

SHD Paraphrased Regulations - Other Programs 910 Emergency Assistance Program
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910-1

The maximum family income for participation in the EA program cannot exceed 200% of the California median family income. For the period from July 1, 1994 through June 30, 1995, family income cannot exceed \$92,800; from July 1, 1995 through June 30, 1996 it cannot exceed \$93,200. (All-County Information Notices Nos. I-15-94, June 27, 1994 and I-33-95, June 15, 1995)

910-2

Effective September 19, 1994, the EA child is a family of one and can have an EA episode of his/her own. Only the child's income is considered when determining EA eligibility for the "household of one."

When the EA application is erroneously denied, counties may correct the error only during the 30-day period following the date of application. (All-County Information Notices Nos. I-04-95, January 19, 1995 and I-15-95, April 4, 1995)

910-3

Effective September 1, 1993, Phase II of the Emergency Assistance (EA) Program was implemented. This represents the child welfare services component of the program, and includes emergency shelter care and nonfederal foster care for dependents and volunteer placements.

The proposed definition of "emergency" requires that there is "...a child [who] is at risk of abuse, neglect, abandonment or exploitation."

The child must have been living with a relative (as defined in 45 CFR §233.90(c)(1)(v)(A)) within the past six months; the family must not have been authorized for assistance in California during the past 12 months; the total family income cannot exceed 200% of California's median income (which is \$89,200 for fiscal year 1993/94); and the emergency cannot have arisen because an adult family member refused without good cause to accept employment or training.

(All-County Letter No. 93-64, September 1, 1993)

910-4

Phase II of the Emergency Assistance (EA) Program was implemented September 1, 1993. EA is federally funded under Title IV-A of the Social Security Act (see also 45 Code of Federal Regulations §233.120) but there are no statutory nor regulatory provisions under California law as of October 15, 1994.

Questions and answers to the Child Welfare Services EA Program are contained in All-County Information Notice No. I-41-93, November 4, 1993. Answers to certain questions are set forth below.

(8) and (11): The date of the application is the date the parent signs the EA application or, when the parent is unavailable or unwilling to apply on behalf of the child, the date a relative or the county worker signs the application on behalf of the child.

(25) and (26): EA is limited within any 12-month period to a single episode per family with a maximum duration of six calendar months (e.g., 1/10/94 through 7/9/94) or less as

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necessary to resolve the emergency situation.

(48) and (49): The county department cannot appeal a denial of eligibility. When a valid appeal is filed, aid paid pending and other procedures in the customary state hearing process shall be followed.

Per All-County Letter No. 94-74, September 12, 1994, the maximum period of EA eligibility has been extended from 6 to 12 months effective April 1, 1994.