

ITEM 09-12-1 Paraphrased Regulations

This version of the paraphrased regulations provides 14 additions and 14 revisions to the paraphrased regulations. Ten paraphrased regulations have been deleted.

In addition, two sections of the paraphrased regulations in the food stamp section have been reorganized. Those sections are the 260 income section and the 270 deduction section. Several paraphrased regulations from the income section have been moved to the deduction section and several paraphrased regulations have been moved and renumbered within the deduction section. Others have been deleted. Most of those sections that have been moved or deleted are not listed in this Notes from the Training Bureau. Judges should look to the Table of Aid Amounts for updated standard deductions and standard utility allowances.

There are several new issue codes added, mostly to the 270-deduction sections.

Newly added Paraphrased regulations include those on quarterly reporting issues (in issue code 129 addressing All County Letter 09-41 and All County Information Notice I-84-03), on the Breast and Cervical Cancer Treatment Program (in issue code 448 addressing All County Welfare Director's Letter 09-42) and listing new property limits for the QMB, SLMB and QI-1 programs effective January 2010 in issue codes 432 and 433.

The Community Spouse Resource Allowance (CSRA and Minimum Monthly maintenance Need Allowance (MMMNA) do not increase in 2010. (see Paraphrased regulations 431-3 431-4, 439-1 and 439-1A citing ACWDL 09-53)

ISSUE CODES

270 Deductions-General	274 Dependent Care
271 Shelter Costs	275 Medical Costs
272 Utilities/SUA/LUA/TUA	276 Child Support
273 Homeless Shelter	277 Proration

DELETED

004-11; S135-12; 162-1; S260-3A; 260-3D; 260-3G; 260-3H; 266-3C; S266-6; 439-2

REVISED

81-3

Recipients may keep up to \$5,000 in a restricted account (89-115.113, although not deleted, is superseded by 42-213.231 effective 10/22/09)

081-4

Restricted accounts require agreement with recipient and county, and funds must be retained for a home, for a child's training, or for a new business (42-213.231(b), (d))

081-4A

Verification needed for restricted account (42-213.231(c))

081-4B

Funds withdrawn from restricted accounts that must be redeposited (42-213(g)(4) and (j))

260-3

Net income of all other HHs other than elderly or disabled (63-503.311; 63-502.2(p); Handbook 63-1101.2; ACIN I-61-06, I-61-08; I-61-09)

260-3C

Net monthly income of household with elderly or disabled member (63-503.312; 63-502.2(p); ACIN I-61-06, I-61-08; I-61-09)

431-3

Transfers, CSRA (42 USC 1396r-5(f); ACWDL 08-49 and 09-53)

431-4

MMMNA, basic plus adjustments for indexing, at state hearing (42 USC 1396r-5(d), (e), (g); ACWDL 06-29, 08-49 and 09-53)

432-4

QMB requirements, including property and income limits (ACWDL 97-34; 09-52)

432-7

SLMB limitations in payment, eligibility criteria, and what Medicare Part B covers (MEPM 5J-1; ACWDL 09-52)

433-1

Establishment of QI program, and interim procedures; QI-2 program discontinued 12/31/02; QI-1 program discontinues 9/30/03 (ACWDL 97-45, 98-15, 98-47, 03-02; 09-52)

439-1

CSRA amount past two years and current (ACWDL 07-22, 08-49 and 09-53)

439-1A

MMMNA amount past two years and current (ACWDL 07-22, 08-49 and 09-53)

620-6

Paramedical services, what constitutes (30-757.19)

ADDED**026-3A**

County must contact recipient if he/she indicates he/she has no idea about future income/circumstances (ACL 09-41)

081-2G

Excluded resources include restricted accounts for recipients as well as 410(k), 457 and 403(b) accounts for applicants and recipients (42-213.21-23)

129-1I

How counties should treat anticipated income when it fluctuates, and recipient indicates he/she does not know what will be future income (ACL 09-41)

129-9G

County must treat reported change in income from submit month as a mid-quarter report and also as income change in upcoming quarter if income from submit month continues into the next quarter (ACL 09-41)

129-11A

If a child moves out of a home and is otherwise eligible for aid in another case, the county is required to discontinue the first AU at the end of the month in which timely and adequate notice can be provided (ACIN I-84-03)

181-1B

When child placement pursuant to voluntary placement agreement exceeds 180 days, county must comply with WIC 16507.6 (ACIN I-74-09)

211-5A

Waiver of face-to-face interview requirement in all cases at county option effective June 1, 2009; face-to-face requirement still applies in certain cases (ACL 09-62)

288-2G

How counties should treat recipient's anticipated income when it fluctuates and recipient indicates he/she does not know what will be future income (All County Letter 09-41)

288-2H

County must treat reported change in income from submit month as a mid-quarter report and also as income change in upcoming quarter if income from submit month continues into the next quarter (ACL 09-41)

292-9C

Counties must exclude from income the \$25 supplemental UIB stimulus amount effective November 1, 2009 (ACL 09-82)

448-5E

If person declares she has breast or cervical cancer at initial application or redetermination, county must make BCCTP referral (ACWDL 09-42)

448-5F

When an individual applies for Medi-Cal, she must be evaluated for eligibility under all Medi-Cal programs, including BCCTP (ACWDL 09-42)

448-5G

County must contact BCCTP before presentation at hearing and receive statement why person was not eligible for federal BCCTP (ACWDL 09-42)

628-1E

Medically Recognized Expenses (MRE) (i.e., the buyout) is eliminated effective October 2009 (ACL 09-47)