

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento , CA 95814



April 8, 2004

ALL-COUNTY INFORMATION NOTICE NO. 1-21-04

TO: ALL COUNTY WELFARE DIRECTORS
ALL FOOD STAMP COORDINATORS
ALLCALWORKSPROGRAM
SPECIALISTS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order or Settlement Agreement
- Clarification Requested by One or More Counties
- Initiated by COSS

SUBJECT: TRANSITIONAL FOOD STAMP BENEFITS QUESTIONS AND ANSWERS (Q&As)

The purpose of this All-County Information Notice is to provide counties with answers to questions regarding the implementation of Transitional Food Stamp Benefits. These questions were submitted by various counties and the answers were submitted to the County Welfare Directors Association's Food Stamp Committee for review and comment before being finalized.

These answers are intended to provide program implementation information and are based on general circumstances. We will continue to work on questions that have been submitted and not included in this set of Q&As. Also enclosed is the Temp 1239, Food Stamp Notice of Approval/Termination for Transitional Benefits." The purpose of this form is to notify the client when their transitional benefit period will begin and end. This form can also be used to notify the client when their transitional benefits are terminated for any reason other than the end of the five month period.

If you have any questions regarding the enclosed Q&As, please contact Detta Hunt, Food Stamp Policy Development Unit, at (916) 653-6161 or detta.hunt@dss.ca.gov.

Sincerely ,

Original signed by: F. Patrick Sutherland

RIGHTON YEE, Chief
Food Stamp Branch

Enclosure

**TRANSITIONAL FOOD STAMP (TFS) BENEFITS
QUESTIONS & ANSWERS
04/07/2004**

1. What is the timeframe to approve Transitional Food Stamp Benefits (TFS)?

There is not a specific timeframe for the approval of TFS. However, the transition between regular food stamps and TFS should not result in a break-in-aid. (California Department of Social Services Manual of Policy and Procedures (MPP) 63-504.132)

2. Is the TFS benefit the same in each month of the 5-month period regardless of changes in income, resources or household composition?

Yes. Households are not required to report changes in their circumstances during the transitional period. Counties are not to act on information received from another program. Benefits are issued based on information that the county already has, and therefore further contact with the household is not required. However, to prevent duplicate benefits, if a person leaves the household and is approved for benefits in another food stamp household then that person's allotment would be removed from the household and the TFS benefit amount would be adjusted. (MPP 63-504.132(a))

3. Food Stamps discontinue in April. The CalWORKs discontinues in October. Is this case eligible for TFS?

No. Only cases receiving food stamps in the last month of cash assistance would be entitled to TFS. (MPP 63-504.132)

4. If there is a food stamp overissuance that is currently being collected can we continue to recoup (allotment reduction) the overissuance on the TFS case?

Yes. A food stamp overissuance being recouped in the month of the CalWORKs discontinuance should continue. If the overissuance is collected in full during the TFS period, the TFS benefit should be adjusted accordingly. (MPP 63-801.1)

5. A CalWORKs client's cash assistance discontinues. TFS is granted and the client reapplies for CalWORKs and is approved. The client discontinues a second time from CalWORKs. Is the client eligible for TFS a second time? Can we keep going back and forth between cash assistance and TFS? Is there a limit to how many times a client can get TFS?

Each time the CalWORKs cash assistance ends and the household is receiving food stamps in the last month of cash assistance, TFS will be issued and a new five month period will begin. There is no limit to the number of times a household can go on and off TFS. (MPP 63-504.131)

6. Would continuation of benefits (Aid Paid Pending) be applicable on hearing requests on termination of the 5-month TFS period?

No. At the end of the 5-month period the household would have to apply for regular food stamp benefits. There are no benefits issued under TFS beyond the 5-month period. (MPP 63-504.132)

7. Will counties be required to issue a Notice of Action (NOA) at the end of the 5-month of TFS period?

No. For TFS cases that will end after the 5-month period has expired, counties are only required to provide some form of notification regarding the expiration of the period. However, the household must receive a timely NOA (10-days) before TFS is discontinued for any reason other than the end of the 5-month period. If TFS was discontinued for anything other than the end of the 5-month period, then the household could request a hearing. (MPP 63-504.132 and 504.261)

8. Would households have the right to request a hearing based on the county's TFS eligibility determination or benefit level?

Yes.

9. How do counties handle CalWORKs reapplications after TFS has been approved but when it is too late to send the timely notice to end TFS?

Assuming CalWORKs is approved; the household could receive one to two months of TFS benefits before the regular food stamp issuance occurs. (MPP 63-504.26 and 504.421)

10. If the last food stamp benefit, prior to the CalWORKs case being discontinued, was a lesser benefit amount due to the county not being able to provide a timely notice for a reduction in benefits, is the TFS benefit based on that amount adjusted for the loss of the CalWORKs grant?

Yes. The TFS benefit amount would be calculated based on what the household was receiving at the time of the CalWORKs discontinuance. (MPP 63-504.132)

11. When the CalWORKs case is discontinued, does TFS also apply when some of the members received cash aid and some did not?

Yes. A "mixed" household would be eligible for TFS. However, if the household contained some members who were discontinued from CalWORKs and some that continued to receive CalWORKs benefits then the household would not be eligible for TFS. (MPP 63-504.132(a))

12. If the income drops or there is any change in circumstance that may result in the household being entitled to more food stamp benefits does the household reapply for regular food stamps and/or CalWORKs?

Households may apply for regular food stamps and CalWORKs any time during the transitional period with benefits determined according to their current circumstances. (MPP 63-504.21)

13. The whole CalWORKs cash assistance case is discontinued due to the only eligible child leaving the household. Is this a TFS case?

Yes. If a household loses cash benefits because it no longer contains an eligible child they can receive TFS. However, if the child is approved for benefits in another household then the county would need to remove the child from the TFS household. (MPP 63-504.131)

14. What instance would a discontinued cash case convert to a regular food stamp case instead of a TFS?

If the entire household (one person household) was losing CalWORKs cash assistance due to a CalWORKs sanction and they were otherwise eligible for food stamps, they could receive regular food stamps. (MPP 63-504.131(b))

15. If a household requests a discontinuance of their CalWORKs benefits, is it mandatory that the case receive TFS?

Yes. Unless the household requests not to receive TFS benefits. (MPP 63-504.131 and 504.267(f)).

16. During the month cash aid is discontinued, is a household member included in the TFS household if it is known to the county that the individual will not be in the home the following month (first month of TFS)?

Yes. TFS benefits are issued based on circumstances in the last month of CalWORKs eligibility. If the individual was included in the last month of CalWORKs, that individual should be included in the TFS household. However, if the individual applies and is approved for benefits in another household then the county would need to remove them from the TFS household. (MPP 63-504.131)

17. Should households report certain changes during the TFS period, such as an address change? Should counties continue to issue TFS to a new address if the mail is returned?

TFS households are not required to report address changes during the TFS period. The county can continue to issue TFS benefits to the household existing EBT card. If the county is issuing a new EBT card or food stamp coupons, the county should send a notice to the household that they will need to contact the FS office to receive their benefits.

18. Should counties issue TFS if the household is being discontinued from CalWORKs for whereabouts unknown?

Yes. The TFS case should be set up. However, if the county is choosing to issue a new EBT card the county should send a notice to the household that they will need to contact the FS office in order to receive their card. If the county chooses to continue to use the household's existing EBT card they can issue TFS benefits to that card.

19. Situation: A mother and child are receiving a zero CalWORKs cash grant at the time they are discontinued from CalWORKs, and are receiving \$10 in food stamp benefits because of categorical eligibility - are these households eligible for TFS?

Yes. The TFS amount would be based on the last month of CalWORKs eligibility and food stamp benefits. (MPP 63-504.131)

20. Situation: A mother and child are receiving CalWORKs. The child is approved for SSI/SSP and the mother gets a job which makes the family ineligible for CalWORKs. Is the household eligible for TFS? If so, for how many people?

The mother and the child would be eligible for TFS if the child was not receiving SSI/SSP in the last month the household was receiving CalWORKs. However, if the child was receiving SSI/SSP in the month prior to the household being discontinued from CalWORKs, the child would not be eligible for TFS. (MPP 63-504.131)

21. If a member of a TFS household becomes otherwise ineligible for food stamps (e.g. fleeing felon or receipt of SSI/ SSP benefits), during the TFS period, does the household's TFS benefits remain the same or does the county need to readjust the benefit amount?

The TFS benefit amount would remain the same. The benefit amount is based on the last month of CalWORKs eligibility. (MPP 63-504.132)

22. Situation: Mom (under age 22) and her child are receiving TFS. They move into the senior parent's home during the TFS period. Can the Mom and her child continue to receive TFS until the TFS period ends?

Yes. TFS will continue for the 5-month period. Regular food stamp household composition rules would not take effect until the end of the 5-month period or the household decides to apply for food stamps and is approved. However, if the senior parent is on CalWORKs, and the younger parent is included in the household, then TFS would end and the regular food stamp household composition rules would take effect. (MPP 63-504.132)

23. Would cases that are CalWORKs intercounty transfer cases (ICTs) be eligible for TFS?

No. When the household moves to another county in the state the new county continues the transferred CalWORKS case and opens a new FS case. In these cases, there is no TFS eligibility since the household has not actually lost CalWORKs eligibility. However, if the household was already on TFS and the household moved to another county then the county that originally initiated the TFS benefit would continue to provide benefits. (MPP 63-504.132)

24. Does the county have a responsibility to advise a TFS household when a change in household circumstances would otherwise increase benefits or if a household came in to apply for regular food stamps and by doing so would lower their benefit level?

No. This would be up to the county. However, it is assumed that if the household calls or comes into the FS office the FS worker would explore the available options.

25. Would cases in the Transitional Food Stamp Program be subject to Quality Control (QC) reviews?

Yes. The TFS case may be reviewed, for example, for things such as the establishment of the TFS case, the calculation of the benefit amount, and issues concerning duplicate aid. (Note: Counties will be held harmless from QC errors for a period of 120 days from the January 1, 2004, effective date.)

26. What if the county's EBT "Out of State Usage Report" shows the recipient is consistently purchasing out of the County or out of the State?

TFS benefits would continue to be issued unless the county has reliable info that the household has left the state.

27. Are households that are discontinued from Tribal TANF eligible for TFS benefits?

Yes. Native Americans are entitled to TFS benefits if they meet TFS eligibility criteria. However, tribal TANF programs need to provide the necessary information/documentation required for the calculation of the TFS benefit amount in order that TFS benefits can be issued.

Food Stamp Notice of Approval/Termination Transitional Benefits

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND HUMAN SERVICES AGENCY
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
Case Name : _____
Number : _____
Worker Name : _____
Number : _____
Telephone : _____
Address : _____

ADDRESSEE

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

APPROVAL

Because your CalWORKs case has been closed, you will be receiving Transitional Food Stamp benefits.

Starting, _____, your food stamp benefits are \$ _____ each month. You will receive transitional food stamps for 5 months. The Transitional Food Stamp 5-month certification period replaces your previous certification period.

Reporting:

Households that are receiving transitional food stamp benefits do not have to report on their income or household situation each month during their transitional food stamp certification period.

However, if you reapply for regular food stamp benefits and you are approved, your transitional benefits will end and regular reporting requirement will apply.

If you reapply for CalWORKs and you are approved, you will no longer receive transitional food stamp benefits even if your 5 months have not ended.

TERMINATION

Effective _____, your current transitional benefit period will end.

Because:

- Your application for regular food stamps has been approved.
- Your application for CalWORKs has been approved.
- Other:

Rules: These rules apply: You may review them at your welfare office. Assembly Bill 231 (Chapter 743, Statutes of 2003); Welfare and Institutions Code Sections 11155, 18901.6, 18901.9 and 18901.10.

YOUR HEARING RIGHTS

You have the right to ask for a hearing if you disagree with any county action. You have only 90 days to ask for a hearing. The 90 days started the day after the county gave or mailed you this notice.

If you ask for a hearing before an action on Cash Aid, Medi-Cal, Food Stamps, or Child Care takes place:

- Your Cash Aid or Medi-Cal will stay the same while you wait for a hearing.
- Your Child Care Services may stay the same while you wait for a hearing.
- Your Food Stamps will stay the same until the hearing or the end of your certification period, whichever is earlier.

If the hearing decision says we are right, you will owe us for any extra Cash Aid, Food Stamps or Child Care Services you got.

To let us lower or stop your benefits before the hearing, check below:

Yes, lower or stop: Cash Aid Food Stamps Child Care

While You Wait for a Hearing Decision for:

Welfare to Work:

You do not have to take part in the activities.

You may receive child care payments for employment and for activities approved by the county before this notice.

If we told you your other supportive services payments will stop, you will not get any more payments, even if you go to your activity.

If we told you we will pay your other supportive services, they will be paid in the amount and in the way we told you in this notice.

- To get those supportive services, you must go to the activity the county told you to attend.
- If the amount of supportive services the county pays while you wait for a hearing decision is not enough to allow you to participate, you can stop going to the activity.

Cal-Learn:

- You cannot participate in the Cal-Learn Program if we told you we cannot serve you.
- We will only pay for Cal-Learn supportive services for an approved activity.

OTHER INFORMATION

Medi-Cal Managed Care Plan Members: The action on this notice may stop you from getting services from your managed care health plan. You may wish to contact your health plan membership services if you have questions.

Child and/or Medical Support: The local child support agency will help collect support at no cost even if you are not on cash aid. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you current support money collected but will keep past due money collected that is owed to the county.

Family Planning: Your welfare office will give you information when you ask for it.

Hearing File: If you ask for a hearing, the State Hearing Division will set up a file. You have the right to see this file before your hearing and to get a copy of the county's written position on your case at least two days before the hearing. The state may give your hearing file to the Welfare Department and the U.S. Departments of Health and Human Services and Agriculture. **(W&I Code Sections 10850 and 10950.)**

TO ASK FOR A HEARING:

- Fill out this page.
- Make a copy of the front and back of this page for your records. If you ask, your worker will get you a copy of this page.
- Send or take this page to:

OR

- Call toll free: 1-800-952-5253 or for hearing or speech impaired who use TDD, 1-800-952-8349.

To Get Help: You can ask about your hearing rights or for a legal aid referral at the toll-free state phone numbers listed above. You may get free legal help at your local legal aid or welfare rights office.

If you do not want to go to the hearing alone, you can bring a friend or someone with you.

HEARING REQUEST

I want a hearing due to an action by the Welfare Department of _____ County about my:

Cash Aid Food Stamps Medi-Cal

Other (list) _____

Here's Why: _____

If you need more space, check here and add a page.

I need the state to provide me with an interpreter at no cost to me. (A relative or friend cannot interpret for you at the hearing.)

My language or dialect is: _____

NAME OF PERSON WHOSE BENEFITS WERE DENIED, CHANGED OR STOPPED

BIRTH DATE PHONE NUMBER

STREET ADDRESS

CITY STATE ZIP CODE

SIGNATURE DATE

NAME OF PERSON COMPLETING THIS FORM PHONE NUMBER

I want the person named below to represent me at this hearing. I give my permission for this person to see my records or go to the hearing for me. (This person can be a friend or relative but cannot interpret for you.)

NAME PHONE NUMBER

STREET ADDRESS

CITY STATE ZIP CODE