



CDSS

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DEPARTMENT OF SOCIAL SERVICES

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ARNOLD SCHWARZENEGGER
GOVERNOR

December 1, 2009

ERRATA

ALL COUNTY INFORMATION NOTICE NO. I-54-09EII

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS
ALL FOOD STAMP COORDINATORS
ALL CalWORKs PROGRAM SPECIALISTS

SUBJECT: CLARIFICATION TO ALL COUNTY INFORMATION NOTICE (ACIN)
I-54-09, PAGE ONE, QUESTION AND ANSWER REGARDING
OVERISSUANCE – EXCLUDED HOUSEHOLD MEMBER

The purpose of this letter is to clarify the response to a question and answer that was recently published on page one of ACIN I-54-09, "Overissuance (O/I) – Excluded Household Member. The response now more clearly states that, although SSI/SSP recipients may be responsible for the O/I, repayment cannot be demanded to be paid from the SSI/SSP.

The correct response to the question should read as follows:

QUESTION:

Can the county demand repayment from an excluded household member such as an SSI/SSP recipient or an undocumented person?

ANSWER:

Yes. At 7 CFR 273.18, federal regulations state adult members of the household are responsible for overissuances (O/Is). Excluded household members are part of the household, but not currently receiving benefits due to ineligibility status, such as being sanctioned, having SSI status or having drug/fleeing felon status (please refer to Manual of Policies and Procedures section 63-402.22). Given the fact that they are adults and considered part of the household and could have caused the O/I, excluded household members not currently in a status to be receiving benefits are responsible for repayment of an O/I claim. Although SSI/SSP recipients may be responsible for the O/I,

repayment cannot be demanded from the SSI/SSP benefit. Repayment can be demanded from the other excluded adult household members.

Should you have any questions, please contact Rosie Avena of the Policy Implementation Unit at (916) 654-1514 or e-mail at rosie.avena@dss.ca.gov.

Sincerely,

Original Document Signed By:

CHRISTINE WEBB-CURTIS, Chief
Food Stamp Branch