

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



October 21, 1999

ALL COUNTY LETTER NO. 99-90

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: TRACKING TIME LIMITS FOR THE CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) AND TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) PROGRAMS

REFERENCE: ALL COUNTY LETTERS 97-65 AND 98-37

The counties have requested additional guidance concerning the time limits for the CalWORKs and TANF Programs. This letter has been developed to respond to that request by providing a comprehensive description of the combined effect of the various CalWORKs and TANF program requirements on 60-month time limit tracking. The letter provides reference guides and other information for CalWORKs staff to use to track time limits. These materials reiterate, clarify, and update information provided to the counties during the past year. Specifically, this letter contains:

- Responses to questions regarding 60-month time limit issues. (Attachment A)
- A 60-month time limit comparison chart, which indicates the differences between the federal and state 60-month time limits. (Attachment B)
- A time limit chart to be used as a reference tool for identifying what causes the federal and state time limit clocks to "tick." (Attachment C)
- Other states' implementation dates for the TANF program. (Attachment D)
- Notification that the effective date for receipt of TANF aid in California is December 1996 rather than November 1996.

For ease of reference as requested by the counties, the time limit chart is divided into six sections by type of program requirement: Program Noncompliance Penalties, Program Noncompliance Sanctions, Excluded Persons, Fraud Penalties, Time Limit Exemptions - Clock Stoppers, and Time Limit Exemptions - Time Extenders. These sections identify the various CalWORKs requirements that affect the time clocks.

The chart contains five column headings:

- The Program Violation/Requirement column identifies the program requirements and program violations that may affect the federal and state time clocks. Some of the program categories listed do not affect the time clocks; however, they were included in order to specifically identify those requirements that do not affect the clock.
- The Description of Program Violation/Exemption (or Waiver) column provides a detailed explanation of the violation, exemption or waiver provision.
- The remaining columns identify how the program provisions affect the 18- or 24-month and 60-month time clocks. Please note that the headings for Time Limit Exemptions-Time Extenders ask the question, "Is the time limit extended?" rather than "Does the clock tick?"

If you have questions regarding this letter or need additional information, please contact the following persons:

- 60-month time limit - Charissa Miguelino, (916) 657-3665 or CALNET 437-3665.
- 18/24-month time limit - Walter Johnson, (916) 657-5039 or CALNET 437-5039.
- WtW Grant Program - Pat Loader, (916) 654-1770 or CALNET 464-1770.

Sincerely,

**Original Signed, on 10/21/99, by
BRUCE WAGSTAFF**

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachments

c: CSAC
CWDA

QUESTIONS AND ANSWERS

The counties requested specific information regarding time limit issues. The requested information is listed below:

1) **What are the differences in tracking the federal and state 60-month time clocks?**

For the federal TANF clock, counties must track aid from the date each state implemented TANF. Although California's approval date for the TANF program was November 26, 1996, the first month in which California issued TANF-funded aid was December 1996. Therefore, counties will begin tracking TANF aid for California from December 1996. Counties will need to contact other states in order to determine the number of months of TANF-funded aid received in those states. The TANF program implementation dates for all the states are listed in Attachment D.

For tracking months of TANF assistance, no state may use any of its Federal TANF funds to provide assistance to a family that includes a head-of-household or a spouse of the head-of-household who has received TANF-funded assistance (as a head-of-household or spouse of a head-of-household) for a total of five years. Such a family would not be eligible for further TANF-funded assistance unless the family may be included within the 20% hardship exception. The family may still be eligible for state-only assistance, under the CalWORKs program.

For the state CalWORKs clock, counties must track aid received in California and other states on and after January 1, 1998. Most CalWORKs time limit exemptions apply only to aid received in California. In recording months of aid received in other states, counties should only apply the following exemptions to the 60-month limit:

- The month is not counted because the individual is living in Indian Country or an Alaskan Native village with at least 50% unemployment.
- The month is not counted, or is later deducted from the count, because aid was reimbursed by child support collected. CalWORKs regulations provide that, when the 60-month limit is reached, the recipient must declare that months of aid were reimbursed in another state so the county may verify this information and credit the months to the CalWORKs time limit.

The differences are also identified in the time limit comparison chart (Attachment B) that may be used as a reference tool.

2) **When do the final TANF regulations concerning time limits take effect?**

The final TANF regulations take effect on October 1, 1999. The regulations permit states to operate the program prior to that date based on a reasonable interpretation of the federal law.

For purposes of the 60-month time limit requirements, the Department has chosen to apply the final TANF regulations from the date that California began issuing TANF funds, December 1, 1996. This choice is based on the fact that the final TANF rules are similar to CalWORKs requirements. In addition, it will allow time limit tracking provisions to remain consistent over time. Counties will not have to change their tracking systems on October 1, 1999.

3) How does the receipt of only child care and other supportive services affect the CalWORKs (state) and TANF (federal) 60-month clocks?

The receipt of only child care and/or other supportive services does not affect the California 60-month and 18- or 24-month clocks. MPP section 42-302.21(i) specifically exempts individuals who are former recipients of cash aid and are only receiving child care, case management, or other supportive services from time limits. For the purposes of California time limit requirements, "former recipients" include those who are sanctioned or in suspense, as well as those whose cases are discontinued.

The federal regulations require that a month in which only child care or other supportive services (no cash aid) are received will count toward the federal time limit only if the recipient is not employed.

4) How is diversion counted toward the clocks?

Diversion payments do not count against the California 18- or 24-month limits. However, the month in which the diversion payment is made does count toward the California 60-month limit. If the individual does not return to receive aid within the diversion period, only this month will count. If the individual returns to receive aid within the diversion period, his/her California time clock should be adjusted as follows:

- If the individual has the diversion payment recouped from the grant, no months shall be counted.
- If the individual opts to have the diversion payment counted, all of the months in the diversion period should be counted.

Interpretation of the federal regulations regarding how diversion payments are counted toward the federal 60-month time limit is in progress. An ACL regarding diversion is forthcoming.

5) What is the difference between the two types of CalWORKs exemptions to the 60-month time limit (i.e. "clock stoppers" and "time limit extenders")?

CalWORKs "clock stoppers" are those exemptions which exempt months from being counted toward the 60-month time limit. For example, a month of aid is exempt when the amount of aid is reimbursed by child support whether collected in that month or subsequently. Exempt months are not counted toward the total months on aid and, consequently, do not affect the time clocks.

“Time limit extenders” are exemptions that can result in a recipient remaining on aid beyond the 60-month limit.

For example, a recipient who has reached advanced age (60 years of age or older) and has been aided for a cumulative total of 60 months, may continue to receive aid beyond 60 months if all other adults in the AU are exempt as well. If the spouse is also of advanced age or meets another exemption criterion, then both can receive aid beyond the 60 months. However, if the spouse of the recipient does not meet any of the exemptions, the recipient will not continue to receive aid beyond the 60 months. The spouse may receive assistance until he/she reaches the 60-month time limit if he/she is otherwise eligible.

Some CalWORKs exemption criteria are both “clock stoppers” and “time extenders,” such as the exemptions for advanced age or caretakers of ill or incapacitated persons residing in the home. The effect of those exemptions differs based on whether the recipient has reached the limit or not. The most important difference is that state law requires all aided adult parents, stepparents, and/or caretaker relatives residing in the home of the aided child(ren) to meet a “time extender” exemption criterion for it to apply to a person who has reached the limit. “Clock stoppers” need only apply to the individual.

6) When the parent(s) reach the federal 60-month time limit, but not the state time limit, do the children continue to receive TANF-funded assistance requiring counties to claim TANF funding for the children and state-only funding for the parent(s)?

No. The TANF regulations prohibit states from using federal TANF funds to provide “assistance,” as defined, to a family that includes a head-of-household or spouse of a head-of-household who has received federal assistance for 60 cumulative months. Families may continue to be eligible for CalWORKs assistance without TANF funding. States may extend TANF-funded assistance beyond the 60-month time limit for up to 20% of its average monthly caseload based on hardship. CalWORKs aid to families exceeding the 20% hardship exemption must be funded solely by non-federal funds.

7) How does the 60-month time limit apply to Cal-Learn teens who are sanctioned?

As noted in All County Letter 99-27, federal requirements specify that a state shall not use TANF funds to provide assistance to a teen parent who has not graduated from high school or the equivalent, and is not participating in an educational or approved training activity.

Aid to teens who are subject to a sanction in accordance with Cal-Learn requirements is not TANF-funded aid, nor is aid to the entire AU of the sanctioned Cal-Learn teen parent TANF-funded. The CalWORKs assistance received by the AU counts only toward the state 60-month time limit of the parent(s) of the Cal-Learn teen. It would not count for the Cal-Learn teen since the time limit exemption continues to apply even for Cal-Learn teens who are under sanction.

8) How do services funded through the Welfare-to-Work Grant Program affect the federal and state clocks?

The Balanced Budget Act of 1997 authorized the U.S. Department of Labor (DOL) to provide WtW Grants to states and local communities to create additional job opportunities for individuals who are the hardest to employ. ACL 98-90, dated November 18, 1998, provides information and operational guidelines to counties for implementation of the Welfare-to-Work Grant Program.

The TANF time limit requirements also apply to assistance provided to individuals receiving benefits under the WtW Grant Program. The federal regulations have defined “WtW cash assistance” in 45 CFR Section 260.32, and this section also clarifies the circumstances under which benefits received by a family under the WtW Grant Program count against the TANF 60-month time limit on aid. Any month in which cash assistance funded by the WtW Grant Program is received, will be counted toward the federal 60-month time limit. “WtW cash assistance” includes assistance designed to meet a family’s ongoing basic needs (i.e., food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses). Excluded from the definition of “WtW cash assistance” are supportive services, such as child care and transportation, for recipients whether or not they are employed. Additionally, subsidized employment activities funded with WtW grant dollars are excluded.

Benefits funded by the WtW Grant Program do not affect the state CalWORKs 60-month clock.

9) How does the CalWORKs 20 percent hardship exemption provision affect the counties?

Federal regulations in 45 CFR Section 264.1 allow a state the option to extend the TANF-funded assistance beyond the five-year limit for up to 20% of its caseload for hardship exceptions, as defined by the state, or when the family includes someone who has been battered, or subject to extreme cruelty. At the state’s option, the first calculation of the 20% limit will be based on the state’s caseload in the federal fiscal year (FFY) that CalWORKs families reach the TANF time limit, or the preceding FFY.

Under state law, if the state exceeds the 20% hardship exemption limit and the number of “time extender” exemptions from the 60-month time limit exceed 20% of a county’s caseload, the county is responsible for non-federal costs for aid to persons in excess of the 20% limit. The state may reduce or waive this county share based upon a determination that the county had good cause for exceeding the 20% limit.

Recent legislation (AB 2772, Chapter 902, Statutes of 1998) corrected state law that prescribes how counties must calculate whether the “time extender” exemptions exceed 20% of their caseloads. As a result, counties are no longer required to include exemptions for parents/caretaker relatives who are out of the assistance unit in this calculation.

10) How do the Domestic Violence provisions in the federal regulations impact the 60-month time limit and the penalty for exceeding the 20% hardship exception?

Federal regulations (45 CFR sections 264.1 and 264.3) specify that the state will be granted reasonable cause for failing to meet the 60-month time limit, if it adequately demonstrates that it has exceeded the 20% limitation because it granted individuals federally recognized good cause domestic violence waivers. States are allowed to provide waivers for as long as necessary based on an assessment that the individual or family needs an extension of its time limit because of current or past domestic violence or the risk of further domestic violence.

To qualify for reasonable cause based on domestic violence waivers, a state would have to show that if families with such waivers were disregarded, the number of families that received assistance did not exceed 20 percent. A state must substantiate its case for all claims of reasonable cause.

11) What is the current status of the tracking system for time limits?

The original welfare reform data tracking system, Statewide Automated Welfare System Technical Architecture (SAWS-TA) has been broken down into three smaller projects. The projects are as follows:

- The Welfare Data Tracking Implementation Project (WDTIP) is being designed to collect data to comply with welfare reform time limit requirements.
- The CalSERV project will exchange information between consortium systems and other state and federal systems.
- The Data Reporting project will address state and federal reporting requirements.

The WDTIP is the first priority of the three, and will expand on the work completed in SAWS-TA. WDTIP will be a single system containing information on time clocks for all California welfare recipients. WDTIP will contain the following information:

- Online access to accurate 18- or 24- and 60-month time limit clock information;
- Information on counties where welfare benefits have been received; and
- County-specific information on exemptions, exceptions and sanctions.

Some of the data elements contained in WDTIP are currently available to counties that are in the ISAWS Consortium. The WDTIP estimated completion date is August 2000. WDTIP will be done in consultation with a workgroup of county representatives. An All-County Welfare Directors Letter, dated May 21, 1999, has more details of the new workgroup and the role they will have in reviewing the data elements that the original Data Tracking Workgroup identified.

TANF AND CalWORKs 60-MONTH TIME LIMITS

TANF (FEDERAL) CLOCK	CalWORKs (STATE) CLOCK
<p>For California recipients, TANF limits are applied to aid received effective December 1996 and after because California's TANF state plan was approved on Nov. 26, 1996 and TANF funding began in December.</p> <p>Federal law (42 U.S.C. 608(a)(7)(A)) prohibits a state from using TANF funds to provide assistance to a family that includes a head-of-household or spouse of a head-of-household who has received TANF-funded assistance for 60 months.</p>	<p>The CalWORKs 60-month limit applies to aid received on and after the date the program was implemented, January 1, 1998.</p> <p>State law and regulations (Welfare and Institutions Code Sections 11454, 11454.5, 11495.1 and Manual of Policies and Procedures (MPP) Section 42-301) require a 60-month time limit on receipt of aid for parents, non-parent caretaker relatives, and aided stepparents. No months shall count toward the time limit before <u>January 1, 1998</u>.</p>
<p>Applies time limit requirements to adults <u>and minors</u> who are heads of household or married to heads of household for a <u>cumulative</u> total of 60 months.</p>	<p>Applies time limit requirements to adults, 18 years of age or older for a <u>cumulative</u> total of 60 months. Limit does <u>not</u> apply to children or minor parents.</p>
<p>Assistance is defined in order to specify the circumstances in which benefits received are counted toward the 60-month time limit.</p> <p>For purposes of the 60-month time limit, the definition of "assistance" includes cash, payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).</p> <p>Also includes such benefits even when provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and conditioned on participation in work experience or community service (or any other work activity under TANF regulations).</p> <p>It includes supportive services such as transportation and child care provided to families who are <u>not</u> employed.</p>	<p>Assistance is defined in order to specify the circumstances in which benefits received are counted toward the 60-month time limit.</p> <p>Definition of "assistance" includes cash aid including special needs payments, and vouchers. Case management, child care and other supportive services are excluded.</p> <p>Diversion payments are included in the definition of assistance as set forth in MPP Section 81-215, and will count toward the 60-month time limit unless recouped or unless part or all of the diversion period is exempt as provided in MPP Section 42-302.21.</p>

TANF (FEDERAL) CLOCK	CalWORKs (STATE) CLOCK
<p>Definition of “Assistance” <u>Excludes:</u></p> <ol style="list-style-type: none"> 1. Nonrecurring, short-term benefits that: <ul style="list-style-type: none"> • Are designed to deal with a specific crisis situation or episode of need; • Are not intended to meet recurrent ongoing needs; • Will not extend beyond four months. 2. Work subsidies (i.e. payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training, such as CalWORKs Grant Based OJT or WtW grant subsidized community services). 3. Supportive services such as child care and transportation provided to families who <u>are</u> employed. For the WtW Grant Program, supportive services provided to families, <u>whether or not</u> they are employed. 4. Refundable earned income tax credits. 5. Contributions to, and distributions from, Individual Development Accounts. 6. Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support. 7. Transportation benefits provided under a Job Access or Reverse Commute project pursuant to section 404(k) of the Social Security Act to an individual who is not otherwise receiving assistance. 	

TANF (FEDERAL) CLOCK	CalWORKs (STATE) CLOCK
<p>Federal Exceptions Federal law and regulations (CFR 264.1) do <u>not</u> count months of aid as specified:</p> <ul style="list-style-type: none"> • Aid to an adult or minor who is not the head of household or married to the head of household and receiving TANF funded aid in his/her parents AU. • Living in Indian country – An individual was living in Indian country, as defined by federal law, or an Alaskan native village with a 50 percent unemployment rate. 	<p>CalWORKs Exemptions-Clock Stoppers MPP Section 42-302.21 - Any month in which any of the following conditions exist for any period during the month shall <u>not</u> count toward the 60-month limit as specified:</p> <ul style="list-style-type: none"> • Eligible for, participating in, or exempt from the Cal-Learn program or another teen parent program approved by the CDSS when receiving aid in their parents AU or in their own AU. Does <u>not</u> apply to an individual who is 19 years of age and is eligible for voluntary participation if the individual chooses not to participate in Cal-Learn. Does apply to a person who is receiving a Cal-Learn “sanction.” • Living in Indian country - An individual living in Indian country, as defined by federal law, or an Alaskan native village with a 50 percent unemployment rate. • Aid reimbursed by child support - Any month in which the cost of the aid is fully reimbursed by child support. • Advanced age - 60 years of age and older. • Caretaking Responsibilities - Exempt from welfare-to-work participation because of inability to be regularly employed/participate due to caretaking responsibilities for: <ul style="list-style-type: none"> • An ill or incapacitated person residing in the home, • A dependent child of the court, or • A child who is at risk of placement in foster care. • Disabled – Exempt from welfare-to-work participation due to a medically verified disability expected to last at least 30 days, which significantly impairs the ability to work or participate in welfare-to-work activities. • Domestic Abuse - County option to find good cause to waive time limit requirements for individuals who are victims of domestic abuse.

TANF (FEDERAL) CLOCK	CalWORKs (STATE) CLOCK
	<p>CalWORKs Exemptions-Clock Stoppers (cont.)</p> <ul style="list-style-type: none"> • Grant Amounts \$10 Or Less – Recipient does not receive a cash grant payment for the month because the grant amount is \$10 or less. • Unaided – Individual is out of the AU for reasons other than exceeding the time limit.
<p>Hardship Exception</p> <p>Federal law (42 U.S.C. 608 (a)(7) (C)(ii)) permits a state to use TANF funds to provide aid beyond 60 months due to “hardship”, as defined by the state, or if the family includes an individual who has been battered or subjected to extreme cruelty.</p> <p>If a State opts to extend TANF-funded assistance to part of its caseload, it would grant such an extension to a specific family once a head-of-household or spouse of a head-of-household in the family has received 60 cumulative months of assistance.</p> <p>In addition, it may be determined that a State has reasonable cause if it demonstrates that it failed to comply with the five-year limit on Federal assistance due to federally recognized good cause domestic violence waivers provided to victims of domestic violence.</p>	<p>CalWORKs Exceptions-Time Extenders</p> <p>For an individual who has been aided (i.e., is in the assistance unit) as an adult for 60 months, aid may continue for that person when all parents, aided stepparents, and/or caretaker relatives meet any of the following conditions:</p> <p>Advanced Age - 60 years of age and older.</p> <p>Caretaking Responsibilities- Exempt from welfare-to-work participation because of inability to be regularly employed/participate due to caretaking responsibilities for:</p> <ul style="list-style-type: none"> • An ill or incapacitated person residing in the home, • A dependent child of the court, or • A child who is at risk of placement in foster care. <p>Disabled - An individual is receiving SDI, TDI, IHSS, or SSP benefits and the disability impairs his/her ability to work.</p> <p>Unable to Maintain Employment or Participate - Individual is unable to maintain employment or to participate in welfare-to-work activities, based on the county's assessment and finding that the individual has a history of participation and full cooperation in welfare-to-work activities.</p> <p>Domestic Abuse - County option to find good cause to waive time limit requirements for individuals who are victims of domestic abuse.</p> <p>Unaided – Individual is out of the AU for reasons other than exceeding the time limit.</p>

CalWORKs/TANF TIME LIMITS

PROGRAM NONCOMPLIANCE PENALTIES

Program Violation/ Requirement	Description of Program Violation/ Exemption/Waiver	Does Federal 60-Month Clock Tick?	Does Calif. 60-Month Clock Tick?	Does Calif. 18/24 Month Clock Tick?
Immunization	Penalty - Failure to submit immunization verification without good cause. All Parents and Caretakers Penalty.	Y	Y	Y
School Attendance (Child under 16)	Penalty - Failure to submit school attendance verification. Adult Penalty	Y	Y	Y
School Attendance (Child 16 and over)	Penalty - Failure to attend school regularly or participate in work activities. Child Penalty	N/A	N/A	N/A
Cooperation With Child Support	Penalty - Failure to cooperate with child support without good cause. 25% Grant Reduction	Y	Y	Y

PROGRAM NONCOMPLIANCE SANCTIONS

Program Violation/ Requirement	Description of Program Violation/ Exemption/Waiver	Does Federal 60-Month Clock Tick?	Does Calif. 60-Month Clock Tick?	Does Calif. 18/24 Month Clock Tick?
Non-Coop Work <u>1st</u>	Sanction - Individual has failed to comply with work participation requirements for the first time. Excluded from the AU. The sanction lasts until person complies.	N	N	N
Non-Coop Work <u>2nd</u>	Sanction - Individual has failed to comply with work participation requirements for the second time. Excluded from the AU. The sanction lasts for at least 3 months or until the person complies, whichever is longer.	N	N	N
Non-Coop Work <u>3rd</u> and Subsequent	Sanction - Individual has failed to comply with work participation requirements for the third or subsequent time. Excluded from the AU. The sanction lasts for at least 6 months or until the person complies, whichever is longer.	N	N	N

EXCLUDED PERSONS

Program Violation/ Requirement	Description of Program Violation/ Exemption/Waiver	Does Federal 60-Month Clock Tick?	Does Calif. 60-Month Clock Tick?	Does Calif. 18/24 Month Clock Tick?
Fleeing Felons	Excluded by Law - Individual is a fleeing felon or person violating a condition of probation or parole. The individual is ineligible for aid and excluded from the AU.	N	N	N
Drug Felons	Excluded by Law - Individual has been convicted for conduct of a felony for the possession, use or distribution of a controlled substance. The individual is ineligible for aid and excluded from the AU.	N	N	N
Child Support-Assignment of Rights	Excluded by Law - The custodial parent or caretaker relative refuses to assign child support rights. The parent or caretaker is ineligible for aid and is excluded from the AU.	N	N	N

FRAUD PENALTIES¹

Program Violation/ Requirement	Description of Program Violation/ Exemption/Waiver	Does Federal 60-Month Clock Tick?	Does Calif. 60-Month Clock Tick?	Does Calif. 18/24 Month Clock Tick?
Fraud – False Documents for Children	Penalty - Using false documents for non-existent or ineligible children. Permanent Penalty	Y	Y	Y
Fraud > 10K	Penalty - Fraud exceeds \$10,000. Permanent Penalty	Y	Y	Y
Felony Fraud > 5K	Penalty - Felony fraud conviction \$5,000 or more. Permanent Penalty	Y	Y	Y
Fraud ≥ 2K < 5K	Penalty - Fraud - theft between \$2,000 - 4,999. 5 yr. Penalty	Y	Y	Y
Fraud < 2K	Penalty - Fraud - theft less than \$2,000. 2 yr. Penalty	Y	Y	Y
Fraud-Duplicate Application <u>1st</u>	Penalty - Duplicate application - first offense in same county. 2 yr. Penalty	Y	Y	Y
Fraud-Duplicate Application <u>2nd</u>	Penalty - Duplicate application - second offense in same county. 4 yr. Penalty	Y	Y	Y
Fraud-Duplicate Application <u>3rd</u>	Penalty - Duplicate application - third offense in same county. Permanent Penalty	Y	Y	Y
Fraud-Duplicate Aid	Penalty - Duplicate CalWORKs aid in two or more counties or states. Permanent Penalty	Y	Y	Y
Fraud-Activity <u>1st</u> CalWORKs	Penalty - False or misleading statements, first offense. 6-Month Penalty	Y	Y	Y
Fraud-Activity <u>2nd</u> CalWORKs	Penalty - False or misleading statements, second offense. 12-Month Penalty	Y	Y	Y
Fraud-Activity <u>3rd</u> CalWORKs	Penalty - False or misleading statements, third offense. Permanent Penalty	Y	Y	Y

¹ Individuals who have cases with conviction dates prior to 7-1-98 are considered sanctioned individuals. (Sanctioned individuals are not included in the AU; therefore the time clocks stop.) The time frames for applying the penalty will depend upon when the IPV was committed. For detailed information regarding these issues, please refer to ACL 98-72.

TIME LIMIT EXEMPTIONS - CLOCK STOPPERS

Program Violation/ Requirement	Description of Program Violation/ Exemption/Waiver	Does Federal 60-Month Clock Tick?	Does Calif. 60-Month Clock Tick?	Does Calif. 18/24 Month Clock Tick?
Under 16 Years	Exemption - Individual under 16 yr. of age.	N	N	N
Child Attending School	Exemption - Child 16, 17, or 18 attending an elementary, secondary, vocational or technical school on a full-time basis.	N	N	N
60 Years of Age and Older	Exemption - An individual who reaches age 60 and older.	Y	N	N
Disabled	Exemption - An individual who is disabled and has medical verification that the disability is expected to last at least 30 days and significantly impairs the individual's ability to be employed or participate in welfare-to-work activities.	Y	N	N
Needy Non-Parent Caretaker (NPC)	Exemption - Non-Parent caretaker relative who has primary responsibility for caring for a child who is either a dependent or ward of the court or at risk of placement in foster care and whose caretaking responsibilities impair his/her ability to be employed or to participate in welfare-to-work activities.	Y	N	N
Caring for Ill or Incapacitated	Exemption - An individual is caring for an ill or incapacitated person residing in the home and whose caretaking responsibility impairs his/her ability to be regularly employed or to participate in welfare-to-work activities.	Y	N	N
Pregnant and Cannot Work	Exemption - A woman who is pregnant with medical verification that the pregnancy impairs her ability to be regularly employed.	Y	Y	N
Cal-Learn Non-Head of Household	Exemption - Individuals who are eligible for, participating in, or exempt from the Cal-Learn program, when receiving aid in their parents AU.	N	N	N
Cal-Learn Head of Household	Exemption - Same as above except receiving aid in their own AU.	Y	N	N
1 st Exemption for Child	Exemption - First exemption for caring for child 6 months of age or under. (County option to lower age to 12 weeks, or raise to 1 year depending on availability of child care and job opportunities.)	Y	Y	N
2 nd and Subsequent Exemption for Child	Exemption - Second and subsequent exemption for caring for a child 12 weeks of age or under. (County may extend to 6 months depending on availability of child care and job opportunities.)	Y	Y	N

TIME LIMIT EXEMPTIONS - CLOCK STOPPERS

Program Violation/ Requirement	Description of Program Violation/ Exemption/Waiver	Does Federal 60-Month Clock Tick?	Does Calif. 60-Month Clock Tick?	Does Calif. 18/24 Month Clock Tick?
Living in Indian Country	Exemption - An individual living in Indian country, as defined by federal law or an Alaskan native village in which at least 50% of the adults living in the Indian country or in the village are not employed.	N	N	Y
Aid Reimbursed by Child Support	Exemption - Any month in which the cost of the aid is fully reimbursed by child support.	Y	N	Y
Services for Former Recipients	Exemption – An individual who is a former recipient of cash aid and is only receiving child care, case management, or supportive services.	Y ²	N	N
Grant Amounts \$10 Or Less	Exemption - Recipient does not receive a cash grant payment for the month because the grant amount is \$10 or less.	Y	N	Y
Unaided	Exemption - Individual is out of the AU for reasons other than exceeding the time limit.	N	N	N
Self-Initiated Program (Good Cause)	Good Cause Criteria - County must adjust time limits to account for months in which a SIP participant had good cause for non-participation.	N/A	N/A	N
Domestic Violence (Good Cause)	Good Cause Program Waiver - County option to provide good cause waiver of time limit requirements for domestic violence.	Y	N	N

² If the former recipient is employed and is only receiving child care, case management, or supportive services, then the Federal 60-month clock would not tick.

TIME LIMIT EXEMPTIONS - TIME EXTENDERS

Program Requirement	Description of Program Exemption/Waiver	³ Is the Federal 60-Month time limit extended?	Is the Calif. 60-Month time limit extended?	Is the Calif. 18/24 Month time limit extended?
State Disability Insurance (SDI), Workers Compensation Temporary Disability Insurance (TDI), In-Home Supportive Services (IHSS), or State Supplemental Program (SSP) benefits.	Exemption - Individual is receiving SDI, TDI, IHSS, or SSP benefits and the disability impairs his/her ability to work.	N	Y	N/A
60 Years of Age and Older	Exemption - An individual who reaches age 60 and older.	N	Y	N/A
Needy Non-Parent Caretaker (NPC)	Exemption - Non-Parent caretaker relative who has primary responsibility for caring for a child who is either a dependent or ward of the court or at risk of placement in foster care and whose caretaking responsibilities impair his/her ability to be employed or to participate in welfare-to-work activities.	N	Y	N/A
Caring for Ill or Incapacitated	Exemption - An individual is caring for an ill or incapacitated person residing in the home and whose caretaking responsibility impairs his/her ability to be regularly employed or to participate in welfare-to-work activities.	N	Y	N/A
Unable to Maintain Employment or Participate	Exemption - An individual is not able to maintain employment or participate in welfare-to-work activities, based on the county's assessment that the individual has a history of participation and full cooperation in welfare-to-work activities.	N	Y	N/A
Unaided	Exemption - Individual is out of the AU for reasons other than exceeding the time limit.	N	N	N/A
Domestic Violence (Good Cause)	Good Cause Program Waiver - County option to provide good cause waiver of time limit requirements for domestic violence.	N	Y	Y

³ This chart provides information for the tracking of receipt of aid for individual recipients. Federal law allows states to use TANF funds for aid beyond 60 months for up to 20% of their caseloads.

STATE IMPLEMENTATION DATES FOR TANF PROGRAM

STATE	DATE SUBJECT TO TANF
ALABAMA	NOVEMBER 15, 1996
ALASKA	JULY 1, 1997
ARIZONA	OCTOBER 1, 1996
ARKANSAS	JULY 1, 1997
CALIFORNIA	NOVEMBER 26, 1996 ⁴
COLORADO	JULY 1, 1997
CONNECTICUT	OCTOBER 1, 1996
DELAWARE	MARCH 10, 1997
DISTRICT OF COLUMBIA	MARCH 1, 1997
FLORIDA	OCTOBER 1, 1996
GEORGIA	JANUARY 1, 1997
HAWAII	JULY 1, 1997
IDAHO	JULY 1, 1997
ILLINOIS	JULY 1, 1997
INDIANA	OCTOBER 1, 1996
IOWA	JANUARY 1, 1997
KANSAS	OCTOBER 1, 1996
KENTUCKY	OCTOBER 18, 1996
LOUISIANA	JANUARY 1, 1997
MAINE	NOVEMBER 1, 1996
MARYLAND	DECEMBER 9, 1996
MASSACHUSETTS	SEPTEMBER 30, 1996
MICHIGAN	SEPTEMBER 30, 1996
MINNESOTA	JULY 1, 1997
MISSISSIPPI	OCTOBER 1, 1996
MISSOURI	DECEMBER 1, 1996
MONTANA	FEBRUARY 1, 1997
NEBRASKA	DECEMBER 1, 1996
NEVADA	DECEMBER 3, 1996

⁴ TANF funding was issued on December 1, 1996.

STATE IMPLEMENTATION DATES FOR TANF PROGRAM

STATE	DATE SUBJECT TO TANF
NEW HAMPSHIRE	OCTOBER 1, 1996
NEW JERSEY	FEBRUARY 1, 1997
NEW MEXICO	JULY 1, 1997
NEW YORK	DECEMBER 2, 1996
NORTH CAROLINA	JANUARY 1, 1997
NORTH DAKOTA	JULY 1, 1997
OHIO	OCTOBER 1, 1996
OKLAHOMA	OCTOBER 1, 1996
OREGON	OCTOBER 1, 1996
PENNSYLVANIA	MARCH 3, 1997
RHODE ISLAND	MARCH 1, 1997
SOUTH CAROLINA	OCTOBER 12, 1996
SOUTH DAKOTA	DECEMBER 1, 1996
TENNESSEE	OCTOBER 1, 1996
TEXAS	NOVEMBER 5, 1996
UTAH	OCTOBER 1, 1996
VERMONT	SEPTEMBER 20, 1996
VIRGINIA	FEBRUARY 1, 1997
WASHINGTON	JANUARY 10, 1997
WEST VIRGINIA	JANUARY 11, 1997
WISCONSIN	SEPTEMBER 30, 1996
WYOMING	JANUARY 1, 1997