

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



March 23, 1983

ALL-COUNTY LETTER NO. 83-25

TO: ALL-COUNTY WELFARE DIRECTORS

SUBJECT: FOOD STAMP REGULATIONS ON 1980 AMENDMENTS

This is to provide information regarding regulations to be filed with the Secretary of State resulting from the 1980 Food Stamp Amendments. The regulations are expected to be filed in April 1983 to be effective the first of the month following thirty days from that date. Beginning with the effective date, these revisions shall be applied to all new applications and currently certified households shall be converted to the required program changes at the time of recertification.

As a result of the 1980 Federal Food Stamp Amendments, there were significant changes regarding the treatment of aliens which includes the reporting of illegal aliens to INS, and that the resources and a prorated share of the income of ineligible aliens is to be considered available to the food stamp households. A Notice of Adverse Action must be sent to households whose benefits have been reduced or terminated due to the counting of income and resource of ineligible aliens. In addition, citations from the Immigration and Nationality Act have been updated.

These revisions also require applicant households to report all changes related to eligibility or benefit level at the time of interview. In determining eligibility, resources available at the time of the interview will be used rather than resources available at the time of application. In addition, changes occurring after the interview, but before the date of the notice of eligibility must also be reported.

Other changes of the 1980 Amendments include that the CWDs are no longer required to maintain federal regulations, the State Plan of Operation or the County Corrective Action Plan for public inspection. However, CWDs must continue to maintain the State Food Stamp Manual for public inspection. The provision governing transferring of resources has been expanded to include ineligible aliens or disqualified persons whose resources are considered available to the household. Clarification of when Vista payments are excluded from consideration as income has been made. Depreciation has been eliminated as an allowable cost of self-employment. Group living facilities will be required to return to the CWD any coupons not given to departing residents, and CWDs will now be able to destroy up to \$500 per month of unusable coupons without FNS approval.

In addition to the changes resulting from the 1980 Amendments, there has been a change concerning postponed verification for expedited service for migrants. The revision requires migrants to provide postponed verification from sources within the state before being issued the second month's benefits and from sources outside the state before being issued the third month's benefits.

Please contact your Food Stamp Program Consultant at (916) 322-5475 if you have any questions.



KYLE S. MCKINSEY  
Deputy Director

cc: CWDA