

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 28, 1994

ALL COUNTY INFORMATION NOTICE I-42-94

TO: ALL COUNTY WELFARE DIRECTORS

Reason for this Transmittal	
<input type="checkbox"/>	State Law Change
<input type="checkbox"/>	Federal Law 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: CLARIFICATION TO THE REGULATION CHANGES ON  
SIMPLIFICATION OF FOOD STAMP HOUSEHOLD DEFINITION  
(RDB#0594-17)

REFERENCE: ALL COUNTY LETTER 94-66 DATED AUGUST 12, 1994

This notice provides County Welfare Departments (CWDs) with additional guidelines regarding the implementation of Food Stamp regulation changes contained in the above referenced regulation package. Also included is the general notice (TEMP 2078) to notify recipients and applicants, including denied individuals, of the change in regulations and the availability of current benefits. A reproducible copy of the TEMP 2078 Multilingual (English, Spanish, Vietnamese, Cambodian, Chinese and Lao) notice is attached. CWDs that do not mail a copy of these notices to all households shall utilize the news media or post this information in certification offices, issuance locations or other sites frequented by certified households.

Changes in Separate Household Definition

As indicated in All County Letter (ACL) 94-66 dated August 12, 1994, the Mickey Leland Childhood Hunger Relief Act (P.L. 103-66) changed the concept and definition of the Food Stamp household effective September 1, 1994. The new provisions now allow separate household status for the following:

Children who purchase and prepare food separately from their natural, adopted, or stepparent living in the same house when the child is:

- (1) 22 years old or older or;
- (2) 21 years old or younger and
  - (a) married and living with a spouse or
  - (b) is a parent of a minor child (this includes an individual exercising parental control over any child under 18 years of age).

Siblings who live together will now qualify as separate households as long as they purchase food and prepare meals separately.

The regulation that allowed separate household status for an individual under the age of 22 living with elderly/disabled parents or siblings has been repealed.

The amended or adopted provisions shall be implemented for all food stamp applicant households effective September 1, 1994. Restored benefits shall be provided, if appropriate, back to the required implementation date or the date of the household's initial application whichever is later.

For continuing cases these provisions shall be implemented upon request by the household, at recertification, when the case is next reviewed, or when the CWD becomes aware that a review is needed, whichever occurs first. Restoration of benefits does not apply to continuing cases.

The following is a narrative summary for merging/splitting households. We have also attached a chart which summarizes the requirements for splitting/merging households.

#### Treatment of Merging/Splitting Households

##### Situation #1:

If certain members of the household are eligible to separate household status, the CWD must first determine which of the two households should be considered the continuing household and which should be processed as a new case. The household processed as a new case must submit a new application. The income and deductions of the new household would be prospectively budgeted for the first two months of the household's certification period as specified in Manual Section (M.S.) 63-102 (b)(1), 63-102 (i)(4)(c) and 63-503.22. The income and deductions of the household determined to be continuing must be retrospectively budgeted.

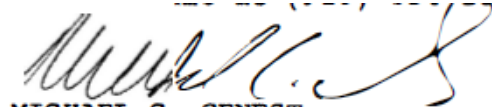
##### Situation #2:

When two households merge into one, the continuing household must first be determined based on the circumstances of the change as reported by the households or as determined by the CWD. The income and deductions of the household determined to be continuing would continue to be retrospectively budgeted. The member(s) of the household which is not continuing would be added as new member(s) to the continuing household in accordance with M.S. 63-504.353. The income and specific deductions of the new members would be prospectively budgeted in combination with the household's retrospectively budgeted income and deductions in accordance with M.S. 63-504.353(b). A notice of change must be provided to the members of the affected households as specified in M.S. 63-504.26.

Situation #3:

A member leaves continuing household A (retrospective budgeting) and moves in with continuing household B (retrospective budgeting) and there is no break in participation. In this situation, M.S. 63-504.356 provides that the income and deductions of a member leaving the household shall be disregarded when computing the household's budget for the month following the month in which the change was reported. Additionally, M.S. 63-504.353(a) provides that the CWD shall prospectively budget the new member's income and specific deductions for the first two months the member is added to the household. Therefore, the first household would retain all its income and deductions, including the entire shelter deduction for the budget month corresponding to the issuance month in which the change is effected, with the exception of the income and deductions specifically belonging to the leaving member(s). The income and specific deductions of the members moving between households would, when the new members are added to household B, be prospectively budgeted for two months in combination with the second household's retrospectively budgeted income and deductions in accordance with M.S. 63-504.353, .353(a) and 63-504.356. All of the shelter costs of household B would continue to be retrospectively budgeted.

If you have any questions, please contact the Food Stamp Program Bureau, Policy Implementation Unit at (916) 654-1896.



MICHAEL C. GENEST  
Deputy Director  
Welfare Programs Division

Attachments