

July 8, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-82

The purpose of this letter is to provide County Welfare Departments with guidance to implement provisions in Assembly Bill (AB) 128, Budget Act of 2021. AB 128 extends the COVID-19 good cause time limit exemption to aided California Work Opportunity and Responsibility to Kids (CalWORKs) adults starting July 1, 2021 through the implementation of the 60-month CalWORKs time limit.



KIM JOHNSON
DIRECTOR

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

July 8, 2021

ALL COUNTY LETTER (ACL) NO. 21-82

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALWORKS PROGRAM SPECIALISTS
ALL WELFARE-TO-WORK COORDINATORS
ALL COUNTY REFUGEE COORDINATORS
ALL COUNTY CALFRESH SPECIALISTS
ALL CONSORTIA REPRESENTATIVES

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO
KIDS (CALWORKS) PROGRAM: COVID-19 GOOD CAUSE TIME
LIMIT EXEMPTION

REFERENCE: [ASSEMBLY BILL \(AB\) 128 \(BUDGET ACT OF 2021\)](#); [EXECUTIVE ORDER \(EO\) N-75-20](#), [EO N-69-20](#), [EO N-29-20](#), AND [EO N-08-21](#); [TITLE 45, CODE OF FEDERAL REGULATIONS \(CFR\) SECTION 264.1](#); [WELFARE AND INSTITUTIONS CODE \(WIC\) SECTION 11454](#); [ALL COUNTY WELFARE DIRECTORS LETTER \(ACWDL\) DATED MARCH 27, 2020](#), [ACWDL DATED JUNE 16, 2020](#), AND [ACWDL DATED AUGUST 31, 2020](#); [ALL COUNTY LETTER \(ACL\) NO. 20-113](#)

The purpose of this letter is to provide County Welfare Departments (CWDs) with guidance to implement the provision in [AB 128](#) that extends the COVID-19 good cause time limit exemption to aided CalWORKs adults. This time limit exemption is effective July 1, 2021 through the implementation of the 60-month CalWORKs time limit described in [ACL 20-113](#).

PRIOR GUIDANCE: COVID-19 EXEMPTION

Executive Orders (EOs) N-29-20, N-69-20, and N-75-20 provided relief to families during the COVID-19 pandemic by exempting months of aid from counting towards the CalWORKs 48-month time limit. This ACL refers to the COVID-19 good cause time limit exemption pursuant to the EOs mentioned as the “COVID-19 EO exemption.” The COVID-19 EO exemption was effective from March 4, 2020 through June 30, 2021.

The Department released three ACWDLs concerning the COVID-19 EO exemption.

- [ACWDL \(Dated March 27, 2020\)](#): Initial guidance regarding the COVID-19 EO exemption pursuant to [EO N-29-20](#);
- [ACWDL \(Dated June 16, 2020\)](#): Guidance on the implementation of [EO N-69-20](#), which extended the COVID-19 EO exemption; and
- [ACWDL \(Dated August 31, 2020\)](#): Guidance on the implementation of [EO N-75-20](#), which further extends the COVID-19 EO exemption. This letter also includes examples on the application of the COVID-19 EO exemption.

Under prior guidance, recipients who reach the CalWORKs 48-month time limit and/or who exceed the 60-month Temporary Aid for Needy Families (TANF) time limit are not eligible to receive the COVID-19 EO exemption. Therefore, recipients with a CalWORKs clock of 48 or more months and/or a TANF clock of 61 or more months are not eligible to the COVID-19 EO exemption. Table A illustrates this concept.

Table A: Eligibility for the COVID-19 EO Exemption

CalWORKs Clock	TANF Clock	Is recipient eligible to receive the COVID-19 EO Exemption?
40	42	Yes, the aided individual is under the CalWORKs 48-month time limit and has not exceeded the TANF 60-month time limit.
45	60	Yes, the aided individual is under the CalWORKs 48-month time limit and has not exceeded the TANF 60-month time limit.
48	60	No, the individual has reached the CalWORKs 48-month time limit. They are CalWORKs timed-out and are not eligible to receive CalWORKs unless they meet a time limit exception (extender). Individuals with a time limit extender are not eligible for the COVID-19 EO exemption.
40	61	No, the individual has <i>exceeded</i> the TANF 60-month time limit and is therefore not eligible for the COVID-19 EO exemption. The individual's CalWORKs time clock will continue to tick for any additional months aided, unless they are eligible for another CalWORKs time limit exemption.

NEW GUIDANCE: COVID-19 AB 128 EXEMPTION

[AB 128](#) extends the COVID-19 good cause time limit exemption to aided adults starting July 1, 2021, until the implementation of the CalWORKs 60-month time limit. This ACL refers to the COVID-19 good cause time limit exemption pursuant to [AB 128](#) as the “COVID-19 AB 128 exemption.”

Eligibility Extended to Aided Adults with Time Remaining on Their CalWORKs 48-Month Time Clock

Under new guidance, all aided adults who are under the CalWORKs 48-month time limit are eligible to receive the COVID-19 AB 128 exemption regardless of their TANF time limit. Table B illustrates this change in guidance.

Table B: Eligibility for the COVID-19 AB 128 Exemption

CalWORKs Clock	TANF Clock	Is recipient eligible to receive the COVID-19 AB 128 Exemption?
40	42	Yes, the aided individual is under the CalWORKs 48-month time limit.
45	60	Yes, the aided individual is under the CalWORKs 48-month time limit.
48	60	No, the individual already reached the CalWORKs 48-month time limit. They are considered CalWORKs timed-out and are no longer eligible to receive CalWORKs unless they meet a time limit exception (extender). Individuals with a time limit extender are not eligible for the COVID-19 AB 128 exemption.
40	61	Yes, the aided individual is under the CalWORKs 48-month time limit.

TIME-ON-AID REVIEWS

CWDs are reminded to conduct time-on-aid reviews. Failure to review and adjust clocks periodically may result in inaccurate eligibility determinations, in addition to recipients being deemed ineligible to the COVID-19 good cause exemptions. As CWDs prepare for the return to the 60-month CalWORKs time clock, it is imperative that all required time-on-aid reviews take place and families are informed in a timely manner.

Per [MPP Section 40-107\(a\)\(4\)](#), CWDs are required to complete time-on-aid reviews and inform recipients of their time on aid:

- at intake;
- at each annual redetermination;
- upon client request;
- on the 42nd, between 42nd and 46th, and on the 48th month of aid; and
- after reaching 48th month, if their children remain on aid and child support or overpayment recoupment reimburses month(s) of aid.

The Time on Aid Verification for CalWORKs/TANF 48-Month Time Limits form ([CW 2191](#)) may be used as a job aid by CWDs to complete time-on-aid reviews. If an individual's time clock is inaccurate, counties are required to correct the clock(s) and apply the COVID-19 AB/EO Exemption if applicable.

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.

Sincerely,

Original Document Signed By:

JENNIFER HERNANDEZ, Deputy Director
Family Engagement and Empowerment Division
Attachment

ATTACHMENT 1

PGM EXC CD	PGM EXC RSN CD	START DATE	END DATE	PROGRAM EXCEPTION REASON NAME	PROGRAM EXCEPTION REASON TEXT	PGM EXC TANF 60 FG	PGM EXC CW 48 FG	PGM EXC WtW 24 FG	PGM EXC END
04	407	3/01/2020	4/30/2022 *	Time Good Cause – CalWORKs 48 Month Limit	CalWORKs 48-Month Clock - Lack of Supportive Services available from the county.	Y	N4	N	Y

N4 – This exemption only applies to the 48-month CalWORKs Time Clock per [AB 128](#) and the 24-month WTW Time Clock and not to the 60-month TANF Time Clock.

*The exemption is effective until the implementation of the CalWORKs 60-month time limit, which is scheduled for April 30, 2022 or when SAWS can implement the required automation, whichever is latest.