

DEPARTMENT OF SOCIAL SERVICES

May 19, 2008

ALL COUNTY INFORMATION NOTICE NO. I-32-08

TO: ALL COUNTY WELFARE DIRECTORS
ALL FOOD STAMP COORDINATORS
ALL QUALITY CONTROL COORDINATORS
ALL CalWORKS PROGRAM SPECIALISTS

SUBJECT: EXTENSION OF FOOD STAMP INCOME EXCLUSION FOR DEPLOYMENT
TO A COMBAT ZONE INCLUDING SERVICE PERSONS BANK ACCOUNTS

REFERENCE: CONSOLIDATED APPROPRIATIONS ACT, 2005, PUBLIC LAW (P.L.) 108-447
AND 110-161, FOOD STAMP HOUSEHOLD INCOME EXCLUSION PROVISION,
ALL COUNTY LETTER (ACL) 05-04, ALL COUNTY INFORMATION NOTICE (ACIN)
I-24-07, FEDERAL GUIDANCE 7 CFR 273.8 (d) AND MANUAL OF POLICIES AND
PROCEDURES (MPP) SECTION 63-501.21, ADMINISTRATIVE NOTICES 08-10
AND 08-09.

This is to inform counties to continue to exclude additional pay received by military personnel as a result of deployment to a combat zone as set forth in the FY 2008 Consolidated Appropriations Bill (P.L. 110-161) signed December 26, 2007, and to also clarify that a household's access to a service person's bank account, under certain circumstances as explained below, is excludable as a resource (Administrative Notice 08-09 and MPP section 63-501.21) for the household. Exclusion of the combat pay is continued; however, counties are encouraged to review all reports of a service person's savings account received on or after receipt of this letter to determine if a service person's savings account or portion of the account is excludable as a resource for the household having access to the account.

INCOME EXCLUSION

Counties are to continue to refer to ACL 05-04 and ACIN I-24-07 for specific instructions on the treatment of military pay received by military personnel deployed to specific designated combat zones. The language in the FY 2008 Consolidated Appropriations Bill reads as follows:

Provided further, That notwithstanding section 5(d) of the Food Stamp Act of 1977, any additional payment received under chapter 5 of title 37, United States Code, by a member of the United States Armed Forces deployed to a designated combat zone shall be excluded from household income for the duration of the member's deployment if the additional pay is the result of deployment to or while serving in a combat zone, and it was not received immediately prior to serving in the combat zone.

**REASON FOR THIS
TRANSMITTAL**

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

RESOURCE EXCLUSION

If a household can document to the satisfaction of the County Welfare Department that it can access a service person's account, or a portion thereof, solely for the purpose of paying the service person's bills, etc., and the household cannot use the funds for its own purposes, the inaccessible funds would be excluded as a resource. It is the responsibility of the applicant household to provide verification concerning such an arrangement. The verification can be in a form of a written statement from the service person, a statement from the involved financial institution, or other means attesting to the fact. Exclusion of a portion of the service person's savings account due to inaccessibility is consistent with MPP section 63-501.21.

Current regulations at MPP section 63-501.21 specify that resources owned jointly by separate households are to be considered available in their entirety to each household for program eligibility purposes, unless it can be demonstrated by the applicant household that such resources are inaccessible to the household. The provisions of 63-501.21 provide that if the household can demonstrate that it has access to only a portion of the resources, the value of that portion of the resource must be counted toward the household's resource level.

If it is determined that the applicant household can access a service person's bank account for its own purposes, the funds must be considered a resource for the household.

If you have any questions regarding this letter, please contact Alicia Thomason at (916) 657-2630 or Rosie Avena at (916) 654-1514 of my staff.

Sincerely,

Original Document Signed By:

RICHTON YEE, Chief
Food Stamp Branch