

Item 01-07-01I

CDSS ACIN I-05-01 --January 10, 2001 (Synopsis): Disability Evaluations for Persons over 65 in the SSI/SSP Program

Disability Evaluations for Persons over 65 in the SSI/SSP Program

The Balanced Budget Act of 1997 (Public Law 104-193) added criteria under which certain immigrants could become eligible for SSI/SSP. "Qualified aliens" who were lawfully residing in the United States on August 22, 1996 and meet SSI/SSP disability standards could become eligible for SSI/SSP.

Immigrants can establish SSI/SSP eligibility even after reaching age 65. Prior to this law change, the Social Security Administration rarely, if ever, made disability determinations for those age 65 or over.

This regulation change impacts legal immigrants age 65 or over who have applied for or are receiving Cash Assistance Program for Immigrants (CAPI). MPP §49-045.12 requires counties to refer any CAPI applicant or recipient to the Social Security Administration if the county believes the individual is eligible to receive SSI/SSP benefits.

Because disability criteria for those over age 65 have been expanded, counties need to ensure that all affected immigrants who indicate having a physical or mental health problem file an application with the Social Security Administration for SSI/SSP.

Counties must also require that those persons it refers to Social Security receive a formal decision from the Social Security Administration on the application. Counties must obtain, either from the referred individual or the Social Security Administration, both the verification that the application has been filed and the decision on that application. A recipient's CAPI benefits must be suspended (see MPP §49-060.1(b)), if the recipient fails to provide proof that an application has been made, or that all necessary steps have been taken to obtain SSI/SSP.

Item 01-07-01H

CDSS ACL 01-38 -- June 26, 2001 (Synopsis): CalWORKs Grant-Based On-the Job Training (OJT)

CalWORKs Grant-Based On-the Job Training (OJT)

Reference: Assembly Bill (AB) 1233

Grant-based OJT is a funding mechanism for subsidized public or private sector employment in which the CalWORKs recipient's cash grant, or a portion of the cash grant, or grant savings from employment, is diverted to the employer as a wage subsidy to partially or wholly offset the payment of wages to the participant. AB 1233 amended grant-based OJT provisions as follows:

- CalWORKs WTW participants may only be assigned to grant-based OJT on a voluntary basis;
- The amount of cash aid that may be diverted to the employer is modified;
- Earned income disregards for grant-based OJT funded wages are eliminated;
- County plan requirements are revised.

This ACL discusses grant-based OJT at length including how to treat grant-based OJT earnings and how to compute the grant for those who choose to participate in grant-based OJT as compared to those who do not choose to participate.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - July 20, 2001*

Item 01-07-01G

CDSS ACL 01-35 --June 18, 2001 (Synopsis): CalWORKs Treatment of SSI Recipients Participating Under Provisions of §1619(b) of the Social Security Act

CalWORKs Treatment of SSI Recipients Participating Under Provisions of §1619(b) of the Social Security Act

The §1619(b) program enables certain disabled individuals to earn up to their "reasonable equivalent earnings threshold" to meet their needs and remain eligible for SSI Medi-Cal. These individuals, who have earnings over the allowable limit are ineligible to receive the SSI payment, but retain SSI Medi-Cal eligibility.

For purposes of MPP §§44-133.21 and 82.832.1(e), a person who "receives SSI/SSP" or "is an SSI/SSP recipient", shall include those persons who have special SSI status under §1619(b). As SSI recipients, such persons are excluded from the CalWORKs AU. Income and resources are treated the same as other SSI recipients (i.e., they are not counted for the AU).

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - July 20, 2001*

Item 01-07-01F

CDSS ACL 01-33 June 20, 2001 (Synopsis): The Adoptions and Safe Families Act (ASFA)