



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

April 17, 2017

ALL COUNTY LETTER NO. 17-30

TO: ALL COUNTY WELFARE DIRECTORS
ALL CONSORTIA REPRESENTATIVES
ALL CALFRESH PROGRAM SPECIALISTS
ALL CALWORKS PROGRAM SPECIALISTS
ALL QUALITY CONTROL COORDINATORS

SUBJECT: **CALFRESH PROCESSING FOR VICTIMS OF DOMESTIC VIOLENCE:
IMPLEMENTATION OF ASSEMBLY BILL (AB) 2057**

REFERENCE: [AB 2057 \(CHAPTER 859, STATUTES OF 2016\)](#); [7 CFR 273.11\(g\)](#);
[MPP 63-801.411](#); [MPP 63-407.811](#)

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) with guidance on the implementation of AB 2057, which outlines new requirements regarding CalFresh outreach and the deferral of Employment and Training (E&T) participation requirements for victims of domestic violence. The bill also codifies in state law existing Federal requirements regarding CalFresh eligibility and application processing for victims of domestic violence that are shelter residents.

BACKGROUND

The AB 2057 entitles a victim of domestic violence, who is a resident of a shelter and included as a member of a CalFresh household that also includes the abuser, to receive an additional allotment of benefits as a separate household. Additionally, AB 2057 requires that the California Department of Social Services (CDSS) develop and make available to domestic violence shelters information regarding CalFresh eligibility and processing timelines for victims of domestic violence. Lastly, AB 2057 requires that CWDs defer victims of domestic violence from mandatory placement in the CalFresh Employment and Training (E&T) Program. The requirements outlined in this ACL were effective January 1, 2017.

CALFRESH PROCESSING FOR VICTIMS OF DOMESTIC VIOLENCE

Per AB 2057 and Title 7 Code of Federal Regulations (CFR) 273.11(g), a victim of domestic violence who is a resident of a shelter and whose current CalFresh household includes the abuser may apply for benefits as a separate household and, if otherwise eligible, be entitled to receive an additional allotment of CalFresh benefits only once a month. Additionally, the Manual of Policies and Procedures (MPP) Section 63-402.44 provides that residents of shelters may be considered separate households for the purposes of applying and participating in the CalFresh program.

For this purpose, the CWD must first determine that the shelter meets the definition of a shelter for battered women and children at 7 CFR 271.1, which specifies that a shelter for battered women and children means a public or private nonprofit residential facility that serves battered women and their children. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and children. Shelters having Food and Nutrition Services (FNS) authorization to redeem at wholesalers shall be considered as meeting the definition and the CWD is not required to make any further determination. The CWDs are encouraged to maintain a list of shelters meeting the definition to facilitate prompt certification of eligible residents following the special procedures outlined in this letter.

The AB 2057 does not change requirements regarding Expedited Service (ES) screening or entitlement for CalFresh applicants. The CWDs are reminded of the requirement to screen **all** CalFresh applications to determine if the applicant meets the criteria for ES. As such, whether or not a CalFresh applicant identifies themselves as a resident of a domestic violence shelter, they must be screened for ES entitlement. All applicants determined to be entitled to ES will receive a CalFresh eligibility determination and have their benefits issued within three calendar days following the date of application.

Many shelter residents have recently left a household containing the person who abused them. Their former household may be certified for participation in CalFresh, and its certification may be based on a household size that includes the women and children who just left. Shelter residents who are included in such certified households may nevertheless apply for and (if otherwise eligible) participate in CalFresh as a separate household. They may receive an additional allotment as a separate household only once a month. In other words, shelter residents and their children may be aided, as members of the former household and as members of the new household, once in a month.

If the CWD determines that a victim of domestic violence and their children are residents of a shelter, through self-attestation or as identified on the CF 285 (Application for CalFresh Benefits), the CWD may issue an additional allotment of benefits for the current issuance month to the victim of domestic violence under a different case number

and on a new Electronic Benefit Transfer (EBT) card. This additional allotment shall be calculated solely on the basis of their household size, income, resources and the expenses for which they are responsible. They shall be certified without regard to the income, resources, and expenses of their former household. Jointly held resources shall be considered inaccessible.

When a victim of domestic violence applies for CalFresh benefits as a separate household, the county shall process the application in a timely manner. In order to determine the appropriate additional allotment and ongoing benefit amount, a new application shall be processed and benefits issued based on existing eligibility rules. As a reminder, households who do not have access to required verification must be assisted by the CWD in securing verification.

If the victim of domestic violence is the head of household, the victim may request to close the former CalFresh case that included the abuser. Requests to close a CalFresh case by the head of household are considered Verified Upon Receipt (VUR) and require no further verification. If the request is made verbally, whether in person or by telephone, the CWD shall discontinue the case at the end of the month in which timely (10 days) and adequate notice can be provided. If the request is made in writing or in the presence of an eligibility worker, only adequate notice is required; a timely notice is not required.

If the abuser is the head of household, the CWDs must take prompt action to ensure that the former household's eligibility or allotment reflects the change in the household's composition. Such action must include acting on the reported change, as appropriate, by issuing a notice of adverse action. The abuser/head of household will be notified of the change in household composition and timely and adequate notice is required.

Note: For information regarding how the CalWORKs program assists clients who are victims of domestic violence please read ACL [14-59](#).

CALFRESH OUTREACH: INFORMATIONAL NOTICE

The AB 2057 requires that CDSS develop and make available to domestic violence shelters information regarding CalFresh eligibility for victims of domestic violence. The attachment has been developed by CDSS as a sample informational notice to be used for this purpose. The CWDs shall make the notice available to local domestic violence shelters, along with a supply of CalFresh applications as requested. The notice must include the following information: (1) the availability of CalFresh benefits for victims of domestic violence whose current CalFresh household includes the abuser; (2) where and how to apply for CalFresh benefits; and (3) county contact information.

DEFERRAL FROM CALFRESH E&T PARTICIPATION

The E&T program is designed to improve the employability and increase the self-sufficiency of E&T participants by providing work experience, education, vocational training, and job club/search and more. CalFresh work registrants are excused from mandatory E&T participation if they meet E&T deferral criteria defined in MPP Section 63-407.811.

The AB 2057 adds victims of domestic violence to the list of individuals that shall be deferred from mandatory participation in CalFresh E&T. Self-attestation by a victim is sufficient to establish domestic violence unless the CWD documents independent evidence which strongly suggests that the individual's statement is not credible.

As with all E&T deferrals, those deferred from E&T may choose to participate on a voluntary basis. As with all volunteers, victims of domestic violence are not subject to CalFresh sanctions for failure to comply with voluntary E&T requirements.

If you have any questions regarding this letter, please contact your CalFresh county contact person or the CalFresh Policy Bureau at (916) 654-1896.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

Attachment



You May Be Eligible for CalFresh Nutrition Benefits

Are you a resident of a domestic violence shelter?

If so, CalFresh nutrition benefits may be available to you and your children. If you are already receiving CalFresh, you may be able to establish your own CalFresh household.

You may be eligible for an additional allotment of CalFresh benefits

A victim of domestic abuse who is a resident of a domestic violence shelter and whose current CalFresh household contains the abuser, may apply for benefits as a separate household, and if eligible, is entitled to receive an additional allotment of CalFresh benefits.

You may want to establish your own CalFresh case

If you are already receiving CalFresh and would like to have your own CalFresh case separate from your abuser, you should let your county know and they may be able to provide CalFresh benefits to you as your own household.

What do I need to do?

If you are applying for CalFresh, complete and submit a CalFresh application in person, by mail, fax, or online. If you would like to apply online, go to: www.benefitscal.org. The county may ask for certain information, such as identification, social security numbers for all household members, and income information. Provide whatever proof you have available. If you don't have proof, ask your county for help in gathering this information.

If you are a current CalFresh recipient and you are interested in having your own CalFresh case, contact your county and let them know that you are a resident of a domestic violence shelter.

How do I get more information?

For more information or if you have any questions, contact your local CalFresh office at:

[Add County Contact Info]