

March 26, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

**ALL COUNTY LETTER NO. 21-37
ALL COUNTY WELFARE DIRECTORS LETTER**

The purpose of this letter is to provide County Welfare Departments and juvenile probation departments with guidance regarding the treatment of individual rebates received under the American Rescue Plan Act of 2021 for specified benefits and services administered or overseen by the California Department of Social Services.



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

March 26, 2021

ALL COUNTY LETTER NO. 21-37
ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS

SUBJECT: TREATMENT OF INDIVIDUAL REBATES, REFUNDS, AND
CREDITS UNDER THE AMERICAN RESCUE PLAN ACT OF 2021
FOR SPECIFIED BENEFITS AND SERVICES ADMINISTERED
OR OVERSEEN BY THE CALIFORNIA DEPARTMENT OF
SOCIAL SERVICES

REFERENCE: [H.R. 1319 AMERICAN RESCUE PLAN ACT OF 2021; TITLE 26,
UNITED STATES CODE SECTION 6409; ALL COUNTY LETTER
13-46; AND TITLE 7 OF THE CODE OF FEDERAL
REGULATIONS \(CFR\) SECTION 273.9\(C\)\(8\)](#)

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) and juvenile probation departments with guidance regarding the treatment of payments made to individuals through the Internal Revenue Service (including those characterized as recovery rebates, advance refunds and additional child tax credits) under the American Rescue Plan Act of 2021 for aid in any of the following programs described below.

Treatment of Individual Rebates

Pursuant to 26 U.S.C. § 6409, individual rebates authorized under American Rescue Plan Act of 2021 are excluded from consideration as income in the month of receipt and as an asset for 12 months following receipt.

This federal law applies for income and asset determinations in CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKs), Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA), the Trafficking and Crime Victims Assistance Program (TCVAP), Supplemental Security Income/State Supplementary Payments (SSI/SSP), Cash Assistance Program for Immigrants (CAPI), and programs that fund foster care placements, including the AFDC-FC program, the Approved Relative

Caregiver Funding Program, and Emergency Assistance funding. Under the AFDC-FC program, the term property is used in lieu of asset.

An applicant, recipient, or individual receiving aid under any of the programs outlined above will not be considered to have exceeded the income limit due to these payments because they are excluded, but receipt of these payments could affect eligibility after 12 months if the payments cause the household or individual, as appropriate, to exceed an applicable resource limit.

If you have any questions or need additional guidance regarding the information in this letter, contact:

For SSI/SSP and CAPI, the Benefit Programs Unit in the Adult Programs Division at (916) 653- 3850.

For CalFresh, the CalFresh Policy and Employment Bureau at (916) 651-8047.

For CalWORKs, the Early Engagement and Eligibility Bureau at (916) 654-1322.

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

For AFDC-FC determinations, the Children and Family Services Division at CFSD@dss.ca.gov.

Sincerely,

Original Document Signed By

JENNIFER TROIA, Chief Deputy Director
Children, Families, and Adult Programs
California Department of Social Services