

July 2, 2019

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 19-60**

The purpose of this ACL is to provide County Welfare Departments (CWDs) with guidance regarding percentage exemption allocations for individuals receiving state-funded California Food Assistance Program (CFAP) benefits who are subject to the Able-Bodied Adults Without Dependents (ABAWD) time limit. This ACL also provides guidance on the allocation and use of percentage exemptions for individuals receiving CFAP benefits and residing in those counties implementing the ABAWD time limit between September 1, 2018, and August 31, 2019.



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DIRECTOR

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**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

July 2, 2019

ALL COUNTY LETTER (ACL) NO. 19-60

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

SUBJECT: CALFRESH ABLE-BODIED ADULTS WITHOUT DEPENDENTS  
AND CALIFORNIA FOOD ASSISTANCE PROGRAM  
PERCENTAGE EXEMPTIONS

REFERENCE: [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) 273.24](#); [ALL COUNTY LETTER \(ACL\) 18-08](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTIONS 63-407.21, 63-407.53, 63-408.61, 63-410, 63-411.2](#)

The purpose of this ACL is to provide County Welfare Departments (CWDs) with guidance regarding percentage exemption allocations for individuals receiving state-funded California Food Assistance Program (CFAP) benefits who are subject to the Able-Bodied Adults Without Dependents (ABAWD) time limit. This ACL also provides guidance on the allocation and use of percentage exemptions for individuals receiving CFAP benefits and residing in those counties implementing the ABAWD time limit between September 1, 2018, and August 31, 2019.

### **Background**

Federal Supplemental Nutrition Assistance Program (SNAP) regulations at [7 CFR 273.24](#) provide that each State be allotted a number of individual exemptions from the ABAWD time limit equal to 12 percent of the State's annual caseload that is subject to the ABAWD time limit. These percentage exemptions, known previously as 15 percent exemptions, allow CWDs to extend CalFresh eligibility to ABAWDs who would otherwise be ineligible. Each percentage exemption provides one full month of CalFresh eligibility to one individual subject to the ABAWD time limit.

As a general rule, individuals receiving state-funded CFAP benefits are to be treated the same as individuals receiving federally-funded CalFresh benefits, including application of the ABAWD time limit. Per [Manual of Policies and Procedures \(MPP\) 63-411.2](#), individuals receiving CFAP benefits are subject to ABAWD time limit rules and exemption criteria, including percentage exemptions.

However, individuals receiving state-funded CFAP benefits are not eligible to receive a federally-funded percentage exemption. Individuals at risk of losing state-funded CFAP benefits due to the ABAWD time limit may receive a state-funded percentage exemption. State-funded percentage exemptions are uniquely available to individuals receiving CFAP benefits.

Like an individual receiving CalFresh benefits that is subject to the ABAWD time limit, an individual receiving CFAP benefits that is subject to the ABAWD time limit and who is granted a percentage exemption is temporarily excused from satisfying the work requirement. Any ABAWD that is temporarily excused from satisfying the work requirement under a percentage exemption, remains subject to the ABAWD time limit rules and must satisfy the work requirement, qualify for an exemption, or reside in a waiver area to maintain either CalFresh or CFAP eligibility beginning the month following the last month in which the percentage exemption has been applied.

All percentage exemptions are applied on an individual basis and must be properly documented in the case file prior to Quality Control sample selections. Additionally, percentage exemptions cannot be granted during a CalFresh sanction period.

### **California's 1,2,3 Approach**

The CDSS, in partnership with stakeholders, has developed the "1, 2, 3 Approach" to serving ABAWDs. This approach provides a framework for overall implementation of the ABAWD time limit. It plays a critical role in the allocation of percentage exemptions as it emphasizes first effectively screening for exemptions and second engaging ABAWDs subject to the time limit in additional work or qualifying activities, before providing a percentage exemption.

#### ***1. Assess: Effectively Screen for Exemptions***

Because ABAWDs may face barriers to employment, a portion of the ABAWD population may be exempt from the time limit. Counties must properly screen all ABAWDs for an exemption from the ABAWD time limit at application, periodic report, and recertification. CWDs should utilize information already available in

the case record and conduct individualized assessments to determine if an individual meets the criteria for an exemption from the ABAWD time limit.

*2. Engage: Engage ABAWDs to Find Additional Work Or Participate In Qualifying Work Activities*

If it is determined that an ABAWD does not meet the criteria for an exemption from the ABAWD time limit and is not currently satisfying the ABAWD work requirement, the CWD should engage the ABAWD to support them in finding additional work and/or participating in qualifying work activities. Engagement may include a referral to local workforce partners, such as Americas Job Centers of California (AJCC), volunteer opportunities, or other training and education programs. Note that, engagement activities for CFAP recipients do not include reimbursable CalFresh Employment and Training (E&T) services. CalFresh E&T services are only reimbursable when provided to recipients of federally funded CalFresh benefits. A CWD may provide E&T services to CFAP recipients, but cannot seek reimbursement for the cost of providing E&T services to CFAP recipients. The CWD may send the client additional information by mail or contact the client via phone or electronic means to encourage them to contact the county for assistance in satisfying the ABAWD work requirement. For more information on ways to satisfy the ABAWD work requirement and ABAWD engagement activities refer to [ACL 18-08](#).

*3. Support: Support ABAWDs In Maintaining Calfresh Food Assistance*

Prior to discontinuance, when an individual does not qualify for an exemption from the ABAWD time limit, is not satisfying the ABAWD work requirement, and has used their countable months for food assistance, the county may provide a percentage exemption to maintain food assistance, if the individual meets additional criteria as determined by each county. Use of a percentage exemption may allow clients and counties additional time to engage in additional work or qualifying work activities.

**CFAP Percentage Exemptions FFY 2018 Allocation Methodology**

The three counties implementing the ABAWD time limit between September 1, 2018, and August 31, 2019, are San Francisco, San Mateo, and Santa Clara. These three counties received an allocation of CFAP percentage exemptions equal to the total number of CFAP recipients subject to the ABAWD time limit during this period.

The CFAP percentage exemption allocation methodology for CWDs implementing the ABAWD time limit between September 1, 2018, and August 31, 2019, differs from previous allocation methodology in recognition of the challenges of implementing the time limit after a lengthy period of time under statewide waiver.

The CFAP percentage exemption allocation methodology for CWDs implementing the ABAWD time limit beginning September 1, 2019, and thereafter will be addressed in future guidance.

Any CFAP percentage exemptions remaining after August 31, 2019, will be recouped, added to the state's CFAP percentage exemption carryover, and redistributed among all counties implementing the ABAWD time limit beginning September 1, 2019. Percentage exemption allocation guidelines for CFAP percentage exemptions are the same as federal percentage exemptions. For individual allocation guidelines for all percentage exemptions, see [ACL 18-08](#).

### **Tracking the CFAP Percentage Exemption**

As with federally funded percentage exemptions, CFAP percentage exemptions are only to be provided to individuals that are subject to the time limit after their three countable months have been exhausted. The CWDs are required to track the number of CFAP percentage exemptions that have been allocated to individual CFAP recipients. Individual allocations of CFAP percentage exemptions must be tracked manually by CWDs until further notice. The CFAP percentage exemptions must not be included in Federal reports.

The CDSS will be monitoring the manual tracker and assessing the rate in which CFAP percentage exemptions are expended in implementing counties. Adjustments to CFAP percentage exemption allocations may be made accordingly.

If you have any questions regarding the exemption allocations described in this letter, please contact the CalFresh Policy Bureau at (916) 651-8047.

Sincerely,

### ***Original Document Signed By:***

MARCELA RUIZ  
Acting Deputy Director  
Family Engagement and Empowerment Division