

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



November 22, 2002

ALL-COUNTY LETTER NO. 02-91

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CalWORKs PROGRAM SPECIALISTS
 ALL WELFARE TO WORK COORDINATORS
 ALL TRIBAL CHAIRPERSONS

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: TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) AND CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKS) 60-MONTH TIME LIMIT EXEMPTION FOR CalWORKS RECIPIENTS LIVING IN INDIAN COUNTRY WHERE THE UNEMPLOYMENT RATE IS 50 PERCENT OR HIGHER

REFERENCE: ALL COUNTY LETTER (ACL) NO. 02-33
 MANUAL OF POLICIES AND PROCEDURES (MPP) 42-302.21(h)

ACL 02-33 was sent to the counties on May 1, 2002 summarizing the changes to the CalWORKs 60-month time limit regulations and detailing the procedures for informing recipients of their time on aid. The regulations for the CalWORKs 60-month time limit procedures ensure that recipients are informed of the months that count toward their 60-month time limit and the process by which they can claim time limit exemptions to which they could be entitled.

One of the time limit exemptions is for individuals who lived in Indian Country or an Alaskan native village, where the unemployment rate was 50 percent or higher. ACL 02-33 requires the counties to contact the Reservations/Rancherias to obtain their unemployment rates. In an effort to assist the counties in applying this time limit exemption, the California Department of Social Services (CDSS) contacted the Reservations/Rancherias throughout California to obtain their unemployment rates.

The attached chart shows the Reservations/Rancherias with an unemployment rate of 50 percent or higher, that responded to the Department's request. Also, included in the chart is known Indian Country unemployment data from the U.S. Census Bureau. The chart indicates the years the unemployment rate for Indian Country was at least 50 percent. Individuals who lived in Indian Country with unemployment rates at 50 percent or more qualify for the time limit exemption during these years. If an individual disagrees with the attached chart and can provide documentation from a Native American Tribe, substantiating that they lived in Indian Country where the unemployment rate was at least 50 percent, they also qualify for this time limit exemption.

Counties are required to inform all CalWORKs applicants and recipients of all time limit requirements, including the process to claim exemptions as required in MPP 42-302.3. The description of the 60-month time limit requirements shall be provided at the time an individual applies for aid, at the time a recipient's eligibility for aid is redetermined, and any time a notice of action establishing the number of months on aid is provided.

Individuals, who qualify for the TANF and CalWORKs exemption for living in Indian Country or an Alaskan native village where the unemployment rate is at least 50 percent, do not accrue months of aid toward the TANF or CalWORKs 60-month time limits. Accordingly, counties must ensure that this exemption has been identified on these cases and appropriately tracked on the Welfare Data Tracking Implementation Project (WDTIP) system. As these individuals have not reached their TANF 60-month time limit, counties are reminded to claim these cases to the appropriate aid code. Any fiscal claiming adjustments that may be required as a result of this exemption must follow the standard fiscal claiming instructions.

Those counties in which a Tribal TANF Program operates may need to provide verification of clients' CalWORKs time on aid and any time limit exemptions. The Tribal TANF Program will notify their clients of their remaining time on aid.

If you have questions regarding this and other time limit exemptions contact Charissa Miguelino, CalWORKs Eligibility Bureau, at (916) 657-3665. For questions regarding the unemployment rates for Indian Country, please call David Willey, CalWORKs Eligibility Bureau, at (916) 654-3062.

Sincerely,

*Original signed by
Bruce Wagstaff*

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachment

c: CSAC
CWDA