

FINAL STATEMENT OF REASONS

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

Section 63-301.546

Specific Purpose:

This section is being amended to instruct the County Welfare Department (CWD) on issuing a combined benefit allotment for the first and second month to those households that have applied for benefits on or after the 15th of the month and have been determined eligible for expedited service but verification has been postponed.

Factual Basis:

This amendment is necessary to comply with federal regulations at 7 CFR 273.2(i)(4)(iii)(C) and to ensure that households that apply on or after the 15th of the month who have been determined eligible for expedited service, but verification has been postponed, receive a combined benefit allotment for the first and second month. Current state rules did not allow the CWD to issue benefits for the first and second month at the same time, which conflict with federal regulations.

Section 63-301.546(a) (Handbook)

Specific Purpose:

This section is being adopted to instruct the CWD on issuing the third month's benefits to households that have been determined eligible for expedited service and the required postponed verification has been received. If the postponed verification is not completed before the end of the third month, the CWD shall terminate the household's participation and shall issue no further benefits.

Factual Basis:

Currently, the state regulations conflict with federal regulations. This adoption is necessary to be in compliance with federal regulations at 7 CFR 273.2(i)(4)(iii)(D).

b) Identification of Documents Upon Which Department Is Relying

7 CFR 273.2(i)(4)(iii)(C) and (D)

c) Local Mandate Statement

These regulations impose a mandate upon county welfare departments. However, there are no state-mandated local costs in these regulations which require state reimbursement under Section 17500 of the Government Code because the costs are mandated by the federal government.

d) Statement of Alternatives Considered

CDSS must determine 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 and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination 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.

f) Testimony and Response

These regulations were considered as Item #1 at the public hearing held on June 13, 2007 in Sacramento, California. No oral testimony was received. Written testimony was received from Kevin M. Aslanian, Coalition of California Welfare Rights Organizations, Inc.

General Comment:

1. Comment:

"The regulations look fine. The only suggestion we have is that if benefits are issued under this rule, then at the beginning of the second month the CWD should mail a notice to the household (HH) reminding the HH what verification is due.

"It is only fair to remind the HH that continued benefits are contingent on getting the requested verification. Sometimes HH thinks that what they gave the CWSD was sufficient or is not needed for their getting their benefits."

Response:

The Department appreciates this comment but is not amending the regulations. Upon approval of expedited service for Food Stamp benefits, those households who have a certification period of more than one month and whose verification has been postponed are already notified in writing by the county welfare department that the household's eligibility shall be terminated if the verification is not completed within 30 days following the date of application. Requiring a second, duplicative notice would not only be costly in terms of production and mailing but would also necessitate costly programming changes to county eligibility systems.

g) 15-Day Renotice Statement

A 15-day renotice was not required because there were no changes following the public hearing.