

Unique Household Composition

What is the relevant CalFresh regulation?

Mixed Immigration Status

- Income and deductions are pro-rated based on the number of people in the house eligible to receive CalFresh benefits.
- All but the excluded member's share is counted as income for the remaining household members. [MPP § 63-503.442(b).]
- The earned income deduction applies to the excluded member's earned income that counts against the eligible household members. [MPP § 63-503.442(c)(1).]
- If the excluded member pays all of the household's allowable shelter or dependent care expenses, only the eligible members' pro rata shares will be deducted. [MPP § 63-503.442(c)(2).] If the excluded member pays for part of the shelter and dependent care costs and the amount contributed by the excluded member is known, only the amount paid by the eligible members is deducted. [MPP § 63-503.442(c)(3).] If the amount contributed by the excluded member cannot be differentiated, then only the eligible members' pro rata shares will be deducted. [MPP § 63-502.373(b).] The standard utility allowance (SUA) is not pro-rated. [7 C.F.R. § 273.9(d)(6)(iii)(F); MPP § 63-502.373(b).]
- Ultimately the gross income is divided by the number of people in the house and multiplied by the number of CalFresh-eligible people in the house.
- For additional details see: <http://foodstampguide.org/the-income-and-deductions-of-ineligible-immigrants-in-mixed-food-stamp-household/>
- Also – see people with Immigrant, Refugee, or Asylee Status Quick Reference sheet for additional information.

SSI

- People who lost their SSI/SSP because of state budget cuts or the federal lifetime limit to refugees, who are in “suspend” status with Social Security, and/or are not cashed out for CalFresh purposes **are eligible** pursuant to a federal waiver. ACL 11-46. The waiver is valid from June 13, 2011 to June 13, 2013.

More than one household under one roof

- Food stamps are given to “households.” [MPP §§ 63-301.1, 301.53, 601.1; 7 C.F.R. §§ 273.2, 274.1(a).] The status of each individual in the CalFresh household will determine a) whether their income will be counted, and b) the amount of their benefits allotment. A “household” is a person living alone or a group of people living together (they do not have to be related) who buy food and make meals together. [MPP § 63-402.1; 7 C.F.R. §273.1(a)(3).] Under this regulation, a person who lives with others, but customarily buys and prepares food separate and apart from others, can be a separate “CalFresh household.”
- The only people who are not able to apply as separate households are individuals under 22 living with a parent, married couples or couples living with a mutual child under 22, and those who purchase and prepare food together.
- For details see: <http://foodstampguide.org/households-receive-food-stamps/> and <http://foodstampguide.org/multiple-households-same-house/>



Foster Families

- Foster children cannot apply as a separate household [7 C.F.R. §§ 273.1(b)(3) and (4); MPP §§ 63-402.3, 63-402.141(a) and .144.] unless they are AB 12 youth in “Extended Foster Care” who are in a supervised independent living placement; are, by statute, living independently; and don’t fall into the Foster Care/Boarder rule. [See WIC 11401(w), 11402(i).] If they purchase/prepare their food separately, they should qualify as a separate household. If they purchase/prepare with the supervising adult, they would be part of the larger CalFresh household.
- For additional exceptions and unique households, please reference: <http://foodstampguide.org/special-rules-for-students-strikers-roomers-boarders-and-other-people-in-unusual-situations/>

Based on the regulation, what unique steps must occur to accommodate this special population?

Prescreening: The household would need to clearly define itself and may require some additional investigation or clarification on the part of the outreach worker and/or eligibility worker.

Eligibility: Verification of the living situation may be required.

Benefit Retention: Any updates in the household or living situation should be reported in a change report form or on the QR7s or recertifications.

