

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



July 2, 1991

ALL COUNTY LETTER NO. 91-59

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ELIMINATION OF THE STATE-ONLY AID TO FAMILIES WITH
DEPENDENT CHILDREN UNEMPLOYED PARENT (AFDC-UP) PROGRAM

REFERENCE: MPP 41-600 - STATE-ONLY AFDC-U PROGRAM
MPP 41-700 - STRIKER ASSISTANCE PROGRAM
MPP 44-205.644 - FBU COMPOSITION AND NEED
MPP 44-207.44 -- FBU COMPOSITION AND NEED
MPP 44-207.46 ---FBU COMPOSITION AND NEED
ACL NO. 87-44
ALL COUNTY INFORMATION NOTICE NO. I-09-89
SHAW v. McMAHON COURT ORDER

The purpose of this All County Letter (ACL) is to provide you with information regarding the elimination of the State-only AFDC-U Program effective August 1, 1991. Attached are copies of the regulations that repeal the State-only AFDC-U Program and the Notice of Action (NOA) messages to implement the changes. These regulations were filed with the Office of Administrative Law on July 1, 1991. Also attached is a sample copy of the Rutan Lump Sum Notice showing the strikeout of the State-only U reference.

The repeal of this Program is necessary in order to implement Senate Bill (SB) 724, Chapter 97, Statutes of 1991. SB 724 was signed into law on June 30, 1991, with an effective date of August 1, 1991. Therefore, families who apply for State-only AFDC-U during July who are otherwise eligible, may only be granted aid through July 31, 1991.

The following State programs for non-federal AFDC will terminate on July 31, 1991:

STATE-ONLY AFDC-U (MPP 41-600)

This program is eliminated in its entirety. With the repeal of the State-only AFDC-U regulations, the following Notice of Action messages will become obsolete August 1, 1991:

- o M41-440U, M41-600A, M41-600B, M41-602A, M41-602B, M41-604A, M41-604B, M41-604C, and M41-606A.

The following Notice of Action form will become obsolete July 1, 1991:

- o NA 201 (4/88) Approval AFDC-State-U. TEMP M41-600Et must be used through July 31, 1991.

The following Notice of Action messages including M41-600Et and related instructions have been developed for use and are attached:

- o M41-600Ct, M41-600Dt and M41-600Et.

STRIKER ASSISTANCE PROGRAM (REYNA v. McMAHON) (MPP 41-700)

This regulation specifically provides payments to strikers under the State-only AFDC-U Program pursuant to the Reyna v. McMahon court case. Elimination of the State-only AFDC-U Program removes the basis for the Reyna court decision and the provisions at MPP 41-700. There were no State NOA messages or forms developed for implementation of this regulation.

SHAW v. McMAHON

The repeal of the State-only AFDC-U Program also eliminates benefits paid under the Shaw court order to persons in a period of ineligibility (POI) due to lump sum income.

The following Notice of Action messages will become obsolete on August 1, 1991:

- o M44-207EE, M44-207FF, M44-207GG and M44-207T.

The following Notice of Action messages, which are attached, have been developed and/or amended for continued use in lump sum POI cases:

- o M44-207R, M44-207R1, M44-207R2, M44-207S, and M44-207U.

STATE-ONLY AFDC-U PAYMENTS TO PREGNANT WOMEN (AU of 1) (MPP 44-205.644)

The repeal of the State-only AFDC-U Program does not affect the eligibility of the pregnant woman, assistance unit of one, when deprivation is based on Federal AFDC-U, absence or incapacity. This person is still eligible to receive Federal aid in her last trimester or State aid from the date of application as long as she is otherwise eligible.

However, MPP Section 44-205.644 is repealed. This Section provided aid based on pregnancy to be paid to a pregnant woman, assistance unit of one, when the deprivation of the pregnant woman was State-only AFDC-U.

IMMIGRATION REFORM AND CONTROL ACT OF 1986 (IRCA) ALIENS

The elimination of the State-only AFDC-U Program also impacts IRCA aliens. Benefits will no longer be available to these aliens under the State-only AFDC-U Program.

The following Notice of Action Message will become obsolete on August 1, 1991:

- o M41-440A1.


AFDC FORMS CHANGES

The SAWS 2A, Important Information (Coversheet to the JA 2, Joint Application for Cash Aid & Food Stamps and the SAWS 2, Statement of Facts for Cash Aid, Food Stamps and Medical Assistance) and the CA 20, Statement of Facts at Redetermination include the Rutan Lump Sum Notice. Contained within the Lump Sum Notice is an informational paragraph regarding the State-only AFDC-U Program. Counties are instructed to strike out the information regarding State-only AFDC-U until the SAWS 2A and the CA 20 can be revised to delete the State-only U information. Counties will be notified when stock, which deletes the reference to the State-only U Program, is available. It's expected that this language will be deleted from the SAWS 2A by October 1991 and from the CA 20 by February 1992.

TIMELY AND ADEQUATE NOTICE

All recipients whose benefits will terminate on August 1, 1991 must be provided with a timely and adequate Notice of Action. If a recipient requests a hearing based on the proposed action by the county, he/she would be entitled to Aid Paid Pending (APP) until the state hearing is held or until his/her time-limited eligibility period has expired. APP may not be paid to a family who has requested a state hearing, but whose State-only AFDC-U time-limited eligibility period has expired.

If you have any questions concerning program issues, please contact the following Welfare Policy Implementation Bureau staff at (916) 322-5330 or ATSS 492-5330: For State-only AFDC-U (general information) and payments to strikers: Henry Puga; AU of 1: Karen Maderos; Shaw v. McMahon: Jim Lucas; IRCA Aliens: Dennis Ragasa; AFDC forms: LeAnne Torres; or John Honeycutt for questions related to any NOA forms/messages.


ROBERT A. HOREL
Deputy Director

Attachments