

April 12, 2019

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 19-29

This annual letter fulfills the requirements set forth by Welfare and Institutions Code, Section 18919, as updated in Senate Bill (SB) 282 (Chapter 355, Statutes of 2017) regarding the CalFresh Restaurant Meals Program (RMP).



PAT LEARY
ACTING DIRECTOR

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

April 12, 2019

ALL COUNTY LETTER (ACL) NO. 19-29

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM SPECIALISTS

SUBJECT: CALFRESH: RESTAURANT MEALS PROGRAM ANNUAL
LETTER

REFERENCE: [SENATE BILL \(SB\) 282 \(CHAPTER 355, STATUTES OF 2017\); ASSEMBLY BILL \(AB\) 1747 \(CHAPTER 290, STATUTES OF 2016\), AB 214 \(CHAPTER 134, STATUTES OF 2017\); AB 1894 \(CHAPTER 746, STATUTES OF 2018\); SECTION 2020 OF TITLE 7 OF THE UNITED STATES CODE; WELFARE AND INSTITUTIONS CODE, SECTION 18919; TITLE 7 CODE OF FEDERAL REGULATIONS \(7 CFR\) SECTIONS 272.9, 278.1\(b\)\(1\)\(iv\), 278.1\(d\)\(3\), 274.7, AND 278.1; MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTION 63-102\(e\)\(2\)\(H\)\(3\); ALL COUNTY INFORMATION NOTICE \(ACIN\) NO. I-31-04 AND NO. I-71-11; ALL COUNTY LETTER \(ACL\) No. 14-49, 16-112 AND 18-24;](#)

This letter provides general information about the CalFresh Restaurant Meals Program (RMP), a list of County Welfare Departments (CWD) that participate in the RMP, instructions for how a CWD may elect to participate in the RMP, and guidance regarding how a CWD may appeal an RMP non-eligibility determination. This letter, which will be issued annually, fulfills the requirements set forth by Welfare and Institutions Code, Section 18919, as updated in [Senate Bill \(SB\) 282 \(Chapter 355, Statutes of 2017\)](#) regarding the CalFresh RMP.

Background

Originally established in 1978, the RMP was created to provide elderly or disabled recipients of Supplemental Nutrition Assistance Program (SNAP) benefits, then known as the Food Stamp Program, the option to purchase hot prepared food at authorized

restaurants. In 1996, the program was expanded to serve SNAP recipients who are homeless. California adopted the program at county-option in 2003.

In 2016, [Assembly Bill \(AB\) 1747 \(Chapter 290, Statutes of 2016\)](#), established that each public or private postsecondary educational institution located in a county that participates in the RMP shall apply to become an approved food vendor for the RMP, if the institution operates any qualifying food facility on campus. More information about the requirements of AB 1747 are provided in [ACL 16-112](#) dated December 23, 2016.

And finally, in 2018, [AB 1894 \(Chapter 746, Statutes of 2018\)](#) established that CDSS has the option to enter into an MOU with the Chancellor of the California State University System (CSUS). This MOU would allow any CSUS campus operating a qualifying food facility to participate in the RMP, whether the campus is located in an RMP county or not. The CDSS will release an ACL on this subject under separate cover.

As of the release of this ACL, 12 counties have opted to participate in RMP. The 12 RMP counties are:

- Alameda
- Fresno*
- Los Angeles
- Monterey*
- Orange
- Riverside
- Sacramento
- San Diego
- San Francisco
- San Luis Obispo
- Santa Clara
- Santa Cruz

*Note that Fresno and Monterey Counties only recently received RMP approval and are in the process of recruiting participating restaurants.

As a point of reference, these 12 RMP counties comprise 68.5 percent of the CalFresh caseload.

More information on each county's RMP program can be found on the [EBT Project Office](#) webpage.

The RMP Opt-In Process

Interested CWDs should submit to the California Department of Social Services (CDSS) a proposal requesting approval to implement the RMP as described in [ACIN I-31-04](#) and

[ACIN I-71-11](#). The main component of the proposal is the Memorandum of Understanding (MOU) that details the obligations of both the CWD and authorized food vendors. Participation expectations for CWDs who wish to opt-in to the RMP are provided in [ACL 14-49](#).

With the expansion of CalFresh to Supplemental Security Income (SSI) recipients beginning June 1, 2019, established by [Welfare and Institutions Code Section 18900.5](#), counties that have not yet opted into RMP are encouraged to consider the option, as one part of providing access to food for elderly, disabled, and homeless clients who may have difficulty preparing meals or not have a place to store and cook food.

Proposal Development and Review Process

Interested CWDs will contact the CDSS CalFresh Policy Bureau to indicate their interest in participating in the RMP and intent to submit an RMP proposal. This indication of interest allows CDSS to provide technical assistance for the completion of a readily approvable RMP proposal. An RMP Tool Kit that includes various documents pertaining to RMP, such as a sample MOU, will be sent to the CWD.

When complete, the RMP proposal, including the MOU, will be submitted to CDSS for review and approval. The CDSS will review the proposal to ensure that it reflects the requirements of all Federal and State RMP regulations at 7 CFR sections [272.9](#), [274.7](#), [278.1](#) and CalFresh MPP section 63-102(H), as well as relevant ACINs and ACLs.

When developing an MOU, the MOU must include, among other things, a requirement that the food vendor provide low cost or discounted meals during regular hours to eligible CalFresh participants.

Post Approval

Upon CDSS approval, the CWD may reach out to local food vendors to explore interest in participating in the RMP. When the CWD partners with an interested food vendor or group of food vendors, the CWD will establish an MOU with the food vendor or group of food vendors.

There are two ways a food vendor can become an authorized RMP food vendor:

1. The food vendor owner may create a United State Department of Agriculture (USDA) account online, complete the online application (FNS 252), and submit supporting documentation. Information on this process is available at the USDA [“How do I Apply to Accept Benefits”](#) webpage. Or,
2. The food vendor owner may submit all documents and verifications to the CWD along with the MOU. Once the MOU is executed and the CWD has reviewed the application for accuracy, the CWD will submit the completed packet to the USDA.

This process allows the CWD to track applications and ensure that only complete applications are submitted to the USDA.

Please note that, per 7 CFR sections [278.1\(b\)\(1\)\(iv\)](#) and [278.1\(d\)\(3\)](#), food vendors that have more than 50 percent of their gross sales in foods cooked or heated on-site by the retailer before or after purchase and hot and/or cold prepared foods not intended for home preparation or consumption, including prepared foods that are consumed on the premises or sold for carryout, may qualify as an authorized food vendor for RMP.

Per AB 214 (Chapter 134, Statutes of 2017) and AB 1747 (Chapter 290, Statutes of 2016), it is the responsibility of each public or private postsecondary educational institution in an RMP county to apply to become an approved food vendor for the RMP if they operate a qualifying food facility on campus. See ACL 16-112, page two, for specifics regarding the responsibilities of postsecondary educational institutions.

Determination of County Ineligibility

If CDSS finds the CWD's RMP proposal cannot be approved as submitted, the CWD will be informed as to the reason and at the CWD's option, CDSS will work with the CWD to develop an approvable RMP proposal.

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

Sincerely,

Original Document Signed By:

KIM JOHNSON
Deputy Director
Family Engagement and Empowerment Division