



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

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

March 28, 2014

ALL COUNTY INFORMATION NOTICE NO. I-14-14

TO:

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

SUBJECT: WORK INCENTIVE NUTRITIONAL SUPPLEMENT (WINS) FOOD SUPPLEMENT

REFERENCE: SENATE BILL (SB) 1041 (CHAPTER 47, STATUTES OF 2012), SECTION 39, AMENDING WELFARE AND INSTITUTIONS (W&I) CODE SECTION 15525; [ALL COUNTY LETTERS \(ACL\) 03-66; 13-71; 13-88](#); [All County Information Notice \(ACIN\) I-38-11](#)

The purpose of this letter is to provide County Welfare Departments (CWDs) with information and instructions regarding the WINS program and its designated aid codes, (R4, R5, R6, R7, R8, and R9 in the Medi-Cal Eligibility Data System (MEDS)).

BACKGROUND

On June 27, 2012, SB 1041 was passed. Section 39 of this bill amended the W&I Code section 15525 to institute a new food benefit, WINS. WINS is a mandatory food benefit which applies to CalFresh only Non-Assistance (NACF) households, with no eligible member(s) receiving California Work Opportunity and Responsibility to Kids (CalWORKs) benefits, who meet the qualifications for Temporary Assistance for Needy Families (TANF) work participation hours through work, and have at least one child in the household who is under 18 years old. This food benefit is not a CalFresh benefit.

FUNDING

WINS is a 100 percent TANF/Maintenance of Effort (MOE) state funded food supplement (state funded non-MOE until FFY 2015) which adds a ten dollar (\$10) food benefit each month to a CalFresh recipient's Electronic Benefit Transfer (EBT) card; it is

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not a cash payment. California Food Assistance Program (CFAP) recipients will also receive the WINS benefit, but will be funded with 100 percent non-MOE General Fund (GF) and are not countable toward the TANF Work Participation Rate (WPR).

WINS BENEFIT

The \$10 WINS benefit will be automatically added to the EBT card of any qualifying household. WINS eligibility is determined for the household a) at application, b) when the household reports a change, or c) at recertification, and continues on a monthly basis for so long as the household remains eligible. WINS changes are not encouraged during mid-period, and any household that requests having WINS added to their case mid-period should be cautioned about doing so as the mid-period report could adversely affect their CalFresh benefits. (See "MID-PERIOD REPORTING" on page eight.)

No specific member of the household receives the WINS benefit. Only one work eligible individual (WEI) in the household meeting the work requirement is needed in order for the CalFresh household to receive the benefit; in a situation of two-parent/caretaker households, hourly participation requirements may be met by one or both parent/caretakers.

While it is possible for there to be more than one family living within one CalFresh household, each WINS eligible CalFresh household may only receive one WINS benefit per month, regardless of how many families are in that CalFresh household. Two different families that live together but are part of one CalFresh household can only receive one ten dollar WINS benefit per month. If there are two or more CalFresh households living together in which each are separately receiving CalFresh because they purchase and prepare their food separately, then they are each eligible for WINS and each household will receive a ten dollar benefit.

Whenever possible, WINS benefits should be issued at the same time as CalFresh benefits; however, issuing the WINS benefits a day or two after the CalFresh benefits is acceptable, if necessary.

In accordance with federal law and W&I Code Section 15525, a household may not have their CalFresh benefits reduced as a consequence of receiving a WINS benefit; therefore, the WINS benefit will not be counted as income in the CalFresh benefit determination. The WINS food supplement benefit can only be used for the purchase of food as coded by EBT benefit type. Receipt of WINS benefits will not be counted toward the federal TANF 60-month time limit on aid, or toward the state's CalWORKs 48-month or Welfare-to-Work 24-month time limits and will not trigger child support assignment requirements.

The WINS benefit will be issued prospectively and eligibility will continue until changes reported by the household determine them ineligible. However, if at mid-period a WINS household voluntarily reports employment hours that fall below the federal requirement, or provides no verification of hours worked when requested for a case which has been sampled for federal reporting purposes, then the WINS benefit will be discontinued. At

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this time an adequate notice of termination stating that WINS was discontinued and why it was discontinued shall be issued. The discontinuance will become effective the month following the month of discovery. Any payments to the household prior to the discovery that the household was not meeting the work hour requirement will not be pursued by the county as an overpayment. The WINS benefit will simply be taken off of the household's EBT card prospectively. The household would continue to receive the CalFresh portion of benefits.

WINS ELIGIBILITY REQUIREMENTS

The following criteria must be met in order for a CalFresh household to qualify for WINS benefits. A WINS eligible CalFresh household:

- Must be a household receiving CalFresh, but not receiving CalWORKs or Tribal TANF;
- Must have a child in the home under age 18, or under the age of 19 if the child meets the requirements of WIC Section 11253 (See Attachment 1);
- Must have at least one parent/caretaker who is receiving CalFresh and that meets the federal TANF definition of a "work-eligible individual," in accordance with 45 Code of Federal Regulations (CFR) 261.2(n) and Title 42 of the United States Code (USC) section 607 (See Attachment 2);
- Must have the WEI participating in a sufficient number of hours in work activities that meet federal TANF work participation hours requirements under Title 42 (USC) section 607 for subsidized and unsubsidized employment, which are as follows:
 - 20 hours per week for single custodial parents/caretakers with a child under the age of six;
 - 30 hours per week for non-two parent/caretakers with children age six or older;
 - 35 hours per week for two-parent/caretaker families; and
- Must provide acceptable documentation when requested that the household met the federal work requirements for subsidized or unsubsidized employment, in accordance with the federally approved work verification plan (ACL 09-07).

WORK ACTIVITIES

Participation in the following work activities that meets TANF hourly requirements qualifies households for the WINS benefit.

Unsubsidized Employment

Full- or part-time employment, including self-employment, in the public or private sector that is not subsidized by TANF or any other public program.

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Subsidized Employment

Employment in the private and public sectors for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a work-eligible individual (See Attachment 2).

ISSUANCE OF BENEFITS

WINS implementation may begin as soon as the county is ready; however, beginning on July 1, 2014, all CWDs are required to have WINS fully implemented and must issue benefits to NACF recipients that meet the WINS criteria. All eligible WINS cases must receive benefits in the month of July 2014.

For new cases, the initial WINS benefit should be issued at or near the time of the initial CalFresh benefit although there is no requirement to issue the WINS benefit on the same day as regular CalFresh benefits. If Expedited Service (ES) is required, the WINS benefit should be issued as close to the CalFresh benefit as is administratively possible.

AUTOMATION OF WINS

The Statewide Automated Welfare Systems (SAWS) are set up to do most of the WINS eligibility automatically. The programming will look at the hours field for work hours entered by the eligibility worker (EW) from the household application, mid period report, recertification documentation, or change reports.

To determine if a client meets the minimum hourly requirements for WINS eligibility, whenever possible the county should use actual hours worked for the month. This should be accomplished by the consortia systems taking the information from the hours fields of the household application, mid period report, recertification documentation, or change reports, and comparing them against the hours required by WINS. If the hours and other criteria (e.g. a child in the house) are met, the automation should give the client the WINS benefit. Also, if possible there should be a place on the eligibility worker's (EW) screen to allow an entry indicating whether or not those hours are verified, a checkbox perhaps.

If there is a situation in which there is no hourly information available (e.g., hours worked are not listed on the paystub or otherwise noted on the reporting form), then the client's wages are divided by the sum of state minimum wage plus fifty cents (state minimum wage + \$0.50) to determine the hours worked. This functionality would be created to be a back-up only to be used when actual hours worked information is unavailable to the EW, and should not be the normal practice; therefore, hours worked information must be requested and, if available, entered by the EW as part of the normal application, mid period report, recertification documentation, or change reporting processes.

OTHER WINS COMPATIBLE PROGRAMS

A CalFresh recipient in the household who is also receiving assistance from programs other than CalWORKs, such as Kin-GAP, Refugee Cash Assistance (RCA), and Foster

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Care is eligible for WINS benefits if they meet all the WINS criteria. However, if someone in the household received Tribal TANF, recipients would not be eligible as Tribal TANF is a separately funded and administered TANF program.

NEW CALFRESH WINS AID CODES

When a household qualifies for WINS, the participating CalFresh household's aid code will be changed to a new WINS aid code.

The following new aid codes have been programmed into MEDS and have been effective since January 1, 2014.

- **R4** - Work Incentive Nutritional Supplement for non-two parent/caretaker relative households receiving Non-Assistance CalFresh.
- **R5** - Work Incentive Nutritional Supplement for two parent/caretaker relative households receiving Non-Assistance CalFresh.
- **R6** - Work Incentive Nutritional Supplement for non-two parent or two parent/caretaker relative households receiving California Food Assistance Program (CFAP) benefits.
- **R7** - Work Incentive Nutritional Supplement for non-two parent/caretaker relative households receiving Transitional CalFresh (TCF) benefits.
- **R8** - Work Incentive Nutritional Supplement for two parent/caretaker relative households receiving Transitional CalFresh (TCF) benefits.
- **R9** - Work Incentive Nutritional Supplement for non-two parent or two parent/caretaker relative households receiving Transitional California Food Assistance Program (TCFAP) benefits.

For example, a non-two parent household receiving NACF benefits, and meeting the WINS program eligibility requirement, would be converted from aid code 09 to aid code R4 in MEDS. Only one WINS aid code will be assigned per CalFresh household, which will either be R4, R5, R7, or R8. These aid codes are identified as both CalFresh and WINS. For CFAP recipients the codes would be converted to either R6 or R9.

TRANSITIONAL CALFRESH (R7 & R8)

Transitional CalFresh (TCF) is given to households no longer on the CalWORKs program. Households are given up to an additional five months of CalFresh after which time they must either recertify or be removed from the CalFresh program (for more information see ACLs 03-66 and 13-88). Households who are eligible to or are receiving TCF are also eligible for WINS, as long as they meet all of the eligibility criteria.

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When a household a) leaves CalWORKs, b) moves onto TCF, c) and no recent documentation of work hours is on file, the county should request the household's recipient's work hours to verify that they are eligible for WINS. Assuming that a SAR 7 or other appropriate documentation was recently received, this document may be used to verify hours. If the work hours are sufficient and all other WINS criteria are met, WINS should be issued for the duration of the five months. If the household's work hours have fallen below the federal TANF work participation hour requirement at the time of initial TCF issuance, or if they do not qualify because they do not meet the other WINS criteria, WINS should not be issued. Once issued, the WINS benefits shall continue for the entire TCF period unless the household reports and verifies a change in status which renders them ineligible for WINS, at which time WINS benefits would be discontinued. This mid-TCF WINS change is permissible because the WINS program is state funded and not federally funded.

Transitional CalFresh is only evaluated for WINS at the beginning of the TCF period, or when a mid-TCF benefit period report is made, as stated above. If a TCF recipient requests to add WINS to their benefits because the household's situation has changed the CDW must inform the recipient that they may either:

- Wait until the TCF period is over and then recertify for CalFresh, or
- Recertify at the time of the request so that they may be enrolled in CalFresh for regular benefits.

CFAP CODES (R6 & R9)

The codes R6 and R9 should be used for CFAP-only cases. For administrative simplicity, the CFAP-only WINS cases will be funded with 100 percent non-MOE GF and will not be countable towards the WPR. For the purpose of WINS only, a CFAP-only household is defined as any household which contains a CFAP recipient.

If any member of a household is CFAP, whether they are an adult or a child, the entire household is considered CFAP; therefore, in a situation of mixed CFAP and non-Calfresh CFAP household the aid code would be the CFAP code R6 or R9 (for TCFAP). Please note that CFAP cases are not distinguished as either two parent or non-two parent.

AID CODE HIERARCHY

In instances where more than one WEI in a household or more than one CalFresh family unit lives within a house (multiple families in one dwelling who purchase and prepare food separately) a WINS aid code hierarchy has been developed as follows:

- **R5 Supersedes R4-** If both a non-two parent family and a two parent family reside in the same household, and both contain WEIs, the R5 two parent code supersedes the R4 non-two parent code.

- **R6 Supersedes R4 and R5-** If both a CalFresh family and a CFAP family reside in the same household, the R6 (CFAP) code would supersede the R4 (non-two parent code) or the R5 (two parent code), regardless of non-two parent or two parent family status.
- **R8 Supersedes R7-** If both a non-two parent family and a two parent family reside in the same household, and both are WEIs, the R8 (TCF two parent code) would supersede the R7 (TCF non-two parent) code.
- **R9 Supersedes R7 and R8-** If both a CalFresh family and a CFAP family reside in the same household, the R9 (TCFAP) code would supersede the R7 (TCF non-two parent) or R8 (TCF non-two parent) code, regardless of non-two parent or two parent family status.

In the event of a mixed household where there are one (or more) CFAP households living separately from regular CalFresh households but living together under one roof, the CFAP-Only rule would only apply to the specific CFAP household and would not affect the other separate CalFresh households, nor would the CFAP-only household be affected by the other separate CalFresh households. This would be another situation where multiple families live together in one dwelling, purchasing and preparing food separately.

CHANGES OF CODES DUE TO HOUSEHOLD COMPOSITION CHANGES

Occasionally there may be cases when, due to a household composition change, the WINS aid code will change. These changes will be made upon discovery and will become effective the following month.

WINS aid code to CalFresh only aid code

In the instance of a reversion from a WINS aid code back to a regular CalFresh aid code, the change would be made at the time of discovery. The new aid code would become effective the following month.

EXAMPLE: Marc has been receiving WINS since May. In July his child moves out of the state and Marc reports that his child no longer lives with him. The month of discovery is July and the effective month of the aid code change from R4 back to 09 would be August, the month following the month of discovery.

With TCF the aid code would change from R7 back to 0F.

WINS aid code change from one “R” code to another

In a situation where a two-parent/caretaker household (aid code R5) loses one parent and becomes an aid code R4 household, the code change would follow the same pattern as the example above.

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EXAMPLE: John and Susan have been receiving WINS benefits since September. In November John moves out of the house and Susan remains in the house with their son. Susan immediately reports that John moved out. The month of discovery is November and the effective month of aid code change from R5 to R4 would be December, the month following the month of discovery.

With TCF the aid code would change from R8 to R7.

The reverse would also work if the household gained a parent/caretaker. In this case the household would convert from aid code R4 to aid code R5 code.

With TCF the aid code would change from R7 to R8.

Other Scenarios

In an occurrence where the only parent/caretaker relative in the household is receiving Supplemental Security Income (SSI), the household would not be eligible for WINS because a condition of WINS is that the parent/caretaker relative must be receiving CalFresh benefits. By receiving SSI the parent/caretaker relative is not eligible for CalFresh. However, if there is more than one parent/caretaker relative in the household, and the other parent/caretaker relative does not receive SSI and is otherwise eligible for WINS, the household may receive WINS benefits based on the eligibility of the non-SSI WEI.

In a situation where there is an excluded member in the household, as long as the excluded member is not the only WEI in the household, the household would still be eligible for WINS benefits. The benefit is added to the EBT card for the household in total. Therefore it would not matter if one of the household members was excluded as long as the household met the requirements for the WINS benefit.

In an instance where the child in the household is a nephew, niece, etc. the household is still eligible, as any household with a child under the age of 18 is eligible as long as their caretaker meets the criteria for WINS. Again, the benefit is added to the household, not the individual.

MID-PERIOD REPORTING

WINS will be issued to all CalFresh households determined to be WINS eligible at the time of initial application, during certification periods and/or when households report changes, and at recertification. All CalFresh households will have their eligibility reviewed at those times to see if they qualify. If they qualify, the WINS benefit will be added to the case. WINS participation changes should only be made at initial application and recertification periods unless there is a voluntary mid-period report. WINS will be certified at the same time as CalFresh.

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If a CalFresh recipient requests to make a mid-period report solely for the sake of receiving the WINS benefit, the recipient should be informed that the report could negatively impact the household's benefits if there has been an income increase between report periods. If mid-period WINS participation would diminish the recipient's/household's overall CalFresh benefits, then the change would not be allowed.

If a household makes a mid-period report due to other factors (e.g. household concept change, exceeding IRT), then their WINS eligibility would be reevaluated and, as appropriate, the WINS benefit would have to be removed, or added.

The possibility of negatively impacting CalFresh benefits due to mid-period reporting should not be confused with federal law and W&I Code Section 15525. Section 15525 has to do with the ten dollar benefit itself not affecting CalFresh benefits (see WINS ELIGIBILITY REQUIREMENTS); it has nothing to do with mid-period reporting.

PUBLIC CHARGE

WINS is a food benefit, but it is not a CalFresh/SNAP benefit. It is a separate program created and funded by the State of California and is not bound by federal rules. This benefit is paid with 100 percent TANF/MOE funds (non-MOE state funds until FFY 2015). WINS is not a public charge issue as noted below:

The U.S. Citizenship and Immigration Services (USCIS) issued the following statement in a Fact Sheet dated April 29, 2011: *In determining inadmissibility, USCIS defines "public charge" as an individual who is likely to become "primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance, or institutionalization for long-term care at government expense."* See *"Field Guidance on Deportability and Inadmissibility on Public Charge Grounds,"* 64 FR 28689 (May 26, 1999).

Therefore, any individual/household receiving ten dollars per month (approximately 33 cents per day) in WINS benefits cannot be said to be primarily dependent upon this amount for subsistence, and they cannot be considered a Public Charge.

ZERO BENEFIT CASE

In the situation of a zero benefit CalFresh case, no WINS benefit would be given. More information on zero benefit cases will be covered in a forthcoming County Letter from CalFresh.

ALERTS

MEDS has implemented certain alerts into the system to avoid giving WINS benefits to non-eligible recipients. The WINS aid codes are for CalFresh cases only; however, if a CalWORKs household heard about the WINS program and wanted to join, the counties now have an alert warning them that the household is already receiving CalWORKs.

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Another MEDS alert was created for CalFresh households that are currently receiving WINS and then are approved for CalWORKs. This alert notifies the EW that the household has a conflict with incompatible aid codes (WINS vs. CalWORKs). In this instance, the EW would need to change the aid code from the WINS aid code to the CalWORKs aid code, thereby stopping the household from receiving WINS.

And finally, an alert was created to warn an EW if a CalFresh household's child's status has changed so that the case can be reviewed to see if the household is still eligible, or has become eligible, for WINS. A change in child's status could be anything from a newborn being added to the household, to an existing child who is aging out of the household.

EXPUNGEMENTS

For EBT purposes, WINS benefits will operate under the same rules as CalFresh benefits in that they will be good for up to one year from issuance. If the benefits have not been used in the first 135 days of that year, a timely 10-day Notice of Action (NOA) (TEMP NA 1232) must be sent to an EBT cardholder in the month prior to the account benefits becoming dormant. Benefits become dormant when there has been no debit activity by the cardholder for 180 days. If the benefits are not used for a 12-month period they will be expunged. Once expunged, the WINS benefits cannot be reinstated. Unlike CalFresh benefits, the expunged WINS benefits cannot be used to cover the over issuances of any other program. They are strictly a use-or-lose benefit. Also, just as CalFresh benefits are valid in any state, so too are WINS benefits.

The counties will be required to issue the Dormant/Expunged NOAs as instructed in All County Information Notice (ACIN) I-38-11.

DISCONTINUING WINS BENEFITS

If a CalFresh household's status changes and they are no longer eligible for their WINS benefit, adequate notice must be sent. The rules for the notice would follow the same basic rules as for a regular CalFresh discontinuance.

FORMS

As with any new program, there are new forms to accompany it. Copies of the new forms attached to this ACIN. The new forms are:

WINS 1: New Work Incentive Nutritional Supplement (WINS) Benefit

This is a required form with substitutes permitted. This form is to be kept in a visible area of the CalFresh office as an informational flyer. It may also be mailed to perspective recipients to inform them of the program (See attachment 3).

The WINS 1 provides CalFresh recipient households with information regarding the ten dollar food benefit provided on their EBT account. This notice is a general mass notice. Prior to duplication, CWDs must ensure that the WINS 1 contains the county-specific address that clients should use to send written state hearing requests.

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WINS 1239: CalFresh Notice of Approval/Denial/Termination WINS Benefits

This is a required form with substitutes permitted. This form is for use when approving, denying, or terminating WINS benefits in accordance with this letter (See attachment 4).

The approval portion of this notice is to be issued to any household that meets the WINS criteria and is given the WINS benefit.

The termination portion of this notice is to be issued whenever a household no longer meets the WINS criteria.

The denial portion of this can be used when a household specifically requests the WINS benefit (such as during a mid-period) but does not qualify for it. In this situation, use of this portion of the notice is at the county's discretion.

The WINS 1239 must not be issued for a new CalFresh case that is evaluated for WINS but not approved for WINS. In this case a verbal notification is sufficient; however, the verbal notification should be entered into the case notes.

Additionally, there has been a change to an existing CalFresh form, the CF 215 - **CalFresh Notification of Inter-County Transfer**. A checkbox has been added to this form to indicate when a transferring household is receiving WINS benefits.

CAMERA READY COPIES AND TRANSLATIONS

For camera-ready copies in English, contact the Forms Management Unit at fmudss@dss.ca.gov. If your office has internet access you may obtain these forms from the CDSS webpage at http://www.dss.cahwnet.gov/cdssweb/FormsandPu_271.htm.

When all translations are completed per MPP Section 21-115.2, including the Spanish forms, they are posted on an on-going basis on the CDSS webpage. Copies of the translated forms can be obtained at

http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm.

For questions on translated materials, please contact Language Services at (916) 651-8876. Until translations are available, recipients who have elected to receive materials in languages other than English should be sent the English version of the form or notice along with the [GEN 1365-Notice of Language Services](#) and a local contact number.

CWDs shall ensure that effective bilingual services are provided. This requirement may be met through utilization of paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. These services shall be provided free of charge to the applicant/recipient.

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In the event that CDSS does not provide translations of a form, it is the county's responsibility to provide the translation if an applicant or recipient requests it. More information regarding translations can be found in MPP Section 21-115.

This ACIN and other CDSS Letters and Notices are available on the internet at:
<http://www.dss.cahwnet.gov/lettersnotices/default.htm>

CONTACTS

If you have any questions regarding WINS, please contact your designated program staff at the numbers listed below:

CalWORKs Employment Bureau	(916) 654-2137
CalFresh Policy Bureau	(916) 654-1896
EBT Operations Help Desk	(916) 263-6600
Federal Data Reporting and Analysis Bureau	(916) 657-3659

Sincerely,

Original Document Signed By:

LINDA PATTERSON, Chief
CalFresh Branch

ATTACHMENT 1

California Welfare and Institutions Code Section 11253

(a) Except as provided in subdivision (b), aid shall not be granted under this chapter to or on behalf of any child who has attained 18 years of age unless all of the following apply:

(1) The child is less than 19 years of age and is attending high school or the equivalent level of vocational or technical training on a full-time basis.

(2) The child can reasonably be expected to complete the educational or training program before his or her 19th birthday.

(b) (1) On and after January 1, 2012, aid shall be granted under this chapter to or on behalf of any nonminor dependent, as defined in subdivision (v) of Section 11400, if the nonminor dependent is placed in the approved home of a relative under the supervision of the county child welfare or probation department or Indian tribe that has entered into an agreement pursuant to Section 10553.1, and the nonminor dependent otherwise is eligible pursuant to Section 11403.

(2) The eligible nonminor dependent shall be exempt from Chapter 4.6 (commencing with Section 10830) of Part 2 governing the statewide fingerprint imaging system.

(c) Notwithstanding any other law, payment of aid under this chapter may be made out of state if the nonminor dependent who is described in subdivision (b) is placed in the approved home of a relative who resides in another state.

ATTACHMENT 2

DEFINITIONS

45 Code of Federal Regulations Part 261.2

(Selected excerpts; Please see actual part for the complete regulation)

(b) *Unsubsidized employment* means full-or part-time employment in the public or private sector that is not subsidized by TANF or any other public program.

(c) *Subsidized private sector employment* means employment in the private sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.

(d) *Subsidized public sector employment* means employment in the public sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.

(n) (1) *Work-eligible individual* means an adult (or minor child head-of-household) receiving assistance under TANF or a separate State program or a non-recipient parent living with a child receiving such assistance unless the parent is:

- (i)** A minor parent and not the head-of-household;
- (ii)** A non-citizen who is ineligible to receive assistance due to his or her immigration status; or
- (iii)** At State option on a case-by-case basis, a recipient of Supplemental Security Income (SSI) benefits or Aid to the Aged, Blind or Disabled in the Territories.

(2) The term also excludes:

- (i)** A parent providing care for a disabled family member living in the home, provided that there is medical documentation to support the need for the parent to remain in the home to care for the disabled family member;
- (ii)** At State option on a case-by-case basis, a parent who is a recipient of Social Security Disability Insurance (SSDI) benefits; and
- (iii)** An individual in a family receiving MOE-funded assistance under an approved Tribal TANF program, unless the State includes the Tribal family in calculating work participation rates, as permitted under § 261.25.

ATTACHMENT 3

**NOTICE TO ALL CALFRESH RECIPIENTS
WORK INCENTIVE NUTRITIONAL SUPPLEMENT (WINS) BENEFIT
IMPORTANT – PLEASE READ**

WINS is a \$10 per month supplemental food benefit program for working families who are receiving CalFresh benefits but not receiving California Work Opportunity and Responsibility to Kids (CalWORKs) or Tribal Temporary Assistance to Needy Families (TANF) benefits.

Effective January 1, 2014, State law provides for the following:

- CalFresh households that meet the work hour requirements for WINS, but are not receiving CalWORKs or Tribal TANF, may be eligible for an additional \$10 per month food benefit.
 - Work hour requirements are:
 - 20 hours per week for single custodial parents/caretaker families with a child under six years old;
 - 30 hours per week for non-two parent/caretaker families with no child under six years old;
 - 35 hours per week for two-parent/caretaker families.
- Work that counts is any paid work (even if subsidized, such as work study) or volunteer work (work experience or community services). This also includes self-employment.
- Your household may be eligible if you:
 - Are a CalFresh household, but not receiving CalWORKs or Tribal TANF; and
 - Have a child under the age of 18 in the home; and
 - Have at least one parent/guardian in the household that meets the TANF definition of a “work-eligible Individual” and is participating in sufficient hours in eligible work activities that meet the federal TANF requirements;
- This monthly payment will continue as long as you meet the WINS program requirements.
- The \$10 benefit is a food benefit and cannot be used as cash.
- If you want to know more, please contact your worker.

Each eligible CalFresh household may only receive one WINS benefit each month. The benefit will be distributed on the household's existing Electronic Benefits Transfer (EBT) card as a food supplement to the family's CalFresh allotment. Eligibility for the WINS benefit is determined when you apply, report changes, or recertify for benefits. If you qualify for WINS, the benefit will be added to your EBT card.

Please be sure to report your work hours to your eligibility worker when you first apply for CalFresh, when you report changes, or when you recertify for CalFresh benefits so that they can determine if you are eligible.

If you think we made a mistake in figuring your CalFresh benefits due to the new WINS benefit you may ask for a state hearing ***within 90 days of when you got this letter*** by writing to:

Or you may call toll free: 1-800-952-5253. If you are deaf and use TDD, call 1-800-952-8349. When you ask for a state hearing, you must tell us why you think we made a mistake. You can speak for yourself at the hearing or you can have a friend, attorney, or other person speak for you, but you must get these people to help you. You may ask for free legal aid at a legal aid office in your area.

ATTACHMENT 4

CALFRESH NOTICE OF APPROVAL/DENIAL/TERMINATION WORK INCENTIVE NUTRITIONAL SUPPLEMENT (WINS) BENEFITS

(ADDRESSEE)

COUNTY OF

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

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

Questions? Ask your Worker.

State Hearing:

Approval

As of _____, you will
MM/DD/CCYY
receive ten dollars (\$10) in WINS food supplement
benefits each month. You are receiving these benefits
because you:

- Are a CalFresh household, but not receiving California Work opportunity and Responsibility to Kids (CalWORKs) or Tribal Temporary Assistance to Needy Families (TANF);
- Have a child under the age of 18 in the home; and
- Have at least one parent/caretaker in the household who is receiving CalFresh, who meets the TANF definition of a "work-eligible individual," and is participating in enough hours in eligible work activities that meet the federal TANF requirements;

Recertification:

You will get a notice when it is time to recertify your CalFresh. At that time your continuing eligibility for WINS will be reviewed.

If you apply and are approved for CalWORKs your WINS benefit will be discontinued.

Denial

You are not eligible to receive a WINS benefit. This will not affect your CalFresh benefits.

Here's Why:

- The child you are caring for is over 18.
- The child you were caring for no longer lives with you.
- A legal guardianship has not been established for the child.
- Your work hours have fallen below the minimum required for WINS eligibility.
- Your application for CalFresh has been denied.
- Other _____.

Termination

As of _____, your WINS benefit
MM/DD/CCYY
is being stopped.

Here's Why:

- Your legal guardianship was terminated for your only qualifying child.
- You moved out of the State of California.
- Your application for CalWORKs has been approved.
- Your CalFresh benefits have been discontinued.
- Your only qualifying child has moved out of the house.
- Your only qualifying child has reached 18 years of age.
- Your work hours have fallen below the minimum required for WINS eligibility.
- Other (see below):

Rules: These rules apply: ACL 13-71, ACIN I-14-14, Welfare & Institutions Code 15525.

You may review them at your welfare office.