



CDSS

JOHN A. WAGNER  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER  
GOVERNOR

March 26, 2009

ALL-COUNTY INFORMATION NOTICE NO.: I-23-09

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: **CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI)  
PAYMENT STANDARDS EFFECTIVE MAY 1, 2009**

REFERENCE: **ALL COUNTY INFORMATION NOTICE (ACIN) I-93-08**

REASON FOR THIS TRANSMITTAL

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

The purpose of this notice is to advise counties of a change in the payment standards for CAPI as a result of the recent budget signed by the Governor.

**BACKGROUND**

On February 20, 2009, the Governor signed into law Senate Bill X3 6 (Chapter 13, Statutes of 2009). Under this new law, the Supplemental Security Income/State Supplementary Program (SSI/SSP) payment standards will be reduced back to the December 2008 levels, effective May 1, 2009. As required by Welfare and Institutions Code (WIC) Section 18941, the CAPI payment standards are based on the SSI/SSP payment standards, minus \$10.00 for an individual and \$20.00 for a couple. Consequently, there will be a decrease in the CAPI payment standards effective May 1, 2009. The rates for those living in Title XIX medical facilities, and the Non-Medical Out-of-Home Care living arrangement are exempt. The CAPI payment standards that will become effective on May 1, 2009 are the direct result of the new Budget reduction on the SSI/SSP rates and are reflected on the attached chart.

Under the new law, there could be an additional 2.3 percent reduction to the SSI/SSP payment standards effective July 1, 2009. The reduction is subject to rescission by the Director of the Department of Finance. The rates for those living in Title XIX medical facilities or in a Non-Medical Out-of-Home Care living arrangement are exempt. We expect to be notified on April 1, 2009 whether or not this additional reduction will occur.

In the event the additional reduction is implemented, we will notify you immediately and provide the new payment standards (reduced by 2.3 percent) via an ACIN.

The May 1, 2009 reduction back to the December 2008 levels will have no affect on the following values: 1) presumed maximum value of in-kind support and maintenance; 2) the allowance for ineligible children in deeming situations; 3) the sponsor's allocation in alien deeming situations; or 4) the allowance for parent(s) in parent-to-child deeming situations.

### **COORDINATION WHEN ONE SPOUSE RECEIVES SSI/SSP**

As stated above, WIC Section 18941 requires CAPI benefits to be equivalent to SSI/SSP benefits, except that the CAPI payment standards must be \$10.00 less for an individual and \$20.00 less for a couple. A unique situation arises when one member of a couple receives SSI/SSP and the other receives CAPI. All-County Letter No. 99-13 addressed this situation by requiring counties to count the SSI/SSP benefits received by one member as income while using a special payment standard that is \$10.00 less than the SSI/SSP payment standard for a couple. The intended result of this policy is that a CAPI/SSI/SSP couple receive combined benefits that total \$10.00 less than the SSI/SSP benefit rate for a couple, as required by WIC Section 18941.

However, the intended result will NOT occur for a CAPI/SSI/SSP couple if normal retrospective budgeting of the spouse's SSI/SSP benefit is used to determine CAPI payment in the effective month of a reduction and the subsequent month. For example, using a May reduction, under normal retrospective counting rules, the CAPI recipient's May and June payments would be computed using the spouse's SSI/SSP benefit from March and April respectively, which is before the SSI/SSP reduction in May. This would result in the CAPI/SSI/SSP couple receiving lower combined benefits in May and June than either the SSI/SSP or CAPI couple.

In order to comply with WIC Section 18941, counties are hereby instructed, for CAPI/SSI/SSP couples, to prospectively budget the spouse's SSI/SSP benefit in the month that a reduction occurs and the subsequent month. Using a May reduction for example, the CAPI recipient's May payment should be computed using the spouse's SSI/SSP May payment, and the CAPI recipient's June payment should be computed using the spouse's SSI/SSP June payment.

Using May 2009 as an example, the difference between retrospective and prospective budgeting is illustrated in the following table:

	Retrospective Budget	Prospective Budget
05/09 CAPI/SSI couple rate	\$1514	\$1514
Spouse's SSI/SSP used in budget calculation	\$907 (3/09)	\$870 (5/09)
05/09 CAPI payment	\$607	\$644
Total income actually received by couple in 05/09	\$1477	\$1514
<p><i>The total payment of \$1477 received in this example under retrospective budgeting is derived from the spouse's actual SSI/SSP payment of May 2009, plus the CAPI payment (based retrospectively on the March 2009 SSI/SSP payment). This is less than both the SSI/SSP couple rate of \$1524 and the CAPI/SSI couple payment rate of \$1514. Therefore, the prospective budget must be used.</i></p>		

**RECIPIENT NOTIFICATION**

The "Notice of Change Cash Assistance Program for Immigrants" (NA 692) must be sent to CAPI recipients notifying them of the payment standard reduction that is effective May 1, 2009. Under "Change in Benefits" or "Discontinuance", check the "Other" box and enter the following language:

*"A State law passed which resulted in a reduction of CAPI benefits (Welfare and Institutions Code Section 12200 et.seq)."*

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Any questions regarding these adjustments should be directed to the Adult Programs Branch, Operations and Technical Assistance Unit at (916) 229-3494.

Sincerely,

***Original Document Signed By:***

EVA L. LOPEZ  
Deputy Director  
Adult Programs Division

c: CWDA

Attachment

CAPI PAYMENT STANDARDS  
**EFFECTIVE MAY 1, 2009**  
BASED ON MAY 2009 SSI/SSP STANDARDS  
Includes no pass-through of the CPI COLA and suspension of the CNI COLA

	INDEPENDENT LIVING			REDUCED NEEDS			NON-MEDICAL OUT-OF-HOME CARE (NMOHC)					
	RESIDING IN OWN HOUSEHOLD			HOUSEHOLD OF ANOTHER WITH IN-KIND ROOM & BOARD			HOUSEHOLD OF RELATIVE WITH IN-KIND ROOM & BOARD AND CERTIFIED NMOHC			IN LICENSED FACILITY OR HOUSEHOLD OF RELATIVE WITHOUT IN-KIND ROOM & BOARD		
	TOTAL CAPI		TOTAL SSI/SSP	TOTAL CAPI		TOTAL SSI/SSP	TOTAL CAPI		TOTAL SSI/SSP	TOTAL CAPI		TOTAL SSI/SSP
<b>INDIVIDUAL:</b>												
AGED OR DISABLED	<b>860.00</b>		870.00	<b>648.67</b>		658.67	<b>846.34</b>		856.34	<b>1,076.00</b>		1,086.00
- without cooking facilities (RMA) 1/	<b>944.00</b>		954.00									
BLIND	<b>925.00</b>		935.00	<b>729.67</b>		739.67	<b>846.34</b>		856.34	<b>1,076.00</b>		1,086.00
DISABLED MINOR												
- living with parent(s)	<b>746.00</b>		756.00	<b>522.67</b>		532.67			856.34	<b>1,076.00</b>		1,086.00
- living with non-parent relative or non-relative guardian							<b>846.34</b>		856.34	<b>1,076.00</b>		1,086.00
<b>COUPLE:</b>	<b>BOTH CAPI</b>	<b>ONE CAPI, ONE SSI</b>	<b>BOTH SSI/SSP</b>	<b>BOTH CAPI</b>	<b>ONE CAPI, ONE SSI</b>	<b>BOTH SSI/SSP</b>	<b>BOTH CAPI</b>	<b>ONE CAPI, ONE SSI</b>	<b>BOTH SSI/SSP</b>	<b>BOTH CAPI</b>	<b>ONE CAPI, ONE SSI</b>	<b>BOTH SSI/SSP</b>
AGED OR DISABLED												
- per couple	<b>1,504.00</b>	1,514.00	1,524.00	<b>1,213.00</b>	1,223.00	1,233.00	<b>1,699.66</b>	1,709.66	1,719.66	<b>2,152.00</b>	2,162.00	2,172.00
- without cooking facilities (RMA) 1/	<b>1,672.00</b>	1,682.00	1,692.00									
BLIND												
- per couple	<b>1,731.00</b>	1,741.00	1,751.00	<b>1,440.00</b>	1,450.00	1,460.00	<b>1,699.66</b>	1,709.66	1,719.66	<b>2,152.00</b>	2,162.00	2,172.00
BLIND/AGED OR DISABLED												
- per couple	<b>1,646.00</b>	1,656.00	1,666.00	<b>1,354.00</b>	1,364.00	1,374.00	<b>1,699.66</b>	1,709.66	1,719.66	<b>2,152.00</b>	2,162.00	2,172.00

TITLE XIX MEDICAL FACILITY

	Individual	Couple
Total CAPI .....	\$40	\$80
SSI/SSP .....	50	100

1/ RMA - Restaurant Meals Allowance - \$84 Individual; \$168 Couple