



CDSS

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DEPARTMENT OF SOCIAL SERVICES

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ARNOLD SCHWARZENEGGER
GOVERNOR

December 3, 2010

ALL COUNTY INFORMATION NO. I-101-10

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 CalWORKs PROGRAM SPECIALISTS
ALL CALFRESH COORDINATORS
ALL CONSORTIUM PROJECT MANAGERS
ALL COUNTY CHILD WELFARE SERVICES PROGRAM MANAGERS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs): FINAL REGULATIONS ON INTER-COUNTY TRANSFER (ICT) PROCESS

REFERENCE: SENATE BILL (SB) 1160 (CHAPTER 484, STATUTES OF 2008)
WELFARE AND INSTITUTIONS (W&I) CODE SECTION 11052.6
ALL COUNTY INFORMATION NOTICE (ACIN) NO. I-05-09

The purpose of this notice is to transmit final regulations that amend the face-to-face and verification requirement to the CalWORKs ICT process due to the enactment of SB 1160 (Chapter 484, Statutes of 2008). The relevant provisions of SB 1160 were initially implemented through ACIN I-05-09, dated January 20, 2009. The attached final regulations were approved by the Office of Administrative Law, filed with the Secretary of State on August 26, 2010, and became effective on September 25, 2010. These updated regulation pages and the accompanying Eligibility and Assistance Standards Manual letter 1005 are posted on the internet at:
<http://www.dss.cahwnet.gov/ord/PG2306.htm>.

SB 1160 added Section 11052.6 of the W&I Code to exempt non-needy caretaker relatives who are receiving CalWORKs on behalf of a child who is a dependent child of the court (and who is not receiving federal Foster Care) from the face-to-face interview requirement in their new county of residence when the family moves from one county to another. SB 1160 also requires the receiving county to verify that the relative has been

approved to care for the child pursuant to the standards of subdivision (d) of Section 309 of the W&I Code and the relative is not receiving CalWORKs benefits for him or herself. Current regulations in the Manual of Policies and Procedures 40-188.13 require that counties provide documentation to the receiving county verifying caretaker relative status and foster care placement authority. In order to avoid the need for a face-to-face interview, the sending county must ensure that all such documentation relative to the placement of the child and verification that the relative is a non-needy caretaker are included in the ICT packet.

If you have questions regarding this notice, please contact your CalWORKs county consultant directly or call the CalWORKs Eligibility Bureau at (916) 654-1322.

Sincerely,

Original Document Signed By:

KÄREN DICKERSON, Chief
Employment and Eligibility Branch

Attachment

Amend Section 40-188 to read:

40-188 TRANSFER PROCEDURE (Continued)

40-188

- .2 Second County The second county shall:
- .21 Contact Recipient Provide or send an appointment letter to the recipient, if the address is known. The letter shall include the address and telephone number of the county welfare office, an appointment date and time, and inform the recipient that the appointment may be re-scheduled, if needed. Aid shall not be stopped or suspended for the recipient's failure to keep the first appointment during the transfer period. The county may also include with the appointment letter any additional forms needed to complete the redetermination of eligibility.
- .211 Exemption Verify that non-needy caretaker relatives who are receiving CalWORKs on behalf of a child who is a dependent of the court (and who is not receiving federal Foster Care benefits) are approved pursuant to the standards of subdivision (d) of Section 309 of the Welfare and Institutions Code to care for the court dependent child. Once verified, this population is exempt from attending the ICT redetermination appointment with the second county.
- .22 Redetermine Eligibility Eligibility and grant amount shall be determined based on current circumstances using continuing recipient criteria. The county shall follow the provisions of Section 40-126.3 when processing the ICT. Continuing eligibility determination must be completed by the end of the transfer period as specified in Section 40-187.12.
- .23 Provide Information Provide the first county with any information which might affect eligibility or the amount of cash aid during the transfer period.
- .24 Foster Care Legal Guardian For children receiving CalWORKs, where there is a legal guardian for the child, make an effort to secure the cooperation of the legal guardian.
- .25 Foster Care Notification Provide the first county with notification, written or via electronic data transfer, of the receipt and disposition of the transfer documentation.

NOTE: Authority cited: Sections 10553, 10554, 10605, 11052.6, 11053, 11102, and 11369, Welfare and Institutions Code. Reference: Sections 10553, 10554, 10605, and 11265.1, Welfare and Institutions Code; and Nickols v. Saenz Court Order Case Number 310867.