Policy Refresher: CalFresh Eligibility Rules for Elderly and/or Disabled Individuals

Hosted by the CalFresh and Nutrition Branch
Tuesday, February 5, 2019
How to Listen In

• This webinar will be held in “listen only” mode.
• There are two ways to connect to audio:
  1. Via phone
  2. Via computer
How to Ask Questions

• On-line
  – Type your questions into the question pane on your control panel anytime during the presentation.

• We will address as many questions as possible.

• We will follow-up on questions that we cannot get to during the live presentation.
Reversing the CalFresh SSI/SSP Cash-Out Policy Webinar Series

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<th>Date</th>
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Register for future webinars and more at our webpage: [http://www.cdss.ca.gov/calfreshssi](http://www.cdss.ca.gov/calfreshssi)
Agenda

• Reversing SSI Cash-Out Refresher
• Serving the Elderly and People with Disabilities
  – Elderly & Disabled Definitions
  – Gross Income Test Rule
  – Deductions: Medical, Shelter, & Dependent Care
  – Categorical Eligibility
  – Elderly Simplified Application Project (ESAP)
  – Separate Household Status Rule
  – Restaurant Meals Program
• Resources
• Questions and Answers
Reversing SSI Cash-Out

• People receiving Supplemental Security Income and California State Supplementary Payment (SSI/SSP) have been ineligible to receive CalFresh due to the eligibility policy known as “cash-out”.

• Due to a recent policy change, people receiving SSI/SSP will be eligible to apply for CalFresh on or after June 1, 2019.
  – There is NO change or reduction to SSI/SSP amount

• After implementation, **SSI/SSP recipients will be considered elderly and/or disabled** for the purpose of determining CalFresh eligibility.

• For more information on the policy change, visit the Reversing SSI Cash-Out webpage at: [http://www.cdss.ca.gov/calfreshssi](http://www.cdss.ca.gov/calfreshssi)
Serving the Elderly and People with Disabilities
CalFresh Definition of Elderly and Disabled

Elderly

• People 60 years old or older

Disabled

• People receiving Social Security income for disability or blindness, or
• People receiving Supplemental Security Income (SSI) benefits for disability or blindness, or
• People receiving certain other disability based benefits, such as from Railroad Retirement or Veteran’s Affairs, or
• People receiving Medi-Cal services because of a disability, or
• People receiving interim assistance while waiting to get SSI/SSP because of an approved disability
Gross Income Test
Gross Income Test

- Households that include an elderly and/or disabled member are **not** subject to the gross income test for the purpose of determining CalFresh eligibility.

- The household must still meet the net income test of 100 percent of the Federal Poverty Level (FPL) for the household size.
Deductions
Standard Medical Deduction (SMD)

• For eligible households with verified out-of-pocket medical expenses over $35 and less than $155 a month

• $120 deduction

• Medical expenses do not need to be re-verified at periodic report (i.e. SAR7) or recertification, unless costs have increased above $155 a month.

But what about households with medical expenses higher than $155 a month?
Excess Medical Deduction

- For eligible households with verified out-of-pocket medical expenses over $155 a month
- Deduct *actual* medical expenses over $35 a month
- Households with significant qualifying medical expenses can maximize their deduction by verifying all medical expenses.
- Medical expenses must be reverified at recertification if they have changed by more than $25.
Which Medical Deduction for the CalFresh Household?

<table>
<thead>
<tr>
<th>Verified Medical Expenses</th>
<th>Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under $35 a month</td>
<td>Not eligible for medical deduction</td>
</tr>
<tr>
<td>$35.01 to $155.00 a month</td>
<td>Eligible for the SMD (i.e. $120)</td>
</tr>
<tr>
<td>$155.01 a month and over</td>
<td>Eligible to deduct actual expenses over $35.00 (i.e. $120+)</td>
</tr>
</tbody>
</table>
## Budgeting Medical Expenses

<table>
<thead>
<tr>
<th>Monthly</th>
<th>Fluctuating</th>
<th>One-Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any medical expense the household expects to incur at least once per month</td>
<td>If not monthly, must be (1) regularly recurring and (2) reasonably anticipated</td>
<td>A large or one-time medical expense</td>
</tr>
<tr>
<td>Count over the certification period</td>
<td>Average over the certification period, or average over the interval between billings</td>
<td>Average over the certification period, or have a one-time deduction</td>
</tr>
</tbody>
</table>
Qualifying Medical Expenses

Medical expenses may include, but are not limited to:

- The cost of health insurance premiums
- Co-payments for appointments or prescriptions
- Acupuncture, chiropractic or herbal treatments
- Health care supplies and equipment, incontinence supplies
- Maintaining care attendants, home health aides, homemakers or child care services, necessary due to age or illness
- Over the counter drugs, ointments or other treatments that are recommended by a licensed health care practitioner (excludes nutritional drinks or other dietary supplements)
- Eyeglasses, contacts, lens solutions
- Food and other costs of service animals
- Hearing aids, batteries, dentures, dental care
- The costs of public or private car transportation to health care appointments and pharmacies
Medical Deduction Verification

• No verification, no deduction.
  – If initial verification of medical expenses over $35 is not submitted, no medical deduction must be allowed.

• But, a lack of verification must not hold up an eligibility determination.
  – A recertification or periodic report (i.e. SAR 7) must not be considered incomplete due to a lack of verification of medical expenses.
  – For households receiving CalFresh, verification of medical expenses can be provided anytime.
CalFresh Supplemental Form for Special Medical Deductions (CF 31)

CalFresh Supplemental Form for Special Medical Deductions (CF 31) is an optional form for reporting medical deductions.
Medical Deduction Reminders

- Explore whether newly eligible SSI/SSP recipients have verified medical expenses above $35 a month at initial certification, periodic report, recertification, or at voluntary request to implement the policy change.

- Allow households to claim the medical deduction for remaining length of the certification period or for the length of the new certification period, if completed at initial certification or recertification.

- If verifications are not submitted, the CWD will determine eligibility without the deduction but encourage the household to submit verifications anytime.
Excess Shelter Deduction

• In general, CalFresh households may deduct the actual amount of monthly shelter costs in excess of 50% of the household’s income after all other applicable deductions.

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Caps for Excess Shelter Deduction

• In general, the amount deducted must not exceed the current maximum for the Excess Shelter Deduction (the “cap”),

• Unless the household includes at least one elderly and/or disabled member. Then the household is allowed an Uncapped Shelter Deduction.

• Reminder: If the SSI recipient is the only elderly and/or disabled member in the household, the shelter deduction should be recalculated when the SSI/SSP member is added to household.
Who Qualifies for Dependent Care Deduction

- Households that require dependent care to allow a household member to:
  - Accept or continue work, or
  - Attend school, or
  - Attend training to prepare for work.
Dependent Care Deduction

- Eligible households may deduct actual costs for dependent care, including child care or care for an elderly and/or disabled member regardless of age.

- There is no cap on the amount of dependent care expenses that may be deducted.

- Note that a single expense can only be considered a dependent care expense or a medical expense. It cannot be both.
Dependent Care Deduction Verification

- California allows for self-declaration of dependent care expenses, unless questionable.

- This flexibility provides counties with the ability to help households more efficiently claim their dependent care deductions.

- A [Dependent Care Cost Affidavit Form (CF 10)](link) may be used.
Dependent Care Deduction Reminders

- Explore whether households with newly eligible SSI/SSP recipients have dependent care expenses.
- Allow households to claim the Dependent Care Deduction for remaining length of the certification period or for the length of the new certification period, if completed at initial certification or recertification.
Categorical Eligibility
Categorical Eligibility Refresher

- Households receiving benefits from certain low-income assistance programs, including SSI, are considered categorically eligible (CE) for CalFresh.
- Preliminary CalFresh eligibility factors do not apply to the household because they have already been determined by the other assistance program.
- CWDs must still determine the household’s benefit level.
- Categorical eligibility does not result in automatic CalFresh eligibility, but does mean a household is VERY likely eligible.
Elderly Simplified Application Project
Elderly Simplified Application Project

ESAP Eligibility Criteria:
1. All household members are elderly and/or disabled; and
2. The household has no earned income.

ESAP Policies:
1. 36 month certification period;
2. No recertification interview; and
3. Electronic data matches used to the greatest extent possible for verification.
Special Note: Newly Eligible SSI-Only Households

- Newly eligible SSI-only households that apply between June 1, 2019 and November 30, 2019 will be assigned a shortened certification period.

- Shortened certification period applies even if the household is ESAP eligible.

- The shortened certification period will be assigned by the last digit of the household’s case number.

- After the initial shortened certification period, household will be assigned normal certification period length according to household type.

<table>
<thead>
<tr>
<th>Last Digit of Case Number</th>
<th>Earned Income (Elderly &amp; Disabled)</th>
<th>Unearned Income Only (ESAP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>23 months</td>
<td>35 months</td>
</tr>
<tr>
<td>2</td>
<td>23 months</td>
<td>35 months</td>
</tr>
<tr>
<td>3</td>
<td>22 months</td>
<td>34 months</td>
</tr>
<tr>
<td>4</td>
<td>22 months</td>
<td>34 months</td>
</tr>
<tr>
<td>5</td>
<td>21 months</td>
<td>33 months</td>
</tr>
<tr>
<td>6</td>
<td>21 months</td>
<td>33 months</td>
</tr>
<tr>
<td>7</td>
<td>20 months</td>
<td>32 months</td>
</tr>
<tr>
<td>8</td>
<td>20 months</td>
<td>32 months</td>
</tr>
<tr>
<td>9</td>
<td>19 months</td>
<td>31 months</td>
</tr>
<tr>
<td>0</td>
<td>19 months</td>
<td>31 months</td>
</tr>
</tbody>
</table>
Separate Status
Household Rule
Separate Household Status Rule

• An elderly household member (and his/her spouse) who is living with others may qualify as a separate household, if:
  – The member is both elderly AND disabled, and
  – The member is unable to purchase and/or prepare meals separately because of a disability, and
  – The income of the other members with whom the individual resides does not exceed 165% of the FPL.
Restaurant Meals Program (RMP)
Restaurant Meals Program (RMP)

- The elderly, people with disabilities and homeless individuals may be eligible for the RMP.
- The RMP is an optional program that allows eligible individuals to use CalFresh benefits to purchase hot and prepared meals at participating restaurants.
- Reminder: Newly eligible SSI/SSP recipients qualify for RMP.

You can learn more about RMP participating counties here: [http://www.ebtproject.ca.gov/ClientInformation/calfreshrmp.shtml](http://www.ebtproject.ca.gov/ClientInformation/calfreshrmp.shtml)
Resources
Resources: Policy Webinar Series

Next Webinar: Policy Refresher: CalFresh Eligibility Rules For Residents of Institutions

February 19th, 2019, 10:00 am to 11:00 am
Resources: All Stakeholder Meetings

All are invited to join. The group meets bi-monthly, in-person and via webinar.

Next Meeting: All Stakeholder #5
March 13, 2019, 1:00 pm – 2:30 pm
CDSS Headquarters and Webinar

More info, including meeting materials:
http://www.cdss.ca.gov/CalFreshSSI

Email: CalFreshSSI@dss.ca.gov
Resources: Policy Guidance

- CalFresh SSI Cash-Out CDSS Webpage
- Assembly Bill 1811 (Chapter 35, Statutes of 2018)
- ACL 18-90: CalFresh Reversing Cash-Out Policy
- ACL 18-131: CalFresh Reversing Cash-Out Policy, Supplemental Nutrition Benefit Program, And Transitional Nutrition Benefit Program Quarterly Question And Answer
- ACL 11-05: Computation of Income for Households with an Elderly or Disabled Member
- ACL 17-34: CalFresh Elderly Simplified Application Project Waiver Approval for Elderly/Disabled Households
- ACL 17-35: CalFresh Standard Medical Deduction Demonstration Project For Elderly/Disabled Households
Question and Answer