

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



December 31, 1987

ALL COUNTY LETTER No. 87-165

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FOOD STAMP INCOME AND RESOURCE ELIGIBILITY REQUIREMENTS,
RDB NO. 1087-48

This letter provides implementing instructions for the Food Stamp Income and Resource Eligibility Requirements regulations. The implementation date for these new provisions is December 1, 1987 (M.S. 63-076).

These provisions add two new resource exclusions. The first provision allows an exclusion of a portion of real or personal property used for the maintenance or use of a vehicle (M.S. 63-501.3(k)(12)). The vehicle must be used to produce income at least 50 percent of the time or used to transport a disabled member of the household. Only the portion of property actually used for the vehicle can be excluded. The second provision excludes a non-liquid resource that has a lien against it because the household has taken out a business loan and, in accordance with the lien agreement, the household is prohibited from selling the resource (M.S. 63-501.3(n)).

The resource exclusion provisions are retroactive to April 1, 1987. Benefits shall be restored to entitled households upon request by the household or when the CWD otherwise becomes aware the household is entitled to a restoration. Benefits will be restored back to April 1, 1987, or the date of application, whichever is later in accordance with M.S. 63-802.12.

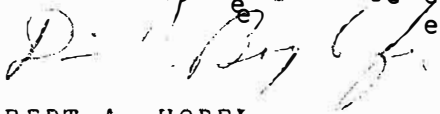
These provisions also make changes to the treatment of earnings of individuals who are participating in on-the-job training programs under the Job Training Partnership Act (JTPA) of 1982. The new regulations (M.S. 63-502.135 and 63-502.2(k)(3)) provide that earnings from JTPA are no longer excluded as income except for the JTPA earnings of a dependent household member under the age of 19. For purposes of this provision a dependent is an individual under the age of 19 who is under the parental control of another adult

household member (M.S. 63-502.2(k)(3)(A)(1)). For this provision the definition of parental control (M.S. 63-102p) also applies to individuals who are 18 years of age. The household member with parental control includes excluded members of the Food Stamp household.

The current provision that excludes JTPA monies as a resource remains unchanged. In addition, any training allowances and needs based payments are treated as reimbursements and are therefore excluded. Needs based payments are payments provided for the person's needs in order to participate in JTPA such as transportation and clothing.

The JTPA change is not retroactive. The JTPA provisions are to be implemented December 1, 1987. This means JTPA earnings of household members 19 years and older, reported on the December 1987 CA 7 must be used when determining the February 1988 food stamp allotment.

If you have any questions regarding these changes please contact Michele Hansen of the AFDC and Food Stamp Policy Implementation Bureau at (916) 322-5330.



ROBERT A. HOREL
Deputy Director

cc: CWDA