



CDSS

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DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

June 5, 2012

ALL COUNTY LETTER NO. 11-72E

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CALFRESH COORDINATORS
ALL COUNTY QUALITY CONTROL REVIEWERS

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: CHANGE IN SANCTION POLICY PERIOD FOR REFUSAL TO COOPERATE IN A QUALITY CONTROL REVIEW

REFERENCE: 7 CFR § 273.2(d)(2), Manual of Policies and Procedures Section 63-505.13; All County Letter 11-72

The purpose of this letter is to provide clarification to County Welfare Departments (CWDs) of the federal changes in applying a sanction for refusal to cooperate in a quality control (QC) review. ACL 11-72 provided incorrect information regarding how the sanction is applied when a household member(s) refuses to cooperate in a QC review. ACL 11-72 should have stated that if an existing CalFresh household contains a household member(s) who refuses to cooperate, the **entire** household will be discontinued from the CalFresh Program, not just the individual as was indicated in the original.

If the non-cooperating household member(s) leaves the household during the sanction period, the sanction will follow the non-cooperating household member(s). Therefore, if the sanctioned member joins another CalFresh household, that CalFresh household becomes ineligible until the sanction ends or the non-cooperating member(s) complies with the QC review.

If the remaining sanctioned household members from the original household were not considered non-cooperating members, they will be eligible to reapply for CalFresh benefits. However, if the CWD is unable to determine which household member(s) refused to cooperate, the entire household will be sanctioned unless the household cooperates with the QC review or reapplies after the end of the sanction period.

Example under new federal rules:

A CalFresh household consists of a mother and father and their two children. The mother refuses to participate in the CalFresh QC review. The CWD discontinues **the entire household for the mother's non-cooperation with the QC review.**

During the course of the sanction period, the mother leaves the existing CalFresh household (Household #1) which now consists of father and the two children, and moves in with another CalFresh household (Household #2). The mother is no longer part of Household #1 which makes the remaining members of that household eligible to reapply for CalFresh benefits without the need to wait until the end of the sanction period.

Household #2 will be discontinued from the CalFresh program and will remain ineligible until the mother cooperates, leaves this household, or after the end of the sanction period. The Notice of Action must state the specific reason for termination of benefits.

A household terminated for refusal to cooperate with a State QC review that reapplies after 125 days from the end of the annual review period shall not be determined ineligible for its refusal to cooperate with a QC review during the completed review period. The household shall be required to verify all eligibility factors. For federal QC sanctions, the review period is nine months from the end of the annual review.

ACL 11-72 also stated that the changes were effective beginning October 1, 2011. To clarify, CWDs were to implement this policy change effective October 1, 2011. The October 1, 2011 date was also the beginning of the 120-day hold harmless period.

In addition to the aforementioned changes, effective with the October 2011 sample, the sanction period was extended from 95 days to 125 days from the end of the annual review period for refusal to cooperate with the QC reviewer and from seven to nine months from the end of the annual review period for refusal to cooperate with the federal reviewer.

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If you have any questions regarding the policy changes indicated in this letter, please contact Eden-Marie Eulingborough at (916) 654-2236 or via e-mail at Eden-Marie.Eulingborough@dss.ca.gov. If you have any questions regarding the QC review process, please contact Cheryl Henderson at (213) 833-2263 or via e-mail at Cheryl.Henderson@dss.ca.gov .

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division