



CDSS

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GOVERNOR

February 28, 2018

ALL COUNTY LETTER (ACL) NO. 18-20

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 CALFRESH PROGRAM SPECIALISTS
ALL CALWORKS PROGRAM SPECIALISTS
ALL CONSORTIA PROJECT MANAGERS
ALL QUALITY CONTROL PROGRAM COORDINATORS

SUBJECT: CALFRESH CHANGES TO COUNTY WELFARE DEPARTMENT
ACTION ON UNCLEAR INFORMATION RECEIVED MID-PERIOD

REFERENCES: [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) §273.12](#); [7 CFR §273.13](#); [7 CFR §272.13](#); [7 CFR §272.14](#); [ACL 17-41](#); [ACL NO. 15-90](#); [ACL NO. 14-26](#); [ACL NO. 12-25E](#); [ACL NO. 12-25](#); [SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM: ELIGIBILITY, CERTIFICATION, AND EMPLOYMENT AND TRAINING PROVISIONS OF THE FOOD, CONSERVATION AND ENERGY ACT OF 2008](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\), SECTION 63-500](#); [MPP, SECTION 20-006.543](#)

The purpose of this ACL is to provide implementing instructions to County Welfare Departments (CWDs) regarding federal regulation changes to the processing of unclear information received during the certification period [[7 CFR §273.12\(c\)\(3\)](#)]. Changes include CWD new procedures for acting on unclear and requesting clarification of information received during the certification period and procedures for requesting clarification on unclear information that is determined by the CWD to be unclear.

The United States Department of Agriculture, Food and Nutrition Service (FNS) recently issued a final rule implementing provisions of the Food, Conservation and Energy Act of 2008. The new regulations were effective May 8, 2017.

Unclear information is defined as information about a household's circumstances from which the CWD cannot readily determine the impact on the household's continued

eligibility or the effect on the benefit amount. Unclear information may be information that is verified upon receipt (VUR) or information that is verified, but is unclear because the CWD needs additional information to act on the change appropriately. If information received by the CWD is VUR or has been verified and the CWD does not need any additional information to act on the change appropriately, the information is not considered to be unclear.

Please see the attachment for a flowchart outlining CWD procedures for responding to unclear information received during the certification period.

Note that Income Eligibility Verification Systems (IEVS) requirements outlined in [ACL 17-41](#) remain unchanged under the new regulations.

7 CFR §273.12(c)(3) through (3)(i)(A): Acting on Unclear Information that is Less than 60 Days Old

Amendments made to [7 CFR §273.12\(c\)\(3\)](#) clarify CWD procedures for responding to unclear information received during the certification period.

These amendments apply to information received during the certification period from a third party that indicates a household may have missed a required report under simplified reporting. As a reminder, California has two required reports that must be acted on by the CWD: (1) a report of gross monthly income over the Income Reporting Threshold (IRT) and (2) a report of a drop in Able-Bodied Adults Without Dependent (ABAWD) hours worked below 20 hours, averaged monthly, for ABAWDs subject to the time limit.

If the information received during the certification period is unclear, is less than 60 days old relative to the first day of the month in which the information was received, and indicates that the household missed a required report, the CWD shall issue a written request for verification to the household. The CWD shall use the *Request for Verification (CW 2200)* form, issued via [ACL 14-26](#), to request verification. The CW 2200 must inform households that they have 10 days from the date of the CW 2200 to respond.

Example Scenario

An example of unclear information that is less than 60 days old may include when a CWD receives wage data from an IEVS match regarding a household's income and the wage data is insufficient to determine continuing eligibility. In such a scenario, the information provided by the IEVS match is unclear because it provides insufficient information to accurately determine continuing eligibility. Therefore, the CWD must issue a written request for verification to the household.

The CWD action on unclear information that is more than 60 days old relative to the first day of the month in which the information was received is described below under “7 CFR §273.12(c)(3)(ii): *Acting on Unclear Information that is More than 60 Days Old*”.

Instructions regarding processing timeframes for IEVS match data that shows gross monthly income over the household’s IRT can be found in [ACL 17-41](#). These instructions continue to apply under the new regulations outlined above. Additionally, if a CWD receives unclear information from a Nationwide Prisoner Match (NPM), as described in [7 CFR §272.13](#), or a Deceased Persons Match (DPM), as described in [7 CFR §272.14](#), the CWD will follow-up with a notice of match results per [MPP Section 20-006.543](#). Action on unclear information resulting from these data matches is described below under “7 CFR §273.12(c)(3)(iii) through (iii)(B): *Acting on Unclear Information from Certain Data Matches Including the NPM and DPM*”.

7 CFR §273.12(c)(3)(i)(B) through (C): Procedures for Requesting Clarification on Unclear Information

If, as a result of the CWD receiving unclear information, a household was sent a CW 2200 and the household responds to the CW 2200 within 10 days by providing sufficient information, the CWD shall act accordingly to determine continuing eligibility. If the household does not respond to the CW 2200 or responds but refuses to provide sufficient information by the specified date, a notice of discontinuance will be sent to the household with information that explains the reasons for the action and advises the household that if it wishes to continue participating in the program, a new application must be submitted.

7 CFR §273.12(c)(3)(ii): Acting on Unclear Information that is More than 60 Days Old

If the information received during the certification period is unclear, is more than 60 days old relative to the first day of the month in which the information was received, and does not indicate the household missed a required report, the CWD need not immediately follow-up on the information and will instead hold the information until the next recertification or SAR 7.

If the information would result in an increase in benefits, the CWD may contact the household to request verification of the unclear information. For this purpose, CWDs must use the CW 2200 to request verification. If verification is not received within 10 days of the date of the CW 2200, the CWD shall send a no-change notice of action informing the household that no action to increase benefits was taken because verification was not received.

7 CFR §273.12(c)(3)(iii) through (iii)(B): Acting on Unclear Information from Certain Data Matches Including a NPM and DPM

This subsection provides CWDs with procedures for acting on unclear information received specifically from a NPM or DPM. If the NPM or DPM results present unclear information, CWDs must request additional information from the household. The CWDs cannot hold unclear information received from NPM or DPM results regardless of how old the information is. For this purpose, CWDs must use the CW 2200 to request additional information. The CW 2200 must clearly explain what information is needed from the household and CWD action on households that fail to respond to the CW 2200.

Example Scenario

A scenario of unclear information received from a NPM or DPM may include when the CWD receives a DPM but there is an indication that the individual named in the match result may not be deceased. Once the CWD receives the match result, the CWD must follow up with the household using the CW 2200 to confirm whether the unclear information is accurate.

If a household does not respond to the CW 2200 or responds but refuses to provide sufficient information, the CWD shall discontinue the client and act on the change by removing the individual from the household and adjusting benefits accordingly. For example, the CWD may remove an individual that is no longer in the household and remove any income associated with that individual. If benefits are decreased or the household is discontinued, the CWD shall provide timely and adequate notice.

CalFresh Manual of Policy and Procedure (MPP)

Language under [MPP Section 63-500](#), relating to reporting requirements and action on information received during the certification period will be updated as soon as administratively feasible.

For CalFresh program questions, please contact the CalFresh Policy Section at (916) 651-8047.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Family Engagement and Empowerment Division

Attachment

CWD Procedures for Responding to Unclear Information Received During the Certification Period

