



CDSS

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December 21, 2017

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: TODD R. BLAND, Deputy Director  
Family Engagement and Empowerment Division

SUBJECT: IMPENDING LEGISLATION IMPACTING THE CALIFORNIA WORK OPPORTUNITY  
AND RESPONSIBILITY TO KIDS (CalWORKs) AND CALFRESH PROGRAMS

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide County Welfare Departments (CWDs) with information about recently chaptered legislation impacting the California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh programs. This does not include items recently enacted through the budget bills, SB 89: Human Services omnibus trailer bill or AB 99: Education omnibus trailer bill. Please find brief summaries of bills affecting CalWORKs Employment, Eligibility, and Child Care Programs and CalFresh below.

- AB 1520 (Burke): Lifting Children and Families Out of Poverty  
This bill requires the CDSS to assemble a multidisciplinary task force aimed to recommend strategies for reducing child poverty in California. The Task Force will consist of stakeholders tasked to submit a comprehensive report to the State Legislature and executive administration, indicating important program successes in the last eight-year period for reducing childhood poverty and the number of children in deep poverty and recommendations that can build on those successes. The Task Force will also analyze the unmet needs among the children in poverty and deep poverty. Implementation: AB 1520 requires the report be submitted to the Legislature and executive administration no later than November 1, 2018.

**CalWORKs Employment Programs**

- AB 480 (Gonzalez Fletcher): Diapers  
This bill allows a recipient who is participating in a welfare-to-work (WTW) plan to be eligible for thirty dollars (\$30) per month to assist with diaper costs for each child who is under 36 months of age. An impact to the Statewide Automated Welfare System (SAWS) is expected as a result of this legislation. Implementation Date: April 1, 2018.

- AB 557 (Rubio): CalWORKs Victims of Abuse  
This bill updates domestic abuse protocols for CalWORKs program applicants and recipients. Effective July 1, 2018, benefits of temporary homeless assistance will be expanded for CalWORKs applicants who are domestic abuse victims who are fleeing their abusers. Also effective July 1, 2018, this bill explicitly adds domestic violence as a circumstance constituting good cause to the current immunization and school attendance rules for applicants and recipients. Minimal impact to the SAWS is expected as a result of this legislation. Implementation Date: January 1, 2018.
- AB 818 (Burke): Welfare to Work  
This bill allows for a recipient who will obtain his/her high school diploma or its equivalent while participating in WTW 24-Month Time Clock (24-MTC) activities to be granted an additional period of time to do so beyond 24 months when a known graduation, transfer, or completion date is provided. An impact to the SAWS is expected as a result of this legislation. Implementation Date: January 1, 2018.
- AB 910 (Ridley-Thomas): CalWORKs Family Unity Act  
This bill provides an adult in a two-adult assistance unit (AU), one of whom is disabled, to have the same WTW 24-MTC weekly participation requirement as an adult in a one-adult AU. A pregnant woman receiving CalWORKs will have an average participation requirement of at least 20 hours during the WTW 24-MTC, and an average of at least 30 hours after exhausting the 24-MTC, if the AU consists only of that pregnant woman. Implementation Date: July 1, 2018.
- AB 1604 (Nazarian): High School Equivalency  
This bill allows an adult WTW client to participate in a program of study to earn a high school diploma or equivalent immediately following appraisal, either concurrently with or in place of job search or other initial engagement activities. Implementation Date: January 1, 2018.
- SB 282 (Wiener): Reducing Hunger Among Vulnerable Californians Act  
This bill allows counties the option to use single allocation funds to provide CalWORKs employment services to non-custodial parents. An impact to SAWS is expected from this legislation. See below for CalFresh impact. Implementation Date: January 1, 2018.

## **CalWORKs Eligibility**

- AB 236 (Maienschein and Santiago): CalWORKs Homeless Assistance  
This bill provides that Homeless Assistance (HA) is available to homeless families that would be eligible for CalWORKs aid but for the fact that the only child or children in the family are in out-of-home placement, as long as the family is receiving family reunification services and the county determines that HA is necessary for reunification to occur. This bill also adds language requiring the California Department of Social Services (CDSS) to work with stakeholders in reporting to the Legislature on shelter costs and best practices for transitioning families to permanent shelter. An impact to the SAWS is expected as a result of this legislation. Implementation Date: January 1, 2018.

- AB 384 (Irwin): CalABLE

This bill expands the residency requirement for California Achieving a Better Life Experience (CalABLE) Act to include non-California residents as designated beneficiaries. Additionally, it clarifies that monies in an ABLE account, including contributions and distribution for qualified disability expenses, not exceeding \$100,000, shall not be counted when determining eligibility for state or local means-tested programs. Implementation Date: January 1, 2018.

- AB 607 (Gloria): Disaster Assistance Services

This bill, to be known and cited as the Community Resiliency and Disaster Preparedness Act of 2017, outlines new requirements regarding disaster assistance. AB 607 codifies existing disaster-related CalWORKs policy allowing for a recipient to continue receiving aid while out of state, if return was prevented by illness or other good cause. This bill adds language to include displacement due to a disaster declared by the Governor or the President of the United States as an additional reason a recipient may be prevented from returning to the state. This bill also allows participants who become homeless as a direct and primary result of a state or federal declared disaster area to qualify for good cause for failure to provide proof of housing search, and allows counties to waive the initial three-day limitation on the issuance of temporary HA benefits and instead provide temporary HA in increments of more than one week. See below for CalFresh impact. Implementation Date: January 1, 2018.

- SB 360 (Skinner): Prosecution for Overpayment of Benefits

This bill prohibits the criminal prosecution of an individual for a CalWORKs overpayment (OP) for any month, when the CWD fails to act on Income and Eligibility Verification System (IEVS) data that indicates a potential for an OP, within 45 days from the date the data was received and when the CWD has not provided the individual with a timely and adequate notice of action. See below for CalFresh impact. Implementation Date: January 1, 2018.

- SB 380 (Bradford): Child Support

This bill allows a half-sibling or step-sibling of an eligible child to be an excluded person for purposes of determining the maximum aid payment (MAP). The half-sibling or step-sibling must live in the home with the eligible child and receive child support payments greater than the monthly aid for the child, and the parent or caretaker relative must request the exclusion in writing. This bill also requires CWDs to give written notification to applicants and recipients of these provisions at application, redetermination or sooner. All child support payments received for the excluded half-sibling or step-sibling under this bill will be fully exempt for purposes of determining CalWORKs benefits. An impact to the SAWS is expected as a result of this legislation. Implementation Date: November 1, 2018.

- SB 570 (Newman): Veterans' Benefits

This bill exempts benefits received from the United States Department of Veterans Affairs (VA) for education, training, vocation or rehabilitation, as well as related allowances, from consideration as income for CalWORKs eligibility or calculating grant amounts. Veterans, dependents of veterans and the spouse of a veteran who died in the line of duty or has a service-connected disability are eligible for the exemption. An impact to the SAWS is expected as a result of this legislation. Implementation Date: January 1, 2018.

### **CalWORKs Child Care Programs**

- AB 258 (Arambula): County Pilot Bill

This bill allows Fresno County to create an individualized county child care subsidy plan. If the plan includes Stage One child care services, it must be submitted to the CDSS for review. Implementation will follow approval of the plan by the local planning council, County Board of Supervisors, and the California Department of Education (CDE).

- AB 300 (Caballero): County Pilot Bill

This bill allows the counties of Monterey, San Benito and Santa Cruz to create individualized county child care subsidy plans. If the plans include Stage One child care services, they must be submitted to the CDSS for review. This bill also modifies Santa Clara County's existing authorization for an individualized county child care subsidy plan. Implementation will follow approval of the plans by the local planning councils, County Boards of Supervisors, and the CDE.

- AB 377 (Frazier): County Pilot Bill

This bill allows the counties of San Diego and Solano to create individualized county child care subsidy plans. If the plans include Stage One child care services, they must be submitted to the CDSS for review. Implementation will follow approval of the plans by the local planning councils, County Boards of Supervisors, and the CDE.

- AB 435 (Thurmond): County Pilot Bill

This bill allows the counties of Contra Costa, Marin and Sonoma to create individualized county child care subsidy plans. If the plans include Stage One child care services, they must be submitted to the CDSS for review. This bill also modifies Alameda County's existing authorization for an individualized county child care subsidy plan. Implementation will follow approval of the plans by the local planning councils, County Boards of Supervisors, and the CDE.

## CalFresh

- AB 214 (Weber): CalFresh Student Eligibility  
This bill codifies definitions regarding the Restaurant Meals Program (RMP) and CalFresh student eligibility, including the definition for on-campus food vendor, qualifying food facility, half-time student, and anticipating work study. Additionally, the bill requires that the California Student Aid Commission inform Cal Grant A and B recipients of their potential eligibility for CalFresh. Implementation Date: January 1, 2018.
- AB 415 (Chiu): CalFresh Employment and Training (E&T) and Employment Social Enterprises  
This bill authorizes the CDSS to contract directly with entities, including employment social enterprises, that provide E&T services on a statewide or regional basis. These entities must serve CalFresh recipients who face multiple barriers to employment and offer evidence-based skills development that results in a demonstrable increase in employment rates and earnings from work. Additionally, before June 1, 2018, the CDSS will issue guidance instructing CWDs that elect to participate in E&T of any special considerations for partnering with employment social enterprises. Implementation Date: July 1, 2018.
- AB 563 (Arambula): CalFresh E&T and Able Bodied Adults without Dependents (ABAWDs)  
This bill requires any CWD that elects to participate in CalFresh E&T, to defer any individual subject to the ABAWD time limit from mandatory placement in CalFresh E&T. Implementation Date: January 1, 2018.
- AB 607 (Gloria): Disaster CalFresh  
This bill requires that the CDSS and CWDs request to operate Disaster CalFresh (D-CalFresh) in the event of a major disaster declaration with individual assistance, and that each CWD submit an annual D-CalFresh plan with mutual aid regions identified in the plan. Additionally, the CDSS is required to provide D-CalFresh training, maintain D-CalFresh materials and provide logistical and technical assistance to CWDs in the event of a disaster. Implementation Date: January 1, 2018.
- SB 278 (Weiner): CalFresh Overissuances (OI)  
This bill requires the CDSS to conduct an analysis to determine whether the State has adequate information to set a minimum statewide cost-effective threshold for collecting an OI greater than \$125 caused by an administrative error. Additionally, the bill requires that CWDs notify CDSS when a mass OI, caused by negligence or fraud on the part of the CWD or a major systemic error, has been identified. Implementation Date: January 1, 2018.

- SB 282 (Wiener): Reducing Hunger Among Vulnerable Californians Act

This bill requires the CDSS to issue an annual All County Letter regarding the RMP, limits RMP vendors to those that allow for in-store purchases, maintain a current public health license and comply with health and safety laws, requires that all CalFresh recipients eligible for RMP be able to utilize their benefits in RMP approved restaurants, and clarifies that nothing shall preclude a CWD from determining the number, type and location of restaurants the county may choose to include as RMP vendors. Additionally, the bill requires the CDSS to request and seek approval from the United States Department of Agriculture, Food and Nutrition Service, to waive regulations limiting the use of E&T 50-percent reimbursement funding for subsidized employment for ABAWDs subject to the time limit. Implementation Date: January 1, 2018.

- SB 360 (Skinner) Prosecution for Overissuance of Benefits

This bill prohibits the criminal prosecution of an individual for a CalFresh OI for any month that the CWD fails to act on IEVS data that indicates a potential for an OI, within 45 days from the date the data was received and when the CWD has not provided the individual with a timely and adequate notice of action. Implementation Date: January 1, 2018.

If CWDs have questions regarding this ACWDL or the status of implementation instructions, please contact us at the numbers provided below:

- For CalWORKs Employment, call (916) 654-2137.
- For CalWORKs Eligibility, call (916) 654-1322.
- For Child Care Programs, call (916) 657-2144.
- For CalFresh, call (916) 651-8047.
- For Housing, call (916) 651-5155.