



CDSS

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GOVERNOR

December 24, 2012

ALL COUNTY LETTER NO. 12 -74

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH PROGRAM COORDINATORS

SUBJECT: IMPLEMENTATION OF POLICY CHANGES REGARDING
CALFRESH EXPEDITED SERVICE

REFERENCE: WELFARE & INSTITUTIONS CODE SECTION 18914; ASSEMBLY BILL 1359 (CHAPTER 468, STATUTES OF 2012); MANUAL OF POLICIES AND PROCEDURES SECTIONS 63-300.32, 63-301.51 63-301.522, 63-301.533, 63-301.544, AND 63-301.545; SECTIONS 273.2(i), 273.2 (i)(2), 273.2(i)(4)(iii)(A) AND (B) OF TITLE 7 OF THE CODE OF FEDERAL REGULATIONS; DFA 285-A1, SAWS 1 APPLICATIONS, NOTICE OF APPROVAL FOR CALFRESH BENEFITS, DFA 377.1 AND CALFRESH EXPEDITED SERVICE QUARTERLY STATISTICAL REPORT, DFA 296X; AND ALL COUNTY LETTER 10-32

This letter is to inform counties of the two policy changes regarding CalFresh Expedited Service (ES): 1) identifying households that are entitled to ES as a result of recently enacted state legislation, Assembly Bill (AB) 1359, (Chapter 468, Statutes of 2012) which amended Welfare and Institutions (W&I) Code Section 18914, and 2) simplifying the existing policy regarding receipt of CalFresh benefits under ES when verifications are postponed.

Recently, the California Department of Social Services (CDSS) submitted a federal waiver to the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) requesting the ability to issue CalFresh benefits under ES without conducting an interview if the following conditions are met:

- 1) An interview is attempted;
- 2) The applicant's identity can be verified; and
- 3) The applicant provides sufficient information to determine entitlement to ES.

FNS' response stated that California's policies regarding screening applications for ES are not in compliance with federal policy. FNS also stated that ensuring CalFresh benefits issued under ES for applications submitted on or before the 15th, do not extend past the month of application (when postponed verifications are not completed), is not clearly stated in State regulations.

Assembly Bill 1359

Effective January 1, 2013, W&I Code Section 18914 will require the **screening of all CalFresh** applications to determine if applicants meet the criteria for ES as defined in Title 7 of the Code of Federal Regulations (CFR) Section 273.2(i) and Manual of Policies and Procedures (MPP) Section 63-301.51.

As a reminder, applicants determined to be entitled to ES will continue to receive CalFresh benefits no later than the third calendar day following the date the application was filed. For purposes of this section, a weekend (Saturday and Sunday) shall be considered one calendar day. However, if the third calendar day is a nonworking day or holiday, the County Welfare Department (CWD) shall make benefits available on or before the working day immediately proceeding the nonworking day.

AB 1359 amended previous state rules (MPP Section 63-301.522) which required **CWDs to screen only CalFresh ES applications** where the applicant made a request for ES by attempting to answer the identifiable questions for ES entitlement either on the DFA 285-A1, SAWS 1, or online application forms. Per AB 1359, CWDs will no longer limit ES screening to those who have answered specific questions on the application.

Corresponding state rules at (MPP Section 63-301.522) will no longer be applicable and are scheduled to be revised as soon as administratively possible.

Receipt of ES CalFresh Benefits with Postponed Verifications

CDSS is simplifying the certification process for all households issued CalFresh benefits under ES in conjunction with the implementation of AB 1359. This simplification is in compliance with 7 CFR § 273.2(i)(4)(A) and (B). In current state regulations, quarterly reporting (QR) and change reporting (CR) households are treated

differently regarding certification length. Effective January 1, 2013, in an effort to promote program simplification, all households issued CalFresh benefits under ES will be certified for the maximum certification allowable, in accordance with the household's circumstances.

The following procedures will be used to determine the issuance of benefits to households with postponed verifications under ES:

- If the application was submitted on or before the 15th day of the month:

The household shall be issued prorated CalFresh benefits for the month of application only. Satisfaction of the verification requirements may be postponed until the second month of participation. The county will pend the subsequent month's CalFresh benefits until postponed verifications are completed. If verifications are not completed within 30 days of application the case will be discontinued and the household will need to reapply or restore eligibility. Households, who reapply or have their eligibility restored, are not entitled to ES (see ACL 10-32). If the household fails to satisfy postponed verification requirements and does not appear for the interview, the CWD does not need to contact the household again.

- If the application was submitted after the 15th day of the month:

The household shall be issued both the prorated CalFresh benefits for the application month and subsequent month at the same time. Satisfaction of the verification requirements may be postponed until the third month of participation, if necessary, to meet the expedited timeframe. When the household has provided the required postponed verification, the CWD shall issue the third month's benefits within five working days from receipt of the verification or by the first working day of the third month, whichever is later. If verifications are not completed within 30 days of application, the case will be discontinued before the third month's benefits are issued and, the household will need to reapply or restore eligibility. Households, who reapply or have their eligibility restored, are not entitled to ES (see ACL 10-32). For subsequent months, the household must reapply and satisfy the verification requirements which were postponed or be certified under normal processing standards. If the household fails to satisfy postponed verification requirements and does not appear for the interview, the CWD does not need to contact the household again.

Migrant Farmworker Households:

The following are reminders of ES verification provisions particular to migrant farmworker households:

- Where the only missing verification is from an out-of-state source, migrant households shall receive the second month's benefits regardless of when the application was submitted during the month of application.
- Migrant farmworker households shall be entitled to postpone out-of-state verification only once each migrant farm season. If a migrant farmworker household is entitled to ES and has already received this exception during the current migrant farm season, the CWD shall grant a postponement of the out-of-state verification for only the initial month.
- If the household provides the required out-of-state postponed verification, the CWD shall issue the third month's benefits within five working days from receipt of the verification or by the first working day of the third month, whichever is later.
- If the out-of-state verification is not completed within 60 days, following the date the application was filed, the household's participation shall be terminated, and the household will need to reapply or restore eligibility. Households, who reapply or have their eligibility restored, are not entitled to ES (see ACL 10-32).

For all three instances households must be notified on the DFA 377.1 of the date when CalFresh benefits will be stopped unless postponed verifications are submitted. Revisions to MPP Sections 63-301.544 and 63-301.545, the Notice of Approval of CalFresh benefits (DFA 377.1), and the CalFresh Expedited Service Quarterly Statistical Report (DFA 296X) will follow as soon as administratively possible.

Late Determinations

Per existing policy, if the applicant was not eligible for ES at application or if the CWDs' screening process required at 7 CFR Section 273.2(i) and MPP Section 63-301.522, fails to identify the household as being entitled to ES and the CWD subsequently discovers the household is entitled to ES, the CWD must determine eligibility for ES by conducting an interview within the standard three-day processing time frame. In this instance, ES processing standards must be calculated from the date the CWD discovers the household is entitled to ES in accordance with MPP Section 63-301.533.

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Partial Completed Applications

A partially completed application which contains the applicant's name, address, and signature is considered filed, even if the household has not been interviewed prior to submitting the application (MPP Section 63-300.32). Counties cannot reject applications which contain this limited information, however, if the household does not provide sufficient information in order for the CWD to make a determination for ES entitlement, the household must be scheduled for normal processing.

If you have any questions regarding this letter, please contact your CalFresh county consultant or call the CalFresh Branch at (916) 654-1896.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division