



WILL LIGHTBOURNE  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



EDMUND G. BROWN JR.  
GOVERNOR

REASON FOR THIS  
TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties

January 6, 2012

ALL COUNTY LETTER NO. 12-02

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CalWORKs PROGRAM SPECIALISTS  
ALL CONSORTIA REPRESENTATIVES  
ALL COUNTY TAX-OFFSET PROGRAM COORDINATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO  
KIDS (CalWORKs) PROGRAM: OVERPAYMENT COLLECTION

REFERENCE: Welfare and Institutions Code 11004; Manual of Policies and  
Procedures (MPP) Sections 44-352

After a careful review of state and federal law, the California Department of Social Services (CDSS) has the authority to forego collection of CalWORKS overpayments from adults or emancipated minors who were minors receiving cash aid in an assistance unit when an overpayment occurred. The CDSS authority results from its ability to redefine by regulation the meaning of the term "family" set forth in Welfare and Institutions Code Section 11004 to exclude from that definition adults or emancipated minors who were minors receiving cash aid in an assistance unit when an overpayment occurred.

The CDSS is directing counties to immediately terminate all current collection actions via grant reduction, tax intercept or other collection methods, and to prospectively forego pursuit of repayment from adults or emancipated minors who were minors receiving cash aid in an assistance unit when an overpayment occurred. This change is effective prospectively and as of the date of this All County Letter.

The CDSS will amend the applicable regulations to be consistent with this change in policy in accordance with the requirements of the Administrative Procedures Act and has begun to work with counties to make relevant programming changes to stop current tax intercepts for the specified population for 2011.

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Further instructions will be forthcoming under separate cover regarding specific procedures and processes moving forward.

If you have any questions or need further information regarding this letter, please contact your CalWORKs Eligibility County Consultant at (916) 654-1322. Please direct questions pertaining to system automation changes to the Program Technology and Support Bureau at (916) 654-2125. Lastly, any issues regarding collection methods will be answered by the Welfare Fraud and Emergency Food Assistance Program Bureau at (916) 653-1826.

Sincerely,

***Original Document Signed By:***

TODD R. BLAND  
Deputy Director  
Welfare to Work Division

c: CWDA