

ParaReg Headnotes Paraphrased Regulations

SECTION 001-009

- 001-1 All the regulations cited refer to the Manual of Policies and Procedures (MPP), unless otherwise noted
- 001-1AA W&IC is the abbreviation for the Welfare & Institutions Code
- 001-1B Reference to AFDC is reference to CalWORKs program ([W&IC 10063\(b\)](#))
- 001-1C Authority to issue ACLs and other directives to implement AB No. 1542 ([AB 1542 §185](#))
- 001-1D Chapter 2 (11 200-11526) of W&IC contains CalWORKs Program, which is acceptable cite for formal name of program ([W&IC 11200](#))
- 001-1E Due process applicable to state hearings ([Goldberg v. Kelly](#))
- 001-2 Aid pending to be paid if hearing is requested prior to effective date of action ([22-072.5](#))
- 001-3 Issues at hearing limited to those reasonably related to request, or those which county and claimant agree to discuss ([22-049.5](#))
- 001-5 Hearing decisions must be issued in 90 days unless claimant executes waiver ([22-060.1](#))
- 001-6 Official Notice ([22-050.41-.44](#))
- 001-7 State hearing decision only applicable to circumstances and issues existing at the time of the county action in dispute or otherwise agreed to by the parties ([22-062.4](#))
- 001-8 Department receives proposed decision when certified for review ([22-061](#))
- 001-9 Authority of Director on receipt of proposed decision ([22-062.1](#))
- 001-10 Decision deemed adopted if Director does not act in 30 days ([22-062.2](#))
- 001-11 State hearing decision can only be appealed through rehearing or judicial review ([W&IC 10960](#) and [W&IC 10962](#))
- 001-11A Thirty days to request rehearing ([22-065.1](#))
- 001-12 No further administrative appeal after rehearing; right to rehearing on rehearing if merits not decided in initial rehearing ([22-065.6](#) revised 1/24/07)
- 001-12A No rehearing right on hearing request dismissed without hearing ([22-065.62](#))
- 001-12B Director must take action on rehearing request in 35 working days. ([W&IC 10960](#))

- 001-13 Before rehearing is granted, it may be withdrawn; but once granted, requesting party can only withdraw with permission of the Chief Judge, or a judge at hearing ([22-065.8,.9](#))
- 001-14 Parties must be prepared on substantive issues unless hearing is limited to jurisdictional issue ([22-049.53](#))
- 001-14A Explanation of bifurcation process to limit issue to jurisdiction ([22-049.531](#))
- 001-15 Expedited hearings; criteria for approving, procedure ([ACL 13-40](#))
- 001-16 Conduct of hearing is to be informal; rules of procedure and evidence in judicial proceedings not applicable. ([W&IC 10955](#))
- 002-1 Statutory authority for postponements due to inadequate notice ([W&IC 10967](#))
- 002-1A General definition of “adequate notice”; when required ([22-071.1](#) , [22-001\(a\)](#))
- 002-1B Requirements for notice to be adequate ([ACIN I-151-82](#))
- 002-1C Verbal explanation is not a substitute for adequate written notice ([ACIN I-151-82](#))
- 002-1E Detailed requirements for adequate notice ([ACIN-I-02-14](#))
- 002-2 Regulatory provisions when adequate and/or language-compliant notice raised at hearing ([22-049.52](#) , [22-072.1](#))
- 002-4 Cal Fresh - Requirements for what voluntary quit Notice of Action must include ([63-408.21](#))
- 002-5 Cal Fresh - Requirements for what approval Notice of Action must include ([63-504.221](#))
- 002-6 Cal Fresh - Requirements for what ending/shortening certification period Notice of Action must include ([63-504.253](#))
- 002-7 Cal Fresh - Requirements for initial collection Notice of Action pursuant to Heathcock, et. al v. Allenby ([ACL 11-26](#))
- 002-8 Cal Fresh - Requirements for initial collection Notice of Action ([63-801.431](#))
- 003-1 Definition of “public social services” ([W&IC 10051](#))
- 003-5 Hearing request shall be dismissed if sole issue is not within jurisdiction of state hearing ([22-054.31](#))
- 003-6 Jurisdiction of state hearings ([W&IC 10950](#))
- 003-7 “Aid” includes all PA programs subject to a state hearing ([22-001\(a\)\(3\)\(A\)](#))
- 003-7A Aid is cash benefits and Medi-Cal ([40-103.3](#))

- 003-8 PA does not include FS, Child Welfare Services, or AAC ([W&IC 10061](#))
- 003-9 “County action” requires adequate notice, and includes any action or inaction relating to application or receipt of aid ([22-001\(c\)\(5\)](#))
- 003-10 Jurisdiction of state hearings ([22-003.1](#))
- 003-11 Definition of “claimant”; TCC program repealed 1/1/98 ([22-001\(c\)\(2\)](#))
- 003-11B No right to hearing concerning placement or removal of foster child ([22-001c.\(2\)\(B\)\(1\)](#))
- 003-11C No right to hearing regarding distribution of child support. ([ACL 97-46](#), [Pereira- Goodman v. Anderson](#))
- 003-12 Dismissal when “claimant” lacks standing ([22-054.35](#))
- 003-13 Dismissal when no valid AR ([22-054.36](#))
- 003-13A Requirements for establishing valid authorized representative including for incompetent claimant ([22-085.1, .11, .12, .221, .222, .23, and .24](#))
- 003-13B County must send notices and correspondence to claimant and authorized representative in state hearing process ([22-085.4](#))
- 003-13D County must communicate with claimant prior to the hearing. ([22-073.2](#))
- 003-14 Representative of estate or heir may file hearing request on behalf of deceased applicant ([W&IC 10965](#))
- 003-15 Representative of estate or heir may represent claimant who filed request and then died ([22-004.4 and .5](#))
- 003-16 Discourteous treatment by county employees is not a state hearing issue ([22-003.13](#))
- 003-17 Child custody and child welfare service issues are not state hearing issues when child is under juvenile court jurisdiction ([22-003.14](#))
- 003-18 No hearing rights for foster care providers regarding voluntary payment agreements ([22-003.15](#))
- .004-1 Statute of limitations, general; includes language-compliant effective January 24, 2007 ([22-009.1](#))
- 004-1A Period of review extends back to first day of month of 90-day review period ([22-009.2](#))
- 004-1B Knew or should have known test does not start running of the statute of limitations ([Morales v. McMahan](#))
- 004-1C NOA required when domestic violence waiver is granted or denied; no time limit to request domestic abuse waiver ([ACIN I-02-06](#))

- 004-1D Language-compliant notice defined ([22-001\(l\)\(1\)](#))
- 004-1E Good cause exceptions to 90-day period for hearing request and 30-day period for rehearing request; additional exception can be based on equity. ([ACIN I-66-08](#), [W&IC 10951](#), [W&IC 10960](#))
- 004-1F Ninety day period to file hearing may be extended for good cause, but filing must be within 180 days ([W&IC 10951](#))
- 004-1G If a provider requests an informal hearing, the 90-day period to request a formal hearing under MPP Section 22-009.11 shall be suspended pending informal hearing decision or withdrawal from, or failure to appear at informal hearing process ([45-306.3](#))
- 004-2 General definition of “adequate notice”; when required ([22-071.1](#) , [22-001\(a\)](#))
- 004-2A Requirements for notice to be adequate ([ACIN I-151-82](#))
- 004-2B Verbal explanation is not a substitute for adequate written notice ([ACIN I-151-82](#))
- 004-2C Detailed requirements for adequate notice ([ACIN-I-02-14](#))
- 004-3 Adequate notice must be furnished when the county takes action pursuant to a conditional withdrawal ([22-071.14](#))
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- 004-4 Actions on which timely and adequate notice required. Notice must be issued 10 days in advance of proposed action ([22-072.1](#))
- 004-4A Two NOAs required if applicant fails to cooperate in providing information, complying with SFIS ([ACL 00-32](#))
- 004-4B Presumption that notice correctly addressed and mailed has been received. ([Evidence Code 641](#))
- 004-5 Method for determining filing date ([22-001\(f\)\(1\)](#))
- 004-6 Extension of filing period when last day falls on Sunday or holiday ([22-002.1](#) , [22-001h.\(1\)](#); [Gov. Code 6700-6716](#))
- 004-7 Holidays include days which government offices are closed ([Code of Civil Procedure 12b](#))
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- 004-9 Conditional withdrawal procedure ([22-054.211\(b\)\(3\)](#))
- 004-10 Request for hearing is dismissed if beyond time limit ([22-054.32](#))
- 004-12 “Timely notice” is written notice mailed ten days prior to effective date of action ([22-001\(t\)\(1\)](#), [22-072.4](#))

- 004-12A Timely notice not required for removal of CalWORKs child into foster care ([22-072.2\(f\)](#))
- 004-13 Required language for overpayment and overissuance notices (*Anderson v. McMahon*; [ACL 90-14](#))
- 005-2 Dismissal when issue has been subject of previous hearing ([22-054.34](#))
- 006-1 “Compliance issue” defined ([22-001\(c\)\(3\)](#)). “Compliance related issue” is one resolved in favor of claimant but county must make further determination (22-001(c)(4))
- 006-2 Compliance issue timeliness ([22-078.5](#), [22-078.31](#))
- 006-3 County has duty to comply with state hearing decision immediately upon receipt of such decision even if rehearing is requested ([22-078.1](#))
- 006-4 Dismissal, “compliance” issue ([22-054.37](#), [22-001\(c\)\(3\)](#))
- 006-5 General rule regarding public assistance record retention is three years from the state submits the last expenditure report to DHHS. ([ACL 15-26](#))
- 007-1 **Old Rule:** Hearing is to be dismissed if it is abandoned ([22-054.22](#))
- 007-1A **New Rule:** Hearing is dismissed if it is abandoned; new hearing scheduled and dismissal decision set aside if good cause established for abandonment ([22-054.22](#) effective 1/24/07)
- 007-2 Good cause criteria for not attending a hearing ([22-054.222\(a\)](#))
- 007-2A Good cause for postponements ([22-053.113](#), [22-901](#))
- 008-1 Hearing is to be dismissed if withdrawn; withdrawal must be in writing ([22-054.21](#))
- 008-2 Hearing request shall be dismissed if the claimant or AR is unwilling to present case ([22-054.33](#))
- 008-3 County's authority to modify grant while claimant receiving aid pending ([22-072.9](#))
- 009-1 Equitable estoppel (*Canfield v. Prod*, *City of Long Beach v. Mansell*)
- 009-1A Analysis of equitable estoppel as to each of five sequential requirements; explanation of county's “knew or should have known” test as to element one; example of balancing individual and governmental interests (*Canfield v. Prod*)
- 009-2 Equitable estoppel can be applied in state hearings (*Lentz v. McMahon*)
- 009-3 Court says in dicta that equitable estoppel cannot contravene statutory or constitutional limitations (*Longshore v. County of Ventura*)
- 009-4 That which ought to have been done is to be regarded as done, in favor of him to whom, and against him from whom performance is due ([Civil Code 3529](#))

- 009-5 Lost FS benefits a measure of injury for equitable purposes which may reduce the CalWORKs overpayment ([ACIN I-60-96](#))
- 009-6 CDSS agrees to rescind parts of Notes from the Training Bureau dealing with authority of ALJs to write final decisions when they adhere to policy regarding hardship set forth in Notes (*Rush v. Saenz*)
- 009-7 Factors to consider in equitable estoppel balancing ([City of Imperial Beach v. Algert](#); [Lee v. Bd. of Administration](#))
- 009-8 Analysis by courts of application of equitable estoppel against public agencies ([Crumpler v. Bd. of Administration Emp. Retire. Sys.](#); [City of Long Beach v. Mansell](#))
- 009-9 Discussion of doctrine of laches ([Lam v. Bureau of Security and Investigation Services](#))
- 009-10 Estoppel cannot expand a public agency's powers ([Fleice v. Chualar Union Elementary](#))
- 009-10A "Equitable estoppel" is a doctrine which acts defensively "to prevent one from taking an unfair advantage of another but not to give an unfair advantage to one seeking to invoke the doctrine." (13 Witkin Summary of Calif. Law, Equity §190, [Peskin v. Phinney](#))
- 009-11 Elements of laches ([Wooded Shores Property Owners Ass'n Inc. v. Mathews](#))
- 009-12 Laches can apply against State Department of Health Care Services in matter involving hospital reimbursement. ([Fountain Valley Regional Hospital v. Bonta](#))

SECTION 010-019

- 010-1 Joint responsibility for gathering evidence; county duty to help ([40-157.21](#))
- 010-1A Request for verification form used to obtain information. ([ACL 14-26](#))
- 010-2 Duty to complete investigation when evidence is conflicting ([40-157.14](#))
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- 010-4 County is to refer applicants and recipients for UIB; county to deny or discontinue if there is failure to apply for or accept UIB or if there is failure to meet eligibility conditions without good cause ([82-610.1](#) and [82-612](#))
- 010-4A Aid discontinued when AU member fails to apply for or accept available UIB ([82-612.1.6](#))
- 010-4B Under MR/RB, aid discontinued last day of month for failure to apply for or accept UIB ([82-612.3](#)). Under prospective budgeting aid discontinued at end of payment period ([82.612.3](#), effective July 1, 2004)
- 010-4C Situations when a person is not "apparently eligible" for UIB ([82-612.6](#))
- 010-5 County representative's duty to determine the issues prior to the hearing ([22-073.2](#))

- 010-6 General duty of county representative ([22-073.13](#))
- 010-7 Duty of county to prepare position statement ([22-073.25](#))
- 010-7A Parties must be prepared on substantive issues unless hearing is limited to jurisdictional issue ([22-049.53](#))
- 010-8A Authorizing a representative; communications with the AR ([22-085](#))
- 010-9 County representative has authority to make binding stipulations at the hearing ([22-073.37](#))
- 010-10 County has burden of going forward ([22-073.36](#))
- 010-11 Applicants must be informed of lump sum diversion ([40-115.213](#))
- 010-12 County duty to have regulations, ACLs, W&IC, and other laws relating to any form of public social service in waiting or reception room in each central or district county office ([17-017](#))
- 010-13 Record retention requirements in PA cases (ACL 06-33; [23-353](#))
- 011-1 County responsibility to be courteous and respectful ([40-101.12](#))
- 012-1 Information relating to eligibility provided solely by applicant/recipient is open to that individual's inspection ([19-005.1](#))
- 012-2 Case files, except for privileged communications, are open to inspection by claimant or AR ([19-005.4](#) and [19-006](#))
- 012-3 Case record open to inspection by claimant or AR in conjunction with state hearing ([W&IC 10850.2](#))
- 012-4 Applicants, recipients and their authorized representatives are entitled to have access to their case records ([ACL 07-29](#))
- 012-4A Information provided by applicant/recipient must be shown to him/her or to representative upon request; privilege exists only if information comes from third party ([ACL 07-29](#))
- 012-4B Documents necessary to determine whether to prepare for or request hearing must be provided at cost of production or no charge; in food stamps, documents must be provided at no charge; regulations do not prohibit charge for non hearing related documents ([22-051.3](#) , [.31](#) ; [ACL 07-29](#))
- 012-4C No public records request necessary for recipient to review case record. ([ACL 16-02](#))
- 012-5 Guidelines regarding review of investigative file ([22-051.2](#))
- 013-1 Counties are not to discriminate in administering aid programs; complaints of discrimination are to be referred to Civil Rights Bureau ([21-109.1](#) and [21-203.11](#))

- 013-1A Compliance with civil rights rules required ([40-101.11](#))
- 013-2 Duty of county to provide notices in language other than English ([21-115.2](#); ACL 92-90, [ACL 00-03](#))
- 013-2A Duty to provide notice in primary language when five percent of welfare population lives in the particular county (*Asociacion Mixta Progresista*)
- 013-2B County responsibilities in providing language services (ACL 03-56)
- 013-2C Counties must provide forms and written materials in individual's primary language; primary language defined ([ACIN I-09-06](#))
- 013-2D Counties must document that interpretive services were provided and/or offered at each client contact ([ACIN I-02-08](#))
- 013-2E Once informed that a client wants an interpreter, one must be provided at each contact. ([ACL 08-65](#))
- 013-2F Counties required to inquire regarding primary language. ([21-116.2](#), ACL 03-56, [ACIN I-09-06](#), [ACL 08-65](#))
- 013-2G Requirement to ascertain primary language ([21-201.211](#))
- 013-2H Duty to insure interpretative services available to non-English speaking persons ([21-115](#), [21-104 \(n\)\(1\)](#))
- 013-2J County must have bilingual staff, procedures when the applicant/recipient provides own interpreter ([21-115.16](#))
- 013-2I County to use translated forms if available otherwise provide translated services. ([ACIN No. I-74-11](#))
- 013-3 Cases involving discrimination issues are to be remanded to the county for preparation of a report ([22-062.5](#))
- 013-4 Authority of SIU; rules pertaining to conduct of SIU investigations ([20-007.3](#))
- 013-5 Requirement under Civil Rights laws to be non-discriminating and provide equal access to people with disabilities, under Title II of ADA and California FEHA ([ACL 01-42](#))
- 013-6 Language-compliant notice defined ([22-001\(l\)\(1\)](#))
- 013-6A Statute of limitations, general; includes language-compliant effective January 24, 2007 ([22-009.1](#))
- 013-7 In conducting investigations, limits on type of educational information county can obtain without consent or subpoena ([ACL 15-47](#))
- 014-1 General duty to assist in application process ([40-107](#))

- 014-2 General complaint procedure ([22-109.1](#))
- 014-3 Alien applicants must have documentation requirements explained in language in which they are fluent ([42-435](#))
- 014-4 Applicants must be informed of diversion before aid is approved ([W&IC 11265\(a\); 82-215.2](#))
- 014-4A Counties shall advise applicants of right to exemption from immunization requirements ([ACL 11-57](#))
- 014-5 Program duty: to inform applicants and recipients of duty to report accurately and promptly, to take prompt action on information, and to provide follow-up help through more contact when recipient has difficulty reporting ([20-005.311-.313](#))
- 014-6 Duty of county to inform persons fingerprinted or photographed that image will be used solely to prevent or prosecute welfare fraud ([40-105.3](#))
- 014-6A Duty of county to inform recipients of penalties and to provide extra assistance to recipients with known reporting difficulties ([20-005.311](#) and [20-005.313](#))
- 014-7 County duty to put its discretionary standards in writing ([21-115 ; 11-501.3 ; ACL 00-08, ACL 02-03](#))
- 014-7A Legally required written county policies and procedures makes interested parties aware of program rules, promote uniform and equitable treatment, assist in demonstrating county actions are not arbitrary and capricious, and can support county actions in State hearings ([ACL 00-08](#))
- 014-8 Income maintenance responsibility to make and record eligibility and grant determinations for PA cases, and for MN share of cost cases ([11-501.1, .2](#))
- 014-9 Counties must ensure that CalWORKs applicants who are denied work benefits and CalWORKs recipients who are discontinued from that aid program receive the Medi-Cal and FS benefits to which they are eligible ([ACIN I-32-01](#))
- 014-10 County shall instruct recipients to voluntarily report changes that will increase benefits during the payment period. ([ACL 12-25](#))
- 015-1 General responsibility of recipient to cooperate ([40-105.1](#))
- 015-1A Applicant responsibility to report changes in five days, recipients in ten day ([40-105.13, .14](#))
- 015-1B County responsibility to ensure correct payment, assist recipient ([40-181.1\(a\)](#))
- 015-1C SAR - Eligibility regarding deprivation, AU composition, property and transfers determined only on a semi-annual basis based on the information on the SAR 7 or SAWS 2 ([40-181.1\(a\)\(1\)](#))

- 015-1CC Quarterly budgeting - Under prospective budgeting, eligibility regarding deprivation, AU composition, property and transfers determined only once per payment period on the QR 7 [\(40-181.1\(a\)\(1\)\)](#)
- 015-1D Unreported change of address during payment period not basis to terminate aid absent other factors ([ACIN I-63-15](#))
- 015-2 County may deny if refusal to cooperate; denial only when active refusal [\(40-157.3\)](#), [\(40-126.344\)](#)
- 015-2A During application process, county can require evidence only if necessary to determine past or present eligibility [\(40-126.31\)](#)
- 015-2B During application process, county must provide written notice to applicant of necessary evidence, and pay to obtain evidence if necessary [\(40-126.32, .332\)](#)
- 015-2C County must document failure of applicant to make good faith effort to obtain evidence, and cannot deny if claimant is cooperating [\(40-126.334, .34\)](#)
- 015-2D Applicant who fails to cooperate may be eligible if necessary evidence received within 30 days of denial NOA [\(40-126.342, .343\)](#)
- 015-2E Denial for refusal to cooperate must be based on oral or written active refusal [\(40-126.344\)](#)
- 015-2F CalWORKs application and interview requirements ([ACIN I-15-03](#))
- 015-2G Situations where county must assist applicant in obtaining information from a third party. [\(40-126.332\)](#)
- 015-2H County must examine existing case files for documentation which may already be in its possession [\(40-126.35\)](#)
- 015-3 Documents or evidence must be received on or before appropriate deadline set by county; extension of deadline if it falls on nonbusiness day [\(40-181.1\(k\)\)](#)
- 015-4 Duty to accept unconditionally available income; penalty for failure to accept such income [\(44-103.2](#), repealed 7/1/93, replaced by [82-610\)](#)
- 015-4A Duty to seek or accept available income; penalties for failure to do so [\(82-610.1\)](#)
- 015-4B Definition and examples of potentially available income [\(82-610.3, .4\)](#)
- 015-4C PE who does not apply for UIB when apparently eligible disqualifies family from establishing U-deprivation; PE who cooperates before authorization of aid meets requirements as of application date [\(41-440.23](#), as revised 7/1/98)
- 015-4D Safety Net and Drug/Fleeing Felon cases are exempted from child support requirements and the failure to seek child support does not constitute failure to seek unconditionally available income ([ACL 14-78](#))

- 015-5 County is responsible for determining good cause for failing to meet UIB eligibility conditions; good cause criteria [\(82-614.2\)](#)
- 015-7 Failure to cooperate with QC results in ineligibility for the AU [\(40-203.1, 40-209.2\)](#)
- 015-8 Minor parent's failure or refusal to obtain verification of whether or not adult will act as payee renders AU ineligible [\(89-201.42\)](#)
- 015-9 Requirement for adult parents and caretaker relatives and pregnant women to supply two fingerprint images and one photo image at application; failure to provide makes AU ineligible [\(40-105.3; ACL 00-32\)](#)
- 015-9A Duty of county to inform persons fingerprinted or photographed that image will be used solely to prevent or prosecute welfare fraud [\(40-105.3\)](#)
- 015-9B Persons temporarily and permanently exempt from SFIS requirements; only specified reasons establish good cause [\(40-105.33, .35; ACL 00-32\)](#)
- 015-9C Counties must inform applicants/recipients of SFIS requirements [\(ACL 00-32\)](#)
- 015-9D Two NOAs required if applicant fails to cooperate in providing information, complying with SFIS [\(ACL 00-32\)](#)
- 015-10 All applicants and recipients of CalWORKs and FC must assign child and spousal support for themselves and for required AU members as a condition of eligibility [\(82-506.1, 82-820.3\)](#)
- 015-10A Applicants and recipients of CalWORKs and FC must assign child and spousal support for themselves and (unlike 82-506.1) for family members for whom aid is requested or received, and receipt of aid assigns support by operation of law (Handbook 12-410)
- 015-11 "Applicant" is a person who requests aid or a person on whose behalf a request for aid is made [\(80-301a.\(7\)\)](#)
- 016-1 Application in writing [\(40-103.4\)](#)
- 016-1A Date of application defined [\(80-301 d.\(1\)\)](#)
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- 016-2B No application necessary if SAR 7 is submitted in the month following termination. [\(40-125.94\)](#)
- 016-2C Procedures if good cause exists for submission of SAR 7 in month following termination. [\(40-125.94\)](#)
- 016-2D Restorations based on excess property [\(40-125.95\)](#)

- 016-2E Restorations based on excess income ([40-125.96](#))
- 016-3 Formal application is not necessary to include additional person in AU ([40-121.3, .34](#))
- 016-3A CA 7 can serve as application for optional person or for conversion from state to federal CalWORKs ([80-310 c.\(1\)](#))
- 016-4 CalWORKs annual redetermination of eligibility ([40-181.21](#))
- 016-5 Duty to act promptly on applications, 45-day rule ([40-126.1](#))
- 016-6 Any person, even if apparently ineligible, has the right to apply for aid ([40-109.1](#))
- 016-7 Applicant/recipient self-determination ([40-109.4](#))
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- 016-9 Regulations governing the method of initial determination also applicable to continuing and periodic determinations ([40-181.31](#))
- 016-10 Requirements to protect applicants' right to apply when welfare offices closed on normal working days ([Blanco v. Anderson and Belshé](#))
- 016-10A Requirement to provide for filing applications on normal working days implemented ([Blanco v. Anderson](#); [ACL 94-108](#), [ACL 95-08](#))
- 016-11 Kin-GAP child is treated as recipient, not applicant ([ACL 99-97](#))
- 016-12 CalWORKs eligible persons eligible for Medi-Cal ([40-171.212](#))
- 016-13 County shall deny aid if whereabouts unknown ([40-171.221\(c\)](#))
- 016-13A County must attempt contact with recipient before making fraud referral or taking action against grant for "whereabouts unknown" ([ACL10-01](#))
- 016-14 Application for adding additional person ([40-119.2](#))
- 017-1 Face-to-face interview required ([40-131.1](#))
- 017-1A Face to face interview requirement subject to reasonable accommodation for those with disabilities. ([ACL 15-31](#))
- 017-1B Counties should provide home visits for face to face interview in exceptional circumstances ([ACL 15-31](#))
- 017-2 Situations in which a home visit is necessary ([40-161](#))
- 018-1A DA cooperation requirements ([82-512.2](#))

- 018-1B DA determines cooperation, and county determines good cause ([W&IC 11477\(b\)\(1\)](#), [W&IC 11477.04](#); [ACL 97-65](#); [82-510.1](#) revised 7/1/98)
- 018-1C CalWORKs Child-only Safety Net and Drug/Fleeing Felon (SN/DFP) not subject to assignment of support rights. ([ACL 14-78](#))
- 018-1D Circumstances where an applicant/recipient is exempt from cooperating in establishing paternity or obtaining support ([82-512.1](#))
- 018-2A Prospective application of the child/spousal noncooperation sanction for AFDC recipients who retain direct support ([ACL 91-34](#))
- 018-3A Cooperation requirements for child/spousal support ([82-510.1](#)), partially revised 7/1/98, and re-revised 6/21/99)
- 018-3B Cooperation requirements for medical coverage ([82-510.2](#))
- 018-3C Applicant/recipient must cooperate in obtaining payments or property due an AU member ([82-510.3](#))
- 018-3E Penalty for failure to assign child support is exclusion from AU; for failure to cooperate in paternity establishment or child support enforcement is 25% reduction in grant ([W&IC 11477\(a\)\(1\)](#), [W&IC 11477.02](#); [ACL 97-65](#); [82-506.1](#), revised 10/1/98, [82-510.4](#), revised 7/1/98)
- 018-3F Statutory and regulatory good cause criteria for failure to cooperate with DA or county ([W&IC 11477.04\(b\)](#); [ACL 97-65](#); [82-506.1](#), revised 10/1/98; [82-512.1](#), revised 7/1/98, and re-revised 6/21/99)
- 018-3G County welfare department makes good cause determination regarding cooperation with LCSA; good cause criteria ([W&IC 11477.04\(a\) and \(b\)](#))
- 018-3H Evidence supporting good cause claims ([W&IC 11477.04\(c\)](#))
- 018-5A Burden on claimant to justify claim for exemption from paternity, securing support and medical coverage cooperation requirements ([82-512.51](#), pre-7/1/98, [82-512.41](#))
- 018-5B Evidence to support rape/incest exemption claim ([82-512.521](#), [.525](#), revised and renumbered 7/1/98)
- 018-5C Evidence to support pending adoption exemption claim ([82-512.522](#), [.525](#) revised and renumbered 7/1/98)
- 018-5D Counseling days regarding adoption or relinquishment of child were limited to 90 for purposes of exemption prior to 7/1/98, evidence to establish this exemption ([82-512.523](#), [.525](#), renumbered, revised 7/1/98)
- 018-5E Special considerations re: claim of emotional harm exemption, and evidence to support claim of physical or emotional harm ([82-512.4](#), [.525](#) renumbered, revised and repealed, [82-512.424-.426](#)), 7/1/98)

- 018-6B All applicants and recipients of CalWORKs and FC must assign child and spousal support for themselves and for required AU members as a condition of eligibility ([82-506.1](#), [82-820.3](#))
- 018-7 CalWORKs (formerly AFDC) parents required to submit support payments received to District Attorney (43-107.26 renumbered to [82-510.16](#))
- 018-8 AFDC recipient must be allowed to attest as to lack of information regarding absent parent before sanctions can be imposed ([ACL 90-12](#), *Sahi v. McMahon*)
- 018-10 Child support activities shall be started or resumed for recipient, exempt from cooperation, at recipient's request ([82-508.352](#), eff. 6/21/99)
- 019-1A Applicant/recipient must cooperate in obtaining and furnishing SSN ([40-105.2](#))
- 019-2A Requirement to verify that an application for an SSN has been filed on behalf of a newborn ([40-105.22](#))
- 019-2B State-funded victim of trafficking, domestic violence or other serious crimes not required to meet Social Security number requirements ([40-105.26](#))
- 019-3 Failure or refusal to provide SSN results in ineligibility for individual, or if individual is only eligible child, for entire AU ([40-107 \(a\)\(1\) and \(g\)\(1\)\(E\)](#))
- 019-4 Furnishing and using SSNs does not violate First Amendment of Constitution ([Bowen v. Roy](#))
- 019-5 Required documentation of preschool children's immunization except if medically contraindicated or contrary to applicant's or recipient's belief ([W&IC 11265.8](#))
- 019-5A Children under age 6, unless in school, subject to immunizations requirements ([40-105.4](#))
- 019-5B Counties must provide good cause form for non-compliance with immunization requirement to applicants. ([ACL 14-98](#))
- 019-5C Caretakers have right to review immunization record ([ACL 13-51](#))
- 019-5D Sworn statement sufficient to document exemption from immunization requirement. ([ACL 11-57](#))
- 019-5E Good cause for failing to provide immunization verification. ([40-105.4 \(i\)](#))
- 019-5F Good cause for failure/delay in obtaining immunization verification ([ACL 11-57](#))
- 019-6 Parents/caretaker relatives are excluded from AU for eligibility and grant purposes after failure to provide immunization documentation the first of the month following timely notice, and restored the month following the month documentation is provided ([40-105.4\(a\), \(g\), \(h\); 40-105.5\(e\), \(g\)](#))

- 019-7 School attendance requirement; failure of child age 16 or over to attend school results in child's exclusion from assistance unit ([W&IC 11253](#); [ACL 97-70](#); [40-105.5\(a\)-\(d\)](#))
- 019-7A Prior to January 1, 2015, failure of child under 16 to attend school leads to exclusion of adults from AU ([W&IC 11253](#); [ACL 15-22](#), [40-105.5\(a\)-\(d\)](#))
- 019-7B Determination of chronic truancy for child 16 or over; exception criteria ([W&IC11253.5](#); [ACL 15-22](#))
- 019-7C Chronic truancy now only established if such determination made pursuant to Education Code ([W&IC 11253.5](#); [ACL 15-22](#))
- 019-7D Child 16 or older who has failed to meet school attendance requirements shall be referred to Welfare to Work ([ACL 11-57](#))
- 019-8 County required to explain school attendance requirement and good cause provisions; examples of good cause ([ACL 13-51](#))
- 019-9 Notice of Action requirements when the county takes action regarding school attendance ([ACL 13-51](#))

SECTION 020-029

- 020-1 First county is to complete application process if recipient moves to another county after the time of application ([40-125.5](#))
- 020.1A Special rules regarding responsible county when a child moves from one county to another ([40-190.222](#), formerly 40-187.222)
- 020-2 Intercounty transfer to be initiated when the first county is notified that the recipient has moved to another county ([40-190.1](#), formerly 40-189.21)
- 020-3 Responsibility of first county to notify second county of recipient's move to second county (40-195.2 11, renumbered to [40-190.11](#))
- 020-3A No need to reapply for Medi-Cal in new county after CalWORKs discontinuance ([ACL 04-14](#))
- 020-4A Expiration of transfer period ([40-187.12](#))
- 020-5 No application necessary on a transfer between FG and FC ([40-121.32](#))
- 020-6 Intra-program status change (FG to FC); no new application needed ([40-121.32](#); [40-183.1](#))
- 020-7 County duty to advise of potential CalWORKs (formerly AFDC) eligibility when processing Medi-Cal cases ([50153](#))
- 020-8 First county is responsible for eligibility and payment until end of transfer period; second county establishes reporting cycle ([40-190.2,.21, .22](#))

- 020-8A CalFresh intercounty transfers shall follow CalWORKs rules ([ACL 11-22](#))
- 020-9 In FC intercounty transfer, first county remains responsible for payment of aid ([40-190.32](#), formerly 40-187.221)
- 020-10 Special rules regarding responsible county when a child moves from one county to another ([40-190.222](#), formerly 40-187.222)
- 020-11 County of responsibility in HA cases ([44-211.515](#))
- 020-12 In HA, use MAP in county where applicant resides ([44-211.515\(a\)](#))
- 021-1 Duty to complete CA 7/QR 7/SAR 7 ([40-181.21](#))
- 021-2 SAR - Discontinuance for failure to submit SAR 7, personal contact; rescission of discontinuance ([40-181.22](#))
- 021-2A Quarterly budgeting Discontinuance for failure to submit CA 7/QR 7, personal contact; rescission of discontinuance ([40-181.22](#))
- 021-3 SAR - No application necessary if SAR 7 is submitted in the month following termination. ([40-125.94](#))
- 021-3A Quarterly budgeting - No application necessary if QR 7 is submitted in the month following termination. ([W&IC 11265.4\(a\)](#) and [ACL 12-35](#))
- 024 Sponsored alien's duty to report income and resources of sponsor ([40-181.25](#))
- 021-5 Good cause for failure to submit a CA 7/QR 7/SAR7 timely ([40-181.23](#))
- 021-5A Good cause for failure to submit redetermination form. ([40-181.216](#))
- 021-6 County to rescind discontinuance or allow earned income disregards when recipient has good cause for not reporting timely on CA 7; earned income disregard penalties are no longer relevant after 7/1/98 ([40-181.234](#), [44-113.218](#); [ACL 97-67](#))
- 021-8 SAR - Requirements for a complete SAR7 ([40-181.241](#))
- 021-8A Quarterly reporting - Requirements for a complete CA 7/QR 7 ([40-181.241](#), eff.2/3/99)
- 022-1 IPV defined ([20-351.1i\(1\)](#), revised 7/1/98; Handbook [80-301 i.\(2\)](#))
- 022-2 IPV penalties; only court may reverse ([82-620.1](#))
- 022-3 Welfare fraud requires non-entitlement to aid ([People v. Ochoa](#))
- 022-4 Responsibility of county EWs and supervisors to ensure that applicants understand penalties for not reporting or misstating relevant facts ([20-005.311](#))
- 022-5 Program duty: to inform applicants and recipients of duty to report accurately and

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- 022-6 Fraud penalties in 20-353.2-.261 apply only to acts committed after January 1, 1998 ([20-351 .3](#))
- 022-6A Permanent CalWORKs IPV penalties ([20-353 .2 1](#))
- 022-6B Five year CalWORKs IPV penalties ([20-353 .2 2](#))
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- 022-7 Same IPV act, repeated over time, gives rise to only one penalty ([20-353 .7](#))
- 022-8 Applicants are to be provided written notice of IPV disqualification penalties ([22-310](#), effective 1/5/95)
- 022-9 For ineligible person, CalWORKs disqualification postponed until person applies and is found to be eligible for CalWORKs ([20-353. 5](#))
- 024-1 Fleeing felons defined, and excluded from the AU ([W&IC 11486.5\(a\)](#); [ACL 97-65](#); [82-832.1 \(h\), \(i\)](#))
- 024-4 Drug felons defined, and excluded from the AU ([W&IC 11251.3](#) [ACL 97-65](#); [82-832.1 \(j\)](#), [82-832.20](#))
- 024-4A Drug felons no longer excluded effective April 1, 2015 ([ACL 14-100](#); [W&IC 11251.3](#))
- 024-5 Person who pleads guilty, but there is no entry of judgment, is not considered a drug felon until judgment is entered ([ACINI-71-99](#))
- 024-6 Person who has had drug felony conviction entered does not receive retroactive benefits if conviction is reduced or record expunged ([ACINI-71-99](#))
- 024-7 Minor must be convicted as an adult or minor is not a drug felon ([ACINI-71-99](#))
- 025-1 Requirement for adult parents and caretaker relatives and pregnant women to supply two fingerprint -images and one photo image at application; failure to provide makes AU ineligible ([40-105.3](#) ; [ACL 00-32](#))
- 025-2 Duty of county to inform persons fingerprinted or photographed that image will be used solely to prevent or prosecute welfare fraud ([40-105.3](#))

- 025-3 Persons temporarily and permanently exempt from SFIS requirements; only specified reasons establish good cause ([40-105.33, .35](#) ; [ACL 00-32](#))
- 025-4 Counties must inform applicants/recipients of SFIS requirements ([ACL 00-32](#))
- 025-5 Two NOAs required if applicant fails to cooperate in providing information, complying with SFIS ([ACL 00-32](#))
- 025-6 Court order re SFIS policies of failure v. refusal to comply, how SFIS caretaker relatives pre 7/21/96 are affected, or how those individuals are treated when another family member is applying, stayed on appeal ([Sheyko v. Saenz](#); [ACIN I-69-01](#))
- 026-1 Quarterly Reporting/Prospective Budgeting (QR/PB) replaces Monthly Reporting Retrospective Budgeting (MRRB) for CalWORKs and food stamps. ([ACL 03-18](#))
- 026-1A Implementation of QR/PB for CalWORKs recipients ([40-036](#))
- 026-1AA Implementation of SAR for CalWORKs recipients ([40-038](#))
- 026-1AB Regulation designations pertaining to SAR and AR/CO ([40-039.1](#))
- 026-1AC Annual reporting child only cases (AR/CO) ([40-103.9](#))
- 026-1B County duty to assign SAR cycle and notify recipient of cycle ([40-107 \(j\)](#))
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- 026-1C SAR - SAR7, generally, due dates ([40-181.22](#))
- 026-1CC Quarterly reporting - QR7 generally; due dates ([40-181.22](#))
- 026-1D County shall advise recipients to voluntarily report if changes would increase benefits ([ACL 12-25](#))
- 026-2 Quarterly reporting - Terms used in QR/PB reporting system ([ACL 03-18](#))
- 026-2A Quarterly reporting - Terms used in QR/PB reporting system ([40-103.5](#))
- 026-2B SAR - Terms used in the SAR reporting system ([40-103.5](#))
- 026-4A No application necessary if QR 7/SAR 7/SAWS 2 is submitted in the month following termination. ([W&IC 11265.4\(a\)](#), [40-181.21](#) , [40-181.22](#) , [ACL 12-35](#), [ACL 16-25](#))
- 026-4C Discontinuance for failure to submit QR 7/SAR 7/SAWS 2; personal contact; rescission of discontinuance ([40-181.21](#) and [40-181.22](#))
- 026-4D Good cause for failure to submit a QR 7/SAR 7/SAWS 2 timely ([40-181.23](#))
- 026-4F County duty to resolve discrepancies from mid-period reports during QR 7/SAR 7/SAWS 2 Reporting Period ([44-316.231](#))

- 026-5 County must rescind discontinuance if recipient returns complete QR 7/SAR 7/SAWS 2 after the 11th of the month, but before the first of the next month. There is an overpayment/overissuance if county could not decrease benefits because it could not issue 10-day notice due to late QR 7. ([40-181.1](#), [44-350.5](#), [44-316.331 \(n\)](#), [ACL 03-18](#))
- 026-6 Good cause may be established for failing to return a complete QR 7/SAR 7/SAWS 2 in both CalWORKs and food stamps. ([ACL 03-18](#), [ACL 12-25](#))
- 026-6A Good cause may be established for failing to return a complete QR 7/SAR 7/SAWS 2; action to be taken upon good cause determination. ([40-125.941](#))
- 026-7 County will use information on CA 7/QR 7 to determine eligibility during payment period regarding deprivation, property, AU composition and transfer of assets ([40-181.1\(a\)\(1\)](#))
- 026-8 SAR -Property eligibility is determined once per period. Lump sum property after receipt. ([40-181.1\(a\)\(1\)](#); [42-209.2](#))
- 026-8A Quarterly reporting - Property eligibility is determined once per quarter. Nonrecurring lump sum is considered property in CalWORKs under prospective budgeting. ([40-181.1\(a\)\(1\)](#); [42-209.2](#); [ACL 03-18](#))
- 026-8C CalWORKs transfer of asset rules remain unchanged. Under prospective budgeting period of ineligibility begins at beginning of upcoming payment period. ([42-221.612\(b\)](#); [ACL 03-18](#))
- 126-10 Recipients required to report certain specified changes to the county mid-payment period within 10 days of the change. Mandatory items include drug/fleeing felons, parole violations, income in excess of IRT and address changes ([44-316.321](#) and [322](#))
- 026-10A SAR – IRT requirement, three IRT levels ([44-316.324](#))
- 026-10AA Quarterly budgeting - Income Threshold Report (IRT) defined. ([44-316.324](#); [ACL 03-18](#))
- 026-10B County must provide recipient with an informing notice that spells out IRT limit on an individualized basis at least once per payment period. ([40-173.8](#))
- 026-10C Failure to report income that exceeds IRT can result in overpayment and CalWORKs disqualification. ([ACL 03-18](#), [ACL 12-25](#))
- 026-10D SAR – County action when income exceeds IRT ([44-207.23](#))
- 026-10DD Quarterly reporting -Steps county must take if recipient reports income that exceeds IRT level. ([ACL 03-18](#))
- 026-10E Quarterly reporting - No mandatory mid-quarter recipient requirement in food stamps to report income in excess of IRT; ([ACL 03-18](#))
- 026-10F No need for county to verify income that exceeds IRT before county discontinues CalWORKs. ([ACIN I-54-03](#))

- 026-10G Income that an assistance unit must report for IRT purposes. ([ACL 03-57](#))
- 026-11 If county is unable to provide 10-day notice following assistance unit/household report of drug felony conviction, fleeing felon status or violation of condition of parole, county must issue benefits at prior level. ([ACL 03-18](#))
- 026-11A If recipient moves to another county, CalWORKs inter-county transfer rules apply. For food stamps, recipient must reapply in second county, but first county discontinues food stamps to coincide with CalWORKs transfer. ([ACL 03-18](#); [ACINI-54-03](#))
- 026-12 Recipients may voluntarily report changes in income and circumstances during the payment period. ([44-316.31](#))
- 026-12A Voluntarily reported changes may result in increase in one program's benefits and decrease in another. County must act on the increase but suppress the decrease. ([ACL 03-18](#), [ACL 12-25](#))
- 026-12B When increases in benefits due to decrease in income or addition of household member take effect. ([44-316.32](#))
- 026-12D No RISPs in the prospective budgeting system. ([ACL 03-18](#))
- 026-12E County must issue notice of action if voluntarily reported decrease in income does not result in increase in benefits. ([ACL 12-25](#))
- 026-12F When Medi-Cal eligibility is established for new members of the assistance unit. ([ACL 03-18](#), [ACL 12-25](#))
- 026-12G Effect of person moving into the home with income that causes assistance unit/household to be financially ineligible. New person ineligible for Medi-Cal. ([ACL 03-18](#), [ACL 12-25](#))
- 026-12H County must treat addition/removal of optional person and income in same manner it would treat a mandatorily included person in the assistance unit. ([ACINI-54-03](#))
- 026-13 Voluntary requests to discontinue benefits in the QR/PB system and county duty to act on the request including providing notice. ([ACL 03-18](#), [ACL 12-25](#))
- 026-14 County required to inform recipients to voluntarily report changes that would increase benefits. ([ACL 12-25](#))
- 026-15 Under prospective budgeting reasonably anticipated income is not reconciled with actual income in first two months. ([ACL 03-18](#))
- 026-18 Quarterly budgeting - County option how to establish quarterly reporting cycles. ([40-107 \(j\)](#); [ACL 03-18](#))
- 026-19 SAR budgeting – budgeting cycle to be aligned with the beginning date of aid ([40-107 \(j\)](#))

Section 030-039

- 036-1 Eligible Stage One child-care recipients ([47-220.1, .2, .3](#))
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- 036-3 Eligible children for Stage One child-care ([47-201](#))
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- 036-4C Examples of child-care overpayments ([ACL 00-53](#))
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- 036-6 When the county must and when it shall not pay for child-care ([47-401.4, .5](#))
- 036-7 Definition of family fee and calculation for Stage One clients ([47-110 \(f\)\(1\), 47-240.1](#))
- 036-8 Retroactive child-care payments limits ([47-430.2-.22](#))
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- 036-10 Definition of "intercounty transfer" in child-care ([47-110 \(i\)\(1\)](#))

- 036-10A Definition of “first county” and “second county” in child-care [\(47-110 \(f\)\(2\), \(s\)\(1\)\)](#)
- 036-10B Responsibility of first and second county in intercounty child-care transfer [\(47-310.1, .2\)](#)
- 036-10C No delay permitted in child-care payments when county receives necessary child-care information [\(47-310.3 , 47-420.21\)](#)
- 036-10D County payment responsibility in child-care intercounty transfer cases [\(47-310.3\)](#)
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- 038-1 Nonminor dependents (NMD) eligibility for Extended CalWORKs under AB 12 [\(ACL 12-27\)](#)
- 038-2 NMDs eligibility for Extended CalWORKs based on meeting one of the 5 Participating Conditions [\(ACL 11-69, ACL 12-27, W&IC 11403\)](#)
- 038-3 The option of the NMD in staying in regular CalWORKs as fulltime student [\(ACL 12-27\)](#)
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Section 040-049

- 040-1 Aliens eligible for aid as provided under federal law, if lawfully admitted for permanent residence, or if PRUCOL [\(W&IC 11104\)](#)
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Section 050-059

- 050-1 Deprivation necessary for CalWORKs (formerly AFDC) eligibility ([41-400](#))
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- 050-2B SAR - Under semi-annual reporting, deprivation not evaluated in mid-period, only based on information on SAR 7 or SAWS 2. ([41-405.11](#))

- 050-2C Quarterly budgeting - Under prospective budgeting, deprivation not evaluated mid- quarter, only based on information on QR 7 ([41-405.11](#) effective July 1, 2004)
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- 050-4 County responsibility to investigate whether other basis of deprivation exists when one ceases, and family still in need ([41-405.1](#))
- 050-5 Federal AFDC-U shall not be the basis for deprivation if other eligibility exists changed to allow eligibility to be established based on any deprivation factor ([41-401.3](#), formerly [41.401.4](#), revised 6/14/99)
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- 053-7A PE must have worked fewer than 100 hours, adjusted daily, in 4 week period preceding eligibility for U-benefits ([W&IC 11201\(b\)](#); [41-440.22](#))
- 053-8B Linkage to AFDC-U (now CalWORKs) continues regardless of hours PE works, or until deprivation changes ([ACL 92-98](#); [41-401.2](#))
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- 055-1 Absent parent deprivation, general ([41-401.14](#))
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Section 060-069

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- 062-2A Disabled 18-year-olds who can't complete high school by age 19 may receive CalWORKs until age 19 ([ACL 04-33](#))
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- 062-3A Implementation of procedures and standards to determine if 18-year old is considered disabled ([ACL 04-50](#))
- 062-4 Counties must discontinue 18-year-olds who are not disabled; no overpayment for those who received cash aid based on [ACL 04-33](#) ([ACL 04-50](#))

Section 070-079

- 070-1 Effective July 1, 2015 pregnant woman eligible for CalWORKs beginning in second trimester of pregnancy. ([W&IC 11450](#), [ACL 15-38](#))
- 070-3 Retroactive eligibility for mothers who deliver children prior to anticipated month of birth ([44-209.235](#))
- 070-4 Families are grouped into AUs for purposes of eligibility and grant computation ([W&IC 11450.16\(a\)](#), 1/1/99)
- 071-1A Individuals who must be listed on the Statement of Facts; optional persons; denial appropriate when applicant won't list individual on Statement of Facts ([40-118.1](#), [.2](#), [.4](#))
- 071-1B “California domestic partner” defined ([80-301c.\(1\)](#))
- 071-1C “Stepparent” defined ([80-301s.\(9\)](#))
- 071-1D Same sex marriages valid ([ACL 16-13](#))
- 071-2A Persons who are necessary to establish an AU ([82-820](#))

- 071-2B Beginning date of aid for unaided father of pregnant woman who receives aid as an AU of one ([44-205.122](#))
- 071-3 Exceptions to mandatory AU inclusion rules for pregnant or parenting minors ([Handbook 82-820.333](#))
- 071-4A AU must include a child unless there is a pregnant woman, or only child is GAIN sanctioned or receives SSI ([82-820.2](#))
- 071-5 MFG child excluded from AU for MAP purposes, but not for MBSAC, special needs ([44-314.2, .6](#))
- 071-7 Persons who are sanctioned (and not in AU) v. persons who are penalized (and are in AU) ([ACIN I-09-98](#))
- 071-8 Required members of AU include eligible child and caretaker relative, or pregnant woman, and eligible parents and eligible siblings, living in the home with the eligible child ([W&IC 11450.16\(b\), \(c\)](#), effective 1/1/99)
- 071A County must advise applicant/recipient of AU most advantageous to family ([82-820.3, 82-828.1](#))
- 072-2 Persons who, at option of required AU members, may be included in AU ([W&IC 11450.16\(d\)](#))
- 072-3 Deceased child included in month of death and following month ([ACINI-13-16](#))
- 073-1 Persons excluded by law from the AU include persons not meeting citizenship/alien status requirements ([82-832 \(b\)](#))
- 073-1A Persons excluded by law from the AU include children living with minor parent receiving foster care or Kin-GAP ([82-832 \(a\)](#))
- 073-2A Father of unborn excluded from AU ([82-832 \(c\)](#))
- 073-3 SSI/SSP, RRP, Kin-GAP or FC recipient excluded from AU ([82-832.1\(d\)](#))
- 073-3A 1619(b) recipients are SSI recipients for CalWORKs purposes ([ACL 01-35; 82-832.1 \(e\), 44-133.21](#))
- 073-4 Needs of parents and caretaker relatives not considered if preschool children have not received immunization ([W&IC 11265.8\(a\); ACL 97-70; 40-105.4\(c\), \(g\)](#))
- 073-5 Parents/caretaker relatives are excluded from AU for eligibility and grant purposes after failure to provide immunization documentation the first of the month following timely notice, and restored when documentation is provided the first of that month ([ACL 97-70; 40-105.4\(a\), \(h\) ; 40-105.5\(e\), \(g\); 40-105.5\(g\)](#))
- 073-6 Failure to have school age children attend school leads to exclusion of adults from AU ([W&IC 11253; 40-105.5\(a\)-\(d\)](#))

- 073-6A Needy caretaker relative of Kin-GAP minor is not penalized if the minor hasn't met immunization or school attendance requirements ([ACL 01-64](#); [40-105.5\(d\)](#) and [40-105.4\(g\)](#))
- 073-6B Kin-GAP child 16 or over who fails to attend school remains aided as a ZBG case ([ACL 01-64](#); [40-105.5](#))
- 073-7 Fleeing felons defined, and excluded from the AU ([W&IC 11486.5\(a\)](#); [ACL 97-65](#); [82-832.1 \(h\), \(i\)](#))
- 073-8 Drug felons defined, and excluded from the AU ([W&IC 11251.3](#); [82-832.1 \(j\)](#), [82-832.20](#))
- 073-9 Voucher/vendor payments required if excluded AU parent or caretaker is drug felon, but not if fleeing felon ([ACL 97-66](#); [W&IC 11251.3](#), [W&IC 11486.5](#); [44-307.11](#))
- 073-10 Statutory MFG requirements, including statutory NOA requirements ([W&IC 11450.04\(a\), \(f\)](#); [44-314.2, .32, .6](#))
- 073-10A Regulatory NOA requirements before MFG can apply; when MFG will not apply because AU has been off aid for two consecutive months ([44-314.143, .31, .32](#); [Nickols v. Saenz](#); [ACL 00-78](#))
- 073-10B MFG rule applies if MFG child moves from mom to dad even if dad was not in mom's assistance unit ([ACL 01-82](#))
- 073-10C MFG rule applies until assistance unit has not received aid for at least 24 consecutive months ([44-314.4](#))
- 073-10D CDSS procedure not to include the MFG child in the "family MAP" for purposes of allocating income is correct. ([Sneed v. Saenz](#))
- 073-10E Notification requirements at the time of implementation of MFG in 1996, proof that such notification was issue ([ACIN I-62-98](#))
- 073-11 When MFG doesn't apply, under MPP ([44-314.5](#))
- 073-11A State law provides that MFG does not apply when conception occurred when either parent was a non-needy caretaker relative ([W&IC 11450.04\(d\)\(2\)](#))
- 073-11B CDSS position is that if a parent is in home but not in AU, MFG will apply ([ACL 97-29](#), [ACL 01-82](#))
- 073-11C When teen/former teen parent establishes own AU, after receiving aid in a caretaker relative's AU at the time of the birth of his/her child, or FG rule does not apply to any existing child, or any child born in next 10 months ([44-314.56](#); [Nickols v. Saenz](#))
- 073-11D MFG rule does not apply if Depo-Provera fails ([ACL 01-82](#))
- 073-11E MFG rule does not apply to child of unaided minor parent living with aided senior parent ([ACL 01-82](#))

- 073-11F MFG rule does not apply if child is not living with either parent ([44-314.55](#))
- 073-11G Counties may waive MFG rules for victims of domestic violence ([ACIN I-02-06](#))
- 073-12 MFG child excluded from AU for MAP purposes, but not for MBSAC, special needs ([44-314.2, .6](#))
- 073-12A Certain payments made to or on behalf of MFG child for child support are exempt from consideration as income ([ACL 01-16; Kehrer v. Saenz; 44-314.62, .621](#))
- 073-13 Revisions to MFG NOA, requirements to notify applicants and recipients of MFG rules, eligibility of certain teen parents ([Nickols v. Saenz; ACIN I-82-00; ACL 00-78](#))
- 073-13A MFG requirement reminder plus examples ([ACIN I-29-07](#))
- 073-13B Definition of MFG child ([44-314.14](#))
- 073-14 Distinction between sanction and penalty ([ACIN I-09-98](#))
- 073-14A Persons who are sanctioned (and not in AU) v. persons who are penalized (and are in AU) ([ACIN I-09-98](#))
- 073-14B Interpretation of how penalized person's exclusion from AU affects HA, RISP, in-kind income, special needs ([ACL 99-76](#))
- 074-1A Parent who relinquishes child is no longer a "parent" but may still be caretaker relative ([80-301p.\(1\), 82-808.12](#))
- 074-2A Child must be living in home of caretaker relative ([82-804.1](#))
- 074-2B A nonparent caretaker relative is an optional member of the assistance unit ([82-828.2](#))
- 074-3A Caretaker relative defined; second cousin not caretaker relative ([82-808.1; ACL 94-01](#))
- 074-3B Consanguinity as defined in Probate Code. ([California Probate Code, Section 13](#))
- 074-3C Definition of caretaker relative; degree of consanguinity required ([80-301c, 82-808.1](#))
- 074-3D Evidence necessary to verify the relationship of a child to a caretaker relative ([82-808.14](#))
- 074-3E Factors to be considered in determining "care and control" for purposes of determining the caretaker relative ([82-808.3](#))
- 074-4 Preliminary determination of the person presumed to be the legal parent ([41-403.2, 43-201.1, .17, .2](#))
- 074-5 Presumptions regarding the legal parent of a child ([Handbook 41-403.21, .22; Family Code 7540, 7550, 7611, 7612; H. & S. Code 103550](#))
- 074-6 When county learns of death of parent or caretaker relative, county has duty to determine

if child remains eligible for CalWORKs or to refer case to AFDC-foster care if not eligible for CalWORKs ([ACIN I-36-07](#))

- 075-1A Determination of AU when there are multiple caretakers, or one caretaker and non-siblings ([82-824.1; W&IC 11450.16\(e\)](#))
- 075-1B Definition of eligible child ([ACL 94-01](#))
- 075-1E Only one AU when there is only one caretaker relative in the home ([82-824.13](#))
- 075-2A Determination of caretaker relative when child is in shared custody ([82-808.4](#))
- 075-2B Determination of caretaker relative when both parents apply for aid and have equal care and control ([82-808.413](#))
- 075-2C Caretaker relative of child(ren) who stays alternately with different parents for more than “one calendar month” is parent who has child ([82-808.42; ACL 97-14](#))
- 075-2D Definition of “one full calendar month” for purposes of 82-808.4 and 82-812.5 ([82-812.51; Handbook 82-812.52](#))
- 075-4 Combining AU’s mid-payment period ([82-824.14](#))
- 076-1A Definition of “home of caretaker relative”; includes temporary absence ([82-804.2, 82-812](#))
- 076-1B Temporary absence only occurs after one full calendar month, which month must be at least 30 calendar days; one full calendar month defined ([82-812.51; Handbook 82-812.52](#))
- 076-2 Federal definition of eligible caretaker relatives; includes children under court jurisdiction, and children whose legal custody is held by an agency that does not have physical possession of the child ([45 CFR 233.90\(c\)\(1\)\(v\)\(B\)](#))
- 076-5 Examples of temporary absence existing for more than one calendar month ([82-812.6](#))
- 075-6 Temporary absence is only for one calendar month or less, unless it meets an exception ([Handbook 82-812.52\(b\), .6; ACL 97-14](#))
- 077-1 Requirement of minor parent to live with parent or guardian in order to receive CalWORKs (formerly AFDC) unless certain exemptions are met ([89-201.1, .2](#))
- 077-1A Definitions of “minor parent” generally, for Teen Pregnancy Disincentive, and for C:/WP51/WORK/INFO/CWS ([80-301m.\(3\); 89-201.1; 31-002\(m\)\(3\)](#))
- 077-2A Child support paid to senior parent on behalf of minor parent is not minor parent income in excluded parent computation set forth in 89-201.514 which regulation was repealed 3/31/03 ([ACL 01-15; Dominika S. v. Saenz](#))
- 077-5 Exceptions to mandatory AU inclusion rules for pregnant or parenting minors ([Handbook 82-820.333](#))

- 077-6 Minor parent not exempt cannot be payee unless adult living in home refuses to accept that duty ([89-201.4, .41](#))
- 077-7 Minor parent's failure or refusal to obtain verification of whether or not adult will act as payee renders AU ineligible ([89-201.42](#))
- 077-8 Determination of exempt AU status when minor parent resides with senior parent ([ACL 97-17](#))
- 077-9 Determining eligibility when minor parent siblings, living with their senior parent, apply for aid ([ACL 97-17](#))
- 078-1 Availability of family members' income ([W&IC 11008.14](#))

Section 080-089

- 081-2 Resource limits for CalWORKs applicants are FS limits ([W&IC 11155](#), [ACL 97-66](#), [42-207.1](#) ; [ACIN I-56-02](#))
- 081-2A Recipients may have resources equal to FS limit, plus certain restricted accounts and certain interment, funeral, and burial property ([W&IC 11155](#), [W&IC 11155.2](#), [W&IC 11158](#); [42-207.1](#))
- 081-2B Different rules for property evaluation, based on same statute, between 1/1/98 and 6/30/98, and 7/1/98, in that AFDC (now CalWORKs) real property regulations restored 7/1/98 after invalidation, while personal property rules follow FS regulations throughout the entire period ([W&IC 11155](#); [42-203.2](#) , [42-211.2](#) , [42-213.2](#) ; [ACL 97-66](#), [ACL 98-47](#))
- 081-2C Old rule: "AU" can retain countable resources not exceeding FS limit, including all property not excluded in 42-200 et seq., owned by a CalWORKs "family" ([42-207.1](#) revised 8/5/99, [42-203.8](#), [82-820](#), [89-100](#), [63-500](#); [W&IC 11155.2](#))
- 081-2D AU can retain all countable resources owned by the "family" (defined in regulations) which do not exceed FS limits ([42-203.8](#), [42-207.1](#))
- 081-2E \$3000 property limit for AU which contains a member 60 years or older, or a disabled member (eff. 10/1/02), and \$2000 for other AUs ([Handbook 42-207.2](#) ; [ACIN I-56-02](#))
- 081-2F State policy is to disregard state regulations, and to define property using CalWORKs regulations ([42-203.2](#); [ACL 99-82](#))
- 081-2G Excluded resources include restricted accounts for recipients as well as 410(k), 457 and 403(b) accounts for applicants and recipients ([42-213.2](#))
- 081-3 Recipients may keep up to \$5,000 in a restricted account ([89-115.113](#) although not deleted is superseded by [42-213.231](#) effective 10/22/09)
- 081-4 Restricted accounts require agreement with recipient and county, and funds must be retained for a home, for a child's training, or for a new business ([42-213.231\(b\), \(d\)](#))

- 081-4A Verification needed for restricted account ([42-213.231\(c\)](#))
- 081-4B Funds withdrawn from restricted accounts that must be redeposited ([42-213\(g\)\(4\)](#) and [\(j\)](#))
- 082-4 Owner of property based on legal title, possession, use, control, and ability to sell, repealed from January 1-June 30, 1998 ([42-203.3](#); [W&IC 11155](#); [ACL 97-66](#))
- 082-6 Transfers of property can be made orally; when effective ([Civ. C. 1052-1055](#))
- 083-1 Rule in effect from 1/1/98-6/30/98: Property must be actually available to be counted in determining eligibility ([42-201.1](#); [W&IC 11155](#); [ACL 97-66](#))
- 083-3A CalWORKs applicants and recipients are not required to petition for release of trust funds as a condition of eligibility ([ACIN I-92-01](#); [63-501.3, 40-115, 40-157](#))
- 083-4 Exclusion of resources when cash value not accessible to HH ([63-501.3\(i\)](#))
- 083-5 Rule in effect except from 1/1/1998-6/30/98: Presumption that those who share title have equal property rights may be overcome ([42-205.2](#); [W&IC 11155](#); [ACL 97-66](#))
- 083-6 Federal interpretation is property for AFDC is unavailable when no AU member is aware or had reason to be aware of property (Transmittal No. ACF-AT-93-2)
- 083-7 Inaccessible resource defined to mean the resource would be exempt if its equity value is \$1500 or less ([7 CFR 273.8\(e\)\(18\)](#))
- 083-8 Property essential to the employment or self-employment of an HH member is exempt ([63-501.3\(f\)](#))
- 083-9 Old rule: Exclusion of certain inaccessible resources when the value to the HH is less than one-half the resource limit ([63-501.3\(h\)\(5\)](#), revised, renumbered eff. 6/1/01)
- 083-10 Federal regulations exempt resources which would not produce a significant return, or where the cost of selling would be relatively great ([7 CFR 273.8\(e\)\(18\)](#), modified eff. 1/20/01)
- 083-11 State regulation makes resources, other than cars or financial instruments, exempt if their sale would produce over \$1500; the regulation is inconsistent with other state and federal regulations which make exempt certain resources whose sale would produce less than \$1500; state regulations amended to conform with federal regulations 2/21/02 ([63-501.3\(i\)\(5\)](#); [7 CFR 273.8\(e\)\(18\)](#); [ACIN I-49-01](#))
- 084-3 **Partially Obsolete:** 1/1/98 Old rule: Definition of “net market value” of real and personal property, real property definition reinstated 7/1/98 ([42-203.7](#); [W&IC 11155](#); [ACL 97-66](#))
- 084-6 Value of nonexempt real property is equity value, except for vehicles ([63-501.12](#) eff. prior to 1/1/04)
- 085-1A New \$9,500 equity value exclusion on motor vehicles. ([ACL 13-111](#))

- 085-1B Allowable encumbrances against motor vehicles require lender to be registered with DMV ([ACL 94-05](#))
- 085-3 Federal definition of an “automobile” ([45 CFR 233.20\(a\)\(3\)\(ii\)\(F\)\(4\)](#))
- 085-4 State definition of a “motor vehicle” ([Vehicle Code 415](#), [Vehicle Code 670](#))
- 085-5 Special adaptive equipment for vehicles of disabled persons, or for vehicles used by caretaker relatives to transport a disabled child, is exempt ([42-215.411](#); [ACL 97-38](#); ADA of 1990)
- 085-6 Licensed vehicles exempt as resources when jointly owned and joint owner won't sell, or when legal prohibition against selling vehicle ([ACIN I-46-96](#); [63-501.21](#), [63-501.3 \(i\)\(3\)](#))
- 085-6A Federal Law excludes unlicensed vehicles from resource consideration if vehicle is inaccessible due to joint ownership, if in probate, or when HH is making a good faith effort to sell ([7 CFR 273.8\(c\), \(d\), \(e\)](#))
- 085-7A A car, if not otherwise excluded, with an FMV greater than the \$4500 (now \$4650) limit, was a countable resource, even if the net value of the car was zero after encumbrances; after 6/1/01, a car worth less than \$1500 is excluded from resource consideration ([Alexander v. Glickman](#); [7 CFR 273.8\(e\)](#); 63-501.5 25 renumbered to [42-215.472](#) eff. 1/1/04)
- 085-7B Vehicle is excluded as a resource when necessary to transport a physically disabled HH member, whether HH member is included or excluded, such as an SSI/SSP recipient ([63-501.5 21\(e\)](#) renumbered to [42-215.431\(e\)](#) eff. 1/1/04); USDA FNS Letter FS-6-1-CA; 7 USC 2011(g)(2)(c)(ii); [ACL 00-06](#), [ACL 00-31](#); *Anderson v. Saenz*; [ACIN I-124-00](#))
- 085-7C Determining countable resources of vehicles (63-501.5 25, eff. 6/1/01 renumbered to [42-215.47](#) eff. 1/1/04)
- 085-7F Federal exemption of certain vehicles from equity test ([7 CFR 273.8\(f\)\(2\)](#), eff. 1/20/01; [63-501.523](#))
- 085-7G One licensed vehicle per adult household member is exempt from equity value test (63-501.523(b), eff. 6/1/01, rev. 2/21/02 and renumbered [42-215.45](#) eff. 1/1/04)
- 085-7H Valuation of licensed vehicles, using both equity and fair market values (63-501.5 22, .523, .524 renumbered to [42-215.44](#), .45 and .46 eff. 1/1/04)
- 085-8 Household can verify that value of vehicle is other than the blue book value (63-501.5 13 renumbered [42-215.413](#) eff. 1/1/04)
- 085-8A Counties are to use “wholesale value” to determine value of vehicle, and should use one source consistently (63-501.5 11 renumbered to [42-215.411](#) eff. 1/1/04; [ACIN 124-00](#))
- 085-9 Evaluation of unlicensed vehicles (63-501.53 repealed eff. 1/1/04)

- 086-3 Portion of payment for compensation for converted property is treated as property, remainder treated as income ([44-105.3](#))
- 086-7 Old rule for personal property; rule for real property except from 1/1/98-6/30/98: Stepfather's separate and community property is exempt ([42-213.11e](#), [42-213.2 p.](#); [W&IC 11155](#); [ACL 97-66](#))
- 086-8 Devices required for use by persons with disability are property exempt ([ACL 97-38](#))
- 086-9 Exclusion from resources of HH goods, personal effects, burial plots, cash surrender value of life insurance, and pension plans ([63-501.3\(b\)](#))
- 086-10 Rule in effect, 1/1/98-6/30/98: Exemption of property producing income consistent with fair market value ([63-501.3\(d\)](#), [ACL 97-66](#))
- 086-12 Exclusion of resources when cash value not accessible to HH; specific rules pertaining to trusts ([63-501.3\(i\)\(1\)](#))
- 086-13 Rule in effect, 1/1/98-6/30/98: Exclusion of resources such as security deposits, property in probate, real property listed for sale ([63-501.3\(i\)\(2\)-\(4\)](#), [ACL 97-66](#))
- 086-16 Rule in effect, 1/1/98-6/30/98: Inaccessible resources of women in shelter for battered women (63-501.3 (m), renumbered to [63-501.3\(n\)](#), [ACL 97-66](#))
- 086-17 Income of non-household members such as SSI recipients does not count ([63-503.45](#))
- 086-18 Identifiable business resources are excluded ([63-501.3\(f\)\(2\)](#))
- 086-19 Exemption of EITC payments for 12 months ([ACL 11-13](#))
- 086-19A **Former rule:** Exemption of EITC payments ([63-501.3\(m\)](#))
- 086-19B Exemption of Making Work Pay Credit payments for 12 months ([ACL 11-13](#))
- 086-20 All college work-study program earnings are exempt as income or property ([ACL 98-85](#); [44-111.25](#))
- 087-11A "Family" defined for CDSS purposes as including person living in the home as specified in W&IC 11008.14, plus treatment of certain deemed income from aliens; family defined differently for property purposes ([ACL 97-59](#), [ACL 98-17](#); [42-203.8](#))
- 087-11B Transfer of income or property under state law is potentially disqualifying only if (1) transfer is made for a recipient for less than FMV and (2) transfer would affect recipient's eligibility for benefits or amount of benefits. period of ineligibility is determined by establishing difference between FMV of income or resource and amount received, dividing this result by the standard of need for the family, and rounding down to the lower whole number to establish the number of months of ineligibility, if any ([W&IC 11157.5](#), effective 1/1/99)

- 087-12A Transfer of property or income occurs when transfer is for less than FMV and would have affected eligibility for benefits if transfer had not occurred ([42-221.1](#))
- 087-12B Computation of period of ineligibility for property transfers ([42-221.21](#), revised 8/5/99)
- 087-12C Under prospective budgeting, determination of beginning date of period of ineligibility for property transfers ([42-221.612](#))
- 087-13 Transfer of property rules do not apply to applicants ([W&IC 11157.5](#); [42-221.2](#))
- 087-18 Conversion occurs when property is changed from one form to another ([42-203.10](#))
- 087-19 CalWORKs transfer of asset rules remains unchanged. Under prospective budgeting, period of ineligibility begins at beginning of upcoming quarter. ([ACL 03-18](#))
- 087-19A Under prospective budgeting, lump sum income is property in month received. ([42-221.4](#))
- 088-1 Property eligibility is determined once per SAR period based on information reported on SAR 7 and SAWS 2 ([40-181.1\(a\)\(1\)](#))
- 088-1A Property eligibility is determined once per quarter based on information reported on QR 7 ([40-181.1\(a\)\(1\)](#))
- 088-1B Nonrecurring lump sum is considered property in CalWORKs under prospective budgeting. ([42-209.2](#), [44-101\(l\)](#)) effective July 1, 2004)
- 088-2 SAR - Information on the SAR 7 used to determine eligibility for the entire upcoming SAR period ([40-181.1](#))
- 088-2A Quarterly reporting - Information on the QR 7 is used to determine eligibility for the entire upcoming quarter. ([ACL 03-18](#))
- 088-3 SAR -Property related overpayment/overissuance only determined based on information that should have been reported on the SAR 7. ([40-181.1](#))
- 088-3A Quarterly reporting -Property related overpayment/overissuance only determined based on information that should have been reported on the QR 7. ([ACL 03-18](#); [44-352.111](#))

Section 090-099

- 090-1 Definition of real property repealed from 1/1/98-6/30/98 ([42-203.1](#); [W&IC 11155](#); [ACL 97-66](#), [ACL 98-47](#))
- 091-2 CalWORKs property limit is same as food stamp resource limit ([42-207.1](#))
- 091-2A Different rules for property evaluation, based on same statute, between 1/1/98 and 6/30/98, and 7/1/98, in that AFDC (now CalWORKs) real property regulations restored 7/1/98 after invalidation, while personal property rules follow FS regulations throughout the entire period ([W&IC 11155](#); [42-203.2](#), [42-211.2](#), [42-213.2](#); [ACL 97-66](#), [ACL 98-47](#))

- 091-3 Maximum resource limit ([63-409.12](#); [63-504.351\(b\)](#), [63-504.372\(a\)](#), [Handbook 63-110.1, 42-207.2](#); [ACIN I-56-02](#))
- 091-3B AU may retain countable resources not in excess of FS limit, and if family or child's resources exceed FS limit, their ineligibility results ([42-207.1](#), 8/5/99)
- 091-3C \$3000 property limit for AU which contains a member 60 years or older, or a disabled member (eff. 10/1/02), and \$2000 for other AUs ([Handbook 42-207.2](#); [ACIN I-56-02](#))
- 092-1 Rule in effect from 1/1/98-6/30/98: Property must be actually available to be counted in determining eligibility ([42-201.1](#); [W&IC 11155](#); [ACL 97-66](#))
- 092-3 Non-excluded real property that AU is making good faith effort to sell is exempt for nine months; lien placed on property ([42-213.12](#); [W&IC 11155](#); [ACL 97-66](#))
- 092-4 Rule in effect except from 1/1/1998-6/30/98: Presumption that those who share title have equal property rights may be overcome ([42-205.2](#); [W&IC 11155](#); [ACL 97-66](#))
- 093-3 Owner of property based on legal title, possession, use, control, and ability to sell, repealed from January 1-June 30, 1998 ([42-203.3](#); [W&IC 11155](#); [ACL 97-66](#))
- 093-4 Real property can be transferred only by operation of law, or by a writing ([Civ. C.1091, 1624\(a\)](#))
- 093-6 Transfers of property can be made orally; when effective ([Civ. C. 1052-1055](#))
- 094-1 Partially Obsolete: 1/1/98 Old rule: Definition of "net market value" of real and personal property, real property definition reinstated 7/1/98 ([42-203.7](#); [W&IC 11155](#); [ACL 97-66](#))
- 094-2 Rule in effect except from 1/1/98-6/30/98: Valuation of real property ([42-215.1, .2; c](#); [ACL 90-27](#))
- 094-3 Value of nonexempt real property is equity value, except for vehicles ([63-501.12](#))
- 095-1 Rule in effect except from 1/1/98-6/30/98: Home is excluded property ([42-213.3](#); [W&IC 11155](#); [ACL 97-66](#))
- 095-2 Old rule for personal property; rule for real property except from 1/1/98-6/30/98: Stepfather's separate and community property is exempt ([42-213.11e](#), [42-213.2p](#); [W&IC 11155](#); [ACL 97-66](#))
- 095-3 Rule in effect except from 1/1/98-6/30/98: Real property of father excluded when mother and father not married, not living together, and child not legitimized by father ([42-213.11d](#); [W&IC 11155](#); [ACL 97-66](#))
- 095-5 Old rule: 1/1/98-6/30/98 Exclusion from resources of home and surrounding property ([63-501.3\(a\)](#), [ACL 97-66](#))
- 095-6 Rule in effect, 1/1/98-6/30/98: Exemption of property producing income consistent with fair market value ([63-501.3\(d\)](#), [ACL 97-66](#))

- 095-8 Rule in effect, 1/1/98-6/30/98: Exclusion of resources such as security deposits, property in probate, real property listed for sale ([63-501.3\(i\)\(2\)-\(4\)](#), [ACL 97-66](#))
- 095-11 Rule in effect, 1/1/98-6/30/98: Inaccessible resources of women in shelter for battered women (63-501.3(m), renumbered to [63-501.3\(n\)](#), [ACL 97-66](#))
- 095-12 Income of non-household members such as SSI recipients does not count ([63-503.45](#))
- 096-1A Family defined for property purposes ([42-203.8](#))
- 096-1B Rules regarding potentially disqualifying transfers of property ([W&IC 11157.5](#))
- 096-1D Transfer of property when transfer is less than FMV and would have affected eligibility for benefits had transfer not occurred ([42-221.1](#))
- 096-1E Computation of period of ineligibility for property transfers ([42-221.21](#))
- 096-2 Conversion occurs when property is changed from one form to another ([42-203.10](#))
- 096-3 CalWORKs transfer of asset rules remains unchanged. Under prospective budgeting period of ineligibility begins at beginning of upcoming quarter. ([ACL 03-18](#))

Section 100

- 100-0 Welfare to Work purpose and authorization ([42-701.1](#))
- 100-1 Reference to GAIN shall refer to Welfare to Work ([W&IC 11320](#))
- 100-2 County plans; requirements ([42-780](#))
- 100-3 County duty to put its discretionary standards in writing ([21-115](#); [11-501.3](#); [ACL 00-08](#), [ACL 02-03](#))
- 100-9 Definition of “adult basic education” ([42-702 a.\(1\)](#))
- 100-9A Definition of CalWORKs Federal Standards ([42-701.1](#))
- 100-9B Definition of CalWORKs Minimum Standards ([42-701.2\(c\)\(2\)](#))
- 100-10 Definition of “community service” ([42-701.2\(c\)\(3\)](#))
- 100-11 Definition of “doctor” ([42-701.2\(d\)\(2\)](#))
- 100-11A Definition of Education Directly Related to Employment ([42-701.2\(e\)\(1\)](#))
- 100-12 Definition of “employment” ([42-701.2\(e\)\(1\)](#))
- 100-12A Definition of grant-based OJT, requirement to meet with recipient, and give recipient form to sign, with respect to grant-based OJT ramifications ([42-701\(g\)\(2\)](#)), ([42-716.71](#))

- 100-12B Definition of "job search" ([42-701.2\(o\)\(2\)](#))
- 100-12C Definition of "on the job training" ([42-701.2\(o\)\(2\)](#))
- 100-15 Definition of "subsidized employment" ([42-701.2\(s\)\(2\)](#))
- 100-15A Definition of "Supported Work or Transitional Employment" ([42-701.2\(s\)\(4\)](#))
- 100-15B Definition of "Universal Engagement" ([42-701.2\(u\)\(1\)](#))
- 100-15C Definition of "Unsubsidized Employment" ([42-701.2\(u\)\(2\)](#))
- 100-15D Definition of "Vocational Education and Training" ([42-701.2\(v\)\(1\)](#))
- 100-16 Definition of "work experience" ([42-701.2 w.\(1\)](#))
- 100-16A Definition of "work study" ([42-701.2\(w\)\(5\)](#))

101 PARTICIPATION REQUIREMENTS

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The WTW 24-Month Time Clock

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Counting Months Toward the Welfare-to-Work 24-Month Time Clock

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Welfare-to-Work 24-Month Time Clock Extensions

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Extension Determinations

Burden of Proof at State Hearing for Denial of an Extension

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County Welfare Department (CWD) Extension Estimates/20 Percent Extension Methodology

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CalWORKs Federal Standards

Hourly Participation Requirements to Meet CalWORKs Federal Standards

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- 101-1 General participation requirements effective January 1, 2013 ([ACL 12-69](#), [ACL 15-03](#), [ACIN I-08-13](#))
- 101-1A General participation requirements prior to January 1, 2013 (Former [42-711.421](#))
- 101-1B Participation determined by average per week during the month ([ACL 14-80](#))
- 101-1C Calculation of hourly participation requirement ([42-709.53](#), [42-711.43](#))
- 101-1D Participation requirement in Pregnant Woman Only cases. ([ACL 16-21](#))
- 101-1E Pregnant Woman only requirement for meeting minimum standards only. ([ACL 16-21](#))

- 101-2 All Welfare to Work requirements are subject to 24-month time clock ([42-708.121](#))
- 101-2A Definition of 24-month Welfare to Work time clock ([42-708.1](#))
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- 101-4 Description of flexibility of activities during 24-month time clock ([ACL 15-03](#))
- 101-5 24-month time clock distinct from 48-month time limit ([42-708.151](#))
- 101-6 Persons excepted from 48-month time limit can continue to participate in 24-month activities until that clock is exhausted ([42-708.152](#))
- 101-7 Persons excluded from Welfare to Work 24-month time clock ([42-708.13](#))
- 101-8 Approvable activities during 24-month time clock period ([42-716.1](#))
- 101-10 Activity requirement for adult recipient in one parent assistance unit ([42-711.411](#))
- 101-11 Participation requirement applies even if child is not eligible for cash aid due to receipt of other benefits ([ACL 14-16](#))
- 101-12 Assistance units where one parent is aided and other excluded are considered single parent assistance units for 24-month clock purposes ([ACL 14-16](#))
- 101-13 Requirements when other parent in assistance unit is exempt due to disability ([42-711.412\(b\)](#))
- 101-14 Two parent assistance units including adults exempt from Welfare to Work due to disability treated as single parent assistance units for Welfare to Work purposes ([ACL 14-16](#))
- 101-15 Requirement for adults in two parent assistance units whose basis for aid is unemployment ([42-711.412\(a\)](#))
- 101-16 55-hour requirement for two parent assistance units ([42-711.412\(c\)](#))
- 101-17 Requirements for assistance units that include optional stepparents ([42-711.41.413](#))
- 101-18 Requirements for assistance units with three or more adults ([ACL 14-16](#))
- 101-19 Requirements for single parent assistance units with second timed out parent ([ACL 14-16](#))
- 101-19A Requirements for families with aided parent and sanction parent living in the home ([ACL 14-16](#))
- 101-20 24-month clock effective January 1, 2013, no earlier months count ([42-708.21](#))
- 101-20A Counties required to "untick" months when recipients meet certain conditions between January 2013 and September 2015 ([ACL 15-99](#))

- 101-21 Months counted following the month that recipient signs plan ([42-708.22](#))
- 101-22 Months are applied cumulatively toward time clock ([42-708.23](#))
- 101-23 Counting months when plan has not met federal standards ([42-708.25](#))
- 101-24 Each adult has separate clock ([42-708.41](#))
- 101-25 Applying 24-month time clock to two parent assistance units situations ([42-708.42](#))
- 101-26 Counting months with assistance units with three or more adults ([42-708.5](#))
- 101-30 Conditions when a month does not count toward 24-month time clock ([42-708.3](#))
- 101-40 Circumstance supporting request for extension to 24-month clock ([42-708.721](#))
- 101-41 Manner in which 24-month clock extension can be requested ([ACL 15-01](#))
- 101-42 Extensions when other parent has yet to exhaust 24-month clock ([ACL 15-01](#))
- 101-43 Parent who has exhausted 24-month clock is excused while other adult is meeting requirements ([42-711.72](#))
- 101-44 Extensions based on likelihood to obtain employment ([ACL 15-01](#), [42-708.72\(a\)\(2\)](#))
- 101-50 Prior to making extension determination, county must do accurate accounting of time clock ([42-708.731](#))
- 101-51 No formal request for extension necessary if county already has sufficient information ([42-708.734](#))
- 101-52 Procedure for making extension determination ([ACL 15-01](#))
- 101-53 Extension to be approved if criteria met ([42-708.732](#))
- 101-55 County has burden of establishing extension not justified at state hearing ([42-708.733](#), [ACL 15-01](#), [ACL 14-09](#))
- 101-56 Welfare to Work time clock extensions are for six month periods ([42-708.735](#))
- 101-57 County must evaluate entitlement of continuing extension prior to last month of extension period ([ACL 15-01](#))
- 101-58 Department to provide counties with estimate of available extensions to be granted ([42-708.71](#))
- 101-60 Requirements for notifications regarding 24-month time clock ([42-708.61](#) & [62](#))
- 101-61 Timing of notice when county has verification that activity not meeting federal standards ([42-708.631](#))

- 101-62 24-month time clock informing notice ([ACL 13-12](#))
- 101-63 Instances when county is required to provide informing notice; content of notice ([ACL 14-65](#))
- 101-64 County required to send request to extend form to persons who are not timed out under 48 month limit prior to expiration of 24-month clock ([ACL 15-01](#))
- 101-65 Notification when 24-month time clock has expired ([ACL 15-03](#), [ACL 14-65](#))
- 101-70 County review required prior to expiration of 24-month clock ([42-708.8](#))
- 101-71 End of 24-month time clock review appointment scheduling requirement ([ACL 15-03](#))
- 101-72 Requirements for end of Welfare to Work time clock review appointment ([ACL 15-03](#))
- 101-80 Individual who is not extended or exempt and who has exhausted 24-month time clock must meet federal standards to receive aid ([42-711.71](#); Handbook [42-709.13](#))
- 101-81 In two parent unit, exhausted person remains eligible if other parent is meeting standards ([42-711.72](#))
- 101-82 Two parent post Welfare to Work 24-month time clock participation options ([ACL 15-03](#))
- 101-83 Hourly standard to meet federal requirements – one adult parent unit ([42-709.212](#))
- 101-84 Hourly standard to meet federal requirements – Adult recipient in a one-parent assistance unit with a second parent in the home who has exhausted his or her 48- month time limit on cash aid or has been removed from the assistance unit due to a welfare-to-work sanction ([42-709.213](#))
- 101-85 Hourly standard to meet federal requirements – Adult in two parent assistance unit ([42-709.221](#)) ([42-709.222](#))
- 101-86 Hourly standard to meet federal requirements – Assistance units that include optional stepparent ([42-709.23](#))
- 101-88 Core activities necessary to meet federal standards ([42-709.31](#))
- 101-89 Non-core activities for federal standards ([42-709.32](#))
- 101-89A Deeming Core Hours for Community Service and/or Unpaid Work Experience ([42-709.41](#))
- 101-89B Participation in Educational Activity Considerations ([ACL 12-67](#), [ACL 12-69](#))

102 EXEMPTIONS / EXCUSAL FOR GOOD CAUSE

Exemptions

Specific Exemptions

Excusal for Good Cause

- 102-1 All nonexempt persons must participate in WTW ([W&IC 11320.3\(a\)](#); [42-712.1](#))
- 102-1A Persons may volunteer for Welfare to Work ([42-712.5](#))
- 102-3 Persons who are excused from Welfare to Work activities ([42-712.1](#))
- 102-4 Exemptions from Welfare to Work([ACL 12-67](#); [42-712](#))
- 102-5 Exemption for persons under 16 ([W&IC 11320.3\(b\)\(1\)](#); [42-712.411](#))
- 102-6 Full-time school attendance of child generally qualifies for exemption from WTW; Exemption extended if child plans further training or education ([W&IC 11320.3\(b\)\(2\)](#), [W&IC 11325.3\(d\)](#), [W&IC 11325.25](#); [42-712.421](#); [42-721.422](#))
- 102-7 Exemption from WTW based on disability ([W&IC 11320.3\(b\)\(3\)\(A\)](#); [42-712.44](#))
- 102-8 CalWORKs Disability Exemptions ([ACL 15-08](#))
- 102-9 Exemption from WTW based on advanced age, which is 60 per CDSS ([W&IC 11320.3\(b\)\(3\)\(B\)](#); [42-712.43](#))
- 102-10 Exemption from WTW based on nonparent caretaker relative caring for a child ([W&IC 11320.3\(b\)\(4\)](#); [42-712.45](#))
- 102-11 Exemption from WTW based on care of an ill or incapacitated household member ([W&IC 11320.3\(b\)\(5\)](#); [42-712.46](#))
- 102-12 Exemption from WTW based on care of child under 6 months of age; extended to exemption for child aged 12 to 23 months from August 2009 through June 2011 ([W&IC 11320.3\(b\)\(6\)\(A\)](#); [42-712.47](#); [ACL 09-46](#), [ACL 12-72](#))
- 102-13 Factors to be considered in extending the child-care exemption beyond 6 months ([W&IC 11320.3\(b\)\(6\)\(A\)\(iii\)](#); [42-712.472\(b\)\(1\)\(A\)](#))
- 102-14 Former Exemption Based on Care of One Child who is From 12 to 23 Months of Age, inclusive, or Two or More Children who are Under Six Years of Age ([42-712.474](#))
- 102-15 Former short term exemptions no longer available effective January 2013 ([ACL 12-72](#))
- 102-16 Exemption Based on Care of One Child from Birth to 23 Months ([W&IC 11320.3\(b\)\(6\)\(A\)\(iv\)](#))
- 102-17 Once in lifetime young child exemption ([ACINI-31-13](#))

- 102-18 Applicability of young child exemption when there are subsequent children ([ACL 13-52](#))
- 102-19 Situations where both parents can receive young child exemption ([ACL 13-52](#))
- 102-20 Exemption from WTW based on pregnancy ([W&IC 11320.3\(b\)\(7\)](#); [42-712.48](#))
- 102-21 Details regarding exemption based on pregnancy ([ACINI-38-15](#))
- 102-22 Exemption from WTW based on full-time VISTA status ([42-712.49](#))
- 102-23 County duty to review for temporary good cause exemption from WTW activities, and recipient duty to cooperate in providing information ([W&IC 11320.3\(f\)](#); [42-713.1](#))
- 102-24 Good cause for not participating in WTW activities ([42-713.2](#))
- 102-25 Limited exemption due to good cause for lack of supportive services. ([ACL 12-72](#))
- 102-26 Good cause for a person who is a victim of domestic violence ([42-713.22](#))

103-105 WTW SEQUENCE / LEARNING DISABILITIES / DOMESTIC VIOLENCE / INDIVIDUALIZED TREATMENT FOR INDIVIDUALS WITH DISABILITIES

[Welfare-to-Work Sequence \(Flow\)](#)

[Orientation](#)

[Appraisal](#)

[Initial Engagement Activities](#)

[Assessment](#)

[Welfare-to-Work Plan and Universal Engagement](#)

[Learning Disabilities](#)

[Learning Disabilities Screening](#)

[Learning Disabilities Evaluation](#)

[Individuals Who Decline Screening/Evaluation for Learning Disabilities](#)

[Individuals Determined to Have Learning Disabilities](#)

[Learning Disabilities as Good Cause for Failing to Comply with WTW Participation Requirements](#)

[Inter-County Transfers of WTW Participants Identified with Learning Disabilities](#)

[Domestic Abuse](#)

[Individualized Treatment for Individuals with Disabilities](#)

- 103-1 Effective January 1, 2014 the "WTW flow" process implemented for revised appraisal process allowing more flexible assignments for persons with employment barriers. ([ACL 15-09](#))
- 103-2 Sequence of development of Welfare to Work plan ([W&IC 11320.1](#); [42-711.5](#) & [42-711.6](#))
- 103-3 Non-sanctioned person who returns to Welfare to Work after not receiving aid for six months treated as new participant. ([42-711.513](#))
- 103-4 Orientation process. ([42-711.513](#))
- 103-5 Appraisal process ([42-711.523](#))

- 103-6 Requirement to advise WTW participants of right to a third party assessment, and county duty to refer if the participant indicates dissatisfaction with the assessment ([ACL 02-03; 42-711.522 \(c\)\(5\),.556](#))
- 103-7 Use standard statewide appraisal tool ([42-711.525](#))
- 103-8 Online CalWORKs Appraisal Tool (OCAT) ([ACL 15-43](#))
- 103-8A Use of OCAT when there is limited English proficiency. ([ACL 15-43](#))
- 103-8B OCAT must be used if circumstances have changed or if 6 month break in aid ([ACL 15-43](#))
- 103-8C No sanction for refusal to answer OCAT questions ([ACL 15-69](#))
- 103-9 All must participate in job search unless county determines otherwise ([42-711.531](#))
- 103-10 Situations where county shall determine that job search is not beneficial ([42-711.533](#))
- 103-11 Initial engagement activities for four weeks ([42-711.532](#))
- 103-12 Job search as an Initial Engagement Activity ([42-711.534\(b\)](#))
- 103-13 Situations when job search can be shortened ([42-711.534\(c\)](#))
- 103-14 Situations when job search can be extended ([42-711.534\(d\)](#))
- 103-15 Situations when job search may not be required ([42-711.534\(a\)](#))
- 103-16 Family Stabilization as an Initial Engagement Activity ([42-711.535](#))
- 103-17 Mental Health, Substance Abuse, or Domestic Abuse Services as an Initial Engagement Activity. ([42-711.536](#))
- 103-18 Situations when participants shall be referred to assessment ([42-711.551](#))
- 103-19 Individuals not to be referred for assessment ([42-711.551](#))
- 103-20 Participants who are employed shall be assessed if they wish to participate in Welfare to Work ([42-711.552](#))
- 103-21 In assessment process, participant shall work with county to develop and agree on plan based on skills and needs ([42-711.553](#))
- 103-22 Information to be evaluated during assessment ([42-711.554](#))
- 103-23 Participant entitled to third party impartial review if assessment disputed ([42-711.556](#))
- 103-24 Mental Health Assessment ([42-711.56](#))

- 103-25 County mental health department to be involved in assessment for participants with mental or emotional disorders ([42-711.563](#))
- 103-26 Substance Abuse Assessment ([42-711.57](#))
- 103-27 Substance abuse plan may include treatment as a component ([42-711.571](#))
- 103-28 Evaluation for a Suspected Learning or Medical Problem ([42-711.58](#))
- 103-29 Written Welfare to Work plan follows assessment ([W&IC 11325.21](#); [42-711.61](#))
- 103-30 Welfare to Work must start within 90 days of CalWORKs eligibility ([42-711.62](#))
- 103-31 Timing of initial engagement activities ([42-711.62](#), [.621-.623](#))
- 103-32 Coordinating the Welfare to Work plan with the 24-month clock ([42-711.63](#))
- 103-33 Requirements of written Welfare to Work plan ([42-711.642](#))
- 103-34 Requirement to notify recipient of paid child-care ([42-711.65](#))
- 103-35 Situations in which adult basic education should be assigned ([42-711.644](#))
- 103-36 Procedure when activity in plan is not immediately available ([42-711.648](#))
- 103-37 Recipient should be allowed 3 days to review plan ([42-711.646](#))
- 103-38 Participant can request change or reassignment within 30 days of initial activity ([42-711.647](#))
- 103-39 Counties must allow on-line courses as an activity if they are consistent with the participant's assessment and participation can be verified ([ACIN I-47-08](#))
- 103-40 Counties must apply their on-line course policies equitably to all participants ([ACIN I-47-08](#))
- 103-41 Definition of learning disabilities ([42-701.2\(l\)\(2\)](#))
- 103-42 Definition of "screening" for learning disabilities ([ACL 01-70](#))
- 103-43 Counties required to inform participants of availability of learning disability screening at first contact ([ACL 01-70](#))
- 103-44 Information that should be provided by county at learning disability screening ([42-722.121](#))
- 103-44A Information to be provided by county prior to waiver of learning disability screening ([ACL 15-101](#))
- 103-45 Learning disability screening when requested must be done before assignment to Welfare to Work activity ([42-722.14](#))

- 103-46 County must identify any health or behavior health problems during learning disability screening and address such issues first ([42-722.161](#))
- 103-47 Procedure when participant declines the learning disability screening ([42-722.21](#))
- 103-48 Persons qualified to administer learning disability screening ([42-722.31](#))
- 103-49 Count must use only recognized learning disability screening tools; procedure for persons with limited English proficiency ([42-722.15, 42-722.32, & .33](#))
- 103-50 Responsibility to screen new and current WTW persons for learning disabilities; how participants with Limited English Proficiency are treated ([ACL 01-70, ACL 02-64](#))
- 103-51 Learning needs part of Online CalWORKs Appraisal Tool ([ACL 15-43](#))
- 103-52 Referral process for evaluation of persons with suspected learning disabilities ([42-722.41, .42; ACL 04-48](#))
- 103-53 Participants found to have potential learning disabilities and agree to evaluation must be evaluated for learning disabilities before assessment ([42-722.44, .45; ACL 04-48](#))
- 103-54 Referral for learning needs to be done as soon as administratively possible ([42-722.43 & .44](#))
- 103-55 Counties to use qualified professionals to evaluate learning disabilities ([42-722.46](#))
- 103-56 Evaluating learning disability when there is language impairment ([42-722.465](#))
- 103-57 County may rely on outside evaluations in determining learning disability ([42-722.24](#))
- 103-58 Requirements of learning disability evaluation report ([42-722.51](#))
- 103-59 Notification when learning disability determined not to exist ([42-722.531](#))
- 103-60 The county must not sanction a participant because of his/her refusal to be screened and/or evaluated for learning disabilities. ([42-722.22](#))
- 103-61 No good cause based on learning disability if participant declines to be evaluated ([42-722.221](#))
- 103-62 Participant can request learning disability screening at a later time ([42-722.23](#))
- 103-63 County actions when learning disabilities identified ([42-722.532](#))
- 103-64 County responsibilities when person is identified with a learning disability ([ACL 01-70](#))
- 103-64A Definition of “reasonable accommodations”; judgments must be specific to individual's needs, and free of cost ([ACL 01-70](#))
- 103-65 Learning disabilities participation requirements ([42-722.6](#))

- 103-66 Most learning disability persons can participate in WTW but some may be exempt if verification by health care professional is provided ([ACL 01-70; 42-712.44,42-701.2 \(d\)](#))
- 103-67 Learning disabilities as good cause for failing to comply with Welfare to Work participation requirements ([42-722.71 & 72](#))
- 103-68 Actions on claim that learning disability was a factor for noncompliance ([42-722.73](#))
- 103-69 County must consult with learnings disability evaluator to determine if learning disability contributed to failure to participate ([42-722.74](#))
- 103-70 If learning disability was not a contributing factor, county shall continue sanction ([42-722.74](#))
- 103-71 Procedures when learning disability participant moves to a new county ([42-722.8](#))
- 103-72 Program requirements that may be waived because of domestic abuse ([42-715.51](#))
- 103-72A Program requirements can be temporarily waived when good cause because of domestic abuse; definition of good cause ([ACL 14-59](#))
- 103-73 Counties must have written domestic abuse policies ([ACIN I-02-06](#))
- 103-74 County must allow a domestic violence victim to self-declare; county may waive SIP rules for domestic violence victims ([ACIN I-02-06](#))
- 103-75 Content of Welfare to Work plan when domestic violence determined ([42-715.21 &.211](#))
- 103.-76 If domestic violence participant unable to reach agreement on Welfare to Work plan, entitled to third party assessment ([42-715.22](#))
- 103-77 Requirement under Civil Rights laws to be non-discriminating and provide equal access to people with disabilities, under Title II of ADA and California FEHA ([ACL 01-42](#))
- 104-1 Specific failures or refusals which will lead to a sanction ([W&IC 11327.4\(a\); 42-721.22](#))
- 104-2 Welfare to Work participant must make satisfactory progress ([42-711.645](#))
- 104-2A Satisfactory progress must be included in plan and be understandable ([ACL 15-80](#))
- 104-3 Satisfactory progress in educational activity includes regular attendance and overall progress ([42-711.81](#))
- 104-4 Good cause for failure or refusal to comply with program requirements ([W&IC 11320.31, W&IC 11327.9; 42-721.311;.317, 42-721.32](#))
- 104-5 Requirements of 30-day advance notice, and scheduling of appointment within 20 days of notice, after county determination of no good cause for WTW failure or refusal to participate ([W&IC 11327.4\(b\); 42-721.23, .24; ACL 08-38](#))

- 104-5A Lack of contact with or from person proposed to be sanctioned results in sanction ([W&IC 11327.4\(c\)\(d\), 42-721.25, .26](#))
- 104-5B Sanction notice of action ([ACL 03-59](#))
- 104-5C Required WTW 27 form explaining good cause determinations to recipients ([ACL 03-59](#))
- 104-5D Recommended WTW 26 form for good cause determinations ([ACL 03-59](#))
- 104-5E New NA 840 notice of action for good cause/compliance ([ACL 03-59](#))
- 104-5F County to rescind action if good cause or compliance plan ([42-721.27, .28, & .29](#))
- 104-5G Required WTW 32 form to explain compliance plans to avoid sanction ([ACL 03-59](#))
- 104-6 Recipient may suggest activity for compliance process ([ACL 03-59](#))
- 104-6A When recipient considered to have complied with WTW ([ACL 03-59](#))
- 104-6B Instance of noncompliance counted if compliance corrected after 20-day period ([ACL 03-59](#))
- 104-6C Disqualification period applies only to noncomplying person; length of disqualification ([W&IC 11327.5\(c\),\(d\), 42-721.43, ACL 06-27, ACL 08-38](#))
- 104-6D Effective date of sanction, not imposed until after hearing if timely filing ([42-721.44](#))
- 104-6E Sanction in two parent assistance unit when deprivation based on unemployment ([42-721.45](#))
- 104-7 Sanction procedures for second parent in a two-parent assistance unit ([ACL 04-47](#))
- 104-8 Sanction when basis of deprivation is absence or incapacity, protective payee ([42-721.46](#))
- 104-9 Any WTW sanction ends when non-complying individual complies ([W&IC 11327.5](#))
- 104-10 Timing of restoration when individual indicates desire to cure sanction ([42-721.481](#))
- 104-11 No sanctions applied to grieving parents of deceased child. ([ACINI-13-16](#))
- 105-1 General rules for SIP participation; most graduate students excluded from SIPs ([W&IC 11325.23; ACL 99-32; 42-711.541, .542](#))
- 105-2A “Enrolled” defined for SIP purposes ([42-711.541, .547, .549; ACL 99-32](#))
- 105-2B Instances in which an SIP will lead to employment ([W&IC 11325.23\(a\)\(3\)\(A\)\(B\), 42-711.543; ACL 99-32](#))

- 105-2C County must establish criteria for approving proposed SIPs not on County list, and making criteria known to participants ([ACL 99-32](#); [42-711.543 \(b\)](#))
- 105-2D SIPs involving private postsecondary provider ([42-711.543\(b\)](#))
- 105-2E County must provide notice if it denies continuation in an SIP ([42-711.524](#))
- 105-2F Program length not part of SIP approval criteria ([ACL 14-47](#))
- 105-2G Considerations when SIP participant transfers to another education program ([ACL 14-47](#))
- 105-3 SIP participant may be required to participate in work activities if SIP does not require requisite weekly hours of participation but work activities should not interfere with SIP ([W&IC 11325.23\(a\)\(3\)\(C\)](#), [W&IC 11320.31\(f\)](#), [W&IC 11322.8](#); [42-711.544](#); [ACL 99-32](#))
- 105-3A Concurrent participation activity by SIP participant shall not interfere with the SIP ([ACL 99-32](#))
- 105-3B If both parents in SIP, participation requirement cannot be split ([ACL 14-47](#))
- 105-3C Welfare to Work requirements for other parent if one parent in SIP ([ACL 14-47](#))
- 105-3D Special classes or tutorials necessary for learning disabled SIP participant count towards hourly weekly participation requirement ([ACL 99-32](#); [42-711.58](#), [42-711.544](#))
- 105-3E Non-credit study time cannot be part of SIP ([ACL 14-47](#), August 4, 2014)
- 105-3F SIPs are subject to 24-month time clock ([ACL 14-47](#))
- 105-3G When county and participant disagree on meeting the SIP requirement, participant may have independent assessment and then a state hearing if there has been a referral to an independent assessor, or a state hearing immediately if there has been no referral ([42-711.556](#), [42-711.557](#); [ACL 99-32](#))
- 105-3H Participation in SIP must be part of Welfare to Work plan ([42-711.545](#))
- 105-3I Procedure when participant voluntarily ends SIP ([42-711.545\(b\)](#))
- 105-3J County cannot require SIP participant to use financial aid for supportive services ([ACL 14-47](#))
- 105-3K Situations where participants who do not meet SIP criteria can continue educational program ([42-711.547](#))
- 105-6 Recipients in certain unapprovable SIPs must be given the chance to complete the quarter or semester, and can receive supportive services during that time ([ACL 99-32](#); [42-711.547](#))
- 105-10A County not obligated to reimburse or pay supportive services for persons who do not qualify for a SIP until Welfare to Work plan is signed ([ACL 08-36](#))

- 105-10B Requirements for SIP participants during educational breaks ([42-711.547](#))
- 105-10C SIP determination when participant enrolled in community college but not in a degree or certificate program ([ACL 14-47](#))
- 105-10D Reimbursement of supportive services incurred by a SIP participant prior to signing a WTW plan is required within established limitations ([ACL 08-36](#), Camacho v Allenby)

106 SERVICES SUPPORTIVE / MENTAL HEALTH / SUBSTANCE ABUSE / FAMILY STABILIZATION / JOB RETENTION

[Supportive Services](#)

[Child-care](#)

[Transportation](#)

[Ancillary expenses](#)

[Counseling services](#)

[Educational Loans and Financial Aid](#)

[Reasonable Accommodations](#)

[Supportive Services Overpayments](#)

[Mental Health Treatment Services](#)

[Substance Abuse Treatment Services](#)

[Family Stabilization](#)

[Job Retention Services](#)

- 106-1 Mandatory supportive services which are necessary for participation must be provided, or good cause for nonparticipation exists; all but child-care shall be advanced; recipients do not need to use their income, disregards or grant ([ACL 00-54](#); [W&IC 11323.2](#), [W&IC 11325.23\(d\)](#), [W&IC 11323.4\(a\)](#); [42-750.1](#))
- 106-1A County must reimburse volunteers for supportive services, including transportation ([ACL 03-15](#))
- 106-1B County must provide supportive services to recipient curing sanction ([ACL 03-59](#))
- 106-1C No caps or limits on supportive services, but secondary review permitted; optional services may be different for pre-time limit and post-time limit recipients ([ACL 00-12](#); [42-750.11](#))
- 106-3A Policies regarding ancillary services ([ACL 04-04](#))
- 106-3C Supportive services include child-care ([42-750.111d](#))
- 106-3D On-line course participants may be eligible for child-care services provided that the on-line course is part of the approved WTW activity ([ACIN I-47-08](#))
- 106-4 Reimbursement for supportive service travel costs ([W&IC 11323.2\(a\)\(2\)](#); [ACL 00-54](#); [42-750.112](#))
- 106-4A Payment for transporting children may be an allowable travel cost ([ACL 00-54](#))
- 106-4B Counties must review the reimbursement rate used for CalWORKs participants'

transportation expenses no less than once a year, update the rate when appropriate ([ACL 08-41](#))

- 106-4C For reimbursing participants when they use a personal vehicle, counties must either select an existing rate used in the county, or develop a rate that covers necessary costs ([ACL 08-41](#))
- 106-8A County must reimburse individual using private vehicle if round-trip travel using public transportation exceeds two hours ([ACL 03-15](#))
- 106-8B County required to reimburse necessary transportation costs for each approved WTW activity ([ACL 03-15](#))
- 106-8C County must reimburse transportation costs for approved WTW activities even if cost seems excessive ([ACL 03-15](#))
- 106-8D County must reimburse participant for vehicle transportation costs even if vehicle is not registered to participant ([ACL 03-15](#))
- 106-8E CalWORKs participants assigned to on-line courses are eligible for supportive services including transportation, ancillary expenses, and child-care ([ACINI-47-08](#))
- 106-9 Allowable ancillary expenses ([W&IC 11323.2\(a\)\(3\)](#); [42-750.113](#))
- 106-9A Costs for elective classes to be paid ([ACL 04-04](#))
- 106-9B County must pay for necessary clothing and shoes. ([ACL 04-04](#))
- 106-9C When personal counseling is allowed ([W&IC 11323.2\(a\)\(4\)](#); [42-750.114](#))
- 106-10 Educational loans and work study excluded when considering supportive services ([42-750.4](#))
- 106-10A Educational grants to be considered in determining supportive services ([42-750.331 & .332](#))
- 106-10B Reimbursement for supportive services for SIPs shall be provided if no other source of funding for those costs is available. ([42-750.32](#))
- 106-10C WTW supportive services can be denied or reduced because of receipt of financial aid only when participant agrees financial aid is available ([42-750.332](#); [ACL 99-32](#))
- 106-10E Necessary supportive services cannot be denied or reduced based on financial aid unless participant voluntarily chooses ([ACL 04-04](#))
- 106-11 County to pay for reasonable accommodations for disabled participants ([ACL 04-04](#))
- 106-11A Counties may correct supportive services underpayments or overpayments, but may not offset a child-care overpayment against the CalWORKs grant without the recipient's permission ([W&IC 11323.4\(b\)](#); [42-751.11](#))

- 106-11B County to take reasonable steps to promptly correct overpayment or underpayment. ([42-751.11](#))
- 106-11C County duty to calculate overpayment, and may use recovery methods concurrently ([42-751.2](#))
- 106-11D Requirement to initiate recovery of overpayment within 30 days of its discovery, and requirements of notification ([42-751.4\(c\)](#))
- 106-12A When overpayment collection of transportation and ancillary support services is appropriate; methods of collection ([42-751.1, .3, .4](#))
- 106-13 County plan must include mental health assistance .([W&IC 11325.7\(b\)](#))
- 106-13A County shall make mental health treatment services available, when necessary, to enable participants to make the transition from welfare-to-work ([42-716.2](#))
- 106-13B Available mental health services ([W&IC 11325.7\(c\)](#); [42-716.411, .415](#))
- 106-16 Required substance abuse treatment services ([W&IC 11325.8\(a\)](#); [42-716.51](#))
- 106-17 Participants with substance abuse problems shall have their WTW plan based on a professional evaluation ([42-711.571](#))
- 106-18 Participation in family stabilization ([W&IC 11325.24](#); [42-749.1](#))
- 106-18A County must develop family stabilization plan ([42-749.2](#))
- 106-18B County must offer family stabilization services. ([42-749.3](#))
- 106-18C Development of family stabilization plan. ([42-749.51](#))
- 106-18D Family stabilization plan used in place of Welfare to Work plan for purposes of 24-month time clock ([42-749.52](#))
- 106-18E In two parent household, all adults subject to family stabilization ([42-749.53](#))
- 106-18F Family stabilization participants not subject to minimum hourly requirements ([42-749.61](#))
- 106-18G Months that individuals participated in the Family Stabilization Program shall not count toward their Welfare-to-Work 24-Month Time Clock ([42-749.62](#))
- 106-18H Family stabilization participants not sanction but instead returned to Welfare to Work ([42-749.63](#))
- 106-18I Transition to Welfare to Work ([42-749.7](#))
- 106-19 Job retention services ([42-717](#))

Section 107-108

- 107-1 Major program requirements of Cal-Learn ([42-762.2](#))
- 107-1A Cal-Learn suspended from July 1, 2011 to June 30, 2012 ([ACL 11-36](#))
- 107-1B Cal-Learn suspension ended June 30, 2012 ([ACL 12-60](#))
- 107-4 Pregnancy CalWORKs benefits and the pregnancy special need payments during first two trimesters for Cal-Learn participants ([42-762.7](#), [42-763.114](#))
- 107-6 Counties must provide notice to teens erroneously not enrolled in Cal-Learn and issue aid for the bonuses which the teen would have received if enrollment had occurred, and also modify 18- and 24-month time clock ([ACINI-10-02](#))
- 108-1 Due process and hearing rights continue under WTW ([W&IC 10950](#); [ACL 97-73](#))
- 108-2 WTW participants entitled to hearings, and in most cases to grievances ([W&IC 11327.8\(a\)](#); [42-721.51](#))
- 108-2A Limited rights of appeal when independent assessment is required ([W&IC 11327.8\(b\)](#), [W&IC 11325.4\(c\)\(1\)](#); [42-711.556](#))
- 108-3 Right to appeal from grievance, but requirement to participate during grievance procedure if sanction is not to be imposed ([W&IC 11327.8\(b\)](#); [42-721.511\(e\)](#) and [512\(e\)](#))
- 108-4 Right to appeal on-the-job working conditions, or worker's compensation related matters, to federal as well as state government ([W&IC 11327.8\(c\)](#), [W&IC 10960](#), [W&IC 10962](#); [42-721.511 \(b\) and \(d\)](#))
- 108-5 Recipient hearing rights in good cause/compliance/sanction actions ([ACL 03-59](#))
- 108-5A Recipient hearing rights in good cause/compliance/sanction actions ([ACL 03-59](#))
- 108-7 U.S. Supreme Court analysis of abuse of discretion ([Motor Vehicle Mfrs. Assn v. State Farm Mutual](#))
- 108-7A Review standards for abuse of discretion in California (Asimow, Michael, 42 UCLA L.R. 1157)
- 108-8 Person with learning disabilities' right to appeal, file discrimination ([ACL 01-70](#); [42-711.582](#) , [21-203](#))

109 Time Limits

[48 Month Time Limit Generally](#)

[Notices](#)

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Former Exemption Due to Good Cause for Lack of Supportive Services

CalWORKs Disability Exemptions

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Treatment of AU's with a Timed-Out Individual

- 109-1 48-Month Time limit applicable to receipt of CalWORKs [\(42-301.1, 42-301.2\)](#)
- 109-2 No individual eligible if received aid for 48 consecutive months [\(42-302.1\)](#)
- 109-3 Timed out adult to be removed from assistance unit. [\(82-833.1, ACL 11-33\)](#)
- 109-4 Notice required regarding 48-month limit [\(40-107 \(a\)\(4\)\)](#)
- 109-5 County required response to request for time limit information [\(40-107 \(a\)\(4\)\(F\)\)](#)
- 109-6 Timing of notices regarding time limit [\(40-107 \(a\)\(4\)\(A\) and \(B\)\)](#)
- 109-7 Notice required at 42nd month of aid [\(40-107\(a\)\(4\)\(C\)\)](#)
- 109-8 Notice required between 42nd and 46th month [\(40-107\(a\)\(4\)\(D\)\)](#)
- 109-9 No notice required if notice previously sent in previous three months or if age exemption applies [\(40-107 \(a\)\(4\)\(E\)\)](#)
- 109-10 Exceptions and time extenders from 48-month requirement [\(42-302.11\)](#)
- 109-11 Timing of request for time limit extenders [\(ACL 11-57\)](#)
- 109-12 Criteria for exception based on inability to maintain employment or participate in Welfare to Work activities [\(42-302.114\(a\)\)](#)
- 109-13 Persons determined to be incapable of maintaining employment shall have condition reviewed every 12 months [\(42-302.114\(c\)\)](#)
- 109-14 Months counted and not counted toward 48-month time limit [\(ACL 11-33, W&IC 11454\)](#)
- 109-15 All months where grant is received count against limit [\(42-302.22\)](#)
- 109-16 Repaid overpayment months do not count against limit [\(42-302.2\)](#)

- 109-17 Only repaid months in which there was full ineligibility will "untick" a month ([ACL 02-74](#))
- 109-17A Detailed rules pertaining to applying collected child support toward time clock ([ACL 02-74](#))
- 109-18 Diversion payments generally count toward time limit ([42-302.22](#))
- 109-19 Months exempt from counting against 48-month time limit ([42-302.21](#))
- 109-20 Young child exemption ([ACL 12-72](#))
- 109-21 Former exemption due to lack of supportive services ([ACL 12-72](#))
- 109-22 Disability exemptions ([ACL 15-08](#))
- 109-24 Requests for exemption from time limit ([42-302.3](#))
- 109-25 Disability request same for 48 month time clock, Welfare to Work time clock and Welfare to Work participation ([ACL 15-08](#))
- 109-26 Content of form to request exception to 48 month time limit ([42-302.31](#))
- 109-27 Timing of notice of action regarding exemption/exception determination ([42-302.32](#), [42-302.33](#))
- 109-28 Requirements of notice of action approving or denying exemption/exception request ([42-302.34](#))
- 109-29 Treatment of assistance units with a timed-out individual ([44-133.8](#))

Section 120

- 120-1 Computation of CalWORKs grant, general ([W&IC 11451.5](#), [W&IC 11450.12](#); [W&IC 11450\(a\),\(e\)](#), [W&IC 11452](#); [44-315.31-.38](#), [44-113.213-.217](#))
- 120-1A Regulation designations pertaining to SAR and AR/CO (40-039.1)
- 120-2 In computing the eligibility and grant amount, family income is to be used. "Family" includes all AU members, plus certain non-AU members living in the home ([44-133.5](#))
- 120-3 In zero basic grant cases, instances when AU is considered to have received a cash aid payment ([44-315.9](#), 7/1/98)
- 120-4 Needs of parents and caretaker relatives not considered if preschool children have not received immunization ([W&IC 11265.8\(a\)](#); [ACL 97-70](#); [40-105.4 \(c\), \(g\)](#))
- 120-5 No grant issued for less than \$10 ([44-315.5](#))

Former Budgeting Regulations
Monthly (Retrospective) Budgeting

121-1B Under MR/RB prospective and retrospective budgeting principles ([44-313.1,.2](#) prior to QR/PB)

Quarterly Budgeting

- 121-2B Grant computation effective July 2011 through September 2013 with reduction of earned income disregard to \$112 ([W&IC 11451.5](#), [W&IC 11450.12](#); [W&IC 11450\(a\)](#), (e), [W&IC 11452](#); [44-315.31 -.38](#), [44-113.213 -.217](#); [ACL 11-33](#))
- 121-F Earned income disregard reduced to \$112 from July 2011 through September 2013 ([ACL 11-33](#))
- 122-1 Beginning date of aid ([44-317.11](#))
- 122-2 Beginning date of aid (newborn is added to AU) ([44-317.22](#); [82-836.1](#), [88-410](#))
- 122-3 Initial payment for addition of child or needy relative into the AU ([44-319.13](#))
- 122-4 Proration of the grant when the beginning date of aid is after the first of the month; method of proration ([44-315.72](#))
- 122-8 County duty to withhold action on application if it appears that eligibility will exist within 60-day period ([40-171.11](#))
- 122-11A Under prospective budgeting, beginning date of aid rules for new AU member ([44-318.11](#) effective July 1, 2004; [ACIN I-30-09](#))
- 122-11B Under prospective budgeting, beginning date of aid for unaided father of pregnant woman who receives aid as an AU of one ([44-205.122](#))
- 122-12 Beginning date of aid (transfer from AFDC-FG to AFDC-Foster Care or vice versa) ([44-317.623](#))
- 122-13 Special procedures when a new assistance unit or household applies for a child already receiving aid. ([ACIN I-21-12](#))
- 123-3 Immediate need can be issued if there is apparent eligibility ([40-129.21](#))
- 123-3A Apparent eligibility for immediate need purposes ([40-129.11](#))
- 123-3B Procedure when emergency is an eviction ([40-129.7](#))
- 123-4 Amount of immediate need payment ([40-129.23](#))
- 123-4A Eligibility for second immediate need payment ([40-129.24](#))
- 123-5 Completion of immediate need application process ([40-129.91](#))

- 123-6 Immediate need aid payment rules ([40-129.2.4..9](#))
- 124-1 Warrant to be paid to caretaker relative with whom the child is living; exceptions ([44-305.12](#))
- 124-3 County option for monthly or semimonthly payment system ([44-304](#))
- 124-5 Electronic fund transfer defined ([25-302.131](#))
- 124-6 Any PA recipient may authorize an electronic fund transfer to his/her account ([25- 301.14](#))
- 124-7 PA payments cannot include enclosures except those relating to the PA program which issues the payment ([25-330.9](#))
- 124-10 Description of EBT system ([Handbook 16-001.1](#))
- 124-11 EBT system to be used for FS, and may be used for CalWORKs ([16-001.2, 16-001.3](#))
- 124-12 EBTs to be issued in compliance with regulatory guidelines ([16-215.1](#))
- 124-13 County must give toll-free number to report stolen or lost EBT, and issue replacement EBT within 3 business days ([16-515.1, 16-517.1](#))
- 124-14 Benefits accessed before report of stolen EBT card cannot be replaced. ([ACIN I-25- 03](#))
- 124-15 Protocol for recipients who believe EBT benefits have been stolen through electronic theft. ([ACL 13-67](#))
- 125-1 Applicants receive only a \$90 deduction from each member's earned income in establishing financial eligibility in accord with the MBSAC ([W&IC 11450.12; ACL 97- 59; 44-207.1](#))
- 125-2 Computation of grant and determination of eligibility for all AUs ([W&IC 11451.5, W&IC 11450.12, W&IC 11450\(a\),\(e\), W&IC 11452; ACL 97-59; 44-113.213; .217, 44-207.1,.2; ACL 11-33](#))
- 125-2A Former rule: Effective prior to July 1, 2011: Computation of grant and determination of eligibility for all AUs ([W&IC 11451.5, W&IC 11450.12, W&IC 11450 \(a\),\(e\),W&IC 11452; ACL 97-59; 44-113.213; .217, 44-207.1, .2](#))
- 125-3A MBSAC amount in Region 1 counties ([Handbook 44-315.311\(a\)](#))
- 125-3B MBSAC amount in Region 2 counties ([Handbook 44-315.311\(a\)](#))
- 125-3C Counties are Region 1 or Region 2 as of 1/1/97 ([W&IC 11452.018\(b\)](#))
- 125-4A **Old rule:** MAP for exempt AUs ([Handbook 44-315.311\(a\)](#))
- 125-4B **Old rule:** MAP for nonexempt AUs ([Handbook 44-315.311\(a\)](#))

- 125-4C MAP for exempt AUs in Region 1 counties (Note to ALJs - use regroups) ([Handbook 44-315.311\(a\)](#))
- 125-4D MAP for nonexempt AUs in Region 1 counties (Note to ALJs - use regroups) ([Handbook 44-315.311\(a\)](#))
- 125-4E MAP for exempt AUs in Region 2 counties (Note to ALJs - use regroups) ([Handbook 44-315.311\(a\)](#))
- 125-4F MAP for nonexempt AUs in Region 2 counties (Note to ALJs - use regroups) ([Handbook 44-315.311\(a\)](#))
- 125-4G MAP COLA for July 2005 only, not for August 2005 through June 2007 ([ACL 05-18](#))
- 125-5 **Old rule:** 185% MBSAC amount pre-1/1/97 ([Handbook 44-207.113](#), repealed 7/1/98; [ACL 97-59](#); [AB 1542](#)) [NOTE: Please submit worksheet]
- 125-6 Financial eligibility test under prospective budgeting ([44-207.21](#), effective July 1, 2004)
- 125-8A In prospective budgeting, once financial eligibility established, continues for quarter unless income exceeds IRT and anticipated income will exceed MAP for remainder of quarter ([44-207.23](#), effective July 1, 2004)
- 125-11 County shall rescind financial ineligibility discontinuance if estimated/reasonably anticipated net income is not received ([44-207.24](#))
- 125-12 Under MR/RB, income from person deleted from AU is not retrospectively budgeted ([44-313.42](#) prior to prospective budgeting)
- 125-12A Under prospective budgeting, income from person deleted from AU is not prospectively budgeted unless person remains in AU and has available income ([44-313.42](#))
- 125-14A Kin-GAP child is treated as recipient, not applicant (ACL 99-97)
- 125-15 MAP for Kin-GAP is basic FC rate in county where guardianship was established (ACL 99-97)
- 125.16 Needs of those persons considered in family MAP or MBSAC ([44-133.52](#), revised 7/30/99)
- 125-16A MFG child not to be included in family MAP. ([Sneed v. Saenz](#))
- 126-1 Minor parent not exempt cannot be payee unless adult living in home refuses to accept that duty ([89-201.4](#))
- 126-2 Vouchers or vendor payments required when parent or caretaker relative subject to a minimum sanction of at least 3 months ([W&IC 11453.2](#); [44-307.12](#); [ACL 97-66](#); [ACL 08-38](#))
- 126-3 Voucher/vendor payments required if excluded AU parent or caretaker is drug felon, but not if fleeing felon ([ACL 97-66](#); [W&IC 11251.3](#), [W&IC 11486.5](#); [44-307.11](#))

- 126-4 Definition of vendor payments; when vendor payments are applicable ([44-303.3](#))
- 126-5 Counties can issue vouchers or vendor payments in addition to mandated ones, if necessary in best interest of children ([44-307.31](#))
- 128-1A AUs not subject to MAP reductions, i.e., exempt AUs ([W&IC 11450.019](#))
- 128-1B CDSS interpretation of exempt MAP status as of 1/1/98 ([ACL 97-59](#); [89-110.225,.24](#))
- 128-3 When AU must request exempt status, AU cannot be exempt prior to month county “receives” request ([89-110.271](#); [ACL 96-28](#))
- 128-5 Exempt or nonexempt AU status retrospectively budgeted after beginning four months of aid (89-110.282, .283, .293 prior to prospective budgeting) Exempt or nonexempt status reasonably anticipated under prospective budgeting ([89-110.2 8,.29](#) effective July 1, 2004)
- 128-6 County must make exempt status determination by 16th calendar day following AU request, when request made 9/1/96 or later ([ACL 96-28](#))
- 128-7 Definition of caretaker relative; degree of consanguinity required ([80-301c](#), [82-808.1](#))
- 128-9 When AU does not have to request exempt status, AU can be exempt when qualifying conditions are met ([89-110.26](#), [44-340.31](#); [ACL 96-28](#))
- 128-11 Determination of exempt AU status when minor parent resides with senior parent ([ACL 97-17](#))
- 129-0 Requirement to implement SAR in cost efficient manner and to insure compatibility between CalWORKs and CalFresh ([W&IC 18910](#))
- 129-1 County will use information on SAR 7 and SAWS 2 to determine future eligibility and benefit amount. ([40-181.1](#))
- 129-1A County will use information on QR 7 to determine future eligibility and benefit amount. ([ACL 03-18](#))
- 129-1AA Under prospective budgeting, county prospective budgeting requires county to use “reasonably anticipated” income recipient will receive during the payment period ([44-313](#))
- 129-1B When income is “reasonably anticipated” so that it can be considered for eligibility and grant/allotment purposes. ([ACL 03-18](#), [44-315.311](#))
- 129-1C Times when county is required to determine what is “reasonably anticipated” income listed. ([ACL 03-18](#))
- 129-1D Recipient financial eligibility test must be used after applicant test, recipient test standard ([44-207.211, .212](#))
- 129-1DD Recipient financial eligibility test ([44-207.211, .212](#))

- 129-1E Prospective budgeting ([44-313.1, .121](#) effective July 1, 2004)
- 129-1F At application, applicant test applied using actual income for initial month only ([ACIN I-84-03](#))
- 129-1G Documentation and case narrative needed to verify how reasonably anticipated income calculated ([44-313.111](#))
- 129-1H County duty to resolve discrepancies during reporting period ([44-316.231](#))
- 129-2 Weekly income multiplied by 4.33, biweekly income multiplied by 2.167. ([44-315.315](#))
- 129-2A Circumstances where county may use 2.167 or 4.33 conversion factors ([44-315.315\(a\),\(c\)](#))
- 129-2B When county should and should not use weekly and bi-weekly multipliers ([ACL 10-10](#))
- 129-2C Recipient can clarify that certain paychecks from data month not representative or regular income and should not be used in conversion factor ([ACL 12-25](#))
- 129-2D Conversion factors should not be used if recipient paid weekly or biweekly but income fluctuates. ([ACL 12-25](#))
- 129-3A When income is reasonably anticipated ([ACL 12-25, 44-101\(c\)](#))
- 129-3B In SAR, recipients do not project income for each month, only the data month and projected changes. ([ACL 12-25](#))
- 129-3C SAR, reasonable anticipation of new income during the payment period. ([ACL 12-25](#))
- 129-3D SAR, new income which is uncertain as to date and amount not counted ([ACL 12-25](#))
- 129-3E SAR, fluctuating income only counted to the extent that it is certain. ([ACL 12-25](#))
- 129-3F SAR, if recipient indicates data month not typical of income, county shall generally use recipient's estimate. ([ACL 12-25](#))
- 129-3G SAR, procedure when recipient projects fluctuations of income in payment period. ([ACL 12-25](#))
- 129-3H SAR, county can look back six months to project income. ([ACL 12-25](#))
- 129-3I SAR, when seasonal income averaged throughout year by CalFresh, CalWORKs will be consistent. ([ACL 12-25](#))
- 129-3J SAR, income that will begin and end in payment period not averaged but only counted in the month(s) expected in the amount expected each month. ([ACL 12-25](#))
- 129-3K SAR, if assistance unit certain that their income will be ending or new income will be starting in a certain month of the SAR Payment Period, this income will only be used to

determine benefit amounts for the months in which it is reasonably anticipated to be received. ([ACL 12-25](#))

- 129-3L Quarterly budgeting - How counties should treat anticipated income when it fluctuates and recipient indicates he/she does not know what will be future income ([ACL 09-41](#))
- 129-3M Quarterly budgeting - For fluctuating income, county must average income over the QR payment quarter. Steps listed for county to determine monthly average income. ([ACL 03-18](#))
- 129-4 Actual CalWORKs grant used to compute food stamp allotment ([63-509\(a\)\(4\)\(A\)5](#))
- 129-5 Quarterly budgeting - Recalculating the current quarter's CalWORKs and food stamp benefits when a recipient reports a decrease or discontinuance of income. ([ACL 03-18](#))
- 129-5A Under prospective budgeting, reasonably anticipated income is not reconciled with actual income in first two months. ([ACL 03-18](#))
- 129-6 Under prospective budgeting, county may consider income from previous payment period to determine if income is reasonably anticipated in upcoming payment period, uncertain income not counted ([44-315.312; .313](#))
- 129-6A Under prospective budgeting, county duty to determine if income in data month is same or different than anticipated income in the payment period. ([44-315.314](#))
- 129-6B SAR - averaging reasonably anticipated income over the SAR Payment Period ([44-315.316](#))
- 129-6Bo Quarterly budgeting - averaging reasonably anticipated income over the QR Payment Quarter ([44-315.316](#))
- 129-6C Under prospective budgeting, income of new person added to AU prospectively budgeted ([44-313.41](#) effective July 1, 2004)
- 129-7 Under prospective budgeting, county calculation of changes in grant amount for remainder of payment period ([44-315.317](#))
- 129-8 Under prospective budgeting, county must act on specified changes mid-payment period ([44-316.31; .33](#))
- 129-9 Under prospective budgeting, county must act on mid-payment period voluntary reports that increase aid, but not those that decrease aid except for voluntary request for discontinuance ([44-316.31](#))
- 129-9A Under prospective budgeting, county must recalculate aid mid-payment period on verified decreases in income and must issue supplement ([44-316.311 and.312\(a\)\(4\)](#))
- 129-9B Under prospective budgeting, county must determine eligibility mid-payment period of new person reported in home ([44-316.312\(a\) and \(b\)](#))

- 129-9C Under prospective budgeting, beginning date of aid for new person reported in home mid-payment period ([44-316.312\(c\); \(e\)](#))
- 129-9D Under prospective budgeting, voluntary request for discontinuance of aid mid- payment period. ([44-316.313](#))
- 129-9E Effect of person moving into the home with income that causes assistance unit/household to be financially ineligible. New person ineligible for Medi-Cal. ([ACL 03-18](#))
- 129-9F How county must act when two different changes are reported; circumstances may be two changes that are separate or two that are part of one change ([ACIN I-54-03](#)).
- 129-9G Quarterly reporting - County must treat reported change in income from submit month as a mid-quarter report and also as income change in upcoming quarter if income from submit month continues into the next quarter ([ACL 09-41](#); [ACL 10-10](#))
- 129-10 Recipients required to report certain specified changes to the county mid-payment period within 10 days of the change. Mandatory items include drug/fleeing felons, parole violations, income in excess of IRT and address changes. ([44-316.321 and .322](#))
- 129-10A SAR - AU must report income in excess of the IRT at any time during the payment period. Report required within 10 days from the date that the change is known. Three IRT levels. If income expected to continue, change effective following month. ([44-316.324 \(a\)](#) and [ACL 14-77](#))
- 129-10AB Quarterly reporting - AU must report income in excess of the IRT at any time during the quarter ([44-316.324 \(a\) and \(b\)](#))
- 129-10B1 First tier IRT level ([44-316.32 Handbook](#)) (ALJs use regbook)
- 129-10B2 Second tier IRT level ([44-316.32 Handbook](#)) (ALJs use regbook)
- 129-10B3 Third tier IRT level ([44-316.32 Handbook](#)) (ALJs use regbook)
- 129-10Bo IRT levels under quarterly reporting ([44-316.32 Handbook](#))
- 129-10C SAR - if income in first through the fifth month of quarter continues to exceed IRT, county must discontinue cash aid with timely and adequate notice ([44-316.324\(c\)](#) and (d))
- 129-10Co Quarterly reporting - if income in first or second month of quarter continues to exceed IRT, county must discontinue cash aid with timely and adequate notice([44-316.324\(c\) and \(d\)](#))
- 129-10D Under prospective budgeting, when income in excess of the IRT income is reported in the last month of the payment period ([44-316.324\(c\)\(2\)](#))
- 129-11 Under prospective budgeting, county initiated mid-payment period actions listed ([44-316.33](#))
- 129-11A If a child moves out of a home and is otherwise eligible for aid in another case, the county

is required to discontinue the first AU at the end of the month in which timely and adequate notice can be provided ([ACIN I-84-03](#))

Section 130

- 130-1 Unearned income is all income which is not earned, or disability-based unearned ([W&IC 11451.5\(c\)](#), revised 7/30/99)
- 130-3 Definitions for purposes of 44-315, of NNI, grant amount, potential grant ([44-315.1](#))
- 130-4 Net income is gross income minus exemptions and disregards; gross income includes earnings by part-time student applicants and current child support payments for non- MFG children ([44-207.21](#))
- 132-3 Noneducational grants are exempt income when the proceeds are not available to meet current needs ([44-111.436](#))
- 132-4A Loans which are exempt from consideration as income ([44-111.437\(a\)](#))
- 132-5A Title IV and BIA loans and grants and other educational grants to undergraduate students when awarded on the basis of need are totally excluded as of 7/1/93. ([ACL 94-02](#); [42-213.2c \(2\)](#); [ACIN I-38-12](#))
- 132-5B Portion of financial aid used to cover school attendance costs excluded. ([ACIN I-38-12](#))
- 132-6 Transportation deduction from educational loans and grants ([44-111.435](#); [ACIN I-38-12](#))
- 133-1 Treatment of child support payment when received directly by recipient ([82-518.2](#), revised 1/18/00)
- 133-1B Date of wage withholding is date of collection of child support ([82-520.2](#), formerly 82-518.4)
- 133-1C \$50 of current support obligation is disregarded as income or resource ([82-520.4](#), revised 10/1/98)
- 133-1D Counties shall disregard one-time payment of \$50 disregard payment issued on or about February 20, 2007 by State Disbursement Unit ([ACIN I-17-07](#))
- 133-2 Treatment of child support when wages withheld ([Vanscoter v. Sullivan](#))
- 133-3 Title II child insurance payments are not “child support” ([Sullivan v. Stroop](#))
- 133-6 “Excess payments” from child/spousal support are income in CalWORKs, and “pass-on payments” are income in FC (82-520.5, revised 10/1/98, replaced by [82-518.14](#), 4/1/00)
- 133-7 Child/family and spousal support regulations for CalWORKs and FC (12-425, [43-203](#), [82-508](#), [82-518](#), [82-520](#); 25-900-925 repealed, eff. 8/12/99)
- 134-2 In-kind income; definition ([44-101 \(j\)](#))

- 134-3 In-kind income from non-needy relatives ([44-115.21](#))
- 134-4 In-kind income values are prescribed by regulation ([44-115.31](#))
- 134-4A Different values for in-kind income in Region 1 and Region 2 ([Handbook 44-115.311\(a\)](#))
- 134-5 Right of recipient to provide evidence of actual in-kind income values ([44-115.31,.32, .333](#))
- 134-6 In-kind income in shared living situation based on AU or those whose needs are considered in AU ([44-115.33](#), revised 7/30/99)
- 135-5D Income of excluded parent deemed to AU, but not if parent is sanctioned, a member of a different AU, or in a different aid program, but needs of excluded parent (other than an ineligible alien) only included if parent has income ([44-133.51](#), revised 7/30/99)
- 135-5E Stepparents income and needs considered in computing CalWORKs grant ([44-133.511](#))
- 135-9 When the minor parent lives with his/her parent(s), the income and needs of the senior parent(s) are considered ([89-201.5](#))
- 135-11 Income and resources of sponsor deemed to sponsored alien ([43-119.22](#))
- 135-12 Determination of income deemed to the sponsored alien ([44-133.7](#))
- 135-14 Income when parent or child has been excluded from the AU ([44-133.33](#))
- 135-15 Ineligible alien child's income not deemed to other family members ([ACL 92-68; 44-113.141](#))
- 135-17 Deeming rules for ineligible aliens still apply after 1/1/98 ([ACL 97-57, ACL 98-17](#))
- 135-18 Determining income and needs in ineligible alien family member cases ([44-133.52,.53](#))
- 136-11 Treatment of lump-sum retirement income ([44-113.8; 42-211.2 57](#))
- 136-11C Transfer of property or income occurs when transfer is for less than FMV and would have affected eligibility for benefits if transfer had not occurred ([42-221.1](#), revised 8/5/99)
- 136-11D Transfer of nonexempt nonrecurring income which would cause cash aid ineligibility results in period of ineligibility ([42-221.4](#), revised 8/5/99)
- 136-11E Definition of nonrecurring income for period of ineligibility purposes ([42-221.41](#), revised 8/5/99)
- 136-16A "Family" defined for CDSS purposes as including person living in the home as specified in [W&IC 11008.14](#), plus treatment of certain deemed income from aliens; family defined differently for property purposes ([ACL 97-59, ACL 98-17; 42-203.8](#))
- 136-18 Property eligibility is determined once per payment period. Nonrecurring lump sum is considered property in CalWORKs under prospective budgeting. ([42-221.4, 40-181.1](#))

- 136-18A Nonrecurring lump sum is considered property in CalWORKs under prospective budgeting. ([42-209.2](#), [44-101\(l\)](#) effective July 1, 2004)
- 136-19 Federal income tax refunds exempted as income and exempted as property for 12 months. ([ACL 13-46](#))
- 137-1 All net income of persons included in AU is income to the AU ([44-133.1](#))
- 137-1A Availability of family members' income ([W&IC 11008.14](#))
- 137-2 Income must be actually available ([44-101](#))
- 137-2A Definition of reasonably anticipated income ([44-101\(c\)](#))
- 137-3 Income which was included in an SSI/CAPI grant computation and the SSI/CAPI grant is excluded ([44-133.2](#), modified 7/1/98, 7/30/99)
- 137-4A Income considered available from mandatorily included persons who are sanctioned or penalized, while these persons' needs (except for those who fail to cooperate with child support), are not considered ([44-133.4](#))
- 137-4B Income from persons who are timed out is available ([44-133.8](#))
- 137-5A Availability of income under prospective budgeting. ([44-102.1](#) effective 7/1/04)
- 137-7 Availability of family members' income ([W&IC 11008.14](#))
- 137-8 Garnished income properly held to be available for SSI purposes. ([Cervantez v. Sullivan](#))
- 137-9 When excluded member shares familial relationship with more than one assistance unit ([44-133.55](#))
- 138-2 \$30 limitation per quarter to qualify for exemption for unanticipated income received in prospective months. ([44-111.441](#))
- 138-3 State law exempts as income any child support received for the MFG child ([W&IC 11450.04\(e\)](#))
- 138-3A State regulations exempt as income any child support received by the DA for the MFG child ([44-314.62](#))
- 138-4 Aid payment and income of SSI person not counted. SSI not counted as income for CalWORKs ([44-133.21](#), modified 7/1/98)
- 138-6 Exemption of in-kind income for partial items of need ([44-111.452](#))
- 138-7 First \$50 per month of current child or spousal support is exempt income ([44-111.47](#))
- 138-8 Agency required to distribute \$50 from current support payment ([82-520.2](#), [82-520.61](#), as revised 1/28/99; [ACIN I-17-07](#))

- 138-12 Kin-GAP recipient is in own AU, and income and aid payment is not available to others; caretaker relative may be in separate AU ([W&IC 11450\(j\)](#), [W&IC 11371](#), [W&IC 11450.16\(B\)](#); [ACL 99-92](#), ACL 99-97; [90-105.31](#), [82-820.22](#))
- 138-13 Deductions allowed from gross income from pensions, and similar sources, for income taxes and other expenses required in order to receive the income ([44-113.32](#); [ACL 00-13](#))
- 138-14 Certain payments made to or on behalf of MFG child for child support are exempt from consideration as income ([ACL 01-16](#); *Kehrer v. Saenz*; [44-314.62](#))
- 138-15 Child support paid to senior parent on behalf of minor parent is not minor parent income in excluded parent computation set forth in 89-201.514 which regulation was repealed 3/31/03 ([ACL 01-15](#); *Dominika S. v. Saenz*)
- 138-16 Payments for child-care costs under [47-420.2](#) are exempt income ([44-111.3f](#))
- 138-17 All AmeriCorps payments are exempt as income for CalWORKs purposes. ([ACL 12-41](#))
- 138-18 Adoption Assistance Program payments are to be excluded as income in the computation of CalWORKs benefits. MPP Section [44-111.61\(n\)](#), *Cadaret v. Wagner*, [ACL 11-47](#) ([44-111.61\(f\)](#); [ACIN I-70-02](#))
- 138-19 Income of children excluded from assistance unit excluded ([44-133.53](#))
- 139-1 Disability based unearned income is SDI, private disability, TWC and SSDI ([W&IC 11451.5\(b\)\(2\)](#); [44-101.\(f\)](#))
- 139-1A Private disability insurance benefits include privately purchased or employer- sponsored disability insurance, but not non-insurance benefits, e.g., veteran's benefits ([44-111\(f\)\(1\)\(B\)](#))
- 139-1B Definition of disability based unearned income includes veteran's disability compensation (VDC). ([ACL 14-08](#))
- 139-2 Children's income based on parent's disability is classified as disability-based unearned income and entitles AU to \$225 disregard effective January 1, 1998 ([W&IC 11451.5](#); ACL 98-62)

Section 140

- 140-1 Sick leave benefits are earned income ([44-101\(e\)](#))
- 140-6 Definitions for purposes of 44-315, of NNI, grant amount, potential grant ([44-315.1](#), revised 7/30/99)
- 140-7 Net income is gross income minus exemptions and disregards; gross income includes earnings by part-time student applicants and current child support payments for non- MFG children ([44-207.21](#))
- 141-1 Determining income from self-employment (generally) ([44-113.212](#); [W&IC 11155.3\(c\)](#))

- 141-4 Applicants and recipients can choose either a 40% deduction from self-employment or deductions allowed in the FS program (W&IC 11155.3(c); [44-113.212\(a\)](#) prior to prospective budgeting)
- 141-4A Under prospective budgeting, applicants and recipients can choose either a 40% deduction from self-employment, or reasonably anticipated deductions allowed in the FS program ([44-113.212\(a\)](#) effective July 1, 2004)
- 141-5 Change between self-employment deduction methods allowed at the earlier of six- month period, or redetermination ([44-113.212\(b\)](#))
- 141-6 Rental of rooms, room and board, are self-employment income ([44-113.1b](#))
- 143-1 EIC is exempt income ([44-111.61\(l\)](#))
- 143-4 Renters credits; senior citizens, homeowners, and renters property tax assistance; exempt as income ([44-111.3k, l](#))
- 144-15A “Family” defined for CDSS purposes as including person living in the home as specified in [W&IC 11008.14](#), plus treatment of certain deemed income from aliens; family defined differently for property purposes ([ACL 97-59](#), [ACL 98-17](#); [42-203.8](#))
- 144-15C Transfer of property or income occurs when transfer is for less than FMV and would have affected eligibility for benefits if transfer had not occurred ([42-221.1](#), revised 8/5/99)
- 144-15D Transfer of nonexempt nonrecurring income which would cause cash aid ineligibility results in period of ineligibility ([42-221.4](#), revised 8/5/99)
- 144-15E Definition of nonrecurring income for period of ineligibility purposes ([42-221.41](#), revised 8/5/99)
- 144-16 Nonrecurring lump sum is considered property in CalWORKs under prospective budgeting. ([42-209.2](#), [44-101\(l\)](#) effective July 1, 2004)
- 145-1 All net income of persons included in AU is income to the AU ([44-133.1](#))
- 145-2 Income must be actually available ([44-101](#))
- 145-2A Definition of reasonably anticipated income ([44-101\(c\)](#))
- 145-3 Only exception to current availability requirement for counting income ([44-102](#); [W&IC 11157](#))
- 145-3A Availability of income under prospective budgeting ([44-102.1](#) effective 7/1/04)
- 145-5 Availability of family members' income ([W&IC 11008.14](#))
- 145-6 Garnished income properly held to be available for SSI purposes. ([Cervantez v. Sullivan](#))
- 145-7 Income considered available from mandatorily included persons who are sanctioned or

penalized, while these persons' needs (except for those who fail to cooperate with child support), are not considered [\(44-133.4\)](#)

- 145-7A Income from persons who are timed out is available [\(44-133.8\)](#)
- 145-8 Income which was included in an SSI/CAPI grant computation and the SSI/CAPI grant is excluded [\(44-133.2, modified 7/1/98, 7/30/99\)](#)
- 145-9 When excluded member shares familial relationship with more than one assistance unit [\(44-133.55\)](#)
- 146-1 Earned income of student under 19 is exempt [\(44-111.221\)](#)
- 146-1A Student earnings exemption applies during vacations or between terms if student intends to return to school [\(44-111.223\)](#)
- 146-2 Earned income of child exempted when participating in JTPA [\(44-111.211\)](#)
- 146-4 All college work-study program earnings are exempt as income or property [\(ACL 98-85, 44-111.25\)](#)
- 146-5 Earned income does not include compensation or reward for service [\(44-101 \(e\)\(3\)\(B\)\)](#)
- 146-6 Income of children excluded from assistance unit excluded [\(44-133.53\)](#)

Section 150

- 150-1 Definition of overpayment [\(44-350.15\)](#)
- 150-1A Immediate need overpayments occur when applicant does not complete eligibility process [\(ACL 94-01\)](#)
- 150-1B Under prospective budgeting, overpayment assessed even if county cannot issue 10-day notice following mandatory report [\(44-350.5 effective July 1, 2004\)](#)
- 150-1C Under prospective budgeting, no overpayment if reasonably anticipated income is different than actual income provided recipient report complete and accurate [\(44-350.18\)](#)
- 150-1D In annual reporting child only cases, if reports incomplete or inaccurate, overpayment is based on what should have been reasonably anticipated at the time of the report, had the recipient reported completely and accurately. [\(44-350.18\)](#)
- 150-2 Limitation on the amount of aid pending overpayment when the recipient has reestablished eligibility [\(ACL 85-35\)](#)
- 150-3 Technical overpayments [\(44-350.151\)](#)
- 150-4 Under MR/RB, RISP correctly computed based on reasonable estimate does not result in overpayment [\(44-359.17 prior to prospective budgeting\)](#)
- 150-4A Under prospective budgeting, no overpayment for supplemental payment based on

- reasonably anticipated income if recipient report is complete and accurate. ([44-350.17 effective July 1, 2004](#))
- 150-5 Definition of administrative error overpayment ([44-350.2\(b\)](#))
- 150-8 Determination of overpayment when mandatory AU member is discovered in the home ([44-355.11](#))
- 150-11 If child eligible for aid on first of month, child is eligible for entire month ([W&IC 11455](#))
- 150-12 Under MR/RB, no overpayment or underpayment when RISP correctly computed based on reasonable estimate of income ([44-402.6](#) prior to prospective budgeting)
- 150-13 Establishing CalWORKs overpayments in the prospective budgeting system. ([ACL 03-18](#))
- 150-13A No overpayment/overissuance or underpayment/underissuance when actual income differs from reasonably anticipated income. ([ACL 03-18](#))
- 150-14 Overpayment results when income is over the IRT even if recipient was not informed of the IRT ([ACL 14-77](#))
- 150-15 Overpayment must be based on a recreation of case circumstances, including the determination of what income should have been reasonably anticipated at the time. ([ACL 12-25](#))
- 150-15A Decreases in income during the payment period are to be used in computing the overpayment even if such decreases were not reported. This computation method applies to all overpayments. ([ACL 15-95](#))
- 150-16 When recipient fails to report, overpayment is based on what would have occurred if correct report had been made. ([ACL 12-25](#))
- 150-17 Procedures for reconciling IEVS reports and computing overpayments and overissuances ([ACL 12-25](#))
- 151-1 Old rule: Determination of overpayment, generally, nonexcess property cases ([44-352.12, pre-4/9/03](#))
- 151-1A Under prospective budgeting, an overpayment occurs when AU does not report income or circumstances, or county fails to act on reported income or circumstances ([44-352.12 effective with July 1, 2004](#))
- 151-1B Calculation determination of overpayment, generally, nonexcess property cases ([44-352.12](#))
- 151-2A Overpayment computation after 1/1/98 allows earnings disregards even if earnings were reported late, or not at all ([ACL 97-67; 44-350.121, revised 7/1/98](#))
- 151-4 Overpayment begins on first date change would have been made based on accurate

- recipient report regardless of whether the error was caused by county or recipient. ([ACL 03-18](#))
- 151-4A Voluntarily reported changes not considered when determining whether there is an overpayment/overissuance. ([ACL 03-18](#))
- 152-1 Old Rule: Determination of excess property overpayment ([44-352.11 revised 4/9/03](#))
- 152-2 Calculation of excess property overpayment ([44-352.11](#))
- 152-2A Property related overpayment/overissuance only determined based on information that should have been reported on the QR 7/SAR 7/SAWS 2. ([ACL 03-18](#))
- 152-2B CalWORKs good faith property overpayment rule applies in prospective budgeting system. ([ACL 03-18](#))
- 152-2C In prospective budgeting, excess property overpayments based on information that should have been reported on QR 7/SAR 7/SAWS 2 ([44-352.111 effective July 1, 2004](#))
- 152-2D Under prospective budgeting, an overpayment exists when a recipient fails to report required property information on the QR 7/SAR 7/SAWS 2 or when the county fails to act on property information properly reported on the QR 7/SAR 7/SAWS 2 ([44-352.111 \(QR\)](#))
- 153-2 Limits on overpayment adjustments ([W&IC 11004\(c\)](#); [ACL 97-66](#); [44-352.41](#), revised 7/1/98)
- 153-2A Under prospective budgeting, overpayment recoupment is initiated only at beginning of payment period ([44-352.41](#))
- 153-3 Recoupment of overpayment/overissuance only initiated at beginning of the payment period. ([ACL 03-18](#))
- 153-3A Under prospective budgeting, grant adjusted at beginning of payment period ([44-352.4](#) effective July 1, 2004)
- 154-1A No overpayment collection from adults or emancipated minors who were minors receiving cash aid in an assistance unit when an overpayment occurred. ([ACL 12-02](#))
- 154-1C Priority order to recover overpayments ([44-352.31, .33](#))
- 154-1D “Unlocatable” and “cost effectiveness” defined for priority of overpayment recoupment ([44-350.2\(l\)](#) , [44-350.161\(b\)](#))
- 154-1F Methods for collecting from former AFDC caretaker relatives with outstanding overpayments ([ACL 96-36](#))
- 154-2 County duty to take all reasonable steps necessary to promptly collect all overpayments ([44-350.16](#))

- 154-3 Caretaker relative not in AU is not responsible person for overpayment collection purposes ([44-352.32](#); [ACL 95-55](#))
- 154-4 List of persons not in the assistance unit ([82-832, 82-833](#))
- 154-5 Minors in new assistance unit not liable for overpayment. ([ACL 12-23](#))
- 154-6 Collection from minor head of household or emancipated minor can only occur if overpayment occurred when minor had such status. ([ACL 12-66](#))
- 154-7 No collection when 18 year old moves to new assistance unit ([ACL 12-66](#))
- 154-8 When an overpayment occurs in a Senior Parent AU (senior parent, minor parent, and the minor parent's child), an overpayment cannot be collected from either the minor parent or the child. ([ACL 12-66](#))
- 154-9 Minor from Senior Parent Assistance unit cannot be responsible for overpayment ([ACL 12-66](#))
- 154-10 Counties cannot collect overpayments from unaided adults if the adult was not aided at the time the overpayment was established. ([ACL 12-66](#))
- 155-1 No pursuit of nonfraudulent overpayments of less than \$35 when person no longer on aid ([44-350.161](#))
- 155-2 Current demand for repayment rule ([44-352.44](#))
- 155-3 County is not to take ongoing collection action on nonfraudulent overpayments more than \$35 unless cost effective to collect ([44-350.161](#))
- 155-4 The county is not precluded from arriving at a reasonable settlement of its demand for repayment with the recipient or former recipient ([44-352.46](#))
- 155-5 Balancing rule ([44-351.3](#))
- 155-5A Offset regulation remains in effect despite cessation of AFDC ([ACIN I-56-98](#); [44-351.3](#); *Lopez v. Anderson*)
- 155-5B Revised state law permits balancing of overpayments against underpayments ([W&IC 11004\(k\)](#), revised 1/1/99)
- 155-6 Overpaid recipient need not use Social Security or SSI benefits to repay overpayment ([Handbook 44-352.451\(c\)](#); *Louis v. McMahon*)
- 155-7 Statute of limitations, general; not applicable to state hearings ([Code of Civil Procedure 338](#), *Bold v. Bd. of Medical Examiners*; *Saxton v. State Bd. of Education*)
- 155-8 AFDC overpayments are not dischargeable in bankruptcy. ([11 USCA 1328\(a\)](#))
- 156-1 Limitations on county use of tax-intercept system to collect overpayments ([ACIN I-53-89 20-402.1](#))

- 156-2 Refunds of tax intercepts ([ACIN I-53-89](#); [ACL 90-14](#), *Anderson v. McMahon*)
- 156-2A Administrative review for tax intercepts ([20-406.1](#))
- 156-B Notice to debtor required before tax intercept ([7 CFR 273.18](#), [31 CFR 285](#) et seq. and [31 CFR 285.6\(k\)](#) (3); [State Administrative Manual \(SAM\) 8790](#) and [Government Code 12419](#) et seq.)
- 156-3 Tax intercepts, when appropriate ([20-403.1, .2](#))
- 156-4 Tax intercepts, refunds to claimants ([20-408.1](#))
- 156-6 When intercepting county error overpayments, counties must refund IRS offset fees ([ACIN I-16-99](#))
- 158-1 Aid pending is a recoupable overpayment ([44-350.4](#))

Section 160

- 160-1 Underpayment rule ([44-340](#))
- 160-1A Underpayment calculation based on regulations at time it occurred ([44-340.32](#) effective July 1, 2004)
- 160-2 Underpayment due to erroneous denial is to be corrected even though applicant failed to perform an act constituting a condition of eligibility ([44-340.131](#))
- 160-3 Underpayments when mandatory AU member discovered in the home ([44-315.411, 44-355.16](#))
- 160-4 Underpayments excluded as income or resource in month paid and following month ([44-340.6](#))
- 160-5 Restoration of excluded individual after meeting immunization or school attendance requirements, no overpayment offset ([ACL 97-70](#))
- 160-5A No overpayment offset on supplemental payment resulting from mid payment period report ([44-340.14](#))
- 160-6 County must take action to restore underpayment/underissuance. Restoration based on QR rules. ([ACL 03-18](#))
- 160-7 Underpayments and underissuances due to administrative error must be restored promptly ([ACL 12-25](#))
- 161-2A Under prospective budgeting, mid-payment period supplement is not an underpayment ([44-340.14](#) effective July 1, 2004)
- 161-3 No overpayment/overissuance or underpayment/underissuance when actual income differs from reasonably anticipated income. ([ACL 03-18](#))

- 161-3A Under prospective budgeting, no underpayment if recipient does not report change during payment period ([44-340.33](#) effective July 1, 2004)
- 163-10 No Reduced Income Supplemental Payments (RISP) in the prospective budgeting system. ([ACL 03-18](#))
- 164-1 ALJs have no authority to award interest (AFL-CIO v. UIAB; ACIN I-52-96; [Knight v. McMahan](#))

Section 170

- 172-1 Nonrecurring special need for repair and replacement of household items because of unusual circumstances ([44-211.3](#))
- 173-1 Beginning date of pregnancy special need entitlement for CalWORKs applicants and recipients under MR/RB ([44-211.63, .641](#) prior to prospective budgeting)
- 173-1A Pregnancy need to be paid to eligible pregnant women effective the month of verification of pregnancy ([ACL 00-45; W&IC 11450\(c\); 44-211.641](#))
- 173-1B Pregnant teen under age 19 without high school diploma (or age 18 or younger beginning January 1, 2013), may receive pregnancy special need payment ([44-211.632; W&IC 11450; ACL 14-04](#))
- 173-1C Pregnant teen loses AFDC and pregnancy special need payment if she turns 19, receives high school diploma, and is not in third trimester of pregnancy but becomes eligible again in third trimester; but effective July 1, 2015 a pregnant teen age 19 or older may be eligible for CalWORKs and pregnancy special need beginning in the second trimester ([ACL 96-45; 44-209.23, 44-211.632; ACIN I-09-97; W&IC 11450; ACL 15-38](#))
- 173-1D Beginning date of pregnancy special need entitlement for CalWORKs applicants and recipients under prospective budgeting ([44-211.63, .641](#) effective July 1, 2004; [ACL15-38](#))
- 173-2 Amount of pregnancy special need ([Handbook 44-211.65](#))
- 174-1 HA--General eligibility ([44-211.51](#))
- 174-1A HA payments limited to providers who are businesses, commercial establishments, public housing facilities ([44-211.526](#))
- 174-1B Once-in-a-lifetime HA benefits; exceptions ([ACL 95-62, ACL 99-69; 44-211.513, 44-211.541 ; AB 1111; W&IC 11450\(f\)\(2\)\(E\)\(iii\)](#))
- 174-1C Counties must notify AFDC recipients and HA applicants of once-in-a-lifetime HA rules ([ACL 95-62; 44-211.51](#))
- 174-1D AU receives its OLT HA payment when first permanent housing payment is issued, even if that payment meets an exception to the OLT limit (ACL 96-40)

- 174-1E Homelessness criteria are expanded to include families who receive a notice to pay rent or quit. ([ACL 06-25](#))
- 174-1F Exceptions to once-in-a-lifetime Homeless Assistance include domestic violence that may be verified by sworn statement up to two times ([ACL 08-42](#))
- 174-1G Sworn statement sufficient to establish person is victim of domestic violence unless county documents in writing that applicant or recipient is not credible ([44-211.543](#))
- 174-2 HA--Direct payments to providers ([44-211.516, .517](#))
- 174-2A Direct HA payments due to mismanagement ([44-211.519](#))
- 174-3 Temporary shelter--eligibility ([44-211.521](#))
- 174-4 Temporary shelter--maximum time limits and payment ([44-211.524; 44-211.5 25; ACL 99-69, ACL 06-25; W&IC 11450\(f\)\(2\)](#))
- 174-4A TMHI used for determining permanent Homeless Assistance eligibility, not temporary assistance ([ACL 06-58](#))
- 174-4B Include person added to AU in determining daily rate for temporary assistance ([ACL 06-58](#))
- 174-4C The daily temporary HA rates only apply to eligible or apparently eligible AU members ([ACL 06-58](#))
- 174-5 Permanent housing payment--fiscal limitations ([44-211.53 ; ACL 06-25](#))
- 174-5A Clarification of different types of Homeless Assistance benefits ([ACL 06-58](#))
- 174-5B AU must present evidence that it has found permanent housing that does not rent for more than 80% of TMHI in order to get special need payment for permanent housing ([44-211.532](#))
- 174-5C Requirements assistance unit must meet to qualify for permanent housing payment to prevent eviction ([44-211.533\(a\)](#))
- 174-5D County responsibility to determine what is “financial hardship”; to make proper payment amount and to ensure payment will prevent eviction ([44-211.533\(b\)-\(e\)](#))
- 174-5E Amount not to exceed two months AU rent is available for security deposits that are a condition of securing permanent housing ([44-211.535](#))
- 174-6 When AU is considered homeless ([44-211.511, .512; Merriman v. McMahon](#))
- 174-6A An AU living in a shelter even at no cost is considered homeless; ([ACL 08-56](#))
- 174-6B An AU that is homeless and temporarily living with friends or family at no cost is considered homeless ([ACL 08-56](#))

- 174-7A No temporary shelter payment after permanent housing within 24-months except while awaiting approved permanent housing ([44-211.522](#))
- 174-8 Prior to November 16, 2006, RCA applicants/recipients ineligible for CalWORKs HA ([44-211.312\(a\)](#) repealed)
- 174-9 County of responsibility in HA cases ([44-211.515](#))
- 174-10 In HA, use MAP in county where applicant resides ([44-211.515\(a\)](#))
- 174-11 AU in suspense month may still receive HA (ACL 97-09; [44-315.8](#))
- 174-12 Calculation of AU eligibility and amount of security deposit payment ([ACL 01-43](#))
- 174-13 Permanent homeless assistance available to pay two months' rent to prevent eviction ([ACL 06-25](#))
- 174-13A Payment of rent arrearages is once-in-a lifetime benefit ([ACL 06-58](#))
- 174-13B Client who exhausted OLT benefits not eligible for payment of rent arrearages unless an exception is met ([ACL 06-58](#))
- 174-13C No need for AU to seek housing to qualify for permanent Homeless Assistance rent arrearage ([ACL 06-58](#))
- 174-13D County not required to pay temporary Homeless Assistance to families who have notice to pay rent or quit ([ACL 06-58](#))
- 174-13E County must make determination of eligibility for rent arrearages within one day of receiving verification ([ACL 06-58](#))
- 174-13F County only pays AU's share of arrearages ([ACL 06-58](#))
- 174-13G Homeless Assistance rent arrearages only paid for rent, not utilities unless utilities included in rent ([ACL 06-58](#))
- 174-13H Homeless Assistance payment for rent arrearages may include current months' rent to prevent eviction ([ACL 06-58](#))
- 174-13I Once AU receives rent arrearage payment, it is ineligible for temporary Homeless Assistance payment ([ACL 06-58](#))
- 174-13J If making arrearage payments would not prevent eviction, AU would not receive arrearage payment but could be eligible for Homeless Assistance to secure permanent residence ([ACL 06-58](#))
- 174-14 Definitions of total monthly household income and income ([44-211.5 33; -534](#))
- 174-14A MFG child's income counted in computing TMHI ([ACL 06-58](#))

- 174-14B Examples of financial hardship, and situations that are not considered extraordinary circumstances ([ACL 06-58](#))
- 174-14C Income county considers in determining eligibility for permanent Homeless Assistance ([ACL 06-58](#))
- 174-14D Explanation of TMHI process ([ACL 06-58](#))
- 174-14E County must use the current amount of income available to the AU that they list on the CW 42 ([ACL 06-58](#))
- 175-1 Applicants must be informed of diversion before aid is approved ([W&IC 11265\(a\)](#); [82-215.2](#))
- 175-2 Applicants must be apparently eligible to receive diversion, but may decline diversion ([W&IC 11266.5\(b\)](#), (d); [ACL 97-68](#); [81-215.31](#), [81-215.33](#))
- 175-3 Factors to be used in determining whether to offer diversion ([W&IC 11266.5\(b\)](#); [81-215.32](#))
- 175-4 Recoupment if diversion recipient reapplies during diversion period ([W&IC 11266.5\(f\)](#); [ACL 97-68](#); [81-215.51](#))
- 175-5 One month counts towards 60-month maximum aid limit if reapplication occurs after diversion period has run ([W&IC 11266.5\(f\)](#); [ACL 97-68](#); [81-215.52](#))
- 175-6 Calculation of diversion period ([ACL 97-68](#); [81-215.4](#))

Section 180

- 180-1 Federal AFDC-FC funds are meant to provide maintenance care funds ([42 USC 675\(4\)\(A\)](#))
- 180-2 Social worker shall ensure completion of documents necessary to fund AFDC-FC ([31-405.1 \(u\)](#))
- 180-3 Extended Foster Care eligibility for children 18 or over. ([W&IC 11400, et seq.](#), [ACL 11-69](#))
- 180-3A Persons eligible to Extended Foster Care through re-entry under [W&IC 388 \(ACIN I-76-15\)](#)
- 180-3B Persons eligible for Re-entry effective January 1, 2014 and January 1, 2015 ([ACIN I-76-15](#))
- 180-4 FC children must meet age, property, residency, citizenship/alienage, social security number, income, child support, and application requirements for AFDC children ([45-201.1-.5](#))
- 180-4A \$10,000 property limit effective 12/14/99 for ongoing eligibility and purposes of determining

whether child would have been eligible for AFDC in the petition month ([42 USC 672\(a\)](#); [ACL 02-45](#))

- 180-4B Federal law permits \$10,000 property limit, plus other excluded AFDC property as determined effective 7/16/96, for all FC children, effective 12/14/99 ([42 USC 672\(a\)](#))
- 180-4C \$10,000 property limit, plus \$1,500 for a car, for FC eligibility ([W&IC 11155.5\(a\)](#); see [45-201.12](#))
- 180-5 FC caretaker relative may receive AFDC-FG benefits (ACL 94-91)
- 180-6 All applicants and recipients of CalWORKs and FC must assign child and spousal support for themselves and for required AU members as a condition of eligibility ([82-506.1](#), [82-820.3](#))
- 180-6A Applicants and recipients of CalWORKs and FC must assign child and spousal support for themselves and (unlike [82-506.1](#)) for family members for whom aid is requested or received, and receipt of aid assigns support by operation of law (Handbook 12-410)
- 180-7 After parent or relative caretaker of aided CalWORKs child dies and non-relative caretaker provides care for child, county should inform non-relative caretaker of availability of AFDC-foster care benefits ([ACIN I-36-07](#))
- 180-8 State may provide full month's federal Foster Care payment to licensed provider if child's absence from provider does not exceed 14 days ([ACL 07-49](#))
- 180-9 State law requires county to educate Foster Care children in out of home care of personal rights; personal rights listed in [W&IC 16009.9](#) ([W&IC 16009.9\(a\)](#), [W&IC 16501.1\(f\)\(4\)](#); [31-401.5](#), [31-445.2](#) ; [ACL 08-51](#))
- 180-10 FFP funding available for aid paid pending and payments to carry out hearing decision ([45 CFR 205.10](#))
- 180-11 State hearings for Title IV-E funding governed by 45 CFR 205.10 ([45 CFR 1355.30\(p\)\(2\)](#))
- 180-20 AFDC-FC funds for fulltime student reaching 18 yrs age requires school verification ([45-201.1 11\(a\), \(b\)](#))
- 180-20A Definition of school and fulltime student for AFDC-FC funding and for CalWORKs ([42-101.2](#))
- 180-20B Evidence used to establish age of fulltime student ([42-111.1](#))
- 180-20C The county will inform applicant of needed evidence for eligibility, or county shall obtain evidence ([40-157.2 1](#))
- 180-20D County to inform foster children of rights every 6 months (listed in [W&IC 16009.9](#)) ([W&IC 16501.1\(f\)\(4\)](#))
- 180-21 For AFDC-FC funding, in addition to fulltime student requirements, mutual agreement must

- be entered into by foster child ([45-201.1 11\(c\)](#))
- 180-21A The mutual agreement is found on state form SOC 155 B, providing listed requirements for entering into a mutual agreement (SOC 155 B)
- 180-21B The mutual agreement informs the child of his responsibility for continued AFDC-FC (SOC 155 B)
- 180-30 Extended Foster Care (EFC) under AB 12 – general provisions, including planned revocation of fulltime student rules under MPP 45-201.11 ([ACL 11-61](#))
- [180-30A](#) Age requirements for eligibility to receive EFC under AB 12 ([ACL 11-61](#), [ACL 11-69](#), [W&IC 11403](#))
- 180-30B Five participating conditions (5-PCs) for eligibility to receive EFC under AB 12 ([ACL 11-61](#), [W&IC 11403](#))
- 180-30C Requirement for court jurisdiction at age 18 years for EFC eligibility, and reentries into dependency under AB 212 ([ACL 11-61](#), [ACL 11-69](#), [45-202 \(c\)](#))
- 180-30D Nonminors under Probate-derived legal guardianships are not eligible for EFC - still must meet MPP 45-201.11 fulltime student requirement to age 19 ([ACL 11-69](#), [W&IC 11405\(f\)](#))
- 180-31 Eligibility of nonminors re-entering dependency for EFC under AB 12 and AB 212 ([ACL 12-12](#), [W&IC 388\(e\)](#))
- 180-31A New linkage assessments for nonminors reentering dependency under AB 212 ([ACL 12-12](#))
- 180-32 Three types of court jurisdiction recognized for nonminor dependents (NMD) potentially eligible for EFC ([ACL 11-85](#), [ACL 12-12](#))
- 180-32A Youth under delinquency supervision with Probation Departments – types of court jurisdictions ([ACL 11-69](#), [ACL 11-85](#))
- 180-32B The newly established “transitional jurisdiction” under [W&IC 450](#) for former delinquent ward youth ([ACL 11-85](#))
- 180-32C Use of delinquency jurisdiction under AB 212 for delinquent ward youth who don’t qualify for transitional jurisdiction ([ACL 11-85](#))
- 180-32D New rules for Juvenile Court to use prior to terminating dependency jurisdiction on youth aging out ([ACL 11-85](#), [ACL 12-12](#), [W&IC 391](#))
- 180-32E Definition of "Transition Jurisdiction" ([ACIN I-76-15](#))
- 180-33 The new “Voluntary Reentry Agreement for Extended Foster Care” (SOC 163) initiates beginning date of aid for reentered nonminors ([ACL 12-12](#))
- 180-33A The process for nonminors to reenter dependency and request EFC funds through county

with jurisdiction ([ACL 12-12](#))

- 181-1 Child must be placed with nonrelative or different relative than one from whom removed for federal AFDC-FC eligibility to exist. Six-month rule ([45-202.411\(b\)](#))
- 181-1A Federal regulations on when child's removal from the home occurs, and when a second placement of the child in the relative's home precludes federal ADFC-FC ([45 CFR 1356.21\(c\), \(k\)](#))
- 181-2 Federal definition of a "dependent child" and relative from whom child removed ([42 USC 606\(a\)](#))
- 181-2A Relative defined as 5th degree kinship even if marriage terminated by separation/death ([W&IC 11400\(m\)](#))
- 181-2B Listing of relatives that are 5 degrees kinship ([ACL 05-13E](#))
- 181-3 FFP defined ([45-101.1 \(o\)](#))
- 181-4 Approved home of relative is eligible facility for federal foster care ([45-202.51](#))
- 181-5 Court order necessary for eligibility under federal AFDC-FC Program, prior to 1/1/93 ([45-202.4](#))
- 181-5A Voluntary placement can result in 180 days of aid in federal AFDC-FC cases ([45-202.412](#))
- 181-5B When child placement pursuant to voluntary placement agreement exceeds 180 days, county must comply with [W&IC 16507.6, ACIN I-74-09](#))
- 181-5C Voluntary Placement Agreements must be executed on state form SOC 155 ([ACL 01- 33](#))
- 181-6 Counties must base eligibility for foster care on criteria that existed prior to *Rosales* effective October 1, 2005 ([ACIN I-19-06](#))
- 181-6A Impact of Deficit Reduction Act on *Rosales*, new implementation date June 9, 2006 ([ACL 06-19](#))
- 181-10 Deprivation and income eligibility for federal AFDC-FC based upon linkage with former AFDC-FG/U program (ACL 98-01)
- 181-10A For federal AFDC-FC eligibility, child must be linked to former AFDC-FG/U program as of 7/16/96 ([45-202.33](#))
- 181-10B Effective 7/1/97, eligibility shall be determined using AFDC standards as of 7/16/96 (ACL 98-01)
- 181-10C A child's federal AFDC-FC eligibility requires specific criteria be met ([45-201.1-.5](#))
- 181-10D Linkage to the former AFDC-FG/U is a one-time determination, with exceptions ([45-202.341, 45-202.34](#))

- 181-10E FFP not lost with subsequent dismissal court order for child aged 18 yrs or for termination of parental rights ([45-202.411 \(c\)](#))
- 181-10F Conditions under which a new linkage determination must be made when a child is returned to parent of removal then again removed ([ACL 11-64](#))
- 181-11 Specific AFDC eligibility standards from July 16, 1996 that foster care applicants must meet (ACL 98-01, [42-207.1](#), [42-213.2](#))
- 181-12 Linkage determination must be made using circumstances of child in home prior to actual removal of child ([ACL 07-49](#))
- 181-12A Deprivation under AFDC-FG/U must be met in month of, but prior, to child's removal ([ACL 07-49](#))
- 181-12B Counties were ordered 7/9/2010 to stop conduction annual linkage redeterminations on AFDC-FG/U parental deprivation and income ([ACL 11-10](#))
- 181-12C Reinstatement of dependency jurisdiction and removal of child from guardian (W&IC 387 petition) results in a new foster care episode/linkage determination ([ACL 11-64, case 74](#))
- 181-13 Deprivation under AFDC-FG/U is established if parent deceased, absent, incapacitated, or unemployed ([41-401.11](#))
- 181-14 Deprivation due to parental absence exists with "continued absence" of parent ([41-450.11](#))
- 181-14A Linkage is presumed If CalWORKs paid based upon parental absence deprivation (ACL 94-75, q. 22)
- 181-15 Unemployment deprivation established when principal earner works less than 100 hours ([41-440.1 \(a\)](#))
- 181-15A Principal earner is parent earning the most in past 24-months ([41-440.1\(c\)](#), [\(d\)\(2\)](#))
- 181-15B Principal earner must be "unemployed" (i.e. work for less than 100 hours) for prior 30 days ([41-440.22](#))
- 181-15C Principal earner who is apparently eligible for UIB must apply and accept UIB when referred by county ([41-440.24](#))
- 181-15D Principal earner must have a "connection with labor force" to establish unemployment deprivation ([41-440.411](#), [.42](#))
- 181-15E Connection to labor force rules effective July 16, 1996 ([41-440.4](#) in effect prior to January 1, 1998)
- 181-16 Deprivation under AFDC-FG/U may be due to physical or mental incapacity (317.12,.8, [41-4 30.1](#))
- 181-16A Deprivation exists when incapacity prevents parent from working fulltime ([41-430.11](#))

- 181-16B Deprivation due to incapacity established if eligible for OASDI, SSI/SSP, Worker's comp, SDI ([41-430.2](#))
- 181-17 Use of the Preponderance of Evidence Model for presumed income eligibility when no conflicting evidence of income (ACL 94-15)
- 181-17A Income under former AFDC-FG/U is any available benefit in cash or in kind (Former [44-101](#))
- 181-17B Under former AFDC-FG/U, employer provided sick leave and SDI benefits are earned income (Former [44-101.51](#))
- 181-17C Under former AFDC-FG/U, UIB is deemed unearned income (Former 44-101.532) 181-17D Income deemed currently available in the month it is received (exceptions for recurring income) ([44-102 \(e\)\(1\)](#))
- 181-17E Under former AFDC-FG/U, gross and net income tests use the MBSAC and MAP in existence as of 7/16/96 (ACL 98-01)
- 181-17F Table of MBSAC, 185% MBSAC, and MAP for each AU size, as of 7/16/96 (ACL 98-01, att. A)
- 181-17G Gross income test under former AFDC-FG/U compared to 185% MBSAC (Former [44-207.2.3](#))
- 181-17H Net income test under former AFDC-FG/U may include the \$90 and the \$30-1/3 earned income disregards (Former [44-207.32](#))
- 181-17I For the net test under the AFDC-FG/U, the 4-month time limit must be applied for use of \$30-1/3 disregard (ACL 98-01)
- 181-17J Limitations under former AFDC-FG/U for use of the \$30-1/3 earned income disregard (Former [44-111.231, .232](#))
- 181-17K The \$30-1/3 disregard available if person eligible for and received cash aid in 1 of 4 prior months (Former [44-207.322](#))
- 181-20 Federal FC eligibility rules; when dismissal of order results in loss of FFP ([45-202.411](#))
- 181-20A Effective 2000, requisite language for removals needed for federal AFDC-FC eligibility ([ACL 01-33](#))
- 181-20B For federal foster care, contrary to the welfare finding must be made in first court order ([ACIN I-27-06](#))
- 181-20C Contrary to Welfare language must be made in first court hearing; no one-day continuance allowed without this finding (CRC 5.550(c)(2))
- 181-20D County must verify that court finding of "placement and care" is vested with proper listed agency ([ACIN I-27-06](#))

- 181-20E County must verify court made proper “reasonable efforts to prevent or eliminate need for removal” finding ([ACIN I-27-06](#))
- 181-20F After 2000, Reasonable Efforts language within 60 days removal; nunc pro tunc orders cannot retroactively establish reasonable efforts ([45 CFR 1356.21\(b\)](#))
- 181-20G New linkage determination must be made if trial home visit exceeds 6 months ([ACL 01-33](#))
- 181-21 Requisite language must be documented in minute order or transcripts ([45 CFR 1356.21\(d\),\(d\)\(1\)](#))
- 181-21A Reasonable efforts to finalize the permanent plan must be made within 12 months and every 12 months thereafter ([ACL 01-33](#))
- 181-21B Judicial determination must be made showing reasonable efforts were made by the county to finalize the permanent plan ([45 CFR 1356.21\(b\)\(2\)](#))
- 181-21C The 12-month period to make the reasonable efforts to finalize the permanent plan finding is tolled when minor not in “foster care” ([ACL 11-64](#))
- 181-21D A minor is in “foster care” under federal law when the state has placement and care responsibility ([45 CFR §1355.20\(a\)](#))
- 181-30 In 2001, the state adopted the provisions of the Adoption and Safe Families Act of 1997 (ASFA) ([W&IC 16131](#), Stats. 2001)
- 181-30A ASFA standards for foster care ([ACL 02-18](#), [ACL 02-58](#))
- 181-30B Adults and home must be documented to meet state's regulatory standards ([31-445.3](#))
- 181-31 Date of approval and date of payment for federal and state foster care following Live Scan results is date approval standards are documented as met ([ACL 05-13](#), 181-31A County's decision to grant or deny criminal exemptions are executive decisions (*[In re Esperanza C.](#)*)
- 181-31B A criminal clearance and Child Abuse Central Index (CACI) clearance are mandatory for CCL approval ([22 CCR 89319](#))
- 181-31C Live Scan process defined prior to October 2008; FBI clearance not initially required upon affidavit stating no out-of-state convictions ([H&S 1522](#))
- 181-31D Effective October 2008, Live Scan processes; FBI clearance mandated prior to CCL clearance ([H&S 1522\(d\)\(1\)](#))
- 181-31E Agency must investigate arrests on non-exemptible crimes ([H&S 1522\(d\)\(5\)](#), [\(e\)](#))
- 181-31F Agency cannot deny CCL clearance on arrest record unless prepared to argue denial at hearing ([22 CCR 89219\(g\)\(8\)](#))
- 181-31G Without conviction, CCL denial on "conduct inimical" to child's safety may be decided by OAH for state-licensed facilities ([H&S 1550](#))

- 181-32 Certain adults that are not required to be Live Scanned (Title [22 CCR 89219\(b\)\(6\), \(b\)\(7\); Health and Safety 1522\(b\)](#))
- 181-32A “Reasonable and prudent parent” may allow adult friends and family to provide short- term care to the child; reasonable and prudent person defined ([W&IC 362.04\(b\); W&IC 362\(a\)\(2\)](#))
- 181-32B Medical professionals are not required to be Live Scanned under certain conditions (Title [22 CCR 89219\(b\)\(1\)](#))
- 181-33 No criminal exemptions are allowed to be granted for specified crimes ([H&S 1522\(g\)\(1\)](#))
- 181-33A Prior to October 2008, rehabilitated exemptions on specific sentencing enhancements allowed ([H&S 1522\(g\)\(1\)\(A\)\(ii\)](#))
- 181-33B Effective October 2008, rehabilitated exemptions on sentencing enhancements were further limited ([H&S 1522\(g\)\(1\)\(A\)\(ii\)](#))
- 181-33C Effective October 2008, non-exemptible crimes added relating to child and domestic crimes ([H&S 1522\(g\)\(1\)\(C\)](#))
- 181-33D Non-exemptible "Violent Felonies" defined under the Penal Code [[Penal Code 667.5\(c\)](#)]
- 181-34 Criminal exemption required for exemptible criminal conviction prior to placement of child ([W&IC 361.4\(d\)\(2\)](#))
- 181-34A CCL Evaluator Manual (CCL EM) defines minimum time prior to exemption for specified crimes (CCL EM §7-1736)
- 181-34B Under the CCL EM minimum time for exemption extended until formal probation completed (CCL EM §7-1735, 6)
- 181-34C Criminal exemption under CCL is mandated for no contest pleas and subsequent PC 1203.4 expungements ([H&S 1522\(f\)\(1\)](#))
- 181-34D Prior to Proposition 21 in 2000, 2nd degree robbery may not necessarily be non-exemptible ([PC 667.5\(c\)\(9\)](#))
- 181-34E Second degree robbery non-exemptibility challenged under [Glesmann v. Saenz \(ACL 04-46\)](#)
- 181-34F A “violent crime” establishing non-exemptibility must be established to be a crime against an individual ([Glesmann v. Saenz](#))
- 181-34G Violent crime analysis for non-exemptibility is also applicable to burglary convictions ([Glesmann v. Saenz](#))
- 181-35 Agency's due process mandated informing CCL applicant in processing criminal past ([Gresher v. Anderson](#))

- 181-40 Duty of DOJ to maintain CACI records and counties' duty to investigate incidents ([H&S 1522.1](#), [PC 11170](#))
- 181-40A DOJ only repository of CACI, agencies responsible to insure records "founded" ([PC 11170](#), [11169](#), [11165.9](#))
- 181-40B Agency's duty to investigate CACI reports to insure substantiated incidents ([22 CCR 89219.2\(a\)\(2\)](#))
- 181-40C Agency's CACI investigative process is set out under the CCL EM §3-2710 (CCL EM §7-1400)
- 181-40D Agency must obtain all relevant investigative documents to establish CACI hit founded (CCL EM §3-2710)
- 181-40E "Severe neglect" of a child defined under the Child Abuse & Neglect Reporting Act (CANRA), establishing sufficient neglect for inclusion in the CACI ([PC 11165.2](#))
- 181-41 Individuals listed on CACI may federally challenge listing under 42 USC 1983 ([Humphries v. LA County](#))
- 181-42 New MPP regulations governing processing of CACI listing grievances in compliance with *Gomez v Saenz* ([ACL 10-52](#); [ACL 07-53](#); [31-003](#), et seq)
- 181-42A New rules in how agencies and law enforcement are to report incidents to DOJ in compliance with AB 717 ([ACL 12-21](#))
- 181-45 Use of out-of-state agencies in complying with Adam Walsh Act for child abuse clearances ([PC 11170\(e\)\(1\)](#))
- 181-45A Out-of-State Child Abuse (OSCA) Registries must be searched for adults residing in California less than 5 years [ACYF-CB-06-04]
- 181-50 Safe access through windows and doors mandated for home approvals ([22 CCR 89387\(q\)](#))
- 181-50A The home must be clean, safe, sanitary, and in good repair for safety and well-being of children ([22 CCR 89387\(b\)](#))
- 181-50B Bedroom requirements, beds, passageways, and approval of documented alternative plans ([22 CCR 89387\(a\)](#))
- 181-50C County's duty to assess homes for child's needs without safety defects; swimming pool concerns ([31-445.1, .11](#))
- 181-51 Home "deficiency" and "documented alternative plans" (DAP) defined ([22 CCR 89201\(d\)](#))
- 181-51A "Serious deficiency" is a deficiency presenting immediate or substantial threat to health ([22 CCR 89201\(s\)\(1\)](#))

- 181-51B Agency required to issue notice of deficiency unless not serious or corrected during inspection ([22 CCR 89252](#))
- 181-51C Notice of Deficiency must be in writing and include specified information ([22 CCR 89252\(d\)](#))
- 181-51D Waivers to home condition regulations permissible, but not if detrimental to health or safety of child ([22 CCR 89224](#))
- 181-52 Caregivers must provide yard and/or outdoor activity space free from hazards ([22 CCR 89387.1\(a\)](#))
- 181-53 Rules on eligible facilities for EFC – including limited use of group homes – the new “Supervised Independent Living Placement” (SILP) ([ACL 11-61](#); [ACL 11-69](#); [ACL 11-77](#))
- 181-53A Qualifying for a SILP – rules on the “readiness assessment” for SILPs ([ACL 11-77](#))
- 181-53B Qualifying for a SILP – rules on appropriate sites for SILPs ([ACL 11-77](#))
- 181-53C EFC funding for SILPs – basic rates, clothing allowances, infant supplements for NMD parents, but no SCI rates – when NMD may receive funds ([ACL 11-77](#))
- 181-54 Indian Youths and Independent Living Programs ([ACL 16-19](#))
- 182-1 For state AFDC-FC, child must reside in one of the listed "eligible facilities" ([45-203.4](#))
- 182-1A Nonrelative extended family member (NREFM) is an adult with familial and/or mentoring relationship to child ([W&IC 11400\(n\)](#))
- 182-1B State FC child can't be living in the same home as birth or adoptive parents ([45-203.2 11](#))
- 182-1C To continue receiving state AFDCFC, recipient must reside in California ([45-201.1 3](#), [42-400](#))
- 182-1 Former stepparents not relatives in state AFDC-FC Program until 9/1/99 ([Norman v. McMahon](#); [Handbook 45-101\(r\)\(1\)\(A\)3.\(a\)](#); ACL 99-58; [W&IC 11400\(m\)](#))
- 182-2A When parental rights terminated, relative status of parent and relatives is terminated ([45-101 \(r\)\(1\)\(B\)](#))
- 182-2B Termination of parental rights means an action taken by Juvenile Court ([45-101\(t\)\(1\)](#); [W&IC 366.26](#))
- 182-3 For state AFDC-FC, the BDA is the application if child eligible, of date of eligibility, whichever is later ([45-302.3 1](#))
- 182-3A Application date means the date county signs and dates application, or date application received ([45-302.3 21](#))

- 182-3B Child must be placed with nonrelative for eligibility under state AFDC-FC Program ([45-203.2](#); ACL 92-08; [Timmons v. McMahon](#))
- 182-3C Nature of report filed with Probate Court regarding proposed nonrelated legal guardian ([Probate C. 1543](#))
- 182-3D [Probate Code 1543](#) requires report of character nonrelative guardians as in FFH licensure (64 Op.Atty.Gen. 456)
- 182-3E Probate Court shall order county to conduct home study of proposed legal guardian unless waived ([Prob. C. 1513](#))
- 182-3F Probate Code 1513 does not apply to legal guardians granted by Juvenile Court ([Prob.C. 1513\(f\)](#); [W&IC 366.26](#))
- 182-3G State AFDC-FC funds are not paid to a nonrelated legal guardian (NRLG) who does not cooperate with county on the provision of social services ([45-302.2 41](#))
- 182-3H State AFDC-FC funds available to NRLG when cooperating with listed social services ([45-203.6 11\(c\)](#), [45-201.4](#))
- 182-3I Youths in non-related guardianships through Probate Court not eligible under AB 212 for extended FC funds – fulltime student rules still operable ([ACL 11-69](#); [W&IC 11405\(f\)](#))
- 182-4 FC eligibility determined using 7/16/96 AFDC standards, exclusive of waivers (ACL 98-01)
- 182-4A For state foster care contrary to welfare finding must be made, but need not be in first court order ([ACIN I-27-06](#))
- 182-4B County must verify court made proper “reasonable efforts to prevent or eliminate need for removal” finding ([ACIN I-27-06](#))
- 182-4C County must verify that court finding of “placement and care” is vested with proper listed agency ([ACIN I-27-06](#))
- 182-4D Placement and care means the responsibility of the welfare of the child is vested with an agency or the legal guardian ([45-101\(p\)\(5\)](#))
- 183-1 Beginning date of aid (transfer from AFDC-FG to AFDC-FC) ([44-317.622, .623](#))
- 183-2 Beginning date of aid; AFDC-FC ([45-302.31](#))
- 183-3 Last day of payment for AFDC-FC ([45-302.51](#))
- 183-4 AFDC-FC, current budgeting used ([45-302.4](#))
- 183-4A AFDC-FC, current budgeting used; payment must be made by 15th of the month ([ACIN I-32-05](#))

- 183-5 Supplementation of SSI/SSP with state AFDC-FC ([45-302.11](#); [ACL 94-82](#))
- 183-5A SSI/SSP payments can be made to federal FC children as of February 4, 1994, and are not income to those children ([ACL 94-82](#))
- 183-7 “Excess payments” from child/spousal support are income in CalWORKs, and “pass-on payments” are income in FC (82-520.5, revised 10/1/98, replaced by [82-518.14](#), 4/1/00)
- 184-1 Definitions of specialized care, specialized care increments, and specialized care rates (ACIN I-113-00)
- 184-1A EFC funding for SILPs – basic rates, clothing allowances, infant supplements for NMD parents, but no SCI rates – when NMD may receive funds ([ACL 11-77](#))
- 184-2 Counties must submit a specialized care program proposal to CDSS for approval (ACIN I-113-00)
- 184-3 Infant supplement paid shall be a uniform amount to cover care and supervision of a child ([11-415.1](#))
- 184-3A Infant supplement paid for care and supervision of a child living with the minor parent in same eligible facility ([45-200.2](#))
- 184-3B Infant supplement paid in addition to minor parent's AFDC-FC for a child living in the eligible facility ([45-302.2 11](#))
- 184-3C A new eligibility determination for infant supplement is not needed if facility is already eligible for AFDC-FC ([45-201.6](#))
- 184-3D In 2007, the Whole Foster Family Home (WFFH) expanded to include a nonrelated legal guardianship granted by permanent plan ([ACL 08-24](#))
- 184-3E "Teen Parent" is a dependent child parent under [W&IC 300/602](#), or ward of a nonrelated legal guardian, in a WFFH ([W&IC 16501.25\(a\)](#))
- 184-3F Discussion of "Shared Responsibility Plan" for infants of teen dependent parents ([W&IC 16501.25\(b\)](#))
- 184-3G The Shared Responsibility Plan and updates must be provided to relevant parties and attorneys ([W&IC 16501.25\(c\)](#))
- 184-3H Shared Responsibility Plan requirements not applied when \$200 payment made under KinGAP ([W&IC 16501.25\(d\)](#))
- 184-5 The state's initial understanding of the new basic rate structure prior to the passage of AB106 ([ACIN I-20-11](#); [ACL 11-42](#); [ACL 11-42E](#))
- 184-5A Formalization of new basic rates indicated on May 1st and adjusted on July 1, 2011 under AB 106 ([ACL 11-63](#); [ACL 11-63E](#))

- 184-5B Formalization of new basic rates for non-related legal guardianships under AB 106 ([ACL 11-63](#); [ACL 11-63E](#))
- 185-1 Definition of overpayment ([45-304.1.11](#))
- 185-1A No overpayment if county chooses to pay eligible facility for absent child for period not to exceed 14 days ([45-304.113](#))
- 185-3 State law provides that FC overpayments are limited to those made to foster family homes, approved homes of relatives, approved home of nonrelative extended family member or approved homes of nonrelated legal guardians when FC child was not cared for in the home; limitations on collecting the overpayment ([W&IC 11466.24](#))
- 185-3A Under state regulations, APP FC overpayments are collectible ([45-304.127](#))
- 185-3C State regulations permit demand and collection of overpayments, but prohibit demand on specified overpayment not the fault of the provider ([W&IC 11466.24\(a\)](#); [45-304.122- 24](#))
- 185-3D County shall not collect overpayments if it is not cost effective to do so ([W&IC 11466.24\(a\)\(1\)](#); [45-304.125 \(a\) and \(a\)\(1\)](#))
- 185-3E Counties shall not demand repayment of overpayment from non-profit group homes or foster family agencies no longer in business ([45-304.126](#))
- 185-3F For group home and FFA overpayments, an offset to administrative portion of subsequent payments shall be used to recover overpayment ([45-304.33](#))
- 185-4 State regulations limit collection of FC overpayments; process of establishing amount and collectability of overpayment ([45-304.2](#))
- 185-4A State law prohibits overpayment recovery from FC provider when child-cared for in home, while state regulations do not ([W&IC 11466.24\(a\)](#); [45-304.2](#))
- 185-5 FC overpayments collected only from the provider; if child for whom overpayment assessed is not in the home, no grant offset or adjustment is permitted ([45-304.3](#))
- 185-6 State law sets forth one year statute of limitations from county determination of FC overpayment ([W&IC 11466.24\(f\)](#))
- 185-6A County shall not initiate overpayment recovery more than one year after overpayment discovery ([45-304.42, 421](#); [Handbook 45-304.421](#) ; [W&IC 11466.24\(f\)](#))
- 185-7 Methods of collecting FC overpayments ([45-305.1](#), [45-305.2](#), [45-305.3](#); [W&IC 11466.24\(e\)](#))
- 185-8 State law requires repayment of wrongly collected FC overpayments, plus simple interest ([W&IC 11466.24\(d\)](#))
- 185-9 [W&IC 11466.23](#) added to identify placement categories statutorily eligible for overpayment collection ([ACL 08-10](#))

- 185-9A W&IC 11466.24 amended to expand Foster Care placement population subject to overpayment collection, identify types of costs county should consider in determining whether to collect overpayments and identify when county should not collect overpayments ([ACL 08-10](#))
- 185-10 When interest is proper in collecting foster care overpayments ([45-304.413](#); [45-305.33](#))
- 185-11 Unless otherwise provided for in 45-305, the county shall collect group home provider and foster family agency overpayments in accordance with 11-402.66 ([45-305.34](#))
- 185-12 Foster Care overpayment informal hearing process; does not preclude state hearing rights ([45-306. .1](#))
- 185-12A If a provider requests an informal hearing, the 90-day period to request a formal hearing under MPP Section 22-009.11 shall be suspended pending informal hearing decision or withdrawal from or failure to appear at informal hearing process ([45-306.3](#))
- 186-1 AFDC-FC rates for children in licensed or approved family homes based on statutory provisions ([W&IC 11461](#))
- 186-1A Foster Care Rates for licensed family homes effective May 27, 2011. ([ACL 11-42](#) and [ACL 11-42E](#))
- 186-2 Responsible county pays host county rate except when responsible county has specialized care rate and host county does not ([11-401.4](#))
- 186-3 County where placing agency for FC child is located in county of responsibility ([40-125.81](#))
- 186-6 Definitions of “basic rate”, “specialized care increment”, and “specialized care rate”; requirement to identify these for family homes ([11-400b .\(3\)](#), [11-400 \(s\).\(6\)\(7\)](#),[11-401.211](#))
- 186-6A SCI supplements the basic rate for children requiring additional care or supervision (ACIN I-113-00)
- 186-6B SCI rates administered at local level subject to CDSS review; proposed guideline needs discussed (ACIN I-113-00)
- 186-7 Medical fragile means having an acute or chronic health problem needing skilled nursing ([H&S 1760.2\(b\)](#))
- 186-9 Pay rate for child placed with FFA certified relative/non-relative extended family member ([ACL 04-28](#))
- 186-10 Effective July 1, 2007, new Foster Care rates for dual agency children ([ACL 08-17](#))
- 186-10A Criteria for dual agency eligibility ([ACL 16-54](#))
- 186-10B Types of foster care providers in dual agency setting ([ACL 08-17](#))

- 186-10C Dual agency rates effective July 1, 2007 when rate was initially set before July 1, 2007 ([ACL 08-17](#))
- 186-10D Rate for children under three years of age ([ACL 08-17](#))
- 186-10E Once early start child under CESISA reaches 3 yrs age, SB 84 early start ends; an SCI rate assessment should be initiated ([ACL 10-16, q. 8](#))
- 186-10F Rates for dual agency children for whom a facility ARM rate was requested before July 1, 2007 ([ACL 08-17](#))
- 186-10G A child receiving an SCI rate who becomes a dual agency child must receive a dual agency rate under SB 84, or an SCI rate, whichever is more ([ACL 08-17](#))
- 186-10H Children in vendorized CCFs receiving ARM rates are not eligible for dual agency or supplemental rates under SB 84 rates ([ACL 10-16, q. 17](#))
- 186-10I Certified Foster Homes contracted under an FFA are not eligible to receive SB 84 rates or SDA rates ([ACL 10-16, q. 20](#))
- 186-10K Effective date of SDA rate for dual agency rate children either adoptively placed or placed in Foster Care in several situations ([ACL 08-54](#))
- 186-10L Children who receive or request SDA rates have same due process rights as other children applying for Adoption Assistance Program or Foster Care ([ACL 08-54](#))
- 186-10M Dual agency children receiving SB 84 rates are eligible to receive a \$100 clothing allowance ([ACL 10-16, q. 4](#))
- 186-20 New supplement to \$2006 dual agency rate not to exceed \$1000 for children three and over ([ACL 08-17](#))
- 186-20A Supplement to dual agency rate ([ACL 08-17](#), [ACL 08-54](#))
- 186-20B SDA rate not available to children under three years who are provided services by Regional Center through Early Start Intervention Services Act ([ACL 08-54](#))
- 186-20C SDA Rate may be requested either directly by a dual agency child's foster caregiver or adoptive parent, or through a referral from a Regional Center ([ACL 08-54](#))
- 186-20D SDA Rate is structured in four levels of \$250.00, \$500.00, \$750.00, and a maximum of \$1,000.00 ([ACL 08-54](#))
- 186-20E Counties must use objective criteria developed by state to determine SDA rate ([ACL 08-54](#))
- 186-20F Regional Center service coordinator must sign the SOC 837 questionnaire for the supplement to the dual agency rate; Alternative process discussed ([ACL 10-16, q. 28, 29](#))
- 186-20G Child under 3 years of age receiving either the early start or Lanterman Act SB 84 rate, is

- not eligible to receive a supplement to the dual agency (SDA) rate ([ACL 10-16, q. 24](#))
- 186-20H AFDC-FC benefits paid for dual agency children under SB 84 cannot include P&I payments ([ACL 10-16, q. 2](#))
- 186-30 Consumer remains Regional Center consumer if individual moves to another location within state ([W&IC 4643.5\(a\)](#))
- 186-30A Regional Center consumer remains eligible as a consumer unless comprehensive reassessment states otherwise ([W&IC 4643.5\(b\)](#))
- 186-30B A consumer's IPP resources are maintained if transferring to new Regional Center; exceptions ([W&IC 4643.5\(c\)](#))
- 186-30C Services provided by Regional Centers overseen by California Dept. of Developmental Services (CDDS) under the Lanterman Act ([W&IC 4500](#); [W&IC 4620](#))
- 186-30D Disputes under the Lanterman Act relating to services provided by Regional Centers are heard before the OAH ([W&IC 4710 et seq](#))
- 186-30E ARM rates established to provide basic needs to developmentally disabled individuals ([W&IC 4680](#))
- 186-30F Facilities serving as residence for facility licensee are paid "owner operated" ARM rates ([17 CCR 56901\(27\)](#), [\(38\)](#))
- 187-1 Interstate Compact for Placement of Children (ICPC) applicable for placing child in other state ([31-510.1](#))
- 187-1A Under Interstate Compact, the sending agency continues to have financial responsibility ([Family Code 7901](#))
- 187-1B If sending agency defaults in its responsibility under the Interstate Compact, the provisions of other state law may be invoked ([Family Code 7902](#))
- 187-1C Under the ICPC, a child placed out of state must be placed in appropriately licensed child-care facility or home ([45-202.5 18](#))
- 187-2 Every proposed ICPC placement requires a home study; need for approved ICPC 100A ([31-510.33](#))
- 187-2A Counties must comply in properly completing and processing the state form ICPC 100A ([31-510.3](#))
- 187-2B Under the ICPC, the receiving agency must notify the county whether the plan is approved or not ([31-510.34](#))
- 187-2C The receiving agency shall insure a financial plan is developed for eligible social services ([31-510.35](#))

- 187-2D Priority placement processing by Courts under the ICPC is discussed ([CRC § 5.616\(b\)](#))
- 187-2E Complete home study request based on date the county or adoptions district office had all relevant documents ([ACL 08-26](#))
- 187-2F Timelines for rejecting foster or adoptive home study by other states ([ACL 08-26](#))
- 187-3 Federal Safe and Timely Interstate Placement of Foster Children Act requires states to develop a process for home studies for children placed across state lines ([ACL 08-26](#))
- 187-3A Family Code Sections [7901.1](#) and [7906.5](#) require California to conduct a study of home environment to assess safety and suitability within 60 days of receiving request from another state ([ACL 08-26](#))
- 187-3B Exception to 60-day to home study requirement up to September 30, 2008 if county is unable to meet 60-day requirement ([ACL 08-26](#))
- 187-3C Changes (eff. 10/1/2011) to ICPC regulations no. 2 on home-study information, 3 on definitions and 7 on priority placements ([ACL 11-79](#))
- 187-4 When a child placed in an Foster Family Home outside the county, the county must pay the commensurate host rate; exceptions ([11-401.4](#))
- 188-1 Inter-county transfers (ICT) are not necessary when the first county places a child in a host county ([40-190.3 2](#))
- 188-2 Court's "transfer out" and "transfer in" processing leading to an ICT is discussed ([W&IC 375](#), [W&IC 750](#))
- 188-2A A Court is not mandated to "transfer out" a case for a child residing in a different county ([In re J.C.](#))
- 188-2B The transferee county may not reject the "transfer in" of a case ([In re Carlos B.](#))
- 188-3 Transferring county must notify transferee county using form FC 18 with intent to transfer ([40-188.1 11, .17, .25](#))
- 188-3A Transferring county must notify the second county within 7 days of the intent to transfer and send listed eligibility documents ([40-188.13, .135](#))
- 188-4 Transferring county must immediately inform caregiver of need to apply for eligibility redetermination in transferee county ([40-188.1 21, .135](#))
- 188-5 A Court accepting a "transfer in" case establishes the county of residence ([40-189.2 3](#))
- 188-6 Responsibility for child welfare services case management transfers to the transferee county ([40-192.12](#))
- 188-7 During the ICT process, there is no interruption or overlapping of Foster Care funds ([40-192.2](#))

- 188-8 Responsible county shall pay the rates set in the host county; exceptions ([11-401](#))
- 188-9 When a child in an AU is moved to Foster Care, the effective date of AFDC-FC funds is the date placed ([44-317.6 22](#))
- 188-9A When a child transfers from AFDC-FC to cash aid or vice versa, effective transfer date first of next month ([44-317.6 23](#))

Section 190

- 190-1 Kin-GAP is for children with court dependencies living with relatives who are the child's guardian; ACLs serve as temporary regulations (SB 1901; [AB 1111](#); [ACL 99-92](#))
- 190-1A Enhancements to KinGAP program ([ACL 07-13](#), [ACL 07-13E](#), [ACL 07-47](#); [W&IC 11363](#))
- 190-2 To be eligible for Kin-Gap, child must live in home of approved relative ([90-105.111](#))
- 190-3 In KinGAP, home must be approved by county, but may occur prior to child's transfer to KinGAP ([90-105.112](#))
- 190-4 Kin-GAP payments for current month; to be paid by first of month ([ACINI-32-05](#))
- 190-5 Eligibility factors for Kin-GAP ([W&IC 11363](#))
- 190-10 General provisions of the new AB 12 KinGAP, effective January 1, 2011 ([ACL 11-15](#), [W&IC 11363](#), [W&IC 11385](#))
- 190-10A Counties to convert all current KinGAP cases to AB 12 KinGAP by December 31, 2011 ([ACL 11-15](#))
- 190-11 Eligibility for state or federally funded AB 12 KinGAP – new binding agreement SOC 369A ([ACL 11-15](#))
- 190-11A Relatives defined for eligibility as a KinGAP caregiver – 5th degree kinship ([ACL 11-15](#), [W&IC 11362](#), [W&IC 11391](#))
- 190-11B Caregiver must sign the new “KinGAP Program Agreement Addendum”, SOC 369A, even if disputing rate ([ACL 11-15](#))
- 190-11C New age extensions for AB 12 KinGAP – to 21 in 2014 – and the mandatory 5 participating conditions ([ACL 11-15](#))
- 190-11D Conditions terminating AB 12 KinGAP – new provision for youth's disability warranting extension to age 21 ([ACL 11-15](#))
- 190-11E Youth receiving SSI/SSP is now eligible to receive AB 12 KinGAP benefits ([ACL 11-15](#))
- 190-11F Youth federally eligible for AB 12 KinGAP is also eligible for Medicaid in state of residence – state funded KinGAP eligible for Medi-Cal ([ACL 11-15](#), [W&IC 14005.37](#))

- 190-11G Youths receiving AB 12 KinGAP may be eligible for Independent Living Program (ILP) services ([ACL 11-15](#))
- 190-11H Youth in KinGAP later petitioned as delinquent (W&IC 601, W&IC 602) remain eligible for KinGAP if returned to guardian even if W&IC 602 not terminated ([ACL 11-28](#))
- 191-1C Under AB 12 KinGAP youth may be eligible for SCI rate even where SCI not paid while in foster care ([ACL 11-15](#))
- 191-1D Youth's earned income exemptions still apply in AB 12 KinGAP – caregiver's or other adult's income is not relevant ([ACL 11-15](#))
- 191-E AB 12 KinGAP rates cannot exceed rate that would have been paid in foster care plus clothing allowance, or infant supplement, if applicable ([ACL 11-15](#))
- 191-1F Beginning date of aid for AB 12 KinGAP is the first day of the month following the date the SOC 369A is executed ([ACL 11-15](#) [W&IC 11374](#), [W&IC 11390](#))
- 191-1G Youth continues to receive AB 12 KinGAP when moving out of state – and, out of state youth under jurisdiction of California Court eligible ([ACL 11-15](#))
- 191-2 Dual agency rates for children entering Kin-Gap on or after July 1, 2009 ([ACL 10-16](#))
- 191-3 New basic rates for KinGAP cases under AB 106 effective May 1, 2011 and July 1, 2011 ([ACL 11-63](#), [W&IC 11461](#), [W&IC 11387](#), [W&IC 11364](#))
- 192-1 Beginning date of aid for child transferring from Foster Care to Kin-Gap in same home is first of month following dismissal of dependency ([44-317.6 41](#))
- 192-1A Beginning date of aid for child transferring from CalWORKs to Kin-Gap or vice versa in same home is first of month following request for program change or dismissal of dependency ([90-105.132](#); [44-317.6 51](#))
- 192-2 Termination of Kin-Gap guardianship ends Kin-Gap eligibility; alternative guardian can receive Kin-Gap ([W&IC 11380.2\(c\)](#); [W&IC 11363](#))
- 192-2A If guardian dies or becomes incapacitated, appointed successor guardian eligible to federal KinGAP benefits ([ACL 15-66](#))
- 192-2B Successor guardian does not have to be a relative or non-relative extended family member ([ACL 15-66](#))
- 192-2C Requirements to qualify as successor guardian ([ACL 15-66](#))
- 192-3 If relative appointed legal guardian following Juvenile Court establishment of legal guardianship, Court shall terminate dependency jurisdiction unless relative caregiver objects or exceptional circumstances are found ([W&IC 366.3\(a\)](#))
- 192-4 Discontinuance of federal Foster Care after terminates dependency jurisdiction is possible

exceptional circumstance to preclude terminating such dependency jurisdiction ([In re Joshua S.](#))

- 192-5 Beginning date of aid for AB 12 KinGAP is the first day of the month following the date the SOC 369A is executed ([ACL 11-15](#), [W&IC 11374](#), [W&IC 11390](#))
- 192-6 The initial conversion of KinGAP cases to AB 12 and mandated biannual reassessments review needs of child and circumstances of the guardian ([ACL 11-15](#))
- 193-1 Many Kin-Gap eligibility requirements are based on CalWORKs regulations with minor differences (ACL 99-97)
- 193-1A CalWORKs regulations that apply to Kin-Gap children listed ([90-110.1](#))
- 193-2 Person excluded by law from CalWORKs eligibility includes Kin-Gap recipients ([82.832.1\(d\)](#))
- 193-3 CalWORKs age requirements apply to Kin-Gap except that disabled child who will not complete school before age 19 is not eligible for Kin-Gap ([42-102](#))
- 193-3A Child receiving Kin-Gap approaching age 18 must reach mutual written agreement with county before age 18 to retain eligibility ([42-101.23](#))
- 193-3B Certain Kin-Gap recipients eligible to age 21 ([ACL 11-86](#), March 1, 2012)
- 194-1 Definition of overpayment ([44-350.15](#))
- 194-2 County shall seek repayment of overpayment from caretaker relative if he/she was member of overpaid assistance unit ([44-352.31](#))
- 194-2A County shall seek repayment of overpayment from persons other than caretaker relative in the assistance unit if he/she was not a member of overpaid assistance unit ([44-352.31](#))
- 194-2B No priority order in seeking collection from assistance unit members who are not the caretaker relative ([44-352.33](#))
- 194-2C Overpayment rules in Kin-Gap consistent with Foster Care and AAP. ([ACL 11-15](#), January 31, 2011)