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: 11/12/14

NEED RESPONSE BY: 12/05/14

6. COUNTY/ORGANIZATION: Calaveras County

7. SUBJECT: County CalWORKs in two CalFresh Cases

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S): 63.502.14 & 63.509.4

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

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

Parents have equal custody of their children. Both parents are receiving CalFresh and one parent is receiving CalWORKs. Is the CalWORKs counted as unearned income in both CalFresh cases?

A Mother and Father have joint and equal custody of their children. The Mother is receiving CalFresh benefits for herself and the children. The Father applied for and is eligible to receive CalWORKs benefits for himself and the children. The father is also receiving CalFresh benefits just for himself. Currently our SAWS system is counting the CalWORKs as unearned income for both the Mother's CalFresh household and the Father's CalFresh household. Is this correct?

Our SAWS system is stating their interpretation of the regulations is correct, and the CalWORKs is to be counted in both households.

10. REQUESTOR'S PROPOSED ANSWER:

The CalWORKs benefits should not be used to determine the CalFresh benefit in both households.

63-509 .4 states "For households that receive a CalWORKs benefit, the actual CalWORKs grant amount for each month must be used when computing food stamp benefits". Since the Mother's household is not receiving the CalWORKs benefit, it should not be counted as unearned income in her CalFresh benefit computation. It seems that the CalWORKs should be counted as unearned income in the Father's CalFresh benefit computation, but we have some concern since this income is for the children, and they are not the ones receiving CalFresh benefits in the Father's case. Please provide guidance.

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

CDSS concurs with proposed response. None of the CalWorks payment made to the father can be counted as unearned income on the mother's case unless the father is paying part of the CalWorks benefit to the mother.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: JR 12.19.14