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**DEPARTMENT OF SOCIAL SERVICES**  
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ARNOLD SCHWARZENEGGER  
GOVERNOR

August 24, 2009

ALL COUNTY INFORMATION NOTICE NO. I-60-09

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

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS  
(CalWORKs) DOMESTIC ABUSE ISSUES WITH REGARD TO INTER- COUNTY  
TRANSFERS (ICTs)

REFERENCE: ALL COUNTY INFORMATION NOTICE (ACIN) I-38-04, ACIN I-02-06

The purpose of this letter is to provide guidance to counties on the Inter-County Transfer (ICT) process for CalWORKs recipients who have domestic abuse issues and to transmit the new Permission to Release Domestic Abuse Information When Moving to Another County form (WTW 37). The process of simultaneously transferring both the cash assistance and Welfare-to-Work (WTW) components of a CalWORKs case during the ICT process is critical in assisting recipients to make the most effective use of their time on aid and effective employment-related services. This process becomes highly sensitive in nature when working with recipients who have domestic abuse issues. In these instances, information with respect to domestic abuse victims and their dependents must not be released to any outside party, other governmental agencies, or to any employee in either the sending or receiving county who is not directly involved in the recipient's case in order to avoid endangering the lives of these victims.

Domestic abuse is very difficult for the victims and their families. Therefore, the sending and receiving counties are encouraged to work together to ensure that any information regarding domestic abuse services, waivers, and security issues are transferred as seamlessly as possible to avoid endangering the family and to reduce duplication of verification for the family who is transferring to another county.

REASON FOR THIS TRANSMITTAL

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

### Recipients leaving the sending county

In instances when the sending county is aware of an ICT in advance, the sending county is strongly encouraged to provide the recipient with references to local domestic abuse services that are located in the receiving county. These services can be found by calling 1-800-799-SAFE and/or by contacting the receiving county. The domestic abuse victim's safety is of paramount concern; thus, strict confidentiality must be maintained for domestic abuse victims during the ICT process. All communication of domestic abuse issues, including documentation discussed below, must be kept confidential so that the recipient's information is not available to any county workers who will not be directly involved in the recipient's case. The California Department of Social Services (CDSS) discourages the use of faxes for such ICT file transfers, unless there is a restricted fax machine available in the County Welfare Department (CWD). Counties are reminded that victims of domestic abuse and their families can use the "Safe At Home" service for confidential mail services. A list of enrolling agencies where recipients can sign up for this service can be found at the following website: [www.casafeathome.org](http://www.casafeathome.org).

### Transferring documentation

The documents that must be sent to the receiving county within seven working days from the date that the sending county notifies the receiving county of a case transfer are listed in Manual of Policies and Procedures (MPP) Section 40-188.13. Additionally, the sending county is strongly encouraged to include any information regarding any domestic abuse services that the recipient may be receiving and waivers that the recipient may have. This includes information on domestic abuse waivers that the recipient has been granted, domestic abuse services that the recipient is receiving, and whether the recipient has claimed good cause for not cooperating with the child support requirements. This information can only be released by the sending county if the recipient has signed a WTW 37 form in either the sending or receiving county. At a minimum, the WTW 37 form should be provided to the recipient at application and at each subsequent waiver review meeting with an explanation that she or he has the right to terminate the release at any point. The WTW 37 form is valid for a maximum of one year after it is signed by the recipient. Recipients should also be informed that if they move to a new county and have not signed a WTW 37 form, any information regarding their domestic abuse situation, such as waiver determinations, cannot be transferred to the receiving county unless they sign a new WTW 37 form in the receiving county.

Safety is of paramount concern for domestic abuse victims. Access to the recipient's domestic abuse case file information must be limited to those workers who have received the required domestic abuse training as specified under MPP Section 42-715.6, and who are directly involved in the recipient's case. In addition, case

information such as the recipient's physical address, social security number, and other personal information, must be protected in both paper and electronic files/databases so that it is accessed only by staff who are directly involved with the recipient's case and who have had the required domestic abuse training. Confidentiality issues are discussed in more detail in ACIN I-02-06.

#### Case coordination between counties

A county that is receiving a recipient who has been identified either by the sending county or the recipient themselves as a domestic abuse victim is strongly encouraged to assign that victim to a worker who has received the required domestic abuse training in order to address the recipient's domestic abuse needs and to ensure a smooth case transfer.

#### Identify domestic abuse and need for services in the receiving county

Although recipients should always be encouraged to disclose domestic abuse issues, this may not always be possible due to safety concerns during the ICT process. In addition, it often takes time for recipients to develop trust and feel comfortable enough with the workers in their new county of residence to discuss or disclose domestic abuse issues. Knowing that recipients may not always feel comfortable disclosing domestic abuse issues or the need for services during redetermination in the receiving county, counties should closely follow the protocol set forth in MPP Section 42-715.1 and offer the opportunity for recipients to confirm, in a secure environment, whether the individual is in need of or would like to receive domestic abuse services. When the receiving county identifies a recipient as having domestic abuse issues either by the sending county or the recipient themselves, the domestic abuse-trained eligibility and WTW worker should be alerted prior to any case assignment or WTW activity referral to ensure that the plan is appropriately developed.

#### Domestic abuse waivers

When the receiving county identifies that a recipient is a domestic abuse victim during the ICT process, it may explore whether the recipient had been granted a domestic abuse waiver in the sending county. Domestic abuse waivers granted by the sending county should remain in effect while a case is still in the 30-day transfer period (MPP Section 40-187.11).

After the 30-day transfer period, the receiving county may continue the waiver if the county determines that the waiver continues to meet the needs of the domestic abuse victim and is consistent with the county's written domestic abuse waiver criteria. If the receiving county determines that an existing waiver should be modified prospectively, a

timely and adequate notice of action must be issued through a safe mode of communication. Reasons for modification may include, but are not limited to, the situation for granting the original waiver no longer exists, the services and activities available in the receiving county necessitate a modification of the waiver, the sending county's waiver does not meet the needs of the recipient's current situation, etc. Counties are reminded that any county criteria for waivers must be consistent with state regulations set forth in MPP Section 42-715.52. In addition, when a recipient has received a waiver to the 60-month time limit, the receiving county must review the recipient's time on aid information to confirm the recipient's remaining months of CalWORKs eligibility.

If you have any questions regarding this letter, please contact your CDSS Employment Bureau County Consultant at (916) 654-2137.

Sincerely,

***Original Document Signed By:***

KÄREN DICKERSON, Chief  
Employment and Eligibility Branch

Attachments