



CDSS

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October 23, 2013

ALL COUNTY LETTER (ACL) 13-88

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalFresh PROGRAM SPECIALISTS
ALL CaWORKs PROGRAM SPECIALISTS
ALL CONSORTIA REPRESENTATIVES
ALL QUALITY CONTROL COORDINATORS

SUBJECT: HOUSEHOLDS LEAVING CALWORKs DUE TO FAILURE TO PROVIDE A COMPLETE SAR 7

REFERENCE: TITLE 7 CODE OF FEDERAL REGULATIONS (CFR) PART 273.26(c)(6)

The purpose of this All County Letter (ACL) is to notify County Welfare Departments (CWD) of a change in Transitional CalFresh (TCF) policy. The Food and Nutrition Service (FNS) has recently advised the California Department of Social Services (CDSS) that TCF benefits may not be issued to households leaving CalWORKs due to a failure to submit a complete SAR 7 (periodic report) for CalWORKs or CalFresh. This policy change is effective immediately with the transmission of this letter.

According to Title 7, CFR part 273.26 (c)(6), all household members are ineligible to receive TCF benefits when the case is closed for not providing information necessary to determine eligibility or for a subsequent review of eligibility. As interpreted by FNS, the failure to submit a complete SAR 7 or submit an application for, or complete the redetermination/recertification (RD/RC) constitutes a failure to provide necessary information to determine eligibility or for a subsequent review of eligibility.

If a household submits a SAR 7 and fails to meet all of the CalWORKs reporting requirements, but meets the CalFresh requirements, then CWDs shall evaluate the household's ongoing eligibility for CalFresh. The household should be converted to a

nonassistance CalFresh (NACF) household, retain the current certification period, and benefits are to be calculated based upon the information provided on the SAR 7 and the removal of the CalWORKs grant from the CalFresh benefit calculation.

If the household does not respond to the request for RD/RC or submits an application for RD/RC and fails to complete the RD/RC process, the household will not be eligible for TCF benefits at the time the CalWORKs and CalFresh benefits are stopped. If the household completes the RC, but fails to complete the CalWORKs RD, and is otherwise eligible to CalFresh, then the CWD should set-up a new certification period converting the household to a NACF household because the household is ineligible to TCF.

All policy regarding how to establish TCF benefit amounts remain unchanged. All other current reasons a CalFresh household is not eligible to TCF still apply.

Example 1

The public assistance CalFresh (PACF) household submits a SAR 7 and fails to answer a CalWORKs-only question. The household does not respond to the NA 960Y and is discontinued from CalWORKs following normal CalWORKs procedures. The household had provided all information required to be reported for CalFresh and based on the information provided the household continues to be eligible to CalFresh. The CWD converts the case to a NACF household and maintains the household's current certification period and TCF would not be issued.

If the household submits the SAR 7 in the month following the discontinuance from CalWORKs, effectively restoring the CalWORKs case, then the household would be converted back to PACF and CalFresh benefits adjusted for the inclusion of the CalWORKs grant with timely and adequate notice.

Example 2

The PACF household fails to submit a SAR 7 and does not respond to the NA 960X. The household is discontinued at the end of the submit month from both CalWORKs and CalFresh following existing procedures. TCF is not issued to the household.

Some examples of TCF eligible households include, but are not limited to the following:

- Discontinued from CalWORKs due to excess income. The new IRT for CalFresh does not impact TCF rules. If the household is eligible to TCF then changes in income are not considered when determining the amount of benefits the household is eligible to during the TCF benefit period.

- Households that voluntarily withdraw from CalWORKs.
- The reason the CalWORKs case discontinued is due to a parent timing out or child aging out when that individual was the last eligible person in the AU. In this circumstance for households in which an individual would otherwise be eligible to CalWORKs if not for a CalWORKs sanction are not eligible to TCF since the CalWORKs case would not be closed.

Further guidance on additional criteria for households leaving CalWORKs (the remainder of 7 CFR 273.26), which are ineligible for TCF, will be addressed in a subsequent letter when clarification is received from FNS. State regulations governing TCF benefits will be amended to reflect the above changes.

Forms Revisions

The following forms have been revised to inform a household that discontinuance from CalWORKs due to failure to submit a SAR 7 or to complete a CalWORKs redetermination will result in ineligibility to TCF.

- CalFresh Notice of Expiration of Certification (CF 377.2)
- CalFresh Notice of Expiration of Certification for Households in which All Adults are Elderly or Disabled (CF 377.2A)
- Notice of Action (NA 960X SAR)
- Notice of Action (NA 960Y SAR)

Federal Quality Control (QC) Reviews

FNS QC has informed CDSS that effective with the October 1, 2013 sample, issuing TCF benefits to households that have been discontinued for failure to submit a SAR 7 is in violation of the policy guidance in this letter and will result in a case and procedural error if sampled. In addition for such cases, if included in the active sample, QC reviewers will use the regular review process to review actual household circumstances to complete the review as explained in Section 725 E in the FNS 310.

Camera Ready Copies and Translations

For camera-ready copies in English, contact the Forms Management Unit at fmudss@dss.ca.gov. If your office has internet access you may obtain these forms from the CDSS webpage at http://www.dss.cahwnet.gov/cdssweb/FormsandPu_271.htm. When all translations are completed per Manual of Policies and Procedures (MPP) Section 21-115.2, including Spanish forms, they are posted on an on-going basis on the CDSS webpage.

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Copies of the translated forms can be obtained at the following webpage at http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm. For questions on translated ACL materials, please contact Language Services at (916) 651-8876. Until translations are available, recipients who have elected to receive materials in languages other than English should be sent the English version of the form or notice along with the GEN 1365-Notice of Language Services and a local contact number.

For questions regarding CalFresh, please contact your county contact or call the CalFresh Policy Bureau at (916) 654-1896.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

Attachments