

March 28, 2018

ALL COUNTY LETTER NO. 18-38

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

SUBJECT: IMPLEMENTATION OF ASSISTANCE WITH DIAPER COSTS -  
SUPPORTIVE SERVICES

REFERENCES: Welfare and Institutions Code (WIC) Section 11323.2  
Assembly Bill (AB) 480 (Chapter 690, Statutes of 2017); Manual of  
Policies and Procedures (MPP) Sections 42-717, 42-750.11, 16-  
325.313(a), and 42-711.64(a); Senate Bill (SB) 282

This letter provides County Welfare Departments (CWDs) with instructions for providing California Work Opportunity and Responsibility to Kids (CalWORKs) Welfare-to-Work (WTW) participants assistance with diaper costs as a WTW supportive service, pursuant to AB 480, WIC Section 11323.2(a)(2).

#### AB 480 REQUIREMENTS

The passage of AB 480 requires CWDs to provide thirty dollars (\$30) per month to CalWORKs WTW clients to assist with diaper costs for each child who is under 36 months of age.

#### ELIGIBILITY FOR DIAPERS

Individuals must meet the following qualifying criteria to receive the diaper supportive service: 1) Have a qualifying child under 36 months of age; and 2) be a participant in the WTW program.

Qualifying Participants

To qualify for the diaper supportive service, WTW participants must have a child who is under 36 months of age at the beginning of the month and is either receiving CalWORKs aid *or* ineligible to receive aid (e.g., due to receipt of Supplemental Security Income benefits) but is under the care and control of the WTW participant.

Definition of “Participant in the WTW program”

Diaper supportive service payments may be provided to qualifying WTW program participants who are in good standing with program requirements, actively participating, or waiting to be engaged, in the WTW program activities.

For the purpose of determining eligibility for the diaper supportive service, a “*participant in the WTW program*” is a CalWORKs client who is not any of the following: 1) sanctioned or removed from aid, 2) exempt from WTW or 3) excused from participation (due to the participation of another adult). **Exceptions:** Sanctioned or removed from aid clients who are participating as part of a curing plan, and exempt and excused clients who are participating voluntarily are considered participants and may receive diaper supportive service payments. Teens in the Cal-Learn program are also considered participants and may receive diaper payments. Clients in noncompliance who are not yet sanctioned or removed from aid, as well as clients with good cause to not participate in the month, are participants under this definition and may receive diaper supportive service payments.

Designation as participating is not based on assignment to activities, scheduled hours, or verified actual hours, nor will the absence of a WTW Plan make the client ineligible. Clients are considered participating under this definition regardless of their number of participation hours, even if the number is zero.

CWDs must provide diaper payments to all qualifying WTW participants who have time remaining on the 48-month time limit for CalWORKs aid. Diaper payments may also be provided to employed former recipients who are eligible for job retention services. Additionally, former recipients who have exceeded the CalWORKs 48-month time limit and are receiving Safety Net benefits for their eligible children may be eligible to receive diaper payments as a post-aid service. Job retention and post-aid services must be included in the County Plan in accordance with the MPP Section 42-717.

The diaper supportive service is available to both single and two-parent AUs. Child-only AUs in which the parent is ineligible for CalWORKs do not qualify for diaper payments.

For clients eligible for diaper supportive service payments based on a qualifying child and WTW participation as described above, diapers are considered a “necessary supportive service” under MPP Section 42-750.11, and clients will have good cause for not participating if payment is not provided in advance of an assigned activity.

## DIAPER PAYMENTS

For each AU, WTW participants will receive a monthly flat \$30 payment for each qualifying child in the home. Proration of the \$30 payment based on the number of days in the month the parent qualifies for the diaper payment is not allowed; any number of days in the month the parent qualifies for the diaper support will result in a full \$30 payment for the month for each qualifying child.

For two-parent AUs, the payment can be issued to either/any parent participating in WTW, based on their preference. Parents who are not participants in WTW (e.g. an exempt second parent who is not participating voluntarily) may not receive the diaper supportive service.

Payments will be issued by default (automatically) to clients who are eligible for diaper payments, until the client has expressly opted out of the payments or is no longer eligible for the diaper supportive service. Like other supportive services, diaper support payments must be documented in the WTW Plan.

## PAYMENT ISSUANCE

Payments for diapers will be distributed on the household's existing Electronic Benefit Transfer (EBT) card as a supportive service. If a warrant or direct deposit is requested by the client, there must be a rationale for choosing the alternative payment option to EBT, as provided in MPP Section 16-325.313(a). There will be no new EBT benefit code developed for the diaper cost assistance.

## WTW 2 FORM

As indicated in MPP Section 42-711.64(a), a participant's WTW Plan must include a description of the supportive services necessary for the CalWORKs client to participate in WTW services.

The California Department of Social Services (CDSS) will amend the WTW 2 (Welfare-To-Work Plan Activity Assignment) form to reflect the addition of the diaper costs to the list of supportive services available to WTW participants and that it must be provided to all clients that meet the eligibility criteria.

Until the amended WTW 2 is made available, CWDs are to use the accommodations field on the bottom of page 3 of the form to state that the client (1) will receive monthly diaper supportive service payments of \$30 per child under 36 months of age, or (2) has opted out of diaper payments.

## IMPLEMENTATION

Starting April 1, 2018, CWDs must:

- Add diaper payment to the array of supportive services available to participants.
- Inform all new and current CalWORKs WTW participants of the diaper supportive service.
- Identify the eligible population, based on the definitions above, using county administrative caseload data and begin issuing the diaper payments. Payments must begin immediately without action or communication from eligible clients.
- Issue diaper benefits in advance of any assigned WTW activity. Clients will have good cause to not participate in WTW if diaper payments are not issued in advance, pursuant to MPP Section 42-750.11.
- Issue monthly diaper payments for each qualifying child to WTW participants without interruption until or unless the participant ceases to qualify for the diaper support, or opts out of the support payments. For each qualifying child, payments may continue until the first of the month after the child reaches 36 months of age.
- Use form NA 823, the Notice of Action for the approval or denial of a supportive service for purposes of diaper support payments.
- Begin documenting in the WTW Plan the provision of diaper supportive service payments or the client's decision to opt out of the payments.

The CDSS will update MPP section 42-750.1 to reflect the addition of diapers as a necessary supportive service in accordance with this letter.

#### FISCAL CLAIMING INSTRUCTIONS

Claiming instructions for diaper costs will be issued to counties in a County Fiscal Letter (CFL), to be released following this letter.

#### CONTACT

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

Sincerely,

***Original Document Signed By:***

TODD R. BLAND  
Deputy Director  
Family Engagement and Empowerment Division