

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



July 21, 2004

ALL COUNTY INFORMATION NOTICE NO. I-51-04

TO: ALL COUNTY WELFARE DIRECTORS  
 ALL FOOD STAMP COORDINATORS  
 ALL FOOD STAMP EMPLOYMENT AND  
 TRAINING 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: REVISION OF THE DFA 377.10 FOOD STAMP NOTICE OF  
 DENIAL/DISQUALIFICATION

REFERENCE: MPP SECTION 63-407.5, 63-407.6, 63-408 AND 7 CFR 273.7

This All County Information Notice transmits the DFA 377.10 that is issued to persons who are disqualified for noncompliance with Non-Assistance Food Stamp (NAFS) Program work requirements. The NA 995 form, which is the comparable disqualification notice for California Food Assistance Program (CFAP) recipients, has been eliminated and the DFA 377.10 should be used. The DFA 377.10 has been updated for consistency with revised disqualification regulations at Manual of Policies and Procedures (MPP) Sections 63-407.5, 63-407.6, 63-408.

Under the revised regulations, the following rules apply:

- An individual is no longer required to end a food stamp disqualification by complying with the work requirement he/she has failed to meet. At the end of the one, three, or six month disqualification, the individual must only agree to comply with food stamp work requirements to be approved for benefits.
- An applicant is now denied food stamps for one, three, or six months if, within 60 days prior to the date of food stamp application, he/she quits a job or reduces hours worked to less than 30 per week.
- Voluntary quit is now defined as resigning from a job of at least 30 hours per week or which provides weekly earnings at least equivalent to the federal minimum wage multiplied by 30. The previous standard for voluntary quit was 20 hours per week.

**Implementation**

County Welfare Departments (CWDs) must begin using this revised Notice of Action (NOA) as soon as administratively feasible. CWDs are to destroy their old stock of DFA 377.10 and NA 995.

**Designation and Modification of NOA**

DFA 377.10, Food Stamp Notice of Denial/Disqualification (Failure to meet the Food Stamp work rules) is a required form (substitutes permitted).

CWDs must obtain prior approval from California Department of Social Services (CDSS) before implementing a modification or substitution to the DFA 377.10. The procedures for submission of Food Stamp Program (FSP) NOA change requests are in MPP Section 63-1250.

**Stock:**

This NOA is camera-ready only. No stock will be available.

**Camera-Ready Copies and Translations**

After the county receives a copy of an English FSP NOA, please allow six to eight weeks for the NOA to be translated and mailed to your FSP coordinator. Completed translations in other languages are posted and can be obtained from the CDSS web page at:

[http://www.dss.cahwnet.gov/cdssweb/FormsandPu\\_274.htm](http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm). If you have questions, please contact Language Services at (916) 445-6778.

For a camera-ready copy and/or an additional copy of an English NOA, please call the Forms Management Unit (FMU) at (916) 657-1907. If your county office has Internet access, you may obtain these NOAs at: [www.dss.cahwnet.gov](http://www.dss.cahwnet.gov).

Each CWD shall provide bilingual/interpretive services and written translations to non-English or limited English proficient populations as required by the Dymally Alatorre Bilingual Services Act (Government Code Section 7290 et seq.) and by state regulations in MPP Division 21, Civil Rights Nondiscrimination, Section 115.

**Contact:**

If you have any questions regarding the enclosed DFA 377.10, please contact Robert Nevins, Associate Analyst, Food Stamp Branch, at (916) 654-1408 or [robert.nevins@dss.ca.gov](mailto:robert.nevins@dss.ca.gov).

Sincerely,

***Original document signed by***  
RICHTON YEE, Chief  
Food Stamp Branch

Attachment

# FOOD STAMP NOTICE OF DENIAL/DISQUALIFICATION

(Failure to meet the Food Stamp Program work rules)

COUNTY OF \_\_\_\_\_

STATE OF CALIFORNIA  
HEALTH AND HUMAN SERVICES AGENCY  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

Notice Date : \_\_\_\_\_  
Case Name : \_\_\_\_\_  
Number : \_\_\_\_\_  
Worker Name : \_\_\_\_\_  
Number : \_\_\_\_\_  
Telephone : \_\_\_\_\_  
Address : \_\_\_\_\_  
\_\_\_\_\_

(ADDRESSEE)

┌  
  
  
  
  
  
  
  
  
  
└

┌  
  
  
  
  
  
  
  
  
  
└

Questions? Ask your Worker.

**State Hearing:** If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

The county is taking the following action because \_\_\_\_\_ did not follow the Food Stamp Program work rules (listed below).

You are  Denied /  Disqualified for 1  3  or 6  months.

The penalty will end on \_\_\_\_\_  
(DATE)

The amount of your household's food stamps will be changed from \$ \_\_\_\_\_ to \$ \_\_\_\_\_.

**REASON YOU WILL NO LONGER GET FOOD STAMPS IS BECAUSE YOU FAILED TO MEET ONE OF THE WORK RULES BELOW. YOU DID NOT:**

- Register for work.
- Keep your job or keep working at least 30 hours a week.
- Participate in a workfare, job search, or other work related assignment.
- Give the county information about your work history if you are able to work.
- Report to an employer for work.
- Accept a good job offer.
- Participate in the Unemployment Insurance Program work requirement.
- Participate in the CalWORKs Welfare to Work Program work requirement.

**Please call us if you think you have a reason for not meeting the work rule.**

**HOW TO KEEP FROM LOSING YOUR FOOD STAMPS**

By \_\_\_\_\_, you must  
(DATE)

- Show verbal or written proof that you are meeting the Food Stamp Program work rules.
- Have a good reason for not meeting the work rule.
- Be excused (see the following list).

**TO BE EXCUSED FROM THE WORK RULES, YOU MUST BE**

- Under 16 or 60 years of age or older;
- 16 or 17 and not the head of your food stamp household;
- Physically or mentally unfit for employment;
- Meeting the CalWORKs Welfare-to-Work rules;
- Caring for a child under six or an injured or sick person;
- Participating in an alcohol or drug treatment program that keeps you from working 30 hours or more a week.
- Getting or have applied for Unemployment Insurance benefits.
- Employed or self-employed at least 30 hours per week or receiving weekly earnings at least equal to the federal minimum wage multiplied by 30 hours;
- Going to school at least half-time;

**HERE'S HOW TO GET FOOD STAMPS BACK**

- Starting \_\_\_\_\_, you can get food stamps if you are  
(DATE) eligible, and agree to meet the Food Stamp Program work rules.
- If you become excused from the Food Stamp Program work rules, you may apply at any time. (see excused list above).

**COMMENTS**

**RULES:** These rules apply. You may review them at your welfare office.

MPP Section  42-721;  63-407;  63-408;

Other: \_\_\_\_\_.

## YOUR HEARING RIGHTS

You have the right to ask for a hearing if you disagree with any county action. You have only 90 days to ask for a hearing. The 90 days started the day after the county gave or mailed you this notice.

If you ask for a hearing before an action on Cash Aid, Medi-Cal, Food Stamps, or Child Care takes place:

- Your Cash Aid or Medi-Cal will stay the same while you wait for a hearing.
- Your Child Care Services may stay the same while you wait for a hearing.
- Your Food Stamps will stay the same until the hearing or the end of your certification period, whichever is earlier.

If the hearing decision says we are right, you will owe us for any extra Cash Aid, Food Stamps or Child Care Services you got.

To let us lower or stop your benefits before the hearing, check below:

Yes, lower or stop:  Cash Aid  Food Stamps  Child Care

**While You Wait for a Hearing Decision for:**

### Welfare to Work:

You do not have to take part in the activities.

You may receive child care payments for employment and for activities approved by the county before this notice.

If we told you your other supportive services payments will stop, you will not get any more payments, even if you go to your activity.

If we told you we will pay your other supportive services, they will be paid in the amount and in the way we told you in this notice.

- To get those supportive services, you must go to the activity the county told you to attend.
- If the amount of supportive services the county pays while you wait for a hearing decision is not enough to allow you to participate, you can stop going to the activity.

### Cal-Learn:

- You cannot participate in the Cal-Learn Program if we told you we cannot serve you.
- We will only pay for Cal-Learn supportive services for an approved activity.

## OTHER INFORMATION

**Medi-Cal Managed Care Plan Members:** The action on this notice may stop you from getting services from your managed care health plan. You may wish to contact your health plan membership services if you have questions.

**Child and/or Medical Support:** The local child support agency will help collect support at no cost even if you are not on cash aid. If they now collect support for you, they will keep doing so unless you tell them in writing to stop. They will send you current support money collected but will keep past due money collected that is owed to the county.

**Family Planning:** Your welfare office will give you information when you ask for it.

**Hearing File:** If you ask for a hearing, the State Hearing Division will set up a file. You have the right to see this file before your hearing and to get a copy of the county's written position on your case at least two days before the hearing. The state may give your hearing file to the Welfare Department and the U.S. Departments of Health and Human Services and Agriculture. **(W&I Code Sections 10850 and 10950.)**

## TO ASK FOR A HEARING:

- Fill out this page.
- Make a copy of the front and back of this page for your records. If you ask, your worker will get you a copy of this page.
- Send or take this page to:

OR

- Call toll free: 1-800-952-5253 or for hearing or speech impaired who use TDD, 1-800-952-8349.

**To Get Help:** You can ask about your hearing rights or for a legal aid referral at the toll-free state phone numbers listed above. You may get free legal help at your local legal aid or welfare rights office.

If you do not want to go to the hearing alone, you can bring a friend or someone with you.

### HEARING REQUEST

I want a hearing due to an action by the Welfare Department of \_\_\_\_\_ County about my:

Cash Aid      Food Stamps      Medi-Cal

Other (list) \_\_\_\_\_

**Here's Why:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If you need more space, check here and add a page.**

I need the state to provide me with an interpreter at no cost to me. (A relative or friend cannot interpret for you at the hearing.)

My language or dialect is: \_\_\_\_\_

NAME OF PERSON WHOSE BENEFITS WERE DENIED, CHANGED OR STOPPED

BIRTH DATE      PHONE NUMBER

STREET ADDRESS

CITY      STATE      ZIP CODE

SIGNATURE      DATE

NAME OF PERSON COMPLETING THIS FORM      PHONE NUMBER

**I want the person named below to represent me at this hearing. I give my permission for this person to see my records or go to the hearing for me. (This person can be a friend or relative but cannot interpret for you.)**

NAME      PHONE NUMBER

STREET ADDRESS

CITY      STATE      ZIP CODE