

FINAL STATEMENT OF REASONS

a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

Although there have been no changes to the proposed regulations provided as part of the Notice of Proposed Action, the following is an updated explanation regarding the proposed text:

Section 40-161.2

Specific Purpose remains unchanged.

Updating the Factual Basis:

This section is necessary to ensure county workers are informed that home visits are not exclusively used to determine eligibility factors; they may also be used as a reasonable accommodation for applicants who cannot come in to the county office to complete their required face-to-face interview due to a physical or mental impairment, or other extreme circumstances. While counties already accommodate clients through the use of home visits, welfare advocates brought to the Department's attention that this policy needed to be solidified in regulations, rather than left to county discretion, in order to ensure that CalWORKs applicants in all counties are consistently given reasonable accommodation for the interview requirements. *Additionally, the language regarding extreme circumstances has been added so that counties are made aware that home visits may also be conducted if the county determines that the client needs accommodation for a reason other than a physical or mental impairment and kept the terms, such as "adequate transportation" and "considerable distance," vague to allow county discretion on a case-by-case basis for determining extreme circumstances.* This section is necessary in order to fully implement Government Code section 11135, as currently implemented by All County Letter No. 15-31, dated March 19, 2015. These regulations are neither inconsistent nor incompatible with existing state regulations. This determination was made based on the fact that this regulatory change is to clarify what is currently lacking in regulations. Furthermore, this change will only apply to a very specific segment of the CalWORKs population.

b) Identification of Documents Upon Which Department Is Relying

No updates to this section are necessary because there have been no additional documents relied upon.

c) Local Mandate Statement

These regulations do not impose a mandate upon local agencies or on school districts. There are no "state-mandated local costs" in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code because any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the Government Code.

d) Statement of Alternatives Considered

The CDSS has determined that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. To date, no reasonable alternatives have been presented for review.

There is no negative effect of this regulatory action. This regulatory action is simply giving counties more administrative flexibility without applying a mandate on counties. This regulatory action is providing flexibility and consistency, which is beneficial for both applicants of CalWORKs and county workers.

e) Statement of Significant Adverse Economic Impact On Business

The CDSS has determined that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made based on the fact that this regulatory change is only clarifying that counties have the option to use home visits to complete the intake interview requirement of a face-to-face interview. This additional flexibility will benefit clients without putting a mandate on county workers. Additionally, counties have stated that they are already utilizing this flexibility; CDSS is just specifying this option in the regulations in order to help ensure consistency from county to county.

f) Economic Impact Assessment

No updates to this section are necessary because there have been no changes to the proposed regulations provided as part of the Notice of Proposed Action.