

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



April 30, 1997

ALL COUNTY LETTER 97-29

TO: ALL COUNTY WELFARE DIRECTORS

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: IMPLEMENTATION INSTRUCTIONS FOR MAXIMUM FAMILY GRANT (MFG) IN THE AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) PROGRAM

REFERENCE: Assembly Bill (AB) 473 (Chapter 196, Statutes of 1994)  
All County Letter (ACL) 94-112  
All County Letter (ACL) 96-37

This is to provide counties with regulations and implementation instructions for Maximum Family Grant (MFG) in the Aid to Families with Dependent Children (AFDC) Program. The regulations become effective August 1, 1997.

**MAXIMUM FAMILY GRANT REQUIREMENT**

Assembly Bill (AB) 473, Chapter 196, Statutes of 1994 added Section 11450.04 to the Welfare and Institutions Code. This provision is more commonly referred to as MFG. The statute requires that the Maximum Aid Payment (MAP) will not be increased for any child born into a family that has received AFDC continuously for the ten months prior to the birth of the child. Aid will be considered continuous for the ten months prior to the birth of the child, unless there was at least a two month break in aid during that period. MFG will apply to all children born on or after August 1, 1997.

**EXEMPTIONS TO THE MAXIMUM FAMILY GRANT REQUIREMENT**

The statute also provides exemption criteria to MFG. MFG will not apply to children in the following circumstances:

- Any child who was conceived as a result of an act of rape, as defined in Sections 261 and 262 of the Penal Code, if the rape was reported to a law enforcement agency, medical or mental health professional or social services agency prior to, or within three months after, the birth of the child.

- Any child who was conceived as a result of an incestuous relationship if the relationship was reported to a medical or mental health professional or a law enforcement agency or social services agency prior to, or within three months after, the birth of the child, or if paternity has been established.
- Any child who was conceived as a result of contraceptive failure if the parent was using an intrauterine device, a Norplant, or the sterilization of either parent. (A medical verification is needed as proof of any failure of a listed birth control method).
- Any child conceived while either parent was an unaided, non-parent, caretaker relative.

## **CHILD SUPPORT**

The statute requires that one hundred percent (100%) of all child support payments received for a child born into the family, but for whom the MAP is not increased due to MFG, be sent to the family. Such payments are exempt from consideration as income for both eligibility and grant computation.

Eligibility staff must notify Family Support Division when a referral is done for a child to whom MFG applies. Also, Family Support must be notified when MFG is temporarily suspended (e.g. child not living with either parent) or when MFG has been terminated (e.g. Assistance Unit (AU) has been off aid for at least 24 consecutive months). Family Support must notify Eligibility staff of the date and amount of child support monies sent to the AU. This process does not effect the AU's responsibility to report the receipt of child support monies on the monthly report.

## **OTHER IMPLEMENTATION INFORMATION**

ACL 96-37, dated July 23, 1996, provided instructions to begin the informing requirement for MFG, and included copies of the forms needed by counties to initiate the informing process. Counties were instructed to begin informing all AFDC applicants as of August 1, 1996 and to continue such informing of applicants on an ongoing basis.

In order to facilitate tracking of MFG cases, we are currently working with the Department of Health Services to enhance the Medi-Cal Eligibility Data System (MEDS). The MEDS enhancement information and related instructions will be sent under separate cover when they become available.

Questions and answers pertaining to MFG are included as Attachment 1.

## **NOTICES**

Three Notice of Action (NOA) messages that have been developed to notify applicants/recipients who are affected by MFG are also attached (Attachment 2). Instructions for use are at the end of each message document. Translations of the NOA messages in Cambodian, Chinese, Vietnamese, and Spanish will be available approximately 30 days from the date of this letter upon request through the Language Services Bureau.

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

<b>Subject</b>	<b>Contact Person</b>	<b>Phone</b>
AFDC/MFG	Alison Garcia	(916) 654-0989 or CALNET 464-0989
Child Support	Evon Sadrian	(916) 654-1210 or CALNET 464-1210
Notices of Action	Pam Kian	(916) 654-1801 or CALNET 464-1801
Temp 2102	Jan DeSilva	(916) 657-2314 or CALNET 437-2314
Asian Translations	Language Services Bureau	(916) 654-1282 or CALNET 464-1282
English/Spanish	Forms Management Unit	(916) 657-1984 or CALNET 437-1984

Sincerely,



BRUCE WAGSTAFF  
Deputy Director  
Welfare Programs Division

Attachments