

August 28, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 20-102**

This annual letter fulfills the requirements set forth by Welfare and Institutions Code, Section 18919 regarding the CalFresh Restaurant Meals Program.



KIM JOHNSON  
DIRECTOR

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

August 28, 2020

ALL COUNTY LETTER (ACL) NO. 20-102

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CALFRESH PROGRAM SPECIALISTS

SUBJECT: CALFRESH: RESTAURANT MEALS PROGRAM ANNUAL LETTER

REFERENCE: [WELFARE AND INSTITUTIONS CODE, SECTIONS 18919, 18900.5, AND 18919\(e\); 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; NO. I-71-11; ALL COUNTY LETTER \(ACL\) No. 14-49, AND 16-112; AND CALIFORNIA EDUCATION CODE SECTION 66025.93](#)

This (ACL) provides general information about the CalFresh Restaurant Meals Program (RMP), a list of County Welfare Departments (CWDs) participating 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 annual letter fulfills the requirements set forth by [Welfare and Institutions Code \(W&IC\), Section 18919](#) 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 as a county-option in 2003.

Under the [California Education Code Section 66025.93](#), each public or private postsecondary educational institution located in a county that participates in the RMP, and operates any qualifying food facility on campus, must apply to become an approved food vendor for the RMP. Additionally, under [W&IC Section 18919\(e\)](#), California

Department of Social Services (CDSS) has the option to enter into a Memorandum of Understanding (MOU) with the Chancellor of the California State University System (CSUS). This MOU allows any CSUS campus operating a qualifying food facility to participate in the RMP, whether the campus is located in an RMP county or not. See [ACL 16-112](#), dated December 23, 2016, for additional information on the RMP requirements for post-secondary education institutions in California.

As of the release of this ACL, 15 CWDs have opted to participate in the RMP. The counties are:

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

\*These CWDs have been newly added over the last year.

On average these counties represented 67% of the total monthly CalFresh caseload in 2019. More information on each CWD's RMP program can be found on [The California EBT Project](#) webpage.

### **THE RMP OPT-IN PROCESS**

With the expansion of CalFresh to Supplemental Security Income/State Supplemental Payment (SSI/SSP) recipients, which began June 1, 2019 and was established by [W&IC Section 18900.5](#), CWDs that have not yet opted into RMP are encouraged to consider the option as another opportunity to provide access to food for elderly, disabled, and homeless clients who may have difficulty preparing meals or have no place to store and cook food.

### **Proposal Development and Review Process**

Interested CWDs should submit to the CDSS a proposal requesting approval to implement the RMP as outlined in [MPP 63-102\(e\)\(2\)\(H\)\(3\)](#) and [ACIN I-71-11](#), dated October 14, 2011. The main component of the proposal is the MOU that details the obligations of both the CWD and authorized food vendors. Expectations for participating in the RMP are provided in [ACL 14-49](#), dated August 6, 2014.

The CWD must 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 then be sent to the CWD.

When complete, the RMP proposal, including the MOU, is submitted to the CDSS for review and approval. The CDSS reviews the proposal to ensure that it meets the requirements of all Federal and State RMP regulations at 7 CFR sections [272.9](#), [274.7](#), [278.1](#) and CalFresh [MPP 63-102\(e\)\(2\)\(H\)\(3\)](#), as well as relevant ACINs and ACLs as cited in this letter. The MOU must include, among other things, a requirement that all food vendors provide low cost or discounted meals during regular hours to RMP 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. The CWD may then establish an MOU with participating food vendors and groups of food vendors.

#### 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 CDSS will work with the CWD to develop an approvable RMP proposal.

### **HOW VENDORS BECOME AUTHORIZED**

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

1. The food vendor owner may create a United States Department of Agriculture (USDA) account online, complete the paper application ([FNS 252-2](#)), and submit it along with supporting documentation to the Food and Nutrition Service (FNS). 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.

While the FNS website has important information for applying to become authorized, the online application listed there is for food stores only. Online applications for restaurants are not available currently.

Regulations at 7 CFR sections [278.1\(b\)\(1\)\(iv\)](#) and [278.1\(d\)\(3\)](#), list the various criteria required of food vendors so that they may qualify as authorized vendors for RMP.

Per [California Education Code Section 66025.93](#), 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.

If you have any questions regarding this ACL, please contact the CalFresh Policy Bureau at [CalFreshPolicy@dss.ca.gov](mailto:CalFreshPolicy@dss.ca.gov).

Sincerely,

***Original Document Signed By***

JENNIFER HERNANDEZ, Deputy Director  
Family Engagement and Empowerment Division