENERAL (Continued)	44-350
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- d) Balancing - A method for the recovery of all or a portion of an overpayment by applying it against a repayable underpayment.
- e) Demand for Repayment - The notification to a recipient or former recipient that an overpayment occurred for which there is a right for judicial restitution. Where demand for repayment is appropriate, it may be used concurrently with other methods of adjustment.
- f) Grant Adjustment - Recovery of an overpayment by reducing the grant of a presently eligible individual or family.
- g) (Reserved)
- h) (Reserved)
- i) Month of Discovery - The month of discovery is the month in which the county obtained, or could have obtained by taking prompt action, information sufficient to support a determination both that an overpayment occurred and the amount of such overpayment.
- j) Nonfraudulent Overpayment - An overpayment which is not determined to be fraudulent pursuant to MPP 20-003.1.

HANDBOOK BEGINS HERE

MPP 20-003.1 provides that fraud exists when a person, on behalf of himself or others, has:

- (1) Knowingly and with intent to deceive or defraud made a false statement or representation to obtain benefits, obtain a continuance or increase of benefits, or avoid a reduction of benefits.
- (2) Knowingly and with intent to defraud failed to disclose a fact which, if disclosed, could have resulted in denial, reduction, or discontinuance of benefits.
- (3) Accepted benefits knowing he/she is not entitled thereto, or accepted any amount of benefits knowing it is greater than the amount to which he/she is entitled.
- (4) For the purpose of obtaining, continuing, or avoiding a reduction or denial of benefits, made statements which he/she did not know to be true with reckless disregard of the truth.

HANDBOOK ENDS HERE

- k) Recovery - Grant adjustment, voluntary grant offset, voluntary cash recovery, demand for repayment, action for civil judgment and balancing.

44-350	OVERPAYMENTS -- GENERAL (Continued)	44-350
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- l) Unlocatable - Means either of the following:
 - (1) When the county is unable to determine the physical whereabouts of the caretaker relative; or
 - (2) When the county is able to locate the caretaker relative, but unable to execute a legal process to collect.
- m) Voluntary Cash Recovery - Repayment voluntarily made to the county by a recipient who has incurred an overpayment.
- n) Voluntary Grant Offset - Voluntary repayment made to the county by a recipient's foregoing all or a portion of a grant for which he or she is eligible.

.3 Investigation of Overpayments

When information indicates that an overpayment may have occurred, the county shall take the following actions:

- .31 Review the eligibility and grant factors to find what the correct grant amount should have been;
- .32 Calculate the overpayment;
- .33 Determine from whom the overpayment may be recovered (see Section 44-352.3);
- .34 Determine the appropriate recovery method and the amount to be recovered.
- .35 If appropriate (see Section 44-352.5), initiate any referrals to the SIU for an investigation.

.4 Aid Paid Pending

Aid paid pending a state hearing decision (see Section 22-022) is a recoverable overpayment except to the extent that the claim is granted. However, the amount of a proposed overpayment adjustment which is stopped because of a recipient's timely request for a state hearing is not an overpayment.

44-350	OVERPAYMENTS -- GENERAL (Continued)	44-350
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.5 Overpayments Due to the Inability to Provide Ten-Day Notice of Adverse Action

Section 44-350.5(QR) shall become inoperative and Section 44-350.5(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 overpayment shall be assessed when the AU receives more cash aid than the AU was entitled to receive because the county was unable to provide ten-day notice of an adverse action following receipt of a mandatory recipient report, including the QR 7.

(SAR) An overpayment shall be assessed when the AU receives more cash aid than the AU was entitled to receive because the county was unable to provide ten-day notice of an adverse action following receipt of a mandatory recipient report, including reports on the SAR 7, the SAWS 2, or mandatory mid-period reports of income over the IRT.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11004 (Ch. 270, Stats. 1997), 11004.1, 11056, and 11265.1, Welfare and Institutions Code; Section 37 of AB 444 (Ch. 1022, Stats. 2002); 45 CFR 233.20(a)(13); and Administration for Children and Families (ACF) Action Transmittals (AT) 94-11 and 94-20; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

44-351	METHODS OF OVERPAYMENT RECOVERY	44-351
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In addition to grant adjustment and demand for repayment which are discussed in Section 44-352.4 the following methods of recovery apply to all overpayments:

.1 Voluntary Cash Recoveries

Voluntary cash recovery should be explained by the county to a recipient (or former recipient) but no request for voluntary payment should be made.

.11 If a recipient or former recipient offers to repay all or a portion of an overpayment which is not subject to grant adjustment or a demand for repayment and action for civil judgment, the following apply:

44-351	METHODS OF OVERPAYMENT RECOVERY (Continued)	44-351
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- .111 An agreement made with the recipient shall be in writing and shall clearly indicate to the individual that the repayment is voluntary.
- .112 The recipient is not required to fulfill any voluntary agreement he/she enters into and may suspend at any time payments he or she has agreed to make.

.2 Voluntary Grant Offset

Voluntary grant offset should be explained by the county to those recipients who have available income and resources when the overpayment could not be recovered in the appropriate adjustment period. However, no request may be made for voluntary repayment.

- .21 If the recipient offers to repay the remaining overpayment by foregoing all or a portion of a grant to which he or she is eligible, the following apply:
 - .211 The county shall obtain in writing an agreement to repay. Such agreement shall clearly indicate to the individual that repayment is voluntary.
 - .212 The recipient is not required to fulfill any agreement he/she enters into and may request payment of the full grant to which he/she is eligible at any time.

.3 Balancing

When an assistance unit has both an overpayment and an underpayment, the county shall offset one against the other.

44-352	OVERPAYMENT RECOUPMENT	44-352
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.1 Calculation of the Overpayment

When it is determined that an overpayment exists, calculate the amount of the overpayment and determine the appropriate methods of recovery.

- .11 Overpayment due to "excess property"
 - .111 Section 44-352.111(QR) shall become inoperative and Section 44-352.111 (SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

44-352	OVERPAYMENT RECOUPMENT (Continued)	44-352
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(QR) Unless the excess property was spent down prior to the first day of the next QR Payment Quarter, which followed the QR 7 on which the excess property should have been reported, the county shall determine an excess property overpayment based on an accurate report and/or correct county action when:

(QR) (a) Property information that should have been reported on the QR 7 was not reported; or

(QR) (b) The county failed to act correctly on property information reported on the QR 7. Also see Section 40-125.951.

(SAR) Unless the excess property was spent down prior to the first day of the next SAR Payment Period, which followed the SAR 7 or SAWS 2 on which the excess property should have been reported, the county shall determine an excess property overpayment based on an accurate report and/or correct county action when:

(SAR) (a) Property information that should have been reported on the SAR 7 or SAWS 2 was not reported; or

(SAR) (b) The county failed to act correctly on property information reported on the SAR 7 or SAWS 2. Also see Section 40-125.951.

.112 When a recipient has held property in excess of eligibility limits, the overpayment shall be calculated as follows:

(a) Determine the period of time in which the recipient held property exceeding the property maximums.

(1) For the purposes of this section, the period that the recipient held excess property includes all months in which the total property value of the same items of property exceeds limits on the first day of the month, even though there may be intervening months in which the total property value is below limits. Fluctuations in the value of individual items of property shall not affect the determination of the period of time that the recipient held excess property, so long as the same items of property are included in the total property valuation. If the recipient disposes of an item of property or acquires an item of property, a new period begins and separate calculation is required.

(2) Section 44-352.112(a)(2)(QR) shall become inoperative and 44-352.112(a)(2)(SAR) shall become operative in a county on the date that SAR becomes effective in that county pursuant to the County's SAR Declaration.

44-352 OVERPAYMENT RECOUPMENT (Continued)

44-352

- (QR) The first month that can be determined for this period of excess property is the first month of the QR Payment Quarter following the QR 7 in which the excess property was required to be reported.
- (SAR) The first month that can be determined for this period of excess property is the first month of the SAR Payment Period following the SAR 7 or SAWS 2 in which the excess property was required to be reported.
- (b) Determine the month within the period in which the property value, on the first day of the month, was the highest and calculate the amount by which the property exceeded the eligibility limit.
- (c) Calculate the total amount of aid actually paid to the recipient during the months excess property was held, subtracting any money, excluding child support recoupment, received by the county which was credited against the aid payment for those months.
- (d) Determine whether the recipient received aid in "good faith". The determination of "good faith" receipt of aid shall be based on a preponderance of evidence establishing that the recipient believed himself/herself to be eligible to the aid received. The county shall consider information in the case record and all other available information, including an interview with the recipient if he/she is available and willing to cooperate. The determination of "good faith" receipt of aid shall be reasonable, objective, and drawn from all available information.
- (1) The county shall not determine that a recipient has received aid in "good faith" in cases where the county has informed the recipient of his/her reporting responsibilities and, under the circumstances, the recipient knew of his/her reporting responsibilities and failed to report within his/ her competence. See Section 40-105.

HANDBOOK BEGINS HERE

- (A) The following are examples of questions to be considered in making the determination. Not all questions necessarily apply in all situations.
1. How was the recipient informed of his/her reporting responsibilities? E.g., Mass Mailing? Personal Intake Interview? Home Visit? Never?

HANDBOOK CONTINUES

HANDBOOK CONTINUES

2. Is there information in the case record which indicates the recipient's apparent understanding of his/her reporting requirements with regard to property?
3. What is the recipient's history of reporting?
4. Did the recipient know the value of the property in question?
5. Did county actions contribute to the situation causing the overpayment?
6. Is there other information about the recipient's situation that would have an influence on the determination (i.e., language/age barrier)?

HANDBOOK ENDS HERE

- (e) If the county determines that the recipient received aid in "good faith", in accordance with .112(d) above, the amount of the overpayment is the lesser of the amount of excess property calculated in .112(b) above or the total grant paid as calculated in .112(c) above.

HANDBOOK BEGINS HERE

- (1) Recipient owned several stocks which fluctuated in value. At the time of her eligibility determination in January the combined value of her property, including stocks, was computed to be \$1,850. She was granted aid of \$100 per month. At her redetermination the following January, her property was investigated in detail. It was found that twice during the prior year her total property value had exceeded the property limit, both times due to fluctuations in stock value. However, neither occurrence had taken place in a Data Month, so the recipient was not mandated to report this fluctuation in income. There is no overpayment in this situation.
- (2) Handbook Section 44-352.112(e)(2)(SAR) shall become operative in a county on the date that SAR becomes effective in that county pursuant to the County's SAR Declaration.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

(SAR) Recipient is in an August through January SAR Payment Period and receives a \$400 monthly grant. She owns several stocks which fluctuate in value, but have always been reported as worth less than \$2,000. At the time of her annual redetermination in January, her property is investigated in detail. It is discovered that beginning in April of the previous year, her stocks increased in worth to \$2,500. On her June SAR 7, submitted timely on July 8, she should have reported the increased value of the stocks and the county would have taken action to discontinue the recipient effective July 31, the end of that SAR Payment Period, for being over the property limit. The stocks dropped down in value to \$1,800 in October. The ineligible months are August through October. The county determines that the recipient did not know that she was over the property limits and that she received aid in "good faith."

The total grant paid for the ineligible months is \$1,200. The amount by which the excess property exceeded the property limit in the month the property value was the highest was \$500. The overpayment to be recouped is the lesser amount, in this case, \$500.

HANDBOOK ENDS HERE

- (f) If the county determines that the recipient did not receive aid in "good faith", the amount of the overpayment shall be the total grant paid during the month(s) the excess property was held, as calculated in .112(c) above.

.12 Overpayment due to income or need or circumstances other than excess property.

An overpayment shall be assessed when an AU receives more cash aid than entitled to as a result of not reporting income or circumstances timely, or the county does not act correctly on a recipient report, or the county did not act timely. The county shall redetermine the cash aid the recipient should have received based on the required report and correct county action.

- .121 Compute the correct grant amount based on correct information for the month involved in the overpayment. If the recipient was totally ineligible for that month, the correct grant amount is zero (0).

44-352 OVERPAYMENT RECOUPMENT (Continued)**44-352**

In this computation, allow all income disregards which would have been allowed if the grant had been computed correctly. The regulations in effect at the time the overpayment occurred shall be used to determine the correct amount of the grant, with the following exceptions:

- (a) Regulations subsequently invalidated by a court decision shall not be used in determining the correct grant for the applicable period(s) as required by the court decision. Instead, the instructions (e.g., All-County Letter, regulations, etc.) implementing the court decision shall be used.
 - (1) If a recipient fails to report income timely or the county fails to act correctly or timely on a recipient report, the county shall redetermine the cash aid the recipient should have received based on an accurate report and correct county action. If the recalculation results in an overpayment, the date that the overpayment begins is the first date that the change would have been made if timely and correct action had been taken based on the complete, timely and accurate recipient report.
 - (2) When recomputing cash aid results in an overpayment, the county shall recreate case circumstances using the correct county processing time frames based on what the recipient should have reported.

HANDBOOK BEGINS HERE

Handbook Section 44-352.121(a)(2)(QR) shall become inoperative and Handbook Section 44-352.121(a)(2)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to County's SAR Declaration.

- (QR) In the quarter designated as October/November/December 2004, the county determines through an IEVS match that an AU had income that exceeded the IRT early January 2005 (January 5). (The quarter in which the income was received was January/February/March). The AU is still receiving the same level of income in the current July/August/September 2005 quarter and has never reported the income in a mid-quarter report or on any of the QR 7s that have been submitted. The county determines that the AU should have reported this change by January 15, and should have been discontinued due to financial ineligibility effective January 31. The AU should be discontinued with a 10-day notice and an overpayment would be established beginning February 1 through the month of discontinuance.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

(SAR) In the SAR Payment Period designated as July through December, an AU has no income and is receiving the Maximum Aid Payment amount. On October 10, the county determines through an IEVS match that the AU got income that exceeded the IRT beginning on January 5 of the previous SAR Payment Period. The AU is still receiving the same level of income in the current SAR Payment Period and has never reported the income on a mid-period report or on the SAR 7 that was submitted in June. The county determines that the AU should have reported this change by January 15, and should have had their grant decreased due to the increased income effective January 31. The AU's grant shall be decreased on November 1, with a 10-day notice, and an overpayment would be established for February through October.

HANDBOOK ENDS HERE

- (b) If the overpayment occurred prior to January 1, 1998, and if the overpayment is due to any earned income that the recipient failed, without good cause, to report timely, no earned income disregards shall be allowed for that individual in that month.

HANDBOOK BEGINS HERE

Earned income disregards in effect prior to January 1, 1998 were: 1) \$90 standard work expense disregard, 2) \$30 and 1/3 earned income disregard, 3) extended \$30 income disregard, and 4) child and dependent care disregard (\$200 per month for children under 2 and \$175.00 per month for older children and other dependents).

HANDBOOK ENDS HERE

- .122 Subtract the correct grant amount from the amount of aid actually paid.
- .123 Subtract any money, excluding child support recoupment, received by the county and credited against the aid payment from the aid actually paid.
- .124 The total overpayment for each month is the lesser of the amount computed in Sections 44-352.122 or .123.
- .125 The total overpayment is the sum of all amounts calculated in Section 44-352.124.

HANDBOOK BEGINS HERE

EXAMPLES

<u>Factors</u>	<u>Computations</u>	(.121)	(.125)
	<u>Aid Paid</u>	<u>Correct Grant</u>	<u>Overpayment</u>
1. Earned Income		\$1,025	
Reported Income		1,025	
Income Disregard		<u>- 112</u>	
Subtotal		913	
50% Earned Income Disregard		<u>- 457</u>	
Total Net Nonexempt Income		456	
MAP for Five	\$860	\$ 860	
Total Net Nonexempt Income		<u>- 456</u>	
Aid Payment	\$860	\$ 336	
Potential Overpayment (Aid Paid Less Correct Grant)			\$ 860
			<u>- 336</u>
			\$ 524
2. Earned Income		\$ 500	
Reported Income		\$ 500	
Income Disregard		<u>- 112</u>	
Subtotal		388	
50% Earned Income Disregard		<u>- 194</u>	
Total Net Nonexempt Income		194	
MAP for Three	\$638	\$ 638	
Total Net Nonexempt Income		<u>- 194</u>	
Aid Payment	\$638	444	
Overpayment (Aid Paid Less Correct Grant)			\$ 638
			<u>-444</u>
			\$ 194

HANDBOOK ENDS HERE

44-352	OVERPAYMENT RECOUPMENT (Continued)	44-352
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.2 Amount That Can Be Recovered

The amount that can be recovered is the total amount calculated under 44-352.11 or 44-352.12, with the following exceptions:

.21 Collection of overpayments shall not be demanded from any individual of the overpaid AU no longer receiving aid when:

.211 The overpayments are nonfraudulent; and

.212 The total amount of the overpayments is less than \$35.

.22 Where the nonfraudulent overpayments owed by any individual no longer receiving aid totals \$35 or more, the county shall send a demand notice for repayment. No further collection efforts shall be made if the county determines it is not cost effective to collect the overpayment (see MPP 44-350.161[b]).

.3 Priority Order For Overpayment Recoupment

Overpayments shall be recouped in the following priority order unless specifically exempted under Section 44-352.2.

.31 Caretaker Relative Recipient

When the caretaker relative was a member of the AU at the time of the overpayment, the county shall first seek recoupment from the caretaker relative recipient.

.311 Recovery

The county shall continue to seek recovery of the overpayment from the caretaker relative even when he/she:

(a) Moves to another AU, or

(b) Is no longer on aid.

.312 Members of the AU

The county shall only initiate recovery of the overpayment from the other members of the overpaid AU after all efforts to collect from the caretaker relative recipient have been exhausted, and the caretaker relative recipient:

44-352	OVERPAYMENT RECOUPMENT (Continued)	44-352
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- (a) Dies and the county cannot collect the entire unpaid balance of the overpayment from the caretaker relative's estate; or
- (b) Is unlocatable; or

HANDBOOK BEGINS HERE

- (1) In locating former recipients who have outstanding overpayments, appropriate data sources include, but are not limited to: State Employment Insurance Records; State Department of Revenue Records; State Department of Motor Vehicle Records; and Payment Verification System.

HANDBOOK ENDS HERE

- (c) Has the overpayment discharged in bankruptcy; or
- (d) Is no longer on aid; the overpayment is less than \$35 pursuant to Section 44-352.211, and there are other members of the overpaid AU who remain on aid; or
- (e) Is no longer on aid, and the county has determined that it is not cost effective to collect the overpayment from the caretaker relative pursuant to Section 44-352.22.

.32 Unaided Caretaker Relative

When the caretaker relative was not a member of the AU at the time of the overpayment, the county shall seek recovery from the members of the overpaid AU as specified under Section 44-352.33.

.33 Recovery from AU Members

There shall be no priority order in seeking collection of the overpayment from members of the overpaid AU who were not the caretaker relative.

.331 Sequential/Concurrent

Collection may occur in sequence against any one member at a time or concurrently from any of the members, when in separate AUs or when not receiving aid.

.4 Methods of Recovery

All of the following methods may be used concurrently. However, those methods should be used that will result in the maximum recovery.

44-352	OVERPAYMENT RECOUPMENT (Continued)	44-352
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.41 Grant Adjustments

Section 44-352.41(QR) shall become inoperative and Section 44-352.41(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Under QR/PB, recoupment by grant adjustment shall only be initiated at the beginning of a QR Payment Quarter. Grant adjustment shall be discontinued mid-quarter when the debt is paid in full. A new overpayment collection may continue mid-quarter by grant adjustment if the new collection of the overpayment does not decrease aid mid-quarter.

(SAR) Under SAR, recoupment by grant adjustment shall only be initiated at the beginning of a SAR Payment Period. Grant adjustment shall be discontinued mid-period when the debt is paid in full. A new overpayment collection may continue mid-period by grant adjustment if the new collection of the overpayment does not decrease aid mid-period.

.42 If the overpayment is to be recovered by grant adjustment, the following method shall be used:

.421 Agency Error

For overpayments caused by agency error,

(a) The AU's adjusted grant amount is the AU's computed grant amount for the payment month minus 5% of the MAP amount for the AU rounded to the next lower dollar.

.422 Other

For all other overpayments,

(a) The AU's adjusted grant amount is the AU's computed grant amount for the payment month minus 10% of the MAP amount for the AU rounded to the next lower dollar.

.423 Step Five

The overpayment shall be adjusted from the current aid payment. The adjustment shall be the lesser of the following:

(a) The overpayment balance, or

(b) The maximum adjustment amount, or

(c) The current aid payment.

44-352	OVERPAYMENT RECOUPMENT (Continued)	44-352
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.424 Step Six

Any remaining overpayment balance shall be applied to succeeding months and the adjustment process shall be repeated.

.43 Balancing - See Section 44-351.3.

.44 Demand for Repayment

Using the appropriate Notice of Action form, the county shall demand repayment of any amount not recovered by grant adjustment, or otherwise repaid, except that no demand shall be made for nonwillful overpayment due to factors other than excess property that occurred prior to April 2, 1982.

.45 Civil Judgment

.451 If the recipient or an individual no longer receiving aid refuses or is unable to repay the amount demanded, the county shall refer the case to the appropriate county official for action on a civil judgment, unless specifically exempted under MPP 44-352.2.

(a) An abstract of civil judgment shall be recorded pursuant to Section 674, Code of Civil Procedure, in any county in which the recipient or former recipient owns real property.

(b) If a recipient is ineligible for further aid due to current income, property or other factors affecting eligibility, the county shall take all appropriate action pursuant to Section 681, et seq., Code of Civil Procedure, to execute the judgment.

HANDBOOK BEGINS HERE

(c) Except that if the recipients' sources of income include Social Security or SSI/SSP benefits, these benefits are exempt from collection and will not be used to repay an overpayment unless agreed to by the client.

HANDBOOK ENDS HERE

.46 Nothing in .44 or .45 above shall preclude the county from arriving at a reasonable settlement of its demand for repayment with the recipient or former recipient.

.47 Voluntary Cash Recovery - See Section 44-351.1.

.48 Voluntary Cash Offset - See Section 44-351.2.

44-352	OVERPAYMENT RECOUPMENT (Continued)	44-352
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.5 Referral to Special Investigative Unit (SIU).

HANDBOOK BEGINS HERE

.51 Chapter 20-000 through 20-009 discusses referrals to the Special Investigative Unit and referrals to law enforcement officials. Chapter 20-350 discusses referrals made in cases of alleged IPV.

HANDBOOK ENDS HERE

.511 All overpayments determined to be caused by an applicant's or recipient's failure to report information shall be referred to the SIU, including overpayments caused by an alleged IPV.

.52 The Determination of Failure to Report.

.521 A failure to report occurs when the recipient has:

- a. Made oral or written misstatements in response to oral or written questions from the county or state concerning his/ her income, resources or other circumstances which may affect the eligibility or grant amount; or
- b. Failed to report changes in income, resources or other circumstances which may affect the amount of the grant; or
- c. Failed to report receipt of a grant amount which he/she knew represented an erroneous payment.

NOTE: Authority cited: Sections 10553, 10554, and 11004(h), Welfare and Institutions Code. Reference: Sections 10553, 10554, 11004, 11004.1, 11008 (Ch. 270, Stats. 1997), 11017, 11155, 11155.1, 11155.2, 11257, 11265.1, 11265.2, 11450, 11450.5, 11451.5, 11452, 11453, and 11453.2, Welfare and Institutions Code; Darces v. Woods (1984) 35 Cal.3rd 871:201 Cal.Rptr. 807, and Ortega v. Anderson, Case No. 746632-0 (Alameda Superior Court) July 11, 1995.

44-353	OVERPAYMENTS TO SPONSORED ALIENS	44-353
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Repealed by CDSS Manual Letter No. EAS-01-01, effective 1/8/01.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11056 and 11008.13, Welfare and Institutions Code; 8 U.S.C. 1183a; and 8 CFR 213a.

44-355 MANDATORY INCLUSION OVERPAYMENT/UNDERPAYMENT 44-355

- .1 Mandatory Person - Presence Unknown
The county shall complete the following when a person required to be included in the AU is discovered in the home.

- .11 Reinform AU
Upon discovery, reinform the AU in writing that the discovered person is required to be included on the appropriate Statement of Facts. The reinforming date is the date the reinforming notice is mailed.

- .12 Retroactive Period
The period beginning with the date the person was required to be included in the AU and ending with the date the AU was reformed.

- .13 Redetermine Eligibility
Redetermine the eligibility of the AU for each month the person was required to be included in the AU but was not included.
 - .131 Income/Resources
Include the person's income and resources.
 - .132 Needs
Include the person's needs.

- .14 Recompute Grant
For the period specified in Section 44-355.12, recompute the grant for the AU.
 - .141 Income
Include the person's income and resources.
 - .142 Needs
Include the person's needs.

- .15 Recover Overpayment
Initiate recovery of an overpayment as specified in Section 44-352 for any month in which aid was overpaid.

44-355 (Cont.)	STANDARDS OF ASSISTANCE AID PAYMENTS	Regulations
44-355	MANDATORY INCLUSION OVERPAYMENT/UNDERPAYMENT (Continued)	44-355
.16	Correct Underpayment	Correct an underpayment as specified in Section 44-340 for any month in which aid was underpaid. Payment shall be made only for months in which all technical conditions of eligibility, as defined in Section 44-317.112(a), are met. Technical conditions of eligibility are considered to be met as of the date the person who was required to be included in the AU provided:
.161	Cooperates	The person is cooperating in meeting those conditions and
.162	Reporting Responsibilities	The caretaker relative has fulfilled his/her reporting responsibilities with regard to making timely and accurate reports of AU composition in accordance with Section 40-105.14.
.2	Current Eligibility	Redetermine eligibility for the AU as of the date the AU was reformed in accordance with Section 44-355.11 that the additional person is required to be in the AU. Use the additional person's income, resources and needs when making this redetermination.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 11056, Welfare and Institutions Code; 45 CFR 233.20(a)(13); and SSA-AT-86-01.

**STANDARDS OF ASSISTANCE
HARDSHIP SUPPLEMENTAL PAYMENTS**

TABLE OF CONTENTS

CHAPTER 44-400 HARDSHIP SUPPLEMENTAL PAYMENTS

	Section
44-400 REDUCED INCOME SUPPLEMENTAL PAYMENTS	44-400
| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.	
44-401 ELIGIBILITY FOR A REDUCED INCOME SUPPLEMENTAL PAYMENT	44-401
| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.	
44-402 COMPUTATION OF A REDUCED INCOME SUPPLEMENTAL PAYMENT	44-402
| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.	
44-403 CWD RESPONSIBILITIES	44-403
| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.	

**STANDARDS OF ASSISTANCE
REDUCED INCOME SUPPLEMENTAL PAYMENTS**

44-400 REDUCED INCOME SUPPLEMENTAL PAYMENTS 44-400

| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section Section 37 of AB 444 (Chapter 1022, Statutes of 2002).

44-401 ELIGIBILITY FOR A REDUCED INCOME SUPPLEMENTAL PAYMENT 44-401

| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section Section 37 of AB 444 (Chapter 1022, Statutes of 2002).

**44-402 COMPUTATION OF A REDUCED INCOME
SUPPLEMENTAL PAYMENT 44-402**

| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.

NOTE: Authority cited: Sections 10553, 10554, 11450, and 11453, Welfare and Institutions Code. Reference: Sections 11008, 11017, 11255, 11450, 11450.015, 11450.12, 11450.2, and 11451.5, (Ch. 270, Stats. 1997), Welfare and Institutions Code; Section 37 of AB 444 (Chapter 1022, Statutes of 2002); 45 CFR 237.27; Federal Terms and Conditions for the California Assistance Payments Demonstration Project as approved by the United States Department of Health and Human Services on October 30, 1992; and Letters from the Department of Health and Human Services, Administration for Children and Families, dated February 29, 1996, March 11, 1996, and March 12, 1996.

44-403 CWD RESPONSIBILITIES 44-403

| Repealed by Manual Letter No. EAS-13-02, effective 7/1/13.

**STANDARDS OF ASSISTANCE
SUPPLEMENTAL CHILD CARE PROGRAM**

TABLE OF CONTENTS

CHAPTER 44-500 SUPPLEMENTAL CHILD CARE (SCC) PROGRAM

	Section
44-501 INTRODUCTION TO SUPPLEMENTAL CHILD CARE	44-501
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-502 DEFINITIONS	44-502
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-503 PROGRAM ELIGIBILITY	44-503
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-504 PAYMENT ELIGIBILITY	44-504
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-505 PAYMENT COMPUTATION	44-505
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-506 RECIPIENT RESPONSIBILITIES	44-506
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-507 COUNTY RESPONSIBILITIES	44-507
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-508 UNDERPAYMENTS AND OVERPAYMENTS	44-508
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	
44-509 DATA COLLECTION	44-509
Repealed by Manual Letter No. EAS-98-05, effective 12/29/98.	

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HANDBOOK BEGINS HERE

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| .33 | Former CalWORKs Clients
Who Have Become Employed | Former CalWORKs clients who have become employed are eligible for child care services in Stage Three. |
| .331 | Child Care Services for
Former CalWORKs Clients
in Stage Two | If child care is not available in Stage Three, former CalWORKs clients receive child care services in Stage Two. |

HANDBOOK ENDS HERE

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| .332 | Child Care Services for
Former CalWORKs Clients
in Stage One | Former CalWORKs clients shall receive child care services in Stage One when child care services are not available in Stage Two or Three child care. |
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HANDBOOK BEGINS HERE

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| .34 | Clients Receiving Lump-Sum
Diversion Payments or
Services in Stage Three | Clients receiving Lump-Sum Diversion Payments or Services, as specified in Section 81-215, are eligible for child care services in Stage Three. If Stage Three child care or other subsidized child care is not available, diversion clients may be served in Stage Two child care. |
| .341 | Lump-Sum Diversion
Payment that Includes
Child Care | The lump-sum diversion payment may include funds to cover child care services during the period of diversion as specified in Section 81-215. |

HANDBOOK ENDS HERE

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| .4 | Two-Parent Families | Two-parent families, even if they do not meet the 55 hours of participation per week in CalWORKs activities shall receive child care services, if otherwise eligible. |
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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 601 et seq., 42 U.S.C. 607(c)(1)(B)(ii); 42 U.S.C. 609(a)(3); 42 U.S.C. 9858i(a)(2)(A); 42 U.S.C. 9801 Note (b)(4); Sections 8263, 8350.5, 8351(c), 8353, 8354 and 8357, Education Code; Sections 10540, 10544, 11265.2, 11266.5, 11320.3, 11322.8, 11323.2 and 11323.8, Welfare and Institutions Code.

47-320 INFORMATION COLLECTION **47-320**

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| .1 | County Responsibility | The county shall obtain from the client information to determine child care eligibility and process payments for child care services. (See Section 40-126.35) |
| .2 | Client Responsibility | The following information shall be provided by the client: |
| .21 | Child's Identifying Information | Name, age, date of birth, ethnic origin and gender of each child requiring care. |
| .22 | School Hours | School hours of each child, if applicable. |
| .23 | Hours of Care | Hours of care needed for each child. |
| .24 | Provider Information | Name, address and, if available, a telephone number of the child care provider selected by the client. |
| .25 | Child's Disability | Information needed to obtain verification as specified in Section 41-430.2 about any child 11 years of age or older for whom care is requested due to a physical, mental or developmental disability or other similar condition. |
| .26 | Court Supervision | Information about any child 11 years of age or older for whom care is requested because the child requires care or supervision because she or he is under court supervision. |
| .27 | Change in Family Size and Composition | Information about changes in family size and composition when an absent parent of a child receiving child care moves into the home or another child moves into the home, including newborns; or |
| .28 | Change in Family Income | Information about changes in income that result in the family income reaching or exceeding the family fee thresholds provided in the Family Fee Schedule established by the Superintendent of Public Instruction pursuant to Education Code Section 8263. (See Handbook Section 47-401.8). Information about changes in income that reduce or eliminate the family fee shall also be reported. |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 9858i(a)(2)(A) and (a)(2)(E); 45 CFR 98.20(a)(1)(ii); 45 CFR 98.71(a) and (b); Sections 8208.1, 8263, 8352 and 8357, Education Code; Sections 11054 and 11323.2, Welfare and Institutions Code.

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DIVISION 48 RECORDS**CHAPTER 48-000 RECORDS-GENERAL****48-001 COUNTY DEPARTMENT RESPONSIBILITY FOR RECORDS****48-001**

- .1 The county shall maintain a record for each applicant and recipient which identifies each individual and family, their address and household composition for CalWORKs. The record shall identify each child and his/her parents, their address and household composition. (See Section 20-005 on record requirements for fraud cases.) The record shall also include:
- .11 Records - Eligibility and Grant
- .111 The appropriate Form SAWS 2 completed by or on behalf of the applicant.
- .112 All evidence obtained to support the linking and the nonlinking factors of eligibility. The county may maintain a copy or a written record of the type of evidence and its pertinent content where the evidence has been returned to the applicant.
- .113 The original or a copy of pertinent forms completed during the determination or redetermination of eligibility, i.e., budget work sheets, authorizations, forms relating to intercounty transfers, etc.
- .114 Section 48-001.114(QR) shall become inoperative and Section 48-001.114(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 basis for county action granting, denying, changing, not changing following a recipient mid-quarter report, delaying, cancelling, or discontinuing aid.
- (SAR) The basis for county action granting, denying, changing, not changing following a recipient mid-period report, delaying, cancelling, or discontinuing aid.
- .115 The computation of any overpayment and the basis for a conclusion that the overpayment is or is not subject to adjustment or repayment. If the overpayment is subject to repayment, a copy of any demands for repayment, the facts regarding the determination of the debtor's ability to repay and collection activity (unless this information is recorded centrally elsewhere).
- .116 The worker's evaluation of the applicant's ability or inability to understand his/her program rights and responsibilities.
- .12 Records - Intraprogram Status Change
- .121 A record of any intraprogram status change as provided in Section 40-183.

48-001 COUNTY DEPARTMENT RESPONSIBILITY FOR RECORDS (Continued) 48-001

.13 Records - Care in a Medical Institution

.131 For the recipient who is a patient in a public or private medical institution, all pertinent information to support the determination of eligibility or ineligibility. (Chapter 42-500.)

.14 Case Records - Certification for Medi-Cal

.141 A record of the certification and each recertification of the recipient for medical care under the Medi-Cal Program.

.15 Case Records - Narrative

.151 Each notation or entry in the case record whether it be on a form or supplemental narrative shall be dated and the person making the entry shall be identified.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11265.3, Welfare and Institutions Code.

48-003 RETURN OF PERSONAL DOCUMENTS 48-003

.1 Personal documents shall be returned to the applicant after the pertinent information has been copied or recorded.

48-005 ASSIGNMENT OF STATE NUMBERS 48-005

.1 A state number shall be assigned to each application. (See Sections 23-250 and 23-275.)

CHAPTER 80-300 DEFINITIONS AND FORMS**80-301 DEFINITIONS****80-301**

The following definitions apply to the regulations in Divisions 40 through 50 and 80 through 90.

- (a) (1) Aid Payment "Aid Payment" means any payment made to an AU.
- (2) Aid to Families with Dependent Children "AFDC" means the financial aid program for needy children and their parents or caretaker relatives when the children lack parental support and care. This term refers to the program in general, regardless of source of funding. As of 1996, cash aid/welfare operates under Temporary Assistance to Needy Families (TANF), rather than AFDC. TANF in California is called California Work Opportunity and Responsibility to Kids (CalWORKs), and became effective on January 1, 1998.
- (3) Aid to Families with Dependent Children - Foster Care (AFDC-FC) "AFDC-FC" means the part of the AFDC program which provides aid to children in Foster Care. (Note: Even though AFDC is no longer the operating cash aid/welfare system, Foster Care still operates as part of the AFDC program.)
- (4) Alternatively Sentenced Parent (ASP) "ASP" means a parent who is a convicted offender permitted to live at home while serving a court-imposed sentence that precludes the parent from providing support through paid employment.
- (5) Applicant "Applicant" means a person who requests aid or a person on whose behalf a request for aid is made.
- (6) Applicant Child "Applicant child" means a child for whom aid has been requested but whose eligibility has not yet been determined.
- (7) Assistance Unit (AU) "AU" means a group of related persons living in the same home who have been determined eligible for CalWORKs and for whom cash aid has been authorized.

80-301 **DEFINITIONS** (Continued) **80-301**

- (b) (1) Beginning Date of Aid (BDA) "BDA" means the effective date that cash aid starts.
- (c) (1) California Domestic Partner "California Domestic Partner" means an individual who:
- (A) has a Declaration of Domestic Partnership registered with the California Secretary of State or
- (B) is a member of a legal union, other than a marriage, of two persons of the same sex, validity formed in another jurisdiction, and substantially equivalent to a California registered domestic partnership.
- (2) Caretaker Relative "Caretaker relative" means a relative, related to the degree specified in Section 82-808.11, who:
- (A) Lives with a child who is part of the filing unit, and
- (B) Exercises responsibility for the day-to-day care and control of the child.
- (3) Child "Child" means a person who meets the age requirements as specified in Section 42-101. Where appropriate, "child" shall also mean "children".
- (4) Collect "Collect" means to regain TANF funds which are overpaid to a person by using collection methods other than grant adjustments.
- (5) County "County" means the local government agency responsible for the direct administration of public assistance in that county.

HANDBOOK BEGINS HERE

Note: In regulations which have not been moved to Division 80, the county may be referred to as CWD or county welfare department.

HANDBOOK ENDS HERE

ELIGIBILITY AND ASSISTANCE STANDARDS**Regulations****DEFINITIONS AND FORMS****80-301 (Cont.)**

80-301 DEFINITIONS (Continued)**80-301**

(6) Section 80-301(c)(6)(QR) shall become inoperative and Section 80-301(c)(6)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) County Initiated Actions "County Initiated Actions" means Mid-quarter actions that the county is required to take pursuant to Section 44-316.33(QR).

(SAR) County-Initiated Actions "County-Initiated Actions" means mid-period actions that the county is required to take pursuant to Section 44-316.33(SAR).

(d) (1) Date of Application "Date of Application" means the date the applicant or the applicant's representative signs the application or the date the county receives the signed application, whichever is later.

(e) (1) Eligible Child "Eligible child" means a child who is a member of an AU.

(2) Essential Person (EP) "EP" means a stepparent or ASP.

(f) (1) Filing Unit "Filing unit" means the group of persons required to be on the Statement of Facts.

(2) Fingerprint Imaging "Fingerprint Imaging" means the process that automatically scans an individual's fingerprint and produces a fingerprint image. The image is added to the statewide SFIS database.

(g) (1) GAIN "GAIN" means the Greater Avenues for Independence program which is a comprehensive statewide employment program for AFDC applicants and recipients. (GAIN was replaced by the Welfare to Work (WTW) program at the same time that AFDC was replaced with TANF in 1996.)

80-301 **DEFINITIONS** (Continued) **80-301**

- (2) GED "GED" means the General Education Development program which provides educational programs for persons no longer enrolled in public schools.
- (3) Grant Adjust "Grant Adjust" means to regain TANF funds which were overpaid to an AU by reducing the aid payment.
- (h) (1) Half-Sibling "Half-sibling" means a brother or sister having only one biological and/or adoptive parent in common with the applicant child.

HANDBOOK BEGINS HERE

- (i) (1) Immediate Need Payment "Immediate Need Payment" means an aid payment made in advance of a completed determination of eligibility for CalWORKs when specific criteria are met.
- (2) Intentional Program Violation (IPV) "IPV" means an Intentional Program Violation, (See Section 20-351) which is a determination made by a state or federal court, including any determination made on the basis of a plea of guilty or nolo contendere, or pursuant to an administrative disqualification hearing that an individual has intentionally:
 - (A) Made a false or misleading statement or misrepresented, concealed, or withheld facts; or
 - (B) Committed any act intended to mislead, misrepresent, conceal, or withhold facts or propound a falsity; and
 - (C) Committed these acts to establish or maintain CalWORKs eligibility, or to increase or prevent a reduction in the amount of the CalWORKs grant.

HANDBOOK ENDS HERE

- (j) (Reserved)
- (k) (Reserved)
- (l) (Reserved)

ELIGIBILITY AND ASSISTANCE STANDARDS**Regulations****DEFINITIONS AND FORMS****80-301 (Cont.)**

80-301 DEFINITIONS (Continued)**80-301**

- (m) (1) Mandatory Inclusion "Mandatory inclusion" means the requirement that a parent, sibling or half-sibling be included in a filing unit or AU with the applicant or eligible child.
- (2) Section 80-301(m)(2)(QR) shall become inoperative and Section 80-301(m)(2)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- (QR) Mandatory Recipient Reports "Mandatory Recipient Reports" means mid-quarter reports that recipients are required to make within ten days of occurrence to the county pursuant to Section 44-316.32(QR).
- (SAR) Mandatory Mid-Period Reports "Mandatory Mid-Period Reports" means mid-period reports that recipients are required to make within ten days of occurrence to the county pursuant to Section 44-316.32(SAR).
- (3) Medical Verification of Pregnancy "Medical verification of pregnancy" means a written statement from a physician, physician's assistant, state certified nurse midwife, nurse practitioner or by designated medical or clinic personnel with access to the patient's medical record that provides information sufficient to substantiate the diagnosis and estimated delivery date.
- (4) Section 80-301(m)(4)(QR) shall become inoperative and Section 80-301(m)(4)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- (QR) Mid-Quarter Reports "Mid-Quarter Reports" means any change reported during the QR Payment Quarter outside of the QR 7 report process.
- (SAR) Mid-Period Reports "Mid-Period Reports" means any change reported during the SAR Payment Period outside of the SAR 7 or SAWS 2 reporting process.
- (5) Minor Parent "Minor parent" means the father, mother or pregnant woman, married or unmarried, who is less than 18 years of age.

80-301 DEFINITIONS (Continued)**80-301**

- (5) Reunification Plan "Reunification Plan" means the case plan that is developed by the county child welfare services agency for the provisions of services to the reunification parent, as defined in Section 80-301(r)(3), and given effect through order of the court or pursuant to a voluntary placement agreement executed in accordance with Child Welfare Services regulations in MPP Sections 31-082, 31-084, 31-088, 31-215, 31-225, 31-325, and 31-340.
- (6) Reunification Services "Reunification Services" means those CalWORKs services that the county child welfare services agency determines to be necessary for a reunification parent to reunite with his/her child/children and are specified in the reunification plan.
- (s) (1) Sanction "Sanction" means action taken by the county resulting in ineligibility resulting from an action or lack of action by a recipient.
- (2) Second Parent "Second Parent" means the parent living in the home who is not the caretaker relative parent.
- (3) Section 80-301(s)(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) Semi-Annual Report Under the SAR reporting system, a semi-annual eligibility report is due every six months: one SAR 7 and one SAWS 2 per year. A SAR 7 is due in the sixth (6th) month of the SAR Payment Period after the application or annual redetermination of eligibility (SAWS 2) is completed.
- (4) Section 80-301(s)(4)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
- (SAR) Semi-Annual Reporting (SAR) SAR is the reporting system that will replace Quarterly Reporting in counties in between April and October of 2013. Under SAR, in addition to certain mandatory mid-period reports, recipients will only have to submit an eligibility report every six months (one SAWS 2 and one SAR 7 per year).

ELIGIBILITY AND ASSISTANCE STANDARDS**Regulations****DEFINITIONS AND FORMS****80-301 (Cont.)**

80-301 DEFINITIONS (Continued)**80-301**

- (5) Senior Parent "Senior Parent" means the parent of a minor parent when the minor parent receives aid for his/her child or the parent of a minor pregnant woman.
- (6) Sibling "Sibling" means the brother or sister who has both parents in common with the applicant child. This includes siblings by adoption.
- (7) Sponsored Noncitizen "Sponsored noncitizen" means a noncitizen whose entry into the United States was sponsored by a person who executed an I-864 Affidavit of Support or similar agreement on behalf of a noncitizen as a condition of the noncitizen's entry into the United States.
- (8) California Department of Social Services (CDSS) "CDSS" means the state department which supervises the counties in the administration of the CalWORKs program. Also referred to as DSS or the Department.
- (9) Statement of Facts "Statement of Facts" means the CW 8 (Rev. 3/13), CW 8A (Rev.4/13), SAR 22 (Rev. 3/13), SAR 23 (Rev. 3/13), CW 42 (Rev. 11/06) or the SAWS 2 (Rev. 4/13) are the state required forms used to collect the information necessary to determine a family's eligibility. See Section 80-310 for title and definition of forms.
- (10) Statewide Fingerprint Imaging System (SFIS) "Statewide Fingerprint Imaging System (SFIS)" means an automated system that captures fingerprint and photo images and stores them in a statewide database.
- (11) Stepparent "Stepparent" means a person who is not the biological parent, but is either married to, or the California domestic partner of, the parent of the child.
- (12) Strike "Strike" means a concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.

80-301	DEFINITIONS (Continued)	80-301
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| (13) | Striker | "Striker" means an applicant or recipient who is participating in a strike on the last day of the month. |
| (14) | Supplemental Security Income/State Supplementary Program | "SSI/SSP child" means a child who would be eligible for AFDC except that he/she is receiving SSI/SSP. SSI/SSP is the federal/state assistance program for persons who are aged, disabled or blind as authorized by Title XVI of the Social Security Act. |
| (t) | (Reserved) | |
| (u) | (Reserved) | |
| (v) | (1) | Section 80-301(v)(1)(QR) shall become inoperative and Section 80-301(v)(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) Voluntary Recipient Reports | "Voluntary Recipient Reports" means mid-quarter reports that recipients may make to the county pursuant to Section 44-316.31(QR). |
| | (SAR) Voluntary Recipient Reports | "Voluntary Recipient Reports" means mid-period reports that recipients may make to the county pursuant to Section 44-316.31(SAR). |
| (w) | (Reserved) | |
| (x) | (Reserved) | |
| (y) | (Reserved) | |
| (z) | (Reserved) | |

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Sections 10054, 10058, 10063, 10553, 10554, 10604, 10830, 11008.13, 11008.14, 11023.5, 11051, 11054, 11201, 11203, 11250, 11250.4, 11265.2, 11265.3, 11266, 11269, 11320, 11400, 11450, 11486, 16501.1, and 16507, Welfare and Institutions Code; Sections 297, 297.5, 298.5, and 299.2, Family Code; 8 CFR 213a. and 299; 45 CFR 201.3, 206.10, 224.51, 232.12, 233.10, 233.106, 233.20, 233.51, 233.60, 233.90, 237.50, 255, and 266.10; 42 USC 402(a)(6) and 606(a); and SSA-AT-86-01; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

80-310 DEFINITIONS - FORMS**80-310**

The following forms apply to the regulations in Divisions 40 through 50 and 80 through 89.

(a) (Reserved)

(b) (Reserved)

| (c) (1) CCP 1

The Declaration of Exemption From Trustline Registration and Health and Safety Self-Certification, (10/98), Recommended, is used to declare that an individual; the aunt, uncle, grandmother/father, great grandmother/father, great aunt/uncle of the child(ren) in care is exempt from licensure.

| (2) CCP 4

The Health and Safety Self-Certification (For license-exempt providers), (10/98), Required (Substitutes Permitted), is used for a license-exempt child care provider who is serving a family that receives subsidized child care. Also, this form certifies that the home where child care is provided meets basic health and safety standards, including the prevention and control of infectious diseases.

| (3) CCP 6

The Health and Safety Facility Checklist, (7/98), Required (Substitutes Permitted), is used to provide parents with a list of suggested questions to ask their child care provider to ensure that the home where care is to be provided is a safe and healthy place for their child(ren).

| (4) CW 2.1 NA

The "Child/Spousal and Medical Support Notice and Agreement" (Rev. 8/04) is used to inform the applicant of his/her responsibility to participate in the support enforcement process and of his/her right to claim exemption from participation. This form replaces the CA 2.1 NA.

| (5) CW 2.1 (Q)

The "Support Questionnaire" (Rev. 7/01) is used to collect information about the absent parent. This form replaces the CA 2.1 Q.

ELIGIBILITY AND ASSISTANCE STANDARDS**80-310 (Cont.)****DEFINITIONS AND FORMS****Regulations**

80-310 DEFINITIONS - FORMS
(Continued)**80-310**

(6) CW 8

The "Statement of Facts for Additional Persons" (Rev. 3/13) is used to collect the information necessary to determine eligibility when adding a person to an existing CalWORKs case. This form replaces the CA 8.

(7) CW 8A

The "Statement of Facts to Add a Child Under 16 Years" (Rev. 4/13) is used to collect the information necessary to determine eligibility when adding a child under 16 to an existing CalWORKs case. This form replaces the CA 8A.

(8) CW 13

The "Caretaker Relative Agreement" (Rev. 9/02) is used to designate the caretaker relative as agreed by two persons who live in separate homes when both could qualify as the caretaker relative of a child. This form replaces the CA 13.

(QR) (9) CW 23

Section 80-310(c)(9)(QR) shall become inoperative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

The "Senior Parent(s)/Legal Guardian(s) Statement of Facts" (Rev. 3/00) is used to collect information about the senior parent/legal guardian's income to determine a minor parent's eligibility. This form replaces the CA 23. Once SAR is implemented, the CW 23 will be replaced with the SAR 23.

(SAR) (10) CW 25A

Section 80-310(c)(10)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

The "Payee Agreement For Minor Parent" (Rev. 2/13) is used in minor parent cases to delegate an adult payee. This form will replace the QR 25A once SAR is implemented in each county.

80-310 DEFINITIONS – FORMS (Continued)**80-310**

(SAR) (11) CW 29

Section 80-310(c)(11)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

The "Applicant Test" (Rev. 1/13) is used to determine if the applicant is eligible for Cash Aid. This form will replace the QR 29 once SAR is implemented in each county.

(SAR) (12) CW 30

Section 80-310(c)(12)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

The "CalWORKs Budget Worksheet" (Rev. 4/13) is used to determine the aid payment amount for the AU. This form replaces the QR 30.

(13) CW 42

The "Statement of Facts for Homeless Assistance (Rev. 11/06)" is used to gather information to determine eligibility for non-recurring special need for homeless assistance. This form replaces the CA 42.

(14) CW 371

The "Referral to Local Child Support Agency" (Rev. 7/01) is used to refer cases to the Local Child Support Agency for child support enforcement purposes. This form replaces the CA 371.

(SAR) (15) CW 2103

Section 80-310(c)(14)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

The "Reminder for Teens Turning 18 Years Old" (Rev. 2/13) is used to inform recipient children who will be turning 18 within 60 days of the requirements for continued eligibility. This form will replace the QR 2103 once SAR is implemented in each county.

(d) (1) DHS 6110

The Medical Insurance Form (Rev. 10/91) is used to collect information regarding medical coverage and identify third parties who may be liable to pay for medical expenses of AU members.

ELIGIBILITY AND ASSISTANCE STANDARDS**80-310 (Cont.)****DEFINITIONS AND FORMS****Regulations**

80-310 DEFINITIONS - FORMS
(Continued)**80-310**

(2) DHS 6155

The Health Insurance Questionnaire (Rev. 10/90) is used to collect information regarding medical coverage and identify third parties who may be liable to pay for medical expenses of AU members.

(e) (Reserved)

(f) (1) FC 2

The "Statement of Facts Supporting Eligibility for AFDC-Foster Care (FC)" (Rev. 7/02) is used to collect information necessary to determine foster care eligibility at the time of application and redetermination.

(2) FC 18

The "Notification of AFDC-Foster Care Transfer" (Rev. 2/97) collects and transmits the information necessary to transfer a foster care case between counties.

(g) through (p) (Reserved)

(q)

Sections 80-310(q)(1)(QR) through (11)(QR) shall become inoperative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) (1) QR 2

The "Reporting Changes for Your Cash Aid Assistance Unit and Food Stamp Households" (Rev. 4/03) may be used to inform the recipient of their Income Reporting Threshold (IRT) and reporting responsibilities.

(QR) (2) QR 3

The "Mid-Quarter Status Report" (Rev. 4/03) may be used by recipients to report mandatory and/or voluntary mid-quarter changes in writing. Clients are not mandated to use this form and counties shall also accept mid-quarter reports that are submitted in a manner other than on the QR 3.

(QR) (3) QR 7

The "Quarterly Eligibility/Status Report" (Rev. 4/03) is used to collect information to determine eligibility and benefits for cash aid and food stamps. The QR 7 comes with an addendum that lists examples of income and expenses and the penalties for fraud.

ELIGIBILITY AND ASSISTANCE STANDARDS**Regulations****DEFINITIONS AND FORMS****80-310 (Cont.)**

80-310 DEFINITIONS - FORMS
(Continued)**80-310**

- (QR) (4) QR 7A The "How to Fill Out Your QR 7 Quarterly Eligibility/Status Report" (Rev. 4/03) instructs recipients on how to fill out the Quarterly Report (QR 7). The QR 7A shall be given to applicants at the time of application and to recipients at each annual redetermination. The form shall also be made available anytime the client requests it.
- (QR) (5) QR 22 The "Sponsor's Statement of Facts Income and Resources (Supplemental Application For Food Stamps And Cash Aid)" (Rev. 7/04) is used to collect necessary information about a noncitizen's sponsor for determining eligibility for the noncitizen.
- (QR) (6) QR 25A The "Payee Agreement For Minor Parent" (Rev. 5/04) is used in minor parent cases to delegate an adult payee.
- (QR) (7) QR 29 The "Applicant Test" (Rev. 5/04) is used to determine if the applicant is eligible for Cash Aid.
- (QR) (8) QR 30 The "CalWORKs Budget Worksheet" (Rev. 6/04) is used to determine the aid payment amount for the AU.
- (QR) (9) QR 72 The "Sponsor's Quarterly Income and Resources Report" (Rev. 5/04) is used to gather necessary information each quarter from a noncitizen's sponsor that is used to determine continuing eligibility and grant level for the noncitizen.
- (QR) (10) QR 73 The "Senior Parent Quarterly Income Report" (Rev. 6/04) is used to collect necessary information from the senior parent to determine continuing eligibility and grant levels for the minor parent.
- (QR) (11) QR 2103 The "Reminder for Teens Turning 18 Years Old" (Rev. 10/03) is used to inform recipient children who will be turning 18 within 60 days of the requirements for continued eligibility.
- (r) (Reserved)

ELIGIBILITY AND ASSISTANCE STANDARDS**80-310 (Cont.)****DEFINITIONS AND FORMS****Regulations**

80-310 DEFINITIONS - FORMS
(Continued)**80-310**

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| (s) | Sections 80-310(s)(1)(SAR) through (s)(10) (SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration. |
| (SAR) (1) SAR 2 | The "Reporting Changes for Your Cash Aid Assistance Unit and CalFresh Households" (Rev. 10/12) may be used to inform the recipient of their Income Reporting Threshold (IRT) and reporting responsibilities. This form replaces the QR 2. |
| (SAR) (2) SAR 3 | The "Mid-Period Status Report" (Rev. 4/13) may be used by recipients to report mandatory and/or voluntary mid-period changes in writing. Clients are not mandated to use this form and counties shall also accept mid-period reports that are submitted in a manner other than on the SAR 3. This form replaces the QR 3. |
| (SAR) (3) SAR 7 | The "Semi-Annual Eligibility/Status Report" (Rev. 1/13) is used to collect information to determine eligibility and benefits for cash aid and CalFresh in the six month period in which the SAWS 2 is not due. The SAR 7 comes with an addendum that lists examples of income and expenses and the penalties for fraud. This form replaces the QR 7. |
| (SAR) (4) SAR 7A | The "How to Fill Out Your SAR 7 Semi-Annual Eligibility/Status Report" (Rev. 10/12) instructs recipients on how to fill out the Semi-Annual Report (SAR 7). The SAR 7A shall be given to applicants at the time of application and mailed to recipients along with their SAR 7 report. The form shall also be made available anytime the client requests it. This form replaces the QR 7A. |

ELIGIBILITY AND ASSISTANCE STANDARDS**Regulations****DEFINITIONS AND FORMS****80-310 (Cont.)**

80-310 DEFINITIONS - FORMS
(Continued)**80-310**

(SAR) (5) SAR 7 Addendum

The "Instructions and Penalties for the Eligibility/Status Report" (Rev. 4/13) is used to help recipients fill out the SAR 7 by giving them examples of types of income, property, housing costs and expenses. This form also informs recipients of the penalties for cash aid and CalFresh fraud. This form replaces the QR 7 Addendum.

(SAR) (6) SAR 22

The "Sponsor's Statement of Facts Income and Resources (Supplemental Application For CalFresh And Cash Aid)" (Rev. 1/13) is used to collect necessary information about a noncitizen's sponsor for determining eligibility for the noncitizen. The SAR 22 must be completed in addition to the SAWS 2 when a recipient is a sponsored non-citizen. This form replaces the QR 22.

(SAR) (7) SAR 23

The "Senior Parent(s)/Legal Guardian(s) Statement of Facts" (Rev.1/13) is used to collect information about the senior parent/legal guardian's income to determine a minor parent's eligibility. This form replaces the CW 23.

(SAR) (8) SAR 72

The "Sponsor's Semi-Annual Income and Resources Report" (Rev. 1/13) is used to gather necessary information during the semi-annual period in which a SAWS 2 is not due from a noncitizen's sponsor that is used to determine continuing eligibility and grant level for the noncitizen.

(SAR) (9) SAR 73

The "Senior Parent Semi-Annual Income Report" (Rev. 3/13) is used to collect necessary information during the semi-annual period in which a SAWS 2 is not due from the senior parent to determine continuing eligibility and grant levels for the minor parent.

(10) SAWS 1

The "Application for Cash Aid, Food Stamps and/or Medi-Cal/State CMSP" (Rev. 12/06) is used to request public assistance, including CalWORKS, CalFresh (previously Food Stamps), and Medical Assistance.

ELIGIBILITY AND ASSISTANCE STANDARDS**80-310 (Cont.)****DEFINITIONS AND FORMS****Regulations**

80-310 DEFINITIONS - FORMS
(Continued)**80-310**

(11) SAWS 2

The "Statement of Facts for Cash Aid, CalFresh and Medi-Cal/34-County Medical Services Program (CMSP)" (Rev. 4/13) is used as a multipurpose form to gather information necessary to determine eligibility for CalWORKs, CalFresh, and Medi-Cal. The SAWS 2 is also used at one-year intervals to redetermine eligibility and determine benefit amounts for the upcoming payment period.

(12)

Section 80-310(s)(11)(QR) shall become inoperative and Section 80-310(s)(11)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) SAWS 2A-QR

The "Rights, Responsibilities and Other Important Information" (Rev. 8/03) is used to inform applicants and recipients of their rights and responsibilities.

(SAR) SAWS 2A SAR

The "Rights, Responsibilities and Other Important Information" (Rev. 4/13) is used to inform applicants and recipients of their rights and responsibilities.

(13) SCC 6

The "Monthly Child Care Eligibility Report" (Rev. 3/95) is used to gather information monthly to determine eligibility to receive child care assistance in the Supplemental Child Care Program or the California Alternative Assistance Program.

(14) SOC 158A

The "Foster Child's Data Record and AFDC-FC Certification" (Rev. 3/93) collects child-specific data necessary to determine foster care eligibility and input information into the Foster Care Information System.

(15) SOC 809

The "Cash Assistance Program for Immigrants (CAPI) Indigence Exception Statement" (Rev. 7/03) is a form to be completed by CAPI applicants or recipients who are claiming that they meet the indigence exception to sponsor-deeming.

80-310 DEFINITIONS - FORMS
(Continued)

80-310

- (t) (1) TEMP 2189 The Tyler Public Notice (Poster) (10/00) (English/ Spanish) is posted in agencies designated by plaintiffs' counsel such as CWDs, regional centers, independent living centers, area boards, and legal aid programs. This poster explains eligibility and the procedures needed for any aged, blind or disabled person in the IHSS Program to receive retroactive payments for range of motion services provided from June 17, 1990 through March 31, 1994 in the judgment of Tyler v. Anderson.

- (2) TEMP 2185 The Tyler Notice (09/00) (English/Spanish) explains eligibility and the procedures needed for any aged, blind or disabled person in the IHSS program to receive retroactive payments for range of motion services provided from June 17, 1990 through March 31, 1994 in the judgment of Tyler v. Anderson.

- (3) TEMP 2185A The Tyler Claim Form (09/00) (English/Spanish) is used by a claimant to file for retroactive payments as provided in the judgment of Tyler v. Anderson.

- (4) TEMP 2185B The Tyler Supplemental Applicant Claim Form (10/00) (English/Spanish) is used by applicant claimants to file for retroactive payments to determine financial and categorical eligibility for IHSS as provided in the judgment of Tyler v. Anderson.

- (5) Section 80-310(t)(5)(QR) shall become inoperative and Section 80-310(t)(5)(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

- (QR) TEMP QR 1 The "New Reporting Requirements for CalWORKs and Food Stamp Recipients" (Rev. 8/03) is a mass informing notice sent to recipients on a monthly basis for a period of three months before and three months after implementation of QR/PB. The informing notice shall be given to applicants who apply during the reporting transition. This notice explains the change from monthly reporting to quarterly reporting.

80-310 **DEFINITIONS - FORMS** **80-310**
(Continued)

(SAR) TEMP SAR 1		The "New Reporting Requirements for CalWORKs and CalFresh Recipients" (Rev. 10/12) is a mass informing notice sent to recipients prior to the implementation of SAR. The informing notice shall be given to applicants who apply during the reporting transition. This notice explains the change from quarterly reporting to semi-annual reporting.
(6) TLR 1		The California Department of Social Services Trustline Registry Application Form (Rev. 1/99), is used for license-exempt child care providers to apply to the Trustline Registry.
(u) through (z)	(Reserved)	

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: 45 CFR 206.10(a)(8); Sections 10553, 10950, 11054, 11265.1, 11265.2, 11265.3, 11450(b), 12300, 12300.2, 12304, 12304.5, and 14132.95, Welfare and Institutions Code; Judgment Re: Tyler v. Anderson, Sacramento Superior Court Case No. 376230, dated January 22, 1999; 8 USC Section 1631; and 1798.17, Civil Code.

82-612	UNEMPLOYMENT INSURANCE BENEFITS (UIB) (Continued)	82-612
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.3	Date of Discontinuance	Section 82-612.3(QR) shall become inoperative and Section 82-612.3(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 county shall discontinue the AU at the end of the QR Payment Quarter in which a person who is required to apply for or accept UIB fails to do so, or fails to meet one of the eligibility conditions in Section 82-612.7.
	(SAR)	The county shall discontinue the AU at the end of the SAR Payment Period in which a person who is required to apply for or accept UIB fails to do so, or fails to meet one of the eligibility conditions in Section 82-612.7.
.4	Reestablish UIB Eligibility	The county shall continue aid when the mandatorily included person reestablishes eligibility for UIB in the same month that he/she is disqualified for UIB.
.5	Referral to EDD	The county shall refer mandatorily included persons who are apparently eligible for UIB and who have not applied for UIB, to EDD to apply for UIB.
.6	Apparently Eligible	The county shall not refer a person to EDD who:
	.61 Not Worked	Has not worked in employment covered by the Unemployment Insurance Compensation Law in the past 19 months.
	.62 Receiving UIB/DIB	Is receiving UIB/Disability Insurance Benefits (DIB), has a UIB/DIB claim which is being processed or has exhausted his/her UIB/DIB.
	.63 Ill or Injury	Is ill or injured as specified in Section 42-630.3.
	.64 Previously Denied	Has previously been denied or discontinued from UIB and has no subsequent employment which would change the previous determination.

82-612 UNEMPLOYMENT INSURANCE BENEFITS (UIB) 82-612
(Continued)

- | | | |
|-----|-----------------------------------|---|
| .65 | Employed | Is employed forty hours a week. |
| .66 | Striking | Is participating in a strike. |
| .7 | Conditions of Eligibility for UIB | An applicant or recipient meets conditions of eligibility by meeting the requirements in Section 1253 of the Unemployment Insurance Code (UIC). |

HANDBOOK BEGINS HERE

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| .71 | UIC Section 1253 | UIC 1253 states, in part:

"An unemployed individual is eligible to receive unemployment compensation benefits with respect to any week only if the Director finds that:

.711 "A claim for benefits with respect to that week has been made in accordance with authorized regulations.

.712 "He has registered for work, and thereafter continued to report, at a public employment office or such other place as the Director may approve. Either or both of the requirements of this subdivision may be waived or altered by authorized regulations as to partially employed individuals attached to regular jobs.

.713 "He was able to work and available for work for that week.

.714 "He has been unemployed for a waiting period of one week as defined in Section 1254.

.715 "He conducted a search for suitable work in accordance with specific and reasonable instructions of a public employment office." |
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HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11265.2 and 11270, Welfare and Institutions Code and 45 CFR 233.20(a)(3)(ix).

ELIGIBILITY AND ASSISTANCE STANDARDS**Regulations****ASSISTANCE UNIT****82-812 (Cont.)**

82-812 TEMPORARY ABSENCE (Continued)**82-812**

- .684 Reunification parents are eligible for welfare-to-work services as described in Section 42-700 et seq.
- .685 Reunification parents are eligible for supportive services pursuant to Section 42-750.
- .686 Reunification parents are subject to the rules regarding supportive services underpayments and overpayments as set forth in Section 42-751.
- .687 The following are eligibility and reporting requirements that will apply to the family reunification parent.
- (a) Section 82-812.687(a)(QR) shall become inoperative and Section 82-812.687(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) Quarterly eligibility reporting requirements for reunification cases are set forth in Section 40-181.223(QR).
- (SAR) Semi-Annual eligibility reporting requirements for reunification cases are set forth in Section 40-181.223(SAR).
- (b) The reunification case will be subject to an eligibility redetermination every six months pursuant to Section 40-181.1(e)(4).
- (c) An eligibility redetermination pursuant to Section 40-181.1(e)(5) will be conducted to restore cash aid to the CalWORKs case when an AU is reunified.

82-812	TEMPORARY ABSENCE (Continued)	82-812
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(d) Pursuant to Section 42-711.61, the county may utilize the county child welfare services agency reunification plan as defined in Section 80-301(r)(5) as the required welfare-to-work (WTW) plan or amend the WTW plan and include all or part of the WTW activities in the reunification plan.

(e) Pursuant to Section 42-711.512 and Section 42-721.13, reunification parents who are in a WTW Sanction, are not precluded from receiving CalWORKs reunification services.

(f) For Maximum Family Grant purposes and pursuant to Section 44-314.2, a month in which children are temporarily absent from the home shall be considered a month in which the AU did not receive aid.

.688 The county child welfare services agency may grant a good cause extension to the 180-day temporary absence in the following situations:

(a) An extension is needed for the number of days between the date of the children's removal and the date the court orders a reunification plan.

(b) The county child welfare services agency determines that additional time is needed, beyond the 180 days, to complete the reunification plan. This extension can be in effect until termination of the family reunification plan.

82-820	INCLUDED PERSONS (Continued)	82-820
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	.23 Pregnant Woman	A pregnant woman.
	.24 Relative of WTW Sanctioned Child	A relative of a child who is sanctioned by WTW.
	.3 Mandatory Inclusion	Section 82-820.3(QR) shall become inoperative and Section 82-820.3(SAR) shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.
	(QR)	The AU shall include the following persons when living in the same home and eligible at the time of initial family application (see Section 44-317) or at the beginning of the QR Payment Quarter following the mandatory reporting of the individual on the QR 7 (see Section 44-318):
	(SAR)	The AU shall include the following persons when living in the same home and eligible at the time of initial family application (see Section 44-317) or at the beginning of the SAR Payment Period following the mandatory reporting of the individual on the SAR 7 or SAWS 2 (see Section 44-318):
	.31 Applicant Child	The applicant child.
	.32 Siblings	Any eligible sibling or half-sibling of the applicant child who meets the age requirement.
	.33 Parents	Any parent, except for alternatively sentenced parents, of:
	.331	The applicant child, or
	.332	The applicant child's eligible siblings or half-sibling who meet the age requirement.

HANDBOOK BEGINS HERE

	.333	For exceptions to the mandatory inclusion requirements applicable to pregnant or parenting minors who are participants of the California Work Pays Demonstration Project, see Section 89-201.5.
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HANDBOOK ENDS HERE

ELIGIBILITY AND ASSISTANCE STANDARDS**82-824 (Cont.)****ASSISTANCE UNIT****Regulations**

82-824 ASSISTANCE UNITS THAT SHALL BE COMBINED (Continued)**82-824****(QR) .14 Combining AUs Mid-Quarter****(QR) .141**

When a voluntary report is made that would combine separate AUs mid-quarter, the county shall determine if the mid-quarter action of combining the AUs would increase or decrease aid for the separate AUs.

(QR) .142

The county shall compare the monthly grant for the combined AUs to the total combined monthly grants of the separate AUs.

(QR) .143

If the combined AU's monthly grant would be higher than the total combined monthly grant of two separate AUs, the county shall take mid-quarter action to combine the AUs the first of the month following the voluntary report.

(QR) .144

If the combined AU's monthly grant does not result in an increase to the total combined monthly grant of the separate AUs, the county shall not take mid-quarter action to combine the AUs. The combining of the separate AUs shall be effective the first of the next QR Payment Quarter, after the change(s) is reported on the QR 7.

(SAR) .14 Combining AUs Mid-Period**(SAR) .141**

When a voluntary report is made that would combine separate AUs mid-period, the county shall determine if the mid-period action of combining the AUs would increase or decrease aid for the separate AUs.

(SAR) .142

The county shall compare the monthly grant for the combined AUs to the total combined monthly grants of the separate AUs.

(SAR) .143

If the combined AU's monthly grant would be higher than the total combined monthly grant of two separate AUs, the county shall take mid-period action to combine the AUs the first of the month following the voluntary report.

ELIGIBILITY AND ASSISTANCE STANDARDS**Regulations****ASSISTANCE UNIT****82-828 (Cont.)**

82-824 ASSISTANCE UNITS THAT SHALL BE COMBINED (Continued)**82-824**

(SAR) .144

If the combined AU's monthly grant does not result in an increase to the total combined monthly grant of the separate AUs, the county shall not take mid-period action to combine the AUs. The combining of the separate AUs shall be effective the first of the next SAR Payment Period, after the change(s) is reported on the SAR 7 or SAWS 2.

[Previous Cite: 44-205.3]

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: 45 CFR 206.10(a)(1); 45 CFR 233.90; 45 CFR 237.50(b)(5); United States Department of Health and Human Services, Office of Family Assistance, Aid to Families with Dependent Children Action Transmittal No. SSA-AT-86-1; Section 242, California Civil Code; Anderson v. Edwards 115 S.Ct. 1291 (1995); and Sections 10553, 10554, 10604, 11000, 11265.3, and 11450, 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)].

82-828 OPTIONAL PERSONS**82-828****.1 County Responsibility****.11 Identify Optional Persons**

The county shall identify, for the applicant or recipient, any person living in the home who may be included in the AU.

.111

This shall be done at the time of application, redetermination, or at any other time the county is informed of a change in the number of persons living in the home.

.12 Effect on AU

The county shall explain to the applicant or recipient the effect of including or excluding the optional person. The applicant or recipient shall decide who is to be included.

.121

The explanation shall include a description of the AU composition which will result in the maximum aid to which the family is eligible, considering the income and resources of each person who may be included.

82-828	OPTIONAL PERSONS (Continued)	82-828
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| .2 | Optional Persons | The following persons who are not otherwise required to be in the AU shall be included upon request of the applicant/recipient. |
| .21 | Nonparent Caretaker Relatives | Any nonparent relative who has been determined to be the caretaker relative. |
| .22 | Other Eligible Children | Any other eligible children, including, but not limited to, a niece or nephew. |
| .23 | Essential Persons | Any essential person who meets the requirements of Section 44-209.3. |

[Previous cite: 44-205.5, 44-203.3, 44-118.11]

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 USCA 606(a) and (b)(1); 45 CFR 206.10(a)(1)(vii) and (a)(2)(i), 45 CFR 233.20(a)(2)(vi), and 45 CFR 237.50(b)(3)(i) and (b)(4)(i); SSA-AT-80-32 and SSA-AT-86-01; and Section 11203, Welfare and Institutions Code.

82-832	EXCLUDED PERSONS	82-832
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| .1 | Person Who Is Excluded By Law | A person excluded from the AU by law is a person who: |
| (a) | Child of AFDC-FC or Kin-GAP Child | Is a child living with his/her minor parent who is receiving AFDC-FC or Kin-GAP. |
| (b) | Citizenship/ Alienage | Does not meet the citizenship/alien status requirements. |
| (c) | Father of Unborn | Is an unborn child's father who is living in the home with the pregnant woman and who is: |
| | .131 | Not the parent or caretaker relative of an eligible child, or |
| | .132 | Not an essential person. |
| (d) | Other Aid | Receives SSI/SSP, Refugee Repatriate Payment (RRP), Kin-GAP or AFDC-FC. |

82-832	EXCLUDED PERSONS (Continued)	82-832
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| (e) | Sponsored Noncitizen | Is a sponsored noncitizen whose needs are being met by a sponsor's deemed income. |
| (f) | Spouse of Eligible Child | Is a spouse of an eligible child, living with the child in the senior parent's home, when there is no child in common for whom deprivation exists. |
| (g) | Refugee Eligible for Alternative Project | Is a refugee who is eligible for and required to participate in an alternative project implemented pursuant to Section 412(e)(7) of the federal Immigration and Nationality Act 8 USC 1522(e)(7). |
| (h) | Fleeing Felon | Is fleeing to avoid prosecution, or custody or confinement after conviction for a crime or attempt to commit a crime that is a felony. The existence of a warrant for arrest shall be presumed to be evidence of fleeing, unless rebutted by other evidence sufficient to prove that the individual had no knowledge that he/she is being sought by law enforcement. |
| (i) | Violation of Probation or Parole | Is in violation of a condition of probation or parole. The initial offense for which probation or parole was ordered need not have been a felony. |
| (j) | Convicted Drug Felon | Has been convicted in a state or federal court of a felony that has as an element, the possession, use or distribution of a controlled substance. The conviction must be after December 31, 1997. Controlled substance is defined in Section 102(6) of the Controlled Substances Act (21 U.S.C. Section 802(6)) or Division 10 (commencing with Section 11000) of the Health and Safety Code. The term 'convicted' also includes a plea of guilty or nolo contendere. |
| .2 | Sanctioned Persons | A person excluded from the AU due to a sanction, is: |
| .21 | Child/Spousal Support | A parent, pregnant woman, or caretaker relative who refuses to assign support rights. |

82-832	EXCLUDED PERSONS (Continued)	82-832
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| .22 | Citizenship | A person who fails to cooperate in the verification of his/her citizenship or alien status. |
| .23 | Welfare-to-Work | A non-exempt welfare-to-work participant who fails or refuses without good cause to meet program requirements, and: |
| .231 | | When the participant is a principal earner, the second parent is also ineligible unless he/she is participating in welfare-to-work activities. |
| .24 | Social Security Number | An applicant or recipient; or a child whose parent, caretaker relative, or legal guardian who: |
| .241 | | Refuses or fails to furnish an SSN or evidence of a completed application for an SSN, or |
| .242 | | Refuses or fails to cooperate in verifying an SSN. |
| .25 | Striking | A striker who is not a caretaker relative. |
| .26 | | Repealed by Manual Letter No. EAS-98-03, effective 7/1/98. |

.3	Add a Person Who Becomes Ineligible Prior to Authorization of Aid	Section 82-832.3(QR) shall become inoperative and Section 82-832.3(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.
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(QR)		A new person who has been mandatorily reported on the QR 7 and determined eligible based on the QR 7 information, shall be treated as an excluded person for the next QR Payment Quarter when ineligibility occurs after the QR Data Month but prior to the authorization of aid (see Section 40-171.221). This person's income and needs, as reported on the QR 7, shall be treated in accordance with Section 44-133.5 for the next QR Payment Quarter and the AU shall be discontinued at the end of that quarter in which the individual was treated as an excluded person, if the subsequent QR 7 establishes that ineligibility continues to exist for the AU.
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82-832 EXCLUDED PERSONS (Continued)

82-832

(SAR)

A new person who has been mandatorily reported on the SAR 7 and determined eligible based on the information provided, shall be treated as an excluded person for the next SAR Payment Period when ineligibility occurs after the SAR Data Month but prior to the authorization of aid (see Section 40-171.221). This person's income and needs, as reported on the SAR 7, shall be treated in accordance with Section 44-133.5 for the next SAR Payment Period and the AU shall be discontinued at the end of that SAR Period in which the individual was treated as an excluded person, if the following SAWS 2 establishes that ineligibility continues to exist for the AU.

(a)

Section 82-832.3(a)(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 a new person is mandatorily reported on the SAWS 2 and ineligibility occurs before the redetermination is processed and aid is authorized, the new person shall not be added to the AU. Furthermore, if the new person is found to make the entire AU ineligible, aid will be discontinued for the entire AU at the end of the SAR Payment Period in which the new person was mandatorily reported. (See section 40-105.1 for applicant and recipient reporting responsibilities and county action.)

HANDBOOK BEGINS HERE

Handbook Section 82-832.3(QR) shall become inoperative and Handbook Section 82-832.3(SAR) shall become operative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

| (QR) Example:

An AU is aided based on absent parent deprivation. The current QR Payment Quarter is January/February/March. In January, the absent father returned to the home and is reported for the first time on the QR 7 for the Data Month of February. The father, who was determined to be the principal earner, was receiving UIB in the first month (January) and in the Data Month and was initially determined eligible as an unemployed parent based on the QR 7 information. However, when the county completed the interview in the Submit Month, it was learned that the father had accepted a full-time job in the Submit Month of March. Since the principal earner has accepted full-time employment and deprivation due to unemployment was not established prior to the authorization of aid for the father, the county shall deny aid to the father in accordance with Section 40-171.221(g) and instruct the AU to report the father's full-time employment on the QR 7 due in June (for May). Because ineligibility for the father has occurred after the QR Data Month but prior to the authorization of aid, his reasonably anticipated income as reported on the QR 7 for February, and his needs shall be treated as those of an excluded person in accordance with Section 44-133.5 for the next QR Payment Quarter. The existing AU's deprivation is not affected until the father's full-time employment that occurred mid-quarter (in March) is reported on the subsequent QR 7. If the subsequent QR 7 establishes that ineligibility exists for the AU, the county shall discontinue cash aid at the end of that quarter once timely and adequate notice has been provided.

(SAR) Example 1:

An AU is aided based on absent parent deprivation. The current SAR Payment Period is January through June. In March, the absent father returned to the home and is reported for the first time on the SAR 7 for the Data Month of May. The father, who was determined to be the principal earner, was receiving UIB in the Data Month and was initially determined eligible as an unemployed parent based on the SAR 7 information. However, when the county completed the interview in the Submit Month, it was learned that the father had accepted a full-time job in the Submit Month of June. Since the principal earner has accepted full-time employment and deprivation due to unemployment was not established prior to the authorization of aid for the father, the county shall deny aid to the father in accordance with Section 40-171.221(g) and instruct the AU to report the father's full-time employment on the SAWS 2 due in December (for November). Because ineligibility for the father has occurred after the SAR Data Month but prior to the authorization of aid, his reasonably anticipated income as reported on the SAR 7 for May, and his needs shall be treated as those of an excluded person in accordance with Section 44-133.5 for the next SAR Payment Period. The existing AU's deprivation is not affected until the father's full-time employment that occurred mid-period (in June) is reported on the subsequent SAWS 2. If the subsequent SAWS 2 establishes that ineligibility exists for the AU, the county shall discontinue cash aid at the end of that SAR Period once timely and adequate notice has been provided.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

(SAR) Example 2:

An AU is aided based on absent parent deprivation. The current SAR Payment Period is January through June. In March, the absent father returned to the home and is reported for the first time on the SAWS 2 in June. The father, who was determined to be the principal earner, was receiving UIB at the time the SAWS 2 was completed and was initially determined eligible as an unemployed parent based on the SAWS 2 information. However, when the county completed the interview in the Submit Month, it was learned that the father had accepted a full-time job. Since the principal earner has accepted full-time employment and deprivation due to unemployment was not established prior to the authorization of aid for the father, the county shall deny aid to the father in accordance with Section 40-171.221(g). Furthermore, since the AU no longer meets the deprivation requirements to be eligible for aid, the entire AU will be discontinued effective June 30, with timely and adequate notice.

HANDBOOK ENDS HERE

[Previous cite: 44-206]

NOTE: Authority cited: Sections 10553, 10554, 10604, 11270, and 11369, Welfare and Institutions Code. Reference: 8 CFR 213a. and 299; 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, 45 CFR 206.10(a)(5)(i), 45 CFR 232.12(d), 45 CFR 233.10(a)(1)(i), (a)(1)(i)(B), and (a)(3), 45 CFR 233.20(a)(1)(i), (a)(3)(ii)(C) and (F), and (a)(3)(ix), 45 CFR 233.50, 45 CFR 233.51, 45 CFR 233.90(c), (c)(1), and (c)(2)(iv), 45 CFR 233.100(a)(5)(ii), 45 CFR 233.106, 45 CFR 240.22, and 45 CFR 250.34(a) and (c), and (c)(2); and Sections 11008.13, 11104, 11157, 11201(b), 11203, 11251.3, 11263.5, 11265.1, 11265.2, 11265.3, 11268, 11270, 11315, 11320.6(e), 11327.5(c), 11406.5, 11450, 11450.5, 11454, 11454.5, 11477, 11477.02, 11486, and 11486.5, Welfare and Institutions Code; and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, Section 115; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

82-836	FEDERAL AFDC PROGRAM FOR PREGNANT WOMEN (Continued)	82-836
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.14	No Other AU Eligibility	The pregnant woman could not be included in another AU.
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HANDBOOK BEGINS HERE

.15		See Section 42-762.7 regarding federal eligibility during the first and second trimesters for pregnant Cal-Learn participants with no other eligible children.
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.2	Pregnancy Special Need	A pregnant woman may be eligible to receive a pregnancy special need payment.
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[Previous cite: 44-205.6]

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 45 CFR 233.10(a)(1) and (a)(1)(iv), 45 CFR 233.90(c)(2)(iv), and 45 CFR 206.10(a)(1)(vii); and Section 11450(b), Welfare and Institutions Code.

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**CHAPTER 89-100 ASSISTANCE PAYMENTS DEMONSTRATION PROJECT (APDP)
AND CALIFORNIA WORK PAYS DEMONSTRATION PROJECT (CWPDP)**

89-101 **FEDERAL DEMONSTRATION PROJECTS - INTRODUCTION** **89-101**

HANDBOOK BEGINS HERE

.1 Background

Pursuant to state law, the California Department of Social Services has requested and received federal approval for two California Demonstration Projects entitled the Assistance Payments Demonstration Project and the California Work Pays Demonstration Project. These Projects enable California, in accordance with their federally mandated Terms and Conditions, to implement certain new AFDC provisions.

The Assistance Payments Demonstration Project provisions are contained in Division 89. They include work incentive provisions, MAP reductions and a relocation grant restriction. The California Work Pays Demonstration Project provisions contained in Division 89 include increased property limits, restricted accounts, and the California Alternative Assistance Program. (For "Cal Learn" see Division 42.)

HANDBOOK ENDS HERE

.2 Control Group

Except for the provisions found in Chapter 89-700, related to the California Alternative Assistance Program, the county shall not apply the Division 89 Assistance Payments Demonstration Project and the California Work Pays Demonstration Project provisions to those applicants and recipients who are designated as members of the Projects' control groups. CAAP applies to both the experimental and control groups in all APDP/CWPDP counties. The designation and treatment of the control groups shall be accomplished pursuant to the Projects' mandated parameters outlined in the Federal Terms and Conditions as approved by the Secretary of the Department of Health and Human Services.

89-101 FEDERAL DEMONSTRATION PROJECTS - INTRODUCTION **89-101**
 (Continued)

NOTE: Authority cited: Sections 10553, 10554, 11201.5, 11209, and 11450(g), Welfare and Institutions Code. Reference: Sections 11155.1, 11155.2, 11201.5, 11280, 11450.01, and 11450.03, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(I)(B); Federal Terms and Conditions for the California Assistance Payments Demonstration Project as approved by the United States Department of Health and Human Services on October 30, 1992; and Federal Terms and Conditions for the California Work Pays Demonstration Project as approved by the United States Department of Health and Human Services on March 9, 1994.

89-105 ELIMINATION OF TIME LIMITATIONS FOR 30 AND 1/3 **89-105**
EARNED INCOME DISREGARD AND ELIMINATION OF THE
100-HOUR LIMIT

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

89-110 MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION **89-110**

HANDBOOK BEGINS HERE

.1	MAP Amount	See Section 44-315.321, Handbook for the MAP levels in effect as of 7/1/2012.
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.2	Exempt and Nonexempt AUs	The CWD shall determine whether an AU is an Exempt or Nonexempt AU for purposes of the MAP amounts specified in Section 44-315.311 by using the rules in this section.
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.21	Rule	An Exempt AU is one in which the following persons meet at least one of the conditions listed in Sections 89-110.22 through .24.
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.211	Parent/Relative	Each parent, aided stepparent, and caretaker relative of a child who lives in the home of the aided child; or
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89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
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(Continued)

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| .212 | Aided Parent of Unaided Child | Each parent receiving aid because of an unaided excluded child; or |
| .213 | Pregnant Woman Only | The pregnant woman in an AU consisting of the woman only; or |
| .214 | RCA AU | Each adult or parent of a child aided under RCA in a Refugee Cash Assistance AU. |
| .22 | Receives Benefits | Receives at least one of the following: |
| .221 | SSI/SSP | Supplemental Security Income/State Supplemental Payments (SSI/SSP); or |
| .222 | IHSS | In-Home Supportive Services (IHSS); or |
| .223 | SDI | State Disability Insurance (SDI); or |
| .224 | TWC | Temporary Worker's Compensation (TWC - Temporary Disability Indemnity - TDI). |
| .225 | Repealed by Manual Letter No. EAS-98-01, effective 1/1/98. | |
| .23 | Unaided Non-parent Caretaker | Is an unaided, non-parent caretaker relative. |
| .24 | (Reserved) | |
| .25 | Minor Parents and Pregnant Women | For purposes of Section 89-110.21: |
| .251 | Minor Parent | A minor parent aided as an eligible child is considered to be a parent. |
| .252 | Pregnant Woman | A pregnant woman is not considered in the determination of an AU's exempt status unless she is a parent, caretaker relative or aided stepparent of existing children or the sole member of an AU consisting of a pregnant woman only or an adult aided under RCA. |

89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
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(Continued)

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| .26 | Review of AU Exemption Status | The CWD shall review AU exemption status when: |
| .261 | WTW Exemption | An AU member is determined exempt from WTW due to incapacity as specified in Section 42-712.44 or care of another individual in the household as specified in Section 42-712.46. |
| .262 | | Section 89-110.262(QR) shall become inoperative and Section 89-110.262(SAR) shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration. |
| (QR) | Quarterly Eligibility Report Received | The county processes the Quarterly Eligibility Report submitted by the AU. |
| (SAR) | Semi-Annual Eligibility Report Received | The county processes the SAR 7 or the SAWS 2 submitted by the AU. |
| .263 | Application or Add Person | The AU makes an initial application, reapplication or requests that a parent or caretaker relative be added to the AU. |
| .264 | Request a Review or Report a Change | A parent, caretaker relative or RCA adult associated with the AU requests review of AU status or reports a change applicable to the AU status. |
| .27 | Exempt AU Status | The CWD shall consider that an AU is an Exempt AU when, on or after application for CalWORKs, the AU meets the rule in Section 89-110.21 and is also eligible for CalWORKs or, for RCA AUs, eligible for RCA. |
| .271 | If Exempt Status Results from Request for Review | When Exempt AU status results from a request for review by the AU, the CWD shall not treat the AU as an Exempt AU for any month prior to the month of request. |

89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
	(Continued)	

.28		
	Section 89-110.28(QR) et seq. shall become inoperative and Section 89-110.28(SAR) shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.	
	(QR) Use of Exempt/Nonexempt Amount	The county shall use the Exempt or Nonexempt AU MAP corresponding to the AU's MAP status that is reasonably anticipated for the QR Payment Quarter. (Also see Sections 89-110.291(QR) and .292(QR).)
	(SAR) Use of Exempt/Nonexempt Amount	The county shall use the Exempt or Nonexempt AU MAP corresponding to the AU's MAP status that is reasonably anticipated for the SAR Payment Period. (Also see Sections 89-110.291(SAR) and 89-110.292(SAR).)
.29		
	When the AU status changes between exempt and nonexempt, the county shall change the MAP status effective as follows:	
.291		
	Section 89-110.291(QR) shall become inoperative and Section 89-110.291(SAR) shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.	
	(QR)	If the change is reported on the QR 7, the change in status shall be effective the first day of the next QR Payment Quarter.
	(SAR)	If the change is reported on the SAR 7 or the SAWS 2, the change in status shall be effective the first day of the next SAR Payment Period.

89-110 **MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION** **89-110**
(Continued)

.292 Section 89-110.292(QR) shall become inoperative and Section 89-110.292(SAR) shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) If the change is reported mid-quarter and the change in status will increase cash aid as specified in Section 44-316.31(QR), the change in status shall be effective the first day of the month following the report of the change when verification has been provided.

(SAR) If the change is reported mid-period and the change in status will increase cash aid as specified in Section 44-316.31(SAR), the change in status shall be effective the first day of the month following the report of the change when verification has been provided.

HANDBOOK BEGINS HERE

.3 Handbook Section 89-110.3(QR) shall become inoperative and Handbook Section 89-110.3(SAR) shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Examples of Exempt and Nonexempt AUs, Financial Eligibility Determination, Quarterly MAP Status Determination, and Mid-Quarter MAP Status Changes

(SAR) Examples of Exempt and Nonexempt AUs, Financial Eligibility Determination, Semi-Annual MAP Status Determination, and Mid-Period MAP Status Changes

.31 Examples of Exempt and Nonexempt AUs

Example 1 – Exempt AU – Receipt of SDI and SSI/SSP

The family consists of two parents and their two children with eligibility based upon incapacity. One parent receives SDI and the second parent receives SSI/SSP. Since each parent receives one of the benefits specified in Section 89-110.22, the CWD uses the Exempt MAP.

HANDBOOK CONTINUES

89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
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(Continued)

HANDBOOK CONTINUES

Example 2 – Exempt AU – Disabled Pregnant Woman Only (PWO)

Because a pregnant woman is the only member of her AU and receives one of the benefits specified in 89-110.22, the CWD uses the Exempt MAP.

Example 3 – Nonexempt AU – Receipt of Private Disability Insurance

The AU consists of a parent and his aided child. The parent receives private insurance benefits from his employer; however, this income is not one of the benefits specified in Section 89-110.22 and the parent does not meet any other criterion to receive an exemption. The CWD uses the Nonexempt MAP.

Example 4 – Exempt AU – Unaided Non-Parent Caretaker Relative

An aunt is receiving aid for her nephew. The AU consists of the child only. The CWD uses the Exempt MAP as the aunt meets the exemption in 89-110.23; she is an unaided non-parent caretaker relative.

Example 5 – Nonexempt AU – Parent with SSI/SSP Child

The AU consists of a mother and her child, who receives SSI/SSP. The mother does not receive one of the benefits specified in Section 89-110.22 or meet any other criterion to receive an exemption. Because the parent in the AU must meet the criteria in Section 89-110.21 and .22, the CWD uses the Nonexempt MAP.

Example 5a – Exempt AU – SSI/SSP Parent with Child.

The AU consists of a father who receives SSI/SSP and his child. The father receives one of the benefits in Section 89-110.22. The CWD uses the Exempt MAP.

Example 6 – Nonexempt AU – Minor Parent

The AU consists of a senior parent and her children. One of the senior parent's children is a 17-year-old minor parent. The minor parent's child is also in the AU. The senior parent receives SDI. The minor parent aided as an eligible child in the senior parent's case is considered to be a parent as specified in Section 89-110.251. The minor parent does not receive one of the benefits specified in Section 89-110.22 or meet any other criterion to receive an exemption. Because both senior parent and minor parent are considered parents in determining exempt status, and all parents in an AU must receive one of the benefits in Section 89-110.22, the CWD uses the Nonexempt MAP

HANDBOOK CONTINUES

DEMONSTRATION PROJECTS		Regulations
89-110 (Cont.)	APDP AND CWPDP	
89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION (Continued)	89-110

HANDBOOK CONTINUES

Example 7 – Nonexempt AU – Aided Stepparent

The AU consists of a father, the father’s children, and an aided stepmother. The stepmother is pregnant, but she is not the parent or caretaker relative of any of the aided children. The father receives temporary workers compensation (TWC). The aided stepmother does not receive one of the benefits specified in Section 89-110.22 or meet any other criterion to receive an exemption. The CWD uses the Nonexempt MAP as both the parent and the aided stepmother must meet an exemption as required by Section 89-110.211.

Example 8 – Exempt AU – Unaided Stepparent

The family consists of a mother, the mother’s children and an unaided stepfather. The mother receives SSI/SSP and is not in the AU. The stepfather, who is not the parent of any of the aided children, is unaided; therefore, he is not considered in determining the AU’s exemption status. The CWD uses the Exempt MAP.

Example 9 – Nonexempt AU – Undocumented Immigrant Father

The family consists of a mother, the mother’s children, and the father, who is an undocumented immigrant. Eligibility is based on unemployment. The mother receives SDI. The father does not receive one of the benefits specified in Section 89-110.22 or meet any other exemption criterion. The CWD uses the Nonexempt MAP, as each parent must meet one of the criterion to receive an exemption even if they are not aided due to exclusion.

Example 10 – Request for Review of AU Status by the AU

The AU consists of two parents and their two children, with deprivation based on unemployment. The AU receives the Nonexempt MAP. In June, the father requests a review of the AU status, as he has been determined to be exempt from welfare-to-work participation due to disability as specified in Section 42-712.44. The wife’s application for IHSS was denied and she does not meet any other criterion for an exemption. Since both the father and the mother must receive one of the benefits specified in Section 89-110.22 or meet one other criterion to receive an exemption, the CWD uses the Nonexempt MAP.

HANDBOOK CONTINUES

89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
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(Continued)

HANDBOOK CONTINUES

.32 Determining MAP Status for Applicants

Handbook Section 89-110.32(QR) Example 11 shall become inoperative and Handbook Section 89-110.32(SAR) Example 11 shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Example 11 – Determining MAP Status for Applicants

(QR) An initial application is made January 4 for an AU consisting of a father and two children. The applicant AU is placed in a January/February/March quarter. When applying for aid, the father was in receipt of SSI/SSP. The SSI/SSP ends on February 28. Since the MAP status is determined prospectively for the entire quarter based on the applicant's status at the time application is approved, the county uses the Exempt MAP to determine financial eligibility and cash aid for the entire quarter.

(SAR) Example 11 – Determining MAP Status for Applicants

(SAR) An initial application is made January 4 for an AU consisting of a father and two children. The applicant AU is placed in a January through June SAR Payment Period. When applying for aid, the father was in receipt of SSI/SSP. The SSI/SSP ends on February 28. Since the MAP status is determined prospectively for the entire period based on the applicant's status at the time application is approved, the county uses the Exempt MAP to determine financial eligibility and cash aid for the entire SAR Payment Period.

.33 Determining MAP Status for Recipients

Handbook Section 89-110.33(QR) Example 12 through 16 shall become inoperative and Handbook Section 89-110.33(SAR) Example 12 through 16 shall become operative in a county on the date that SAR becomes effective in that county, pursuant to the County's SAR Declaration.

(QR) Example 12 – Determining Status for Recipients

(QR) An existing AU is in an October/November/December quarter. On the November QR 7, the recipient reported the receipt of SDI in the Data Month. The county verifies the recipient's QR 7 information and uses the Exempt MAP status to determine financial eligibility and cash aid for the next QR Payment Quarter.

HANDBOOK CONTINUES

89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
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(Continued)

HANDBOOK CONTINUES

(SAR) Example 12 – Determining Status for Recipients

(SAR) An existing AU is in a July through December SAR Payment Period. On the November SAR 7, the recipient reports the receipt of SDI in the Data Month. The county verifies the recipient's SAR 7 information and uses the Exempt MAP status to determine financial eligibility and cash aid for the January through June SAR Payment Period.

(QR) Example 13 – Late Discovery Due to Client’s Failure to Timely Report

(QR) The AU consists of a parent and his child. The AU is in an April/ May/June quarter. The father starts receiving SDI in May but does not report the information on the QR 7. On July 2, the father voluntarily requests mid-quarter review of his status and provides the appropriate verification of his exempt status. The first month the Exempt MAP status is effective is August. Section 89-110.271 provides that the MAP status change shall not be effective for any months prior to a request for review when the status change results from a request for review and Section 89-110.292(QR) provides that increases to aid due to a recipient mid-quarter voluntary report are not effective until the first of the month following the report.

(SAR) Example 13 – Late Discovery Due to Client’s Failure to Timely Report

(SAR) The AU consists of a parent and his child. The AU is in an April through September SAR Payment Period. The father starts receiving SDI in the Data Month of August but does not report the information on the SAR 7. On October 2, the father voluntarily requests mid-period review of his status and provides the appropriate verification of his exempt status. The first month the Exempt MAP status is effective is November. Section 89-110.271 provides that the MAP status change shall not be effective for any months prior to a request for review when the status change results from a request for review and Section 89-110.292(SAR) provides that increases to aid due to a recipient mid-period voluntary report are not effective until the first of the month following the report.

HANDBOOK CONTINUES

89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
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(Continued)

HANDBOOK CONTINUES

(QR) Example 14 – Late Discovery Due to Administrative Error

(QR) The AU consists of a mother and her child. The AU is in an April/May/June quarter. The mother’s SDI benefits end on May 11 and the mother no longer qualifies for the Exempt MAP status. The AU reports the information correctly on their May QR 7 due in June. However, the county incorrectly processes the QR 7 and continues to use the Exempt MAP status for the July/August/September quarter. In July, the county discovers the error. Since the effective date of the MAP status change for the QR Payment Quarter was July 1, the county shall take mid-quarter action to correct the error. The county shall recompute eligibility and cash aid for the entire QR Payment Quarter using the nonexempt status. The county shall recompute aid for the remaining months of the quarter and shall make an overpayment or underpayment determination for the month of July.

(SAR) Example 14 – Late Discovery Due to Administrative Error

(SAR) The AU consists of a mother and her child. The AU is in a January through June SAR Payment Period. The mother’s SDI benefits end on May 11 and the mother no longer qualifies for the Exempt MAP status. The AU reports the information correctly on their May SAR 7 due in June. However, the county incorrectly processes the SAR 7 and continues to use the Exempt MAP status for the July through December SAR Payment Period. In July, the county discovers the error. Since the effective date of the MAP status change for the SAR Payment Period was July 1, the county shall take mid-period action to correct the error. The county shall recompute eligibility and cash aid for the entire SAR Payment Period using the nonexempt status. The county shall recompute aid for the remaining months of the SAR Payment Period and shall make an overpayment or underpayment determination for the month of July.

(QR) Example 15 – Mid-Quarter Status Review Request

(QR) An existing AU, a father and his child, is in an April/May/June quarter. Eligibility and cash aid for this quarter has been determined using the February QR 7 information. On May 15, the recipient voluntarily reports mid-quarter that they began receiving SDI in lieu of their full time job on May 7. The recipient provides the necessary verification within 10 days of the report. The county determines that this voluntary mid-quarter report will increase cash aid (see Section 44-316.31(QR)). The county changes the recipient’s MAP status for the AU from Nonexempt MAP to Exempt MAP beginning in June and will continue to use the status until the AU reports a status change on either the QR 7 or a mid-quarter report.

HANDBOOK CONTINUES

89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION	89-110
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(Continued)

HANDBOOK CONTINUES

(SAR) Example 15 – Mid-Period Status Review Request

(SAR) An existing AU, a father and his child, is in a January through June SAR Payment Period. Eligibility and cash aid for this period has been determined using the December SAR 7 information. On April 15, the recipient voluntarily reports mid-period that they began receiving SDI in lieu of their full time job on April 7. The recipient provides the necessary verification within 10 days of the report. The county determines that this voluntary mid-period report will increase cash aid (see Section 44-316.31(SAR)). The county changes the recipient's MAP status for the AU from Nonexempt MAP to Exempt MAP beginning in May and will continue to use the exempt MAP status until the AU reports a status change on either the SAR 7, SAWS 2 or a mid-period report.

(QR) Example 16 – Mid-Quarter Voluntary Report to Add a Person

(QR) An AU of one, a pregnant woman only case, is in an October/November/December quarter. The AU has been receiving aid based on exempt MAP status in accordance with Section 89-110.213. On November 5, the mother voluntarily reports the birth of the child and requests aid for the child. When determining the eligibility to add the child December 1, the county determines that the potentially "new AU" (the existing AU and the added person) does not meet exempt MAP status. The county uses the Nonexempt MAP status to determine if the child is CalWORKs eligible and if the newborn's addition into the existing AU increases the grant. If the newborn increases cash aid for the existing AU, the Nonexempt MAP status shall be effective December 1 and will continue until a change in status is reported on either a QR 7 or a mid-quarter report.

(QR) If the newborn's addition into the AU would decrease cash aid, the Nonexempt MAP status shall be effective the first day of the next QR Payment Quarter and will continue until a change in status is reported on either a QR 7 or a mid-quarter report.

(SAR) Example 16 – Mid-Period Voluntary Report to Add a Person

(SAR) An AU of one, a pregnant woman only case, is in an October through March SAR Payment Period. The AU has been receiving aid based on exempt MAP status in accordance with Section 89-110.213. On November 5, the mother voluntarily reports the birth of the child and requests aid for the child. When determining the eligibility to add the child December 1, the county determines that the potentially "new AU" (the existing AU and the added person) does not meet exempt MAP status. The county uses the Nonexempt MAP status to determine if the child is CalWORKs eligible and if the newborn's addition into the existing AU increases the grant. If the newborn increases cash aid for the existing AU, the Nonexempt MAP status shall be effective December 1 and will continue until a change in status is reported on the SAR 7, SAWS 2, or a mid-period report.

HANDBOOK CONTINUES

89-110 **MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTION** **89-110**
(Continued)

HANDBOOK CONTINUES

(SAR) If the newborn's addition into the AU would decrease cash aid, the baby will be added to the AU and the Nonexempt MAP status shall not be effective until the first day of the next SAR Payment Period and will continue until a change in status is reported on the SAR 7, SAWS 2, or a mid-period report.

HANDBOOK ENDS HERE

.4 Relocation Family Grant

IN ACCORDANCE WITH THE GREEN V. ANDERSON COURT ORDER, THIS PROVISION SHALL NOT BE IMPLEMENTED UNTIL A DETERMINATION BY A COURT OF APPROPRIATE JURISDICTION ALLOWS SUCH IMPLEMENTATION.

Relocation Family Grant (RFG) means the maximum amount of aid payable to an AU when no member of the AU has lived in California for 12 consecutive months immediately prior to the date of application.

.41 Relocation Family Grant Rule

When the RFG is applicable, the county shall compare and base aid on the lesser of:

.411 CA Computed Grant Amount

The California computed actual grant amount for a full month, excluding overpayment adjustments, or

.412 Other State MAP

The MAP amount of the previous state or U.S. Territory of residence, plus California special needs when included in Section 89-110.411.

(a)

When all members of the AU have not lived in the same prior state, the county shall compare the California computed grant amount to the highest MAP amount of the prior states of residence involved.

DEMONSTRATION PROJECTS		
Regulations	APDP AND CWPDP	89-110
89-110	MAXIMUM AID PAYMENT (MAP) LEVEL AND MAP RESTRICTIONS	89-110
	(Continued)	

HANDBOOK CONTINUES

After the AU received aid for one month, the children's father moves into the home (September). He is the unemployed principal earner and there is federal eligibility. The father has been in California for ten months and was living in Nevada prior to coming to California.

Since the father lived in California longer than anyone else in the AU, the AU will only have two remaining RFG months, which includes the first month of aid for the father. Therefore, the AU's new RFG period will end October 31st.

The county will use Nevada's MAP which is higher than Mississippi's MAP when applying the RFG rule.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553, 10554, 11209, and 11450(g), Welfare and Institutions Code. Reference: Sections 10553, 10554, 11265.1, 11265.2, 11265.3, 11450.01, 11450.015, 11450.03, and 11450.5, Welfare and Institutions Code; Federal Terms and Conditions for the California Assistance Payments Demonstration Project as approved by the United States Department of Health and Human Services on October 30, 1992; and Memorandum of Decision and Order in Green v. Anderson, (Civ. S-92-2118) dated January 28, 1993; and Letters from the Department of Health and Human Services, Administration for Children and Families, dated February 29, 1996, March 11, 1996, and March 12, 1996; Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929 [7 CFR 273.12(a)(1)(vii)].

89-115 INCREASED PROPERTY LIMITS FOR RECIPIENTS 89-115

- .1 General

The county shall apply the following property limits to an AU which includes at least one recipient:

 - .11 \$2,000 Property Limit

\$2,000 for property as specified in Section 89-120,
 - .12 \$4,500 Motor Vehicle

\$4,500 for one motor vehicle as specified in Section 89-125, and
 - .13 \$5,000 Restricted Account

\$5,000 for restricted accounts as specified in Section 89-130.
- .2 Excess Property Discovered

When an application has been approved and the county subsequently discovers that the AU's property exceeded the \$1,000 property limit on the date of approval, the county shall not apply any of the increased property limits specified in Section 89-115.1 until the first day of the month following the date the AU's property is at or below the \$1,000 property limit for applicants.

HANDBOOK BEGINS HERE

- .21 Example 1

On July 1st, a family applies for aid and the county approves the AFDC application (i.e., authorizes aid) based on the following property:

\$ 700	savings account
<u>+150</u>	cash surrender value on life insurance policy
\$ 850	total countable property

In November, a Quality Control reviewer discovers that the cash surrender value of the life insurance policy was actually \$350 on July 1st (total property = \$1,050). The county determines that the AU had excess property over the \$1,000 limit for applicants from July through October (when the AU spent down their savings).

HANDBOOK CONTINUES

89-115 INCREASED PROPERTY LIMITS FOR RECIPIENTS **89-115**
(Continued)

HANDBOOK CONTINUES

The AU is overpaid from July through October, but is eligible in November and will have the higher property limits beginning November 1st.

.22 Example 2

In September a family applies for aid and is approved; they have the following property:

\$ 300	checking account
<u>+600</u>	savings account
\$ 900	total countable property

In October the AU opens a restricted savings account with a balance of \$200.

In November the caretaker relative reports that he has just discovered a paid-up life insurance policy he had forgotten about which had a cash surrender value (CSV) of \$500 since September.

The AU's property is as follows:

\$ 300	checking
+600	savings
<u>+500</u>	CSV life insurance
\$ 1400	total
<u>-1000</u>	limit for applicants
\$ 400	excess property September & October
<u>+ 200</u>	restricted account opened in October
\$ 600	excess property beginning November

The county sends a timely notice to discontinue aid effective November 30th. The caretaker relative immediately withdraws the \$200 from the restricted account and \$400 from the savings account to buy a new refrigerator on November 29th.

HANDBOOK CONTINUES

DEMONSTRATION PROJECTS		
89-115 (Cont.)	APDP AND CWPDP	Regulations
89-115	INCREASED PROPERTY LIMITS FOR RECIPIENTS	89-115
	(Continued)	

HANDBOOK CONTINUES

The new date of eligibility for increased property limits is December 1st (the first day of the month following the date the AU was at or below the \$1,000 limit for applicants). The AU is overpaid for September, October, and November.

Since the AU exceeded the \$1,000 property limit when the application was approved, the AU was not eligible for any of the higher property limits and the "restriction" on the second savings account is not applicable. As such, a period of ineligibility for a nonqualifying withdrawal also does not apply.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11155, 11155.1, 11155.2, and 11257, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(i)(B); and the Federal Terms and Conditions for the California Work Pays Demonstration Project as approved by the United States Department of Health and Human Services on March 9, 1994.

89-120 \$2,000 PROPERTY LIMIT FOR RECIPIENTS **89-120**

.1 General

When an AU includes a recipient, the county shall apply a \$2,000 limit to the net market value of the AU's countable property without regard to the \$5,000 restricted account specified in Section 89-130.

HANDBOOK BEGINS HERE

.2 Example 1

A family applies for AFDC on February 3rd. The otherwise eligible AU has countable property of \$700. The county approves the application on March 13th. The family reports that on March 15th, they received stocks from an inheritance worth \$1,000. Their total property on March 15th was \$1,700.

The AU is eligible because their property did not exceed the \$1,000 limit for applicants until after their application was approved and they are under the \$2,000 limit for recipients.

.3 Example 2

A minor mother and her child moved out of her senior parent's home to live with her child's father on June 3rd. The minor mother and her child were receiving aid in the senior parent's AU through June 30th.

On June 5th, the minor mother requests aid for herself, her child, and the father of her child; the beginning date of aid is July 1st. The new AU's property is as follows:

\$ 300 minor mother's cash
+1,500 father's savings account
\$ 1,800 AU's total property

The county applies the \$2,000 property limit for recipients because the minor mother and her child did not have a break in aid, and thus are considered recipients.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

.4 Example 3

An AU which includes a recipient has countable property of \$1,700. The AU reports that another child moved in with them on May 31st. The child has a \$500 savings account. The county determines that the entire AU is ineligible due to excess property effective June 1st:

\$ 500	savings account of new child
<u>+1,700</u>	AU's other property
\$ 2,200	AU's total property
<u>-2,000</u>	property limit for recipients
\$ 200	excess property

The county sends a timely notice of action to discontinue aid effective June 30th and determines an overpayment for June.

If the AU spends down to the \$2,000 limit on or before June 30, the county will rescind the discontinuance; however, the overpayment will remain. If the AU does not spend down to the \$2,000 limit, it will be subject to the \$1,000 property limit for applicants if it reapplies later.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11155, 11155.1, and 11257, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(i)(B); and the Federal Terms and Conditions for the California Work Pays Demonstration Project as approved by the United States Department of Health and Human Services on March 9, 1994.

89-125 INCREASED MOTOR VEHICLE LIMIT FOR RECIPIENTS 89-125

- .1 General The county shall exempt up to \$4,500 for one motor vehicle that is owned by a member of an AU which includes a recipient.
- .11 Vehicle Over When the vehicle's net market value exceeds the \$4,500 limit, the excess value shall be included in the \$2,000 property limit specified in Section 89-120. See Section 42-215.4 for determining the value of a motor vehicle.
\$4,500

HANDBOOK BEGINS HERE

- .2 Example An AU which includes a recipient reports they now have the following property (net market values are shown):
- 1st motor vehicle: \$2,500
2nd motor vehicle: \$1,200
savings account: \$ 500
- The county exempts the 1st motor vehicle because it has the highest value. The 2nd motor vehicle's value is added to the AU's other countable property (\$1,200 + \$500 = \$1,700). The AU is property eligible because the countable property does not exceed the \$2,000 property limit for recipients.

HANDBOOK ENDS HERE

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11155, 11155.1, and 11257, Welfare and Institutions Code; 45 CFR 233.20(a)(3)(i)(B); and the Federal Terms and Conditions for the California Work Pays Demonstration Project as approved by the United States Department of Health and Human Services on March 9, 1994.

89-130	RESTRICTED ACCOUNTS FOR RECIPIENTS	89-130
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Renumbered to 42-213 by Manual Letter No. EAS-09-04, effective 10/22/09.

TABLE OF CONTENTS

CHAPTER 89-200 MINOR PARENT

	Section
Minor Parent Requirement.....	89-201
Requirement .....	.1
Exemption2
Referral.....	.3
Payee4
Senior Parent Income5
Minor Meets Exemption6

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CHAPTER 89-200 MINOR PARENT

89-201 MINOR PARENT REQUIREMENT **89-201**

- .1 Requirement

A never-married minor, under the age of 18 years old, who is pregnant or who has a dependent child(ren) in his/her care shall, as an additional condition of eligibility, reside with:

 - .11 Senior Parent

A senior parent; or
 - .12 Legal Guardian

A legal guardian; or
 - .13 Adult Relative

An individual who meets the degree of relatedness criteria specified in Section 82-808.1 and is age 18 years or older; or
 - .14 Licensed Home

A state licensed adult-supervised supportive living arrangement which includes:

 - .141

A group home; or
 - .142

A maternity home.
- .2 Exemption

The minor parent and his/her dependent child(ren) shall be exempt from the minor parent requirement when any of the following conditions exist:

 - .21 Deceased

The minor parent has no parent or legal guardian who is living;
 - .22 Whereabouts Unknown

The minor parent has no parent or legal guardian whose whereabouts are known;
 - .23 Not Allowed To Live In Home

The minor parent has no parent or legal guardian who will allow the minor parent to live in his/her home;
 - .24 Health/Safety

It is determined by a child protective services worker that the physical or emotional health or safety of the minor parent or his/her dependent child(ren) would be jeopardized if the minor parent and his/her dependent child(ren) lived in the home with the minor's parent, legal guardian, or other adult relative;

89-201	MINOR PARENT REQUIREMENT (Continued)	89-201
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|-----|---|--|
| .25 | Live Apart for 12 Months | The minor parent has lived apart from the minor's parent or legal guardian for a period of at least twelve months prior to the month of: |
| | .251 | The youngest dependent child's birth; or |
| | .252 | Application for aid. |
| .26 | Emancipation | The minor parent is legally emancipated. |
| .3 | Referral | A referral to county Child Welfare Services shall be made when the minor parent meets any of the exemptions pursuant to Section 89-201.21 through .25. |
| .31 | Discontinuance of Minor Parent | If the minor parent is determined to be ineligible for CalWORKs, the eligibility worker shall notify CWS of the minor's discontinuance. |
| .4 | Payee | Unless the minor parent is exempt from the Minor Parent Requirement, the county shall pay aid on behalf of the minor parent to the adult living in the home or to the group/maternity home pursuant to Section 89-201.1. |
| .41 | Adult Refusal | If the adult living in the home refuses to act as payee on behalf of the minor parent, the minor parent may be the payee. |
| .42 | Minor Parent Refusal
or Failure to Cooperate | If the minor parent refuses or fails to cooperate in obtaining verification of the adult's consent or refusal to act as payee on his/her behalf, the minor parent's AU is ineligible for CalWORKs. |
| .43 | Determination That
Minor Parent Should
Be Payee | Whenever it is determined to be in the best interest of the minor parent and his/her child(ren), the minor parent may be the payee of his/her case instead of the adult living in the home with the minor parent. |

89-201 MINOR PARENT REQUIREMENT (Continued) **89-201**

- .44 Documentation The county shall document the following:
- .441 The payee understands that these CalWORKs payments are for the support of the minor parent and his/her dependent child(ren); and
- .442 The individual's agreement to act as payee; or
- .443 The individual's refusal to act as payee.
- .444 The minor parent's refusal or failure to cooperate in obtaining verification of the adult's consent or refusal to act as payee.
- .445 The reason(s) or factors leading to the determination that it is in the best interest of the minor parent and his/her child(ren) for the minor parent to be the payee for his/her case rather than the adult living in the home.

HANDBOOK BEGINS HERE

- .45 Example 1:
- A minor parent applies for CalWORKs for herself and her dependent child. The minor states her parents are divorced and living at different residences. The minor states that her mother forced her and her child out of the home and will not allow them to return. Further, the minor states that she has not lived with her father (the other senior parent) for over 12 months.
- The minor provides a statement from her mother that the minor had been living with her for the past two years, but that she will no longer allow the minor and child to live with her. Since the minor meets the exemption for each senior parent, the county will: (1) not apply the Minor Parent Requirement, and (2) grant aid to the minor parent and/or her child if they are otherwise eligible, and (3) refer the case to CWS for Minor Parent services.

HANDBOOK CONTINUES

HANDBOOK CONTINUES

.46 Example 2:

A minor parent applies for CalWORKs for herself and her dependent child. The minor parent states that she has been living with a friend for the past three months.

The minor parent states that her mother forced her to move out of the home and will not allow her to return. The minor's friend told her that she needs to find another place to live by the end of the month.

The minor parent is unable to obtain a statement from her mother confirming that she is not allowed to return to the parent's home. In a collateral call to the minor parent's mother, the mother indicates that her daughter ran away from home three months ago and refuses to return. The mother indicates that she is willing to allow the minor parent and her dependent child to live with her. The minor parent then states that she fears for her safety and the safety of her dependent child if she returns to her mother's home. A child protective services worker completes an evaluation of the mother's home and determines that there would be no risk to either the minor parent or her dependent child if they were to live with the minor's parent.

Since the minor parent does not meet any of the exemption criteria, she and her dependent child must live with her parent, legal guardian, or other adult relative to be eligible for CalWORKs. The minor parent refuses to return to her mother's home and no other adult relative will allow her to live with him/her. The minor parent and child are not eligible for CalWORKs and the application is denied.

HANDBOOK ENDS HERE

.5 Senior Parent Income

In cases where the minor parent lives with his/her parent(s), the income and needs of the senior parent(s) shall be considered. Eligibility and grant amount for senior parent/minor parent cases shall be determined in accordance with Sections 44-133.5, 44-207 and 44-315 as appropriate, based on the specific circumstances of the case.

89-201 MINOR PARENT REQUIREMENT (Continued) 89-201

- .51 Senior Parent/Minor Parent Eligibility and Grant Amount When considering income of the senior parent(s), pursuant to Sections 44-133.5, 44-207 and 44-315, and that income does not result in ineligibility of the minor and his/her child(ren), and:

- .511 Minor in Own AU The minor parent is eligible to be included in his/her own AU (See Section 82-808), or

- .512 Eligible Minor in AU of Senior Parent(s) The minor parent is eligible to be included in the AU of the senior parent(s) (See Section 82-808), then

- .513 Grant Amount The income of the senior parent(s) shall be considered and the actual grant amount calculated pursuant to Section 44-315.3.

HANDBOOK BEGINS HERE

- (a) Example: Eligible Minor Parent in own AU The persons residing together are the senior parent, her minor daughter (minor parent) and her minor daughter's child. The senior parent is not in the AU. The senior parent earns \$1,025 per month. The minor parent has no income. The family resides in Region 1 and is nonexempt.

The eligibility/grant computation is as follows:

\$1,025		Reasonably Anticipated Family Earned Income
-	112	\$112 Earned Income Disregard
\$	913	
-	456	50% Earned Income Disregard*
\$	456	Net Nonexempt Income*
\$	638	MAP for an AU of Three
-	456	Total Net Nonexempt Income
\$	182	Potential Grant
\$	516	MAP for an AU of Two
\$	182	Actual Grant Amount (lesser of potential grant or AU MAP)

HANDBOOK CONTINUES

HANDBOOK CONTINUES

* 50% Earned Income Disregard and Net Nonexempt Income must be rounded down to the nearest dollar amount: MPP Section 44-315.34

<p>(b) Example: Eligible Minor Parent in AU of Senior Parent(s)</p>	<p>Minor parent lives with both her parents. The senior parents are in the AU with the minor parent and the minor's child. One senior parent earns \$900 per month. The other senior parent earns \$400 per month and receives \$125 in State Disability Insurance benefits. The minor parent has no income. The AU is nonexempt and resides in Region 1.</p>
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The eligibility/grant computation is as follows:

\$ 125	Reasonably Anticipated Monthly Disability-Based Unearned Income
- 225	\$225 Disability-Based Unearned Income (DBI) Disregard
<u>0</u>	Net Disability-Based Unearned Income
\$ 100	Remainder of \$225 DBI Disregard
\$1,300	Reasonably Anticipated Monthly Family Earned Income
- 100	Remainder of \$225 DBI Disregard
<u>\$1,200</u>	
- 600	50% Earned Income Disregard
<u>\$ 600</u>	Net Nonexempt Earned Income
+ 0	Other Nonexempt Unearned Income
<u>\$ 600</u>	Total Net Nonexempt Income
\$ 762	MAP for an AU of Four
- 600	Net Nonexempt Income
<u>\$ 162</u>	Grant Amount

HANDBOOK ENDS HERE

<p>.6 Minor Meets Exemption</p>	<p>A minor who does not reside with a senior parent shall have his/her aid payment calculated based on existing income regulations.</p>
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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code; SB 72 (Chapter 8, Statutes of 2011), Section 42. Reference: Sections 11008.14, 11017, 11254 (Ch. 1022, Stats. 2002), 11450, 11451.5, 11453, and 16506(d), Welfare and Institutions Code; 42 USCA 608(a)(5).