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DEPARTMENT OF SOCIAL SERVICES
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ARNOLD SCHWARZENEGGER
GOVERNOR

July 21, 2010

ALL COUNTY LETTER NO. 10-37

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 COUNTY WELFARE-TO-WORK COORDINATORS
ALL CONSORTIUM PROJECT MANAGERS
ALL REFUGEE PROGRAM COORDINATORS
ALL CHILD CARE COORDINATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS WELFARE-TO-WORK EMERGENCY REGULATIONS IMPLEMENTING ASSEMBLY BILL X4 4 (CHAPTER 4, STATUTES OF THE FOURTH EXTRAORDINARY SESSION OF 2009) REQUIREMENTS REGARDING EXEMPTIONS AND GOOD CAUSE DUE TO LACK OF SUPPORTIVE SERVICES

REFERENCE: ABX4 4, CHAPTER 4, STATUTES OF THE FOURTH EXTRAORDINARY SESSION OF 2009; ALL COUNTY LETTER 09-46

The purpose of this letter is to transmit emergency regulations that amend the California Work Opportunity and Responsibility to Kids (CalWORKs) Welfare-to-Work (WTW) program requirements due to the enactment of Assembly Bill (AB) X4 4 (Chapter 4, Statutes of the Fourth Extraordinary Session of 2009). The relevant provisions of AB X4 4 became effective on August 1, 2009, and were implemented through All County Letter 09-46. The attached CalWORKs WTW program regulations formally implement these provisions and became effective on July 1, 2010. All provisions noted herein shall become inoperative on July 1, 2011.

AB X4 4, in part, amended Sections 11320.3 and 11454.5 of the Welfare and Institutions Code (WIC) to modify the CalWORKs WTW and 60-month time clock exemptions. AB X4 4 also allowed for the California Department of Social Services (CDSS) to adopt emergency regulations implementing these provisions.

NEW OR AMENDED WTW REGULATIONS

Changes to the WTW program regulations resulting from AB X4 4 include the following:

New Exemption for Individuals with Young Children

- A new provision was established which allows an individual to receive an exemption from WTW participation and the CalWORKs 60-month time clock if they are the parent or other relative who has primary responsibility for personally providing care to one child who is from 12 to 23 months of age or two or more children who are under six years of age. Individuals who are granted this exemption will not be required to participate in WTW activities and will have their CalWORKs 60-month time clock stopped until they no longer meet these criteria or until July 1, 2011, whichever comes first.

New Provision Regarding Good Cause Due to Lack of Supportive Services

- The regulations regarding the granting of good cause due to lack of supportive services have been amended. Individuals who are granted good cause on this basis must have their CalWORKs 60-month time clock stopped until the county is able to provide those services or until July 1, 2011, whichever comes first.

If you have questions or need additional information regarding the information in this letter, please contact your CalWORKs Employment Bureau county consultant at (916) 654-2137 or your CalWORKs Eligibility consultant at (916) 654-1322.

Sincerely,

Original Document Signed By:

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

Attachment

Amend Section 42-302 to read:

42-302 60-MONTH TIME LIMIT REQUIREMENTS FOR ADULTS 42-302

.2 Counting the 60-Month Limit (Continued)

.21 Exempt Months Any month in which any of the following conditions exist for any period during the month shall not count toward the 60-month limit as specified:

(a) (Continued)

(b) Providing Care The individual is exempt from welfare-to-work participation requirements due to:

(1) (Continued)

(2) Continued)

(3) Being the parent or other relative who has primary responsibility for personally providing care to one child who is from 12 to 23 months of age, inclusive, or two or more children who are under six years of age. This paragraph shall become inoperative on July 1, 2011.
(Continued

(k) Lack of Necessary Supportive Services The individual is excused from participation for good cause due to lack of necessary supportive services, as specified in Section 42-713.21. This paragraph shall become inoperative on July 1, 2011.

Authority Cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 11266.5, 11320, 11320.3, 11454, 11454(e) and (e)(5), 11454.5, 1454.5(b) and (b)(4) and (5), and 11495.1, Welfare and Institutions Code; Section 37 of AB 444 (Chapter 1022, Statutes of 2002); and 42 U.S.C. 608(a)(7)(a), (B) and (D).

Amend Section 42-712 to read:

42-712 EXEMPTIONS FROM WELFARE-TO-WORK PARTICIPATION 42-712

.4 (Continued)

.47 (Continued)

.474 The parent or other relative who has primary responsibility for personally providing care to one child who is from 12 to 23 months of age, inclusive, or two or more children who are under six years of age is exempt from welfare-to-work participation. This paragraph shall become inoperative on July 1, 2011. (Continued)

.6 Any month in which an individual is exempt from welfare-to-work activities based on the following exemption criteria shall not be taken into consideration as a month of receipt of aid in computing the 60-month time limit described in Section 42-302. Other exemptions from the 60-month time limit are listed in Section 42-302. (Continued)

.64 Being responsible for personally providing care to a child or children of a specific age, as described in Section 42.712.474. This paragraph shall become inoperative on July 1, 2011. (Continued)

Authority Cited: Sections 10553, 10554, 10604, and 11369, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 10063(b), 11253.5, 11320, 11320.3, 11331.5(a), (b), (c), and (d), 11454, and 11454.5, Welfare and Institutions Code; and 42 U.S.C. 5044(f)(2).

Amend Section 42-713 to read:

42-713 GOOD CAUSE FOR NOT PARTICIPATING

42-713

.4 (Continued)

- .43 Effective August 1, 2009, any month in which an individual is excused from participation for good cause due to lack of supportive services, as specified in Section 42-713.21, shall not be counted toward the 60-month time limit. This paragraph shall become inoperative on July 1, 2011.

Authority Cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11320.3(b) and (f), 11323.2, 11325.23(c), 11454, 11454.5, 11495, and 11495.1, Welfare and Institutions Code; 42 U.S.C. 607(e)(2); and 45 CFR 261.15.