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<b>ACL 02-67 September 3, 2002 (Synopsis): Changes in the Food Stamp Program Effective October 1, 2002</b>
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Reference: All County Information Notice I-56-02; Public Law 107-171

There are several changes to the food stamp program resulting from the Food Stamp Reauthorization Act of 2002 (Public Law 107-171). Among those changes that become effective October 1, 2002 are the following:

- .. Legal noncitizens who are disabled are entitled to federal benefits, including food stamps regardless of the date of entry into the United States. The definition of disability for those who entered the United States on or after August 22, 1996 requires the person to receive disability benefits rather than to establish disability by providing a physician's statement.
- .. The food stamp resource limit for households with a disabled member is raised from \$2000 to \$3000 to match that for households with an elderly member.
- .. As referenced in ACL 02-62, the standard deduction for a household with five members is increased from \$134 to \$147. The standard deduction for a household with six or more persons is increased to \$168.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - October 30, 2002*

<b>Item 02-10-01F ACL 02-64 August 29, 2002 (Synopsis): Modifications to Learning Disabilities Screening Protocols</b>
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**Reference:** ACL 01-70

There are modifications to the protocols on screening for learning disabilities contained in ACL 01-70. The modifications are as follows:

- .. Counties are required to offer learning disabilities screening to CalWORKs WTW individuals who were not previously offered a screening whenever certain events occur that indicate an individual may have a learning disability. The offer of a screening must be orally and in writing.

Events indicating a learning disability include, but are not limited to circumstances where a WTW contractor, a county WTW worker or the participant identify a learning disability; the individual is in a good cause, compliance or sanction process; or the individual is not making satisfactory process in his/her WTW activity.

- .. Counties will be required to present some information about the availability of a screening at the first WTW contact (i.e., appraisal or orientation)

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“ Counties are required to offer learning disabilities screening to all new CalWORKs WTW participants no later than assessment. Counties are no longer required to offer a screening to existing WTW participants at the annual redetermination, but must have offered a screening to all current participants by September 3, 2002.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - October 30, 2002*

**Item 02-10-01E**

**ACL 02-63 August 29, 2002 (Synopsis): Sponsor Deeming Changes in the Cash Assistance Program for Immigrants (CAPI)**

**Reference:** MPP §49-035.723(c)

New sponsor deeming rules in CAPI only apply to immigrants whose sponsor signed the new affidavit of support (I-864). Immigrants whose sponsor signed the I-864 may be temporarily exempt from sponsor deeming if they meet the requirements for the Indigent Exception. These new requirements are effective with CAPI payments beginning September 2002.

20 CFR §416.1160 mandates sponsor deeming regardless of whether the sponsor makes income available to the applicant/recipient. Notwithstanding this federal regulation, the Social Security Administration uses Program Operations Manual System (POMS) to administer the SSI/SSP program. A new POMS §SI 00502.280 discusses the Indigent Exception. (Also 8 U.S. Code §1631.)

Generally, if an immigrant's sponsor signed the I-864, income and resources of the sponsor and sponsor's spouse (if the spouse lives with the sponsor) are deemed available to the immigrant for CAPI purposes. When the Indigent Exception applies, the general rule is suspended and only income that the immigrant actually receives is counted.

The Indigent Exception applies when:

- “ Sponsor deeming results in denial, suspension or reduction of CAPI; and
- “ The immigrant is unable to obtain both food and shelter; and
- “ The immigrant completes and signs the Indigent Exception Statement (SOC 809); and
- “ The county determines the Indigent Exception applies.

The Indigent Exception does not apply to an immigrant who lives with his/her sponsor, or the immigrant lives with someone other than the sponsor and receives free room and board.

If the immigrant is living apart from his/her sponsor and not receiving free room and shelter in another person's home, the county should determine that the immigrant is unable to obtain food and shelter if: