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: 2/2//15

NEED RESPONSE BY: asap

6. COUNTY/ORGANIZATION: Imperial

7. SUBJECT: Residency of a minor

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S): WIC 17.1; MPP 63-401

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

WIC 17.1; MPP 63-401

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

The issue concerns an Imperial County action denying an application for Medi-Cal and CF benefits for a minor on grounds of non-residency in the county. We are only concerned with CF for purposes of this contact. The ALJ held that the child does not live in Imperial. The child is a US citizen who lives with his mother's boyfriend, who has a power of attorney to cross the border with the child. The mother cannot legally cross the border from Mexico and lives there. The BF does not have the child pursuant to a court order. The child attends school in Imperial. The ALJ relied on WIC section 17.1 to hold that the child under such circumstances must be deemed to live with the mother, who is in Mexico.

I need to know if the ALJ is correct or if the child should be considered an Imp Co. resident for CF purposes. I will forward a copy of the decision at your request.

10. REQUESTOR'S PROPOSED ANSWER:

I am a retired annuitant ALJ assigned to review rehearing requests. I am interested only in ensuring that my review follows program's legal interpretations. I have no personal position on the issue.

Please advise. A copy of the decision will forwarded to you upon request.

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

In accordance with MPP 63-401, the CDSS concurs with the ALJ's decision, there was nothing presented to establish that the minor child resides in Imperial County.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: A.B.