

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



October 25, 1999

ALL COUNTY LETTER NO. 99-92

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: CHANGES TO THE CALWORKS CASH AID PROGRAM AS A  
 RESULT OF THE IMPLEMENTATION OF THE KINSHIP  
 GUARDIANSHIP ASSISTANCE PAYMENT  
 (KIN-GAP) PROGRAM

REFERENCE: SENATE BILL 1901 (CHAPTER 1055, STATUTES OF 1998)  
 ASSEMBLY BILL 1111 (CHAPTER 147, STATUTES OF 1999)

The purpose of this letter is to provide counties with implementation instructions pertaining to changes to the CalWORKs Cash Aid Program related to the implementation of the Kin-GAP Program, established by SB 1901 (Chapter 1055, Statutes of 1998) and further amended by AB 1111 (Chapter 147, Statutes of 1999). Welfare and Institutions Code (WIC) Section 11364 requires that the Kin-GAP Program and all related provisions be implemented by January 1, 2000. The statute also permits the California Department of Social Services (CDSS) to implement the provisions through the All County Letter (ACL) process with emergency regulations to follow later. This ACL will only address the changes to the CalWORKs Cash Aid Program resulting from the legislation. A separate ACL will be issued by the Foster Care Branch of the Children and Family Services Division regarding the eligibility requirements, Notices of Action (NOAs), forms, and informing notices for the Kin-GAP Program and its impact on other programs.

**Changes to the CalWORKs Cash Aid Program due to the Implementation of Kin-GAP**

The Kin-GAP Program is a child-only cash aid program for children with court dependencies who are placed with relatives who assume guardianship and opt to exit the foster care system. Consequently, children who are dependents of the court and currently receiving CalWORKs Cash Aid may be eligible to receive aid under the Kin-GAP Program. Since the Kin-GAP Program establishes a new child-only cash aid program separate from the Aid to Families with Dependent Children-Foster Care (AFDC-FC) and CalWORKs Cash Aid programs, the legislation also requires the following changes applicable to the CalWORKs Cash Aid Program effective January 1, 2000:

- **Kin-GAP recipients shall be excluded by law from receipt of CalWORKs Cash Aid:** Children who receive Kin-GAP aid will not receive duplicate aid under the CalWORKs Cash Aid Program. Kin-GAP recipients will be ineligible for CalWORKs Cash Aid on the basis of their receipt of other aid. They shall be treated in the same manner as the persons excluded by law due to receipt of other aid specified at Eligibility and Assistance Standards (EAS) Manual Section 82-832.15 (Reference: WIC Section 11450 [ j ]).
- **Child of a Kin-GAP child shall be excluded by law from the CalWORKs Cash Aid Program:** The child living in the home of a minor parent who is a Kin-GAP recipient shall be aided under the Kin-GAP Program and excluded from the CalWORKs Cash Aid Program. These children are treated in the same manner as the child of a minor child receiving AFDC-FC aid specified at EAS Manual Section 82-832.11 (Reference: WIC Section 11465).
- **Needy caretaker relatives of Kin-GAP recipients may be eligible for CalWORKs Cash Aid:** The Kin-GAP child is considered an otherwise eligible dependent child for purposes of establishing CalWORKs Cash Aid eligibility for needy caretaker relatives who are the legal guardians of Kin-GAP children. An Assistance Unit (AU) of one may be established for an otherwise eligible needy caretaker relative of a Kin-GAP recipient child if the caretaker is not included in another AU. The needy caretaker relative shall be treated in the same manner as the caretaker relatives specified at EAS Manual Section 82-820.22 (Reference: WIC Section 11450.16 [B]).
- **Income and aid payments of Kin-GAP recipients are not considered available to CalWORKs applicants and recipients:** Children who receive Kin-GAP aid shall not have their income or Kin-GAP payment considered in their relatives' CalWORKs Cash Aid case. The income of a Kin-GAP recipient is considered income for the Kin-GAP recipient only and not considered available to recipients of CalWORKs Cash Aid. The income shall be treated in the same manner as children who receive AFDC-FC aid specified at EAS Manual Section 44-133.3 (Reference: WIC Section 11371).

#### **NOAs:**

New and revised NOA messages pertaining to CalWORKs Cash Aid eligibility are included in Attachment A. The Foster Care Branch of the Children and Family Services Division will provide NOA messages that pertain specifically to the Kin-GAP Program.

For all translated messages, call Language Translation Services (LTS) at (916) 654-1282 or CALNET 464-1282. If you need several messages, fax your request to (916) 657-3429 or e-mail your request to [lsu@dss.ca.gov](mailto:lsu@dss.ca.gov). If your county is on the LTS mailing list, your forms coordinator now receives all translations as soon as they become available. Once you have an established e-mail address, please contact the Forms Management Unit (FMU) by telephone or e-mail at [fmud@dss.ca.gov](mailto:fmud@dss.ca.gov). FMU will then place you on their e-mail list.

**Contacts:**

If you have questions regarding the changes to the CalWORKs Cash Aid Program regulations, please contact Julie Lopes at (916) 654-1786. For questions regarding NOAs, contact Paulette Stokes at (916) 654-3386. The CALNET prefix for these telephone numbers is 464.

Sincerely,

*Original Signed by  
Bruce Wagstaff on 10/25/99*

BRUCE WAGSTAFF  
Deputy Director  
Welfare to Work Division

Attachment

C: CWDA  
CSAC