

October 13, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 20-109**

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) and the Statewide Automated Welfare Systems (SAWS) with policy clarification and answers to questions regarding the implementation of Senate Bill (SB) 380 and corresponding ACL No. 18-82, regarding the option to receive child support in lieu of the California Work Opportunity and Responsibility to Kids (CalWORKs) grant under specified circumstances.



**KIM JOHNSON**  
DIRECTOR

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

October 13, 2020

ALL COUNTY LETTER NO. 20-109

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CALWORKS PROGRAM SPECIALISTS  
ALL COUNTY CALFRESH COORDINATORS  
ALL COUNTY REFUGEE COORDINATORS  
ALL CONSORTIUM PROJECT MANAGERS

SUBJECT: CHILD SUPPORT IN LIEU OF THE CALIFORNIA WORK  
OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS)  
GRANT OPTION: POLICY CLARIFICATION WITH QUESTIONS  
AND ANSWERS REGARDING IMPLEMENTATION OF SENATE  
BILL (SB) 380 (CHAPTER 729, STATUTES OF 2017)

REFERENCE: [SENATE BILL \(SB\) 380 \(CHAPTER 729, STATUTES OF 2017\);](#)  
[WELFARE AND INSTITUTIONS CODE \(WIC\) SECTIONS 11008.14](#)  
[AND WIC SECTION 11450.17](#); ALL COUNTY LETTER  
[\(ACL\) NO. 18-82](#)

The purpose of this ACL is to provide clarification to the guidance transmitted in ACL No. 18-82 regarding the implementation of SB 380, as well as responses to questions submitted by County Welfare Department (CWD) and Statewide Automated Welfare Systems (SAWS) partners. SB 380 became effective November 1, 2018, and provides CalWORKs applicants and recipients with the option to exclude the needs of qualified stepsiblings and half-siblings of CalWORKs-eligible children from consideration in the determination of the Maximum Aid Payment (MAP) for the Assistance Unit (AU) in order to keep one hundred percent of any current child support payments made on behalf of the step/half-siblings.

Prior to this policy, all eligible step/half-siblings were mandatory participants in the AU and MAP determination. The option to exclude eligible half/step-siblings from the AU's MAP has created many questions for both CWDs and SAWS representatives. These questions and the CDSS' responses are documented in the Attachment to this letter,

most of which have already been provided to the individual requesters. This purpose of this ACL is to provide clarification on SB 380 policy and to ensure that all CWDs and SAWS partners receive the same guidance.

### **Basic Eligibility**

Under this policy, the step/half-sibling is excluded from the AU's MAP determination only. The child's needs (not income and resources) are considered for the Minimum Basic Standards of Adequate Care (MBSAC) test at application but not considered when determining the AU's MAP amount. The step/half-sibling would remain in the AU and eligible for the purposes of all other programs and services (i.e., CalFresh, Medi-Cal, Child Care, Special Needs, Temporary Shelter Assistance, etc.), as long as all other eligibility conditions are met.

To exclude a step/half-sibling from the AU all of the following conditions must apply:

- (1) The stepsibling or half-sibling must live with at least one eligible child; and
- (2) They are a child for whom child support payments are received; and
- (3) The amount of current child support received each month for that child is greater than the cash aid amount that child would receive; and
- (4) The parent/caretaker relative has requested in writing that the child not be included in the number of needy persons used to calculate the AU's MAP.

### **Opting In and Out**

Parents/caretaker relatives have the option to exclude an eligible step/half-sibling's needs from the AU's MAP determination only at application, SAR 7 or annual redetermination. They can only request to have the child's needs added back into the AU's MAP determination at their SAR 7 submission or annual redetermination. The only exception to the times a child's needs can be added back into the AU's MAP determination is mid-period if the child support received for that child either stops or decreases below the grant amount the child would receive if aided in the AU's grant. There is no other exception to when the child's needs can be excluded. Please see the attachment of questions and answers for examples of excluding and adding children's needs to the MAP determination.

## **CW 52 Informing Notice and Opt-In Form**

The CW 52 - SB 380 Informing Notice and Child Support Payment Opt-In Form released with ACL 18-82 has two purposes. The first is to inform applicants and recipients of the option to exclude the needs of step/half-siblings of eligible children in the AU who live in the same home, as specified in WIC section 11450.17. The second is to allow parents/caretaker relatives to make a written request to exclude step/half-siblings' needs from consideration in the determination of the AU's MAP to receive full child support payments via the form provided on the reverse side of the informing notice.

As a reminder, applicants and recipients must receive the CW 52 at application and each annual redetermination. The form must also be provided any time a recipient requests it or requests to exclude a child's needs from consideration in the MAP determination under the child support option in lieu of cash grant rule.

Because WIC section 11450.17 requires that CWDs notify applicants/recipients of the provisions of SB 380 in writing, and because a parent/caretaker relative's request to exclude a step/half-sibling's needs from the AU's MAP determination must also be made in writing (unless the parent/caretaker has a disability that prevents them from submitting the request in writing see ACL 19-45), the CW 52 is a required, substitutes-permitted form. Applicants and recipients must use the CW 52 or a CDSS-approved substitute to submit their written requests to exclude children's needs under this rule. The CW 52 has been revised for improved clarity and readability.

CWDs must follow CDSS forms substitution procedure prior to making any changes to the CW 52. Please refer to page 8 of this letter for the CDSS' forms substitutions procedures and the attachment for specific questions and answers regarding the CW 52 form and its use.

## **Revised Denial Notice of Action (NOA) – M82-832H – CW 52 Request – Deny (01/2020)**

NOA message M82-832H is used to deny the CW 52 request when a parent/caretaker relative submits a CW 52 requesting a child(ren)'s needs not be included in the AU's MAP determination and the child(ren) does not meet one of the specified eligibility criteria under SB 380. This NOA message has been revised to remove the denial reason, "you did not ask us in writing." Verbal requests do not require processing (unless being made due to a disability that does not allow the parent/caretaker to submit the request in writing). However, CWDs are strongly encouraged to offer the CW 52 to anyone making a verbal request. The following denial reasons were added: "Child support orders from the court must show how much child support is given to each child," "You did not give us the proof we asked you for. We asked you to give us...", and "Is

not a child under 19 years of age, attending school, who is expected to complete high school before their 19th birthday and would be eligible for CalWORKs.” These additional denial reasons have already been provided to the SAWS so that they may code the NOA accordingly.

### **Child Support**

SB 380 requires that the child support payment received on behalf of a step/half-sibling must exceed that child’s CalWORKs cash aid amount; therefore, proof of the amount of child support paid on behalf of the step/half-sibling is required in order to determine eligibility to exclude the child’s needs from the AU’s MAP determination.

Parents/caretaker relatives are responsible for showing proof of the amount of child support received for the child(ren) whose needs they wish to exclude. There are many ways to verify the amount of child support received. Child support does not need to be received from the Local Child Support Agency (LCSA)/Department of Child Support Services (DCSS) in order for a parent/caretaker relative to opt children into the provisions of this rule.

Parents/caretaker relatives can show proof of child support received by submitting to the CWD one of the following (this list is not all-inclusive):

- An allocated (per child) court order for child support, if one exists;
- Copies of checks received from the non-custodial parent (NCP);
- A written statement signed by the NCP;
- Monthly statements of child support sent by the LCSA/DCSS;
- A sworn affidavit in the absence of any of the documents listed above.

Child support court orders are not required. However, because these applicants/recipients are required to cooperate with child support assignment and cooperation requirements (unless good cause exists), CWDs must refer applicants/recipients to the LCSAs for child support services. If a child support court order already exists, the order must be allocated showing a specified amount of child support awarded for each child of the NCP. Regardless of the method by which applicants/recipients verify the amount of child support paid on behalf of a child, it must reflect that the child support amount exceeds the grant the child receives or would receive.

How to Determine if a Child Support Order is Allocated or Unallocated:

Sometimes the child support order will appear to be clear on the amount of child support awarded for each child named in the court order. Other times an order may look

unallocated when it actually does provide specific amounts of monthly child support for each child. Below is a description on how to read a child support court order.

Occasionally it is possible that an LCSA might have entered an order as unallocated, but it could be considered allocated, and needs to be updated.

Example:

- Allocated: Court order lists three children and has a net figure for support for all three. There is no language stating that the order is unallocated or non-severable. Attached to the order and thus incorporated by reference is a DissoMaster or other program printout with support for three children, and the total figure matches that on the Judicial Council order form. This order should be treated as allocated.
- Unallocated: Court order lists three children and has a net figure for support for all three. There is no language stating that the order is unallocated or non-severable. There is no attached support calculation. This order should be treated as unallocated.
- Unallocated: Court order lists three children and has a net figure for support for all three. The order includes language that the order is non-severable. Attached to the order is a DissoMaster or other program printout with support for three children, showing allocation amounts and the net support matches the order. This order should be treated as unallocated.

Sometimes the information is included in an attachment to the court order using a DissoMaster (calculation method) or some other attached document. CWDs should always ask applicants and recipients if they have any additional pages or attachments with their child support order if the copies submitted as verification are not clear.

If the applicant or recipient does not have their court order or does not have any additional pages/attachments, CWDs are encouraged to reach out to the LCSA. The LCSA will be able to provide the information either over the phone while the applicant/recipient is in the CWD office, through email or by providing a copy to the applicant or recipient. If the CWD accepts the verification from the LCSA over the phone, the CWD must ensure the case notes are thoroughly documented with the details of the conversation and amount of child support received as well as the name, position (title), contact information and office name/location of the LCSA providing the verification.

### Child Support Forms:

If all children in the AU have the same NCP, only one CW 2.1 NA - Notice and Agreement for Child Support is required for that NCP. If the child participating in the SB 380 option has a different NCP than the other child(ren) in the AU, separate CW 2.1 NA forms will be needed. This rule is not specific to SB 380, separate CW 2.1 NA forms for each NCP have always been required. The CW 2.1 Q – Support Questionnaire must also be completed to provide information about the NCP. As with the CW 2.1 NA, only one CW 2.1 Q is required per NCP. Please see the attachment for specific questions and answers regarding child support, court orders and cooperation with LCSAs/child support rules.

### **Good Cause – Child Support Noncooperation**

SB 380 did not change the good cause reasons or rules for child support noncooperation in the CalWORKs program. The existing good cause reasons and methods of determining good cause apply to applicants and recipients choosing to exclude a child(ren)'s needs from the AU's MAP determination under this policy. The attachment provides some questions and answers related to good cause.

### **Child MAP**

The "Child MAP" is the figure used to determine if the monthly child support received by a child exceeds the CalWORKs grant amount that the child receives or would receive if approved at application. These figures are determined using a methodology based on the MAP for the AU size with the child included minus the MAP for the AU without the child plus the amount of the child support disregard (MAP for AU – MAP for AU without the child + \$50 disregard). If the amount of child support received is greater than that amount, the child is eligible. The methodology is slightly different for second and subsequent children participating in the same AU. Because the AU receives the child support disregard only once per month regardless of the number of child support payments received in that month, the child support disregard is only considered in the child MAP calculation for the first child. Please note that the child support disregard is only used for the child MAP determination, if any child support is collected and/or received/passed through for children who are receiving a cash aid payment in the AU, the AU will still be entitled to the \$50 disregard in the month.

Charts were developed by CDSS showing the child MAP by region, AU size and exempt/non-exempt AUs for single child and multi-child participation. The intent was for CWDs and SAWS to use these charts as resource guides and were not intended to be automated. If CWDs or SAWS wish to automate these charts they may do so at their option. Attached are charts showing the child MAP figures that reflect the latest

CalWORKs MAP increase effective October 1, 2019. These charts were released to the SAWS in October 2019 to share with CWDs.

Because CalWORKs MAP and child support disregard changes would affect the figures in these charts, the child MAP charts will need to be updated every time there is a MAP increase or disregard change. CDSS will provide these updates as needed.

### **Other Required Documentation**

For new applicants requesting to exclude a child's needs from the AU's MAP determination under this policy, all required verifications must be collected by the CWD as if the child were included in the AU's MAP. However, the only documentation that is required prior to granting the request is verification that the child is related within the 5<sup>th</sup> degree of kinship to the caretaker relative, they are a step- or half-sibling of an eligible child who is living in the same home, and the amount of monthly child support received for the child will exceed the amount of CalWORKs cash aid the child would receive if included in the AU's MAP determination. Please see the attached Child MAP charts as a reference guide for a per- child amount of child support needed by region, AU type (exempt/non-exempt) and AU size.

Other verifications such as proof of immunizations (for children under age six), SSN, other income received (SSA, gifts from family members, veterans benefit payments received from NCP's military service, etc.) may be needed for other program eligibility determinations (such as Medi-Cal eligibility and CalFresh budgeting), and are required in the event the parent/caretaker relative requests to add the child's needs to the AU's MAP determination in the future. If the request is made mid-period due to decreased child support, the child's needs must be added to the AU's MAP within ten days of the date verification of the change in child support income. This change is retroactive to the first day of the month, in the month the request was made. Please see the attachment for examples of when to add a child's needs mid-period.

### **County-Initiated Actions**

Deciding to include or exclude the step/half-sibling in the AU's MAP determination is the decision of the applicant/recipient; however, certain circumstances will require county-initiated action to move the excluded child into the AU's MAP or discontinue the AU at SAR 7 and/or annual redetermination if the child loses their eligibility to participate in SB 380.

### **MAP Increases**

When statewide MAP levels increase, the child MAP that determines the amount of child support the child must receive monthly to be eligible for exclusion from the AU's



MAP determination will also change. When new child MAP amounts are figured based on MAP increases, the CWD will look at the excluded child's amount of child support to see if eligibility for exclusion under the policy still exists. If the child is no longer receiving child support in the amount that exceeds the amount of CalWORKs the AU would receive if their needs were included because of the MAP change, and it is the AU's SAR 7 data month or month of annual redetermination, the CWD shall add the child's needs back into the AU's MAP determination because the child no longer meets the requirement that the child support exceeds the MAP amount for the child. It is during the SAR 7 and annual redetermination that CWDs do not need the parent/caretaker relative to initial this request. SAR 7 and annual redetermination are the two instances when the CWD can re-evaluate the child's eligibility or "status" for SB 380 participation.

If it is not the AU's SAR 7 data month or redetermination month, the CWD shall not add the child but shall re-evaluate the amount of child support received at the next SAR 7 or redetermination and add the child's needs at that time if the child support is still less than the grant they would receive (child MAP). As a reminder, CWDs may add a child's needs back into the MAP determination at any time if the parent/caretaker relative voluntarily reports mid-period that the monthly child support received for that child has decreased below the child's MAP amount or the child support has stopped.

### **Penalties and Eligibility**

Most penalties in CalWORKs affect the parent/caretaker relative's portion of the grant or a percentage of the entire AU's grant. The exception to this is the school attendance penalty. Teens age 16 and 17 who are deemed chronic truants by the School Attendance Review Board or the School District and who either do not have a good cause reason or fail to attend after efforts to motivate them to improve their attendance are eventually penalized by losing their portion of the AU's grant.

Although teens with school attendance penalties are not receiving a grant, they are eligible to participate under the SB 380 policy. These teens are members of the AU and receiving a grant amount of \$0. Any amount of child support received for that child above \$50 (the disregard amount) would qualify them for this policy. However, once the penalty is lifted and the grant amount the child would receive increases back to an amount above \$50, the CWD must re-evaluate their eligibility by determining whether the amount of child support they receive exceeds the grant amount.

After re-evaluating the child's eligibility, if they are no longer eligible to participate under this policy, CWDs would take the action to add the child's needs back to the AU's MAP determination at the next SAR 7 or annual redetermination, whichever occurs first, unless the parent/caretaker relative requests the CWD take the mid-period action. This

is the same policy as described above for MAP increases (see section on County Initiated Actions/MAP Increases).

### **Forms Information and Requesting Substitutions**

Required Form-Substitute Permitted: Forms in this category are required forms for which modifications or substitutions with prior CDSS approval are permitted. CWDs may modify these forms to add or obtain information that does not (a) conflict with program policy/regulations, or (b) change the legal content of the form. Substitute forms must be submitted to CDSS in writing and may not be used until the CWD or consortium has received written approval from CDSS (see MPP Section 23-400.22). CWDs may email their requests to Shawn Dorris, Policy Unit Manager at [shawn.dorris@dss.ca.gov](mailto:shawn.dorris@dss.ca.gov) or via U.S. Postal mail to:

California Department of Social Services  
CalWORKs Eligibility Bureau  
744 P Street, MS 8-8-31  
Sacramento, CA 95814  
ATTN: Shawn Dorris

### **CAMERA READY COPIES AND TRANSLATIONS:**

For a copy in English, contact the CDSS Forms Management Unit at [fmudss@dss.ca.gov](mailto:fmudss@dss.ca.gov). You may also obtain these forms from the CDSS webpage at: <https://www.cdss.ca.gov/inforesources/forms-brochures>

For questions on translated materials, please contact the CDSS Language Services at (916) 651-8876. CWDs are required to provide CDSS translation to applicants and recipients in their primary languages when they are or become available. Until translations are available, recipients who have elected to receive materials in languages other than English must be sent the English version of the form or notice along with the [GEN 1365 - Notice of Language Services](#) and a local contact number. <http://www.cdss.ca.gov/cdssweb/entres/forms/Multi/GEN1365MUL.pdf>

The CWDs shall ensure that effective bilingual services are provided. When the percentage of non-English cases in a program and/or office location is less than five percent, this requirement may be met through utilization of paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. When the percentage of non-English cases in a program and/or office location is equal to or more than five percent, the CWD must assign a sufficient number of qualified bilingual employees to public contact positions in that program or location, as calculated pursuant to MPP section 21-115.1. Language services shall be provided

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free of charge to the applicant/recipient. More information regarding languages services, which includes both interpretation and translations, can be found in MPP section 21-115.

If you have any questions regarding this letter, please contact your CalWORKs County Consultant or call the Early Engagement and Eligibility Bureau at (916) 654-1322.

Sincerely,

***Original Document Signed By:***

JENNIFER HERNANDEZ, Deputy Director  
Family Engagement and Empowerment Division

c: CWDA

Attachments

## **SB 380 Question and Answers**

### **Basic Eligibility**

- 1Q: Mom applies for aid for herself and three children: Children A, B and C. Child A is a half-sibling to Children B & C, who are full siblings. Mom requests to exclude B & C to keep the child support she receives on their behalf. Can mom choose to exclude only one of the siblings, B or C? What if child B's child support is less than cash aid he would receive, but child C's allocation meets the requirement?
- A: Mom can choose to exclude Child B and/or Child C from the AU's MAP as long as Child A (the half-sibling) is an eligible child living in the home and the child support allocated for each Child B and/or Child C is greater than the cash aid amount for each child. If the child support received for one of the children is lower than cash aid the AU would receive for the child, the parent/caretaker relative will not have the option to exclude that child from the AU's MAP. Please reference Welfare and Institutions Code (WIC) Section 11450.17 and All County Letter (ACL) 18-82.

### **Child Support**

- 2Q. How often will the CW 2.1 (NA) – Notice and Agreement for Child, Spousal and Medical Support and CW 2.1 (Q) Support Questionnaire be required?
- A. For new applicants, the CW 2.1 NA and CW 2.1 Q are required for all children, including those whose needs are considered in the AU MAP calculation as well as those whose needs will be excluded from the MAP in order to receive child support in lieu of the grant. At redetermination, a new CW 2.1 Q will only be required if circumstances change (i.e., new information regarding the non-custodial parent becomes available, or if a new child is born or comes into the home and one of that child's parents is not in the home or if both parents are in the home but are not married, or if a parent of an aided child leaves the home). The rules guiding the use of the CW 2.1 Q did not change with SB 380.

A new CW 2.1 NA is needed is when a family leaves aid and later returns, in which case the custodial parent (CP) would need to agree to cooperate again with the LCSA or claim good cause. A new CW 2.1 NA would also be needed any time a parent/caretaker relative wishes to change their initial good cause designation (i.e., claiming good cause, or indicating their good cause reason no longer exists and that they will cooperate).

For example: The parent/caretaker relative signed a previous CW 2.1 NA agreeing to cooperated with the LCSA/child support requirements, a few months later the NCP becomes threatening and the parent/caretaker relative now out of fear that harm could be done to them or the child(ren), they wish to claim good

cause for non-cooperation. In this situation, a new CW 2.1 NA would be needed claiming good cause and refusal to cooperate.

### Cooperation

3Q: K1/3F families are not required to comply with child support requirements ([ACL No. 14-78](#)). For SB 380, are the CW 2.1 NA and CW 2.1Q forms still not required for a K1/3F family requesting that a child be excluded?

A: Correct, the forms are not required for K1/3F families because they are exempt from cooperation with child support rules. SB 380 did not change the process for these families except for the treatment of the child support and other income or resources that belong to the step/half-sibling whose needs are excluded from the MAP determination pursuant to SB 380. Under the K1/3F rule, child support and any income of the child is counted when reasonably anticipated, but under SB 380 income is excluded for the SB 380 child as well as for a K1/3F child participating under the SB 380 policy.

### Good Cause

4Q: The ACL states that the CW 2.1 NA and CW 2.1Q are still required under SB 380, unless there is good cause.

- a. How do we handle those situations in which good cause exists? What situation would require good cause while the customer would be getting (direct) child support?
- b. If the customer is getting direct child support from the absent parent, and "good cause is allowed," can the CWD just approve for SB 380 or does a referral need to be made to the LCSA?
- c. At application, when a referral is made, can we still approve SB 380 even if the customer has not been interviewed by the LCSA and child support case hasn't been set up yet? Or should the CWD wait until the child support case is set up to exclude the child's needs from the MAP?
- d. What if the customer refuses to cooperate with the LCSA? Is that grounds for not approving the opt-out?

A: SB 380 did not change how good cause is determined. Good cause rules, reasons and determination are done in the same manner and using the same policies and procedures as if the child were aided.

- a. A family receiving direct child support must still be referred to the LCSA unless good cause exists. If the Noncustodial Parent (NCP) is voluntarily paying or complying with a court order to pay, it is unlikely there would be a good cause reason such as, danger to the child or CP. Other good cause reasons may exist. CWDs are to follow existing procedures for evaluating requests for good cause for child support noncooperation.
- b. Good cause has not changed under this policy. CWDs should continue to follow procedures for every other CalWORKs case with good cause.
- c. A child who meets all eligibility conditions can be approved for SB 380 before the parent or caretaker is interviewed by an LCSA the same as any other CalWORKs case would be approved with only the referral. If the parent or caretaker relative later refuses or fails to cooperate with the LCSA, this does not affect SB 380 eligibility. Normal CalWORKs rules and penalties (25 percent) would apply to the AU's grant amount if the LCSA determines non-cooperation exists.
- d. Refusal or failure to cooperate does not affect SB 380 eligibility; however, it may affect the AU's grant amount. If the LCSA determines the parent or caretaker relative is not cooperating with child support rules, a 25-percent penalty would be applied to the AU's grant amount.

#### "Unticking" Time on Aid

5Q: In regard to SB 380, is the child support collected by the DCSS/LCSA and forwarded to the AU for an opted-out child used to untick TOA months?

A: No, child support passed-through to the family for any reason and not retained to repay the family's cash aid does not untick time on aid.

#### Court Orders and Direct Support

6Q: If a customer requests at SAR 7 or redetermination to have their child's needs excluded per SB 380 but does not submit verification until after the new payment period has begun, can we take the action mid-period to exclude the child from CalWORKs?

For example, the RD takes place in November 2018, but the client needs to obtain an unallocated child support order. In January 2019, the customer gets a new allocated court order which shows the child meets the SB 380 criteria. Would the county remove the child effective January 31, 2019, with 10-day NOA? Or would the county wait until the next pay period to remove the child

from CalWORKs because the child can only be opted into child support during SAR 7 or RD? Would the same apply at application?

A: **Please see the ACL for instructions on how to determine if a child support order is truly unallocated.** For unallocated child support orders, the CWD shall deny the CW 52 request. This denial reason is being added to the M82-832H denial NOA with the language "Child support orders from the court must show how much child support is given to each child." This additional denial reason has already been provided to the SAWS so that they may move forward with coding the NOA message accordingly. The revised NOA message is attached to this ACL.

Parents/caretaker relatives should be advised to submit a new CW 52 when their child support order has been allocated by the court and it is their next SAR 7 or redetermination, whichever comes first, if the allocated child support amount is more than the CalWORKs cash aid they would receive for the child.

7Q: Is a child support court order required to opt a child into child support per SB 380? Our county child support staff understand ACL 18-82 (page 6) to say that we must have a current child support court order, in addition to the Monthly Statements of Collections and Distributions. Is this correct?

A: No, neither a court order for child support nor a Monthly Statement of Collections and Distributions is required. Although a court order or printout from the LCSA is the best form of verification, it is not the only acceptable verification allowed. However, the parent/caretaker relative must be able to verify that the individual amount of monthly child support received on behalf of the qualified step/half-sibling must exceed the grant amount that child is receiving or would receive.

8Q: For direct child support, what if there are three kids from one dad receiving direct support? Do we divide the total amount by three?

A: No, only the family courts can determine the amount of child support each child is allocated when there is a child support order. If the child support is received directly from the NCP and there is no court order, a written statement from the NCP designating the dollar amount for each child will be needed as verification of the amount received per child. Families can qualify with direct child support. Parents/caretaker relatives receiving direct support must verify that the child support exceeds the grant amount for the step/half-sibling they wish to exclude from the MAP calculation. However, because of the child support cooperation requirement, it is likely that a child support court order will be established for families initially receiving direct support. SB 380 families are required to cooperate with child support and will be referred to LCSAs unless they have an approved good cause reason for non-cooperation.

Child Support Income and Disregards

9Q: How will child support be paid to the parent? Will LCSAs still collect and distribute the child support payments?

A: Child support will continue to be paid to the parent in the same manner they currently receive child support or the \$50 pass-through. If the LCSA collects and distributes the child support payments, they will continue to do so. If the payments are received directly from the NCP, they will continue to come directly from the NCP until the LCSA receives the referral from the CWD and establishes a child support case. Once the child support case is established, the LCSA will begin collections on behalf of the child. For example, if a client has direct receipt child support, it will continue unless the custodial (aided) parent requests child support services, an account is established and LCSAs take over collections or the child is added to the CalWORKs family's MAP amount, at which time the DCSS/LCSAs will accept the referral and initiate child support services. At application, all children, including SB 380 children, will be referred to the LCSAs through the child support referral process, which should result in the establishment of a child support court order unless there is a good cause reason for non-cooperation.

10Q: The customer and the NCP have a child support "agreement." Example: Mom with 2 children and 2 NCPs who wants to exclude one child stating Dad pays \$500 of her rent (or car payment, braces, etc.) and they consider this the child support payment. NCP pays the \$500 directly to the landlord. \$500 is more than the amount of cash aid the child would receive. Can we exclude the child? If yes, do we use the \$500 in the CalFresh budget?

A: Yes, the \$500 would be considered child support because that is the agreement between the NCP and the custodial parent/caretaker relative regardless of who receives the payment. The child is eligible for SB 380 because the amount is greater than the cash aid the child would receive, and the half-sibling is in receipt of cash aid in the AU. Defer to CalFresh on including the \$500 in the CalFresh budget.

11Q: Are LCSAs going to give an additional disregard payment? Example: Mom and 2 children with 2 NCPs wants to exclude 1 child because she receives direct child support of \$250 per month. The child is eligible to be excluded. The LCSA is collecting \$100 in child support per month for the 2nd child, is the LCSA going to send her a \$50 disregard? We already "counted" the \$50 disregard in the first child's calculation, and they already kept the full child support, so it seems that



they would not get it again. Does that mean LCSA will no longer give the disregard to parents who have opted to exclude a child(ren)?

- A: The \$50 child support disregard would not be considered an “additional” disregard payment. The \$50 amount was only used as a test to determine if the child receives enough child support to exceed what the child would receive if included in the AU’s MAP determination. LCSAs will continue to pass through the first \$50 of any child support collected for children receiving a cash aid payment in the AU. An AU is only entitled to receive one \$50 disregard payment per month regardless of the number of children receiving child support or the number of child support payments received for that month.

### **Other Income and Resources**

12Q: If a child has a joint bank account with the custodial parent, would that account be included as a resource?

- A: Because the excluded step/half-sibling’s income and resources are excluded from consideration against the remaining AU members, the child’s portion of the joint account/property cannot be counted. CWDs would use existing CalWORKs rules/regulations to determine how to treat joint property.

13Q: When determining the grant amount to decrease, is it to be based on the MAP or would it be based on the actual grant amount for when the AU is receiving some income and they do not receive the entire MAP?

- A: For purposes of simplicity, when determining eligibility for SB 380, income to the AU will not be a factor. The child MAP was created to assist CWDs in determining the amount of cash aid the child would receive if their needs were included in the AU’s MAP determination. The charts (attached to this ACL) are simple and easy to follow. If the child is receiving a monthly amount of child support that is more than the chart indicates they would receive if included in the AU’s grant and meets all other criteria pursuant to WIC section 11450.17

### **Other Verifications**

14Q: ACL 18-82 reads as follows: “CWDs shall gather all required verifications at application as if the step/half-sibling were receiving cash aid to be able to meet the 10-day timeframe if a request were made to have a step/half-sibling’s needs considered in the MAP determination mid-period. The CWD shall not delay or deny CalWORKs cash aid for the AU while gathering verification for SB 380 children.” How do counties treat applicants that fail to provide information on the excluded child?

- A: For CalWORKs verifications, counties should use existing timeframes when requesting verifications and allow a reasonable amount of additional time for parents/caretaker relatives who may be having difficulty obtaining them. Counties are also reminded of the duty to assist applicants/recipients in obtaining verifications needed to establish eligibility.

Additionally, statutes and regulations do allow sworn affidavits for some verifications (excluding citizenship and SSN). Actual verification is always preferred; however, if after a good faith effort is made and the county is also unable to obtain the verification, CWDs must accept the sworn affidavit. CWDs can consult with CalWORKs Early Engagement and Eligibility Bureau on this subject if further clarification is needed.

## **CW 52 Actions**

- 15Q: The statute requires the request to participate in SB 380 be in writing. Does a verbal request from a client have to be processed and denied for “not requesting in writing?” If not, can CDSS or SAWS during programming, remove that reason from the denial NOA?

- A: Eligibility for participation in SB 380 requires the parent/caretaker relative to submit the request to exclude the child from the AU’s MAP amount in writing. Verbal requests for participation in SB 380 are not required to be processed; therefore, the denial reason on the CW 52 M82-832H denial NOA, “You did not request in writing” will be removed.

If an applicant or recipient makes a verbal request for a child to participate in SB 380, the CWD should explain to the applicant/recipient the request must be in writing and offer the CW 52 (for recipients, the CWD should remind them the written request must be made at SAR 7 or annual redetermination only). If the verbal request is made over the phone, the CWD should offer to mail the CW 52 and tell the person they can also come into the office to pick up a copy.

CWDs must work with applicants and recipients with disabilities per ACL 19-45 when the applicant or recipient cannot make requests in writing to ensure they receive the reasonable accommodations they are entitled to.

- 16Q: Clients coming to the CWD with unallocated court orders for child support must be told to return to court to have the orders allocated. There is not a denial reason on the NOA to deny the CW 52 request when the client is asked to have the court order allocated. What are CWDs supposed to do with these requests? Can a sworn statement be used temporarily? If not, can this denial reason be added to the NOA?

- A: The CW 52 request should be denied because these court actions can take four to six months depending on the county and court caseload. The following denial reasons have been added to the M82-832H denial NOA attached to this ACL: "You did not give us the proof we asked you for," and "Child support orders from the court must show how much child support is given to each child." The first reason is to be used for a lack of verifications in general, and the second reason is to be used for unallocated court orders. When using the "You did not give us the proof we asked for" reason, the CWD must include a list of the proof that was requested and not received. As a reminder, the original request for verifications should have been made using the required CW 2200.

Although the CDSS has given direction that sworn statements are acceptable after a good faith effort has been made to obtain evidence (in most cases other than citizenship etc.), the DCSS confirmed they will not pass-through child support for clients who have unallocated court orders based on a sworn statement regarding the amount each child receives. Only a judge can make that determination. **Please see the ACL for instructions on how to determine if a child support order is truly unallocated before denying the CW 52 application.**

- 17Q: ACL 18-82 states that clients may choose to opt their child(ren) into/out of SB 380 at application, SAR 7 and at their annual redetermination. Question: What does the CWD do with the CW 52 request if the client submits a late SAR 7 (such as following month)? Late redetermination (same scenario)? Is the CW 52 denied (i.e., is it now considered past the SAR 7 or redetermination month)?

- A: The request to opt the child into SB 380 can be processed as part of the SAR 7 or redetermination as long as the SAR 7 or redetermination has not been processed and completed. If the recipient's SAR 7 or redetermination is late and the CWD processes it per regulations and CWD practice, but the client later states they meant to submit the CW 52 as part of the SAR 7 or redetermination, the CW 52 cannot be accepted and processed because the SAR 7 or redetermination has been completed.

If the SAR 7 or redetermination is late, resulting in a break in aid which requires a new application, the client may submit the CW 52 at that time because CW 52s are allowed "at application." This is acceptable as long as the application has not been processed and completed/granted prior to the submission of the CW 52 as in the scenario above.

- 18Q: If a CW 52 is received with the adult's name on the child name field, do we need to generate the denial NOA? If the answer is yes, then which NOA should be used?

A: If the parent/caretaker relative made a mistake and placed their name in the child's name field the CWD would use denial reason, "Not the half/stepsibling of a CalWORKs eligible child." If the form was submitted by a recipient it is good practice for the CWD to inform the parent/caretaker relative of the error and advise them to submit a new CW 52 if they would like to proceed with the request.

If the adult is someone who is 18 years of age or older or a child who is age 18 years of age and not enrolled in and therefore ineligible for CalWORKs, a new reason will be added to the M82-832H denial NOA to say, "is not a child under 19 years of age attending school and expected to graduate before his/her 19th birthday who would be eligible for CalWORKs."

19Q: Will the CW 52 be sent out again or should the SAWS/CWD send it out again?

A: WIC section 11450.17 requires CWDs to notify CalWORKs applicants and recipients of the provisions of SB 380 in writing at application and at the time of each annual redetermination, or sooner

### **Opting In/Out and Mid-Period Actions**

20Q: When a child is added back due to the child support decreasing or stopping, the change is made effective the beginning of the month the change is reported after verification is received. Does the child's other income (if they have any, such as SSA) count for the month? Remainder of the SAR period?

A: Yes, when a person's needs are considered in the cash aid payment, their income is also considered (unless the income is otherwise excluded by CalWORKs rules or federal law). Since the payment for the child is effective back to the first of the month, the income should be considered for the entire month as well as the remainder of the SAR or AR/CO period. See WIC Sections 11265.3(g)(1) and (g)(2).

21Q: When clients report a change, CWDs give the client 10 days to provide verification and when it is regarding a decrease in income, CWDs will increase the grant within 10-days of receipt of verification per MPP and WIC effective the first of the month in the month in which the change was reported. Example, a client reports on 9/5 that child support has decreased or stopped and submits verification by 9/15. CWD would increase the grant to add the child's portion no later than 9/25 effective back to 9/1. What if the client reports on 9/5 that the child support has decreased or stopped but does not submit the verification until 10/10 (in the following month)? Is the child's portion restored effective 9/1 or 10/1?

A: The statute explicitly states it is the first of the month in which the change is reported. The effective date would be 9/1 however the CWD cannot **take action** until verification is received. See WIC sections 11265.3(f) for SAR and 11265.47(e) for AR/CO.

If the child has other income that would decrease the AU's MAP amount or if adding the child to the AU's MAP mid-period would otherwise decrease the AU's MAP amount for any reason, the CWD cannot add the child to the AU's MAP until the beginning of the AU's next SAR payment period for SAR AUs or the beginning of the following month after timely (10-day) and adequate notice is given for AR/CO AUs. See WIC sections 11265.3(h) for SAR and 11265.47(d)(1)(B) for AR/CO.

22Q: When requesting proof of loss of child support for a previously excluded child, if the clients don't turn it in, can you act on the change? Does a no-change NOA need to be issued? If they do provide verification - when do you add them back on? 1st of the month? 1st of the following month?

A: If a parent/caretaker relative does not submit the required verification/proof the CWD cannot make any changes to the case and a no-change NOA should be issued. If the step/half-sibling was SB 380-eligible and verification was submitted late, they should be added back on the first of the month that the change was reported within 10 days of actual receipt of the verification/proof.

23Q: If there is no loss or decrease of child support, when can the child be added back to the AU's MAP determination?

A: The child's needs can be added back to the AU's MAP determination at the next SAR 7 or redetermination.

24Q: Is it the county's responsibility to add the child back into the MAP if they find out the parent stopped receiving child support?

A: No, the child can only be added back mid-period at the request of the parent/caretaker relative for the AU. Once a parent/caretaker relative has chosen to exclude a child's needs when determining the AU's MAP amount under the SB 380 rule, mandatory inclusion rules no longer apply to that child. The CWD can make a county-initiated action at the next SAR 7 or annual redetermination, whichever occurs first, if they have knowledge the child no longer meets the eligibility criteria. See the section of the ACL on county-initiated actions.

25Q: What happens if the only SB 380-eligible child ages out?

- A: If an 18-year-old is enrolled in school and expected to graduate by their 19th birthday, they must continue to be considered a child for the purposes of CalWORKs until they graduate or reach their 19th birthday, whichever comes first, and the step/half-sibling whose needs are excluded remains eligible for SB 380 as long as the 18-year old remains in the AU.

Whenever a case with an SB 380 child has an AU and the CalWORKs child who receives the cash aid leaves the AU for any reason (ages out, moves away etc.) mid-period, the CWD cannot initiate a mid-period action to discontinue the case or add the SB 380 child to the AU's MAP. The CWD must continue to aid the parent(s)/caretaker until the end of the SAR or AR/CO pay period, depending on the case type.

At the end of the payment period the county must take action regarding the SB 380 child because they no longer meet the eligibility requirements to participate in the Child Support in Lieu of Cash Grant Option. If it is the end of the first SAR payment period and the SAR 7 is due, the CWD must reach out to the parent/caretaker to provide them with the options available. Because the CWD was required to collect all required information and verifications for the child at application (or the child was previously considered in the AU's grant determination before participating in SB 380), this contact can be done by telephone and documented by case note. The parent/caretaker should be instructed to make the choice on their SAR 7 form. No additional form is needed. If the SAR 7 has already been submitted, the choice of the parent/caretaker may be documented in the case note when the contact is made. If additional verifications are needed, for example, updated immunizations, the CWD shall add the child to the AU's MAP and request the verifications using the CW 2200 giving the standard due dates to return the verifications for on-going recipient eligibility.

The two options available to the parent/caretaker are to either add the SB 380 child into the AU's MAP determination, or to discontinue the entire case. If the parent/caretaker chooses to add the child to the AU's MAP determination the child must be added the first day of the new SAR payment period and adequate notice must be given. If the parent/caretaker declines to have the child aided at that time the CWD must issue a timely 10-day adequate Notice of Action to discontinue the case. This notice should coincide with the end of the SAR payment period, unless the SAR 7 was late, or the parent/caretaker did not respond timely to the CWD's request to choose an option. If 10-day notice cannot be given in time to stop the aid payment from going out, the case should discontinue as soon as 10-day notice can be given and an overpayment established for any aid that was paid and the AU was not eligible to receive it (following overpayment establishment rules).

For AR/CO cases or SAR cases at the end of the second SAR period (annual redetermination), the conversation regarding options and choices will take place during the interactive interview. The same timeframes would apply.

The only exception to not taking a mid-period action is when the amount of child support received decreases or ceases for the SB 380 child and the parent/caretaker requests they be added to the AU mid-period. The CWD may also follow existing CalWORKs rules to add other eligible children to the AU moving into the home or born into the family mid-period.

### **Miscellaneous**

26Q: If an entire family applies for CalWORKs and also applies to opt a child into SB 380 (submits a SAWS 2 Plus and CW 52), can one denial NOA be sent or are two required?

A: Two NOAs are required. One is needed for the CW 52 application request (provided with the SB 380 Implementation ACL 18-82) and one is needed for the CalWORKs application. These are two separate requests. Therefore, they must be considered and dispositioned separately.

## **CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKs) CHILD SUPPORT INSTEAD OF CASH GRANT OPTION**

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You may choose to keep all of the child support collected for a stepsibling or half-sibling of a CalWORKs-eligible child, if it is more than the cash aid you would get for the stepsibling or half-sibling. If you want to keep the child support and not get cash aid for the stepsibling or half-sibling, you must tell your CalWORKs Eligibility Worker in writing. If you keep the child support, you will not get cash aid for that child and your cash aid may be lowered. The child support you get will not count against your CalWORKs grant. You will get a Notice of Action showing your new cash aid amount. You must have at least one child in your CalWORKs case to stay eligible.

**Contact your CalWORKs Eligibility Worker if you want to keep the child support or have questions about the changes to the Child Support rules. Contact your Child Support Worker if you have questions about your child support.**

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### **CalFresh Changes:**

Changes to your cash aid may change your CalFresh benefits. **You will get a separate notice if your CalFresh benefits change.**

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You may be asked to provide a copy of your child support court order(s) and a copy of your child support Monthly Statements of Collections and Distributions to your CalWORKs Eligibility Worker if you want to keep the child support for your eligible child. If you do not have these papers, contact your local child support agency at 1-866-901-3212. You can use other proof if these papers are not available. Ask the County about other proof you can use to show the amount of child support you get for the stepsibling or half-sibling.



**CW 52 - CHILD SUPPORT PAYMENT OPTION FORM**

I, \_\_\_\_\_, certify I am the parent or caretaker relative of the child(ren) listed on this form and choose to keep the monthly child support I get for them instead of CalWORKs cash aid. I understand I can keep the monthly child support if I meet the conditions under numbers 1-3 below. I understand that the child(ren) will not be eligible to get CalWORKs cash aid unless I withdraw this request. These rules have been explained to me by my worker. I also certify and understand that:

1. The child(ren) listed is a stepsibling or half-sibling of an eligible CalWORKs child living in the same home;
2. The amount of monthly child support I get for the child(ren) is more than the monthly amount of cash aid I would get for them;
3. I have at least one CalWORKs eligible child remaining in the assistance unit;
4. I can withdraw this option when my semi-annual report (SAR 7) is due (if I am a SAR assistance unit), at annual redetermination or if the child support for the child lowers or stops. I cannot opt in again until my SAR 7 report is due or at my annual redetermination appointment;
5. I can only opt in at application, when my SAR 7 report is due (if I am a SAR assistance unit) or at my annual redetermination appointment. My request to opt in at application will be effective the date my cash aid is approved. My request to opt in or out at my annual redetermination or when my SAR 7 is due will be effective the first month following my request after the county gives me a 10-day notice. If I opt out because the child support I get for my child lowers or stops, my grant may increase within 10 days from the day I show proof: and,
6. I have had my rights explained to me and have been given the written informing notice explaining the rules.

I choose not to get CalWORKs cash assistance for my child(ren) listed below, and instead, I wish to keep all of the child support I get for this child(ren):

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Print Name of Child

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Print Name of Child

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Print Name of Child

- I understand my rights as explained to me.
- I understand the rules for choosing to keep my child support payment.

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Case Name

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Case Number

---

Signature of Parent or Caretaker Relative

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Date

---

Signature of Eligibility Worker

---

Date

State of California  
Department of Social Services

Auto ID No.:  
Source :  
Issued by :  
Reg Cite : 82-820.3, 82-828.2,  
SB 380 (Chapter 729, Statutes of 2017)

Noa Msg Doc No.: M82-832H Page 1 of 2  
Action : Deny  
Issue: CW 52 Application  
Title: Child Does Not Meet Requirements  
(SB) 380)

Use Form No. : NA 200 or NA 1239 SAR  
Original Date : 06-01-18  
Revision Date : 10-01-20

MESSAGE:

As of \_\_\_\_\_, the County is denying your application to not include the following child(ren) in the cash aid amount for your family. The child(ren) will be included in your cash aid amount if they are eligible for CalWORKs.

\_\_\_\_\_  
Here's why:

\_\_\_\_\_ does not meet the rule because they:

- [ ] Does not get child support in an amount that is more than the amount of cash aid they would get if included in the family's Maximum Aid Payment.
- [ ] Does not live in the same home as a half-sibling or step-sibling child who is eligible for CalWORKs.
- [ ] Is not a half-sibling or step-sibling of a CalWORKs eligible child in the home.
- [ ] Child support orders from the court must show how much child support is given to each child.
- [ ] You did not give us the proof we asked for and you did not ask us for help to get it. We asked you to give us:  
  
\_\_\_\_\_
- [ ] Is not a child under 19 years of age attending school who is expected to complete high school before their 19th birthday and would be eligible for CalWORKs.

If you asked for another child(ren) not to be included in the cash aid amount for your family that does meet the rule, you will get a separate notice about that child(ren).

Your cash aid amount is figured on this page.

INSTRUCTIONS: Use to deny the application (CW 52 request) when the parent/caretaker relative requests a child(ren) be removed from the AU's MAP under SB 380 rules (Child Support) but the child(ren) do not qualify. Specify the name of the child(ren) and the reason the child(ren) does not qualify to be removed from the MAP. Add space(s) as needed to allow for the number of children's names being denied and/or the proof that was not received. Use NA 200 if the AU has no income or NA 1239 SAR if the AU has income for the correct budget. Calculate the AU's MAP with the child(ren) being denied under SB 380 included in the MAP, if otherwise eligible.

This message replaces M82-832H (06-01-18)

SB 380 Child Maximum Aid Payment (MAP) Chart Effective October 1, 2019

Single Child Participating in SB 380

Assistance Unit (AU) Size	Region 1 Exempt	Region 1 Non-Exempt	Region 2 Exempt	Region 2 Non-Exempt
2. For a child in this AU size to participate, the adult(s) cannot be aided. The remaining AU member must be a CalWORKs eligible Step or half-sibling.	\$172 Base Child MAP + <u>50 CS Disregard</u> =\$222 Child MAP	\$146 Base Child MAP + <u>50 CS Disregard</u> =\$196 Child MAP	\$163 Base Child MAP + <u>50 CS Disregard</u> =\$213 Child MAP	\$141 Base Child MAP + <u>50 CS Disregard</u> =\$191 Child MAP
3	\$205 Base Child MAP + <u>50 CS Disregard</u> =\$255 Child MAP	\$205 Base Child MAP + <u>50 CS Disregard</u> =\$255 Child MAP	\$195 Base Child MAP + <u>50 CS Disregard</u> =\$245 Child MAP	\$173 Base Child MAP + <u>50 CS Disregard</u> =\$223 Child MAP
4	\$198 Base Child MAP + <u>50 CS Disregard</u> =\$248 Child MAP	\$182 Base Child MAP + <u>50 CS Disregard</u> =\$232 Child MAP	\$188 Base Child MAP + <u>50 CS Disregard</u> =\$238 Child MAP	\$173 Base Child MAP + <u>50 CS Disregard</u> =\$223 Child MAP
5	\$204 Base Child MAP + <u>50 CS Disregard</u> =\$254 Child MAP	\$182 Base Child MAP + <u>50 CS Disregard</u> =\$232 Child MAP	\$194 Base Child MAP + <u>50 CS Disregard</u> =\$244 Child MAP	\$173 Base Child MAP + <u>50 CS Disregard</u> =\$223 Child MAP
6	\$204 Base Child MAP + <u>50 CS Disregard</u> =\$254 Child MAP	\$182 Base Child MAP + <u>50 CS Disregard</u> =\$232 Child MAP	\$194 Base Child MAP + <u>50 CS Disregard</u> =\$244 Child MAP	\$173 Base Child MAP + <u>50 CS Disregard</u> =\$223 Child MAP
7	\$203 Base Child MAP + <u>50 CS Disregard</u> =\$253 Child MAP	\$182 Base Child MAP + <u>50 CS Disregard</u> =\$232 Child MAP	\$192 Base Child MAP + <u>50 CS Disregard</u> =\$242 Child MAP	\$173 Base Child MAP + <u>50 CS Disregard</u> =\$223 Child MAP

Assistance Unit (AU) Size	Region 1 Exempt	Region 1 Non-Exempt	Region 2 Exempt	Region 2 Non-Exempt
8	\$206 Base Child MAP + 50 CS Disregard =\$256 Child MAP	\$182 Base Child MAP + 50 CS Disregard =\$232 Child MAP	\$196 Base Child MAP + 50 CS Disregard =\$246 Child MAP	\$173 Base Child MAP + 50 CS Disregard =\$223 Child MAP
9	\$201 Base Child MAP + 50 CS Disregard =\$251 Child MAP	\$182 Base Child MAP + 50 CS Disregard =\$232 Child MAP	\$191 Base Child MAP + 50 CS Disregard =\$241 Child MAP	\$173 Base Child MAP + 50 CS Disregard =\$223 Child MAP
10	\$207 Base Child MAP + 50 CS Disregard =\$257 Child MAP	\$182 Base Child MAP + 50 CS Disregard =\$232 Child MAP	\$197 Base Child MAP + 50 CS Disregard =\$247 Child MAP	\$ 172 Base Child MAP + 50 CS Disregard =\$222 Child MAP

CWDs shall use the figures noted as “child MAP” to determine if the amount of child support is greater than the amount the child would receive for CalWORKs (Please note for simplicity CDSS made the decision that income would not be a factor and a straight MAP would be used).

If the amount of child support received is greater than the “child MAP” for the child’s AU size with the child included, region and AU type, the child is able to participate in SB 380 if all other conditions are met.

Example 1, child resides in region 1. The AU size would be 3 with the child included. It is a non-exempt AU so the base child MAP for the child is \$205, adding the \$50 child support “pass through” or “disregard”, the total child MAP is \$255. The child receives \$300 in child support. Therefore, the child can participate if they meet the other required conditions because they receive more than \$255 in child support.

Example 2, same scenario as above except the child receives only \$150 in child support. The child cannot participate because the child support is less than the \$255 child MAP.

## SB 380 Child Maximum Aid Payment (MAP) Chart Effective October 1, 2019

### Multiple Children Participating in SB 380

**Multi-child opt-in to SB 380 is not available for an AU size of two. At least one CalWORKs aided child must be in the AU.**

Assistance Unit (AU) Size	Region 1 Exempt	Region 1 Non-Exempt	Region 2 Exempt	Region 2 Non-Exempt
3. For a child in this AU size to participate, the adult(s) cannot be aided. The remaining AU member must be a CalWORKs eligible step or half-sibling.	Child 1: \$205 Base Child MAP + <u>50</u> CS Disregard =\$255 Child MAP.  Child 2: \$172 Child MAP.	Child 1: \$182 Base Child MAP + <u>50</u> CS Disregard =\$232 Child MAP.  Child 2: \$146 Child MAP.	Child 1: \$195 Base Child MAP + <u>50</u> CS Disregard =\$245 Child MAP.  Child 2: \$163 Child MAP.	Child 1: \$173 Base Child MAP + <u>50</u> CS Disregard =\$223 Child MAP.  Child 2: \$141 Child MAP.
4. If adult(s) are aided only a maximum of two children can opt into SB 380. There must be at least one eligible CalWORKs aided child in the AU.	Child 1: \$198 Base Child MAP + <u>50</u> CS Disregard =\$248 Child MAP.  Child 2: \$205 Child MAP.  Child 3: \$172 Child MAP.	Child 1: \$182 Base Child MAP + <u>50</u> CS Disregard =\$232 Child MAP.  Child 2: \$182 Child MAP.  Child 3: \$146 Child MAP.	Child 1: \$188 Base Child MAP + <u>50</u> CS Disregard =\$238 Child MAP.  Child 2: \$195 Child MAP.  Child 3: \$163 Child MAP.	Child 1: \$173 Base Child MAP + <u>50</u> CS Disregard =\$223 Child MAP.  Child 2: \$173 Child MAP.  Child 3: \$141 Child MAP.
5. If adult(s) are aided only a maximum of three children can opt into SB 380. There must be at least one eligible CalWORKs aided child in the AU.	Child 1: \$204 Base Child MAP + <u>50</u> CS Disregard =\$254 Child MAP.  Child 2: \$198 Child MAP.  Child 3: \$205 Child MAP.  Child 4: \$172 Child MAP.	Child 1: \$182 Base Child MAP + <u>50</u> CS Disregard =\$232 Child MAP.  Child 2: \$182 Child MAP.  Child 3: \$182 Child MAP.  Child 4: \$146 Child MAP.	Child 1: \$194 Base Child MAP + <u>50</u> CS Disregard =\$244 Child MAP.  Child 2: \$188 Child MAP.  Child 3: \$195 Child MAP.  Child 4: \$163 Child MAP.	Child 1: \$173 Base Child MAP + <u>50</u> CS Disregard =\$223 Child MAP.  Child 2: \$173 Child MAP.  Child 3: \$173 Child MAP.  Child 4: \$141 Child MAP.

Assistance Unit (AU) Size	Region 1 Exempt	Region 1 Non-Exempt	Region 2 Exempt	Region 2 Non-Exempt
<p>6. If adult(s) are aided only a maximum of four children can opt into SB 380. There must be at least one eligible CalWORKs aided child in the AU.</p>	<p>Child 1: \$204 Base Child MAP + <u>50</u> CS Disregard =\$254 Child MAP.</p> <p>Child 2: \$204 Child MAP.</p> <p>Child 3: \$198 Child MAP.</p> <p>Child 4: \$205 Child MAP.</p> <p>Child 5: \$172 Child MAP.</p>	<p>Child 1: \$182 Base Child MAP + <u>50</u> CS Disregard =\$232 Child MAP.</p> <p>Child 2: \$182 Child MAP.</p> <p>Child 3: \$182 Child MAP.</p> <p>Child 4: \$182 Child MAP.</p> <p>Child 5: \$146 Child MAP.</p>	<p>Child 1: \$194 Base Child MAP + <u>50</u> CS Disregard =\$244 Child MAP.</p> <p>Child 2: \$194 Child MAP.</p> <p>Child 3: \$188 Child MAP.</p> <p>Child 4: \$195 Child MAP.</p> <p>Child 5: \$163 Child MAP.</p>	<p>Child 1: \$173 Base Child MAP + <u>50</u> CS Disregard =\$223 Child MAP.</p> <p>Child 2: \$173 Child MAP.</p> <p>Child 3: \$173 Child MAP.</p> <p>Child 4: \$173 Child MAP.</p> <p>Child 5: \$141 Child MAP.</p>
<p>7. If adult(s) are aided only a maximum of five children can opt into SB 380. There must be at least one eligible CalWORKs aided child in the AU.</p>	<p>Child 1: \$203 Base Child MAP + <u>50</u> CS Disregard =\$253 Child MAP.</p> <p>Child 2: \$204 Child MAP.</p> <p>Child 3: \$204 Child MAP.</p> <p>Child 4: \$198 Child MAP.</p> <p>Child 5: \$205 Child MAP.</p> <p>Child 6: \$172 Child MAP.</p>	<p>Child 1: \$182 Base Child MAP + <u>50</u> CS Disregard =\$232 Child MAP.</p> <p>Child 2: \$182 Child MAP.</p> <p>Child 3: \$182 Child MAP.</p> <p>Child 4: \$182 Child MAP.</p> <p>Child 5: \$182 Child MAP.</p> <p>Child 6: \$146 Child MAP.</p>	<p>Child 1: \$192 Base Child MAP + <u>50</u> CS Disregard =\$242 Child MAP.</p> <p>Child 2: \$194 Child MAP.</p> <p>Child 3: \$194 Child MAP.</p> <p>Child 4: \$188 Child MAP.</p> <p>Child 5: \$195 Child MAP.</p> <p>Child 6: \$163 Child MAP.</p>	<p>Child 1: \$173 Base Child MAP + <u>50</u> CS Disregard =\$223 Child MAP.</p> <p>Child 2: \$173 Child MAP.</p> <p>Child 3: \$173 Child MAP.</p> <p>Child 4: \$173 Child MAP.</p> <p>Child 5: \$173 Child MAP.</p> <p>Child 6: \$141 Child MAP.</p>

Assistance Unit (AU) Size	Region 1 Exempt	Region 1 Non-Exempt	Region 2 Exempt	Region 2 Non-Exempt
<p>8.</p> <p>If adult(s) are aided only a maximum of six children can opt into SB 380. There must be at least one eligible CalWORKs aided child in the AU.</p>	<p>Child 1: \$206 Base Child MAP + <u>50</u> CS Disregard =\$256 Child MAP.</p> <p>Child 2: \$203 Child MAP.</p> <p>Child 3: \$204 Child MAP.</p> <p>Child 4: \$204 Child MAP.</p> <p>Child 5: \$198 Child MAP.</p> <p>Child 6: \$205 Child MAP.</p> <p>Child 7: \$172 Child MAP.</p>	<p>Child 1: \$182 Base Child MAP + <u>50</u> CS Disregard =\$232 Child MAP.</p> <p>Child 2: \$182 Child MAP.</p> <p>Child 3: \$182 Child MAP.</p> <p>Child 4: \$182 Child MAP.</p> <p>Child 5: \$182 Child MAP.</p> <p>Child 6: \$182 Child MAP.</p> <p>Child 7: \$146 Child MAP.</p>	<p>Child 1: \$196 Base Child MAP + <u>50</u> CS Disregard =\$246 Child MAP.</p> <p>Child 2: \$192 Child MAP.</p> <p>Child 3: \$194 Child MAP.</p> <p>Child 4: \$194 Child MAP.</p> <p>Child 5: \$188 Child MAP.</p> <p>Child 6: \$195 Child MAP.</p> <p>Child 7: \$163 Child MAP.</p>	<p>Child 1: \$173 Base Child MAP + <u>50</u> CS Disregard =\$223 Child MAP.</p> <p>Child 2: \$173 Child MAP.</p> <p>Child 3: \$173 Child MAP.</p> <p>Child 4: \$173 Child MAP.</p> <p>Child 5: \$173 Child MAP.</p> <p>Child 6: \$173 Child MAP.</p> <p>Child 7: \$141 Child MAP.</p>
<p>9.</p> <p>If adult(s) are aided only a maximum of seven children can opt into SB 380. There must be at least one eligible CalWORKs aided child in the AU.</p>	<p>Child 1: \$201 Base Child MAP + <u>50</u> CS Disregard =\$251 Child MAP.</p> <p>Child 2: \$206 Child MAP.</p> <p>Child 3: \$203 Child MAP.</p> <p>Child 4: \$204 Child MAP.</p> <p>Child 5: \$204 Child MAP.</p> <p>Child 6: \$198 Child MAP.</p> <p>Child 7: \$205 Child MAP.</p> <p>Child 8: \$172 Child MAP.</p>	<p>Child 1: \$182 Base Child MAP + <u>50</u> CS Disregard =\$232 Child MAP.</p> <p>Child 2: \$182 Child MAP.</p> <p>Child 3: \$182 Child MAP.</p> <p>Child 4: \$182 Child MAP.</p> <p>Child 5: \$182 Child MAP.</p> <p>Child 6: \$182 Child MAP.</p> <p>Child 7: \$182 Child MAP.</p> <p>Child 8: \$146 Child MAP.</p>	<p>Child 1: \$191 Base Child MAP + <u>50</u> CS Disregard =\$241 Child MAP.</p> <p>Child 2: \$196 Child MAP.</p> <p>Child 3: \$192 Child MAP.</p> <p>Child 4: \$194 Child MAP.</p> <p>Child 5: \$194 Child MAP.</p> <p>Child 6: \$188 Child MAP.</p> <p>Child 7: \$195 Child MAP.</p> <p>Child 8: \$163 Child MAP.</p>	<p>Child 1: \$173 Base Child MAP + <u>50</u> CS Disregard =\$223 Child MAP.</p> <p>Child 2: \$173 Child MAP.</p> <p>Child 3: \$173 Child MAP.</p> <p>Child 4: \$173 Child MAP.</p> <p>Child 5: \$173 Child MAP.</p> <p>Child 6: \$173 Child MAP.</p> <p>Child 7: \$173 Child MAP.</p> <p>Child 8: \$141 Child MAP.</p>



Assistance Unit (AU) Size	Region 1 Exempt	Region 1 Non-Exempt	Region 2 Exempt	Region 2 Non-Exempt
10. If adult(s) are aided only a maximum of eight children can opt into SB 380. There must be at least one eligible CalWORKs aided child in the AU.	Child 1: $\$207 \text{ Base Child MAP} + 50 \text{ CS Disregard} = \$257 \text{ Child MAP.}$  Child 2: \$201 Child MAP.  Child 3: \$206 Child MAP.  Child 4: \$203 Child MAP.  Child 5: \$204 Child MAP.  Child 6: \$204 Child MAP.  Child 7: \$198 Child MAP.  Child 8: \$205 Child MAP.  Child 9: \$172 Child MAP.	Child 1: $\$182 \text{ Base Child MAP} + 50 \text{ CS Disregard} = \$232 \text{ Child MAP.}$  Child 2: \$182 Child MAP.  Child 3: \$182 Child MAP.  Child 4: \$182 Child MAP.  Child 5: \$182 Child MAP.  Child 6: \$182 Child MAP.  Child 7: \$182 Child MAP.  Child 8: \$182 Child MAP.  Child 9: \$146 Child MAP.	Child 1: $\$197 \text{ Base Child MAP} + 50 \text{ CS Disregard} = \$247 \text{ Child MAP.}$  Child 2: \$191 Child MAP.  Child 3: \$196 Child MAP.  Child 4: \$192 Child MAP.  Child 5: \$194 Child MAP.  Child 6: \$194 Child MAP.  Child 7: \$188 Child MAP.  Child 8: \$195 Child MAP.  Child 9: \$163 Child MAP.	Child 1: $\$172 \text{ Base Child MAP} + 50 \text{ CS Disregard} = \$222 \text{ Child MAP.}$  Child 2: \$173 Child MAP.  Child 3: \$173 Child MAP.  Child 4: \$173 Child MAP.  Child 5: \$173 Child MAP.  Child 6: \$173 Child MAP.  Child 7: \$173 Child MAP.  Child 8: \$173 Child MAP.  Child 9: \$141 Child MAP.

Counties shall use the figures noted as “Child MAP” to determine if the amount of child support is greater than the amount the child would receive for CalWORKs when the parent/caretaker relative has requested to have more than one child participate in SB 380 (Please note for simplicity the California Department of Social Services made the decision that income would not be a factor and a straight MAP would be used).

If the amount of child support received is greater than the “Child MAP” for the child’s AU size with the child included, region and AU type, the child may participate in SB 380 if all other conditions are met.

Counties and the parent/caretaker relative may use the child support received by each child to determine who to assign as child 1, child 2 etc., when the children are opting into SB 380 at the same time based on the amount of child support it takes to meet the eligibility threshold for the child in the AU size/type/region and assignment of child order (child 1, child 2 etc.).