



JOHN A. WAGNER
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER
GOVERNOR

January 20, 2009

ALL COUNTY INFORMATION NOTICE NO.: I-05-09

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS
ALL CONSORTIUM PROJECT MANAGERS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO
KIDS (CalWORKs): CHANGES TO THE INTER-COUNTY TRANSFER
(ICT) PROCESS AS A RESULT OF SENATE BILL (SB) 1160

REFERENCE: SB 1160 (Chapter 484, Statutes of 2008, Welfare and
Institutions Code (WIC) Section 11052.6)

The purpose of this letter is to inform County Welfare Departments (CWDs) of changes made to the CalWORKs Inter-County Transfer (ICT) process as a result of Senate Bill (SB) 1160. The statutory changes affect non-needy caretaker relatives receiving CalWORKs benefits on behalf of children who are dependents of the court, who are not eligible for federal Foster Care. The effective date for these changes is January 1, 2009. Although the statute did not provide the authority to implement the new provisions via All County Letter, counties are strongly encouraged to follow the new statutory provisions described in this letter pending the development of regulations.

Existing Requirements:

Currently, Manual of Policy and Procedures (MPP) Section 40-131 provides that CWDs shall personally interview applicants in order to determine eligibility for CalWORKs. CalWORKs regulations also require that counties redetermine an Assistance Unit's (AU's) eligibility for cash aid at least once every twelve months, and MPP Section 40-181.311 further states that the annual redetermination of eligibility include an interview with the parent of or person responsible for the aided child(ren). Under MPP Sections 40-187 and 40-188, the CalWORKs program requires CWDs to initiate an ICT of a case when an eligible family moves from one county to another county within California. In an ICT process, the second county redetermines the eligibility of the transferring family

REASON FOR THIS TRANSMITTAL

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

and conducts a face-to-face interview with the family, because the family's circumstances have changed as a result of relocation. Although the ICT process requires that the receiving county conduct a face-to-face interview with the family and review their completed application, the CWD is to treat the family as a recipient family.

New Requirements:

SB 1160 exempts non-needy caretaker relatives who are receiving CalWORKs on behalf of a child who is a dependent child of the court (and who is not eligible for federal Foster Care) from the face-to-face interview requirement in their new county of residence when the family moves from one county to another. This exemption only applies to ICTs for this specific non-needy caretaker relative population. SB 1160 also requires CWDs to verify that the relative has been appropriately approved to care for the child, and is not receiving CalWORKs benefits for him or herself.

Counties are also encouraged to develop processes with their children services counterparts so that the receiving county is alerted that this transferring family does not require an interview as part of the CalWORKs ICT process.

CDSS has determined this new law to be self-implementing, and because it provides relief to the targeted population, we encourage CWDs to refer to the amended WIC Section 11025.6 (provided as an enclosure to this letter) and follow the new rules beginning January 1, 2009. The Department will follow up with implementing regulations as soon as possible.

This letter also serves as a reminder to CWDs that CalWORKs recipients completing an ICT are not required to meet SFIS requirements again. ICTs are considered a redetermination of eligibility, and SFIS is not required at redetermination.

If you have any questions regarding this letter, please contact your CalWORKs County Consultant.

Sincerely,

Original Document Signed By:

KÄREN DICKERSON, Chief
Employment and Eligibility Branch

Enclosure

c: CWDA

Excerpt from Welfare and Institutions Code (WIC) Section 11052.6 (SB 1160, Chapter 484, Statutes of 2008)

11052.6. (a) Notwithstanding any other provision of law, the requirements of Section **11052.5** shall not apply to any caretaker relative when all of the following apply:

(1) He or she is an approved relative pursuant to subdivision (d) of Section 309 caring for a child who is a dependent child of the court, and is receiving benefits under the CalWORKs program on behalf of the child.

(2) The caretaker relative is changing residence from one county to another county and is applying for benefits in the new county on behalf of one or more related children who are current recipients of benefits under the CalWORKS Program under Chapter 2 (commencing with Section 11200) of Part 3.

(3) The caretaker relative is not an applicant for or a recipient of benefits under the CalWORKS Program.

(b) If the caretaker relative subsequently applies for benefits under the CalWORKS Program, he or she shall be subject to the requirements of Section **11052.5** that are applicable to that program.

(c) The county CalWORKs program shall verify that the individual applying for benefits meets the criteria set forth in this section.