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:

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S): 20-300.25

5. DATE OF REQUEST: 1/24/13

NEED RESPONSE BY: 1/28/14

6. COUNTY/ORGANIZATION: Shasta

7. SUBJECT: MCE/BBCE and Imposition of IPV

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

ACIN I-50-13

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

Since a household with an Intentional Program Violations (IPV) is not Modified Categorical Eligibility (MCE)/Broad Based Categorical Eligibility (BBCE) eligible:

1. Is this MCE/BBCE rule only in effect during the IPV disqualification period?

2. Does this mean that the CWD must send a request for resource verification prior to implementing the IPV to determine if non-MCE/BBCE households are under the resource limit?

• If the CWD waits to impose the IPV, will the CWD be out of compliance with 20-300.4 time limits for imposing and noticing IPV disqualifications?

• If the CWD imposes the IPV prior to determining resources and the household is later determined to be over the resource limit, will this overissuance be considered an Administrative Error?

10. REQUESTOR'S PROPOSED ANSWER:

1. Yes, the MCE/BBCE rule is in effect only during the IPV disqualification period.
2. The CWD must determine resources of these non-MCE/BBCE households prior to imposing the IPV.

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

The MCE/BBCE rule is only in effect during the IPV disqualification period. The CWD must determine resources of these non-MCE/BBCE households prior to imposing the IPV. If the CWD imposes the IPV prior to determining resources and the household is later determined to be over the resource limit, the overissuance will be considered an Administrative Error. To avoid this error, please refer to MPP 63-300.5 (a) (2). It states that CWD should obtain sufficient information, documentation, verification or clarification of changes in the households circumstances in order to determine eligibility. Furthermore, if the CWD waits to impose the IPV, they will be out of compliance with regulation 20-300.4 time limits.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: 1/2014