

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



April 24, 2002

ALL-COUNTY INFORMATION NOTICE NO. I-30-02

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROGRAM COORDINATORS

REASON FOR THIS TRANSMITTAL

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | State Law Change |
| <input type="checkbox"/> | Federal Law or Regulation Change |
| <input type="checkbox"/> | Court Order or Settlement Agreement |
| <input checked="" type="checkbox"/> | Clarification Requested by One or More Counties |
| <input checked="" type="checkbox"/> | Initiated by CDSS |

SUBJECT: FOOD STAMP PROGRAM CATEGORICAL ELIGIBILITY (CE)
FOR COMBINED FOOD STAMP HOUSEHOLDS

REFERENCE: ALL COUNTY LETTER 99-81; ADMINISTRATIVE NOTICE 99-46
MPP 63-301.7, 63-301.82 and 63-301.92

The purpose of this letter is to provide additional clarification on the current policy for determining categorical eligibility (CE) status and to transmit the enclosed policy questions and answers pertaining to CE for the Food Stamp Program (FSP). Included in this letter are questions and answers developed as a result of county inquiries regarding CE as it applies to food stamp households that contain California Food Assistance Program (CFAP) members.

BACKGROUND

In the ACL 99-81, counties were advised that to be mandatory CE, all of the members of otherwise federally eligible food stamp households, must be authorized to receive Temporary Assistance for Needy Families (TANF), or receive benefits that are primarily TANF funded, or receive benefits that are primarily counted toward TANF maintenance of effort. In addition, those benefits must be means tested.

CE provides for certain eligibility factors for the FSP to be deferred to the conferring program such as CalWORKs. Those eligibility factors are resources (including automobiles), gross and net income limits, sponsored alien information, county residency, and social security number information. These eligibility factors are not re-examined to determine food stamp eligibility when a family is categorically eligible for food stamps.

DETERMINING CE FOR COMBINED HOUSEHOLDS

- CE current policy in MPP 63-301.7 provides that any household in which all food stamp eligible household members receive or are authorized to receive PA benefits are considered categorically eligible for food stamps because the PA benefits have met the definition provided in MPP 63-102(p)(12).

- MPP section 63-301.733 states the household shall include all persons who purchase and prepare food together in one food stamp household regardless of whether or not they are separate units for PA purposes. Therefore, since CFAP recipients receive CFAP food stamps and purchase and prepare food together, they must be by definition part of the food stamp household (household members that are eligible for food stamps) for purposes of defining CE.
- CE status cannot be conferred upon federal food stamp ineligible non-citizens, i.e. CFAP recipients. MPP 63-403 states, "combined food stamp households are those which contain participants of the federal FSP and CFAP". Categorical eligibility can not be established when the food stamp household contains members who are not federally eligible for food stamps. Because not all members are federally eligible for food stamps, these combined food stamp households can not be CE.
- If all members of the combined food stamp household receive or are authorized to receive benefits from Temporary Assistance for Needy Families (TANF), or a state-funded program, they are regarded as PA households as defined in MPP 61-102.2(p). Therefore, these described combined households are still considered PA households.

VERIFICATION OF COMBINED HOUSEHOLDS

When a household is PA, CE factors do not need verification for the food stamp household because they were already verified in the PA process. Even if a household cannot be CE, the TANF verification can still be used to determine eligibility for food stamps. Therefore, households that were properly PA verified and would have been CE (except for the non-citizen factor) do not need additional verification.

BUDGETING

For instructions on how to budget combined households see ACL 98-66. However, please remember that the combined CFAP and federal allotments cannot exceed what a single federal allotment would be if all household members were federally eligible. If the combined CFAP and federal allotments exceed what a single federal allotment would be if all household members were federally eligible, then the CFAP allotment is reduced.

CONTACT

If you any questions regarding this letter, please contact Robert Marlow, of the Policy Implementation Unit at (916) 654-1898.

Sincerely,

Original document signed by
GARY SWANSON, Chief
Food Stamp Branch

Enclosure

CATEGORICAL ELIGIBILITY (CE)

The following households are applying for food stamp benefits. What would the CE status for each household be?

Question:

1. Food stamp household consists of noncitizen mother and father potentially eligible to California Food Assistance Program (CFAP) benefits and eligible to state California Work Opportunity and Responsibility to Kids (CalWORKs), two citizen children potentially eligible to federal food stamps and eligible to federal CalWORKs.

Answer:

The mother and father are not eligible to receive federal food stamp benefits but are determined eligible for CFAP. Therefore, the food stamp household cannot be CE. Because the whole household is otherwise eligible based on meeting other federal eligibility and verification requirements, except for non-citizenship status, the children are federally eligible.

Question:

2. Household consists of undocumented noncitizen mother and father ineligible to food stamps & CalWORKs, two citizen children potentially eligible for federal food stamps and federal CalWORKs.

Answer

The undocumented noncitizen mother and father are ineligible for both CalWORKs and food stamps. As such, they are excluded food stamp household members and their ineligible status does not impact the eligibility of the two children. The children are the only members of the food stamp household and are CE. (MPP 63-301.741 & 63-503.442(d 4)).

Question:

3. Household consists of undocumented noncitizen mother and father ineligible to food stamps & CalWORKs, two noncitizen children who entered the U.S. after August 22, 1996, who are otherwise federally eligible to CFAP and state CalWORKs.

Answer:

No household member is federally eligible, CE status does not exist. (MPP 63-301.72). The two non-citizen children constitute the food stamp household and eligibility for CFAP is determined based on non-CE criteria.

Question:

4. Household consists of Welfare to Work sanctioned mother who is also sanctioned for food stamps. Citizen child is potentially eligible for federal food stamps and federal CalWORKs.

Answer:

The sanctioned mother is ineligible for food stamps. She is considered excluded from the food stamp household and her sanction does not have an impact on the CE status of the remaining federally eligible household members. Therefore, the citizen child is CE. (MPP 63-301.746 & 63-503.442 (d)(4)).

Question:

5. Food stamp household consists of senior parent, sanctioned Cal learn teen parent, teen parents minor child and teen parent's sibling potentially eligible to federal food stamps and state CalWORKs.

Answer:

The entire household is considered CE. All members of the household are eligible for state CalWORKs benefits, i.e., a program funded primarily by state MOE, and all members of the food stamp household are eligible for federal food stamp benefits. (MPP 63-301.7).