

November 18, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-140

The purpose of this letter is to inform County Welfare Departments of changes to California Work Opportunity and Responsibility to Kids (CalWORKs) eligibility for pregnant person only applicants effective July 1, 2022, changes to the pregnancy verification requirement for pregnant persons with other eligible children effective July 1, 2021, and changes to the pregnancy special needs payment effective May 1, 2022, as authorized under Assembly Bill 135 (Chapter 85, Statutes of 2021) and Assembly Bill 172 (Chapter 696, Statutes of 2021).



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

November 18, 2021

ALL COUNTY LETTER NO. 21-140

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROGRAM SPECIALISTS
ALL WELFARE-TO-WORK COORDINATORS
ALL COUNTY REFUGEE COORDINATORS
ALL CONSORTIA PROJECT MANAGERS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO
KIDS (CALWORKS): IMPLEMENTATION OF ASSEMBLY BILL
(AB) 135 AS IT RELATES TO CASH AID FOR PREGNANT
PERSONS WITH NO OTHER ELIGIBLE CHILDREN AND THE
PREGNANCY SPECIAL NEEDS PAYMENT

REFERENCE: [ASSEMBLY BILL \(AB\) 135 \(CHAPTER 85, STATUTES OF 2021\)](#),
[ASSEMBLY BILL \(AB\) 172 \(CHAPTER 696, STATUTES OF 2021\)](#),
[WELFARE AND INSTITUTIONS CODE \(WIC\) SECTIONS 11450](#)
[\(b\) AND \(c\)](#), [MANUAL OF POLICIES AND PROCEDURES \(MPP\)](#)
[SECTION 44-211.6](#), [ALL COUNTY LETTER \(ACL\) NO. 21-134](#)
[ACL NO. 20-21](#) [ACL NO. 15-38](#), [ACL NO. 14-04](#), [ACL NO. 00-45](#)

The purpose of this All County Letter (ACL) is to provide instructions to County Welfare Departments (CWDs) on the implementation of [Assembly Bill \(AB\) 135 \(Chapter 85, Statutes of 2021\)](#) as it relates to CalWORKs eligibility for pregnant persons with no other eligible children and the pregnancy special needs (PSN) payment. AB 135 expands eligibility for CalWORKs aid for pregnant person only (PPO) applicants effective July 1, 2022 and increases the monthly PSN payment to \$100 effective May 1, 2022. This ACL also informs CWDs of changes to the pregnancy verification requirement for pregnant persons with other eligible children as it relates to PSN effective July 1, 2021, pursuant to [AB 172 \(Chapter 696, Statutes of 2021\)](#).

CalWORKs Eligibility

Prior to the passage of AB 135, a pregnant adult age 19 or older with no other eligible children in the home was eligible for CalWORKs aid beginning in the second trimester of pregnancy (the six-month period immediately prior to the month of the anticipated birth). Eligibility for a PPO applicant began at this stage once medical verification of pregnancy was provided.

New Eligibility Requirements for PPO Applicants

Effective July 1, 2022, or when the Statewide Automated Welfare System (SAWS) can perform the necessary automation (whichever date is later), CalWORKs aid shall be paid to a PPO applicant as of the date of the application for aid pursuant to [WIC Section 11450\(b\)\(2\)\(A\)](#). Pregnant adults age 19 or older with no other eligible children in the home will be eligible at any stage during their pregnancy and will no longer be required to wait until their second trimester in order to be eligible for CalWORKs. Program eligibility requirements for pregnant teens with no other eligible children in the home who are under the age of 19 and have not graduated from high school or obtained a high school diploma or its equivalent remain unchanged. Please refer to [ACL No. 14-04](#) and [ACL No. 20-21](#) regarding policy guidance for pregnant and parenting teens in the CalWORKs program.

Medical verification of pregnancy remains a required condition of eligibility for CalWORKs PPO applicants. However, effective July 1, 2021, AB 135 authorizes all PPO applicants to initially satisfy the pregnancy verification requirement by means of a sworn statement or, if necessary, a verbal attestation.

A PPO applicant who cannot provide medical verification of pregnancy at the time of application shall be allowed to submit a sworn statement, signed under penalty of perjury, to verify the pregnancy for aid to be authorized. Acceptable sworn statements shall include the applicant's name, date of application, and the declaration of pregnancy. When an applicant is unable to provide a sworn statement, a verbal attestation, supplemented by a signed Statement of Facts (SAWS 2 PLUS), shall be accepted. CWDs must ensure the eligibility conditions under which the PPO applicant verbally attests are documented within the case narration.

Applicants who provided a sworn statement, or verbal attestation, shall be required to provide medical verification of pregnancy within 30 working days following submittal of the sworn statement/verbal attestation for benefits to continue. CWDs shall only continue aid when the individual provides medical verification of pregnancy or presents evidence of a good-faith effort to comply with this requirement.

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](#), using the Request for

Verification form (CW 2200). 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](#).

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, 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 subsequently aided months the pregnant person failed to comply as outlined in [MPP 44-350.15](#).

Please note, PPO applicants who are also applying for Immediate Need (IN) and/or homeless assistance (HA) may utilize the same verification flexibilities authorized under AB 135. PPO applicants who are unable to provide medical verification of pregnancy at application will be allowed to provide a sworn statement or verbal attestation to be determined apparently eligible for IN and HA.

Reporting Requirements

Should the pregnancy end prior to the estimated delivery date, not resulting in the birth of a child, [WIC Section 11450\(b\)\(2\)\(C\)\(i\)](#) requires CalWORKs recipients to report to the CWD, verbally or in writing, within 30 days following the end of their pregnancy.

For PPO recipients, aid shall discontinue at the end of the month following the month in which the loss was reported to the CWD with timely and adequate notice. Prior to discontinuing aid, CWDs shall provide information about, and referral to, mental health services, including, but not limited to, services provided by the county human services agency, when appropriate.

Should the PPO recipient fail to report the loss within 30 days and benefits continued, an overpayment shall be established for any subsequently aided months the pregnant person failed to comply as outlined in CalWORKs overpayment rules at [MPP 44-350.15](#).

Pregnancy Special Needs Payment

In addition to the basic grant, CWDs are required to authorize a \$47 monthly pregnancy special needs (PSN) payment for all pregnant persons eligible for aid pursuant to [WIC Section 11450\(c\)\(1\)](#). Pregnant persons who have applied for CalWORKs are eligible for the PSN upon approval for aid, and pregnant persons receiving CalWORKs in an existing AU with eligible children are eligible from the date of their PSN request. Verification of pregnancy remains a required condition of eligibility for PSN payments; however, both AB 135 and AB 172 authorize pregnant persons to initially satisfy the verification requirement by means of a sworn statement or verbal attestation. AB 135

authorizes the verification flexibility for PPO applicants (only), while AB 172 authorizes the same flexibility for recipients with other eligible children in the home.

Effective July 1, 2021, all pregnant applicants and recipients who cannot provide medical verification of pregnancy will be allowed to submit a sworn statement, signed under penalty of perjury, to verify the pregnancy for the PSN payment to be authorized. When the pregnant person is unable to provide a sworn statement, a verbal attestation shall be accepted. Pregnant persons who provided a sworn statement or verbal attestation must provide medical verification of pregnancy within 30 working days for the PSN payment to continue. If the pregnant person fails to submit medical verification of pregnancy within 30 working days, CWDs shall continue the PSN payment only when the pregnant person presents evidence of good-faith efforts to comply with this requirement.

In the event the pregnant person fails to provide medical verification within 30 working days and the county has determined there is no evidence of good-faith efforts to comply, the PSN payment shall discontinue at the end of the month of the 30-day period with timely and adequate notice, pursuant to [MPP 22-072.1](#). CWDs must resume PSN payments upon receipt of medical verification of pregnancy effective the month in which the verification was provided.

Effective May 1, 2022 or on the date the SAWS can perform the necessary automation (whichever date is later), the monthly PSN payment will increase from \$47 to \$100, as provided by [WIC Section 11450\(c\)\(2\)](#). Pregnant persons qualified for aid must receive this supplemental payment under the same program conditions as outlined above.

Effective July 1, 2022, or on the date the SAWS can perform the necessary automation (whichever date is later), should the pregnancy end prior to the estimated delivery date, not resulting in the birth of a child, the \$100 monthly PSN payment shall discontinue at the end of the month following the month in which the person reports the end of their pregnancy.

Other Programs Affected

Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA), and Trafficking and Crime Victims Assistance Program (TCVAP)

The RCA, ECA, and 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, pregnant applicants, with no other eligible children, are eligible to apply for the CalWORKs program at any time during their pregnancy and are subject to the same medical verification requirements as CalWORKs applicants and recipients. For the RCA, ECA, and TCVAP programs, please contact the Refugee Programs Bureau at (916) 654-4356.

CalWORKs Home Visiting Program (HVP)

The CalWORKs HVP is a voluntary program administered by participating counties throughout California to support positive health, development and well-being outcomes for pregnant and parenting individuals, families, and infants born into poverty. As a result of the new PPO requirements, effective July 1, 2022, pregnant persons may be considered eligible for CalWORKs during the first trimester of pregnancy. In order to be eligible for HVP, an individual must meet both of the following criteria: (A) The individual is one of the following: a member of a CalWORKs assistance unit, the parent or caretaker relative for a child-only case, or an individual who is apparently eligible for CalWORKs Aid (including those who are newly eligible because of their first-trimester pregnancy) *and* (B) The individual is pregnant or the individual is a parent or caretaker relative of a child less than 24 months of age at the time the individual enrolls in the program.

CWDs are encouraged to revisit their CalWORKs HVP needs or consider applying to participate in the CalWORKs HVP. More information about this program can be found by clicking on the following link: [CalWORKs Home Visiting Program Webpage](#) or by contacting the CalWORKs HVP Unit at CalWORKsHVP@dss.ca.gov.

Updates to Notice of Action Messages

Updated Notice of Action (NOA) messages are attached to this letter to reflect the change in eligibility for PPO applicants.

M82-820A (9/21) – No Eligible Person, Deny

This NOA was revised to remove the gender-specific pronoun, “she” and to reflect the change in the eligibility requirement for PPO applicants.

M44-211N (9/21) – No Longer Pregnant, Change

This NOA was revised to remove the gender-specific pronouns, “she” and “he/she.”

No Substitutes Permitted Forms and Notices

These notices are categorized as Required Forms – No Substitutes Permitted. As instructed in [ACL No. 21-02](#) by the CDSS Forms Management Unit, [MPP 23-400.11](#) states that forms in the Required Forms – No Substitute Permitted category may not be

modified or restructured. No changes can be made to a required form unless the modifications or restructuring is required to accommodate an Electronic Data Processing (EDP) system.

[MPP 23-400.212](#) allows County Welfare Departments (CWD)/agencies to reformat or restructure a required form for the purpose of accommodating an EDP system, provided that prior Departmental approval is obtained. For the purposes of this letter and CalWORKs forms, "agency" shall mean the Statewide Automated Welfare Systems (SAWS) as SAWS is the agency responsible for programming and maintaining forms and NOAs for CWD use.

Overprinting Required Forms

In relation to required forms, overprinting is a process by which the CWD/SAWS prints additional information over a current required form without modifying the format, structure, or legal content of the form. This can be done either by overprinting an actual Department form or by printing a Department form locally with the CWD/SAWS information added to it. The CWDs/SAWS may overprint required forms provided that the information added does not conflict with program policy/regulation. The following have been identified as acceptable overprinting purposes and do not require prior state approval: (a) to identify the CWD/SAWS, (b) to add information to the "County Use Only" section, or (c) to add EW instructions. Overprinting for purposes other than those specified above must be approved by the Department before CWD/SAWS use.

Electronic Data Processing Modifications

CWDs/SAWS may reformat or restructure required Department forms for the purpose of accommodating individual CWD/SAWS Electronic Data Processing (EDP) systems, provided that prior Department approval is obtained.

To obtain approval for reformatting and/or restructuring of CalWORKs forms or NOAs, send the request and a description with a draft proposal of the changes by email to Shawn Dorris, CalWORKs Program Manager at: shawn.dorris@dss.ca.gov.

Forms and Translations

For general questions about forms, contact the CDSS Forms Management Unit at fmudss@dss.ca.gov. You may obtain these forms from the CDSS webpage at: [CDSS Forms and Brochures Website](#).

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.

The CWDs shall ensure that effective bilingual services are provided promptly and without undue delays. 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 21-115.1](#). Language services shall be provided free of charge to the applicant/recipient.

More information regarding languages services, which includes both interpretation and translations, can be found in [MPP 21-115](#).

This ACL and other CDSS Letters and Notices are available on the internet at: <http://www.cdss.ca.gov/inforesources/Letters-and-Notices>.

If you have any questions or need additional guidance regarding the information in this letter, please contact the Early Engagement and Eligibility Bureau at (916) 654-1322 or at CWEligibilityPolicy@dss.ca.gov.

Sincerely,

Original Document Signed By

JENNIFER HERNANDEZ, Deputy Director
CalWORKs and Family Resilience Branch
Family Engagement and Empowerment Division

State of California
Department of Social Services

Auto ID No.:
Source :
Issued by :
Reg Cite : 82-820.2

Noa Msg Doc No.: M82-820A Page 1 of 1
Action: Deny
Issue: AU Composition
Title: No Eligible Person

Use Form No. : NA 290
Original Date : 08-1-91
Revision Date : 09-01-21

MESSAGE:

The County has denied your application for cash aid dated
_____.

Here's why:

To get aid, there must be at least one of the following persons
living in the home:

An eligible child, or

A caretaker relative of an SSI/SSP child, or

A caretaker relative of a dependent foster care child, or

A caretaker relative of a Kin-GAP child, or

A pregnant teen under age 19 without a high school diploma
or its equivalent, or

A pregnant person, or

A parent of a child who is sanctioned by the CalWORKs
Welfare-to-Work Program.

INSTRUCTIONS: Use to deny CalWORKs when there is no eligible person in the home after July 1, 2015. In the
action line, enter the date of application.

This message replaces M82-820A dated 06-01-18.

State of California
Department of Social Services

Noa Msg Doc No.: M44-211N Page 1 of 1
Action : Change
Issue: Pregnancy Special Needs
Title: No Longer Pregnant

Auto ID No.:
Source :
Issued by :
Reg Cite : 40-105.2; 44-211.6

Use Form No. : NA 200
Original Date : 04/08/82
Revision Date : 09/01/21

MESSAGE:

As of _____, the County is changing your
cash aid from \$_____ to \$_____.

Here's why:

_____ is no longer pregnant and can
no longer get a \$_____ special needs payment
for pregnancy.

To add your newborn to your grant:

- Tell the County when your baby was born.
- Fill out an application for a social security number for your child.
- Give us proof that the application has been completed.

If your child is eligible, they will be added
to your grant.

INSTRUCTIONS: Use to change the grant amount when the pregnancy special need payments are discontinued at the end of the pregnancy and the county has not received an application to add the child to the AU.

This message replaces M44-211L dated 7/01/01.