

November 9, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-134

The purpose of this letter is to inform County Welfare Departments of changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) pregnancy verification, signature, and in-person photo identification requirements, effective July 1, 2021 as authorized under AB 135 (Chapter 85, Statutes of 2021).



KIM JOHNSON
DIRECTOR

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

November 9, 2021

ALL COUNTY LETTER NO. 21-134

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALWORKS PROGRAM SPECIALISTS
ALL COUNTY REFUGEE COORDINATORS
ALL COUNTY CONSORTIA PROJECT MANAGERS
ALL COUNTY WELFARE CHIEF FRAUD INVESTIGATORS

SUBJECT: CHANGES TO CALIFORNIA WORK OPPORTUNITY AND
RESPONSIBILITY TO KIDS (CALWORKS) PREGNANCY
VERIFICATION, SIGNATURE, and in-person photo identification
REQUIREMENTS

REFERENCE: [ASSEMBLY BILL 135 \(CHAPTER 85, STATUTES OF 2021\)](#), [AB 172 \(CHAPTER 696, STATUTES OF 2021\)](#), WELFARE AND INSTITUTIONS CODE [\(WIC\) SECTIONS 10831](#), [WIC 11054](#), AND [WIC 11450\(b\)](#); MANUAL OF POLICIES AND PROCEDURES [\(MPP\) SECTIONS 40-105.31](#), [MPP 40-115.22](#), [MPP 40-126](#), [MPP 40-128.11](#), [MPP 40-129](#), [MPP 40-131](#), [MPP 40-157](#), [MPP 44-211.6](#), [MPP 44-316.32](#), [MPP 69-201.4](#), [MPP 69-301](#), [MPP 70-105](#) AND [MPP 80-301\(m\)\(3\)](#); ALL COUNTY LETTER [\(ACL\) NO. 14-26](#); ACWDLS DATED [MARCH 27, 2020](#), [MAY 4, 2020](#), [JUNE 16, 2020](#), [JULY 16, 2020](#), [FEBRUARY 17, 2021](#) AND [JULY 22, 2021](#) AND EXECUTIVE ORDER [\(E.O.\) N-08-21](#)

The purpose of this All County Letter (ACL) is to inform County Welfare Departments (CWDs) of changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) pregnancy verification, signature, and in-person photo identification requirements, pursuant to Assembly Bill (AB) 135 (Chapter 85, Statutes of 2021).

Executive Order N-08-21 signed by the governor on June 11, 2021, extended flexibilities provided for in this ACL through September 30th, 2021. AB 135 made the flexibilities permanent in statute, effective July 1, 2021.

Pregnancy Verification Requirement

Pursuant to WIC Section 11450(b) and MPP section 80-301(m)(3), verification of pregnancy is required as a condition of eligibility for aid to be paid to a pregnant person in a family that does not include a needy child.

Effective July 1, 2021, a pregnant person only (PPO) **applicant** who cannot provide medical verification of pregnancy shall be allowed to submit a sworn statement, signed under penalty of perjury, to verify the pregnancy in order for aid and the pregnancy special needs (PSN) payment to be authorized. When providing a sworn statement, the applicant must include their name, date of application, and their expected date of delivery as eligibility for aid begins upon the second trimester of pregnancy under current statute. When an applicant is unable to provide a written statement, a completed Statement of Facts shall be accepted; however, CWDs must ensure the conditions under which the PPO applicant is eligible are documented within the case narration.

PPO applicants who provide the sworn statement shall be required to provide the medical verification of pregnancy within 30 working days following submittal of the sworn statement for benefits to continue. CWDs shall continue aid when the individual presents evidence of a good-faith effort to comply with this requirement.

In the event the pregnant person fails to provide the medical verification within 30 working days and the county has determined there is no evidence of good faith efforts to comply, and the application was otherwise approved, aid shall discontinue at the end of the month of the 30-day period with timely and adequate notice pursuant to [MPP 22-072.1](#). Should benefits continue beyond the end of the month of the 30-day period, an overpayment shall be established for any subsequent aided months the pregnant person failed to comply as outlined in [MPP 44-350.15](#).

Please note, CalWORKs requirements for obtaining evidence to determine eligibility remain unchanged. CWDs must identify and provide written notice of documents and alternative documents, if applicable, that may be submitted to verify eligibility within 10 days from the date of application pursuant to [MPP 40-126.32](#). Should circumstances preclude the applicant from obtaining the necessary documentation on their own, CWDs shall assist the applicant when it has been determined the applicant has made every attempt necessary to obtain the documentation as outlined under [MPP 40-126.33](#).

The above policy changes shall also apply to CalWORKs recipients per AB 172. This letter addresses instructions related to PPO applicants only. An instructional ACL is forthcoming regarding how to apply the policies to recipients and other pregnant applicants with children in the home.

Signature Requirement

Pursuant to WIC Section 11054, all CalWORKs applicants shall file a written attestation, made under penalty of perjury, setting forth their belief that they meet the conditions of eligibility before

approval of assistance or services. While many CWDs are capable of capturing signatures telephonically or by other electronic means, others are not.

Effective July 1, 2021, an applicant may complete the affirmation by means of an oral attestation in lieu of a written attestation if the applicant is unable to provide a physical signature or the CWD is unable to accept an electronic and/or telephonic signature. Except for CalWORKs Homeless Assistance benefits issued pursuant to WIC 11450 (f)(2)(A), the applicant shall submit a physical signature within 30 working days following an oral attestation for benefits to continue. When telephonic or electronic signature capabilities do not exist, the CWD shall document in the case notes that the client verbally attested to the information provided on the application.

When accepting verbal attestation, the CWDs shall document the:

- Applicant's name;
- Date and time of application;
- Summary of the information to which the applicant verbally assents; and
- Applicant's response indicating agreement or disagreement (Yes or No).

Such documentation will temporarily fulfill the requirement for a signed application for individuals who apply over the phone or online without a signature.

Following verbal attestation, the CWD shall mail the Statement of Facts, to include all other forms used to affirm the applicant's belief that specific conditions of eligibility are met, to the client to be signed and returned via U.S. Mail within 30 working days following the date of the verbal attestation for benefits to continue. If after 30 working days, the applicant has not submitted a physical signature, the CWD shall terminate the case with timely and adequate notice.

This guidance shall remain operative until the Statewide Automated Welfare System (SAWS) implements the standalone telephonic signature solution which will be used by counties that currently do not have the capability to capture signatures electronically and/or telephonically.

In-Person Photo Identification Requirement

Pursuant to WIC Section 10831 and MPP Section 40-105.31, the nonbiometric identity verification method implemented and maintained in the CalWORKs program consists of an in-person identification requirement, wherein all adult applicants who are not known to the SAWS must present their photo identification, in person, before aid can be approved, with limited exceptions.

Effective July 1, 2021, in addition to providing photo identification in-person, applicants shall be permitted to present photo identification virtually if the virtual method used allows the county worker to view and identify the applicant presenting the photo identification. Virtual methods include but are not limited to, electronic computerized, videoconferencing and smartphone application methods such as; WebEx, Microsoft Teams, Zoom, or Facetime. Applicants shall be

allowed to choose the method to present photo identification provided the method is available to both parties and meets the above requirements. CWDs shall not establish only a limited number of virtual methods or attempt to restrict clients from utilizing valid methods.

Other Programs Affected

The Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA), and the Trafficking and Crime Victims Assistance Program (TCVAP) cash assistance programs follow the CalWORKs administrative rules with certain exceptions. Pursuant to [MPP 69-201.4](#), CalWORKs program regulations apply to financial eligibility and payments for the RCA program, unless specifically superseded by RCA regulations. Unless otherwise provided, ECA and TCVAP recipients shall be provided cash assistance under the same conditions and to the same extent as the RCA program per [MPP 69-301](#) and [MPP 70-105](#), respectively.

Although RCA, ECA, and TCVAP cash assistance is intended for families without children, recipients entering their second trimester of pregnancy are eligible to apply for and transition to the CalWORKs program and are subject to the same medical verification requirements as CalWORKs applicants and recipients. RCA, ECA, and TCVAP cash assistance applicants are subject to the same in-person requirements regarding identity verifications, and signature requirements as the CalWORKs program. A social security number is not an eligibility requirement for receipt of RCA, ECA, and TCVAP cash assistance.

If you have any questions or need additional guidance regarding the information in this letter, contact the Early Engagement and Eligibility Bureau at CWEligibilityPolicy@dss.ca.gov.

For the RCA, ECA, and TCVAP programs, contact the Refugee Programs Bureau at (916) 654-4356.

Sincerely,

Original Document Signed By

JENNIFER HERNANDEZ
Deputy Director
Family Engagement and Empowerment Division