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

December 3, 2010

ALL COUNTY INFORMATION NO. I-100-10

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
ALL CalWORKs PROGRAM SPECIALISTS
ALL CONSORTIA PROJECT MANAGERS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM: IMPLEMENTATION OF HOMELESS ASSISTANCE PROGRAM REGULATIONS

REFERENCE: Welfare and Institutions Code Section 11450, All County Letter (ACL) 08-42, Assembly Bill (AB) 335 (Chapter 726, Statutes of 2007)

The purpose of this notice is to transmit final regulations that amend the CalWORKs Homeless Assistance (HA) Program due to the enactment of AB 335 (Chapter 726, Statutes of 2007). The relevant provisions of AB 335 were initially implemented through ACL 08-42, dated October 17, 2008. The attached final regulations were approved by the Office of Administrative Law, filed with the Secretary of State on August 26, 2010, and became effective on September 25, 2010. These updated regulation pages and the accompanying Eligibility and Assistance Standards (EAS) manual letter 1005 are posted on the internet at: <http://www.cdss.ca.gov/ord/PG2306.htm>.

AB 335 made changes to permit recipients to verify Domestic Violence (DV) as an exception to the once-in-a-lifetime HA rules with a sworn statement made by the victim, unless the County Welfare Department (CWD) documents in writing an independent, reasonable basis to find the recipient not credible. The DV may be verified by a sworn statement for up to two periods of temporary HA payments and two payments of permanent HA. Further, the CWD will be required to immediately inform HA program recipients, who verify DV with a sworn statement, of the availability of DV counseling and services, and refer them to services upon request.

AB 335 also provides that if the CWD required a recipient who verifies DV by a sworn statement to participate in a homeless avoidance case plan, the plan shall include the

provision of DV services, if appropriate. If a recipient, who is seeking an exemption to the once-in-a-lifetime provision of HA based on DV, has previously received homeless avoidance services based on DV, the county shall review whether DV counseling and services were offered to the recipient and consider what additional services would assist the recipient in leaving the DV situation.

If you have any questions regarding this notice, please contact your CalWORKs county consultant directly or call the CalWORKs Eligibility Bureau at (916) 654-1322.

Sincerely,

Original Document Signed By:

KÄREN DICKERSON, Chief
Employment and Eligibility Branch

Attachment

Amend Section 44-211.54 to read:

44-211 SPECIAL NEEDS IN CALWORKS

44-211

.5 Homeless Assistance (Continued)

.54 Once-In-A-Lifetime Homeless Exceptions

.541 (Continued)

.542 The AU shall provide verification of the exceptional circumstance(s), described in Section 44-211.541(b), which resulted in the AU's homelessness. The circumstances listed under Section 44-211.541(b)(2) and (b)(3) shall be verified through a third-party governmental or private health and human services agency. Domestic violence circumstances may be verified by sworn statement as provided in Section 44-211.543. (Continued)

(b) (Continued)

(1) Domestic violence-copies of records or reports from police departments; medical facilities; battered women's shelters signed by an administrator, counselor or designated staff member; and Adult and Child Protective Services, Family Services Bureau, Crisis Counseling Services agencies. These types of third party verifications are acceptable when the county has determined that a sworn statement by the victim is not credible. (Continued)

.543 Sworn statement by a victim of past or present domestic abuse shall be sufficient to verify the AU meets a domestic violence exception unless the county documents in writing an independent and reasonable basis to find the applicant or recipient not credible, in accordance with domestic abuse regulations found at MPP Section 42-715.12.

(a) A sworn statement by the victim shall be acceptable verification to meet an exception for up to two periods of temporary and two payments of permanent homeless assistance.

(b) If the county establishes the applicant or recipient is not credible, the county shall obtain third party verification of domestic violence pursuant to Section 44-542(b)(1).

.544 A county shall immediately inform the victim who verifies domestic violence with a sworn statement of the availability of domestic violence counseling and services, and shall refer the victim to services upon request.

.545 A county may require an applicant/recipient who verifies domestic violence by a sworn statement to participate in a homelessness avoidance case plan.

- (a) If a county requires an applicant/recipient who verifies domestic violence by a sworn statement to participate in a homelessness avoidance case plan, the plan shall include the provision of domestic violence services, if appropriate.
- (b) If an applicant/recipient seeking a once-in-a-lifetime exception for homeless assistance based on domestic violence has previously received homeless avoidance service based on domestic violence, the county shall review whether services were offered to the applicant/recipient and consider what additional services would assist the recipient in leaving the domestic violence situation.

.546 (Continued)

Authority Cited: Sections 10553, 10554, 11209, and 11450(g), Welfare and Institutions Code.

Reference: Sections 11056, 11265.1, 11265.2, 11265.3, 11266(a)(2), 11271, 11272, 11273, and 11273(b), 11450(a)(1), (b), and (c), 11450(f)(2)(A)(i), 11450(f)(2)(C), 11450(f)(2)(E)(i), (ii), (iii), (v), and (vi), 11450.5, 11452.018(a), and 11453.2, Welfare and Institutions Code; 45 CFR 206.10(a)(1)(ii), 45 CFR 206.10(a)(8), 45 CFR 233.10(a)(1)(iv), 45 CFR 233.20(a)(2)(v)(A), 45 CFR 234.11, 45 CFR 234.60, and 42 U.S.C.A., Section 606(b).