TO: ALL ADULT AND SENIOR CARE PROGRAM LICENSEES

Original signed by Pamela Dickfoss
FROM: PAMELA DICKFOSS
Deputy Director
Community Care Licensing Division

SUBJECT: CORONAVIRUS DISEASE 2019 (COVID-19) STIMULUS CHECKS FOR PERSONS IN CARE

Provider Information Notice (PIN) Summary

PIN 20-18-ASC provides guidance to licensees of facilities whose clients/residents, including recipients of Supplemental Security Income/State Supplementary Payment (SSI/SSP) benefits have received stimulus checks authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act authorized "stimulus checks" to be provided to the general public to offset economic distress as a result of the COVID-19 pandemic. These stimulus checks, whether received through direct deposit to a bank account or physical check by mail, are technically tax refund advances for tax year 2020.

Individuals in care who receive SSI/SSP benefits are eligible for a stimulus check, unless they are claimed as a dependent on another taxpayer’s return or do not meet the other eligibility requirements. The stimulus checks are not income and should not be considered the same as a recipient's monthly SSI/SSP benefit. The stimulus checks are considered a tax refund and a recipient is free to use the funds as they desire. A stimulus check carries no spending requirements or limitations.

A licensee should consider and treat a stimulus check like any other tax refund owed to an individual in care. This includes cases where the licensee:
is permitted to have, and has, power of attorney of a person in care, or
• as provided in an approved continuing care agreement, has accepted any
general or special power of attorney for an individual in care, or
• has been designated by the Social Security Administration (SSA) as the
representative payee to manage SSI/SSP for an individual in care.

In accordance with the Governor's Executive Order N-57-20, issued April 23, 2020, no
funds received by a resident traceable to a stimulus payment authorized by the CARES
Act may be attached, garnished, or otherwise used to satisfy a debt owed by a resident
to a licensee.

Licensees are advised to remain in compliance with the following applicable California
Code of Regulations, Title 22 sections:

**Adult Community Care Facilities**

General Licensing Requirements, Adult Residential Facilities, Community Crisis Homes,
Enhanced Behavioral Supports Homes, and Adult Residential Facilities for Persons with
Special Health Care Needs

- [80026](#), Safeguards for Cash Resources, Personal Property, and Valuables of
  Residents, subsection (b), (e), and (f)(1)
- [80068](#), Admission Agreements, subsection (c)(4)

Additional reference sections for Adult Residential Facilities

- [85060](#), Basic Services, subsection (a)(2) and (3)
- [85072](#), Personal Rights, subsection (b)(7) and (b)(10)

Social Rehabilitation Facilities

- [81026](#), Safeguards for Cash Resources, Personal Property and Valuables,
  subsection (b), (e), and (f)(1)
- [81060](#), Basic Services, subsection (a)(2) and (3)
- [81068](#), Admission Agreements, subsection (c)(4)
- [81072](#), Personal Rights, subsection (a)(17) and (a)(20)

Adult Day Programs

- [82026](#), Safeguards for Cash Resources, Personal Property, and Valuables,
  subsection (b), (e), and (f)(1)
- [82068](#), Admission Agreements, subsection (b)(4)

Residential Care Facilities for the Chronically Ill

- [87826](#), Safeguards for Cash Resources, Personal Property, and Valuables,
  subsection (b), (e), and (f)
- [87860](#), Basic Services to Be Provided by the Facility, subsection (b)(2) and (3)
- [87868](#), Admission Agreements, subsection (c)(4)
Residential Care Facilities for the Elderly

- **87217, Safeguards for Resident Cash, Personal Property, and Valuables**, subsections (b), (c)(1), (e), and (f)(1)
- **87464, Basic Services**, subsections (e)(2) and (3)
- **87468.1, Personal Rights of Residents In All Facilities**, subsections (a)(3) and (a)(15)
- **87468.2, Additional Personal Rights of Residents in Privately Operated Facilities**, subsections (a)(8) and (a)(25)-(27)
- **87507, Admission Agreements**, subsection (g)(4)(B)

If you have any questions regarding this PIN, please contact your local [Adult and Senior Care Program Office](#).