



CDSS

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

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EDMUND G. BROWN JR.
GOVERNOR

January 31, 2013

ALL COUNTY LETTER 13-08

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH COORDINATORS
ALL CaWORKs PROGRAM SPECIALISTS
ALL CONSORTIUM PROJECT MANAGERS
ALL QUALITY CONTROL PROGRAM
COORDINATORS

SUBJECT: CALFRESH SEMI-ANNUAL REPORTING
WAIVERS

REFERENCE: ALL COUNTY LETTER NO. 12-25

REASON FOR THIS TRANSMITTAL

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

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) and consortia with information regarding the response received from the United States Department of Agriculture Food and Nutrition Service (FNS) to the waiver requests submitted relevant to Semi-Annual Reporting (SAR). These waivers were needed as a result of Assembly Bill (AB) 6 (Chapter 501, Statutes of 2011). AB 6 required the California Department of Social Services (CDSS) to seek all necessary federal waivers in order to implement SAR in a manner that promotes compatibility between the CalWORKs and CalFresh programs. CDSS submitted the necessary waiver requests on March 5, 2012 and received a partial response from FNS on September 17, 2012.

The specific waiver requests and FNS's responses are summarized below to assist in the preparation of programming for the automation systems in advance of SAR implementation. The denial of most of the requests will require changes to instructions provided in ACL 12-25. A more comprehensive ACL updating the CalFresh SAR implementation instructions and providing specific examples will follow this letter.

WAIVER REQUEST RESPONSES

1. Current regulations at 7 CFR 273.10(f)(4) regarding ending certification periods do not allow state agencies to end a certification period earlier than its assigned termination date with certain exceptions. CDSS requested to waive this regulation during the conversion from Quarterly Reporting (QR) to SAR in order to align CalFresh certification periods with other programs.

In their approval, FNS permits the shortening of certification periods for CalFresh households at any time to align with the other programs. FNS approved this waiver on the condition that CWDs provide notification to the household of the new certification period and the new benefit amount, if applicable.

2. Current regulations at 7 CFR 273.10(c)(1) require the State agency to determine the household's eligibility and level of benefits by anticipating income over the entire certification period. CDSS requested to waive this regulation in order to allow the Department to determine eligibility and level of benefits based on a six-month SAR period rather than the full certification period.

FNS denied this waiver and maintained their position that CDSS should work within current SNAP policy. At certification, CWDs must anticipate income and expenses over the length of the certification period and revise at mid-period when the household submits its periodic report form.

3. Current regulations at 7 CFR 273.10(c)(3)(i) require the state agency to average income over the certification period. Additionally, regulations at 7 CFR 273.10(d)(3) provide rules for averaging expenses. CDSS requested this waiver to allow averaging of income and expenses over the SAR payment period rather than the certification period.

FNS denied this waiver and maintained that CDSS should work within current SNAP policy. At certification, if CWDs are averaging household income and expenses, they must do so over the length of the certification period and revise at mid-period when the household submits its periodic report form.

4. Current regulations at 7 CFR 273.12(a)(5)(vi)(B)(2) require the state agency to take action on changes reported outside of the periodic report if the agency has information about the household's circumstances that are considered verified upon receipt. CDSS requested a waiver to act only on voluntary mid-period reports that would result in an increase in household benefits.

FNS denied this waiver and encouraged the State to work within current SNAP policy. CWDs must act on changes verified upon receipt (VUR) to reduce or terminate benefits at any point during the certification period. CDSS defines VUR as information that is *not* questionable, the provider is the primary source of the information, and CWDs need no further information to take action.

- FNS considers household composition changes to be VUR if reported by the household. Therefore, CWDs must act on changes in household composition for all households—unless the reported change is for another public assistance program and the change does not trigger action in the other program.
- Income changes reported by the household that are less than the income reporting threshold (IRT), without third-party verification (in CalFresh non-assistance and public-assistance cases) are not considered VUR.

We are currently developing forms and the process for following up on voluntary mid-period reports. A subsequent ACL will provide further detail.

5. Federal simplified reporting regulations at 7 CFR 273.12(a)(5)(iii)(E) provide that households are only required to report mid-period if the household's monthly gross income exceeds 130 percent of the federal poverty limit for the household's size and when the work hours of able-bodied adults subject to the time limit established at 7 CFR 273.24 fall below 20 hours per week, averaged monthly. CDSS requested to waive this regulation to additionally require that all households report a change in address mid-period. This waiver is still pending FNS response.

If you have any questions regarding this letter, please contact your CalFresh county consultant or call the CalFresh Policy Bureau at (916) 654-1896.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division