

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



May 8, 2003

ALL COUNTY LETTER NO. 03-20

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS

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: SENIOR PARENT INCOME DEEMING IN CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM

REFERENCE: ASSEMBLY BILL (AB) 444, (CHAPTER 1022, STATUTES OF 2002)
MANUAL OF POLICIES AND PROCEDURES SECTION 89-201.5
COUNTY FISCAL LETTER NO. 02/03-19
ALL COUNTY LETTER (ACL) NO. 02-94

This All County Letter (ACL) transmits changes to the Manual of Policies and Procedures (MPP) regarding the treatment of senior parent income in minor parent cases. These new requirements became effective on October 1, 2002 through ACL 02-94, which implemented the senior parent income deeming provisions of AB 444 (Chapter 1022, Statutes of 2002). The attached regulations were filed with Office of Administrative Law and became effective on March 31, 2003.

Summary of Changes

These regulations implement and make specific changes to the CalWORKs program regarding the treatment of senior parent(s) income in senior parent/minor parent cases. Under these new provisions, the senior parent(s) income is considered available to meet the needs of the minor parent's child(ren) in accordance with current CalWORKs budgeting and income rules.

MPP Section 44-315.37 is amended to repeal the reference to Sections 89-201.5 and .6. These sections previously required that the income of a senior parent could not be made available to his/her minor parent's child(ren) when determining income eligibility and grant amount.

MPP Section 89-201.5 is amended to delete existing language and add new language that requires income eligibility and grant determinations in senior parent/minor parent cases to be done in accordance with current CalWORKs requirements at Sections 44-133.5, 44-207 and 44-315.

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Specific amendments to MPP 89-201.5 through .576 repeal obsolete language, repeal previous handbook examples, add clarifying language, provide relevant regulation citations, ensure numerical consistency, and provide two new handbook examples.

Examples

In order to clarify how the mandatory inclusion and optional person rules apply, we are including several examples in Attachment A to further illustrate some of the income and eligibility considerations required in making determinations for senior/minor parent cases. Counties are also reminded that these new provisions supercede previous treatment of senior parent'(s) income in regulation and court orders such as Dominika v. Saenz.

Contacts

If you have any questions regarding this letter or the treatment of income, please contact Terry Mallin, at (916) 653-8395 or by e-mail at: terry.mallin@dss.ca.gov. For Assistance Unit Composition questions, contact Shawn Bradley, at (916) 653-8675 or by e-mail at: shawn.bradley@dss.ca.gov.

Sincerely,

***Original signed by
Bruce Wagstaff on 5/8/03***

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachments

c: CWDA
CSAC