

September 2, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 20-97

The purpose of this All County Letter is to provide implementation and automation guidance for the CalFresh Water Pilot. Pilot benefits will be available to CalFresh households living in selected communities with out-of-compliance water systems under the California Safe Drinking Water Act.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

September 2, 2020

ALL COUNTY LETTER NO. 20-97

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

SUBJECT: CALFRESH WATER PILOT

REFERENCE: [CALIFORNIA WELFARE & INSTITUTIONS CODE SECTION 18901.25;](#)
[ALL COUNTY INFORMATION NOTICE No. I-23-18](#)

The purpose of this All County Letter (ACL) is to provide implementation and automation guidance for the CalFresh Water Pilot (Pilot). Welfare and Institutions Code section 18901.25 mandates that the California Department of Social Services (CDSS) develop a state-funded pilot program to provide time-limited supplemental nutrition benefits to CalFresh households that meet the following criteria:

- Reside within a disadvantaged community; and
- Receive drinking water from a public water system that does not meet primary drinking water standards under the California Safe Drinking Water Act.

BACKGROUND

Implementation of the Pilot will include the creation and automation of a flexible benefit issuance mechanism that can be used in the future for purposes beyond the initial Pilot implementation and will be available to counties statewide. The California Statewide Automated Welfare System (CalSAWS) will be the implementing eligibility system and will develop the flexible benefit issuance mechanism.

The CDSS established a pilot workgroup to develop recommendations on the Pilot design, including selection of a pilot implementing county. The CDSS collaborated with the California Food Policy Advocates (CFPA), the County Welfare Directors Association of California, Fresno County, Kern County, the State Water Resources Control Board (SWRCB), Tulare County, and other impacted partners. Based on the recommendations of the pilot workgroup, Kern County was selected to implement the Pilot. The final pilot design, also based on the recommendations of the pilot workgroup, is described below.

Additional background information regarding the Pilot can be found in [All County Information Notice No. I-23-18](#), released on May 3, 2018.

PILOT DESIGN OVERVIEW AND BENEFIT MECHANISM

DESCRIPTION OF ZIP CODE SELECTION METHODOLOGY AND ANALYSIS

The pilot workgroup shared and compared data, studies, and statistics regarding water quality issues in California. The SWRCB provided data on out-of-compliance community water systems in California's Central Valley that did not meet drinking water standards under the California Safe Drinking Water Act.

Due to the limited funds available for the Pilot, it is not feasible to serve an entire county and have a meaningful, measurable impact. In order to keep the pilot population to a feasible size, two key pilot design elements were used to narrow the eligible population: residential ZIP code and out-of-compliance community water systems.

The SWRCB provided data regarding water systems serving California's Central Valley, including: ZIP codes of all out-of-compliance water systems; number of persons and service connections in those out-of-compliance water system areas; and specific water quality problems within each of the out-of-compliance water system areas (e.g. arsenic, nitrate, combined uranium). The CDSS then requested that the consortium provide a point-in-time count of the number of CalFresh households and individual CalFresh recipients within each ZIP code.

The two data sets from SWRCB and from the consortium were then combined, overlaying the number of CalFresh households in each ZIP code with the out-of-compliance water systems data to obtain a factor. The closer the factor was to 1.0, the higher the number of CalFresh households residing in the respective out-of-compliance water system areas.

A "maximum number of CalFresh households" was determined by the workgroup to be served by the Pilot, based on available funding and other pilot design features. This maximum number was used to remove ZIP codes from consideration that alone or in

combination with other ZIP codes would total a CalFresh household count above the maximum number.

The initial analysis of out-of-compliance ZIP codes and CalFresh households was completed by the workgroup for Fresno County, Tulare County, and Kern County. This analysis was updated to include only Kern County. The pilot workgroup and Kern County selected two eligible ZIP codes, 93241 and 93203, to participate in the Pilot. The final pilot ZIP code selection will be reconfirmed at least six months prior to the Pilot effective date to ensure all eligibility criteria are still met (e.g., out-of-compliance water system).

HOUSEHOLD ELIGIBILITY

The flexible benefit issuance mechanism must have the capability to issue supplemental benefits based on a number of household characteristics such as: household type (e.g. households receiving CalFresh only or households receiving CalFresh and another type of assistance), residential address ZIP code, household size, etc.

For the Pilot, the specific household characteristics that will determine pilot eligibility are:

- Receipt of CalFresh; and
- Residential address ZIP code.

In order to participate in the Pilot, the household must meet all pilot eligibility requirements on the day of pilot implementation. Only active CalFresh households with a residential address in one of the pilot ZIP codes will be eligible to receive pilot benefits. Households with a pending CalFresh application that is not approved on the date of implementation are not eligible. If a household is discontinued after the date of pilot implementation and benefits are later restored without a break in aid, the household's pilot benefits will be automatically restored at the same time.

Households that are receiving Transitional CalFresh (TCF) on the date of implementation are not eligible. If a pilot household becomes TCF-eligible during the pilot period, the household will no longer be considered an active CalFresh household for the purpose of the Pilot and will cease receiving pilot benefits. In addition, households that are receiving Transitional Nutrition Benefits (TNB) on the date of implementation or become TNB-eligible during the Pilot period are also not be eligible for the Pilot.

Pilot eligibility is based on a household's residential address. Households that have a mailing address in a pilot ZIP code and a residential address outside of a pilot ZIP code are not eligible. Households that have only a mailing address that is a non-residential

address are not eligible. CalFresh households whose living arrangement is associated with an institution or group living indicator are not eligible.

CalFresh households that move into a pilot ZIP code after the date of pilot implementation are not eligible. Further, households will lose pilot eligibility if the household relocates to a new ZIP code during the Pilot; meaning, households receiving pilot benefits who move out of the original pilot ZIP code are no longer eligible for pilot benefits, even if the new residential ZIP code is a pilot ZIP code. If a household moves within the same zip code, they will continue to be eligible for the Pilot.

If a CalFresh applicant or recipient requests a hearing for an issue related to the Pilot, pilot benefits cannot be paid pending a decision; however, the County Welfare Department (CWD) may issue a pilot supplement as a result of an appeal or a hearing decision. The CWD must issue this supplement manually.

Note, pilot benefits are subject to existing Electronic Benefit Transfer, or EBT, account aging and expungement rules. Water Pilot Program expunged benefits must not be reinstated.

In addition, pilot benefits must not be included in the benefit count for the purpose of federal Supplemental Nutrition Assistance Program reporting (e.g. DFA 256).

HOUSEHOLD BENEFIT DETERMINATION

The flexible benefit issuance mechanism must have the capability to select a custom benefit amount. The flexible benefit issuance mechanism must have the capability to issue supplemental benefits as:

- (1) A flat dollar amount for all eligible households;
- (2) A flat dollar amount issued based on household size (e.g. a benefit table); or
- (3) A percent of the household's CalFresh benefit allotment.

Based on the pilot workgroup's recommendations, a fixed supplemental nutrition benefit amount of \$50 per month per pilot household has been selected. This benefit amount is equal to approximately 50 percent of a "water purchasing household's" anticipated monthly expenditure on drinking water. According to research conducted by the SWRCB, the average "water purchasing household" in the Central Valley spends approximately \$100.00 on drinking water per month.

The "water purchasing household" size is 3.3 people and, at the time of the workgroup's analysis, the average CalFresh household size statewide was 2.2 people. A pilot benefit that is valued at about 50 percent of the average "water purchasing household's" monthly expenditure was determined to provide a meaningful benefit that pilot

evaluators can assess for an impact on purchasing and consumption patterns. The estimate methodology was provided by the SWRCB and is detailed below:

- $0.7 \text{ gallons of water per day} \times 30 \text{ days (average)} = 21 \text{ gallons/month/person}$
- $21 \text{ gallons/person/month} \times 3.3 = 69.3 \text{ gallons/water purchasing household/month}$
- $69.3 / 5 \text{ gallons} = 13.86 \text{ 5-gallon bottles/month/water purchasing household}$
- $13.86 \times \$6.99 = \$96.88 / \text{month}$ (does not include tax and rental of the dispenser)

The pilot benefit amount will be fixed for the duration of the Pilot and will apply irrespective of the CalFresh household size. No partial months of pilot benefits will be granted, therefore pilot benefits must not be prorated.

LENGTH OF BENEFIT ISSUANCE

The flexible benefit issuance mechanism must have the capability to select a custom length for benefit issuance. For the Pilot, a length of 12 months has been selected. This timeframe is subject to available funding, a proposed monthly benefit amount of \$50, and an estimated number of pilot eligible CalFresh households, totaling approximately 6,147.

To the extent that caseloads in Kern County increase beyond the maximum eligible household caseload, the length of the pilot may be reduced to ensure sufficient funding is available. In the event that the length of the pilot needs to be reduced due to insufficient funds, CDSS will provide CalSAWS a 60-day notice.

MONTHLY BENEFIT ISSUANCE

The flexible benefit issuance mechanism must have the capability to issue supplemental benefits on a single day or on the day after a household's regular CalFresh benefits are issued. For the Pilot, benefits will be issued to households around the 10th business day of each month for the length of the pilot.

BENEFIT TYPE

The benefit type for the Pilot will be coded as CF01. The benefit type CF01 is reusable for other non-water related supplemental benefits in the future.

NOTICING

The flexible benefit issuance mechanism must have the capability to issue notices. For the Pilot, three notices were developed which include:

- (1) CF 304A Important Information About Your CalFresh Benefits – CalFresh Water Pilot;
- (2) CF 304B Notice Of Approval For The CalFresh Water Pilot; and
- (3) CF 304C Notice Of Discontinuance For The CalFresh Water Pilot.

General Informing Notice: Pilot households will be provided a General Informing Notice 30 days before the day of pilot implementation. The General Informing Notice will inform CalFresh households of the date the Pilot will begin, general eligibility (including that only CalFresh households in selected ZIP codes will receive pilot benefits), the pilot benefit amount, and the duration of the Pilot. This informing notice will also serve the dual purpose of acting as a reference document for CWD staff when explaining why a household was included or excluded from the Pilot.

Pilot Approval and Discontinuance Notices: Pilot households will be provided a pilot approval NOA with NA Back 9 Hearing Rights when they begin receiving pilot benefits. A pilot discontinuance NOA with NA Back 9 Hearing Rights will be provided when the Pilot ends or when a household loses pilot eligibility for any reason, including moving from their original pilot ZIP code or losing CalFresh eligibility. Ten-day notice rules apply only to the pilot discontinuance NOA. If a pilot household is discontinued from CalFresh, the household is no longer eligible for the Pilot. If this occurs, the CWD will issue a pilot discontinuance NOA and the CWD must select the appropriate reason statement(s) for the discontinuance no later than the first business day of the following month after the regular CalFresh discontinuance NOA.

The pilot notices will be provided in English and Spanish only and all pilot notices must be issued with a Notice of Language Services (GEN 1365 - 12/16). Issuance of the GEN 1365 will support language access and the provision of translation services as necessary on a case-by-case basis for languages other than English and Spanish.

To illustrate how pilot noticing will be implemented, please see the following table:

Noticing for the CalFresh Water Pilot

Type	Timeframe	Purpose
General Informing Notice and the GEN 1365	30 days before day of pilot implementation	1. Provide pilot-eligible households with information regarding the Pilot implementation date, eligibility

Type	Timeframe	Purpose
		criteria, benefit amount, and pilot duration; and 2. Provide CWD a reference document.
Pilot Approval Notice with NA Back 9 and the GEN 1365	Day of household approval for the Pilot	Provide notice to pilot-eligible households that pilot benefits have been approved. The NOA will include the start date, monthly pilot benefit amount, and anticipated end date.
Pilot Discontinuance Notice with NA Back 9 and the GEN 1365	When a pilot household is discontinued from the Pilot, either because the household is no longer pilot eligible, or the Pilot has ended with 10-day notice	Provide 10-day notice to households that pilot benefits will be discontinued. The NOA will include the end date.

The pilot notices in English have been issued with this ACL. The pilot notices in Spanish will be provided via email to the consortium once the translation process is complete.

REPORTING

In order for CDSS and CalSAWS to properly track data, counties and eligibility systems interfacing with the flexible benefit mechanism must have the ability to collect benefit type-based data and report on a monthly basis the number of households served based on household characteristics (e.g. by household type, by residence ZIP code) and the amount of supplemental benefits issued.

For the Pilot, the CDSS will internally track, on a monthly basis, the number of pilot households and amount of benefits issued. At the Pilot's conclusion, the CalSAWS will transmit its final benefit issuance totals, household counts, and number of individuals served sorted monthly by ZIP code, to the CalFresh Policy Bureau.

The Water Pilot Benefit is drawn from the state bank account. Because of this, no claim will be required from the counties.

ANTICIPATED PILOT IMPLEMENTATION TIMEFRAMES

Following the release of this ACL, pilot automation will begin, with completion anticipated by November 2021. The client-facing implementation date will be

determined in consultation with Kern County when automation timelines are confirmed. The client-facing implementation date will be communicated in a separate ACL.

ZIP CODE CONFIRMATION

The confirmation final pilot ZIP code selection will be communicated in a separate ACL at least six months before the Pilot automation date to ensure enough time to automate pilot ZIP codes.

IMPACT OF PILOT BENEFITS ON PROGRAM ELIGIBILITY

Pilot benefits, like regular CalFresh benefits, are nutrition benefits. Pilot benefits must not be considered income for any means-tested program, including but not limited to CalWORKs, Medi-Cal, General Assistance/General Relief, Supplemental Security Income and/or California State Supplementary Payment, and In-Home Supportive Services.

Pilot benefits must not be included when determining the value of a CalFresh overissuance and must not be used to offset existing household recovery accounts.

IMPACT OF PILOT BENEFITS ON QUALITY CONTROL

The Pilot provides state-funded benefits. As such, pilot benefits are not subject to federal or state Quality Control (QC) review procedures.

If you have any questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at CalFreshPolicy@dss.ca.gov.

Sincerely,

Original Document Signed By:

JENNIFER HERNANDEZ
Deputy Director
Family Engagement and Empowerment Division

Attachment

IMPORTANT INFORMATION ABOUT YOUR CALFRESH BENEFITS - CALFRESH WATER PILOT

WHAT IS THE CALFRESH WATER PILOT?

A California law created a temporary pilot program for CalFresh households living in certain Central Valley ZIP codes. The pilot program, known as the CalFresh Water Pilot, will provide CalFresh households living in certain ZIP codes additional food benefits so that they have more money to purchase drinking water. Households eligible for the CalFresh Water Pilot are anticipated to receive an additional \$50.00 per month in food benefits for a total of twelve (12) months; however, the length of the pilot may be reduced if funds run out. At this time, the CalFresh Water Pilot is a one-time pilot program and will only be available to households that are CalFresh households at the beginning of the twelve (12) month period.

Your household is receiving this notice because you live in _____, one of the ZIP codes selected for the CalFresh Water Pilot. Your household does not need to apply for the CalFresh Water Pilot and will automatically be included in the CalFresh Water Pilot.

HOW WILL THE CALFRESH WATER PILOT WORK?

As long as your household keeps getting CalFresh, your household will also receive \$50 in additional food benefits starting in _____. These additional food benefits are expected to be provided to your households for twelve (12) months through the end of _____. The additional \$50 in food benefits will appear on your Electronic Benefit Transfer (EBT) card around the 10th business day of the month. You can spend the additional food benefits just like your regular CalFresh benefits.

DO I HAVE TO SPEND MY CALFRESH WATER PILOT BENEFITS ON DRINKING WATER?

No, you can spend CalFresh Water Pilot benefits just like your regular CalFresh benefits.

DO I HAVE TO APPLY OR REPORT ANY INFORMATION FOR THE CALFRESH WATER PILOT?

There is no special reporting for the CalFresh Water Pilot, but you need to comply with regular CalFresh reporting requirements to keep your CalFresh Water Pilot benefits. If you have any questions, contact your worker.

IS IT POSSIBLE MY WATER PILOT BENEFITS COULD END EARLY?

Yes, there are a few ways your Water Pilot benefits could end in less than 12 months. These reasons include:

- If your household is no longer receiving CalFresh benefits
- If your household moves out of the ZIP code that made your household eligible for the CalFresh Water Pilot
- If your household becomes eligible for Transitional CalFresh benefits
- If your household becomes eligible for Transitional Nutrition Benefits
- If the CalFresh Water Pilot ends earlier than anticipated
- Your household was incorrectly approved for CalFresh Water Pilot benefits

If any of the above occur, the county will automatically end your CalFresh Water Pilot benefits.

NEED HELP OR HAVE QUESTIONS?

Please contact the county at _____ if you or anyone in your household needs help understanding this change or if you would like more information. If you need this information in a language other than English or Spanish, contact the county. The county will provide translated information or qualified bilingual assistance to you free of charge.

**NOTICE OF APPROVAL FOR THE
CALFRESH WATER PILOT**

COUNTY OF _____

Notice Date : _____
Case Name : _____
Case Number : _____
Worker Name : _____
Worker Number : _____
Telephone Number : _____
Address : _____

(Addressee)

If you have any questions or want more information about this action, please contact your worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. Pages 2 and 3 tell how. Your benefits may not be changed if you ask for a hearing before this action takes place.

As of _____, your household will receive \$50 in food benefits as part of the CalFresh Water Pilot. You will receive this additional \$50 in food benefits each month through _____, as long as you remain eligible and the CalFresh Water Pilot continues. These food benefits are to help you to purchase drinking water, but you do not need to use them to buy water.

Your household is receiving CalFresh Water Pilot food benefits because:

- Your household is receiving regular CalFresh benefits.
- Your household is living in a CalFresh Water Pilot eligible ZIP code.

WATER PILOT ELIGIBILITY

You must be receiving regular CalFresh benefits and remain in your ZIP code to maintain CalFresh Water Pilot eligibility. If you have any questions, contact your worker.

As a reminder, these food benefits are to help you to purchase drinking water, but you do not need to use them to buy water.

Rules: These rules apply to the above action(s):
W&IC §18901.25

You may review them online at cdss.ca.gov or at your local county office.

YOUR HEARING RIGHTS

You have the right to ask for a hearing if you disagree with any county action. You have only 90 days to ask for a hearing. The 90 days started the day after the county gave or mailed you this notice. If you have good cause as to why you were not able to file for a hearing within the 90 days, you may still file for a hearing. If you provide good cause, a hearing may still be scheduled.

If you ask for a hearing before an action on Cash Aid, Medi-Cal, CalFresh, or Child Care takes place:

- Your Cash Aid or Medi-Cal will stay the same while you wait for a hearing.
- Your Child Care Services may stay the same while you wait for a hearing.
- Your CalFresh benefits will stay the same until the hearing or the end of your certification period, whichever is earlier.

If the hearing decision says we are right, you will owe us for any extra Cash Aid, CalFresh or Child Care Services you got. To let us lower or stop your benefits before the hearing, check below:

Yes, lower or stop: ☐ Cash Aid ☐ CalFresh
☐ Child Care

While You Wait for a Hearing Decision for:

Welfare to Work:

You do not have to take part in the activities.

You may receive child care payments for employment and for activities approved by the county before this notice.

If we told you your other supportive services payments will stop, you will not get any more payments, even if you go to your activity.

If we told you we will pay your other supportive services, they will be paid in the amount and in the way we told you in this notice.

- To get those supportive services, you must go to the activity the county told you to attend.

- If the amount of supportive services the county pays while you wait for a hearing decision is not enough to allow you to participate, you can stop going to the activity.

Cal-Learn:

- You cannot participate in the Cal-Learn Program if we told you we cannot serve you.
- We will only pay for Cal-Learn supportive services for an approved activity.

OTHER INFORMATION

Medi-Cal Managed Care Plan Members:

The action on this notice may stop you from getting services from your managed care health plan. You may wish to contact your health plan membership services if you have questions.

Child and/or Medical Support: The local child support agency will help collect support at no cost even if you are not on cash aid. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you current support money collected but will keep past due money collected that is owed to the county.

Family Planning: Your welfare office will give you information when you ask for it.

Hearing File: If you ask for a hearing, the State Hearing Division will set up a file. You have the right to see this file before your hearing and to get a copy of the county's written position on your case at least two days before the hearing. The state may give your hearing file to the Welfare Department and the U.S. Departments of Health and Human Services and Agriculture. **(W&I Code Sections 10850 and 10950.)**

To Ask for a Hearing:

- **Fill out this page.**
- Make a copy of the front and back of this page for your records. If you ask, your worker will get you a copy of this page.
- **Send or take this page to:**

OR

- **Call toll free: 1-800-952-5253** or for hearing or speech impaired who use TDD, 1-800-952-8349.

To Get Help: You can ask about your hearing rights or for a legal aid referral at the toll-free state phone numbers listed above. You may get free legal help at your local legal aid or welfare rights office.

If you do not want to go to the hearing alone, you can bring a friend or someone with you.

HEARING REQUEST

I want a hearing due to an action by the Welfare Department of _____ County about my: ☐ Cash Aid ☐ CalFresh ☐ Medi-Cal ☐ Other (list) _____

Here's Why: _____

☐ **If you need more space, check here and add a page.**

☐ I need the state to provide me with an interpreter at no cost to me. (A relative or friend cannot interpret for you at the hearing.)

My language or dialect is: _____

Name of Person Whose Benefits Were Denied, Changed or Stopped		Date of Birth	Phone Number
Street Address	City	State	Zip Code
Signature			Date
Name of Person Completing This Form			Phone Number

☐ **I want the person named below to represent me at this hearing. I give my permission for this person to see my records or go to the hearing for me. (This person can be a friend or relative but cannot interpret for you.)**

Name		Phone Number	
Street Address	City	State	Zip Code

**NOTICE OF DISCONTINUANCE
FOR THE CALFRESH WATER PILOT**

COUNTY OF _____

Notice Date : _____
Case Name : _____
Case Number : _____
Worker Name : _____
Worker Number : _____
Telephone Number : _____
Address : _____

(Addressee)

Questions? Ask your worker.

**State Hearing: State Hearing: If you think this
action is wrong, you can ask for a hearing.
Pages 2 and 3 tell how.**

As of _____, the county is stopping your monthly Water Pilot benefits. Your household is no longer eligible to receive CalFresh Water Pilot benefits.

Here's why:

- ☐ Your household is no longer receiving CalFresh benefits
- ☐ Your household moved out of the ZIP code that made your household eligible for the CalFresh Water Pilot
- ☐ Your household became eligible for Transitional CalFresh benefits
- ☐ Your household became eligible for Transitional Nutrition benefits
- ☐ Your household was incorrectly approved for CalFresh Water Pilot benefits
- ☐ The CalFresh Water Pilot is ending

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