

FINAL STATEMENT OF REASONS

Explanation of Tandem Regulation Format and Process for Review

The authority for the Semi-Annual Reporting (SAR) system is specified in Welfare and Institutions Code sections 11265.1, 11265.2 and 11265.3 as amended by Assembly Bill (AB) 6 (Chapter 501, Statutes of 2011). Section 25 of AB 6 grants the California Department of Social Services (CDSS) the authority to implement the SAR system through All County Letter (ACL) followed by Emergency Regulations. ACL 12-25, dated May 17, 2012, gave counties the initial implementation instructions for the SAR system.

AB 6 mandates that California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh implement SAR in a cost-effective manner that promotes compatibility between the two programs. Food and Nutrition Services (FNS) will not allow CDSS to require a second semi-annual report in addition to the annual recertification of eligibility in the CalFresh Program. Consequently, CDSS has determined that rather than requiring two semi-annual reports in addition to the annual redetermination of eligibility, the annual redetermination/recertification will take the place of the second semi-annual report. This change also reduces the reporting burden on recipients and reduces the administrative burden on county workers by not mandating duplicative reporting requirements.

In order to more closely align the treatment of income under federal Supplemental Nutrition Assistance Program (SNAP) prospective budgeting rules (as indicated in AB 6), recipients will no longer have to guess an exact amount of income for each month of the SAR Payment Period in order for their workers to average that income over the period. Instead, a monthly income amount will be determined for the SAR Payment Period based on current income and reasonably anticipated changes. This policy change aligns CalWORKs with the federal SNAP prospective budgeting rules, will simplify the process of reasonably anticipating income for both recipients and county workers and will alleviate one of the factors that has been found to be the most confusing and error-prone under Quarterly Reporting (QR).

This regulation package contains a tandem regulation format to allow for the operation of both QR and SAR during counties' staggered implementation of SAR in accordance with the County's SAR Declaration as specified in AB 6. This format is necessary to maintain current QR regulations for those counties that are pending SAR implementation and will remain in place until all counties have implemented SAR.

Regulations that become obsolete once SAR is implemented in a county are labeled as (QR) and the SAR regulations replacing the QR rule follow. Regulations that become operative under SAR are labeled (SAR). In addition, each regulation impacted by SAR includes a notification that SAR regulations will replace the QR regulations once SAR is implemented by the county.

Since the regulations designated as QR are existing regulations that have been subject to the rulemaking process upon their original adoption, these regulations are not subject to public comment and there will not be an accompanying "Specific Purpose/Factual Basis" for those

regulations unless there are amendments other than renumbering being made. The QR regulations are included in this package so reviewers can easily compare the QR and SAR provisions to see what changes (if any) have been made to the current regulations.

Many of the new SAR regulations retain the primary intent and substance of the QR requirements, but have been updated to include the appropriate SAR terms and references. For example, Section 40-105.14 reads as follows:

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

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

The only changes in the SAR provision above are updating the regulation cites from QR to SAR and changing the word "quarter" to "semi-annual period". The "Specific Purpose" for these regulations will read as follows: "This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-105.14. The "Factual Basis" for these regulations will read as follows: "This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011)."

In certain cases, a SAR provision that substantively duplicates the existing QR provision will also contain a change beyond the duplication. In such cases, the "Specific Purpose/Factual Basis" will address the additional provisions. Where the SAR-related change is directly related to a statutory requirement, additional language will be inserted to indicate the authority for the amended or adopted regulation.

This regulation package also contains numerous clean-up and technical changes: all Monthly Reporting (MR) regulations (that have been inoperative since the implementation of QR in 2004) are being deleted; outdated references to Food Stamps are being replaced with CalFresh; outdated references to Aid to Families with Dependent Children (AFDC) are being replaced with CalWORKs; outdated references to Greater Avenues for Independence program (GAIN) are being replaced with Welfare to Work (WTW); and other outdated terms and references are being corrected (DSS to CDSS, Department of Health Services [DHS] to Department of Health Care Services [DHCS], etc.). These technical clean-ups are not included in the "Specific Purpose and Factual Basis" section below.

In addition to the SAR provisions of AB 6, this regulation package also implements the CalWORKs restoration of aid provisions in Welfare and Institutions Code section 11265.4 as added by AB 959 (Chapter 506, Statutes of 2011).

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

Section 22-071.12

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 22-071.12.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 22-072.12

Specific Purpose:

This section is amended to remove an incorrect CalFresh regulation citation.

Factual Basis:

This amendment is necessary to correct an error in the current regulations.

Section 22-072.2(j)

Specific Purpose:

This section is repealed because it was enjoined by the injunction of Saldivar v. McMahan.

Factual Basis:

This revision is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the injunction in the Saldivar v. McMahan court case. Repealing this regulation ensures that CalWORKs recipients continued to get timely and adequate notice for QR 7-related adverse actions.

Handbook Section 22-072.2(j)(1)

Specific Purpose/Factual Basis:

This handbook section is repealed because the section this handbook refers to is being repealed. The purpose of this handbook section was to inform counties that Section 22-072.2(j) was enjoined by the injunction of Saldivar v. McMahan; however, because section 22-072.2(j) is being repealed, this explanatory handbook section is no longer necessary.

Section 22-072.2(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 22-072.2(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Sections 22-305.422(a), Examples (1), (2) and (3)

Specific Purpose/Factual Basis:

These handbook examples are amended to add SAR provisions that substantively duplicate, with appropriate SAR terms and references, the existing Handbook Examples 22-305.422(a)(1), (2) and (3). Example (2) also specifies that the semi-annual report following the SAR 7 is the annual redetermination of eligibility.

Section 40-036.3

Specific Purpose:

This section is adopted to designate when the quarterly reporting (QR) regulations will become inoperative and when the semi-annual reporting (SAR) regulations will become operative.

Factual Basis:

This adoption is necessary to provide an explanation of when QR regulations will become inoperative and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Final Modification:

The cross reference to Section 40-037 was corrected to read Section 40-038.

Section 40-037

Specific Purpose:

This section is adopted to establish how tandem regulations will be used, to ensure the continuation of current requirements that remain relevant under SAR and to designate when

the QR regulations will become inoperative and when the SAR regulations will become operative.

Factual Basis:

This adoption is necessary to provide an explanation of when SAR regulations will become effective and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Final Modification:

The CDSS notes a typographical error; the Specific Purpose and Factual Basis above are for Section 40-038 and not for Section 40-037.

Section 40-103.5

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-103.5. Specifically, this section defines the Semi-Annual Reporting Cycle as six consecutive months.

Factual Basis:

This amendment is necessary to define new terminology used under the SAR system and to comply with the Welfare and Institutions Code section 11265.1(b), as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-103.51

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-103.51. Specifically, this section defines a SAR Payment Period as the period for which cash aid is paid and is the six-month period immediately following the SAR Submit Month. This section also specifies that the SAR Payment Period is the six months following the submittal of the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to define new terminology used under the SAR system and to comply with Welfare and Institutions Code section 11265.1 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-103.52

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with

appropriate SAR terms, the existing Section 40-103.52. Specifically, this section defines the next SAR Payment Period as the period that follows the SAR Submit Month.

Factual Basis:

This amendment is necessary to define new terminology used under the SAR system and to comply with the Welfare and Institutions Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-103.53

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-103.53. Specifically, this section defines the SAR Data Month as the month for which the recipient reports all information necessary to determine ongoing eligibility for CalWORKs cash aid. The SAR Data Month is the fifth month of each SAR Payment Period. This section also specifies that only information from the Data Month and any known changes must be reported on the SAR 7; however, all available information must be included on the SAWS 2.

Factual Basis:

This amendment is necessary to define new terminology used under the SAR system and to comply with the Welfare and Institutions Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011) and Welfare and Institutions Code section 11265. This amendment is further necessary to specify that while only information from the Data Month needs to be reported on the SAR 7, all available information needs to be reported on the SAWS 2.

Section 40-103.54

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-103.54. Specifically, this section defines the SAR Submit Month as the month in which the SAR 7 or SAWS 2 is required to be completed and submitted to the county. The SAR Submit Month is the sixth month of each SAR Payment Period.

Factual Basis:

This amendment is necessary to define new terminology used under the SAR system and to comply with the Welfare and Institutions Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 40-103.54

Specific Purpose/Factual Basis:

This handbook example is amended to add a SAR provision illustrating how the months are arranged in a SAR Cycle and specifying that the SAR Cycle is based on the beginning date of aid in order to ensure that the SAR cycle is aligned with the redetermination/recertification date. This amendment to the handbook example is necessary to clarify new SAR terms and to illustrate how reporting cycles are set up under SAR.

Section 40-103.55

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-103.55. Specifically, this section defines the Reporting Period as the SAR Data Month and the five preceding months. This section further specifies that the SAR Reporting Period generally refers to the period of time since the last mandatory report (SAR 7 or SAWS 2) was completed.

Factual Basis:

This amendment is necessary to ensure statewide consistency when gathering semi-annual information by defining terminology used under the SAR system and to comply with the Welfare and Institutions Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-105.14

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-105.14.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 40-105.222(b)

Specific Purpose/Factual Basis:

This handbook section is amended to remove the (QR) designation because the existing Handbook section example applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Section 40-105.4(h)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing section 40-105.4(h).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-105.5(g)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing section 40-105.5(g).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-107(f)(1)

Specific Purpose/Factual Basis:

This section is amended to replace a typographical error resulting in an incorrect reference.

Section 40-107(f)(1)(A)

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 has been replaced with the SAWS 2.

Factual Basis:

The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998. This amendment is necessary to update the regulations with the correct form name.

Section 40-107(j)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-107(j). This section is further amended to specify how counties are to establish SAR cycles and the time frames in which counties are required to provide the SAR 7 and SAWS 2 to recipients. This section also specifies that the redetermination/recertification acts as the second semi-annual report so the county must align the CalWORKs annual redetermination of eligibility with the CalFresh certification period and must also align the redetermination/recertification with the SAR Cycle. This section further specifies that the county shall provide the SAR 7 or the SAWS 2 by the end of the SAR Data Month in the SAR Payment Period in which it is due.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011). This amendment is necessary to establish the requirement to align the SAR cycle with the redetermination/recertification under SAR. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year.

Section 40-107(j)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-107(j)(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-107(j)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-107(j)(2). This section mandates that counties must send a notice to cash aid recipients informing them of the months in which the SAR 7 and SAWS 2 are due.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions in AB 6 (Chapter 501, Statutes of 2011). This amendment is further necessary because per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year.

Section 40-107(j)(3)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-107(j)(3).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-107(j)(3)(A)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-107(j)(3)(A). This amendment further clarifies that the county shall establish six SAR cycles, each comprised of two SAR Payment Periods and that the county shall assign applicants to one of these cycles based on the beginning month of aid. This amendment also clarifies that the SAR cycle must be set up to align with any existing CalFresh recertification date.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to establish the requirement to align the SAR cycle with the redetermination/recertification under SAR. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year; therefore, the annual redetermination/recertification (SAWS 2) must be aligned with the SAR cycle.

Handbook Section 40-107(j)(3)(A)

Specific Purpose/Factual Basis:

This handbook section is amended to illustrate how counties establish SAR cycles based on the beginning date of aid. This handbook amendment is necessary for clarity and to illustrate the necessity of aligning the SAR cycle with the annual redetermination/recertification.

Section 40-107(j)(3)(B)

Specific Purpose:

This section is amended to explain that under SAR, counties may establish reporting cycles based on factors established or approved by the department; however, the SAR cycle must be aligned with the CalWORKs redetermination date and the CalFresh recertification date.

Factual Basis:

This adoption is necessary to comply with Welfare and Institutions Code section 11265.1(i), as amended by AB 6 (Chapter 501, Statutes of 2011), which gives counties the authority to establish reporting cycles based on factors approved by the department. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. Because of this requirement, the SAWS 2 and the SAR 7 submittal must be aligned, thereby limiting county options for how the SAR cycles may be established.

Handbook Section 40-107(j)(3)(B)

Specific Purpose/Factual Basis:

This handbook section will become inoperative when SAR becomes effective. This handbook section illustrates how QR cycles are established based on terminal digits. Because establishing SAR cycles on terminal digits is not an approved method under SAR rules, this handbook section will become inoperative when SAR is implemented.

Section 40-119.2

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and forms, the existing Section 40-119.2. Specifically, this regulation mandates that the county shall consider the SAWS 1, SAR 3 or the SAR 7 the application for adding an optional person.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011).

Sections 40-119.31

Specific Purpose:

These sections are amended to replace references to outdated forms. Specifically, the CA 8A is replaced with the CW 8A.

Factual Basis:

AB 1542 (Chapter 207, Statutes of 1997) replaced AFDC with CalWORKs effective January 1, 1998. At that time the CA forms numbering series was phased out and replaced with the new CW forms series. This amendment is necessary to update the regulations with the correct form name.

Sections 40-119.32

Specific Purpose:

These sections are amended to replace references to outdated forms. Specifically, the CA 8 is replaced with the CW 8.

Factual Basis:

AB 1542 (Chapter 207, Statutes of 1997) replaced AFDC with CalWORKs effective January 1, 1998. At that time the CA forms numbering series was phased out and replaced with the new CW forms series. This amendment is necessary to update the regulations with the correct form name.

Section 40-125.41

Specific Purpose:

This section is amended to replace references to an outdated form. Specifically, the CA 1 is replaced with the SAWS 1 and the CA 2 is replaced with the SAWS 2.

Factual Basis:

The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint application form. The SAWS 1 (Application for Cash Aid, Food Stamps and/or Medical Assistance) replaced the CA 1 in 1990. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid

and Food Stamps) replaced the JA 2 in 1998. This amendment is necessary to update the regulations with the correct form name.

Section 40-125.91

Specific Purpose:

This section is amended to add an exception to the rule that applicants must complete a new Statement of Facts when requesting restoration of aid and refers the reader to Section 40-125.94. This section is further amended to replace a reference to an outdated form; specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to inform the counties of an exception to the rule that applicants must complete a new Statement of Facts when requesting restoration of aid. This amendment is also necessary to comply with Welfare and Institutions Code section 11265.4(a) as adopted by AB 959 (Chapter 506, Statutes of 2011), which mandates that a new application is not required when restoration of aid is requested within the month after discontinuance for non-submittal of a periodic report. This amendment is further necessary to update the regulations with the correct form names. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-125.911

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998. This amendment is necessary to update the regulations with the correct form name.

Section 40-125.912

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998. This amendment is necessary to update the regulations with the correct form name.

Section 40-125.92

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-125.92. This provision also specifies that the Assistance Unit (AU) may be assigned to the previous SAR cycle or a new SAR cycle, as long as the SAR cycle remains aligned with the redetermination/recertification date.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to clarify that the SAR cycle must remain aligned with the redetermination/recertification date. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year, so the submittal of the SAR 7 and SAWS 2 must be aligned.

Sections 40-125.94 and .941

Specific Purpose:

These sections are amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Sections 40-125.94 and .941.

Factual Basis:

These amendments are necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the Welfare and Institutions Code section 11265.1(f), as amended by AB 6 (Chapter 501, Statutes of 2011), regarding good cause for a late semi-annual report.

Section 40-125.942

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-125.942.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code section 11265.1(f), as amended by AB 6 (Chapter 501, Statutes of 2011), regarding good cause for a late semi-annual report.

Section 40-125.943

Specific Purpose:

The language in the current Section 40-125.943 is repealed and new QR and SAR provisions are adopted. The new provisions instruct counties to follow a new, specific set of rules when a recipient who has been discontinued for failure to submit a complete QR 7 (or SAR 7) requests restoration of CalWORKs during the calendar month following discontinuance and is not found to have good cause. The QR and SAR provisions are identical except for the reference to the QR 7 in the QR provision and the reference to the SAR 7 in the SAR provision.

Factual Basis:

This new language is necessary to comply with Welfare and Institutions Code section 11265.4, as adopted by AB 959 (Chapter 506, Statutes of 2011), which mandates that counties must follow different rules when restoration of aid is requested within the month after discontinuance for not submitting a complete periodic report. Under the new rules, eligibility will be established based on recipient rules, a new application and interview are not required, and benefits shall be prorated effective the date that the complete report is turned in. These new provisions went into effect on July 1, 2012, and so apply under both QR and SAR.

Section 40-125.943(a)

Specific Purpose:

This section is adopted to add a new QR and SAR provision mandating that when a recipient who has been discontinued for failure to submit a complete QR 7 (or SAR 7) requests restoration of CalWORKs during the calendar month following discontinuance and is not found to have good cause, eligibility will be based on recipient rules and they will not be subject to applicant eligibility criteria. These QR and SAR provisions are identical.

Factual Basis:

This adoption is necessary to comply with Welfare and Institutions Code section 11265.4(a), as adopted by AB 959 (Chapter 506, Statutes of 2011), which mandates that when restoration of aid is requested in the month following discontinuance for failure to submit a complete QR 7 (or SAR 7), counties must determine eligibility based on recipient, rather than applicant rules. These new provisions went into effect on July 1, 2012, and so apply under both QR and SAR.

Section 40-125.943(b)

Specific Purpose:

This section is adopted to add a new QR and SAR provision mandating that when a recipient who has been discontinued for failure to submit a complete QR 7 (or SAR 7) requests restoration of CalWORKs during the calendar month following discontinuance and is not found to have good cause, eligibility will be determined without requiring a new application, statement of facts or intake interview. These QR and SAR provisions are identical.

Factual Basis:

This adoption is necessary to comply with Welfare and Institutions Code section 11265.4(a), as adopted by AB 959 (Chapter 506, Statutes of 2011), which mandates that when restoration of aid is requested in the month following discontinuance for failure to submit a complete QR 7 (or SAR 7), counties must determine eligibility without requiring a new application or intake interview. These new provisions went into effect on July 1, 2012, and so apply under both QR and SAR.

Section 40-125.943(c)

Specific Purpose:

This section is adopted to add a new QR and SAR provision mandating that when a recipient who has been discontinued for failure to submit a complete QR 7 (or SAR 7) is found eligible for CalWORKs during the calendar month following discontinuance, aid will be restored, prorated, effective the date that the recipient submitted the complete QR 7 (or SAR 7). These provisions also refer the reader to Section 44-315.72 for instructions on how to calculate prorated benefit amounts. These QR and SAR provisions are identical except for the reference to the QR 7 in the QR provision and the reference to the SAR 7 in the SAR provision.

Factual Basis:

This adoption is necessary to comply with Welfare and Institutions Code section 11265.4(a), as adopted by AB 959 (Chapter 506, Statutes of 2011), which mandates that when aid is restored in the month following discontinuance for failure to submit a complete QR 7 (or

SAR 7), aid will be restored, prorated, effective the date that the recipient submitted the complete QR 7 (or SAR 7). These new provisions went into effect on July 1, 2012, and so apply under both QR and SAR.

Section 40-125.95

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-125.951

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-125.952

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-125.952. This amendment further specifies that the county may assign the AU to the previous SAR cycle or a new SAR cycle based upon the date of restoration; however, the SAR cycle must remain aligned with the redetermination and recertification date.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes

of 2011). This amendment is further necessary to establish the requirement to align the SAR cycle with the redetermination/recertification under SAR.

Section 40-125.96

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-125.961

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-125.962

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-125.962. This amendment further specifies that the county may assign the AU to the previous SAR cycle or a new SAR cycle based upon the date of restoration; however, the SAR cycle must remain aligned with the redetermination and recertification date.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is further necessary to establish the requirement to align the SAR cycle with the redetermination/recertification under SAR.

Section 40-128.11

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-128.121

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR forms, the existing Section 40-128.121. Specifically, the CA 2 is replaced with the SAWS 2 and the CA 23 is replaced with the SAR 23 and the correct name of the SAR 23 is spelled out. This section is further amended to correct a typographical error resulting in an incorrect reference.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to update the regulations with the correct form names. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-128.122

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR forms, the existing Section 40-128.122. Specifically, the CA 23 is replaced with the SAR 23.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to update the regulations with the correct form names under SAR.

Section 40-128.131

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR forms, the existing Section 40-128.131. Specifically, the CA 2 is replaced with the SAWS 2, reference to the CA 20 is removed and the reference to the CA 24 is replaced with the SAR 22 (Sponsor's Statement of Facts). This section is further amended to correct an incorrect reference.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to update the regulations with the correct form names. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998. The CA 20 is an obsolete form. Lastly, the CA 24 was replaced with the QR 22 and the SAR 22 will replace the QR 22 effective with the implementation of SAR in each county.

Final Modification:

When emergency regulations were first adopted in July 1, 2013, Section 40-128.13 et seq. was inadvertently adopted instead of amended. Federal law in regards to Aliens Sponsored by Agencies and Organizations was changed and CDSS adopted regulations in response to those changes effective January 8, 2001. The CDSS is further amending this section to reflect changes made to federal law. The amendments to this section are necessary to comply with 8 United States Code (U.S.C.) section 1183a which eliminated an agency's ability to be a sponsor and defines a sponsor as an individual who executes an affidavit of support. Therefore, this section was revised in response to the testimony.

Section 40-128.132

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR forms, the existing Section 40-128.132. Specifically, the reference to the CA 24 is replaced with the SAR 22.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to update the regulations with the correct form names under SAR.

The CA 24 was replaced with the QR 22 and the SAR 22 will replace the QR 22 effective with the implementation of SAR in each county.

Final Modification:

When emergency regulations were first adopted in July 1, 2013, Section 40-128.13 et seq. was inadvertently adopted instead of amended. Federal law in regards to Aliens Sponsored by Agencies and Organizations was changed and CDSS adopted regulations in response to those changes effective January 8, 2001. The CDSS is further amending this section to reflect changes made to federal law. The amendments to this section are necessary to comply with 8 U.S.C. section 1183a which eliminated an agency's ability to be a sponsor and defines a sponsor as an individual who executes an affidavit of support. Therefore, this section was revised in response to the testimony.

Section 40-128.14

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-128.2

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 1 is replaced with the SAWS 1 and the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form names. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint application form. The SAWS 1 (Application for Cash Aid, Food Stamps and/or Medical Assistance) replaced the CA 1 and the JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-128.25

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-131

Specific Purpose:

This section is amended with numerous non-substantive changes. Specifically, this section is amended to correct outdated program names and to remove Monthly Reporting (MR) provisions that are no longer operative. A handbook section referring to a Demonstration Project that no longer exists is also removed and an incorrect reference is corrected.

Factual Basis:

These amendments are necessary in order to update the Manual of Policies and Procedures and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-173.1

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-173.1.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-173.5

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-173.8

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-173.8. This amendment further specifies that the county must inform the AU of their individual Income Reporting Threshold (IRT) when the amount used to calculate the grant changes, when the federal poverty levels are updated or any other time the AU's IRT amount changes.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-173.81

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-173.81.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-173.82

Specific Purpose:

This section is amended to add a SAR provision that is similar to the existing Section 40-173.82. This section is amended to specify that the family must be informed of the dollar amount of the IRT for the AU (rather than stating that the family must be informed of the dollar amount of gross monthly income for the family Maximum Aid Payment (MAP) that exceeds the IRT). This amendment makes this regulation more accurately reflect the IRT changes under SAR, specifically the fact that there are three IRT tiers and dollar amount of each family's current IRT may be based on family size or income, depending on the tier.

Factual Basis:

These amendments are necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code section 11265.3 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-173.83

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-173.83.

Factual Basis:

These amendments are necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.1(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.1(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.1(a)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.1(a)(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.1(a)(2)(SAR)

Specific Purpose:

This section is adopted to clarify that in regards to property, deprivation and AU composition, the SAR 7 only asks for the recipient to report any changes since he or she last reported. In these cases, if a recipient reports on the SAR 7 that there have been no changes since they last reported, the information on the last report (the SAWS 2 or any mid-period report) shall be used to determine continuing eligibility.

Factual Basis:

This amendment is necessary to clarify that because the SAR 7 is worded differently than the QR 7, the SAR 7 report alone will not necessarily contain all of the information necessary to determine ongoing eligibility. If a recipient reports that there have been no changes to their property since they last reported, counties must look at the last verified report of property. The last verified report could be the SAWS 2 or a voluntary mid-period report. These changes were made to the SAR 7 to comply with federal CalFresh (SNAP) rules that if a recipient reports and verifies something mid-period, regulations cannot mandate that they re-report it. This amendment also complies with Welfare and Institutions Code section 11265.1(c) as amended by AB 6 (Chapter 501, Statutes of 2011) which states that the semi-annual report form shall include only the information necessary to determine eligibility and calculate the benefit amounts, as specified by the Department.

Handbook Section 40-181.1(a)(3)(SAR)

Specific Purpose/Factual Basis:

This handbook section is adopted to provide an example of using both the information from a verified mid-period report and the SAR 7 to determine property eligibility for CalWORKs. This handbook section is necessary to illustrate how property eligibility is determined under semi-annual reporting.

Section 40-181.1(c)(1)

Specific Purpose:

This section is amended to replace references to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-181.1(d)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 40-181.1(d).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.1(e)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, forms and references, the existing Section 40-181.1(e)(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.1(e)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.1(e)(2). This section is further

amended to clarify that the semi-annual redetermination of eligibility and grant computations are completed using the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR. The amendment is also necessary to establish the requirement of only requiring one SAR 7 and one SAWS 2 per year. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year.

Section 40-181.1(g)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.1(g). This section has also been amended to refer the reader to the sections that explain good cause determinations for not completing the annual redetermination timely (40-181.216) and good cause determinations for not submitting a complete SAR 7 timely (40-181.23).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code section 11265.3, as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.211

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-181.212

Specific Purpose:

Section 40-181.212(MR) is being repealed and a new section 40-181.212(SAR) et seq. is being adopted. This section explains that the annual redetermination must be completed in the sixth month of the second Semi-Annual Payment Period of every year (six months after the SAR 7 is submitted). Because the redetermination acts as the second income eligibility report, a complete SAWS 2 must be received by the 15th day of the month in which it is due in order to allow sufficient time to determine benefit amounts and issue timely notice for the following Semi-Annual Payment Period.

Factual Basis:

The addition of this section is necessary to specify the due date for the annual redetermination and to clarify for which Semi-Annual Period a redetermination (SAWS 2) is due. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. Because the annual redetermination takes the place of the second semi-annual report (SAR 7), the redetermination regulations need to be expanded. This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR, to comply with FNS instruction and to comply with Welfare and Institutions Code section 11265 and Sections 11265.1, 11265.2 and 11265.3 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.212(a)(SAR)

Specific Purpose:

Section 40-181.212(a)(SAR) is being adopted to clarify that because the redetermination process acts as the second semi-annual eligibility report, the redetermination must be aligned with the SAR reporting cycle. The redetermination must be completed in the 6th month of the SAR cycle in which a SAR 7 is not due. This section further explains that if for any reason a redetermination takes place outside of the normal SAR Cycle, the county shall act mid-period on all information to increase, decrease or discontinue cash aid as appropriate. The ability to act on redetermination information outside of the periodic reporting cycle is unchanged under SAR from QR.

Factual Basis:

The addition of this section is necessary to specify that while the redetermination must be aligned with the SAR cycle, in special circumstances, if the redetermination takes place outside of the SAR cycle, the redetermination information must be acted on mid-period. This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code sections 11265.1, 11265.2, and 11265.3. This amendment is also necessary to comply with FNS instruction

(Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Handbook Section 40-181.212(a)(SAR)

Specific Purpose/Factual Basis:

This Handbook Section is added to clarify that counties are to align the CalWORKs redetermination period with the CalFresh recertification period and also align the submission of the annual redetermination with the 6th month of the SAR Payment Period in which a SAR 7 is not due.

Section 40-181.213

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.213. This section is further amended to mandate that the Statement of Facts shall be due once a year, in the same month of each year, unless the redetermination date needs to be changed in order to align it with the CalFresh recertification date.

Factual Basis:

This amendment is necessary to ensure that the redetermination date remains aligned with the CalFresh recertification date and the SAR reporting cycle. This amendment is necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 40-181.214

Specific Purpose:

This section is amended so that it will become inoperative in a county on the date SAR becomes effective in that county, pursuant to the County's SAR Declaration. A new section 40-181.214(SAR) et seq. has been added to explain the rules for processing late annual redeterminations.

Factual Basis:

This amendment is necessary because the current regulation will not be accurate under SAR rules. Because the redetermination acts as the second semi-annual eligibility report, the due date for the redetermination may no longer be changed at the discretion of the county. Additionally, current regulations are silent on how counties must process a late annual

redetermination. This amendment is necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 40-181.214(a)(SAR)

Specific Purpose:

This section is added to mandate that when the redetermination of eligibility (SAWS 2) is not received by the 15th day of the month in which it is due, the county shall send the appropriate discontinuance notice.

Factual Basis:

Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. The addition of this section is necessary to establish the due date for the redetermination and consequences for non-completion in such a way that it is aligned with the SAR reporting cycle and the recertification due dates in CalFresh. Because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts, it is also necessary for the redetermination to be completed in the first half of the month so that the county has time to calculate benefit amounts and issue timely notice of a change in benefits, if necessary.

Section 40-181.214(b)(SAR)

Specific Purpose:

This section is being adopted to inform counties that in addition to the notice of discontinuance, the county shall attempt to make a personal contact with the recipient either by telephone or in a face-to-face meeting. During the personal contact the county shall remind the recipient that a redetermination must be completed no later than the last day of the month in which it is due.

Factual Basis:

The addition of this section is necessary to ensure that clients are personally contacted before they are discontinued for not completing their annual redetermination. This amendment is necessary to comply with Welfare and Institutions Code sections 11265(c) and 11265.1(e) which mandate that a personal contact be made prior to discontinuing a recipient for not completing the required redetermination or semi-annual report. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year; therefore this amendment is also necessary to clarify that the personal contact applies to both the SAR 7 and the SAWS 2 reports.

Final Modification:

The CDSS amended this section to comply with changes to Welfare and Institutions Code section 11265(c)(1) which requires contact to be made by a county worker.

Section 40-181.214(b)(1)(SAR)

Specific Purpose:

This section is being adopted to inform counties that when the recipient cannot be personally contacted, a written reminder notice shall be mailed no later than five days prior to the last calendar day of the month. Under no circumstances shall the reminder notice be mailed in the same envelope as the discontinuance notice required in Section 40-181.212(a).

Factual Basis:

The addition of this section is necessary to ensure that when clients cannot be personally contacted, that they are given proper notice before they are discontinued for not completing their annual redetermination. This amendment is necessary to comply with Welfare and Institutions Code sections 11265(c) and 11265.1(e) which mandate that a personal contact be made prior to discontinuing a recipient for not completing the required redetermination or semi-annual report. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. For administrative ease and consistent treatment of recipients, this amendment is necessary to clarify that the personal contact rules that apply to the SAR 7 also apply to the SAWS 2.

Final Modification:

This section has been repealed to comply with Welfare and Institutions Code section 11265, which does not require that a reminder notice be mailed five days prior to the last calendar day of the month.

Section 40-181.214(c)(SAR)

Specific Purpose:

This section is being adopted to mandate that the counties document in the case file how and when the contact in 40-181.214(b)(SAR) was attempted or made.

Factual Basis:

The addition of this section is necessary to ensure that counties document their attempts to contact the clients prior to discontinuing them for not completing their annual redetermination. This amendment is necessary to comply with Welfare and Institutions

Code sections 11265(c) and 11265.1(e) which mandate that a personal contact be made prior to discontinuing a recipient for not completing the required redetermination or semi-annual report. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. For administrative ease and consistent treatment of recipients, this amendment is necessary to clarify that the personal contact rules that apply to the SAR 7 also apply to the SAWS 2.

Section 40-181.214(d)(SAR)

Specific Purpose:

This section is being adopted to mandate that if the recipient submits a completed SAWS 2 by close of business on the last day of the month in which it was due, the county shall rescind the discontinuance and determine eligibility and grant amount based on the information on the SAWS 2.

Factual Basis:

The addition of this section is necessary to ensure that clients are not discontinued if they turn in their complete SAWS 2 by the end of the month in which it is due. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. The addition of this section is necessary to comply with Welfare and Institutions Code section 11265 and to align the due dates for the CalWORKs redetermination with the recertification due dates in CalFresh.

Section 40-181.215

Specific Purpose:

This section is being adopted to explain how counties shall process late redeterminations.

Factual Basis:

The addition of this section is necessary to explain the processes that the counties must follow when redeterminations are completed late. Current regulations do not offer any guidance on the treatment of late redeterminations. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. The addition of this section is necessary to establish the treatment of late redeterminations in such a manner that is aligned with the treatment of a late SAR 7.

Section 40-181.215(a)(SAR), (a)(1)(SAR) and (a)(2)(SAR)

Specific Purpose:

These sections are being adopted to mandate that if a redetermination is completed after the 15th day, but on or before the last day of the month in which it is due, the county shall rescind the discontinuance action and determine eligibility based on the information reported on the SAWS 2.

Factual Basis:

The addition of these sections is necessary to explain the process that the counties must follow when redeterminations are completed late, but within the month that they are due. This amendment is necessary to comply with Welfare and Institutions Code section 11265 and to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) that counties may only require one SAR 7 and one SAWS 2 per year. The addition of these sections is further necessary to establish the treatment of late redeterminations in such a manner that is aligned with the treatment of a late SAR 7.

Section 40-181.215(b)(SAR)

Specific Purpose:

This section is being adopted to mandate that if a recipient submits a complete SAWS 2 during the month following discontinuance, upon recipient request, the county shall determine whether the recipient had good cause for failure to complete the redetermination timely.

Factual Basis:

The addition of this section is necessary to inform the counties when they must make a good cause determination when redeterminations are completed within the month after they are due. Welfare and Institutions Code section 11265(c) gives the Department the authority to establish regulations providing for waiver of the deadline for returning the completed redetermination form when the recipient is considered to be mentally or physically unable to meet the deadline.

Section 40-181.216

Specific Purpose:

This is being adopted to explain how good cause is determined for late redeterminations. This section further explains that good cause exists only when the recipient cannot reasonably be expected to fulfill his/her reporting responsibilities due to factors outside of his/her control.

Factual Basis:

The addition of this section is necessary to define good cause, specify when a good cause determination must be made and to explain the processes that the counties must follow when determining good cause after a redetermination is completed late. This amendment is necessary to comply with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish regulations providing for waiver of the deadline for returning the completed redetermination form when the recipient is considered to be mentally or physically unable to meet the deadline. Because the SAWS 2 takes the place of the second SAR 7 (per FNS instruction [Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929]), the Department has determined that the good cause provisions for a late redetermination should be consistent with the good cause provisions for a late SAR 7.

Section 40-181.216(a)(SAR)

Specific Purpose:

This section is being adopted to specify that a good cause exemption shall only be granted if the request is made by the parent, other caretaker relative or an authorized representative.

Factual Basis:

The addition of this section is necessary to specify that counties are only mandated to grant a good cause exemption if the request is made specifically by the recipient or their authorized representative. This amendment complies with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish good cause regulations for late redeterminations.

Section 40-181.216(b)(SAR)

Specific Purpose:

This section is being adopted to define a request for good cause determination as any clear expression to the county, whether verbal or written, that the recipient wants an opportunity to present his/her explanation for not meeting the redetermination reporting requirements. A request for a State Hearing also may be considered a request for good cause determination when the issue to be heard specifically relates to the discontinuance.

Factual Basis:

The addition of this section is necessary to define a request for good cause determination. This amendment complies with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish good cause regulations for late redeterminations.

Section 40-181.216(c)(SAR)

Specific Purpose:

This section is added to clarify that in lieu of a request for good cause determination, a county has the discretion to independently determine that good cause exists.

Factual Basis:

The addition of this section is necessary to inform counties that they have the discretion to determine good cause without a specific request by the recipient. This amendment complies with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish good cause regulations for late redeterminations.

Section 40-181.216(d)(SAR), (d)(1), (d)(2) and (d)(3)

Specific Purpose:

These sections are being adopted to specify the only three situations in which good cause exists, including: when the recipient is suffering from a mental or physical condition which prevents timely and complete reporting, when the recipient's failure to submit a timely and complete report is directly attributable to county error, and when the county finds other extenuating circumstances.

Factual Basis:

The addition of these sections is necessary in order to define under what situations good cause may be determined and to comply with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish good cause regulations for late redeterminations.

Section 40-181.216(e)

Specific Purpose:

This section is being adopted to mandate that the county rescind the discontinuance when the recipient has good cause for not reporting timely.

Factual Basis:

The addition of this section is necessary in order to inform the counties that the discontinuance must be rescinded and benefits restored when good cause is determined and to comply with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish good cause regulations for late redeterminations.

Section 40-181.216(f)

Specific Purpose:

This section is being adopted to inform the counties that if the recipient is not found to have good cause for not reporting timely, the county shall determine eligibility based on applicant rules from the date that the complete SAWS 2 was submitted.

Factual Basis:

The addition of this section is necessary in order to inform counties how they must process the late SAWS 2 when the recipient is not found to have good cause. This amendment complies with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish good cause regulations for late redeterminations.

Section 40-181.216(g)

Specific Purpose:

This section is being adopted to inform the counties that if the SAWS 2 is received more than a month following discontinuance, a good cause determination shall not be granted and instead, it shall be treated as a request for restoration of aid and eligibility shall be determined based on applicant rules from the date the complete SAWS 2 was received. This section also refers the reader to the regulation section regarding restoration of aid (Section 40-125.9).

Factual Basis:

The addition of this section is necessary in order to inform counties that when the SAWS 2 report is submitted more than a month following discontinuance, it shall be treated as a request for restoration of aid and a good cause determination is not required. This amendment complies with Welfare and Institutions Code section 11265(c), which gives the Department the authority to establish good cause regulations for late redeterminations.

Section 40-181.217

Specific Purpose:

This section is amended to add a SAR provision that differs entirely from the current QR provision. Section 40-181.217(QR) and Handbook section 40-181.217(QR) will become inoperative once SAR has been implemented in each county. Section 40-181.217(SAR) et seq. is added to describe the completeness criteria for the redetermination process.

Factual Basis:

The addition of this section is necessary to explain what needs to take place in order for the redetermination to be determined to be complete. The current regulations offer very little guidance on what constitutes a complete redetermination. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. Because the SAWS 2 will now be one of the two mandatory reports due per year under SAR, it is very important to clarify the redetermination instructions in the regulations. This adoption is also necessary to comply with Welfare and Institutions Code section 11265 and section 11265.1 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.217(a)(SAR)

Specific Purpose:

This section is being adopted to mandate that in order for the redetermination to be considered complete, the response to all questions pertaining to CalWORKs eligibility and grant amount shall provide the county with information sufficient to answer the question. The information provided on the SAWS 2 together with the submitted evidence must be sufficient for the county to determine eligibility and grant amounts. This includes the income and any change in resources of a stepparent living in the home and any person who is required to apply for aid under Section 40-118 but is excluded from the AU. Reported income shall include current earned, unearned, exempt and nonexempt income and any reasonably anticipated changes to that income.

Factual Basis:

Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. The addition of this section is necessary to establish that because the SAWS 2 will take the place of the second SAR 7, the SAWS 2 information and the accompanying verification must be sufficient for the county to determine eligibility and grant amounts. This adoption is also necessary to comply with Welfare and Institutions Code section 11265 and section 11265.1 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.217(b)(SAR)

Specific Purpose:

This section is being adopted to mandate that evidence shall be submitted with the SAWS 2 to verify the gross amount and date of receipt of all earned income received and the initial receipt of or a change in the amount of unearned income received. This section further provides examples of appropriate verifications and states that any documents submitted with the SAWS 2 shall be promptly returned to the recipient.

Factual Basis:

The addition of this section is necessary to instruct the counties that all earned income must be verified, that unearned income only needs to be verified if it is new or if it changes and that all verifications must be returned to the recipient. This adoption is also necessary to comply with Welfare and Institutions Code section 11265 and section 11265.1 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.217(c)(SAR)

Specific Purpose:

This section is being adopted to mandate that the address along with other information provided on the SAWS 2 must be sufficient for county administrative purposes, including the ability to locate the recipient.

Factual Basis:

The addition of this section is necessary to instruct the counties that information on the SAWS 2 must have sufficient information so that the county can locate the recipient. The addition of this section is necessary to comply with Welfare and Institutions Code section 11265.2 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.217(d)(SAR)

Specific Purpose:

This section is being adopted to mandate that the information reported on the SAWS 2 must be consistent with other information which the county has verified to be accurate.

Factual Basis:

The addition of this section is necessary to instruct the counties that the information on the SAWS 2 must be consistent with other information which the county has verified to be accurate. The addition of this section is necessary to comply with Welfare and Institutions Code sections 11265.1 and 11265.2 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.217(e)(SAR)

Specific Purpose:

This section is being adopted to mandate that the SAWS 2 shall be signed under penalty of perjury by each natural or adoptive parent or aided spouse of a parent or other caretaker relative living in the home, unless an individual so specified is temporarily absent from the home.

Factual Basis:

The addition of this section is necessary to mandate that each natural or adoptive parent or aided spouse of a parent or other caretaker relative living in the home must sign the SAWS 2 under penalty of perjury. The addition of this section is necessary to comply with Welfare and Institutions Code section 11265.1 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.217(f)(SAR)

Specific Purpose:

This section is being adopted to mandate that the redetermination shall not be determined complete until the redetermination interview has been completed.

Factual Basis:

The addition of this section is necessary to mandate that a redetermination interview take place before the redetermination can be considered complete. The addition of this section is necessary to comply with Welfare and Institutions Code section 11265.

Section 40-181.217(g)(SAR)

Specific Purpose:

This section is being adopted to mandate that the SAWS 2 shall include the SAR 22 (Sponsors Statement of Facts, Income and Resources) when the recipient is a sponsored noncitizen.

Factual Basis:

The addition of this section is necessary to mandate that in addition to the SAWS 2, a SAR 22 must also be completed before the redetermination can be considered complete when the recipient is a sponsored noncitizen. The addition of this section is necessary to comply with Welfare and Institutions Code section 11265.

Final Modification:

This section is amended to make a grammatical correction by adding "; and" at the end of the section, making it clear that this is not the last requirement to consider for a complete redetermination.

Section 40-181.217(h)(SAR)

Specific Purpose:

This section is being adopted to mandate that the SAWS 2 shall include the SAR 23 (Senior Parent Statement of Facts) when a minor parent lives with his or her senior parent.

Factual Basis:

The addition of this section is necessary to mandate that in addition to the SAWS 2, a SAR 23 must also be completed before the redetermination can be considered complete when a minor parent lives with his or her senior parent. The addition of this section is necessary to comply with Welfare and Institutions Code section 11265.

Section 40-181.218 (renumbered from 40-181.215)

Specific Purpose:

This section is renumbered from 40-181.215 in order to maintain consistent numbering within the Manual of Policies and Procedures (MPP). No changes have been made to this section except for the renumbering.

Factual Basis:

This amendment is necessary to continue the requirements that remain relevant under SAR, but to renumber for clarity and consistency.

Section 40-181.219 (renumbered from 40-181.216)

Specific Purpose:

This section is renumbered from 40-181.216 in order to maintain consistent numbering within the manual of policies and procedures. No changes have been made to this section except for the renumbering.

Factual Basis:

This amendment is necessary to continue the requirements that remain relevant under SAR, but to renumber for clarity and consistency.

Section 40-181.22

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.22. This section also clarifies in which SAR Payment Period a SAR 7 must be submitted.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and for proper program administration. Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. The addition of this section is necessary to clarify that a SAR 7 is only due the semi-annual period in which a SAWS 2 is not completed. This amendment is further necessary to comply with Welfare and Institutions Code section 11265 and section 11265.1 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.221

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.221.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.221(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.221(a).

Factual Basis:

This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.221(b)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.221(b).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Final Modification:

The CDSS amended this section to comply with changes made to Welfare and Institutions Code section 11265.1(c)(5) which requires contact to be made by a county worker.

Section 40-181.221(d)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.221(d).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.221(e)(SAR)

Specific Purpose:

This section is adopted to add a new SAR provision that informs counties that if a recipient submits an incomplete SAR 7 after receiving a discontinuance notice for not submitting a complete report, the county shall attempt to make a personal contact with the recipient, either by phone or by mail, to inform them that their SAR 7 is still not complete and that the discontinuance still stands.

Factual Basis:

This adoption is necessary to ensure that clients are informed that the SAR 7 they submitted is not complete and that their discontinuance still stands. When recipients do not respond to the discontinuance notice, counties are required to make a personal, follow-up contact with the recipient (as required in MPP section 40-181.221(b)). The Department has determined that the adoption of this regulation is necessary to ensure equitable treatment of recipients that respond to the notice of discontinuance by submitting an incomplete SAR 7. Without this follow-up contact, the recipients will have no way to know that the report they submitted was still not complete.

Section 40-181.221(f) (Renumbered from 40-181.221(e))

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.221(e). This section is also renumbered due to the addition of a new section 40-181.221(e) to maintain consistent numbering throughout the Manual of Policies and Procedures.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.222

Specific Purpose:

This section is amended to correct the QR provision and to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.222.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.222(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.222(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.222(a)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates the existing Section 40-181.222(a)(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.222(a)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.222(a)(2).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.222(c)

Specific Purpose:

This section is adopted to add new QR and SAR provisions referring the reader to Section 40-125.943 which explains the different rules for redetermining eligibility when a QR 7 or SAR 7 is submitted after the first working day of the next payment period, but during the month after discontinuance for non-submittal of a complete report. This section (40-181.222) instructs counties how to process late QR 7's or SAR 7's that are received after the 11th but by the first working day of the next payment period. The Department believes the addition of this regulation is helpful in order to refer the reader to the section that explains how to treat reports that are received after the first working day of the next month.

Factual Basis:

This adoption is necessary to ensure that the new restoration of aid rules as mandated in AB 959 (Chapter 506, Statutes of 2011) are followed when processing a late QR 7 or SAR 7. AB 959 went into effect on July 1, 2012, so the provisions of this bill apply under both QR and SAR.

Section 40-181.223

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.223.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.23

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.23.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.231

Specific Purpose:

Section 40-181.231 is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.231.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.231(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.231(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.24

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.24.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.241.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.241(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(a)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.241(a)(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(b)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.241(b).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(c)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.241(c).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(e)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.241(e).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(f)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.241(f).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(g)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.241(g). This amendment further specifies that the SAR 7 must be consistent with any verified mid-period reports.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Furthermore, to ensure fair and consistent treatment of recipients, to avoid duplicative reporting, and to align with CalFresh reporting rules, this amendment specifies that recipients do not need to re-report something that they have already reported and verified mid-period.

Section 40-181.241(h)

Specific Purpose:

Section 40-181.241(h) is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.241(h).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.241(i)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.241(i).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.242

Specific Purpose:

This section is repealed because it is only referring to MR rules. The information contained in this section regarding discontinuing a case when the required verification is not received is covered in MPP sections 40-181.217(b)(SAR) and 40-181.241(f)(QR) and (SAR).

Factual Basis:

This amendment is necessary to remove outdated, redundant regulations that became obsolete under QR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.243(a)

Specific Purpose:

This section is amended to remove the (MR) reference because the existing section applies to QR and SAR as written.

Factual Basis:

This amendment is necessary to continue under SAR an existing regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.244

Specific Purpose:

Section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.244.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.25

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.25.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.251

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.251.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.252

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.252.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.252(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.252(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.252(f)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.252(f).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.253

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.253.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.26

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 40-181.26.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.311

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-181.312

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.312.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.32

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-181.32.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 40-181.52

Specific Purpose:

This section is amended to replace references to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 40-188.131

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 1 is replaced with the SAWS 1.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint application form. The SAWS 1 (Application for Cash Aid, Food Stamps and/or Medical Assistance) replaced the CA 1 in 1990.

Section 40-188.14

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-188.14. This section is also amended to specify that the semi-annual report could be the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 40-190.21

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 40-190.21. This section is also amended to mandate that counties keep the SAR Cycle aligned with the CalFresh recertification date.

Factual Basis:

This adoption is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. The amendment to this section is necessary to establish that because the SAWS 2 takes the place of the second SAR 7, the redetermination must be aligned with the SAR reporting cycle and the recertification due dates in CalFresh.

Section 41-405.11

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 41-405.11.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-209.2

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-209.2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-213.11(h)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-213.11(h)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 42-213.11(h)(1). This section is also amended to clarify that the report may be received on the SAR 7 or the SAWS 2. This section is further amended to clarify that if the county receives a voluntary mid-period report of such a change, this information will only be reevaluated when the following semi-annual report is processed.

Factual Basis:

This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 42-213.127(SAR)

Specific Purpose:

This section is adopted to instruct counties to discontinue the AU if the nine month real property exemption ends mid-SAR Payment Period. Specifically, this section states that if the nine month exemption period ends in the middle of a SAR Payment Period and the property has not sold, the county must take mid-period action to discontinue the AU at the end of the month in which the exemption period ended, with timely and adequate notice. This section also includes a reference to Section 44-316.331(t)(SAR), which lists this action as a county-initiated mid-period action.

Factual Basis:

This adoption is necessary to comply with Welfare and Institutions Code Section 11257.5, which states that real property that the family is making a good faith effort to sell may be exempt for no more than nine months and that any aid paid during this time period must be paid back to the county with the proceeds of the sale. In order to avoid knowingly overpaying AU's that are no longer eligible for cash aid due to the expiration of this exemption period, the Department has determined that this shall be an additional county-initiated mid-period action under SAR.

Section 42-213.231(l)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-213.231(l).

Factual Basis:

This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 42-213.231(m)

Specific Purpose/Factual Basis:

These handbook examples are amended to add SAR provisions that substantively duplicate, with appropriate SAR terms, the existing Handbook section 42-213.231(m) examples. This section is necessary to ensure the continuation of current handbook examples that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-213.411

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-213.411.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-213.421

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-213.421.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-221.1

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation. This section is further amended to correct a typographical error.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-221.4

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-221.41

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-221.5 is repealed and Section 42-221.6 et seq. is renumbered to 42-221.5 et seq. and 42-221.7 is renumbered to 42-221.6.

Specific Purpose/Factual Basis:

Section 42-221.5 pertains to MR so has been inoperative since the implementation of QR. Section 42-221.6 et seq. is renumbered to 42-221.5 et seq. and 42-221.7 is renumbered to 42-221.6 to maintain consistent numbering within the MPP.

Section 42-221.51 (renumbered from 42-221.61)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation. This section is also amended to combine the repetitive verbiage of this section and the following section to be more clear and concise.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-221.612

Specific Purpose:

This section is repealed because it is repetitive of section 42-221.61 (now 42-221.51). The Period of Ineligibility rules are simpler under QR and SAR than they were under monthly reporting, so all of the previous subsections are no longer necessary.

Factual Basis:

This amendment is necessary to clarify and simplify this otherwise confusing section.

Section 42-221.51(a) (renumbered from 42-221.612(a))

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-221.612(a). This section is also renumbered for clarity.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-221.51(b) (renumbered from 42-221.613)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-221.613(b). This section is also renumbered for clarity.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-221.51(c) (renumbered from 42-221.614)

Specific Purpose:

This section is amended to specify that it is to be inoperative once SAR is implemented in each county, per the County's SAR Declaration.

Factual Basis:

This amendment is necessary for clarity so that it will be inoperative once SAR is implemented in each county.

Section 42-221.6 (renumbered from 42-221.7)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-302.2

Specific Purpose:

This section is amended to remove the (QR) designation because the existing section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-406.1

Specific Purpose:

This section is amended to clarify that when the county establishes that a recipient is no longer a California resident, aid shall be discontinued with timely and adequate notice.

Factual Basis:

This amendment is necessary to clarify current policy that timely and adequate notice is always required prior to adverse action and to comply with Welfare and Institutions Code section 11265.2(h), which mandates that if the county determines that a recipient is no longer a California resident, the recipient shall be discontinued.

Section 42-406.24

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-406.24.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-407.1

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 42-407.1.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 42-407.21 and .22

Specific Purpose:

This section is amended to clarify that when the county establishes that a recipient is no longer a California resident, aid shall be discontinued with timely and adequate notice.

Factual Basis:

This amendment is necessary to clarify current policy that timely and adequate notice is always required prior to adverse action and to comply with Welfare and Institutions Code section 11265.2(h), which mandates that if the county determines that a recipient is no longer a California resident, the recipient shall be discontinued.

Section 42-716.741

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 42-716.741.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-721.412

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 42-721.412.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-721.483

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 42-721.483.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 42-721.491(a)

Specific Purpose/Factual Basis:

This Handbook Section is amended to add a SAR example that substantively duplicates, with appropriate SAR terms and references, the existing Handbook section 42-721.491(a) example.

Section 42-751.4(e)(4)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing section 42-751.4(e)(4).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-769.4

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this regulation as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 42-769.5

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing section 42-769.5.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-101(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(b)(1)(D)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with the appropriate SAR reference, the existing Section 44-101(b)(1)(D).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(b)(2)(C)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with the appropriate SAR references, the existing Section 44-101(b)(2)(C).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(c)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(c)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-101(c)(1). This section is

further amended to clarify the definition of "reasonably anticipated income" to be more consistent with Section 5 of the federal Food and Nutrition Act of 2008.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR, to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011) and to comply with Welfare and Institutions Code sections 11265.1(a) and 11265.2 as amended by AB 6, which mandates that grant amounts are calculated using reasonably anticipated income consistent with Section 5 of the federal Food and Nutrition Act and define reasonably anticipated income.

Section 44-101(l)

Specific Purpose:

This section is amended to remove the (MR) designation because the existing definition applies under both QR and SAR as written.

Factual Basis:

This amendment is necessary to continue under QR and SAR an existing definition that remains relevant under QR and SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(l)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-101(l)(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(m)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing definition that remains the same under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-101(m)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-101(m)(1). This section is further amended to add a reference to the section of the MPP that describes the Income Reporting Threshold under SAR in detail.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code section 11265.3, as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 44-102.1

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-102.1.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-102.14

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-102.14.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-111.441

Specific Purpose:

This section is amended to remove a reference to Food Stamp (renamed to CalFresh) regulations. This section explains that income that is received in prospectively budgeted months and is received too infrequently to be reasonably anticipated shall be exempt from consideration. This rule is pursuant to Welfare and Institutions Code sections 11265.1(a) and 11265.2(a) and (b); therefore, the reference to CalFresh regulations is inaccurate and not necessary.

Factual Basis:

This amendment is necessary to correct an incorrect reference to CalFresh regulations and to comply with the budgeting rules and the definition of reasonably anticipated income as described in Welfare and Institutions Code sections 11265.1(a), 11265.2(a), and 11265.2(b), as amended by AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-111.441

Specific Purpose/Factual Basis:

This inaccurate handbook section is repealed. This handbook section referenced a CalFresh regulation site that has been removed from section 44-111.441. The CalFresh regulation states that only up to \$30 of income that cannot be reasonably anticipated will be exempt per quarter, when per Welfare and Institutions Code sections 11265.1(a), 11265.2(a) and 11265.2(b), as amended by AB 6 (Chapter 501, Statutes of 2011), only income that can be reasonably anticipated is counted in the cash aid budget.

Section 44-111.472

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.211

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-113.211.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.212

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-113.212. This section is further amended to specify that income and expenses from the Data Month are to be used when determining the total monthly profit reasonably anticipated to be earned from self-employment for the SAR Payment Period, unless the recipient reasonably anticipates a change.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code sections 11265.1(a) and 11265.2(a) as amended by AB 6 (Chapter 501, Statutes of 2011), which mandate that reasonably anticipated income and any reasonably anticipated changes must be used in order to determine the grant amount for the SAR Payment Period.

Section 44-113.212(a)(2)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.213

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-113.213.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.214

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.215

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-113.215.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-113.22

Specific Purpose/Factual Basis:

This handbook section is amended to add a SAR provision that substantively duplicates, with appropriate QR terms, the existing Handbook section 44-113.22. This handbook

section illustrates the application of income disregards to reasonably anticipated earned income.

Section 44-113.31

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-113.31.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.32

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-113.32.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.411

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-113.411.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.412

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-113.412.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.42

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-113.42.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.44

Specific Purpose:

This section is amended to correct a typographical error in a reference.

Factual Basis:

This amendment is necessary to correct a typographical error that resulted in an incorrect regulation reference. (A reference to Section 44-115.3 was incorrectly listed as 44-115.8.)

Section 44-113.5

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-113.5.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.61

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-113.61.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.62

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-113.62.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-113.8

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-113.8.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-115.11

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-115.12

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-115.12.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-115.21

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation. This section is further amended to update outdated references to other need based programs.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to update outdated, inaccurate references to other need based programs.

Section 44-115.31

Specific Purpose:

This section is amended so that it refers to the income-in-kind values effective July 1, 2012, rather than the values from 1981.

Factual Basis:

The purpose of this amendment is to update this outdated section with the most recent income in-kind values in order to be more accurate.

Handbook Section 44-115.311

Specific Purpose/Factual Basis:

This handbook section is amended so that it lists the most recent income-in-kind values (effective July 1, 2012), rather than the values that were in effect in 1981.

Section 44-115.32

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-115.333

Specific Purpose:

This section is amended to update the numbers used in the example for accuracy. The numbers that had been used were outdated and incorrect. This section is further amended to clarify that this family is in Region 1.

Factual Basis:

The content of the example was not changed. This amendment is necessary to correct outdated and incorrect figures used in this example.

Handbook Section 44-133.54

Specific Purpose/Factual Basis:

These handbook examples are amended to add SAR provisions that substantively duplicate, with appropriate SAR terms, the existing Handbook section 44-133.54, which provide examples of SAR financial eligibility and grant computations. These examples were also updated with current Minimum Basic Standards of Adequate Care (MBSAC) and MAP figures.

Section 44-205.121(a)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-205.121(a)

Specific Purpose/Factual Basis:

This handbook section is amended to remove the (QR) designation because the existing handbook section applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as QR.

Section 44-205.122(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-205.122(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-207.111(b)

Specific Purpose/Factual Basis:

This handbook example is updated with the most up-to-date MBSAC figures.

Handbook Section 44-207.113

Specific Purpose/Factual Basis:

This handbook section is updated so that it no longer refers to outdated MBSAC figures as the "current MBSAC amounts". This handbook section is further amended to specify that the MBSAC figures listed are current as of July 1, 2012, and to clarify that these figures are updated annually and released by CDSS in an All County Letter. This amendment will make this handbook section remain correct even when the MBSAC figures are updated.

Section 44-207.21 et seq.

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-207.21.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-207.212

Specific Purpose/Factual Basis:

This handbook section is amended to include the updated exempt MAP levels. This amendment is necessary to update outdated figures used in this example.

Section 44-207.23

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-207.23. This section is further amended to clarify that under SAR, in order for an AU to lose financial eligibility mid-period, their income must be over the IRT and over their MAP amount for more than one month in a row.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with the budgeting rules under SAR, which, as mandated in Welfare and Institutions Code section 11265.1(a), must align with federal prospective budgeting rules in Section 5 of the Federal Food and Nutrition Act, no longer require averaging of each upcoming month's income.

Section 44-207.24

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-207.24.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-211.11

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-211.11.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-211.2

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-211.2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-211.534(b)(1) and (b)(2)

Specific Purpose:

This section is amended to replace references to "mid-quarter" with "mid-period" so that this regulation applies accurately to both QR and SAR.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-211.631

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-211.631.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-211.632

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-211.632. The QR provision is also amended to correct a typographical error in the cited regulation and to add an additional reference for clarity.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR, to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011) and to correct a typographical error.

Section 44-211.633

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-211.633. The QR provision is also amended to correct a typographical error in the cited regulation and to add an additional reference for clarity.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR, to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011) and to correct a typographical error.

Section 44-211.641

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-211.641.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-211.642

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-304.511

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-304.511 which pertains to when warrants shall be available to recipients. This section is further amended to add an additional SAR provision explaining when the warrants must be issued if the annual redetermination is not completed by the 15th day of the month in which it is due.

Factual Basis:

This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). In order to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to establish the due date for the redetermination and consequences for non-completion in such a way that it is aligned with the SAR reporting cycle and the recertification due dates in CalFresh. Because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts, it is also necessary for the redetermination to be completed in the first half of the month so that the county has time to calculate benefit amounts and issue timely notice of a change in benefits, if necessary. Because the timing and due dates of the SAR 7 and the annual redetermination are not the same, this amendment is necessary to clarify what actions may be taken based on a late redetermination.

Section 44-304.512

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-304.512. A typographical error is also corrected in the QR provision.

Factual Basis:

This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-304.52

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-304.511 which pertains to when warrants

shall be available to recipients. This section is further amended to add an additional SAR provision explaining when the warrants must be issued if the annual redetermination is not completed by the 15th day of the month in which it is due.

Factual Basis:

This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). In order to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to establish the consequences for non-completion in such a way that it is aligned with the SAR reporting cycle and the recertification due dates in CalFresh. Because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts, it is necessary for the redetermination to be completed in the first half of the month so that the county has time to calculate benefit amounts and issue timely notice of a change in benefits, if necessary. Because the timing and due dates of the SAR 7 and the annual redetermination are not the same, this amendment is necessary to clarify what actions may be taken based on a late redetermination.

Section 44-305.231

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-305.231 which pertains to when warrants shall be available to recipients. This section is further amended for clarity to specify that the redetermination must be completed by the 15th day of the submit month.

Factual Basis:

This section is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). In order to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to establish the due date for the redetermination and consequences for non-completion in such a way that it is aligned with the SAR reporting cycle and the recertification due dates in CalFresh. Because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts, it is also necessary for the redetermination to be completed in the first half of the month so that the county has time to calculate benefit amounts and issue timely notice of a change in benefits, if necessary. Because the timing and due dates of the SAR 7 and the annual redetermination are not the same, this amendment is necessary to clarify what actions may be taken based on a late redetermination.

Section 44-313 (Introductory Paragraphs)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-313, introductory paragraphs.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-313.11

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-313.11.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-313.111 et seq.

Specific Purpose:

These sections are amended to add SAR provisions that substantively duplicates, with appropriate terms and references, the existing Sections 44-313.111 et seq. These sections are further amended to clarify that counties are to use income information from the SAR 7, the annual redetermination and mid-period reports to determine eligibility and cash aid for a SAR Payment Period.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 44-313.121

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-313.121.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-313.2 et seq. (Renumbered from 44-313.4 et seq.)

Specific Purpose/Factual Basis:

This section is renumbered to maintain the same numbering system throughout the Manual of Policies and Procedures.

Section 44-313.21 (Renumbered from 44-313.41)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-313.21.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-313.22 (Renumbered from 44-313.42)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-313.221 (Renumbered from 44-313.421)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-313.3 et seq. (Renumbered from 44-313.5 et seq.)

Specific Purpose/Factual Basis:

This section is renumbered to maintain the same numbering system throughout the Manual of Policies and Procedures.

Section 44-313.31 (Renumbered from 44-313.51)

Specific Purpose/Factual Basis:

This section is renumbered and amended to correct an incorrect cross-reference.

Section 44-313.4 et seq. (Renumbered from 44-313.6 et seq.)

Specific Purpose/Factual Basis:

This section is renumbered to maintain the same numbering system throughout the Manual of Policies and Procedures.

Section 44-313.41 (Renumbered from 44-313.61)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-314.11 et seq.

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation. A reference has also been updated.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.31

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-315.31.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.311 et seq.

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-315.311.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Final Modification:

As a result of testimony received, Section 44-315.311(c) is being adopted to increase clarity by stating that one of the factors the county shall consider when making a determination of reasonably anticipated income is the start date of that income.

Section 44-315.312

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-315.312.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.313

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-315.313.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.314

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-315.314. The side title in the QR section is corrected.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.315

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.315(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-315.315(a). This section is further amended to specify that the income could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, income can be reported on either the SAWS 2 or the SAR 7.

Section 44-315.315(a)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-315.315(a)(1). This section is further amended to specify that the income could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, income can be reported on either the SAWS 2 or the SAR 7.

Section 44-315.315(a)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-315.315(a)(2). This section is further amended to specify that the income could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, income can be reported on either the SAWS 2 or the SAR 7.

Section 44-315.315(a)(3)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-315.315(a)(3). This section is further amended to specify that the income could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, income can be reported on either the SAWS 2 or the SAR 7.

Handbook Section 44-315.315(a) Examples

Specific Purpose/Factual Basis:

This handbook section is amended to add SAR examples that substantively duplicate the current handbook examples in order to illustrate when and how weekly and bi-weekly income is determined under SAR.

Section 44-315.315(b)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.315(c)

Specific Purpose:

This section is amended to add a SAR provision explaining that conversion factors can only be used if weekly or bi-weekly payments are reasonably anticipated to continue throughout the SAR Payment Period.

Factual Basis:

This amendment is necessary to ensure that conversion factors are not used when weekly or bi-weekly income is not expected to continue throughout the SAR Payment Period. This amendment is also necessary because income will no longer be averaged under SAR. This amendment is further necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-315.315(c)

Specific Purpose/Factual Basis:

This handbook example is amended to add a SAR example that substantively duplicates the QR example, with appropriate SAR terms.

Section 44-315.315(d)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-315.315(d). This section is further amended to clarify that the Data Month income could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, income can be reported on either the SAWS 2 or the SAR 7.

Handbook Section 44-315.315(d)

Specific Purpose/Factual Basis:

This handbook example is amended to add a SAR example that substantively duplicates the QR example, with appropriate SAR terms.

Section 44-315.316

Specific Purpose:

This section is amended to add a SAR provision that specifies that when income is reasonably anticipated to change during the SAR Payment Period, the current monthly income amount shall be used to calculate the grant for the months in which it is reasonably anticipated to be received and the new amount of income shall be used to calculate the grant for the months of the SAR Payment Period in which it is reasonably anticipated to be received.

Factual Basis:

This amendment is necessary to instruct counties on how to determine the reasonably anticipated monthly income when the income is expected to change during the SAR Payment Period and to clarify that income is no longer averaged over the payment period. This section is also amended to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011) which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Handbook Section 44-315.316

Specific Purpose/Factual Basis:

This handbook example is amended to add a SAR example that demonstrates how to calculate the grant under SAR when income is expected to change during the SAR Payment Period.

Post-hearing Modification

Section 44-315.316(a) and Handbook

Specific Purpose:

This section is being adopted to add a SAR provision that specifies that when income is expected to fluctuate after the data month, the county must attempt to find out the amount of income the household reasonably expects to receive in order to determine what income to use in the next SAR Payment Period's benefit calculation. The handbook section provides two illustrative examples.

Factual Basis:

This section is necessary to instruct counties on how to determine the reasonably anticipated monthly income when the income is expected to change after the data month. This section is also necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011) which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Section 44-315.317

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-315.317. This section is further amended to clarify that when a recipient mid-period report or a county initiated action changes the amount of cash aid, the county shall determine the grant amount by determining the monthly income for the remaining months of the SAR Payment Period.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to clarify that income will no longer be averaged. This amendment is further necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011) which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Handbook Section 44-315.321

Specific Purpose/Factual Basis:

This handbook section is amended to update the MAP and MBSAC Standards chart to the most up-to-date figures. The 80% of MAP column is removed because this figure is no longer used. A note was added clarifying that MBSAC levels are subject to annual Cost of Living Adjustments and MAP levels are subject to change.

Handbook Section 44-315.39

Specific Purpose/Factual Basis:

SAR provisions are added to these handbook examples to demonstrate how the grant is calculated under SAR.

Sections 44-315.72

Specific Purpose:

This section is amended to remove a reference to an outdated program rule. Grants may not be discontinued mid-month under SAR, so there are no situations where the grant would be prorated for that reason.

Factual Basis:

This amendment is necessary to ensure the proper administration of the CalWORKs program and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-315.8 et seq. (Renumbered from 44-315.9 et seq.)

Specific Purpose/Factual Basis:

Section 44-315.8 et seq. is repealed and 44-315.9 et seq. is renumbered to 44-315.8 et seq. to maintain the same numbering system throughout the Manual of Policies and Procedures.

Section 44-316 Title

Specific Purpose/Factual Basis:

This section title is amended to remove the (QR) designation because the existing title applies to both QR and SAR as written, so it is no longer necessary to distinguish the title of this section as QR.

Section 44-316.2

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.21

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.21. This section is further amended to clarify that information may be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, information can be reported on either the SAWS 2 or the SAR 7.

Section 44-316.22

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.22. This section is further amended to clarify that information used to determine continuing eligibility may be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, information can be reported on either the SAWS 2 or the SAR 7.

Section 44-316.23

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.23. This section is further amended to clarify that mid-period information must be compared to information on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, mid-period information must be compared to information reported on either the SAR 7 or the SAWS 2.

Section 44-316.231

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.231. This section is further amended to clarify that information may be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, information can be reported on either the SAWS 2 or the SAR 7.

Section 44-316.3

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.3.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.31

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.31.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.311 et seq

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.311. This section is further amended to clarify that counties shall allow 10 days for recipients to provide verification and specify this date on the request for verification.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 44-316.312, 44-316.312(a), and 44-316.312(a)(1)

Specific Purpose:

These sections are amended to remove the (QR) designation because the existing regulations apply to both QR and SAR as written, so it is no longer necessary to distinguish these sections as QR regulations.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(a)(1)(A)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.312(a)(1)(A). This amendment further specifies that the decreased income will not be averaged.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to clarify that income will no longer be averaged. This amendment is necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011), which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Section 44-316.312(a)(1)(B)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.312(a)(1)(B). This amendment further specifies that the decreased income will not be averaged.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to clarify that income will no longer be averaged. This amendment is further necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011) which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Section 44-316.312(a)(2)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(a)(3)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(a)(3). This section is further amended to specify that the income is determined (not averaged) for the remaining months of the SAR period.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to clarify that income is determined for the SAR period, rather than averaged. This amendment is necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011) which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Section 44-316.312(a)(4)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-316.312(a)(4). This section is further amended to correct an incorrect reference (44-340.34 is changed to 44-340.3).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(a)(5)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(a)(5).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-316.312(a)(5)

Specific Purpose/Factual Basis:

A SAR example is added to this handbook section to provide an example of how the grant amount is recalculated based on a recipient mid-period report of a reduction in income when the reduced income is not expected to be the same in each month of the SAR Payment Period.

Section 44-316.312(a)(6)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)(1) et seq.

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(b)(2).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)(3)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)(3)(A)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.312(b)(3)(A).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)(3)(A)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.312(b)(3)(A)(1). This section is further amended to clarify that income is determined, not averaged, under SAR.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to clarify that income is determined for the SAR period, rather than averaged. This amendment is necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011) which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Section 44-316.312(b)(3)(A)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.312(b)(3)(A)(2). This section is further amended to clarify that income is determined, not averaged, under SAR.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to clarify that income is determined for the SAR period, rather than averaged. This amendment is necessary to comply with Welfare and Institutions Code section 11265.1(a) as amended by AB 6 (Chapter 501, Statutes of 2011) which requires counties to reasonably anticipate income consistent with Section 5 of the Federal Food and Nutrition Act.

Section 44-316.312(b)(3)(B)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(b)(3)(B). This section is further amended to correct an incorrect reference (44-340.34 has been changed to 44-340.3).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)(4)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.312(b)(4).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(b)(5)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(b)(5).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-316.312(b)(5)

Specific Purpose/Factual Basis:

This handbook section is amended to include a SAR example that substantively duplicates, with appropriate SAR terms and references, the existing QR handbook example.

Section 44-316.312(b)(6)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(b)(6).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(c)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(c).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 44-316.312(c)(1), (c)(2) and (c)(3)

Specific Purpose:

These sections are amended to remove the (QR) designation because the existing regulations apply to both QR and SAR as written, so it is no longer necessary to distinguish these sections as QR regulations.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 44-316.312(c)(3)(A) and (c)(3)(B)

Specific Purpose:

These sections are amended to add SAR provisions that substantively duplicate, with appropriate SAR terms, the existing Sections 44-316.312(c)(3)(A) and (c)(3)(B).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(d)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(d)(1)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(d)(1).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(d)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(d)(2).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.312(d)(2)(A)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.312(d)(2)(A).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.32

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.32.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 44-316.321, 44-316.321(a), 44-316.321(b), 44-316.321(c) and 44-316.321(d)

Specific Purpose:

These sections are amended to remove the (QR) designation because the existing regulations apply to both QR and SAR as written, so it is no longer necessary to distinguish these sections as QR regulations.

Factual Basis:

This amendment is necessary to continue under SAR existing QR regulations that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Final Modification:

Section 44-316.321(d) was amended to include a new subsection stating that, "The act of failing to report an address change shall not, in and of itself, result in a reduction of aid or a termination of benefits." This section is necessary to comply with amended Welfare and Institutions Code section 11265.3(c)(2).

Section 44-316.321(e)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.321(e). This section is

further amended to specify that recipients must report when their income exceeds any of the three tiers of the SAR income reporting threshold.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code section 11265.3(b) and (c) as amended by AB 6 (Chapter 501, Statutes of 2011), which specifies that there are three tiers of the CalWORKs income reporting threshold under SAR.

Section 44-316.322

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.323

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation. This section is further amended to add a cross reference to the MPP sections that talk about the procedures regarding a change in residence.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This section is further amended to add a clarifying cross-reference.

Section 44-316.324

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.324(a) et seq.

Specific Purpose:

This section is amended to add a SAR provision that duplicates, in part, the existing section 44-316.324(a). The definition of the Income Reporting Threshold (IRT) remains the same as under QR, but under SAR there are three levels of the IRT, the lowest of which will be the AU's current IRT amount: 1) 55 percent of the Federal Poverty Level (FPL) for a family of three, plus the amount of income last used to calculate the AU's monthly grant amount; 2) the amount of income likely to render the AU ineligible for CalWORKs benefits; and 3) 130 percent of the FPL or the level at which a household becomes financially ineligible for federal SNAP benefits.

Factual Basis:

This amendment is necessary to establish the three tiers of the SAR IRT as authorized by Welfare and Institutions Code section 11265.3(a), as amended by AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-316.324(a)

Specific Purpose/Factual Basis:

This handbook section is adopted to provide IRT charts for each of the three tiers of the IRT under SAR and is necessary to assist the county in determining IRT levels according to income, family size and region. These charts will be updated and provided to counties in an All County Letter on an annual basis.

Section 44-316.324(b)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.324(b).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 44-316.324(b)(1) and (b)(2)

Specific Purpose:

These sections are amended to remove the (QR) designation because the existing regulations apply to both QR and SAR as written, so it is no longer necessary to distinguish these sections as QR regulations.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.324(c)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 44-316.324(c).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.324(c)(1) et seq.

Specific Purpose:

This section is amended to duplicate, in part, the existing section 44-316.324(c)(1) et seq., and establish the procedures the county must follow when an AU reports income exceeding the IRT in the first through fifth months of the SAR Payment Period. If the county determines the income will continue at a level that will result in a decrease to the grant amount, the county shall decrease the grant amount at the end of the month the AU's income exceeded the IRT, with timely notice. If the county determines the income will continue at a level that will result in ineligibility, the county shall discontinue the AU at the end of the month the AU's net, non-exempt income exceeded their MAP, with timely notice. If the AU reports their income will no longer exceed the IRT prior to the effective date of the decrease or discontinuance, the county shall rescind the action. If the AU requests restoration of cash aid after the date of discontinuance, financial eligibility shall be determined in accordance with current regulations.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code sections 11265.2(d), 11265.3(e) and 11450.12(b), as amended by AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to maintain consistency with current requirements relative to restorations and rescinding discontinuances, and to establish guidelines for the county to follow when determining continuing eligibility and grant amount when an AU reports income exceeding any of its three IRT tiers.

Section 44-316.324(c)(2)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.324(c)(2). This section requires that when the AU reports income exceeding the IRT in the sixth month of the current SAR Payment Period, the county shall determine if that income is reasonably anticipated to continue and if so, the county shall use that information together with the SAR 7 or SAWS 2 information to prospectively determine eligibility and cash aid for the next SAR Payment Period.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 and Welfare and Institutions Code section 11265.3(e)(2), as amended by AB 6 (Chapter 501, Statutes of 2011). Additionally, per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year; therefore, this amendment is necessary to specify that the report shall be used together with the information on either the SAR 7 or the SAWS 2.

Section 44-316.324(d)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.324(d). This section is further amended to specify that the county shall not take action to decrease or discontinue cash aid if income reported in excess of the IRT is anticipated to only exceed the IRT for one month.

Factual Basis:

This amendment is necessary to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-316.324(d)

Specific Purpose/Factual Basis:

This handbook section is amended to add a SAR provision to provide an example of the application of Section 44-316.324(d) in a case situation.

Section 44-316.33

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-316.33.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-316.331 et seq.

Specific Purpose:

This section is amended to add SAR provisions that substantively duplicate, with appropriate SAR terms and references, the current section 44-316.331 et seq. This section provides a list of the county-initiated mid-period actions that the county shall take on changes in eligibility and grant status. This section is further amended to add one additional county-initiated action under SAR: Section 44-316.331(t)(SAR) is added to instruct counties to act mid-period to discontinue an AU when their nine-month property exemption has expired when that AU was found eligible contingent upon the sale of that property, per Section 42-213.12. The regulation cite cross-referenced in 44-316.331(s) was also corrected.

Factual Basis:

This amendment is necessary to continue the current county-initiated actions that remain relevant under SAR and for purposes of good public policy to ensure program integrity, equitable treatment of recipients and proper administration of the program under the authority of Welfare and Institutions Code section 11265.2(d), as amended by AB 6 (Chapter 501, Statutes of 2011). The adoption of Section 44-316.331(t) is necessary to comply with Welfare and Institutions Code section 11257.5, which states that real property that the family is making a good faith effort to sell may be exempt for no more than nine months and that any aid paid during this time period must be paid back to the county with the proceeds of the sale. In order to avoid knowingly overpaying AU's that are no longer eligible for cash aid due to the expiration of this exemption period, the Department has determined that this shall be an additional county-initiated mid-period action.

Section 44-317.1

Specific Purpose:

This section is amended to correct a typographical error. It incorrectly read "basic date of aid", when it should read "beginning date of aid".

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR, to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011) and to correct a typographical error in the regulations.

Handbook Section 44-317.112(b)

Specific Purpose/Factual Basis:

This handbook section example is amended to correctly represent the applicant property limits.

Handbook Section 44-317.113(a)

Specific Purpose/Factual Basis:

This handbook section is amended to correctly demonstrate the beginning date of aid rules. Two outdated examples have been removed.

Section 44-317.22 et seq.

Specific Purpose:

This section is amended to correct an incorrect regulation. This regulation was inadvertently not updated when QR was implemented. Section 44-317.22 is amended to mandate that when the mother of a newborn is being aided as a pregnant woman or is receiving a pregnancy special need payment in the month of birth, the newborn and the father of the newborn shall be added to the case as described in Section 44-318.15 and 44-318.16. Sections 44-318.15 and 44-318.16 mandate that newborns and fathers of newborns are added to the AU the first of the month following the report of the birth if adding them results in an increase to the grant amount and the first of the following Payment Period if adding them results in a decrease to the grant amount. Further, an incorrect reference is corrected in this section. Sections 44-317.221 and 44-317.222 are incorrect under both QR and SAR and are repealed.

Factual Basis:

This amendment is necessary in order to comply with Welfare and Institutions Code section 11265.3(h) which mandates that changes in household composition may not be acted on until the first of the month following the report of the change. This Welfare and Institutions code section further states that the county shall only act mid-period on a voluntary report of a change in household composition that results in an increase to the grant amount.

Section 44-317.62 et seq.

Specific Purpose:

This section is amended to correct an outdated program name. This section talks about how to make transfers from AFDC-FG or U and neither of these programs is in existence anymore. Now there is one CalWORKs program, no matter the basis of deprivation (unemployed, absent or disabled parent).

Factual Basis:

These amendments are necessary to comply with the CalWORKs provisions as mandated in AB 1542 (Chapter 270, Statutes of 1997). These sections were inadvertently not updated when AFDC was replaced with CalWORKs.

Section 44-317.63 et seq.

Specific Purpose:

This section is repealed. This section informs counties how to make transfers from EA-UP (Emergency Assistance, Unemployed Parent) to AFDC. This program is not in existence anymore. Now there is one CalWORKs program, no matter the basis of deprivation (unemployed, absent or disabled parent).

Factual Basis:

This revision is necessary to comply with the CalWORKs provisions as mandated in AB 1542 (Chapter 270, Statutes of 1997). This section was inadvertently not updated when AFDC was replaced with CalWORKs.

Sections 44-317.64 et seq. and 44-317.65 et seq. (Renumbered to 44-317.63 et seq. and 44-317.64 et seq.)

Specific Purpose:

These sections are renumbered to maintain consistent numbering due to the removal of the previous section 44-317.63.

Factual Basis:

This amendment is necessary to maintain consistent numbering in the Manual of Policies and Procedures.

Section 44-318.11 and .111

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-318.112

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-318.112. This section is further amended to clarify that the information could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, information can be reported on either the SAWS 2 or the SAR 7.

Section 44-318.12 and .121

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-318.122

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-318.122. This section is further amended to clarify that the information could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, information can be reported on either the SAWS 2 or the SAR 7.

Section 44-318.13 et seq.

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-318.13. This section is further amended to clarify that the information could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7 and is used to determine benefit amounts for the upcoming SAR Payment Period, information can be reported on either the SAWS 2 or the SAR 7.

Section 44-318.14 et seq.

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-318.15 et seq.

Specific Purpose:

This section is amended to add SAR provisions that substantively duplicate, with appropriate SAR terms and references, the existing Section 44-318.15.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-318.16 and .161

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation. An incorrect reference has also been corrected.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-318.162

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-318.162.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-325.1

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-325.1.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-325.2

Specific Purpose:

This section is amended to add a reference to the QR provision and to add a SAR provision that substantively duplicates, with appropriate SAR references, the existing Section 44-325.2. This section was inadvertently not updated when QR was implemented. Specifically, this section is amended to clarify that counties must follow QR or SAR rules when discontinuing a recipient mid-period.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code sections 11265.2 and 11265.3 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 44-327.25

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-327.25.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-340.133

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-340.133. This section is further amended to clarify that supplements will not be provided for any months prior to the change or the report of the change, whichever is later and after all verification is received.

Factual Basis:

This adoption is necessary to clarify current policy and to ensure that recipients are paid the amount of grant they are entitled to with a supplement if cash aid cannot be increased by the first day of the next SAR Payment Period. The adoption is also necessary to comply with Welfare and Institutions Code section 11265.3(f) as amended by AB 6 (Chapter 501, Statutes of 2011), which mandates that voluntarily reported decreases in income shall be acted on for the entire month in which the change is reported, after verification is received.

Section 44-340.14

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-340.14.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-340.32 et seq.

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-340.33

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-340.33.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-350.17

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-350.18

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-350.18.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-350.5

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-350.5. This section is further

amended to clarify that mandatory recipient reports can include reports on the SAR 7, the SAWS 2, or mandatory mid-period reports of income over IRT.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). Per FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, counties may only require one SAR 7 and one SAWS 2 per year. This amendment is necessary to clarify that because the SAWS 2 takes the place of the second SAR 7, information can also be reported on the SAWS 2.

Section 44-352.111

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-352.111.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 44-352.112(a)(2)

Specific Purpose:

This section is added to add a QR and SAR provision that clarifies that 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 or the SAR Payment Period following the SAR 7 or SAWS 2 in which the excess property was required to be reported. This section was inadvertently not updated when QR was implemented.

Factual Basis:

This adoption is necessary to establish overpayment provisions that are consistent with QR and SAR regulations and to comply with Welfare and Institutions Code sections 11004.1 and 11265.2, as amended by AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-352.112(e)

Specific Purpose/Factual Basis:

This handbook section is amended to more accurately illustrate when an AU would get an overpayment for being over property. This handbook section now contains two examples illustrating fluctuation in property values: one example where an overpayment is not assessed because property was not over the limit in the Data Month and one example where an overpayment would be assessed.

Section 44-352.12

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 44-352.121(a)(1) and (a)(2)

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 44-352.121(a)(2)

Specific Purpose/Factual Basis:

This handbook section is amended to provide an example of how an overpayment is established when a recipient fails to report income information under SAR.

Handbook Section 44-352.125

Specific Purpose/Factual Basis:

This handbook section is amended to update the correct MAP and earned income disregard amounts in the examples.

Section 44-352.41

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 44-352.41.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 44-400, 44-401, 44-402 and 44-403

Specific Purpose/Factual Basis:

These sections related to Reduced Income Supplement Payments (RISP) are repealed because they became inoperative under QR. (Section 37 of AB 444 (Chapter 1022, Statutes of 2002) repealed the RISP provision.)

Sections 47-320.27 and .28

Specific Purpose:

These sections are amended to remove the (QR) designation because the existing regulations apply to both QR and SAR as written, so it is no longer necessary to distinguish these sections as QR regulations.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 48-001.111

Specific Purpose:

This section is amended to replace a reference to an outdated form. Specifically, the CA 2 is replaced with the SAWS 2.

Factual Basis:

This amendment is necessary to update the regulations with the correct form name. The Hunger Prevention Act of 1988 mandated that AFDC and the Food Stamp Program use a joint statement of facts form. The JA 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the CA 2 in 1990. The SAWS 2 (Statement of Facts, Cash Aid and Food Stamps) replaced the JA 2 in 1998.

Section 48-001.114

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 48-001.114.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 80-301(a)(2)

Specific Purpose:

This section is amended to clarify that as of 1996, the cash aid/welfare system operates under Temporary Assistance to Needy Families (TANF), rather than AFDC. This section is further amended to explain that TANF is known as CalWORKs in California.

Factual Basis:

This amendment is necessary to clarify that AFDC is no longer the program under which cash aid to families operates under and has been replaced with TANF/CalWORKs.

Section 80-301(a)(3)

Specific Purpose:

This section is amended to clarify that even though AFDC is no longer the operating cash aid/welfare system, Foster Care still operates as part of the AFDC program.

Factual Basis:

This amendment is necessary to clarify that despite cash aid no longer operating under AFDC, the Foster Care program still operates under AFDC.

Section 80-301(a)(4) and (a)(5)

Specific Purpose:

These sections are repealed because these two parts of the AFDC program are no longer operative under TANF.

Factual Basis:

Aid to Families with Dependent Children Family Group (AFDC-FG) and Aid to Families with Dependent Children Unemployed Parent (AFDC-U) are no longer separate programs under TANF. All families that meet deprivation and other eligibility requirements are aided under the same TANF/CalWORKs program.

Section 80-301(a)(6), (a)(7), (a)(8) and (a)(9)

Specific Purpose/Factual Basis:

These sections are renumbered to maintain consistent numbering within the Manual of Policies and Procedures due to the deletion of sections 80-301(a)(4) and (a)(5).

Section 80-301(a)(7) (Renumbered from 80-301(a)(9))

Specific Purpose:

This section is amended to remove the (QR) designation because the existing definition applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR definition.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR definition that remains relevant under SAR.

Section 80-301(c)(6)

Specific Purpose:

This section is amended to add a SAR definition that substantively duplicates, with appropriate SAR terms and references, the existing QR definition.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 80-301(g)(1)

Specific Purpose:

This section is amended to clarify that the GAIN program was replaced by the WTW program at the same time that AFDC was replaced by TANF/CalWORKs in 1996.

Factual Basis:

This amendment is necessary to clarify that the employment program for cash aid families is now called the WTW program, rather than GAIN and that GAIN is no longer operative under TANF/CalWORKs.

Section 80-301(m)(2)

Specific Purpose:

This section is amended to add a SAR definition that substantively duplicates, with appropriate SAR terms and references, the existing QR definition. This amendment further changes the defined term from "Mandatory Recipient Reports" to "Mandatory Mid-Period Reports" to more accurately reflect the terminology used under SAR.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR definition that remains relevant under SAR and to update the terminology used under SAR.

Section 80-301(m)(4)

Specific Purpose:

This section is amended to add a SAR definition that substantively duplicates, with appropriate SAR terms and references, the existing QR definition. The defined term is also changed from "mid-quarter reports" to "mid-period reports".

Factual Basis:

This amendment is necessary to continue under SAR an existing QR definition that remains relevant under SAR and to update the terminology used under SAR.

Section 80-301(s)(3)

Specific Purpose:

This section is adopted to add a SAR definition that will become operative once SAR is implemented. This section defines a semi-annual report. This section states that 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.

Factual Basis:

This adoption is necessary to define a new term used under SAR and to explain that under SAR one redetermination and one semi-annual report are due per year. This adoption is further necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 80-301(s)(4)

Specific Purpose:

This section is adopted to define SAR as 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 SAR 7 and one SAWS 2).

Factual Basis:

This adoption is necessary to define the semi-annual reporting system and to clarify that eligibility reports are only due twice a year under SAR. This amendment is further necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Sections 80-301(s)(3) through (s)(12)

Specific Purpose/Factual Basis:

These sections are renumbered due to the addition of two new sections: 80-301(s)(3) and (s)(4), and to maintain consistent numbering throughout the Manual of Policies and Procedures. The previous sections 80-301(s)(3) through (s)(12) are now numbered 80-301(s)(5) through (s)(14) respectively.

Section 80-301(s)(9) (renumbered from 80-301(s)(7))

Specific Purpose:

This section is amended to include a reference to the most updated versions of all of the Statement of Facts forms used in the CalWORKs program.

Factual Basis:

This amendment is necessary to update the form names and revision dates to the most recent versions of the Statement of Facts forms and to remove old, outdated references to old versions of these forms.

Section 80-301(v)(1)

Specific Purpose:

This section is amended to add a SAR definition that substantively duplicates, with appropriate SAR terms and references, the existing QR definition.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR definition that remains relevant under SAR.

Section 80-310(c)(13), (14) and (15) (Renumbered to 80-310(c)(1), (2) and (3))

Specific Purpose/Factual Basis:

These sections are renumbered because the CA forms have all been renamed as CW forms, so these CCP forms must be reordered to maintain consistent, alphabetical numbering in this section of the Manual of Policies and Procedures.

Section 80-310(c)(1) (Renumbered to 80-310(c)(4))

Specific Purpose:

This section is amended to update the number of this form from the CA 2.1 NA to the CW 2.1 NA and to update the revision date of this form. This section is also renumbered to maintain consistent, alphabetical numbering in this section of the Manual of Policies and Procedures. The form was reformatted and any updates to it were made to comply with regulation changes related to child, spousal and medical support. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 2.1 NA form was replaced with CW 2.1 NA and is the "Notice and Agreement for Child, Spousal and Medical Support" form used to inform the applicant of his or her responsibility to participate in the child, spousal and medical support enforcement process and of his or her right to claim exemption from participation.

Section 80-310(c)(2) (Renumbered to 80-310(c)(5))

Specific Purpose:

This section is amended to update the number of this form from the CA 2.1 Q to the CW 2.1 Q and to update the revision date of this form. This section is also renumbered to maintain consistent, alphabetical numbering in this section of the Manual of Policies and Procedures. This form is a support questionnaire for each noncustodial parent or each unmarried father in the home. The form currently in regulation with a revision date of (2/91) cannot be submitted as it no longer exists. The current form being used was revised (7/01) and its purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 2.1 (Q) form was replaced with CW 2.1 (Q) and is the "Support Questionnaire" form used to collect information about the absent parent.

Section 80-310(c)(3) (Renumbered to 80-310(c)(6))

Specific Purpose:

This section is amended to update the name of this form from the CA 8 to the CW 8 and to update the revision date of this form. This section is also renumbered to maintain consistent, alphabetical numbering in this section of the Manual of Policies and Procedures. The form currently in regulation with a revision date of (2/84) cannot be submitted as it no longer exists. A form revised (7/99), which is the earliest revised form found, is submitted to show consistency with the latest revised form (4/13). The form's purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 8 form was replaced with CW 8 and is the "Statement of Facts for an Additional Person" form used to collect the information necessary to determine eligibility when adding a person to an existing CalWORKs or CalFresh case. This form was also updated with technical changes, such as updating form names and replacing references to Food Stamps with CalFresh; question 4 was updated to refer to "parent or caretaker relative" rather than "mother and father;" question 7 regarding Foster Care was updated to ensure Foster Care children are presented with all of their health care options; question 10 was split up into two questions: one about fleeing felons and one about parole or probation violations; question 17 was updated to ask if the earned income is expected to continue and to give clients a place to enter the anticipated start date of a new job; and question 22 was updated to ask if the unearned income is expected to continue.

Section 80-310(c)(4) (Renumbered to 80-310(c)(7))

Specific Purpose:

This section is amended to update the name of this form from the CA 8A to the CW 8A and to update the revision date of this form. This section is also renumbered to maintain consistent, alphabetical numbering in this section of the Manual of Policies and Procedures. This is a form needed when there are new children in the home. The form currently in regulation with a revision date of (10/89) cannot be submitted as it no longer exists. A form revised (4/99), which is the earliest revised form found, is submitted to show consistency with the latest revised form (4/13). The form's purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 8A form was replaced with the CW 8A form and it is the "Statement of Facts to Add a Child Under Age 16" used to collect the information necessary to determine eligibility when adding a child under 16 to an existing CalWORKs case. This form was updated with technical changes, such as updating form names and replacing references to Food Stamps with CalFresh; question 2 was updated to refer to "parent or caretaker relative" rather than "mother and father;" question 3 was added regarding Foster Care to ensure Foster Care children are presented with all of their health care options; question 5 was updated to ask if any changes to the income are expected; question 11 was split up into two questions: one about fleeing felons and one about parole or probation violations; and questions 11, 12 and 13 were reworded to clarify that the child must have been charged as an adult for the felony crimes in question and have been found by a court of law to be in violation of their probation or parole.

Section 80-310(c)(5) (Renumbered to 80-310(c)(8))

Specific Purpose:

This section is amended to update the name of this form from the CA 13 to the CW 13 and to update the revision date of this form. This section is also renumbered to maintain consistent, alphabetical numbering in this section of the Manual of Policies and Procedures. This form is used by the county to decide which adult can get cash aid when two adults could qualify as caretaker of a child. The form currently in regulation with a revision date of (10/86) cannot be submitted as it no longer exists. The current form being used was revised (9/02) and its purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 13 form was replaced with the CW 13 form and it is the "Caretaker Relative Agreement" form 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.

Section 80-310(c)(6)

Specific Purpose:

This section is repealed because the CA 20 form is no longer in use in the CalWORKs program. The SAWS 2 is now used for both initial eligibility determinations and the annual eligibility redeterminations

Factual Basis:

This repeal is necessary so that forms that are no longer in use are no longer listed in the Manual of Policies and Procedures.

Section 80-310(c)(7)(MR)

Specific Purpose:

This section is repealed because it became inoperative under QR. The CA 22 was replaced with the QR 22 when QR was implemented.

Factual Basis:

This repeal is necessary so that forms that are no longer in use are no longer listed in the Manual of Policies and Procedures.

Section 80-310(c)(8) (Renumbered to 80-310(c)(9))

Specific Purpose:

This section is amended to update the name of this form from the CA 23 to the CW 23 and to update the revision date of this form. This section is further amended to state that this form will be obsolete and will be replaced with the SAR 23 once SAR is implemented in each county. This section is also renumbered to maintain consistent numbering in the Manual of Policies and Procedures. This form is used when a minor parent applies for cash aid to determine what portion of the senior parent income will be considered into the minor parent's eligibility. The form currently in regulation with a revision date of (1/89) cannot be submitted as it no longer exists. A form revised (2/00), which is the earliest revised form found, is submitted to show consistency with the latest revised form (3/00). The form's purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 23 form was replaced with the CW 23 form and it is the "Senior Parent Statement of Facts" used to collect information about the senior parent/legal guardian's income to determine a minor parent's eligibility.

Section 80-310(c)(9)

Specific Purpose:

This section is repealed because the CA 24 is an obsolete form.

Factual Basis:

This repeal is necessary to remove a definition of an obsolete form.

Section 80-310(c)(10)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The CW 25A was previously called the QR 25A, but this form is not specific to QR, so it has been renamed the CW 25A. This form is used when a minor parent living with an adult guardian delegates the adult guardian to be the payee of the minor parent's cash aid. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the form CW 25A will be used in minor parent cases to delegate an adult payee once SAR is implemented in each county. This form is titled "Payee Agreement for Minor Parent." The CW 25A is identical to the QR 25A except for the second bullet, in which a reference to quarterly report forms was changed to annual and semi-annual report forms. This change will allow this form to be used under semi-annual and annual reporting.

Section 80-310(c)(11)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The CW 29 was previously called the QR 29, but this form is not specific to QR, so it has been renamed the CW 29. This form is used to determine if the applicant is eligible for cash aid. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the form CW 29 will be used to determine if an applicant is eligible for cash aid once SAR is implemented in each county. This form is titled "Applicant Test." The CW 29 is identical to the QR 29 except that "CW Name" in the form's top row was changed to read "Case Worker Name" and references to outdated QR forms have been updated. This change will allow this form to be used under semi-annual and annual reporting.

Section 80-310(c)(12)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The CW 30 "CalWORKs Budget Worksheet" was previously called the QR 30 under QR and is a voluntary form used to calculate the aid payment amount for the AU. The QR form currently in regulation with a revision date of (6/04) cannot be submitted as it no longer exists. A form revised (9/11), which is the earliest revised form found, is submitted to show consistency with the latest revised form (4/13). This form was updated to refer to the payment period instead of the quarter, the earned income disregard was changed from \$112 to \$225, references to averaged income were removed and the budget worksheet was updated so this form can be used under SAR or Annual Reporting. The form's purpose remains the same, to facilitate the counties to gather information from

applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the CW30, "CalWORKs Budget Worksheet" is used to determine the cash aid payment amount for a CalWORKs family. This form will replace the QR 30 once SAR is implemented in each county. The CW 30 is based on the QR 30 and has been updated to match the budgeting methodology used under semi-annual and annual reporting, including no longer averaging fluctuating income. The CW 30 has also been updated to include the Earned Income Disregard (EID) restoration that will take effect the same time that SAR is implemented (on October 1, 2013) and to combine the disability income and earned income sections, to make the form like it was before the EID was changed in 2011. These changes will allow this form to be used under semi-annual and annual reporting.

Section 80-310(c)(10) (Renumbered to 80-310(c)(13))

Specific Purpose:

This section is amended to update the name of this form from the CA 42 to the CW 42 and to update the revision date of this form. This section is also renumbered to maintain consistent numbering in the Manual of Policies and Procedures. The form currently in regulation with a revision date of (1/96) cannot be submitted as it no longer exists. The current form being used was revised (11/06) and its purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 42 form was replaced with the CW 42 form and it is the "Statement of Facts – Homeless Assistance" used to gather information to determine eligibility for non-recurring special needs for homeless assistance.

Section 80-310(c)(11) (Renumbered to 80-310(c)(14))

Specific Purpose:

This section is amended to update the name of this form from the CA 371 to the CW 371 and to update the revision date of this form. This section is also renumbered to maintain consistent numbering in the Manual of Policies and Procedures. The form currently in regulation with a revision date of (3/93) cannot be submitted as it no longer exists. The current form being used was revised (7/01) and its purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

In 1997 the AFDC program was replaced with the CalWORKs program. Due to the implementation of the CalWORKs program, the CA form numbering series was phased out and replaced with the CW form series. The CA 371 form was replaced with the CW 371 form and it is the "Referral to Local Child Support Agency" form used to refer cases for child support purposes.

Section 80-310(c)(15)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The CW 2103 was previously called the QR 2103, but this form is not specific to QR, so it has been renamed the CW 2103. This form is used when the assistant unit includes teenagers who will be turning 18 years old while still part of the assistant unit. The form currently in regulation with a revision date of (10/03) cannot be submitted as it no longer exists. A form revised (11/11), which is the earliest revised form found, is submitted to show consistency with the latest revised form (2/13). The form's purpose remains the same, to facilitate the counties to gather information from applicants/recipients to determine CalWORKs eligibility. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the form CW 2103 will be 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. The CW 2103 is based on the QR 2103 and has been updated to remove the reference to "quarter" so it may be used under semi-annual and annual reporting. This form was further amended to add a bullet stating that if you are 18 years old and pregnant and don't have other children, you may be able to get cash aid once your pregnancy is verified, if you are not otherwise eligible for the Cal-Learn program.

Section 80-310(c)(12)(MR)

Specific Purpose:

This section is repealed because it became inoperative under QR. The CW 7 was replaced with the QR 7 when QR was implemented.

Factual Basis:

This amendment is necessary to remove a definition for a form that became obsolete under QR.

Section 80-310(j)(1)

Specific Purpose:

This section is repealed because the JA 2 form was replaced with the SAWS 2 and is now obsolete.

Factual Basis:

This amendment is necessary to remove a definition for a form that became obsolete under CalWORKs.

Section 80-310(q)(1)(QR) through 80-310(q)(11)(QR)

Specific Purpose:

These sections are amended to specify that these QR forms will become inoperative when SAR is implemented in each county. Most of these QR forms will be replaced with similar SAR forms once SAR is implemented. A few will be renamed CW forms because they are not QR or SAR-specific forms.

Section 80-310(q)(1) – QR 2 form was last updated (6/04).

Section 80-310(q)(2) – QR 3 form was last updated (7/06).

Section 80-310(q)(3) – QR 7 form was last updated (12/08).

Section 80-310(q)(4) – QR 7A form was last updated (8/09).

Section 80-310(q)(4)(a) – QR 7 Addendum (12/08) is used to help recipients fill out the QR 7 by giving them examples of types of income, property, housing costs and expenses. It also informs recipients of the penalties for cash aid and food stamp (CalFresh) fraud.

Section 80-310(q)(5) – QR 22 form was last updated (12/06).

Section 80-310(q)(8) – QR 30 form was last updated (9/11).

Section 80-310(q)(9) – QR 72 form was last updated (12/06).

Section 80-310(q)(11) – QR 2103 form was last updated (10/03).

These forms are consistent with the QR regulations.

Factual Basis:

These amendments are necessary to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011) and to specify that once SAR is implemented, these QR forms will become inoperative.

Section 80-310(s)(1)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 2 was previously called the QR 2 under QR. This form is a voluntary form that may be used to inform recipients of their Income Reporting Threshold (IRT) and reporting responsibilities under SAR. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the form SAR 2, the "Reporting Changes for Cash Aid and CalFresh" form, is a voluntary form that may be used to inform recipients of their Income Reporting Threshold (IRT) and other reporting responsibilities. This form will replace the QR 2 once SAR is implemented in each county. The SAR 2 is based on the QR 2 and has been updated to explain the new Income Reporting Threshold (IRT) reporting requirements under semi-annual reporting, including explaining what the IRT is based on, how to count your income, what will happen when you report income over the IRT and the penalties for not reporting.

Final Modification:

The SAR 2 form has been amended with an 11/13 revision date. This version was updated to correct the list of CalFresh mandatory mid-period reports, to remove "address change" and to add the CalFresh IRT reporting requirements under semi-annual reporting. A bullet was also added informing clients that some changes they voluntarily report may result in a decrease to their CalFresh benefits.

Section 80-310(s)(2)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 3 was previously called the QR 3 under QR. This form is a voluntary form that may be used by recipients to report mandatory and/or voluntary mid-period changes in writing. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the form SAR 3, the "Mid-Period Status Report" form is a voluntary form that may be used by recipients to report mandatory or voluntary mid-period changes in writing. This form will replace the QR 3 once SAR is implemented in each

county. The SAR 3 is based on the QR 3 and has been updated to change references from Food Stamps to CalFresh; to clarify that reporting income over the Income Reporting Threshold is now a mandatory report for both CalWORKs and CalFresh households; to make separate bullets to report fleeing felons or parole/probation violations; to give clients a place to report that they have become homeless; and to define Able Bodied Adults Without Dependents.

Section 80-310(s)(3)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 7 was previously called the QR 7 under QR. The Semi-Annual "Eligibility Status Report" 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 was revised to ask about any changes since the recipient last reported and any known changes to the current income expected in the next six months. The SAR 7 comes with an addendum that lists examples of income and expenses and the penalties for fraud. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the SAR 7, the Semi-Annual "Eligibility Status Report" form is used to collect information necessary to determine eligibility and benefit amounts for CalWORKs and CalFresh. This form will replace the QR 7 once SAR is implemented in each county. The SAR 7 is based on the QR 7, but has been revised to reflect the changes from quarterly to semi-annual reporting. Recipients will need to fill out a SAR 7 once per year, six months after their annual redetermination/recertification. Recipients will use the SAR 7 to report income, household changes, resources and other information that will be used to determine ongoing eligibility and to prospectively budget the benefit amount for the semi-annual period.

Final Modification:

The SAR 7 submitted with the emergency regulations had a 10/12 revision date, not a 1/13 revision date, it was a typographical error. The new SAR 7 has been modified with an 8/13 revision date. Question numbers 3, 4, 5, 7, 9, 10 and 11 were revised slightly. The revisions are mainly intended to reduce the occurrence of incomplete reports. Question 3 eliminated the language pertaining to new/changed housing costs. Question 4 was revised to specify "CalWORKs-only" and included changes to the language that increased the specificity of the questions. Questions 5 and 7 were changed such that clients only need to answer them if a change actually occurred. Question 9 was revised such that the "will this income continue" box was eliminated, because the box below effectively asks the same question. Question 11 was revised to specify "CalWORKs only." The title of the SAR 7 was revised for clarity and

consistency with the SAR 7A. In some places, there was a "/" in between the words "Eligibility" and "Status" and those slashes were removed for consistency. The title of the SAR 7 was moved to the left-hand side of the top of the form and the words "Report Month" were moved to the right-hand side of the form, so it is clear that the title of the form is the "SAR 7 Eligibility Status Report." The signature block of the SAR 7 was clarified to indicate that it is "registered" domestic partners that must sign for CalWORKs.

Section 80-310(s)(4)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 7A was previously called the QR 7A under QR. The SAR 7A 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. The SAR 7A also lists examples of income and expenses and the penalties for fraud. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the form SAR 7, the "How to Fill Out Your SAR 7 Semi-Annual Eligibility Status Report." Form, is used to instruct recipients regarding how to fill out their SAR 7 report for CalWORKs and CalFresh. This form will replace the QR 7A once SAR is implemented in each county. The SAR 7A is based on the QR 7A, but has been revised to explain how to fill out each question on the SAR 7. The SAR 7A includes directions on how to fill out each question on the SAR 7, reminders about what to report, definitions of terms used on the SAR 7, who must sign the form, and the penalties for fraud. The SAR 7A is sent to recipients with their SAR 7 form.

Final Modification:

The SAR 7A has been modified with a 9/13 revision date. The title of the SAR 7A was revised for consistency with the SAR 7 and the SAR 7A is now called the "How to Fill Out Your SAR 7 Eligibility Status Report" (instead of the "How to Fill Out Your SAR 7 Semi-Annual Eligibility/Status Report). In some places, there was a "/" in between the words "Eligibility" and "Status" and those slashes were removed for consistency. The "fleeing felon," "actively seeking," and "running from the law" language was modified for the purposes of greater clarity and less redundancy. The "Penalties" section was revised in form, not content, for better readability.

Section 80-310(s)(5)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 7 Addendum was previously called the QR 7 Addendum under QR. The SAR 7 Addendum 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. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the SAR 7 Addendum form, the "Instructions and Penalties SAR 7 Eligibility Status Report" form, is used to help clients complete their SAR 7 by giving them examples of types of income, property, housing costs and expenses and explaining the penalties for cash aid and CalFresh fraud. This form will replace the QR 7 Addendum upon implementation of SAR. The SAR 7 Addendum is based on the QR 7 Addendum and has been updated to change references from Food Stamps to CalFresh and to add a definition of gross income.

Section 80-310(s)(6)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 22 "Sponsor's Statement of Facts Income and Resources" was previously called the QR 22 under QR and 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 was updated with technical changes and an additional question was added regarding any anticipated changes in income. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the SAR 22 form, the "Sponsor's Statement of Facts Income and Resources" form, is used to collect necessary information about a noncitizen's sponsor for determining eligibility for the noncitizen. This form is a mandatory supplement to the SAWS 2 for sponsored noncitizens to deem the sponsor's income and resources. The SAR 22 will replace the QR 22 upon implementation of SAR. This form is based on the QR 22 and was updated with technical changes and language clarifications, SAR reporting requirements were explained on the coversheet and an additional question was added regarding any anticipated changes in income.

Final Modification:

There have not been any changes to the SAR 22 form since it was first submitted to the Office of Administrative Law (OAL) with the emergency regulations. The correct revision date is 3/13 and CDSS inadvertently listed it as 1/13 in the emergency regulations. The error has been corrected so this form is now listed in the regulations with the correct revision date.

Section 80-310(s)(7)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 23 "Senior Parent Statement of Facts" was previously called the CW 23 under QR and is used to collect income information about a senior parent for determining eligibility for a minor parent. The SAR 23 must be completed in addition to the SAWS 2 when a recipient is a minor parent. This form was updated with technical changes and an additional question was added regarding any anticipated changes in income. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the SAR 23 form, the "Senior Parent Statement of Facts" form, is used to collect necessary information about the senior parent's income to determine a minor parent's eligibility. The SAR 23 will replace the CW 22 upon implementation of SAR. This form is based on the CW 22 and was updated with technical changes and an additional question was added regarding any anticipated changes in income.

Final Modification:

There have not been any changes to the SAR 23 form since it was first submitted to OAL with the emergency regulations. The correct revision date is 3/13 and CDSS inadvertently listed it as 1/13 in the emergency regulations. The error has been corrected so this form is now listed in the regulations with the correct revision date.

Section 80-310(s)(8)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 72 "Sponsor's Semi-Annual Income and Resources Report" was previously called the QR 72 under QR and 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. This form was updated to more closely mirror the SAR 7 in the manner that it asks about income, resources and other changes since the sponsor last reported. It was also updated to ask about any known changes in the next six months. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the SAR 72 form, the "Sponsor's Semi-Annual Income and Resources Report" form, is used to gather necessary information along with the SAR 7 to determine continuing eligibility and grant amounts for noncitizen recipients. The SAR 72 will replace the QR 72 upon implementation of SAR. This form is based on the QR 72 and was updated to more closely mirror the SAR 7 in the manner that it asks about income, resources and other changes since the sponsor last reported. It was also updated to ask about any known changes in the next six months.

Final Modification:

There have not been any changes to the SAR 72 form since it was first submitted to OAL with the emergency regulations. The correct revision date is 3/13 and CDSS inadvertently listed it as 1/13 in the emergency regulations. The error has been corrected so this form is now listed in the regulations with the correct revision date.

Section 80-310(s)(9)(SAR)

Specific Purpose:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAR 73 "Senior Parent's Semi-Annual Income Report" was previously called the QR 73 under QR and is used to gather necessary income information about the senior parent during the semi-annual period in which a SAWS 2 is not due to determine continuing eligibility and grant level for the minor parent. This form was updated to ask about any known changes in the next six months. This form is consistent with the regulations.

Factual Basis:

This adoption is necessary because the SAR 73 form, the "Senior Parent Semi-Annual Income Report" form, is used to gather necessary information along with the SAR 7 to determine continuing eligibility and grant amounts for minor parent recipients. The SAR 73 will replace the QR 73 upon implementation of SAR. This form is based on the QR 73 and was updated to more closely mirror the SAR 7 in the manner that it asks about income and other changes since the senior parent last reported. It was also updated to ask about any known changes in the next six months.

Section 80-310(s)(1) (Renumbered to 80-310(s)(10))

Specific Purpose:

This section is amended to update the title, description, and the revision date of the SAWS 1. This form is consistent with the regulations.

Factual Basis:

This amendment is necessary for clarity and consistency. The SAWS 1, "Application for Cash Aid, Food Stamps and/or Medi-Cal/34 County CMSP," is used to request public assistance. This form includes information about how to apply for Cash Aid, Food Stamps or Medi-Cal, including immediate need payments, homeless assistance, diversion services, expedited Food Stamps and presumptive eligibility for Medi-Cal for pregnant women and includes definitions of terms used on the form, fraud and perjury rules, social security number rules and information about how to file a complaint against the county. The questions asked on the SAWS 1 are used to determine if the applicant meets the basic eligibility criteria for any of the above listed services or benefits.

Final Modification:

The SAWS 1 has been modified with an 8/13 revision date. The SAWS 1 application form has been revised to include elements required under the Affordable Care Act (ACA) and many of the rights and responsibilities and instructions to the applicant on how to apply for the programs. The SAWS 1 has been further revised to include the applicant's preferred method of contact, email address, the ability to request messages via email and updated ACA-required race/ethnicity categories.

Section 80-310(s)(2) (Renumbered to 80-310(s)(11))

Specific Purpose:

This section is amended to update the title, description and the revision date of the SAWS 2. This form will replace the current version of the SAWS 2 upon implementation of SAR. The SAWS 2 will still be used as the application and redetermination/recertification for CalWORKs, CalFresh and Medi-Cal; however, under SAR, the SAWS 2 will take the place of the second semi-annual eligibility report and under Annual Reporting, the SAWS 2 will be the only required eligibility report per year. This form was updated with technical changes, question 6 regarding Foster Care was updated to ensure Foster Care children are presented with all of their health care options, question 20 was updated to ask if the reported income is expected to continue in order to reasonably anticipate income and calculate benefits for the upcoming payment period and the reference to SFIS was removed in regards to CalFresh. This form is consistent with the regulations.

Factual Basis:

This amendment is necessary for clarity and consistency. The SAWS 2, the "Statement of Facts for Cash Aid, CalFresh and Medi-Cal/34-County Medical Services Program (CMSP)" is used as a multipurpose form to gather information necessary to determine eligibility for CalWORKs, CalFresh, and Medi-Cal applicants and to re-determine eligibility for recipients on an annual basis. This form will replace the current version of the SAWS 2 as soon as administratively possible and no later than upon implementation of SAR. The SAWS 2 will still be used as the application and redetermination/recertification for CalWORKs, CalFresh and Medi-Cal; however, under SAR, the SAWS 2 will take the place of the second semi-annual eligibility report and under Annual Reporting/Children Only (AR/CO), the SAWS 2 will be the only required eligibility report per year. This form was updated with technical changes; question 6 regarding Foster Care was updated to ensure Foster Care children are presented with all of their health care options; question 20 was updated to ask if the reported income is expected to continue in order to reasonably anticipate income and calculate benefits for the upcoming payment period; question 20 was also updated to give clients a place to report the anticipated start date of a new job; a bullet was added to question 25 asking about any jobs the county helped the client to get as a prompt to help determine if former CalWORKs recipients became ineligible for cash aid due to AB 98 Subsidized Employment income; question 47 was split up into two questions: one about fleeing felons and one about parole or probation violations; and the reference to SFIS was removed in regards to CalFresh.

Section 80-310(s)(3) (Renumbered to 80-310(s)(12))

Specific Purpose:

This section is amended to add a SAR form that substantively duplicates, with appropriate SAR terms and references, the existing QR form which latest revision was (9/11). The SAWS 2A will replace the SAWS 2A-QR once SAR is implemented in each county. This form has been modified for use under SAR and AR/CO; technical changes were made; CalFresh rules regarding providing social security numbers and citizenship information was updated; SAR and AR/CO reporting and budgeting rules were explained in detail; it was clarified that a person must have been found by a court of law to be in violation of probation or parole; the earned income disregard was changed back to \$225; property limits were updated and the amount of benefits wrongly paid out resulting in a felony was updated from \$400 to \$950. This form is consistent with the regulations.

Factual Basis:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The SAWS 2A SAR is the "Rights, Responsibilities and Other Important Information" form used to inform applicants and recipients of their rights and responsibilities. This form will replace the SAWS 2A QR upon implementation of SAR. This form is based on the SAWS 2A QR and has been modified for use under SAR and

AR/CO; technical changes were made; CalFresh rules regarding providing social security numbers and citizenship information were updated; SAR and AR/CO reporting and budgeting rules were explained in detail; instructions regarding fingerprinting and photo imaging were revised to clarify that these rules only apply to cash aid; it was clarified that a person must have been found by a court of law to be in violation of probation or parole; the ABAWD acronym was replaced with a description of this population; the earned income disregard was changed back to \$225 because it will be restored to that level effective October 1, 2013, when SAR will be implemented; property limits for aged and disabled were updated from \$3000 to \$3250 (to match the CalFresh property limits) and the amount of benefits wrongly paid out resulting in a felony was updated from \$400 to \$950.

Section 80-310(s)(4)

Specific Purpose:

This section is repealed because the SAWS 7 monthly eligibility report became inoperative when QR was implemented.

Factual Basis:

This revision is necessary to remove a definition for a form that became obsolete under QR.

Section 80-310(s)(5), (6), and (7) (Renumbered to 80-310(s)(13), (14) and (15))

Specific Purpose/Factual Basis:

These sections are renumbered to maintain consistent numbering in the Manual of Policies and Procedures.

Section 80-310(t)(5)

Specific Purpose:

This section is amended to add a SAR form that substantively duplicates, with appropriate SAR terms and references, the existing QR form. The Temp SAR 1 will replace the Temp QR 1 once SAR is implemented in each county and will be used to inform clients of the main changes from QR to SAR. This form is consistent with the regulations.

Factual Basis:

This section is adopted to incorporate by reference a form that will be used once SAR is implemented in each county. This form is not printed in CDSS Manual of Policies and Procedures because it would be cumbersome and impractical; however, this form is readily available from CDSS. The TEMP SAR 1 is the "New Reporting Requirements for Cash Aid and CalFresh Recipients" and is a mass informing notice used to inform recipients of the main changes from Quarterly Reporting to Semi-Annual Reporting (SAR). This

temporary notice is sent to recipients prior to the implementation of SAR and is also given to new applicants who apply during the transition to SAR.

Final Modification:

The TEMP SAR 1 was revised to inform clients that for CalFresh only, some voluntary reports may decrease their benefits.

Section 82-612.3

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 82-612.3.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the Welfare and Institutions Code section 11265.2, as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 82-812.687(a)

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 82-812.687(a).

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the Welfare and Institution Code section 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 82-812.687(e)

Specific Purpose/Factual Basis:

This section is amended to correct typographical errors.

Section 82-820.1

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 82-820.3

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 82-820.3.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 82-824.14 et seq.

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing section 82-824.14 et seq.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 82-832.3

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 82-832.3.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with Welfare and Institutions Code sections 11265.1, 11265.2, 11265.3 and 11450.5 as amended by AB 6 (Chapter 501, Statutes of 2011).

Section 82-832.3(a)(SAR)

Specific Purpose:

This section is added to specify that 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 and that if the new person makes 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.

Factual Basis:

This addition is necessary to clarify that the same rules do not apply at the time of the SAR 7 and the SAWS 2. Only Data Month information is evaluated at the time of the SAR 7, but all available up-to-date information is used to determine eligibility at the time of the annual redetermination. This amendment is necessary to comply with Welfare and Institutions Code sections 11265.1, 11265.2, 11265.3 and 11450.5 as amended by AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Handbook Section 82-832.3

Specific Purpose/Factual Basis:

This handbook section is amended to add a SAR example that substantively duplicates, with appropriate SAR terms and references, the existing handbook Section 82-832.3 example. One additional example is added to demonstrate the difference between evaluating information on the SAR 7 and the SAWS 2.

Handbook Section 89-110.1

Specific Purpose/Factual Basis:

This handbook section is amended to correct the reference for and description of the MAP levels.

Section 89-110.261

Specific Purpose/Factual Basis:

This section is amended to correct incorrect references. The references listed were renumbered by Manual Letter No. EAS-98-03.

Section 89-110.262

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms, the existing Section 89-110.262. This section is further amended to clarify that the exemption status must be reviewed at the time that the SAR 7 or the SAWS 2 is processed.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under QR and to comply with Welfare and Institutions Code sections 11265.1, as amended by AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 89-110.28

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 89-110.28.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Sections 89-110.281(MR), .282(MR), and .283(MR)

Specific Purpose:

These sections are repealed because they became inoperative under QR.

Factual Basis:

These amendments are necessary because these provisions become obsolete under QR as QR does not provide for retrospective budgeting. These amendments are also necessary to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 89-110.29

Specific Purpose:

This section is amended to remove the (QR) designation because the existing regulation applies to both QR and SAR as written, so it is no longer necessary to distinguish this section as a QR regulation.

Factual Basis:

This amendment is necessary to continue under SAR an existing QR regulation that remains relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Section 89-110.291

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 89-110.291. This section is also amended to clarify that the change could be reported on the SAR 7 or the SAWS 2.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011). This amendment is also necessary to comply with FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929) and to simplify the administration of SAR and reduce reporting redundancies, which mandates that counties may only require one SAR 7 and one SAWS 2 per year.

Section 89-110.292

Specific Purpose:

This section is amended to add a SAR provision that substantively duplicates, with appropriate SAR terms and references, the existing Section 89-110.292.

Factual Basis:

This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to comply with the SAR provisions of AB 6 (Chapter 501, Statutes of 2011).

Handbook Section 89-110.3 et seq.

Specific Purpose/Factual Basis:

This handbook section is amended to add SAR examples that substantively duplicate, with appropriate SAR terms and references, the existing Section 89-110.3 examples. This amendment is necessary to ensure the continuation of current requirements that remain relevant under SAR and to provide examples of Exempt and Nonexempt AUs, Financial Eligibility Determination, Semi-Annual MAP Status Determination and Mid-Period MAP Status Changes under SAR.

Handbook Section 89-201.513(a)

Specific Purpose/Factual Basis:

This handbook section is amended to remove the QR designations and the word "averaged" from the examples so the examples apply under both QR and SAR.

b) Identification of Documents Upon Which Department Is Relying

AB 6 (Ch. 501, Stats. of 2011)

AB 959 (Ch. 506, Stats. of 2011)

FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929)

c) Local Mandate Statement

These regulations impose a mandate upon county welfare departments but not on school districts. Since the county share of the program is capped at a specified maintenance of effort level, there are no state-mandated local costs in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code. If the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars, reimbursement shall be made from the State Mandates Claims Fund.

d) Statement of Alternatives Considered

AB 6 mandates that CDSS implement this policy change through the regulatory process. In developing the regulatory action, CDSS did not consider any other alternatives than the one proposed because there were no other alternatives proposed.

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.

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 because this action only pertains to simplifying the reporting requirements for CalWORKs recipients and lessening their reporting burden from four times a year to twice a year.

f) Economic Impact Assessment

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. This regulatory action will not have an effect on the health and welfare of California residents, worker safety, or the state's environment.

The following documents were relied upon in proposing the regulatory action:

AB 6 (Ch. 501, Stats. of 2011)

AB 959 (Ch. 506, Stats. of 2011)

FNS instruction (Federal Register, Vol. 75, No. 19, dated January 29, 2010, pages 4928 and 4929)

g) Benefits Anticipated from Regulatory Action

The benefits anticipated from this regulatory action include simplifying the reporting responsibilities for both CalWORKs recipients and county eligibility workers.

h) Statement of Specific Technology or Equipment

This regulatory action will not mandate the use of new, specific technologies or equipment.

f) Testimony and Response

These regulations were considered as Item #1 at the public hearing held on September 4, 2013, in Sacramento, California. The following testimony was received during the 45-day comment period from July 19 to 5:00 p.m. September 4, 2013.

Jodie Berger, Regional Counsel, Legal Services of Northern California, submitted the following comments during the 5-day notice of emergency period and later requested that her comments be included as part of the 45-day comment period. (Comments #1 – 50)

Handbook Section 22-305.422(a)(2)

1. Comment:

The example on page 5 is incorrect. It would be true that the person did not receive income in the data month, as they would not be paid at the new job until the submit month.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 40-125.943

2a. Comment:

p. 26: the regulation should state that a reapplication CANNOT BE REQUESTED. (Shall not be required does not prohibit the county from improperly asking clients to reapply when they should be restoring aid. The whole point was to avoid the county work/client burden of reapplying.)

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 40-125.943(b)(SAR)

2b. Comment:

Clarify and shall not be requested.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 40-128.131

3. Comment:

p 301[sic], .131, should be eliminated or rewritten. There is no deeming when the sponsor is an agency or organization.

Response:

The CDSS accepts this comment. When the emergency regulations were first adopted in July 1, 2013, Section 40-128.13 et seq. was inadvertently adopted instead of amended. Federal law in regards to Aliens Sponsored by Agencies and Organizations was changed and CDSS adopted regulations in response to those changes. The CDSS regulations were effective January 8, 2001. The CDSS is further amending this section to reflect changes made to federal law. The amendments are necessary to comply with 8 U.S.C. Section 1183a, which eliminated an agency's ability to be a sponsor and defined a sponsor as an individual who executes an affidavit of support.

Section 40-181.212

4. Comment:

p. 41: there is no date given by which the counties are required to send out the redetermination packet and appointment date. Without that, only recipients are penalized...

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. The issue raised in this part of the testimony is already addressed in Welfare and Institutions Code section 11265(c)(2), which states, "Counties shall provide a semiannual report form to recipients at the end of the fifth month of the semiannual reporting period, and recipients shall return the completed semiannual report form with required verification to the county by the 11th day of the sixth month of the semiannual reporting period," under AB 6 (Chapter 501, Statutes of 2011). Therefore, no revision to this section in response to the testimony is being made.

Section 40-181.231(a)

5. Comment:

p. 53, .231, change "may be" to "shall" -- if someone asks for a hearing challenging a discontinuance, that is a clear expression that they disagree w/ what happened and an opportunity to present a defense, which should be treated as a request to explain why the form was late.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 42-721.491(a)

6. Comment:

p 85, example .491(a): the law provides the time starts w/ contacting the county and indicating a cure -- the example wrongly lists the key date as the date the person signs the cure plan.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

7. Comment:

In both places discussing cooperation of sponsored immigrants in getting information from the sponsor: If the sponsor will not cooperate, and the county cannot get the information, the person is deemed abandoned, and only actually available income counted. 43-119.221(c). (See e.g. p. 30)

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Furthermore, this issue is already addressed in MPP Section 43-119.22. Therefore, no revision to this section in response to the testimony is being made.

8. Comment:

In all places using the word "alien" to refer to a human being, change to "immigrant".

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. However, CDSS will be addressing this issue in an upcoming regulation package. Therefore, no revision to this section in response to the testimony is being made at this time.

Section 22-071.14

9. Comment:

.14 When the county demands repayment of an overpayment or a CalFresh overissuance. (Comment: "Including collection of tax intercept")

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 22-071.2

10. Comment:

Regarding cross referencing Division 30. Insufficient to list the entire Div. List specific sections or situations

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Handbook Section 22-305.422(a)(2)

11. Comment:

The person WON'T have received any income in the data month, as they started in the last week and get paid ev [sic] 2 weeks, i.e. would be paid in the 1st week of the submit

month. CORRECT to say 2nd to last week (ie. they report starting work and pay frequency, but then forget to list the income). Better yet is if they attach pay stubs.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 40-105.4

12. Comment:

If good cause is established, the penalty shall be rescinded and all lost funds as a result of the penalty restored.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 40-105.5

13. Comment:

This should be clarified that \$ are restored effective the 1st of the month after the month the child is verified as satisfactorily attending, not the 1st of the month after turning in the verification. Example: verification turned in in March, showing child was sat. attending since Feb., should restore to Mar 1st. March 1st.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 40-128.121(SAR)

14. Comment:

The **unemancipated** minor parent...

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. The issue raised in this part of the testimony is already addressed in the MPP section 89-201.26 under exemptions to the minor parent requirement. Therefore, no revision to this section in response to the testimony is being made.

Section 40-128.131(SAR)

15. Comment:

There is no deeming from agency or organizational sponsors, so why must the sponsor fill out the SAR 22. That form is only for individual sponsors, per 43-119.2.

Response:

The CDSS accepts this comment. When the emergency regulations were first adopted in July 1, 2013, Section 40-128.13 et seq. was inadvertently adopted instead of amended. Federal law in regards to Aliens Sponsored by Agencies and Organizations was changed and CDSS adopted regulations in response to those changes. The CDSS regulations were effective January 8, 2001. The CDSS is further amending this section to reflect changes made to federal law. The amendments are necessary to comply with 8 U.S.C. section 1183a, which eliminated an agency's ability to be a sponsor and defined a sponsor as an individual who executes an affidavit of support. Please see CDSS's response to comment number (3) above.

Section 40-128.132(SAR)

16. Comment:

If the sponsor will not cooperate, and the county cannot get the information, the person is deemed abandoned, and only actually available income counted. 43-119.221(c).

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Furthermore, this issue is already addressed in the MPP section 43-119.22. Therefore, no revision to this section in response to the testimony is being made. For more general information on sponsor rules, please see CDSS's response to comments number (7) above.

Handbook Section 40-181.1(a)(3)(SAR)

17. Comment:

Correct example to say, "County will send a discontinuance notice for excess resources, effective the end of the SAR period. If the recipient verifies spenddown, the discontinuance will be rescinded.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 40-181.212(SAR)

18. Comment:

Need to set out the deadline by which the county must send the SAWs2 and appointment to the recipient.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. The issue raised in this part of the testimony is already addressed in the Welfare and Institutions Code section 11265(c)(2), which states, "Counties shall provide a semiannual report form to recipients at the end of the fifth month of the semiannual reporting period, and recipients shall return the completed semiannual report form with required verification to the county by the 11th day of the sixth month of the semiannual reporting period," under AB 6 (Chapter 501, Statutes of 2011). Therefore, no revision to this section in response to the testimony is being made. Please see CDSS's response to comment number (4) above.

Section 40-181.217(g)(SAR)

19. Comment:

The SAWS 2 shall include the SAR 22... when the recipient is a sponsored noncitizen.
if sponsored by an individual

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in

response to the testimony is being made. For more general information on sponsor rules, please see CDSS's response to comments number (3) and (15) above.

Section 40-181.221(b)(SAR)

20. Comment:

and explain what information was missing, in the case of incomplete SAR 7s.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. However, CDSS will be addressing this issue in an upcoming regulation package. Therefore, no revision to this section in response to the testimony is being made at this time.

Section 40-181.231(a)(SAR)

21. Comment:

Regarding the use of the words "may be" shall -- that CERTAINLY is a clear expression of a request for an opportunity to explain...

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made. Please see CDSS's response to comment number (5) above.

Section 40-181.252(SAR)

22. Comment:

the close of the 1st business day of the next payment period. It is only LATE on the 11th.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 42-721.491(a)(SAR)

23. Comment:

Issue is when did the person contact the county and indicate a desire to cure? Not the date the cure plan is signed.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made. Please see CDSS's response to comment number (6) above.

Section 44-113.215(SAR)

24. Comment:

This is changing in 10/13, may want to put "or the current earned income deductible" to avoid having to change again

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. However, CDSS will be addressing this issue in an upcoming regulation package. Therefore, no revision to this section in response to the testimony is being made at this time.

Section 44-113.423

25. Comment:

Isn't it time to get rid of the presumption that the aided adult is female and living with a male? Remove gender references.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-313.111(SAR)

26. Comment:

There really needs to be regulation on how and when to determine fluctuating income. Right now, it's only in ACL's.

Response:

The CDSS accepts this comment. The CDSS agrees that additional information on how County Welfare Departments should treat income that may change along with examples in the handbook would benefit counties and clients since it would be an example that provides a substantive change different from Quarterly Reporting. For that reason, MPP section 44-315.316 has been amended. Under MPP section 44-315.316 "Income Expected to Change," Section 44-315.316(a) was adopted. Adopted Section 44.315.316(a) "Income Expected to Fluctuate after Data Month," provides two paragraphs of information on how to handle cases under SAR in which income fluctuates after the SAR Data Month. Furthermore, Handbook section 44-315.316(a) provides two illustrative examples on this point. Therefore, this section was amended in response to the testimony.

Section 44-315.311(SAR)

27. Comment:

add (c) and the month of receipt is known. (People can be authorized but not know when it will start)

Response:

The CDSS accepts this comment. This was a substantive change in further clarifying the income standard. Therefore, this section will be revised in response to the testimony.

Section 44-315.312(SAR)

28. Comment:

Income from prior months which as [sic] stopped or been reduced, or is otherwise not reasonably anticipated to continue at the same rate shall not be budgeted.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. The issue raised in this part of the testimony is already addressed in the MPP sections 33-315.313 and 44-315.314. Therefore, no revision to this section in response to the testimony is being made.

Section 44-315.8

29. Comment:

This causes confusion: Family is required to do WTW (but it's not clear to counties) but is not using 48 months TOA since not getting cash assistance for basic needs. Should be clarified here.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-316.231(SAR)

30. Comment:

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.

and the county shall send the appropriate notice of action.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. The issue raised in this part of the testimony is already addressed in the MPP sections 44-316.31 and 44-316.311(b). Therefore, no revision to this section in response to the testimony is being made.

Section 44-316.312(a)(1)(A)(SAR)

31. Comment:

It is confusing to say "existing" as the county is not using actual income, but rather not changing the amount budgeted based on what was reasonably anticipated at the last reporting.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Handbook Section 44-316.312(a)(5)(SAR), Example 1

32. Comment:

It would be great to add that an affidavit is sufficient if the employer will not verify. (they often won't when the job has terminated.)

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-316.312(b)(4)(SAR)

33. Comment:

This doesn't make sense. If the person did not meet the eligibility requirements, the person would not be added, and the county must issue a NOA why not adding. When the person meets the eligibility requirements, they would be added mid-period if it results in an increase of aid.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-316.331(a)(QR)

34. Comment:

An adult in the AU reaches the 48-month time limit;
and does not qualify for an exemption to the 48 month time limit

Response:

The CDSS does not accept this comment. Quarterly Reporting is no longer effective. As specified in AB 6 (Chapter 501, Statutes of 2011), Semi-Annual Reporting was to be implemented no later than October 1, 2013. Therefore, no revision to this section in response to the testimony is being made.

Section 44-316.331(g)(QR)

35. Comment:

This should be corrected to "the child was placed in Foster Care or the county CPS has placed the child into another household." Not all children are technically placed in foster care (there may not be a petition or may not be linkage for FC), but the county was involved in the removal and is aware of the receipt of CW.... It's a "known to county" situation.

Response:

The CDSS does not accept this comment. Quarterly Reporting is no longer effective. As specified in AB 6 (Chapter 501, Statutes of 2011), Semi-Annual Reporting was to be implemented no later than October 1, 2013. Therefore, no revision to this section in response to the testimony is being made.

Section 44-316.331(a)(SAR)

36. Comment:

An adult in the AU reaches the 48-month time limit;
and is not granted an exception to the time limit

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. The issue raised in this part of the testimony is already addressed in the MPP sections 42-301 and 42-302. Therefore, no revision to this section in response to the testimony is being made.

Section 44-316.331(g)(SAR)

37. Comment:

A child in the AU is placed in Foster Care;
or child protective services has intervened and is aware that the child has been placed in another household

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-318.141

38. Comment:

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.

but no earlier than the date the person would have been added, had they been reported and added.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-340.14(QR)

39. Comment:

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.

or county-initiated mid-period action

Response:

The CDSS does not accept this comment. Quarterly Reporting is no longer effective. As specified in AB 6 (Chapter 501, Statutes of 2011), Semi-Annual Reporting was to be implemented no later than October 1, 2013. Therefore, no revision to this section in response to the testimony is being made.

Section 44-340.14(SAR)

40. Comment:

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.

or county-initiated mid-period action

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-340.32

41. Comment:

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.

at that time in that month

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-340.33(SAR)

42. Comment:

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).

unless the change was otherwise known by the county

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 44-350.18(SAR)

43. Comment:

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.

incorrect wording: it is income the recipient reasonably anticipated and the county concurred....

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

44. Comment:

This is not true. You can never count actual income that was not reasonably anticipated regardless of reporting. If the recipient cannot establish a credible amount of what was reasonably anticipated, the county could look at what was received and determine whether it was reasonable to anticipate that. (For example, whether or not a person reported getting a job/income, if the job offer is documented and shows a start date and wage and hours, and then the person gets overtime that is more than that amount, the overtime is not reasonably anticipated until the OT amount can be expected [sic].

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Handbook Section 44-352.121(a)(2)(SAR)

45. Comment:

... 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...

decrease is effective 2/1.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 47-320.28

46. Comment:

CalWORKs families don't have a family fee.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 80-301.4(SAR)

47. Comment:

Consortia ALL reported unable to start before 10/13...

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Section 80-310(s)(6)(SAR)

48. Comment:

... The SAR 22 must be completed in addition to the SAWS 2 when a recipient is a sponsored non-citizen...

... when an **adult** recipient is...

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

49. Comment:

sponsored by an individual.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made. For more general information on sponsor rules, please see CDSS's response to comments number (3) and (15) above.

Section 82-820.5

50. Comment:

The county shall deny the application or discontinue CalWORKs when a mandatorily included person refuses to be included.

why not just exclude them and count their income (only discontinue if they won't verify income/property)

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. Therefore, no revision to this section in response to the testimony is being made.

Lori Lady, CalWORKs Program Specialist II, Visalia, CA, submitted the following comment: (Comments #51)

51. Comment:

ACL 12-25 provides instructions that are new to existing Quarterly Reporting budget methodology, as stated below

Benefit Determination Based on Fluctuating Income

When the AU/household reports anticipating fluctuations from their Data Month income, the determination of whether income is reasonably anticipated will require additional steps and thorough case documentation. In situations where the recipient expects a change or has fluctuating income, and either cannot or does not provide an estimate of what is reasonably anticipated, the following guidelines can be helpful to the CWD in working with the recipient to determine what income, if any, can be reasonably anticipated for the upcoming semi-annual period: Take into account any changes in income from the Data Month that the AU/household reasonably anticipates

for the upcoming SAR Payment Period. If the AU/household reports that they expect changes from the income received in the Data Month, but do not know how much their income will change or when the changes will take place, Data Month income shall be used until the recipient reports a reasonably anticipated change. If the AU/household reports that their income fluctuates significantly month to month that they cannot reasonably anticipate any income, and that in some months they don't receive any income, barring any information to the contrary, the CWD should accept this statement and no income should be budgeted. If the AU/household is unable to estimate future income with the CWD's assistance, the CWD, with written authorization from the recipient, may contact the employer or other source of income. If unable to obtain additional source information, the CWD may take into account past income received by the AU/household to determine whether or not the Data Month income is representative of the AU/household's typical pay.

NOTE: Past income shall not be used as an indicator of anticipated income if changes to the income have occurred or are anticipated. For CalWORKs and CalFresh, if income fluctuates to the extent that a 30-day period alone cannot provide an accurate projection of future income, the CWDs may look back to the prior semi-annual period for historical income information. (During initial conversion to SAR, counties may look back at the previous two quarters.)

For CalFresh purposes, if the household's income fluctuates seasonally, it may be appropriate to use the most recent season comparable to the certification period, rather than the last semi-annual period.

NOTE: The CWD must use caution in using income from a past season because income may fluctuate from season to season. The CWD shall not use past income as an indicator of anticipated income for the SAR Payment Period if changes in income have occurred or can be anticipated. If the CWD and the AU/household cannot determine an amount that can be reasonably anticipated after following the guidelines listed above, no income shall be used.

This instruction in regard to fluctuating income should be included in the regulations. This is a new and confusing piece to budgeting and should be mentioned in the regulations for CalWORKs/CalFresh, with examples...

Also, if the recipient knows income will be different in two of the 6 months of the SAR Payment period, at the time of Application, SAR 7 or annual Reinvestigation, for example, we would use it in the budget for those two months... this should be stated in regulation as well.

Response:

The CDSS accepts this comment. The CDSS agrees that additional information on how County Welfare Departments should treat income that may change along with examples in the handbook would benefit counties and clients since it would be an example that provides a substantive change different from Quarterly Reporting. For

that reason, MPP section 44-315.316 has been amended. Under MPP section 44-315.316 "Income Expected to Change," Section 44-315.316(a) was adopted. Adopted Section 44.315.316(a) "Income Expected to Fluctuate after Data Month," provides two paragraphs of information on how to handle cases under SAR in which income fluctuates after the SAR Data Month. Furthermore, Handbook section 44-315.316(a) provides two illustrative examples on this point. Therefore, this section was amended in response to the testimony. Please see CDSS's response to comment number (26) above.

Erin R. Horgan, County Welfare Directors Association, Sacramento, CA submitted the following comments: (Comments #52 – 55)

Section 40-037

52. Comment:

Section 40-037 – This specific number, listed in the Initial Statement of Reasons, does not appear in the draft regulations document. Should it be 04-038?

Response:

The CDSS accepts and appreciates this comment. This is a typographical error in the Initial Statement of Reasons. The correct section number is 40-038. Therefore, this section is revised to read Section 40-038 in the Final Statement of Reasons.

Section 40-181.214(b)(1)(SAR)

53. Comment:

Section 40-181.214(b)(1)(SAR) – This section contains the Balderas requirement at annual redetermination. This five-day reminder notice was dropped as a requirement with the passage of AB 74.

Response:

The CDSS accepts this comment. The five-day reminder notice was not added in Welfare and Institutions Code section 11265 as originally thought. Therefore, this section is being repealed.

Handbook Sections 44-113.22, .54 etc.

54. Comment:

Handbook Section 44-113.22, Handbook Section 44-133.54, and etc. The references to the Earned Income Disregard (EID) are incorrect, at \$112, throughout the draft regulations. The EID was changed to \$225 effective October 1, 2013.

Response:

The CDSS does not accept this comment. This testimony appears to be outside the scope of the proposed regulations. This was a non-substantive change from Quarterly Reporting to Semi-Annual Reporting. However, CDSS will be addressing this issue in an upcoming regulation package. Therefore, no revision to this section in response to the testimony is being made at this time. Please see CDSS's response to comment number (24) above.

General Comment

55. Comment:

The regulations should elaborate on and give examples of the fluctuating income piece since it has changed with SAR. Request that examples be more clear.

Response:

The CDSS accepts this comment. The CDSS agrees that additional information on how County Welfare Departments should treat income that may change along with examples in the handbook would benefit counties and clients since it would be an example that provides a substantive change different from Quarterly Reporting. For that reason, MPP section 44-315.316 has been amended. Under MPP section 44-315.316 "Income Expected to Change," Section 44-315.316(a) was adopted. Adopted Section 44.315.316(a) "Income Expected to Fluctuate after Data Month," provides two paragraphs of information on how to handle cases under SAR in which income fluctuates after the SAR Data Month. Furthermore, Handbook Section 44-315.316(a) provides two illustrative examples on this point. Therefore, this section was amended in response to the testimony. Please see CDSS's response to comment numbers (26) and (51) above.

g) 15-Day Renotice Statement

Pursuant to Government Code section 11346.8, a 15-day renotice and complete text of modifications made to the regulations were made available to the public following the public hearing. No testimony was received on the modifications renoticed for public comment from March 12 to March 27, 2014.