

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814

**HURRICANE KATRINA INFORMATION**

September 7, 2005

ALL COUNTY INFORMATION NOTICE NO. I-52-05

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CalWORKs COORDINATORS
 ALL FOOD STAMP COORDINATORS
 ALL CONSORTIA REPRESENTATIVES
 ALL QUALITY CONTROL COORDINATORS
 ALL WELFARE TO WORK COORDINATORS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) ELIGIBILITY FOR EVACUEES OF HURRICANE KATRINA

The purpose of this notice is to provide preliminary information to counties on how to handle Hurricane Katrina evacuees from areas in Alabama, Louisiana and Mississippi who apply for CalWORKs benefits in California. The damage caused by Hurricane Katrina has made it necessary for people to be evacuated, not only from the areas where they live, but even from their home states. They must be treated expeditiously if they request benefits in California.

Due to the circumstances of evacuees' departures, and the devastation that occurred in their home states, it is anticipated that many evacuees will lack documentation of various items (such as identification, age, Social Security Number, value of property/resources and income), and may not be able to obtain such verification within standard application processing time periods.

In order to promptly aid displaced families applying for CalWORKs, counties shall employ the following guidance: If the applicant and county make a good-faith effort to obtain verification of the evacuee's identity, Temporary Assistance for Needy Families (TANF) eligibility, time on aid, and linking and non-linking conditions of CalWORKs eligibility, and are unable to make contact with the evacuee's home state, financial institutions, or other entity/institution, the county shall accept the evacuee's statements signed under penalty of perjury.

When an individual or family displaced by Hurricane Katrina applies for CalWORKs, counties shall do the following:

- Establish that the evacuee was living in an area affected by Hurricane Katrina when the hurricane struck (a listing of the affected areas is attached); and

- Ask the evacuee if he/she is currently eligible to receive TANF in that area, or any other area. Any parishes in Louisiana should be able to verify information on the family in need, including whether or not the adults have reached the 60-month TANF assistance time limit. Each parish in Louisiana and contact is listed on the State's eligibility system at the following website: http://www.dss.state.la.us/departments/ofs/OFS_Parish_Offices.html. Counties will need to attempt contact with Alabama and Mississippi state agencies through phone numbers they may already have on-hand until more information is forthcoming.

Please note that while the federal TANF program has the 60-month time limit, which CalWORKs replicates, other states may have shorter time limits for their state TANF programs. Families that may have reached their time limits in their home state may be eligible for CalWORKs. It will therefore be necessary to ask evacuee applicants how many months they received cash aid in their home state. Our information shows that Alabama's state TANF program has a 60-month limit, but Louisiana and Mississippi have 24-month limits for adults and their children. Louisiana limits cash assistance to 24 months for families containing a parent who does not meet a work exemption. Mississippi discontinues families whose parent(s) are not participating in a work activity after 24 months of cash aid receipt.

Determining CalWORKs Eligibility for Evacuees Not Currently Receiving TANF Benefits

Evacuee applicants must meet all conditions of eligibility, including but not limited to deprivation, age, residency, immigration status, income and property limits. However, given the circumstances of evacuees' arrival in California, counties should pay special attention to the following sections of the Manual of Policies and Procedures (MPP):

Homeless Assistance (MPP 44-211.5)

Many evacuees may be homeless, and should be informed of their option to apply for temporary and permanent housing assistance.

Immediate Need Payments (MPP 40-109)

These families are in an emergency situation, and should be evaluated for an Immediate Need payment. Pursuant to MPP 40-129.15, liquid resources mean items of value which are immediately available and reasonably convertible to cash in time to meet the emergency situation. Many evacuees will not have been able to convert resources to cash prior to or after the hurricane.

Residency (MPP 42-400, 42-401, 42-403.1, 42-407.1)

The written statement of the applicant is acceptable to establish his/her intention to establish residency in California for the foreseeable future. For example, many evacuees may wish to eventually return to their home state once it is allowable, safe and feasible to do so, but are unlikely to know when that will occur.

Income

MPP 44-101(a)(QR) defines reasonably anticipated income as income expected to be available to or received by an applicant/recipient, and available to needy members of the family in meeting their needs during the QR Payment Quarter. It is expected that most evacuees will have no anticipated income.

Property/Resources (MPP 42 Handbook, 42-201.1, 42-203.1, 42-203.7)

MPP 42-201.1 states that real and personal property shall be considered in determining eligibility for CalWORKs benefits when it is **actually available to the applicant**. Many evacuees will not be able to access, occupy or sell their property at the time of application. Personal property is treated under Food Stamps rules located in MPP Section 63-501.

Policies governing eligibility with respect to property shall be administered with consideration to the ability and circumstances of the person in order that undue hardship not be imposed upon her/him in making her/his plans to comply with property provisions.

Temporary Absence (MPP 82-812)

Since some families may have been separated from other members in the evacuation but anticipate being reunited in the near future, counties are reminded to consult this regulation when determining deprivation and Assistance Unit composition. If an evacuee family member expects to reunite with the applicant family within one full calendar month, consider that member to be temporarily absent from his/her family.

Welfare-to-Work Participation (MPP 42-712 and 42-713)

Many families are in a state of crisis and will not be able to participate in welfare-to-work (WTW) activities. To ensure these families receive appropriate assistance, counties should make a WTW good cause or exemption determination as soon as possible. This could be completed at the eligibility determination so that families are not needlessly required to attend a WTW orientation and appraisal. Because of the devastation caused by Hurricane Katrina, it may be difficult to verify some information for these determinations. Therefore, counties are encouraged to exercise flexibility in this regard. All good cause determinations or WTW exemptions must be made on a case-by-case basis. In addition, counties should determine if an applicant or recipient needs CalWORKs barrier removal services, such as mental health services, and counties should provide the services or refer the recipient to services as expeditiously as possible.

Authorizing and Continuing CalWORKs Benefits

As with other CalWORKs applicants determined eligible for ongoing cash assistance, Hurricane Katrina evacuees shall be informed of their reporting responsibilities under Quarterly Reporting/Prospective Budgeting. Since it is anticipated that many evacuees will have provided statements under penalty of perjury as verification of various conditions of eligibility, counties shall advise them to make every effort to obtain documentation of factors impacting their eligibility during the Payment Quarter, and to seek assistance from the county if they need help in obtaining such documentation.

Because evacuees' circumstances are likely to change in the weeks following their CalWORKs application approval, and because they may have obtained documentation substantiating their sworn statements, counties shall redetermine these families' CalWORKs eligibility in the month following their third month of receiving cash assistance. For example, if an evacuee receives CalWORKs September through November 2005, the redetermination must take place in December 2005.

Flagging Evacuee Cases

Counties shall devise a method for identifying evacuees' CalWORKs cases so that case data can be easily extracted upon request of the CDSS.

If the Evacuee is Eligible for TANF Benefits from an Affected Area:

- Assure the person that he/she can use his/her current Electronic Benefit Transfer (EBT) card in local stores, and that he/she may continue to access TANF cash benefits during their eligibility period; and
- Assist the individual in getting a California EBT card, if eligible for benefits in California; and
- Report a lost or stolen EBT card from the other state, by calling:
Louisiana: 1-888-997-1117 (or call 1-866-334-8304 to request a card replacement)
Mississippi: 1-866-512-5087
Alabama: 1-800-997-8888 (or call 1-866-465-2285 to request a card replacement)

Currently, Mississippi's EBT policies do not permit replacement cards to be mailed to any location other than the individual's primary address on file in that state. For Food Stamps, FNS is working with these states to resolve this problem. CDSS will provide further information on EBT cards and TANF benefits as soon as it is available.

REMINDER: Individuals determined eligible for CalWORKs cash aid are also eligible to receive Medi-Cal benefits.

If you have any questions regarding the contents of this letter, please contact your county CalWORKs consultant. For EBT questions, please call Stan Cagle, EBT Manager, at (916) 654-1529. Thank you for your commitment to providing quality service to needy families during this difficult time.

Sincerely,

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

c: CWDA
CSAC

Attachment

ATTACHMENT

List of Areas Affected by Hurricane Katrina

Alabama

Baldwin, Clarke, Choctaw, Mobile, Sumter and Washington Counties

Louisiana

The parishes of Acadia, Ascension, Assumption, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Pointe Coupee, Plaquemines, St. Bernard, St. Charles, St. Helena, St. James, St. John, St. Mary, St. Martin, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge, and West Feliciana Counties

Mississippi

Amite, Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Pearl River, Perry, Pike, Stone, Walthall, and Wilkinson Counties