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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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ARNOLD SCHWARZENEGGER
GOVERNOR

June 25, 2009

ALL-COUNTY INFORMATION NOTICE NO. I-33-09

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS
CAPI PROGRAM MANAGERS

SUBJECT: MULTIPLE SUBJECTS

- **H.R. 1 – American Recovery and Reinvestment Act of 2009 (one-time economic recovery payment)**
- **CASH ASSISTANCE PROGRAM FOR IMMIGRANTS Overpayment Notices**
- **CASH ASSISTANCE PROGRAM FOR IMMIGRANTS Indigence Exception Determination Form (SOC 813) Revision**

REFERENCE: ALL COUNTY LETTERS (ACL), 02-63, 01-21, 00-73, 99-106 and 98-82

This All-County Information Notice provides information on multiple subjects: 1) one-time economic recovery payment (ERP) for SSI recipients; 2) Cash Assistance Program for Immigrants (CAPI) overpayment notices; and 3) revision to the CAPI Indigence Exception Determination form.

H.R. 1 – AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

The American Recovery and Reinvestment Act of 2009 (ARRA) [Public law No. 111-5] was signed into law on February 17, 2009.

The ARRA provides for a one-time ERP of \$250 to certain individuals who receive Social Security, Supplemental Security Income (SSI), Railroad Retirement or Veterans benefits¹. The Social Security Administration (SSA) has indicated that they expect the payments will be delivered by the end of May 2009.

¹ Recipients of State Supplementary Payment-only benefits are not eligible for the ERP.

Pursuant to the ARRA, the one-time ERP will not be counted as income and will not be counted as a resource for the month of receipt and the following nine months for purposes of determining SSI eligibility or payment amount. Since state law requires that federal laws governing SSI also govern CAPI, the one-time ERP will be treated the same in determining CAPI eligibility and payment amounts as it is for SSI eligibility and payment amounts.

Additional information regarding the one-time ERP may be found at the SSA website: <http://ssa.gov/payment/>.

CAPI OVERPAYMENT NOTICES

All-County Letter (ACL) No. 00-73 provided the policies and procedures related to calculating and notifying recipients of CAPI overpayments and underpayments, as well as overpayment recovery.

Recently, the State Controller's Office conducted some county audits on the CAPI program. One of the areas they focused on was overpayments and the data reported to the California Department of Social Services (CDSS). It was noted that some counties were failing to send out overpayment notices. Due to the audits, the following is a reminder of policies and procedures regarding overpayments. Please ensure that when an overpayment is identified, the NA 1217, Notice of Overpayment, is sent to the recipient and recovery efforts are taken as appropriate. In addition, please ensure that all overpayments are captured on the Quarterly Report of Overpayments and Collections CAPI form (SOC 808). Please refer to ACL Nos. 00-73, 01-21, and 02-61 for overpayment policies and data reporting requirements.

REVISION OF CAPI INDIGENCE EXCEPTION DETERMINATION FORM (SOC 813)

When determining if the indigence exception applies to a CAPI applicant, the county completes the Indigence Exception Determination form (SOC 813) and sends a copy to CDSS and the Citizenship and Immigration Services (CIS). Please note that two changes have been made to the SOC 813. First, the CIS address indicated on the form has changed. In addition, a minor revision was made at the bottom of the form where the county is instructed to indicate whether or not the indigence exception applies to the recipient/applicant. The instructions for this part of the form have been revised to be more prominent and now require a check box rather than to circle the appropriate response.

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Any questions regarding this letter should be directed to the Adult Programs Branch,
Operations and Technical Assistance Unit, at (916) 229-3494.

Sincerely,

Original Document Signed By:

EVA L. LOPEZ
Deputy Director
Adult Programs Division

c: CWDA

Attachment

The form originally included with this letter is outdated and has been removed. To access a more current version, please visit the [SOC 813](#).