
INCOME VS. RESOURCES-REGULARLY RECEIVED PAYMENTS

MPP §63-502.142 includes Disability Insurance Benefits (DIB), Unemployment Insurance Benefits (UIB) and Workers' Compensation benefits as unearned income. Normally, those benefits are treated as income in the month received. This ACIN states that per MPP §63-501.111, if such payments are received for prior months, they are treated as a resource, instead of income.

The key factor in determining whether receipt of DIB, UIB or Workers' Compensation is treated as income or a resource is whether the payments are part of a "clearly established payment pattern". This ACIN then refers to a "regular payment pattern" that is an interchangeable term with "clearly established payment pattern". A "regular payment pattern" would be based on the established schedule of payments (e.g., payment every 14 days, payment upon receipt of doctor's statement).

In an example provided in the ACIN, a household receives three checks covering three separate payment periods. The first check covering a period from March 1 through March 15 is issued on April 29 and is received on May 3. The second check covering March 16 through April 15 is also issued on April 29 and received on May 3. The third check covers April 16 through May 10, is issued on May 20 and received on May 26.

The first and second checks received on May 3 are treated as a resource because they cover a prior period. The third check received on May 26 is counted as unearned income in May because this payment was received in accordance with "a normal payment schedule" (which is the same as "clearly established payment pattern" and "regular payment pattern").

ADDING NEW HOUSEHOLD MEMBER-FAILURE TO PROVIDE INFORMATION

When a household reports a new household member, but fails to provide information necessary to add the new member to the household, per MPP §63-500.5(a)(2) the county is required to issue a "Request for Information" notice DFA 387. That notice requests the household to provide verification or clarification of information. The household must be given ten days to respond either by telephone or in writing.

If the household does not respond within ten days, or refuses to provide essential information to clarify circumstances, the county must send a notice of action to terminate food stamps for failure to provide information.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - July 3, 2002*

Item 02-07-01I

ACIN I-17-02 March 14, 2002 (Synopsis): Vehicle Valuation Questions and Answers for Food Stamps and CalWORKs

This ACIN provides several answers to vehicle valuation questions. Some of the answers are those set out below:

“ Once a vehicle is evaluated, it does not need to be reevaluated until recertification/redetermination.

“ To be considered licensed, a vehicle must be registered to be operated on public roads. A vehicle registered as "nonoperative" is evaluated as an unlicensed vehicle pursuant to MPP §63-501.53. Even if a person has paid all registration fees on the vehicle, the vehicle may be considered to be unlicensed if the Department of Motor Vehicles (DMV) is withholding vehicle registration such as when the owner has unpaid parking tickets or has no smog certificate.

“ A leased vehicle, or one that has a lease/purchase option, is not considered a resource. An unlicensed vehicle that is being used as a home is excluded as a resource.

“ If a vehicle is jointly owned by an eligible household member and an excluded household member, then the entire value of the vehicle is counted unless the excluded household member is an SSI/SSP recipient or an ineligible student. If the vehicle is jointly owned by an eligible household member and an SSI/SSP recipient, an ineligible student or a nonhousehold member, then the vehicle is treated as follows:

If the registration uses the word "or" in the title, then the entire value of the vehicle is counted.

If the registration uses the word "and" or a "/" in the title, and the ineligible household joint owner agrees to sell the vehicle, then the entire value of the vehicle is counted and is considered available to the household. If the joint owner refuses to sell, then none of the value of the vehicle is counted.

Each vehicle is valued individually. Therefore, there is no limit to the number of vehicles that may be excluded under the \$1500 equity value exclusion.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - July 3, 2002*

Item 02-07-01H

ACIN I-14-02 February 27, 2002 (Synopsis): Treatment of Child Support Arrearages in Food Stamps

Reference: 7 Code of Federal Regulations (CFR) 273.9(d); MPP §63-502.38

Federal Regulations at 7 CFR 273.9(d) specify that legally obligated child support payments paid by a household member to or for a nonhousehold member are deductible. A deduction is allowable for child support arrearages. Alimony or spousal support payments to or for a nonhousehold member are not deductible.