

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



August 21, 2000

ALL COUNTY INFORMATION NOTICE I-82-00

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS
ALL CAL-LEARN CASE MANAGEMENT AGENCIES
ALL CAL-LEARN 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: MASS MAILING OF THE NEW CalWORKs MAXIMUM FAMILY GRANT (MFG) INFORMING NOTICE

The purpose of this All County Information Notice is to update the informing notice provided to applicants and recipients about the Maximum Family Grant (MFG) rule. Due to concerns that the MFG informing notice could be clearer, the California Department of Social Services (CDSS) has revised the MFG informing notice. The CW 2102 (previously the TEMP 2102) reiterates that the rule applies to all assistance unit members who may become parents specifically including minors. Attached is a copy of the new notice. Please note that the CW 2102 includes new policy information. Specific details regarding this notice and the Nickols v. Saenz court case, which relates to the MFG rule informing process, will be issued shortly in a separate All County Letter (ACL). In order to release the revised MFG informing notice at the earliest opportunity as provided in the Nickols settlement, it is necessary to send it in advance of the ACL to implement the settlement of this lawsuit.

In August 2000, the State is mailing the revised MFG informing notice to the entire active caseload. The TEMP 2102 was essentially the same as the attached CW 2102, but without the signed acknowledgement. Counties are to destroy old stock (TEMP 2102) and immediately start using the CW 2102 for required informing at application and at redetermination. In addition, counties are to provide a copy of the CW 2102 to all new recipients (including those returning after a break in aid) who would not have received the revised MFG informing notice through the August mass mailing, including those whose eligibility was determined after June 2000. This will ensure that recipients in all cases potentially affected by the MFG rule are provided with the revised informing notice. When the MFG notice is provided, counties are required to have applicants and recipients complete the acknowledgement of receipt at the bottom of the notice and provide a copy of the signed MFG informing notice to the applicant or recipient and retain a copy in the case file.

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For your information, also attached is a copy of a letter that is being sent to the Cal-Learn Case Management Agencies (CMAs). This letter requests that the CMAs participate in the identification of potential class members for the Nickols v. Saenz court case.

If you have any questions about policy on the MFG rule, please contact Ms. Elizabeth Allred at (916) 657-3350. If you have any questions about the letter to the CMAs, please call the Teen Programs Unit at (916) 654-1424. If you have any questions about the revised MFG informing notice, this letter or the mass mailing of the notice, please call Vincent Toolan at (916) 654-1808.

Sincerely,

***Original document signed by
MARIA HERNANDEZ for
CHARR LEE METSKER ON 8/21/00***

CHARR LEE METSKER, Chief
Employment and Eligibility Branch

Attachments

c: CWDA
CSAC

The Maximum Family Grant (MFG) Rule for Recipients of Cash Aid

The MFG Rule:

Your maximum aid payment (MAP) **will not** go up to include a child born to your family, if any member of your family got cash aid for the 10 months in a row right before the child's birth.

This rule applies to any member of your family, including any child who becomes a parent.

Cash aid will not go up when:

- You or any adult on the case have gotten cash aid for ten months in a row before the baby is born.
- Your child has gotten cash aid for ten months in a row before he or she has a baby.
- Any of your children got cash aid for ten months in a row before the baby is born, even if you are not getting cash aid for yourself.

This baby will still be eligible for:

- Other CalWORKs benefits, such as child care when the parent goes to work.
- Medi-Cal.
- Food Stamps.

Child support payments for the new baby will be paid to your family and will not be counted as income for cash aid.

The MFG rule will **not** apply:

- If your family was off cash aid for at least two months in a row during the 10 months before the birth of the child.
- Once the whole family has been off cash aid for 24 months in a row, or the baby goes to live with someone else.
- If no adult in your family received written notice of the MFG rule at least ten months before the birth of the child.
- When a parent, whose MFG child was born while the parent was a minor, becomes head of his/her own Assistance Unit. Example: Selena gets aid for herself and her 17-year-old daughter, Rose. If Rose has a baby while on aid, the family's grant will not go up if the MFG rule applies. When Rose turns 18 or moves out, she can apply for aid for herself and her baby.
- To a baby born to someone who gets aid for children but not for herself or himself, if the person is not the parent of the children getting aid. Example: if an aunt gets CalWORKs only for her niece and then the aunt has her own baby, the MFG rule will not apply to the aunt's baby.
- If the child was conceived because of rape or incest. You must report the rape or incest no later than three months after the birth of the child to a: medical or mental health professional; or social services agency; or law enforcement agency.

In the case of incest, you do not need to report if paternity has been established.

- If the child was conceived because of the failure of one of these kinds of birth control:
 - IUD (an intrauterine device), Norplant, Depo-Provera or
 - the sterilization of either parent.

You must give medical proof of any failure of a listed birth control method.

- **I have read this notice or have had it read to me, and I understand that I will not get more cash aid for a baby born ten months after my family goes on cash aid. This may include babies born to myself or my child.**
- **I understand that I must explain this rule to any family member of any age who can get pregnant or become a parent, and I understand that the rule applies whether or not I explain it to my minor child, spouse, or the other parent of the child.**

Signature of Caretaker Relative

Date

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

**DRAFT****MEMO TO:** CAL-LEARN CASE MANAGEMENT AGENCIES**SUBJECT:** IDENTIFYING MAXIMUM FAMILY GRANT (MFG) APPLICANTS

This letter is to provide instructions on collecting data on possible MFG children for the purposes of settling the Nickols vs. Saenz lawsuit. This lawsuit maintains that teen parents may not have been adequately notified of the provisions of the MFG rule. As terms of the settlement, CDSS has agreed to identify and contact each Cal-Learn teen that may be affected by changes to the MFG rule that could increase their grant. Further details of the settlement will be forthcoming. In order to carry out this process, CDSS requires that the case management agencies run a special report that has been added to the LodeStar MIS specifically for the purpose of identifying the clients affected by this ruling.

BACKGROUND**Maximum Family Grant**

Assembly Bill (AB) 473, Chapter 196, Statutes of 1994 added Section 11450.04 to the Welfare and Institutions Code. This statute, as implemented through MPP Section 44-314, states there will be no increase in the grant amount as a result of the birth of an additional child(ren) born on or after September 1, 1997 when the assistance unit has been aided for 10 consecutive months prior to the birth.

Cal-Learn

The MFG rule will affect some Cal-Learn teens. A Cal-Learn teen may be aided in the senior parent's AU or may be in his/her own AU. If the AU was informed of the MFG guidelines and on aid for 10 months prior to the birth of the teen's child, the child may be considered an MFG child.

INSTRUCTIONS TO CASE MANAGEMENT AGENCIES:

The Branagh Information Group has provided each case management agency with an update to the LodeStar software program that will enable the agency to run a special report that creates a diskette containing a list of the clients affected by the ruling. The data written to the diskette consists of the following information for each of the identified clients:

- (1) The name of the Cal-Learn participant
- (2) The social security number of the Cal-Learn participant
- (3) The birth date of both the Cal-Learn participant and their child(ren)
- (4) Other participant identifying information

The documentation accompanying the LodeStar update will provide you with the specific details of how to run the report that creates the diskette. The diskette should be returned to the Branagh Information Group for compilation at the following address:

The Branagh Information Group
P.O. Box 379
Navarro, CA 95463

It is imperative that you return this diskette no later than August 31, 2000. If you have technical difficulties meeting these requirements, please contact LodeStar Technical Support at (707) 895-2510. If you have any other questions or compliance issues please contact the Teen Programs Unit at (916) 654-1424.