

The new CalWORKs quarterly reporting regulations are effective July 1, 2004. All 58 counties actually began implementing quarterly reporting by June 1, 2004 or earlier. Thus if there is a QR/PB issue for any time period prior to July 1, 2004, the proper authority would be All County Letter (ACL) 03-18 and the other ACLs and All County Information Notices (ACIN) on QR/PB. Those ACLs and ACINs are listed on the front page of the QR/PB outline that was issued to all judges to be used with the video training on QR/PB.

ITEM 04-6-1: Paraphrased Regulations

This version of the paraphrased regulations provides additions and revisions to CalWORKs regulations as well as one addition to adult programs, one addition to legal principles and one revision in food stamps. There are 54 new paraphrased regulations and 8 revised ones.

Included in these paraphrased regulations are a summary of *Rosales v. Thompson* and All County Letter 03-43 discussing *Rosales*. As ACL 03-43 indicates, if a child cannot be linked to AFDC based on the home of the relative from whom the child was removed, the child may be linked to AFDC for federal foster care purposes to a qualified relative's home if the child would have been eligible in that home at any time during the month in which the petition was filed or in the six months prior to the petition month. This is consistent with MPP §45-202.332.

ACL 03-43 states that this applies to cases in which the petition was filed on or after April 1, 2003. The United States District Court issued an amended court order on Feb. 20, 2004 which changes the effective date of the regulation to March 3, 2003. There is still pending court action regarding retroactivity of *Rosales* and other implementation issues. This court order also orders *Rosales* to be applied retroactive to December 23, 1997 for “otherwise eligible” foster care cases open on March 3, 2003. However, this portion of the court’s order cannot be implemented via an ACL until DHHS approval is obtained, as required by Welfare and Institutions Code Section 11402.1. A pending issue, which will be addressed in upcoming court dates, is the method for determining whether a case is “otherwise eligible” for foster care benefits, which is a prerequisite to any retroactive payment. A paraphrased regulation will be added once the new ACL is issued.

ITEM 04-4-1: Paraphrased Regulations

This version of the paraphrased regulations provides additions and revisions in CAPI and food stamps as well as one paraphrased regulation citing All County Information Notice I-65-86 regarding bankruptcy. There are 30 new paraphrased regulations and 19 revised ones.

There is one new issue code (826) and two revised issue codes as follows:

215 Expedited service/Transitional Food Stamps

ITEM 04-2-1: Paraphrased Regulations

This version of the paraphrased regulations provides changes in two areas; the new Quarterly Reporting (QR) system in CalWORKs and food stamps, and treatment of vehicles in CalWORKs and food stamps.

The QR System

The QR system is a prospective budgeting system that is in effect in some counties already. It is expected that the QR system will be in effect in all counties later in 2004.

The QR system when implemented in a county replaces monthly reporting and retrospective budgeting. Four new issue codes have been added as follows:

026 QR 7s
088 QR 7 property rules
227 QR 7s
258 QR 7 property rules

Vehicles

All vehicles are excluded from food stamp resource consideration effective January 1, 2004. In CalWORKs, the food stamp vehicle rules that were in effect prior to January 1, 2004 continue to apply effective January 1, 2004. Much of MPP §63-501 that applied to vehicles in food stamps has been transferred to MPP §42-215.4.

Beginning with this update, the date a paraphrased regulation has been added or revised will be listed next to the individual paraphrased regulation.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - April 12, 2004*

Item 04-04-01A Paraphrased Regulations

This version of the paraphrased regulations provides additions and revisions in CAPI and food stamps as well as one paraphrased regulation citing All County Information Notice I-65-86 regarding bankruptcy. There are 30 new paraphrased regulations and 19 revised ones.

There is one new issue code (826) and two revised issue codes as follows:

215 Expedited service/Transitional Food Stamps