

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



September 30, 1999

ALL COUNTY LETTER NO. 99-76

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: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM CLARIFICATIONS REGARDING:
 1) USE OF THE MAXIMUM AID PAYMENT (MAP) IN PENALIZED ASSISTANCE UNITS (AUs); and 2) THE READJUSTMENT PERIOD

REFERENCE: ALL COUNTY INFORMATION NOTICE (ACIN) I-09-98, ALL COUNTY LETTER (ACL) 98-37

The purpose of this letter is to provide clarification to County Welfare Departments (CWDs) regarding certain eligibility determinations and grant calculations that have been problematic for CWDs since the implementation of CalWORKs. At the request of county representatives, we are providing this letter as a guide for CWDs to use in cases requiring special grant calculations involving a penalized household member and cases requiring application of the readjustment period.

USE OF MAP IN AUs WITH A PENALIZED PERSON:

CWDs have asked for clarification regarding the correct use of the MAP in special calculations when the AU includes a penalized person. Specifically, county representatives asked what the correct MAP would be in such AUs when computing Homeless Assistance (HA) payments, Income In Kind (IIK), Reduced Income Supplemental Payments (RISPs), and Special Need (SN) payments.

The CalWORKs program has introduced a new method of handling AU members who have failed to comply with certain program requirements. Persons who have failed to comply with school attendance or immunization requirements, as well as individuals who have been penalized for Intentional Program Violations, remain in the AU, but do not have their needs considered when determining the MAP for the AU. Similarly, counties shall use the actual grant amount paid to the AU as the basis for determining payments for HA, IIK, RISP, and SN. CWDs should treat applicant cases in the same manner. In applicant cases with a penalized person (such as a person who had

previously been penalized due to an IPV conviction), CWDs shall use only the MBSAC amount for AU members whose needs are considered in the aid payment.

To illustrate more clearly, examples of each type of payment are shown below for recipient cases. Each example will use a nonexempt recipient AU of three, consisting of a mother and her two children, residing in Region 1. The mother is penalized as a result of her failure to comply with the immunization requirements of her children. The MAP in this case is for an AU of two, or \$505, as the mother's needs may not be considered due to her failure to comply with program requirements.

- Homeless Assistance Payments (MPP Section 44-211.531): When determining whether an AU is entitled to receive a permanent HA payment, the CWD must determine that the permanent housing does not rent for more than 80 percent of the AU's MAP, without special needs, for an AU of that size. In the case of a family of three in which the mother has been penalized, when considering eligibility for permanent HA, the housing payment must not be more than \$404, or 80 percent of the MAP for two.
- Income in Kind (IIK) (MPP 44-115.3): When determining the IIK amount to be used when a family receives a full item of need (housing, utilities, food or clothing) for free, compute the IIK amount based on the number of persons whose needs are included in the AU MAP which is paid to the family. In the case of a family of three receiving free housing, in which the mother has been penalized, the CWD should compute the IIK value for two persons, or \$235. Since the mother's needs are not included in the aid payment, CWDs cannot reduce the grant for the needs of this person for an IIK value.
- Reduced Income Supplemental Payment (RISP) (MPP 44-400): When determining the amount of a RISP to which a family is entitled, the correct MAP level to use in the calculation is the amount which is actually paid to the family. In this case, the RISP amount may be no more than 80 percent of MAP for two, or \$404.
- Special Needs (SN) (MPP 44-211.1 through 44-211.4 and 44-211.6): The penalized person is not entitled to a SN payment. A penalty requires that the needs of any person failing to comply with certain eligibility requirements not be considered. Needs include those that are defined under MPP 44-211.1 through 44-211.4 and 44-211.6.

READJUSTMENT PERIOD (MPP Section 41-405):

CWDs have also asked for clarification on whether or not the CalWORKs regulations eliminated the readjustment period. Although MPP Section 41-440.6 was repealed, MPP Section 41-405 was not repealed. Therefore, if the basis for deprivation ceases,

and the family remains in need, assistance can continue during a readjustment period of up to three months. This readjustment period applies to those cases in which deprivation ceased due to relinquishment, incapacity, or absence, or where deprivation changed due to separation or desertion of a parent.

If you have additional questions regarding the items discussed in this letter, you may contact the appropriate CalWORKs Eligibility Bureau analyst assigned to the specified area as designated below:

Sincerely,

***Original document signed by
Bruce Wagstaff on 9/29/99***

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

c: CWDA
CSAC