



CDSS

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March 22, 2011

ALL COUNTY INFORMATION NOTICE I-14-11

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 SPECIALIST
ALL CALFRESH PROGRAM COORDINATORS
ALL QUALITY CONTROL PROGRAM COORDINATORS

SUBJECT: APPLICATION PROCESSING TIME FRAME REQUIREMENTS FOR THE CALFRESH AND CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAMS

REFERENCES: WELFARE AND INSTITUTIONS CODE SECTIONS 18912 AND 18914; ALL COUNTY LETTER 00-32 AND 09-62; APPLICATION FOR CALFRESH PART 1 (DFA 285-A1) AND PART 2 (DFA 285-A2); APPLICATION FOR CASH AID, CALFRESH AND/OR MEDI-CAL ASSISTANCE (SAWS 1) AND (SAWS 2A); RIGHTS AND RESPONSIBILITIES FORMS (DFA 285-A3) AND [SAWS 2A (QR)]; MANUAL OF POLICIES AND PROCEDURES SECTIONS 11-601.3, 21-107, 21-115.2, 21-115.3, 40-126.1, 40-129.4, 40-129.9, 40-129.11, 40-129.71, 40-157, 44-211.511, 44-317.13, 63-108.5, 63-300.2 (QR), 63-300.3, 63-300.32, 63-300.321, 63-300.4, 63-300.45, 63-300.451, 63-300.5, 63-300.5(j), 63-301.1, 63-301.32, 63-301.5, 63-301.521, 63-301.522, 63-301.53, 63-301.531, 63-301.531(a), 63-301.532, 63-301.541(b), 63-301.541(c), 63-301.543, 63-301.543 (a), 63-301.545, 63-301.549, 63-301.6, 63-301.61, 63-301.7 AND 63-601.

The purpose of this notice is to provide some guidance to counties about existing application processing timelines given to staff turnover. The Department of Social Services (CDSS) requests that County Welfare Departments (CWDs) review their current policies and procedures to ensure that county staff have clear instructions of what the Expedited Service (ES) and Immediate Need (IN) application processing time frames and requirements are for both the CalFresh (formerly known as Food Stamps) and

CalWORKs programs. CWDs are required to meet both program interview and application processing requirements and deadlines. This notice simply reiterates the existing policies in these areas.

CalFresh Program

Expedited Service

For Expedited Service (ES) CalFresh benefits, Welfare and Institutions (W&I) Code Sections 18912 and 18914 require CWDs to verbally inform all potential CalFresh applicants of the right to ES and the availability of assistance in filling out the application. Application procedures require CWDs to identify households entitled to ES at the time the household files an application (MPP Section 63-301.521). This is true whether there is a paper application or an on-line application. A request for ES must be considered if the applicant elects to complete any portion of the ES section (MPP Section 63-301.522) on the DFA 285-A1 or the SAWS 1. Even if the household does not complete any part of the ES section on the DFA 285-A1 or the SAWS1, the CWD must verbally inform the applicant of the ES entitlement, the application process and document in the case file that this advisement was provided.

All potential applicants seeking assistance via the on-line application should be notified of their right to request ES CalFresh benefits assistance when completing and submitting the application. For those household that file an on-line application and are identified to be entitled to ES, the CWD shall instruct the head of household and/or authorized representative (AR) that they will need to come into the CWD office to pick up their EBT card within the third calendar day following the date the application was filed or submitted on-line.

If the household is identified as entitled to ES, the CWD must conduct an eligibility interview, process the application, and issue benefits within the three-day ES time frame (MPP Section 63-301.53). The forms needed to complete the eligibility determination prior to issuance of ES are the DFA 285-A1/SAWS 1, the DFA 285-A2/SAWS 2 and the DFA 285-A3/SAWS 2A (QR). The SAWS series of forms are used for the cash aid and public assistance CalFresh (PACF) joint application, but can also be used for non-assistance CalFresh (NACF) only households [MPP Section 63-300.2 (QR)] (Please refer to page 5, paragraph 2 regarding partial applications).

The first day of the three-day ES time frame starts on the first *calendar* day following the filing of the application [MPP Section 63-300.32 and 63-301.531(a)]. This is true also for paper and online applications. If the applicant was not eligible at application, but an entitlement is discovered later in the application process, the CWD must determine eligibility by conducting an interview within the standard three-day processing time frame.

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In this instance, the processing standards must be calculated from the day following the discovery of entitlement to ES.

For households entitled to ES at initial application, the CWD must make the benefits available to the recipient's Electronic Benefit Transfer (EBT) card no later than the third calendar day following the date the application was filed or submitted on-line [MPP Section 63-301.531(a)]. If the third calendar day falls on a weekend and/or holiday when the benefits cannot be issued, the CWD must issue the benefits and have the EBT card available to the household to use on the last working day before the weekend and/or holiday or the first working day after the weekend and/or holiday and within the ES deadline. For example, if the application for ES is filed on Thursday, benefits must be made available to the household on that following Monday. However, if Monday happens to be a holiday, benefits must be issued and made available to the household on that Friday or Saturday if benefits are issued on that day.

The CWD must conduct an application interview in accordance with MPP Section 63-300.4, collect necessary verification (if verification is not postponed), determine eligibility and issue ES benefits by the third day following the date the application was filed. If a household mails an application and it contains sufficient information to indicate that the household is entitled to ES, the CWD shall conduct the interview and complete the application process within the ES time frame. If the application is not complete, and the CWD must conduct an interview over the phone of the applicant, on the same day, the CWD must mail, fax or e-mail, to the household, the rest of the forms (DFA 285 A2, DFA 285 A3, SAWS 2 and SAWS 2A QR) that are required for signature.

Once the CWD mails the application and other required forms to the household for signature, the mailing time that is calculated in the ES three-day standard processing time frame starts when the forms are in the mail, the days the forms are in the household's possession pending signature and the return mail time (MPP Section 63-301.531 and 63-301.532). For example, the CWD conducts a telephone interview Thursday morning for ES and determines the household eligible for ES benefits. The CWD informs the household that the application and other required forms will be mailed to the household for their review and signature. The household is instructed to review the information on the application and required forms, sign and return them as soon as possible, but no later than Monday. The CWD mails the application packet that afternoon. The household receives the application packet on Friday. The application packet is reviewed, signed and mailed back to the county on Saturday. The ES time frame starts to count from the time the packet is in the mail and does not stop until the packet is date received and date stamped that Monday morning.

PACF households must be informed that they may apply for CalFresh benefits at the same time and must be required to complete only a single application for both programs. PACF households must not be required to see a different eligibility worker or otherwise

be subjected to two interview requirements to obtain the benefits of both CalFresh and the CalWORKs programs (MPP Section 63-301.61). The only exception to conducting a separate CalFresh interview is to prevent any delay in the processing of ES. The CalFresh eligibility and benefit levels for PACF households shall be based solely on CalFresh eligibility criteria. PACF households must be certified in accordance with the procedural and timeliness requirements of the CalFresh regulations (MPP Section 63-301.6). Counties are encouraged to conduct same-day ES interviews, as this assists the counties in meeting ES time frames and minimizes the number of trips the applicant needs to make to the county office to be certified for benefits.

All reasonable efforts must be made to verify information within the ES processing time frames [MPP Section 63-301.541(b)]. However, benefits shall not be delayed beyond the delivery standards solely because eligibility factors have not been verified. Under ES, verification of certain items (e.g., income, resources, etc.) can be postponed up to 30 days from the date of application. Only the applicant's identity is required to be verified to issue ES benefits. If the household is also receiving Medi-Cal and the head of household's identity was verified via MEDs verification with the Social Security Administration (SSA), the verification of identity has been met for purposes of the CalFresh application ES verification requirement (MPP Section 63-301.7). All other verification, if not obtainable during the ES processing time frame may be postponed [MPP Section 63-301.541(b)]. Households entitled to ES are not required to furnish or apply for a Social Security Number (SSN) until after they have received their first ES allotment [MPP Section 63-301.541(c)].

Households Applying for Expedited Service on or before the 15th Day of the Month

Change reporting households that apply for ES benefits on or before the 15th day of the month and have postponed verification must be assigned a one month certification period [MPP Section 63-301.544(a) (QR)]. When a certification period of longer than one month is assigned and verification is postponed, households must be sent a notice advising that no further benefits will be issued until the postponed verification, except unverified child support, is received by the CWD. Otherwise, participation will be terminated if the verification is not received within 30 days following the date the application was filed (MPP Section 63-301.545).

Households Applying for Expedited Service after the 15th Day of the Month

Households that apply for ES benefits after the 15th day of the month, have provided all necessary verification within the ES time frame or have had verification postponed, and have been determined eligible to receive benefits for the application month and the subsequent month, must receive both allotments at the same time and must be assigned a normal certification period of 12 calendar months [MPP Sections 63-301.543 and 63-301.543(a)].

Denial Notice

A denial notice for ES is not appropriate because ES is an entitlement to a service within CalFresh (MPP Section 63-108.5). However, if the household is determined not to be entitled to ES and ineligible for regular CalFresh, then the CWD must issue a denial notice. The case file must contain documentation to support entitlement or non-entitlement for ES [MPP Section 63-300.5(j)]. Counties, however, must advise households of the basis for the denial.

Statewide Fingerprint/Photo Imaging System (SFIS) and Issuance of Expedited Service

For issuance of ES CalFresh, the CWD must fingerprint/photo image any applicant who applies in person in the welfare office if he/she is not otherwise exempt (MPP Section 63-601 and ACL 00-32). If any of the individuals required to be imaged are not present at the time of the interview and are not able to be fingerprint/photo imaged within the time frame for ES, the CWD must issue ES benefits if the household is otherwise eligible. Thereafter, all eligible household members must be fingerprint/photo imaged at any time they visit the CWD for any reason during the certification period, but no later than recertification. This requirement is also true if the CWD has waived the face-to-face interview for the normal 30 day processing. No one must be required to make a special trip for the sole purpose of completing the SFIS requirement (MPP Section 63-300.451).

Additionally, if imaging reveals a match, but resolution of the match cannot be completed within the time frames for ES (MPP Section 63-301.5), ES benefits must be issued. If the SFIS process is completed and duplicate aid is verified, CWDs may deny the case as there would be a question of duplicate participation. In addition, the case could not be determined eligible without verification that there is no duplicate aid.

Normal 30 Day Processing

If the CWD determines that the household is not eligible for ES, but is otherwise eligible for regular CalFresh benefits, the CWD must process the application under the 30 day processing standard (MPP Section 63-301.549). For eligible households that complete the initial application process, the CWD must provide an opportunity to participate as soon as possible, but no later than 30 calendar days following the date the application was filed or 31 days if you count the date of application (MPP Section 63-301.1). An opportunity to participate consists of providing households with access to benefits in compliance with MPP Sections 63-301.1 and 63-301.531(a).

The household may apply in person, through an AR, by phone, fax or mail, through an electronic transmission, or through an on-line application (MPP Section 63-300.3). **A partially completed application which contains the applicant's name, address, and signature is considered filed, even if the household has not been interviewed prior**

to submitting the application (MPP Section 63-300.32). Counties cannot reject applications which contain this limited information. The length of time to deliver benefits is calculated from the date the application was filed in the CWD office (MPP Section 63-300.3). Applications are acceptable if received signed through the use of an electronic signature or a handwritten signature, transmitted by fax or other electronic transmissions (MPP Section 63-300.3). Only one adult member, either the head of household or the designated AR, is required to sign **all** the food stamp application forms (MPP Section 63-300.321).

An interview consists of the review of the information that appears on the application, exploring and resolving unclear and incomplete information and documenting any changes in household circumstances that have occurred between the time the application was filed and the time of the certification interview (MPP Section 63-300.4). Applications which were received but were incomplete are completed during this process if the county has not otherwise received a completed application prior to the interview. During the interview the CWD must also advise the household of its rights and responsibilities (R&Rs), the household's responsibility to report changes and the appropriate application processing standards. Although some counties may still advise the household of its R&Rs during the interview, some counties advise the household of the R&Rs through an orientation. This method is also acceptable, though the client should not be required to make an additional trip to the office for the purpose of completing the orientation. The application process is not complete until the CWD has received all necessary verifications to determine eligibility and benefit levels.

CWDs may conduct interviews in two different ways: in person in a CalFresh office or other mutually-accepted location or by telephone as allowed by the waiver of the face-to-face interview (MPP Section 63-300.45). For CWDs that have opted to implement the waiver of the face-to-face interview at application in accordance with ACL 09-62, a telephone interview must be conducted as appropriate. If the household fails to be available for the first scheduled interview and has made no subsequent contact with the CWD expressing interest in pursuing the application, the CWD must send a Notice of Missed Interview (NOMI) as soon as possible. The CWD must reschedule if the household requests another interview within 30 days of the initial application filing date. If the household requests a second interview within 30 days of the application date and is found eligible, the CWD must prorate benefits from the initial date of the application (MPP Section 63-301.32). Only after the NOMI is sent and the household fails to reschedule, can the CWD send a denial notice on the 30th day after application.

CalWORKs Program

Immediate Need

When a family applies for CalWORKs cash assistance, they may request, verbally or in writing, an Immediate Need (IN) payment any time during the application process. The application may be submitted as a paper application or on-line application. The first opportunity for applicants to request IN is on the SAWS 1 application form, but any time the family indicates that they are in need of an IN payment due to an emergency situation (as described on the next page), CWDs are required to encourage them to complete the IN section of the SAWS 1 or provide them with an IN Payment Request form (CW 4) to complete. Once the applicant family has requested IN or has indicated they have an emergency situation, MPP Section 40-129.4 requires the CWDs to conduct a face-to-face IN interview no later than the next working day after the IN request has been received.

When feasible, the CWD should conduct the interview the same day that IN has been requested.

IN (which is described as an “emergency situation” in these regulations) means that one or more of the following exists:

- Lack of Housing: The applicant is homeless as defined in MPP Section 44-211.511.
- Pending Eviction: The applicant has received any type of eviction notice, including a three-day notice to pay or quit, evicting the family from its current residence.
- Lack of Food: The applicant does not have enough food to sustain the family for a period of three calendar days.
- Utility Shut-off Notice: The applicant has received a notice of termination of utility services or such service has been terminated.
- Lack of Transportation: The applicant is unable to meet essential transportation needs such as those relating to food, medical care, or job opportunity.
- Lack of Clothing: The applicant lacks essential clothing such as diapers or clothing needed for inclement weather.
- Other emergencies of similar importance to the family’s immediate health and safety.

Immediate Need Determination of Eligibility

A determination of eligibility for an IN payment must be made by the CWD no later than the next working day following receipt of the IN request. During the IN interview, the CWD must review the completed Statement of Facts (SAWS 2) application form with the applicant. An applicant family is eligible to receive an IN payment if they appear to be “apparently eligible” for cash aid.

To the extent that the applicant family is able to do so, they should provide documentation to verify eligibility within the IN timeframe; however, the CWD may not deny an IN payment for failure to provide verification of eligibility except as required under MPP Section 40-129.11(a) (verification of citizenship status) and (b) (medical verification of pregnancy for pregnant women with no other eligible children).

An applicant is eligible for IN payments when he/she meets the conditions at MPP Section 40-129.2:

- Is apparently eligible for cash aid (i.e. would meet all eligibility requirements, if verified);
- Has an emergency situation;
- Has resources that do not exceed the resource limitation as specified in MPP Section 40-129.22; and
- Has complied with the technical conditions for cash aid at MPP Section 40-129.214 (e.g. met social security number enumeration requirements, applied for unconditionally available income, etc.).

If the applicant family is determined to be eligible for IN payment, the CWD must authorize the amount of grant to which the applicant family would be entitled to receive in the month of application or \$200, whichever is less. If eligibility has been fully verified within the IN timeframes, the CWD shall issue the regular aid payment in lieu of an IN payment.

If the emergency situation is due to an eviction and the applicant is found to be eligible for an IN payment, the applicant must be permitted to choose in writing whether they prefer to received the IN payment or an expedited determination of eligibility within three days. In order to get an expedited determination of cash aid, the following conditions must be met:

- The applicant is in receipt of a notice of eviction, including a three-day notice to pay or quit; and
- The applicant has insufficient funds to pay the rent owing; and
- The applicant is currently residing in his/her home.

Before the applicant chooses between the two options, the CWD must inform the applicant in writing of the information and verification known to be necessary to determine eligibility for aid. The applicant's decision must be documented in writing and retained in his/her case record. The expedited determination must be completed and the payment be issued within three working days from the date of the IN payment request. The CWD must issue the IN payment no later than the third working day if the eligibility determination cannot be completed.

If the family is determined not to be eligible for IN, the CWD must provide the applicant family with a notice of IN denial and continue to process the application under normal

application processing rules. The CWD must also inform the family that they can re-request IN if their circumstances change.

Application Process

State regulations and policy regarding the standard application processing time frames require that CWDs must make reasonable efforts to verify information within the CalWORKs 45-day processing time frame as specified in MPP Section 40-126.1. Within 45 calendar days, the CWD is required to mail the applicant an aid payment, a notice of denial, or a notice that the applicant is eligible. Inability to complete the application process timely is not a basis for denying the application unless the delay is caused by the refusal of the applicant to participate in the gathering of evidence in accordance with MPP Section 40-157. The 45-day time frame may be exceeded in situations where completion of the processing of eligibility is delayed because of circumstances beyond the control of the CWD, which results in the inability of the CWD to complete the determination of eligibility.

These instances include:

- Inability on the part of the applicant to provide necessary clarification;
- Failure or delay on the part of an examining physician to provide all needed information;
- The application is made prior to the date the applicant meets eligibility requirements.

In these instances the CWD worker must document the cause for delay in the case record.

Completion of the Eligibility Immediate Need Determination Process

MPP Section 40-129.9 stipulates that when an IN payment has been issued, the CWD must verify the applicant's eligibility for aid within 15 working days from the date of receipt of the IN payment request. The 15-working-day time frame must also apply to an IN request that was denied when:

- The need was met by another public program or private resource.
- The emergency situation was a lack of housing and the need was met by the issuance of a homeless assistance payment.

If verification of eligibility is completed, and the applicant is determined eligible, the CWD will compute the aid payment in accordance with the beginning date of aid rules at MPP Section 44-317.13. The aid payment amount must be the grant amount less any IN the

CWD issued for that month. If the CWD cannot complete the verification process within the 15-working-day time frame, the eligibility verification process must continue.

CWDs are encouraged to use various strategies and best practices to ensure that sufficient staff is available on a daily basis to accept applications and process incoming requests for emergency and regular public assistance. This includes utilization of special alerts or other supervisory notice when emergency appointment slots are filling up, processing IN and ES while the client is in the office initially rather than rescheduling, and requesting only the verification absolutely necessary to meet the emergency or normal standard deadlines.

Standard 45-day Application Processing

Applications may be received in various forms, including in paper copy (either in person or via fax or mail) and online. State regulations and policy regarding the standard application processing time frames require that CWDs must make reasonable efforts to verify information within the CalWORKs 45-day processing time frame as specified in MPP Section 40-126.1. Within 45 calendar days, the CWD is required to mail the applicant an aid payment, a notice of denial, or a notice that the applicant is eligible. Inability to complete the application process timely is not a basis for denying the application unless the delay is caused by the refusal of the applicant to participate in the gathering of evidence in accordance with MPP Section 40-157. The 45-day time frame may be exceeded in situations where completion of the processing of eligibility is delayed because of circumstances beyond the control of the CWD, which results in the inability of the CWD to complete the determination of eligibility.

These instances include:

- Inability on the part of the applicant to provide necessary clarification;
- Failure or delay on the part of an examining physician to provide all needed information;
- The application is made prior to the date the applicant meets eligibility requirements.

In these instances the county worker must document the cause for delay in the case record.

The application process is not complete until all the evidence has been received by the CWD (MPP Section 40-115.22). If an applicant chooses to apply for CalWORKs and CalFresh, the CWD must conduct a single interview for both programs. CalWORKs applicants must not be required to see a different eligibility worker or otherwise be subjected to two interview requirements to obtain the benefits of both programs (MPP Section 40-131.12).

(SFIS) Requirements

Fingerprint images and a photo image are required within 30 days following the date of the application. (MPP Section 40-105.21). According to MPP Section 40-105.3, as a condition of eligibility, applicants must supply through the SFIS two fingerprint images and a photo image at the time of application, unless he/she is otherwise exempt (MPP Section 40-105.33). The following persons must provide fingerprint and photo images:

- Each parent and/or caretaker relative of an aided or applicant child when living in the home of the child.
- Each parent and/or caretaker relative receiving or applying for aid on the basis of an unaided excluded child.
- Each aided or applicant adult.
- The aided or applicant pregnant women in an assistant unit (AU) consisting of the woman only.

Failure to provide the required images will result in ineligibility for the entire AU. An applicant must not be denied aid because of technical problems within the SFIS system (MPP Section 40-105.35). If technical problems within the SFIS arise, the applicant must agree to complete the process at a mutually agreed upon time within 60 days of the initial attempt.

Information Applicable to Both the CalFresh and CalWORKs Programs

Applications in Other Languages

CWDs are also reminded that the date of receipt by the CWDs of any CDSS application form (despite the language in which it is written) is the official filing date of the application. CWDs must accept **all** applications regardless of the language, and provide language assistance and translated materials to applicants when such materials have been translated by CDSS (MPP 21-115.2). A CWD cannot reject an application filed in English when the applicant self-identifies that the primary language used by the household is Spanish or other non-English language. If CWDs wish to confirm the applicant's answers on the application, they should use appropriate bilingual workers or translators (MPP 21-115).

Expedited Service/Immediate Need Procedures during Office Closure

When CWDs are closed during the regular eight hours of the working day, they must make it possible for individuals to apply for and receive CalFresh and CalWORKs, including emergency benefits, within the time frames prescribed by state and federal law. MPP Section 11-601.3 established the following requirements when CWDs are closed during the regular eight hours of a working day:

- CWDs must provide individuals the opportunity to file an application for and receive ES and/or IN within the time frames prescribed by federal and state law.
- CWDs must provide notice of the CWD's hours of operation and the procedures during these hours of closure for applying for and receiving ES, IN and homeless assistance benefits.
- CWDs must make paper applications readily available and provide a drop box, mail slot, or other reasonable means for filing applications.
- Applications deposited in the drop box or mail slot after normal work hours (eight hours per day, Monday through Friday) or on the day the CWD is closed shall be dated the same day the application was deposited or the date the office was closed.
- For applications deposited in the drop box or mail slot after normal work hours or on the day the CWD office is closed and has been dated with an earlier date, the CWD shall establish the application filing date as the same day the application was deposited or the date the office was closed.
- CWDs must maintain sufficient staff to accept and act upon all such applications and/or maintain a local telephone service with sufficient staff to accept and act upon all such applications as if the requests had been made in person at the CWD's office.
- The CWD must ensure that any system used meets the delivery standard allowing a reasonable opportunity for the household to access benefits no later than the third calendar day following the date the application was filed (MPP 63-301.53).

If you have any questions regarding the contents of this letter, please contact Rosie Avena from the CalFresh Bureau, Program Policy Unit, at (916) 654-1514 or e-mail at rosie.avena@dss.ca.gov. For questions regarding the CalWORKs program, please contact your CalWORKs county consultant or call the CalWORKs Eligibility Bureau at (916) 654-1322.

Sincerely,

Original Document Signed By

LINDA PATTERSON, Chief
CalFresh Branch

Original Document Signed By:

KÄREN DICKERSON, Chief
Employment and Eligibility Branch