



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

July 31, 2018

ALL COUNTY LETTER (ACL) NO. 18-91

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM SPECIALISTS
ALL CALWORKS PROGRAM SPECIALISTS
ALL TRIBAL TANF PROGRAM CONTACTS
ALL CONSORTIA PROJECT MANAGERS
ALL QUALITY CONTROL PROGRAM COORDINATORS

SUBJECT: IMPLEMENTATION OF THE SUPPLEMENTAL NUTRITION
BENEFIT PROGRAM

REFERENCE: [ASSEMBLY BILL \(AB\) 1811 \(CHAPTER 35, STATUTES OF 2018\),
WELFARE AND INSTITUTIONS CODE SECTIONS 18900.5 TO .7;
ACL 18-90; ACL 18-92; ACL 14-49; ACL 14-56; ACL 16-112;
ELECTRONIC BENEFITS TRANSFER \(EBT\) MANUAL OF
POLICIES AND PROCEDURES \(MPP\) 16-120](#)

The purpose of this letter is to provide County Welfare Departments (CWDs) with policy instructions for implementation and automation of the new Supplemental Nutrition Benefit (SNB) Program established in conjunction with a recent change to CalFresh eligibility rules for recipients of Supplemental Security Income and/or California State Supplementary Payment (SSI/SSP) benefits.

Assembly Bill 1811, the Fiscal Year 2018-2019 Human Services Omnibus Trailer Bill, reverses the CalFresh eligibility policy known as “cash-out” under which SSI/SSP recipients are ineligible for CalFresh. In addition, AB 1811 creates the SNB Program, the Transitional Nutrition Benefit (TNB) Program, and augments the grant amount for the Cash Assistance Program for Immigrants (CAPI).

This ACL provides policy instructions only for the SNB Program. Policy instructions for the reversal of the cash-out policy and CAPI grant augmentation were issued via ACL 18-90 released on July 31, 2018. Policy instructions for the TNB Program were issued via ACL 18-92 on July 31, 2018.

Throughout this ACL, “SSI/SSP recipients” refers to both recipients of SSI/SSP and SSP-only. Additionally, use of the term “CalFresh” or “CalFresh benefits” throughout this ACL also includes recipients of California Food Assistance Program (CFAP) benefits, as applicable.

Background

Assembly Bill 1811 reverses the CalFresh eligibility policy known as cash-out, under which SSI/SSP recipients are ineligible for CalFresh. Effective June 1, 2019, or the alternate implementation date, individuals receiving SSI/SSP are eligible for CalFresh, provided all other eligibility criteria are met.

The CWDs will implement the policy change for newly eligible households as of June 1, 2019, or the alternate implementation date, known generally hereafter as the implementation date.

The CWDs will implement the policy change for existing CalFresh households on a rolling basis at the household’s next periodic report, recertification, or when voluntarily requested by the household, beginning on the implementation date. This rolling implementation for individual households is known generally hereafter as the household’s effective date.

In addition to reversing the cash-out policy, AB 1811 creates two state-funded nutrition benefit programs intended to “hold harmless” existing CalFresh households negatively affected by the policy change. The two state-funded programs, known as the SNB and TNB Programs, will provide CalFresh households with nutrition benefits to mitigate the reduction of CalFresh benefits or CalFresh ineligibility, respectively.

This letter is specifically about the SNB Program, which will provide supplemental state-funded nutrition benefits to CalFresh households with excluded members that receive SSI/SSP benefits that, at the time of implementation of the reversal of the cash-out policy, experience a reduction of CalFresh benefits.

The SNB Program will provide eligible CalFresh households with state-funded nutrition benefits to the extent that state funding for this purpose is appropriated in the annual Budget Act. The SNB Program benefits are not entitlement benefits.

I. SNB PROGRAM ELIGIBILITY

Overview

CalFresh households are eligible for the SNB Program if they (1) are receiving CalFresh benefits and include at least one excluded SSI/SSP recipient on the implementation date and (2) experience a CalFresh benefit reduction when any of those previously excluded SSI/SSP recipients are added to the household on the household’s effective date.

In determining whether a household is eligible for the SNB Program, the CWD does not need to determine whether the benefit reduction was caused solely as a result of adding the previously excluded SSI/SSP recipient(s) to the household. The CWD must only determine that the CalFresh household includes an SSI/SSP recipient excluded from the household on the implementation date and that the household experienced a benefit reduction when any of those previously excluded SSI/SSP recipients were added on the household's effective date.

Note that, initial SNB eligibility is only determined on the household's effective date. Households that include an SSI/SSP recipient and experience a benefit reduction after the household's effective date are not eligible for SNB.

If the household's only SSI/SSP recipient at the household effective date is not one of the same SSI/SSP recipient(s) excluded from the household on the implementation date, that household is not eligible for the SNB Program.

A two-person household that becomes eligible for the minimum benefit allotment at the household's effective date may be eligible for the SNB Program, depending on whether the minimum benefit allotment is less than the household's previous benefit amount. A three-or-more person household that is eligible for zero benefits at the household's effective date is considered ineligible for CalFresh. These three-or-more person households are not eligible for the SNB Program, but may be eligible for the TNB Program.

The SNB Program benefit is provided to the household based on the household's case number at the household's effective date. Over time, SNB Program eligibility will remain linked to that household based on the case number. The exception to this rule is when a victim of domestic violence that was included as a member of a CalFresh household that also includes the abuser but was assigned a new case number in order to receive CalFresh benefits as a separate household. In this scenario, SNB Program eligibility may be transferred to the household with the new case number. The household with the new case number must continue to include at least one of the same SSI/SSP recipients excluded from the household on the implementation date.

Households that are eligible for and receive SNB Program benefits shall not at any point be eligible for TNB Program benefits, regardless of any change in household circumstances.

Transitional CalFresh

CalFresh households receiving Transitional CalFresh (TCF) benefits may be eligible for the SNB Program if at the household's TCF recertification the CWD implements the reversal of the cash-out policy and determines that the household experienced a benefit reduction when the previously excluded SSI/SSP recipients were added to the household. The CWD shall determine whether a benefit reduction has occurred by

comparing the household's TCF benefit amount to the household's new CalFresh benefit amount.

Pending CalFresh Applications

CalFresh applications for households that include an excluded SSI/SSP recipient that are pending on the implementation date may be eligible for SNB Program benefits if the household is deemed eligible with a beginning date of aid in the month prior to the implementation date. This applies even if the first month of CalFresh benefits is prorated.

To determine SNB Program eligibility, the CWD will compare what would have been the household's monthly allotment for the month prior to the implementation date (e.g., if the first month of CalFresh benefits had not been prorated) to the household's monthly allotment for the month following the implementation date. If the household experiences a decrease in benefits between the month prior to the implementation date and the month following the implementation date, the household is eligible for the SNB Program.

SSI/SSP Suspense Status

An SSI/SSP recipient in suspense status receiving CalFresh benefits on the implementation date is not considered "excluded" for purposes of the SNB Program eligibility determination, as they were an eligible member of the CalFresh household. Households that include only an SSI/SSP recipient in suspense status receiving CalFresh benefits on the implementation date are not eligible for the SNB Program. If a household also includes an excluded SSI/SSP recipient who was not in suspense status and not receiving CalFresh benefits on the implementation date, then that household may be eligible for the SNB Program.

SNB Program Impact on Other Assistance Programs

Because SNB Program benefits, like CalFresh, are nutrition benefits, SNB Program benefits shall not be considered income for any means-tested program, including but not limited to, CalWORKs, Medi-Cal, General Assistance/General Relief, and SSI/SSP, as provided by those programs.

II. SNB PROGRAM BENEFITS

SNB Program Benefit Table

The amount of SNB Program benefits provided to each SNB-eligible household will be based on a benefit table developed by CDSS below.

To determine the SNB-eligible household's SNB Program benefit allotment, the CWD must determine the following on the household's effective date:

1. The new household size when the previously excluded SSI/SSP recipient(s) is added to the household (vertical axis).

2. The number of previously excluded SSI/SSP recipients added to the household (horizontal axis).

**SUPPLEMENTAL NUTRITION BENEFIT
(SNB) PROGRAM TABLE**

New Household Size	(Previously Excluded SSI Recipients) 1	(Previously Excluded SSI Recipients) 2	(Previously Excluded SSI Recipients) 3+
2	A2		
3	A3	B3	
4	A4	B4	C4
5	A5	B5	C5
6	A6	B6	C6
7	A7	B7	C7
8	A8	B8	C8
9	A9	B9	C9
10	A10	B10	C10
11	A11	B11	C11
12+	A12	B12	C12

The CWD will then select a criterion from the vertical axis and a criterion from the horizontal axis. Where these two choices intersect is the SNB-eligible household's SNB Program benefit cell (e.g., A2, B3, C4). The household's benefit cell is assigned to the SNB-eligible household permanently. This is because the criteria selected from the vertical and horizontal axes are determined at the household's effective date and will not change.

Once the CWD has determined the SNB-eligible household's benefit cell and the corresponding SNB Program benefit allotment, that amount of SNB Program benefits will be provided to the CalFresh household through the length of the CalFresh certification period and for each subsequent certification period that the formerly excluded SSI/SSP recipient remains in the household, subject to appropriation.

The SNB Program benefits cannot be prorated. If, for any reason, an SNB-eligible household's regular CalFresh benefits are prorated, a full month of SNB Program benefits will be issued for the month that the prorated regular CalFresh benefits are issued.

The household's SNB Program benefit allotment is not subject to adjustment due to changes in the household's circumstances reported mid-period or at periodic report for purposes of maintaining CalFresh eligibility. The exception to this rule is a loss of CalFresh eligibility during the certification period, which will also trigger a loss of SNB Program eligibility.

The first SNB Program benefit table with benefit allotment amounts will be issued by CDSS via ACL and is forthcoming.

SNB Benefit Issuance

The SNB Program benefits will be issued monthly through the EBT system as a supplement to the household's monthly CalFresh allotment. More information about EBT automation is provided in this letter.

SNB Program Account Aging and Expungement

The SNB Program benefits are subject to existing EBT account aging and expungement rules, found at EBT MPP 16-120, Account Aging and Expungement. Expunged SNB Program benefits shall not be reinstated.

SNB Program Benefit Use

The SNB Program benefits can be used the same way that CalFresh benefits can be used. Households can use SNB Program benefits to buy food for household members to eat. Households cannot use SNB Program benefits to buy alcohol, cigarettes and other tobacco products, non-food items, vitamins and medicines, food that will be eaten in-store, and hot or prepared foods, except through the Restaurant Meals Program (RMP).

The RMP allows eligible homeless, elderly, and/or disabled EBT cardholders receiving CalFresh benefits to purchase hot, prepared foods at participating restaurants using their EBT card. Like CalFresh benefits, SNB Program benefits can be used by eligible participants to make a purchase at RMP participating restaurants in RMP participating counties.

For additional guidance on this topic, see ACL 16-112, released on December 23, 2016, and ACL 14-49 released on August 6, 2014.

III. SNB PROGRAM CONTINUING ELIGIBILITY

SNB-eligible households will maintain SNB Program eligibility as long as (1) the household continues to receive CalFresh benefits and (2) includes at least one of the same SSI/SSP recipient(s) excluded from the household on the implementation date.

Once a household loses CalFresh eligibility and therefore loses SNB Program eligibility, SNB Program eligibility cannot be reestablished. The only exception to this rule is if a household loses CalFresh eligibility and that CalFresh eligibility is restored. In this case, SNB Program eligibility will also be restored without proration. More information about restorations is provided in this letter.

SNB Program Household Reporting

The SNB Program is not subject to CalFresh household reporting rules. SNB Program eligibility will be re-determined at the household's CalFresh recertification. SNB-eligible households are not required to make any SNB-specific mid-period reports or complete an SNB-specific periodic report for the purpose of maintaining SNB Program eligibility. No additional mid-period or periodic reporting requirements shall be imposed on the CalFresh household as a result of receiving SNB Program benefits.

That said, a household must maintain CalFresh eligibility in order to maintain SNB Program eligibility, so CalFresh households that are SNB-eligible must still be informed of and meet their CalFresh reporting requirements.

If a household's CalFresh eligibility is discontinued, or the CWD discovers that the household no longer includes at least one of the same SSI/SSP recipient(s) excluded from the household on the implementation date, either mid-period or at the periodic report, the household's SNB Program eligibility will be discontinued. If the household is discontinued from CalFresh, in addition to receiving a CalFresh notice of discontinuance, the household must also be informed of their SNB Program discontinuance. If the household is only discontinued from the SNB Program, the household must be informed only of their SNB Program discontinuance. The CWD must send the *Notice of Discontinuance for the Supplemental Nutrition Benefit Program* (SNB 5).

SNB Program Eligibility Redetermination at CalFresh Recertification

The SNB Program eligibility will be re-determined at the CalFresh household's CalFresh recertification, regardless of the household's effective date. There will not be a separate SNB Program recertification form or process. Because of the variance in initial effective dates, some household's SNB Program eligibility will be re-determined sooner than others in relation to the household's effective date.

If at the household's CalFresh recertification, the CWD determines that the household maintains SNB Program eligibility, the CWD will continue issuance of SNB Program benefits according to the SNB Program benefit table. At that time, in addition to

receiving a CalFresh approval notice, the household must be informed of the household's continuing SNB Program eligibility and SNB Program benefit allotment. The CWD must send the *Notice of Approval for the Supplemental Nutrition Benefit Program* (SNB 2), which may be combined with the household's CalFresh notice.

If at the household's recertification, it is determined that the household is no longer eligible for CalFresh, the household will lose SNB Program eligibility. At that time, in addition to receiving a CalFresh denial notice, the household must also be informed of their SNB Program discontinuance. The CWD must send the SNB 5, which may be combined with the household's CalFresh notice.

Generally, changes in CalFresh household composition have no impact on the SNB Program Benefit allotment. An exception to this rule is when no SSI/SSP recipients that were excluded from the household on the implementation date remain in the household. If it is determined that the household no longer includes at least one of the same SSI/SSP recipient(s) excluded from the household on the implementation date, the household will lose SNB Program eligibility. At that time, the household must be informed of their SNB Program discontinuance. The CWD must send the SNB 5, which may be combined with the household's CalFresh notice. This applies even if the household continues to be CalFresh eligible.

If the CWD determines a change in the number of SSI/SSP recipients in the SNB Program household, but at least one of the same SSI/SSP recipient(s) excluded from the household on the implementation date remains in the household, the CWD should not adjust the household's SNB Program benefit allotment or discontinue SNB Program eligibility.

CalFresh Restorations

An SNB-eligible household whose CalFresh benefits are restored under normal CalFresh rules following discontinuance for failure to provide the necessary documentation or information required to determine continuing eligibility, will also have their SNB Program benefits restored, without proration, back to the original date of the CalFresh discontinuance. If a household is discontinued for any other reason and is not eligible for a CalFresh restoration, the household is also not eligible for an SNB Program restoration. If the household thereafter files a new application for CalFresh benefits, the household will not be eligible for the SNB Program.

SNB Program and Inter County Transfers (ICT)

At the time of an ICT, SNB Program benefits will be transferred along with the household's CalFresh benefits to the household's new county of residence. SNB Program benefits will not be terminated as a result of an ICT.

SNB Program and Receipt of Supplemental Nutrition Assistance Program (SNAP) Benefits Out of State

Because the SNB Program is a state-funded nutrition benefit, SNB Program eligibility does not continue if the household becomes ineligible for CalFresh because the household has moved out of state and is receiving SNAP benefits in another state. The SNB Program household must continue to receive CalFresh benefits in order to maintain SNB Program eligibility.

SNB Program Voluntary Request to Close Case

Any SNB Program household may voluntarily request to close their SNB Program case at any time. When the CWD receives a voluntary request to close an SNB Program case from the head of household, a responsible adult household member, or the household's authorized representative, the CWD is required to take mid-period action with no further verification.

IV. SNB PROGRAM ADMINISTRATION

SNB Program Forms and Notices

The CDSS shall develop a series of client notices for the SNB Program. The notices that will be developed, as well as their purpose, are outlined below. The SNB Program notices will be issued by CDSS via ACL and are forthcoming.

SNB 1: Information Notice for the Supplemental Nutrition Benefit Program

The purpose of the SNB 1 is to provide the household with general information about the SNB Program and an overview of SNB Program eligibility rules. The SNB 1 will be provided to the household when initial SNB Program eligibility is determined.

SNB 2: Notice of Approval for the Supplemental Nutrition Benefit Program

The purpose of the SNB 2 is to inform the household that they have been approved to receive SNB Program benefits. This notice also provides information to the household about how they may continue to receive SNB Program benefits. The SNB 2 will be provided to the household when initial SNB Program eligibility is determined and, if applicable, at SNB Program recertification thereafter. The SNB 2 may be combined with the household's CalFresh notices, when applicable.

SNB 3: Notice of Change for the Supplemental Nutrition Benefit Program

The purpose of the SNB 3 is to inform the household that there has been a change in their SNB Program benefits (for example, if SNB Program funding changes and SNB Program benefit allotments are impacted). The SNB 3 will be provided to the household no later than ten days prior to the change.

SNB 4: Notice of Expiration of Certification for the Supplemental Nutrition Benefit Program

The purpose of the SNB 4 is to inform the household that the household's SNB Program certification will expire and the household must complete their CalFresh recertification in

order to continue receiving SNB Program benefits. The SNB 4 must be sent at the same time the household receives their CalFresh Notice of Expiration of Certification. The SNB 4 may be combined with the household's CalFresh notices, when applicable.

SNB 5: Notice of Discontinuance for the Supplemental Nutrition Benefit Program

The purpose of the SNB 5 is to inform the household that the household's SNB Program eligibility has been discontinued (for example, if the household no longer receives CalFresh or the originally excluded SSI/SSP recipient member is no longer part of the household). The SNB 5 must be provided to the household no later than ten days prior to the discontinuance, except if the discontinuance is a result of a denial of CalFresh at recertification. The SNB 5 may be combined with the household's CalFresh notices, when applicable.

All of the above mentioned SNB Program notices, other than the SNB 1, must be provided to the household with a NA Back 9 outlining the SNB Program household's hearing rights. Like all other forms and notices issued by CDSS, SNB Program form and notice translations will be provided accordingly.

SNB Program Automation

A new EBT benefit type will be developed for programming in the Statewide Automated Welfare Systems (SAWS) consortia. Details regarding the new EBT benefit type will be issued by CDSS via ACL and are forthcoming.

A new aid code will not be developed for the SNB Program. A CalFresh household's aid code will not be changed as a result of the household's receipt of SNB Program benefits.

SNB Program Required Data Elements

In developing the automation for the SNB Program, the SAWS consortia shall ensure that the following data elements are captured so that analysis required for evaluation of the SNB Program may be completed in the future:

- Number of SNB Program households
- Number of persons in each SNB Program household
- Number of SSI/SSP recipients in each SNB Program household
- Number of SNB Program households also receiving CalWORKs
- SNB Program head of household language preference

For both the SNB Program head of household and members:

- Gender
- Race/Ethnicity
- Age
- Elderly or Disabled status

CalFresh Data Reporting

Because SNB Program households are also CalFresh households, there will be no change to the methodology for determining the CalFresh household count for the purpose of CalFresh data reporting. CalFresh households that also receive SNB Program benefits should be included as CalFresh households.

CalFresh Federal Benefit Reporting

State-funded SNB Program benefits shall not be included in the benefit count for the purpose of federal SNAP reporting.

CalFresh Administrative Funding

County Fiscal Letters (CFL) providing the CalFresh Administrative allocation and fiscal claiming instructions to counties are forthcoming. Additionally, CFLs will be provided to address the administration of the SNB Program, which will be separate from the regular CalFresh Administrative allocation.

SNB Program Quality Assurance

The SNB Program provides supplemental, state-funded nutrition benefits to CalFresh households, and as such, are not subject to federal Quality Control (QC) review procedures. CalFresh households that receive SNB Program benefits will continue to be included in QC samples and Management Evaluation case reviews, but any SNB-specific errors will not count towards the QC error rate. The CWDs are encouraged to include SNB Program accuracy in their quality assurance reviews.

CalFresh MPP

The CalFresh MPP will be updated to reflect these policy changes as soon as administratively feasible.

If you have any questions regarding this ACL, please contact the CalFresh Policy Bureau at (916) 651-8047.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Family Engagement and Empowerment Division