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: 3/24/14

NEED RESPONSE BY: ASAP

6. COUNTY/ORGANIZATION: Mendocino County

7. SUBJECT: SSA Payments

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S): 44-113.311, 44-111.1, 63-502.2, 63-502.2(q), 63-507

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):

Scenario: Mom with two kids. Quarterly reporting household.Separated from father of children since 5/2012. Applied for and was granted CalFresh and CalWORKs in this county 1/2013. Father is disabled and gets SSDI for himself and is the payee for the 2 children's benefits. Dad has not given any of the money intended for the children to the mom. Mom has never been the payee and did not realize she should be the one getting the benefits. The county has verification from SSA that mom has never been the payee.

Our SIU division has charged her with an OI because of the SSDI for the children. SIU based the OI on an IEVS report. They contend that the money is the childrens no matter who the payee is. They were using as part of their argument for the CW OP that she should have applied for the SSA and were considering it "potentially available income." CF has no PAI. Should the county be using that income in her CalFresh budget and assessing an OI against her?

10. REQUESTOR'S PROPOSED ANSWER:

My answer is no we should not charge her with an OI because she did not have access to the money and was not able to use it to support her household. She was not told by any worker here that she needs to apply for the SSA benefits.

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

The state concurs with your response because the money was not made available for use by the mother. If the client has not already done so, she should do whatever is necessary to get the money paid to her for the children.

FOR CDSS USE

DATE RECEIVED: March 24, 2014

DATE RESPONDED TO COUNTY/ALJ: March 27, 2014 JN