



CDSS

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May 2, 2016

ALL COUNTY LETTER NO.: 16-12

TO: ALL COUNTY WELFARE DIRECTORS
ALL CASH ASSISTANCE PROGRAM
FOR IMMIGRANTS MANAGERS

SUBJECT: PUBLICATION OF THE REGIONAL PROGRAM OPERATIONS MANUAL SYSTEM (POMS)

REFERENCE: PROGRAM OPERATION MANUAL SYSTEM (POMS) PART 05
SUPPLEMENTAL SECURITY INCOME CHAPTER 014 – STATE
SUPPLEMENTARY PAYMENTS [POMS SI SF01415.100 STATE
SUPPLEMENTAL - CALIFORNIA \(RTN 01, 05/2015\)](#)

The purpose of this All-County Letter (ACL) is to inform counties of the publication of the regional Program Operations Manual System (POMS) online at the Social Security Administration's (SSA) [website](#). The regional POMS impacts the Supplemental Security Income/State Supplementary Payment (SSI/SSP) program and the Cash Assistance Program for Immigrants (CAPI). The published guidelines in the POMS establish administrative rules specific to California for SSI/SSP and provide county staff with a convenient resource that was previously unavailable. The updated SSI/SSP rules will be particularly useful for county eligibility workers who administer CAPI.

BACKGROUND

The POMS instructions now include procedures for developing and documenting the correct state payment amount based on the living arrangement for residents of California. For details, please see POMS Section [SI SF01415.100, et seq.](#)

Currently, California provides additional payments that supplement the basic Federal SSI payment. An SSI recipient in California may receive either a mandatory or an optional supplement, depending on individual circumstances. By agreement, the SSA administers both mandatory and optional SSP for California.

REASON FOR THIS TRANSMITTAL

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

[Manual of Policy and Procedures \(MPP\) section 49-013.11](#) establishes that “Counties or a consortia of counties must administer the CAPI program. This is based on the interpretation of applicable federal laws and regulations and their amendments contained in policy guidelines and instructions issued by the SSA, including the POMS.” Unlike the regular SSI POMS, the newly published POMS announced in this ACL is specific to California. It provides detailed descriptions of SSP procedures and operations that will assist county workers in determining CAPI benefits and may reduce the need for policy interpretations and clarifications from the California Department of Social Services (CDSS) Adult Programs Division.

SUMMARY of POMS UPDATES:

Similar to the regular SSI POMS, the California-specific POMS provides extensive details and examples that are useful for the determination of benefits for California’s unique living arrangements and payment categories. Recommendations for referrals to In-Home Supportive Services are presented for each living arrangement, as appropriate. Exceptions to the rules (for example, when certain determinations and benefits should not be granted for various living arrangements) are provided and explained throughout the POMS.

The following is a brief description of the POMS updates:

[SI SF01415.110](#) – California Optional State Supplement (OSS) A: Independent Living with Cooking Facilities

In addition to describing the circumstances under which individuals and couples would generally be eligible for this living arrangement, CAPI staff will find in this section useful information that specifies when such recipients would be eligible under a Home or Community-Based Services (HCBS) Medicaid waiver.

[SI SF01415.120](#) – California Optional State Supplement (OSS) B: Nonmedical Out-of-Home Care (NMOHC)

This section provides various examples of NMOHC living arrangements and procedures related to the determination of when an individual or couple requires NMOHC or supervision in specific living arrangements. The section provides the definition of a “state licensed NMOHC facility” in California. Also, convenient links to California state

agencies for verification of residence licensing are presented in this section. Licensing verification is specified in this section for:

- Adult Residential Facilities
- Children Homes
- Foster Care Facilities
- Family Homes
- Developmentally Disabled Residential Facilities

Counties are advised **not** to verify licensure by contacting the facility. Please follow the links in the POMS when verification of licensure is necessary.

This section specifies when a facility may include additional charges that might affect the applicant/recipient's benefit amount.

[SI SF01415.130](#) – California Optional State Supplement (OSS) F: California Optional State Supplement (OSS) F – Nonmedical Out-of Home Care Living in the Household of Another

California pays OSS F whenever an eligible individual/couple meets the criteria in SI SF01415.120, for the Nonmedical Out-of Home Care (NMOHC) and is in a Federal Living Arrangement B. However, an eligible individual with an ineligible spouse in this living arrangement is not eligible for OSS F (see [SI SF01415.120B.4](#)).

[SI SF01415.140](#) – California Optional State Supplement (OSS) C: Independent Living Without Cooking Facilities (Restaurant Meal Allowance – [RMA])

Certain SSI and CAPI recipients residing in California may be eligible for OSS C. The Restaurant Meal Allowance is referred to as RMA or "No Cooking Facilities" when they do not have access to adequate cooking and food storage facilities, or are not provided meals, as part of their living arrangement. This section provides CAPI staff with informative examples of when individuals and couples are or are not eligible for the RMA.

The POMS clarifies definitions for “adequate” food preparation and storage facilities, for “temporary” access to those facilities and “non-functioning” appliances. These definitions have been identified as critical to determining RMA eligibility.

Procedures to determine RMA eligibility for homeless individuals and couples, with examples, are included in this section.

[SI SF01415.150](#) – California Optional State Supplement (OSS) D - Living in the Household of Another

California pays OSS D when an eligible individual/couple is living in the household of another and is receiving food **and** shelter from that individual. Most individuals/couples who are subject to the value of the one-third reduction (VTR) of their Federal SSI payments are eligible for OSS D because the criteria for this supplement level are the same as for charging the VTR.

[SI SF01415.160](#) – California Optional State Supplement (OSS) E: Disabled Child under Age 18; and OSS G: Disabled Child under Age 18 Living in the Household of Another

Under these two living arrangements, the POMS provides specifications for establishing the status of “child” and for determining income and resources specific to children, parents and absent parents.

[SI SF01415.170](#) – California Optional State Supplemental (OSS) J: Resident of a Public or Private Institution with Title XIX (Medi-Cal) Paying more than 50 percent of the Cost-of-Care

This section provides CAPI staff with explanations of admission requirements for medical treatment facilities, long-term care facilities, and nursing facilities in California. Specific development and documentation requirements for determining a facility’s state licensure status and completion of specific forms for individuals and couples on admission to a facility are included in this section.

SI SF01415.180 – California Optional State Supplement (OSS) Y – OSS Waived and Z – No State Supplementation

OSS Y- OSS is waived when a recipient is eligible for state supplementation, but waives the right to receive it.

OSS Z – This section provides descriptions of situations in which eligible individuals are not paid state supplementation.

SI SF01415.190 – California Exhibits

This section presents exhibits for the following:

- Interview questions
- RMA Application
- Denial of Eligibility paragraphs

CAPI eligibility workers may find the exhibits in this section useful for training purposes.

All county CAPI staff members should become familiar with the California POMS and should consider it a secondary source, consulted after referring to CDSS policy regulations. CAPI: *Manual of Policies and Procedures, Division 49*
<http://www.cdss.ca.gov/cdssweb/Pg42.htm>

Should you have questions regarding the information in this ACL, please contact the CDSS Adult Programs Policy and Quality Assurance Branch, Policy and Operations Bureau at (916) 651-5350, or email to: Steven.Koehler@dss.ca.gov.

Sincerely,

Original Document Signed By:

EILEEN CARROLL
Deputy Director
Adult Programs Division

c: CWDA