

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM #1 California Work Opportunity and Responsibility to Kids (CalWORKs) Home Visits

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held June 29, 2016, as follows:

Office Building # 9
744 P St. Room 202
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on June 29, 2016.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at [Public Hearings](http://www.dss.cahwnet.gov/ord/pg615.htm) (<http://www.dss.cahwnet.gov/ord/pg615.htm>). Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

CONTACT: Office of Regulations Development
California Department of Social Services
744 P Street, MS 8-4-192
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CHAPTERS

Manual of Policies and Procedures 40-100

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These proposed regulations amend the CalWORKs home visit regulations. Current regulations only mandate that home visits be used at the time of application or redetermination when living arrangements or other factors affecting eligibility cannot be satisfactorily determined without such a visit. These proposed amendments clarify that home visits may also be used as a reasonable accommodation to complete the face-to-face interview requirement for CalWORKs applicants who have a mental or physical impairment, or other extreme circumstance, that makes it difficult or impossible to come into the county office.

This regulatory action will help to accommodate people who have a mental or physical impairment, for whom it is difficult or impossible to come in to the county office to complete the face-to-face interview that is required of all CalWORKs applicants. By specifying that a home visit may be used to accommodate this population, this regulatory action will help ensure that all people can get access to the benefits that they are entitled to. Additionally, these amendments are not applying a mandate that counties complete home visits, they are simply giving counties more administrative flexibility. This additional flexibility will benefit clients without putting a mandate on county workers. Lastly, counties have stated that they are already utilizing this flexibility; this regulatory action will just specify this option in the regulations.

These regulations are neither inconsistent nor incompatible with existing state regulations. This determination was made based on the fact that the purpose of this regulatory change is to clarify what is currently lacking in the regulations. Furthermore, this change will only apply to a very specific segment of the CalWORKs population.

COST ESTIMATE

1. Costs or Savings to State Agencies: None.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500 - 17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: None.

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate upon local agencies or on school districts. There are no "state-mandated local costs" in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code because any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made based on the fact that this regulatory change is only clarifying that counties have the option to use home visits to complete the intake interview requirement of a face-to-face interview. This additional flexibility will benefit clients without putting a mandate on county workers. Additionally, counties have stated that they are already utilizing this flexibility; CDSS is just specifying this option in the regulations. This regulatory change will only have an effect on certain CalWORKs clients and counties.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

The CDSS has made an initial determination that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows: this regulatory action will clarify in regulation that home visits may be used as a reasonable accommodation to complete the face-to-face interview requirement for CalWORKs applicants that have a mental or physical impairment that makes it difficult or impossible to come into the county office. This will ease the burden of the application process on people with a mental or physical impairment and help ensure that all people can get access to the benefits that they are entitled to. Further, by giving counties more administrative flexibility regarding the use of home visits and helping to ensure the consistent reasonable accommodation of CalWORKs applicants from county to county, this regulatory action benefits both county workers and CalWORKs applicants.

The following documents were relied upon in proposing the regulatory action: Welfare and Institutions Code section 11052.5; Government Code sections 11135 and 12926; and All County Letter No. 15-31.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

The CDSS has made an initial determination that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. To date, no reasonable alternatives have been presented for review.

There is no negative effect of this regulatory action. This regulatory action is simply giving counties more administrative flexibility without applying a mandate on counties. This regulatory action is providing flexibility and consistency, which is beneficial for both applicants of CalWORKs and county workers.

AUTHORITY AND REFERENCE CITATIONS

Authority: Sections 10553 and 10554, Welfare and Institutions Code; Reference: Sections 10830(e)(1) and 11052.5, Welfare and Institutions Code; and Sections 11153 and 12926.1, Government Code.

CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

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