

---

attend a face-to-face interview. Counties may however schedule a home visit if this is necessary to "clarify inconsistent information regarding children in the home".

While there is an option in the food stamp program for an applicant to waive the face-to-face interview, there is no such option in CalWORKs. Per MPP §40-131, a face-to-face interview is required prior to granting aid.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 22, 2003*

**Item 03-04-02E**

**ACIN I-08-03 February 4, 2003 (Synopsis): New Form for Withdrawal of Applications**

This ACIN introduces a CW89 Application Withdrawal Request form. This new form was developed for applicants who wish to withdraw an application for CalWORKs, food stamps or Medi-Cal.

This CW89 is a recommended form. It includes language that the applicant may reapply at any time and that by withdrawing an application, the applicant will have no appeal rights.

The ACIN advises counties that if they choose to develop their own withdrawal of application form, such form should make sure that the form uses language that clearly states that the applicant will not be able to file for a hearing and that the applicant may reapply at any time.

When an applicant asks to withdraw an aid application, counties may ask applicants to sign the CW89 form or other withdrawal form, but the applicant is not required to do so.

While this ACIN states that when an applicant signs the withdrawal form, he/she gives up appeal rights, an applicant who signs the CW89 or other withdrawal form may request a state hearing if he/she contends that the withdrawal was not voluntary or not in accord with regulations. MPP §40-171.23 addresses withdrawals in CalWORKs, MPP §63-300.36 addresses withdrawals in food stamps, and Title 22, CCR §50155 refers to withdrawals in Medi-Cal.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 22, 2003*

**Item 03-04-02D**

**ACL 03-08 February 11, 2003 (Synopsis): Food Stamp Reauthorization Act of 2002**

**Reference: Public Law 107-171; ACL 02-67**

---

Per Public Law 107-171, federal benefits are to be restored to three categories of legal non-citizens in a three-step process.

Effective October 1, 2002, federal benefits including food stamps, were restored to legal non-citizens who are disabled, regardless of the date of entry into the United States. This was the first step.

The second step applies to legal non-citizens who have lawfully resided in the United States for five years beginning on the date of entry, and are effective April 1, 2003.

Attached to this ACL are questions and answers regarding the April 1, 2003 regulations and an advance copy of MPP §63-405.136 that provides for federal food stamp eligibility for a legal non-citizen who has resided in the United States beginning on the date of entry.

The questions and answers concern the five-year requirement and deeming of income for immigrants.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 22, 2003*

**Item 03-04-02C**

**ACL 03-03 January 31, 2003 (Synopsis): *Craig v. Bonta* Application to Personal Care Services (PCS)**

**Reference: Senate Bill 87; All County Welfare Director's Letters 02-45 and 02-54; Welfare and**

**Institutions Code (W&IC) §14005.37**

Pursuant to *Craig v. Bonta*, counties and DHS may not discontinue Medi-Cal benefits to recipients on or after June 30, 2002, if the sole basis for termination is the discontinuance of SSI/SSP eligibility. (*Craig* does not preclude DHS or counties from discontinuing Medi-Cal for persons who are no longer SSI/SSP eligible if the discontinuance of SSI/SSP was due to death or incarceration.)

Until further notice, if an In-Home Supportive Services (IHSS) recipient receives IHSS through PCS funding, counties may not terminate PCS solely because a recipient is terminated from SSI/SSP. Counties must continue to authorize PCS and \$0 share of cost Medi-Cal. As with other Medi-Cal benefits, counties may terminate PCS if the services are no longer needed based on an individual evaluation.

Because IHSS residual services are not a Medi-Cal benefit, counties may discontinue those services if the recipient is terminated from SSI/SSP. There will be another ACL on this subject after the court approves the DHS plan to comply with *Craig*.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - April 22, 2003*