



CDSS

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

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EDMUND G. BROWN JR.
GOVERNOR

January 25, 2018

ALL COUNTY LETTER NO. 18-04

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS
ALL COUNTY WELFARE-TO-WORK COORDINATORS
ALL CONSORTIUM PROJECT MANAGERS
ALL REFUGEE PROGRAM COORDINATORS

SUBJECT: **CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) MENTAL HEALTH AND SUBSTANCE ABUSE**

REFERENCES: ASSEMBLY BILL [\(AB\) 105](#) BUDGET ACT OF 2017, SENATE BILL [\(SB\) 89](#) BUDGET ACT OF 2017, WELFARE AND INSTITUTIONS CODE (WIC) SECTION [11325.5](#), [11325.7](#) AND [11325.8](#), MANUAL OF POLICIES AND PROCEDURES (MPP) SECTIONS [42-711.2](#), [42-711.3](#), ALL COUNTY LETTER (ACL) [98-26](#), ALL COUNTY INFORMATION NOTICES (ACIN) [I-09-99](#), [I-82-99](#), [I-16-00](#).

The purpose of this ACL is to inform County Welfare Departments (CWDs) of temporary changes pertaining to CalWORKs mental health and substance abuse services due to passage of SB 89. Effective July 1, 2017, CWDs may:

- Provide mental health and substance abuse services to the children of CalWORKs clients; and
- Contract with community-based providers and other local agencies to provide services.

Pursuant to SB 89, changes provided in this letter expire on July 1, 2018.

Mental Health and Substance Abuse Services for Children

As amended, WIC sections 11325.7 and 11325.8 specify that CWDs can provide mental health and substance abuse services to the children of CalWORKs clients who are participating or required to participate in the Welfare-to-Work (WTW) program. Therefore, children of WTW program participants, including exempt volunteers, as well as individuals sanctioned or removed from aid for failure to comply with WTW requirements may receive these services. Children of adults with a temporary WTW exemption who are reasonably expected to begin or resume participation in WTW may also receive services at county discretion. Services may be provided to children of timed out clients as a post aid service, in accordance with MPP Section 42-717.12. This change does not apply to children of adults who are ineligible for CalWORKs (e.g. due to immigration status or receipt of Social Security Income).

Funding for mental health and substance abuse services provided to the child of a WTW participant must be used in addition to, and not substitute, available mental health or substance abuse funding available through other government programs. This funding must not be used for services covered under the Medi-Cal program, a Medi-Cal managed care plan, or a county mental health plan.

A parent in the assistance unit of a child receiving mental health or substance abuse services cannot be sanctioned because of a child's refusal or failure to participate in these services. Additionally, the refusal or failure of an adult to participate in assigned activities will not preclude the child from being referred to or receiving mental health and substance abuse services.

Contracting for Mental Health and Substance Abuse Assessment and Services

The WIC section 11325.5 now permits CWDs to send clients to community-based providers, in addition to county mental health departments, for mental health evaluations. The county mental health department or a community-based provider must evaluate the recipient and determine any treatment needs. The evaluation must include the extent to which the individual is capable of employment and under what working and treatment conditions the individual is capable of employment. The evaluation must include any prior diagnoses, assessments, or evaluations that the recipient provides.

The evaluation conducted by the mental health department or a community-based provider must be considered in the development of client WTW plans. Activities and services included in the WTW plan must accommodate any participation restrictions associated with, and address to the extent appropriate, any mental, emotional, or substance abuse condition(s) identified in the evaluation.

If you have questions or need additional information regarding this ACL, contact your CalWORKs Employment Bureau county consultant at (916) 654-2137 or your CalWORKs Eligibility consultant at (916) 654-1322.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Family Engagement and Empowerment Division

cc: CSAC
CWDA