



CDSS

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DEPARTMENT OF SOCIAL SERVICES

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ARNOLD SCHWARZENEGGER
GOVERNOR

REASON FOR THIS TRANSMITTAL

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

August 22, 2008

ALL COUNTY LETTER NO. 08-39

TO: ALL COUNTY WELFARE DIRECTORS
ALL FOOD STAMP PROGRAM COORDINATORS
ALL CONSORTIUM PROJECT MANAGERS
ALL QUALITY CONTROL PROGRAM COORDINATORS

SUBJECT: EXPEDITED SERVICE BENEFIT ISSUANCE FOR THE FOOD STAMP PROGRAM

REFERENCE: FOOD AND NUTRITION SERVICE, ADMINISTRATIVE NOTICE 93-53,
FEDERAL GUIDANCE 7 CFR 273.2(i)(4)(iii)(C),
ALL COUNTY LETTER NO. 93-73

The purpose of this letter is to transmit to the County Welfare Departments (CWDs) changes to Food Stamp Program (FSP) regulations regarding special procedures for expedited service benefit issuance.

Currently, state regulations at Manual of Policies and Procedures (MPP) Section 63-301.546 specify that when an application for food stamp benefits is received after the 15th of the month and a household is determined to be entitled to expedited service but verification is postponed, the CWD will not issue the second month's benefits until postponed verification is received. It has been determined that this conflicts with federal regulations at 7 CFR 273.2(i)(4)(iii)(C) which specify that when a household applies after the 15th of the month and is entitled to expedited service, the household must be issued the first and second months' allotments even when verification is postponed.

The newly revised regulations (attached) will ensure that state regulations comply with federal regulations by requiring the issuance of a combined allotment for the first and second month to FSP households who apply for benefits after the 15th of the month and are determined to be entitled to expedited service even with postponed verification. MPP Section 16-215.3 specifies that each CWD shall stagger food stamp benefits over the first 10 calendar days of the month for ongoing households. The combined first and second months' allotment in this situation would be considered an initial benefit issuance and would not violate the benefit stagger rule. A handbook example at

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MPP Section 63-301.546(a) regarding how to proceed when verification is received within the allotted timeframe has been provided. When a household is certified for only two months, the CWD shall issue the third month's benefits within five working days from receipt of the verification. When a household is certified for more than two months, the CWD shall issue the third month's benefits by the staggered issuance date. The attached regulations shall be applied to all new applicants and will become effective September 1, 2008.

If you have any questions regarding this letter, please contact Tiffany Jones at (916) 654-1905.

Sincerely,

Original Document Signed By:

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

Attachment

Amend Section 63-301 to read:

63-301 APPLICATION PROCESSING TIME STANDARDS (Continued) 63-301

.5 Expedited Service (Continued)

.54 Special Procedures for Expediting Service (Continued)

.546 ~~When households which apply for benefits after the 15th of the month provide the required postponed verification, the CWD shall issue the second month's benefits within five working days from receipt of the verification or the first day of the second calendar month, whichever is later. In CWDs that have staggered issuance, this shall be the first working day of the second calendar month, not the day benefits are issued using staggered issuance. This first working day of the calendar month issuance provision shall also apply to issuance in the third month for those migrant farmworker households needing out of state verification as outlined in Section 63-301.543(e). Households which apply for benefits after the 15th of the month and have been determined eligible to receive benefits for the initial month and the subsequent month but have had their verification postponed shall receive both allotments at the same time, in accordance with Section 63-503.16.~~

HANDBOOK BEGINS HERE

(a) When a 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 day of the third month, whichever is later. For staggered issuance this shall be the first working day of the third month. If verification is not provided before the end of the third month, the CWD shall terminate the household's participation and shall issue no further benefits. This shall also apply to migrant farmworker households needing out-of-state verification as outlined in Section 63-301.545(a)(1).

HANDBOOK ENDS HERE

.547 (Continued)

Authority Cited: Sections 10554, 11265.1, .2, and .3, 18904, and 18910, Welfare and Institutions Code.

Reference: Sections 10554, 11265.1, .2, and .3, 18901, 18904, and 18910, Welfare and Institutions Code; Section 11349.1, Government Code; 7 Code of Federal Regulations (CFR) 271.2, 7 CFR 272.3(c)(1)(ii); 7 CFR 273.2(d)(1), (e)(3), (h)(1)(C), (h)(1)(i)(B) and (D), (h)(2)(i)(A), (i)(4)(iii)(B), (C) and (D), (j), (j)(1), (j)(1)(iv), (j)(2)(iii) and (iv), (j)(3), (j)(4), and (j)(4)(vi); 8 CFR 273.4; 7 CFR 273.7 and .8(g)(1)(i); 7 CFR 273.8(e)(17); 7 CFR 273.9(d)(7) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994; 7 CFR 273.10(c)(1) and (g)(1)(ii); 7 CFR 274.2; (Court Order re Final Partial Settlement Agreement in Jones v. Yeutter (C.D. Cal. Feb. 1, 1990) [Dock. No. CF-89-0768].); Public Law (P.L.) 102-237, Sections 902 and 905, as specified in Federal Administrative Notice 92-12, dated January 9, 1992; USDA, Food and Consumer Service, Administrative Notice 97-105, dated August 21, 1997; and P.L. 104-193, Sections 815 and 838 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); Food and Consumer Service Waiver dated May 24, 1996; Food and Nutrition Service Quarterly Reporting/Prospective Budgeting waiver dated April 1, 2003; Federal Food Stamp Policy Memos 82-9 dated December 8, 1981, and 88-4 dated November 13, 1987, and Federal Register, Vol. 66, No. 229, dated November 28, 2001.