CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:
   - ☐ Policy/Regulation Interpretation
   - ☐ QC
   - ☑ Fair Hearing
   - ☐ Other:

5. DATE OF REQUEST: 1//13/2014

NEED RESPONSE BY: as soon as possible

6. COUNTY/ORGANIZATION: Sacramento

7. SUBJECT: adequacy of notice issue

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S):

8. REFERENCES: *(Include ACL/ACIN, court cases, etc. in references)*
NOTE: All requests must have a regulation cite(s) and/or a reference(s).

I-151-82, ACIN I-02-14, 7 CFR Sec 273.13

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

I am reviewing a rehearing involving a Calfresh reduction of benefits and where the judge found the notice to be legally inadequate. The notice states that the claimant's benefits would be reduced from $39.00/mo to $32./mo bec "Your income has changed. When your income changes, the amount of f/s you are eligible to receive changes." The judge determined that bec the notice did not include a budget comp, it did not provide sufficient information or detail as req'd by ACIN I-151-82.

The county has requested a rehearing, arguing that there is no requirement that a budget comp be attached to the CDSS's DFA 377.4 QR notice in order for this notice to be legally adequate.

10. REQUESTOR'S PROPOSED ANSWER:

7 CFR § 273.13 pertaining to termination or reduction of benefits notices of action, does not indicate a budget computation must be attached in order to make the notice adequate. Further, at this time, it remains unclear the extent to which Program considers that ACIN I-151-82 and, more recently, I-02-14, are to be applied to Calfresh adverse notices of action and, specifically, whether under these Departmental letters, a reduction notice must have a budget computation in order to meet the specificity of information requirement discussed in those letters. Additionally, while the judge does not make a determination regarding the adequacy of the notice's "reason for the county's intended action," this reviewer would like to know what Program's position is about whether "Your income has changed" meets the "the reason for the proposed action" requirement pursuant to 7 CFR 273.13.

11. STATE POLICY RESPONSE *(CFPB USE ONLY)*:

CDSS' CalFresh Policy Bureau concurs with the proposed response. The NOA, as described, satisfies the intent of current Notice of Action requirements as stated in both federal and state regulations. No budget computation is required.

FOR CDSS USE

DATE RECEIVED: 11/13/2014

DATE RESPONDED TO COUNTY/ALJ: David Badal 11/13/2014