

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



February 29, 2000

ALL COUNTY INFORMATION NOTICE: I-17-00

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CalWORKs PROGRAM SPECIALISTS
 ALL COUNTY WELFARE TO WORK
 COORDINATORS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: TEMPORARY ABSENCE PROVISIONS

REFERENCE: Manual of Policies and Procedures (MPP) Sections 47-200 and 82-812

The purpose of this letter is to remind counties to evaluate temporary absence based on the provisions of MPP Section 82-812 when parents and/or caretaker relatives are hospitalized due to mental health or substance abuse problems that prevent them from obtaining or retaining employment or participating in other welfare-to-work activities.

Evaluation of Temporary Absence Due to Hospitalization

CalWORKs recipients may need to be hospitalized to receive treatment for mental health and/or substance abuse problems in order to accept or maintain employment or participate in other welfare to work activities. When this occurs, counties are reminded that these recipients may be considered temporarily absent from the home provided they meet the requirements specified at MPP Section 82-812. Temporary absence provisions specified in this Section provide that any member of an Assistance Unit (AU) may be temporarily absent from the home for a full calendar month of at least 30 days, with exceptions to the limit specified at MPP Section 82-812.6. One of the exceptions includes hospitalization, which is defined (MPP Section 82-812.63) to include medical hospitals, psychiatric care facilities, or drug and/or alcohol rehabilitation treatment facilities. Therefore, CalWORKs recipients living in the home and in the AU who need to be hospitalized to receive treatment for mental health and/or substance abuse problems may be considered temporarily absent for the duration of the hospital stay, even if it exceeds the full calendar month limit, provided that individual continues to meet the other determining factors of temporary absence. These factors include:

- The person has the intent to return home.
- The person has the ability to return to the home.
- The caretaker relative (e.g., a caretaker relative who is a CalWORKs participant) continues to exercise the primary responsibility for care and control of the child(ren) by being involved in major and minor decisions regarding the child's welfare and/or contributing to the costs for the child's needs. Other specific factors for determining care and control are specified at MPP Section 82-808.3. They include:

- Deciding where the child attends school or child care;
- Dealing with the school on educational decisions and problems regarding the child;
- Controlling the child's participation in extracurricular and recreational activities;
- Arranging medical and dental care services;
- Claiming the child as a tax dependent;
- Purchasing and maintaining the child's clothing.

Each situation must be evaluated on a case-by-case basis. A single factor may not be conclusive in making this determination.

Assistance Unit (AU) Status

There can only be one caretaker relative per aided child even if the child is temporarily under the care of another relative. The hospitalized parent will remain in the AU as long as he/she continues to meet the definition of a caretaker relative who is otherwise eligible and the parent and child(ren) are living in the same home. Other mandatorily included persons (see MPP Section 82-820.2) living in the home who are hospitalized, such as a second parent who is not the caretaker, may also be considered temporarily absent as specified above without consideration of care and control.

Contacts

If you have further questions regarding temporary absence, please contact Julie Lopes at (916) 654-1786. For questions regarding mandatory inclusion, contact Henry Puga at (916) 654-1068. CalWORKs welfare-to-work questions related to mental health or substance abuse treatment may be directed to your Work Support Services Analyst at (916) 654-1424.

Sincerely,

***Original Signed by
Jo Weber on 2/29/00***

JO WEBER, Chief
Work Services and Demonstration Projects Branch

c: CWDA
CSAC