



CDSS

WILL LIGHTBOURNE
DIRECTOR

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

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

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

December 14, 2016

ALL COUNTY INFORMATION NOTICE (ACIN) NO. I-88-16

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM SPECIALISTS
ALL CONSORTIA REPRESENTATIVES
ALL QUALITY CONTROL COORDINATORS

SUBJECT: CALFRESH ABLE-BODIED ADULT WITHOUT DEPENDENTS
(ABAWD) 36-MONTH FIXED STATEWIDE CLOCK

REFERENCES: 7 U.S.C. 2015(o); 7 CFR SECTIONS 273.24; ADMINISTRATIVE
NOTICE 99-63; [ACL 16-24](#)

The purpose of this ACIN is to provide counties with information regarding the implementation of the ABAWD time limit and the start of the new 36-month fixed statewide clock for ABAWDs.

Background

The ABAWD time limit was implemented in 1996 as part of federal welfare reform. An ABAWD's eligibility for CalFresh is time limited to three months within a 36-month period unless the individual 1) lives in a county or geographic area within a county with an ABAWD waiver, 2) satisfies the ABAWD work requirement, 3) qualifies for an exemption, or 4) is granted an individual 15 percent exemption. The ABAWD work requirement is met through employment, workfare, education and training, including some CalFresh Employment and Training (E&T) components, and various other activities.

For more background information regarding ABAWDs, please reference All County Letter 16-24 released on April 21, 2016.

The 36-Month Clock

The State can choose from several options when setting the 36-month clock. Previously in California, the ABAWD 36-month clock began at the start of the first full month after an individual was determined to be subject to the ABAWD time limit. This option is known as the fixed individual clock and is no longer applicable in California. The California Department of Social Services (CDSS), in consultation with counties, advocates and other stakeholders, has chosen to implement a new option for the 36-month clock. The new option is referred to as a fixed statewide clock. The CDSS believes that this option will reduce confusion and lessen county workload as well as benefit the client.

A fixed statewide clock has the same beginning and end date in all 58 counties for all ABAWDs. Once begun, the 36-month clock continues uninterrupted, regardless of whether the individual lives in a county or geographic area within a county where the time-limit is waived, satisfies the ABAWD work requirement, qualifies for an exemption, is granted an individual 15 percent exemption, or loses eligibility. The 36-month clock also continues even when other penalties, such as voluntary quit sanctions, are imposed.

When the statewide clock ends, a new clock will begin the following day. ABAWDs may become subject to the work requirement for the first time at various points within the fixed statewide clock depending on whether they qualify for an exemption, live in a waiver county, or are subject to the work requirement when the clock starts. However, the statewide clock will always end on the same date. When the statewide clock ends, individuals who are ineligible based on failure to meet the ABAWD work requirement will have their eligibility restored and again be subject to the time limit as described above.

The fixed statewide clock for California will begin on January 1, 2017 and will reset on January 1, 2020. CDSS has worked in consultation with the consortia to start the fixed statewide clock on January 1, 2017 in order to maximize client benefit.

County Welfare Department (CWD) Action

At this time, CWDs do not need to take any action. California remains under a statewide ABAWD waiver until December 31, 2017. At that time, ABAWDs will become subject to the time limit in those counties and geographic areas that are not waived. In 2017, CDSS will inform counties and/or geographic areas if they qualify for a waiver of the ABAWD time limit. No action to seek a waiver is necessary on behalf of the county. All waivers will be assigned automatically by CDSS.

If you have any questions regarding this letter, please contact your CalFresh county consultant or call the CalFresh Policy Bureau at (916) 654-1896.

Sincerely,

Original Document Signed By:

KIM MCCOY WADE, Chief
CalFresh Branch