

August 27, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 21-100**

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) with guidance regarding the implementation of [Assembly Bill \(AB\) 942](#), also known as the Access to Safe Food Choices and Food Security Act of 2019. This letter outlines the requirements established by [AB 942](#) for the California Department of Social Services (CDSS) and CWDs to implement the CalFresh Statewide Restaurant Meals Program (RMP).



KIM JOHNSON  
DIRECTOR

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

August 27, 2021

ALL COUNTY LETTER 21-100

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

SUBJECT: CALFRESH IMPLEMENTATION OF ASSEMBLY BILL 942  
(CHAPTER 814, STATUTES OF 2019): STATEWIDE  
RESTAURANT MEALS PROGRAM

REFERENCE: [ASSEMBLY BILL \(AB\) 942 \(CHAPTER 814, STATUTES OF 2019\);](#)  
[WELFARE AND INSTITUTIONS CODE \(WIC\), Section 18919; ALL](#)  
[COUNTY LETTER \(ACL\) 14-49; ACL 19-29; TITLE 7 CODE OF](#)  
[FEDERAL REGULATIONS \(CFR\) 278.1; ALL COUNTY](#)  
[INFORMATION NOTICE NO. I-71-11](#)

The purpose of this All County Letter (ACL) is to provide instructions to County Welfare Departments (CWDs) for the implementation of [Assembly Bill \(AB\) 942 \(Chapter 814, Statutes of 2019\)](#). AB 942 requires the California Department of Social Services (CDSS) to implement the CalFresh Statewide Restaurant Meals Program (RMP). This letter fulfills the requirements set forth by [Welfare and Institutions Code \(WIC\) Section 18919](#).

### **BACKGROUND**

The federal RMP was established as a state option in 1978 to provide elderly and/or disabled recipients of Supplemental Nutrition Assistance Program (SNAP) benefits, known as CalFresh in California, the option to purchase hot prepared foods at authorized restaurants. In 1996, the federal RMP was expanded to serve SNAP recipients who are homeless. California adopted RMP as a county option in 2003.

CDSS provides administrative oversight and technical assistance to CWDs that opt to administer a local RMP. There are currently eighteen CWDs operating a local RMP. Prior to AB 942, CWDs interested in operating an RMP would submit an RMP proposal to CDSS for review and approval. This proposal included a sample Memorandum of Understanding (MOU) detailing the obligations of the county and the restaurant vendors (hereby referenced as vendor), a draft demographic analysis by ZIP code, a draft

outreach plan to advertise the availability of RMP to local vendors and eligible recipient community, and signage to be displayed at participating vendors. After receipt of CDSS' approval on their RMP proposal, they were responsible for recruiting vendors, entering into RMP agreements with vendors, and then assisting them in obtaining RMP authorization from the United States Department of Agriculture - Food and Nutrition Services (USDA-FNS) to operate as an RMP vendor.

### **ASSEMBLY BILL 942**

Effective October 12, 2019, [AB 942](#) mandates that CDSS implement the Statewide RMP. All 58 CWDs will be impacted by the passage of [AB 942](#) regardless of the status of their current participation in the RMP. As a result of the bill, federally approved vendors will be able to participate in the Statewide RMP by entering into agreements with either CDSS or the local CWD, depending on which agency is responsible for the administration of the RMP in that county. The Statewide RMP will increase access to prepared foods for CalFresh recipients who are older adults aged 60 years or older, people with disabilities, and people experiencing homelessness, as well as their spouses so long as they also receive CalFresh food benefits.

### **STATEWIDE IMPLEMENTATION**

Per [AB 942](#), the Statewide RMP was to be implemented by September 1, 2020. Due to the COVID-19 pandemic emergency, the implementation date of the Statewide RMP was extended to September 1, 2021, please see [WIC section 18919\(e\)\(2\)](#).

The CDSS will implement the RMP in all counties not currently offering the program and will assume administration of the RMP in counties where CWDs have chosen to transition the administration of the RMP to CDSS. The CDSS' administration will include providing vendor outreach and technical assistance, entering into and maintaining CDSS-vendor Permanent Single Agreements (PSA), supporting vendors in obtaining RMP authorization from USDA-FNS, and providing ongoing program monitoring.

Moving forward, CDSS will serve as the RMP liaison between all CWDs and USDA-FNS. This applies whether CDSS or CWD is administering the RMP in a given county.

All inquiries regarding the RMP, including inquiries from counties and vendors, must be sent to [CDSSRMP@dss.ca.gov](mailto:CDSSRMP@dss.ca.gov).

The following counties have chosen to maintain local administration of the RMP:

- Fresno
- Madera
- Tehama
- Orange
- Riverside

The CDSS will begin a phased implementation of the Statewide RMP beginning on September 1, 2021. The following counties have chosen to transition local RMP administrative oversight to the State. The CDSS will reach out to each county as soon as administratively feasible to develop a transition plan and provide technical assistance to support the transition:

- Alameda
- Los Angeles
- Placer
- Sacramento
- San Diego
- San Francisco
- San Luis Obispo
- Santa Clara
- Santa Cruz
- Ventura

CDSS will newly establish an RMP in each of the following counties:

- Alpine
- Amador
- Butte
- Calaveras
- Colusa
- Contra Costa
- Del Norte
- El Dorado
- Glenn
- Humboldt
- Imperial
- Inyo
- Kern
- Kings
- Lake
- Lassen
- Marin
- Mariposa
- Mendocino
- Merced
- Modoc
- Mono
- Monterey
- Napa
- Nevada
- Plumas
- San Benito
- San Bernardino
- San Joaquin
- San Mateo
- Santa Barbara
- Shasta
- Sierra
- Siskiyou
- Solano
- Sonoma
- Stanislaus
- Sutter
- Trinity
- Tulare
- Tuolumne
- Yolo
- Yuba

Beginning September 1, 2021, the CDSS will be prepared to accept RMP vendor applications and CDSS-vendor PSAs for any of the new and existing counties listed above. The responsibilities for all CWDs and CWDs administering the RMP locally are outlined below.

### **CWD RMP RESPONSIBILITIES**

Regardless of which entity assumes oversight of the RMP in each county, per [ACL 14-49](#) all CWDs must:

- Certify homeless, elderly, and disabled recipients of CalFresh as eligible to participate in the RMP to purchase low cost meals with CalFresh benefits at authorized vendors;
- Inform RMP eligible recipients of the names and addresses of participating RMP vendors in the county;
- Set their county consortia RMP reference table value to 'yes' to enable the consortia to pull accurate RMP data;
- Provide training to staff about determining RMP eligibility status at application, recertification, periodic report (SAR 7), and when the CWD becomes aware of a change in the household's circumstances that would trigger RMP eligibility; and
- Ensure that applicants and recipients are made aware of the RMP at intake and recertification and that their RMP indicator has been turned on at next touchpoint with CalFresh eligibility worker.

For locally administered RMPs, CWDs must:

- Conduct outreach to potential applicant vendors;
- Screen vendors to ensure they meet the program requirements outlined in [Title 7 of the Code of Federal Regulations \(CFR\) at 278.1](#);
- Ensure vendors are located in eligible service areas;
- Support vendor applications to USDA-FNS following this process:
  - Review vendor application and provide technical assistance as needed;
  - Ensure the USDA SNAP Application for Meal Services ([FNS 252-2](#)) form is accurate and complete; and
  - Ensure all requested FNS 252-2 supporting documents are accurate and complete; and
- Perform ongoing program monitoring; and
- Provide ongoing RMP technical assistance to vendors.

### **CDSS RMP RESPONSIBILITIES**

Regardless of which entity assumes oversight of the RMP in each county, CDSS will:

- Maintain a current list of participating vendors for RMP eligible households per [ACL No. 14-49](#) issued August 6, 2014; and
- Act as a liaison between RMP partners and USDA-FNS to maintain information sharing.

For state administered RMPs, CDSS will:

- Conduct outreach to potential applicant vendors;

- Screen vendors to ensure they meet the program requirements outlined in [Title 7 of the CFR at 278.1](#);
- Ensure vendors are located in eligible service areas;
- Provide technical assistance to applicant vendors as they complete the [FNS 252-2](#);
- Act as a liaison between applicant vendors and USDA-FNS during the approval process referenced in [Title 7 of the CFR at 278.1](#);
- Maintain CDSS-vendor PSAs;
- Perform ongoing program monitoring; and
- Provide ongoing RMP technical assistance to vendors.

### **Statewide RMP Administrative Options**

CWDs must pick one of two options described below.

#### **Option I: County Administered RMP**

Under the county administered option, CWDs may implement a new local RMP or maintain administration of a current local RMP. After the release of this ACL, CWDs that choose to administer a local RMP must inform CDSS of their decision via email at [CDSSRMP@dss.ca.gov](mailto:CDSSRMP@dss.ca.gov) at least 120 days before the intended transition date.

CWDs that choose this option must also submit a proposal containing a draft CWD-vendor agreement detailing the obligations of the CWD and participating vendors. CWDs that choose option one will follow the standard implementation process outlined in [ACL No. 19-29](#) issued April 12, 2019. CWDs may refer to [ACL No. 14-49](#) for additional information on CWD administrative obligations under a local RMP implementation. CWDs that choose to implement and administer the RMP at the local level must receive approval from CDSS and be prepared to accept vendors by the official transition date. Upon CDSS approval, the CWD may begin recruiting vendors in their county. If a CWD's proposal is denied by CDSS, CDSS will work with the CWD to adjust their proposal to meet State and Federal regulations.

The following process must be followed for CWDs assuming administration of the RMP after the statewide implementation date:

1. The CWD must submit a proposal to [CDSSRMP@dss.ca.gov](mailto:CDSSRMP@dss.ca.gov) containing the following items:
  - a. A draft CWD-vendor agreement detailing the responsibilities for both the CWD and the vendor;
  - b. Outreach and marketing plan outlining efforts to engage the local restaurant community and eligible recipient community;
  - c. Outreach materials – county flyer(s), retail flyer(s), and county RMP signage; and

- d. A draft demographic analysis (by ZIP code) of the location of the potential RMP population in relation to potential participating vendors, per [All County Information Notice \(ACIN\) No. I-71-11](#) issued October 14, 2011, with reference to where data was derived.
2. After receiving approval, the CWD will implement their RMP and may begin vendor outreach.
  - a. The CWD will work with CDSS to transfer any existing CDSS-vendor PSAs to the CWD on a co-established timeline.
3. The CWD will work with vendors to ensure they meet RMP-vendor eligibility and service area requirements outlined in [7 CFR 278.1](#).
4. The CWD will enter into CWD-vendor agreements.
5. The CWD will provide technical support to the vendor in completing the [FNS 252-2](#) and assist in gathering all supporting application documents, as needed.
6. The vendor will submit the [FNS 252-2](#), supporting documents, and CWD-vendor agreement to USDA-FNS through the USDA-FNS [Retail Service Center](#).

#### **Option II: State Administered RMP**

Under the state administered option, RMP implementation and administration will be overseen by CDSS. After the release of this ACL, CWDs that choose to transition a locally administered RMP to CDSS must inform CDSS of the decision via email at [CDSSRMP@dss.ca.gov](mailto:CDSSRMP@dss.ca.gov) at least 120 days before the intended transition date.

The following process must be followed for CWDs that opt-in to a CWD administered RMP but decide to relinquish administrative responsibilities to CDSS in the future after the statewide implementation date:

1. Prior to CDSS assuming implementation of the RMP at the state level, the CWD:
  - a. Will work with CDSS to transition any existing CWD-vendor agreements to CDSS on a co-established timeline;
    - i. Inform current RMP vendors of oversight transition in partnership with CDSS;
    - ii. Provide current RMP vendors with CDSS PSA information; and
    - iii. Work with CDSS to ensure current vendors complete CDSS-vendor PSAs, to ensure no gap in service.
2. The CDSS will implement RMP and begin vendor outreach.
3. The CDSS will work with vendors to ensure they meet RMP vendor eligibility and service area requirements.
4. The CDSS will enter into CDSS-vendor PSAs.
5. The CDSS will provide technical support to vendors in completing the [FNS 252-2](#) and assist in gathering all supporting application documents, as needed.
6. The vendor will submit the [FNS 252-2](#), supporting application documents, and CDSS-vendor agreement to USDA-FNS through the USDA-FNS [Retail Service Center](#).

The CWDs may either transition their RMP to CDSS or reassume administrative authority of the RMP from CDSS once every 24 months.

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

Sincerely,

***Original Document Signed By***

Jennifer Hernandez  
Deputy Director  
Family Engagement and Empowerment Division