

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

**REASON FOR THIS TRANSMITTAL**

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

October 6, 2005

ALL-COUNTY INFORMATION NOTICE NO. I-68-05

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CAPI PROGRAM MANAGERSSUBJECT: PARENT-TO-CHILD DEEMING PROCEDURES FOR
THE CASH ASSISTANCE PROGRAM FOR IMMIGRANTS

REFERENCE: ACL 98-82

This All-County Information Notice (ACIN) provides instructions and a new worksheet to be used when determining Cash Assistance Program for Immigrants (CAPI) eligibility and payment amount for a minor child living with his or her parent(s).

BACKGROUND

CAPI regulations, as provided in Manual of Policies and Procedures (MPP) Section 49-035.71, states that the steps used in the deeming process for CAPI will be the same as those used to determine Supplemental Security Income/State Supplementary Payment (SSI/SSP) eligibility and benefit amount. It states further that detailed rules are found in 20 Code of Federal Regulations (CFR) 416.1160 et seq., which govern the SSI/SSP program, and that these federal rules are reflected in form SOC 452 for spouse-to-spouse deeming and form SOC 454 for sponsor deeming.

When the deeming worksheets were initially distributed (with All-County Letter 98-82), the parent-to-child deeming situation was overlooked because virtually all of the CAPI cases at that time were aged individuals. This ACIN corrects that oversight by providing a worksheet for determining CAPI eligibility and payment amounts in parent-to-child deeming situations. The new worksheet reflects the steps to be taken in the parent-to-child deeming process as outlined in 20 CFR 416.1165.

PARENT-TO-CHILD DEEMING

Parent-to-Child deeming applies whenever a minor child under age 18 lives with his or her parent(s), including step-parents. The parent-to-child deeming rules are applied through the month in which the child attains age 18. Counties must follow the steps as outlined on attached form SOC 452A to determine CAPI eligibility and payment amount whenever parent-to-child deeming applies. Please refer to MPP Sections 49-037.24 and 49-037.34 for which deeming rules to use when the ineligible parent is also the child's sponsor.

ALLOWANCE FOR INELIGIBLE CHILDREN AND SPONSORED IMMIGRANTS IN DEEMING SITUATIONS

The current allowance for the year 2005 is \$290. This allowance is calculated by determining the difference between the federal SSI benefit amount for a couple and the federal SSI benefit amount for an individual.

This allowance can also be used for another immigrant (other than the child/applicant/recipient) if the ineligible parent is also the sponsor of that immigrant who is also receiving SSI/SSP or CAPI and is subject to sponsor-deeming from the same ineligible parent.

This allowance is entered, when appropriate, on the Income Eligibility - Child Worksheet (SOC 452A), line A.4.a, when determining a CAPI benefit amount for a case involving deemed income from an ineligible parent(s).

PARENT(S)' ALLOWANCE IN PARENT-TO-CHILD DEEMING SITUATIONS

For one-parent households, this allocation equals the federal SSI rate for an individual, which is \$579 in 2005.

For two-parent households, this allocation equals the federal SSI rate for a couple, which is \$869 in 2005.

This allowance is entered, when appropriate, on the Income Eligibility - Child Worksheet (SOC 452A), line A.16, when determining a CAPI benefit amount for a case involving deemed income from an ineligible parent(s).

ACIN No: 1-68-05
Page Three

Any questions regarding these adjustments should be directed to the Operations and Technical Assistance Analyst for your county at (916) 229-4000.

Sincerely,

Original document signed by:

JOSEPH M. CARLIN
Acting Deputy Director
Disability and Adult Programs Division

Attachment

c: CWDA

The form originally included with this letter is outdated and has been removed. To access a more current version, please visit the [SOC 452A](#).