



CDSS

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DEPARTMENT OF SOCIAL SERVICES

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GOVERNOR

November 23, 2009

ERRATA

ALL COUNTY LETTER (ACL) 09-41E

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS
ALL FOOD STAMP COORDINATORS
ALL REFUGEE COORDINATORS
ALL CONSORTIUM PROJECT MANAGERS

SUBJECT: ERRATA TO THE CALIFORNIA WORK OPPORTUNITY AND
RESPONSIBILITY TO KIDS (CalWORKs) AND FOOD STAMP
PROGRAMS QUARTERLY REPORTING AND PROSPECTIVE
BUDGETING (QR/PB) QUESTIONS AND ANSWERS (Q&A's)

The purpose of this errata is to correct an outdated reference to Part 3 of the QR 7 form in questions 3 and 4 of ACL 09-41 (September 2, 2009). The QR 7 form has been updated for clarity and ease of use per ACIN I-03-09 (January 6, 2009) and no longer contains a Part 3. Please replace pages 4 and 5 of ACL 09-41 with the attached pages 4 and 5.

Sincerely,

Original Document Signed By:

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

Enclosure

not used for the mailing, or when the county finds other extenuating circumstances.

3. **Often on the QR 7, recipients will write that they have “no idea” what income they expect to receive in the next quarter or “\$0” income, when the county knows the recipients often do occasional work. Can the county reject a QR 7 filled out this way as incomplete and tell the recipient that they MUST anticipate something? How do counties treat anticipated income when the recipient’s income fluctuates greatly?**

Answer: Recipients are only required to report income that they reasonably anticipate to receive in the upcoming quarter. “Reasonably anticipated” income is that which the person is reasonably certain as to the amount and payment date to be received (MPP §44-101(c)(1); 44-315.311(a); 63-509(QR)(a)(2)). This means that even when recipients do occasional work, if they can’t anticipate how much they will get paid or that they will get paid within any of the three months of the upcoming quarter, they may be unable to reasonably anticipate that income.

If a recipient reports they have “no idea” of anticipated income, counties should not return the QR 7 to the recipient as incomplete, but should contact the recipient and discuss their potential income for the next few months and decide if any income can be reasonably anticipated. The county has several options for obtaining more reliable information:

- 1) If the recipient is unable to estimate future income with the county’s assistance, then with the recipient’s written permission, the county may contact the employer or source of income.
- 2) If unable to obtain additional source information, counties can also look at past income (current quarter for CalWORKs and past 12 months for Food Stamps per MPP §63-509(a)(6)(B)) and may use this past income as an indicator of income that will be received over the next quarter, as long as no change in income has occurred or is anticipated to occur over the next quarter (MPP §44-315.312; 63-509(a)(2)(C)(3)(f)).

The portion of the assistance unit’s income that is still uncertain or cannot be reasonably anticipated will not be counted when determining benefit amounts (MPP §44-315.313(QR) and 63-509(a)(2)(QR)). The county should explain that if the actual income is less than the anticipated income, the recipient should make a mid-quarter, voluntary report of decreased income so that the county may increase the grant based on the decreased income (MPP §44-316.312(a); 63-509(e)).

Counties should not treat QR 7’s with zero anticipated income as incomplete, unless there is some discrepancy. For example, if the recipient had regular income last quarter and they anticipate zero income this quarter but do not state on the QR 7 that anything has changed since last quarter, then the county should follow-up with the recipient to resolve the discrepancy. However, if the recipient did not have any income during the previous quarter and they report no change,

then a QR 7 with zero anticipated income should not be considered incomplete. Furthermore, if the county rejects the recipient's estimate of anticipated income, the county must document why it is rejecting the recipient's estimate, explain the basis for the estimate the county uses and issue a notice of action to the recipient (MPP §44-313.111(c); 63-509(a)(1)).

Example 1: If a recipient is a waitress and doesn't earn the same amount each month because of extra shift opportunities or shift cut-backs, but states on the QR 7 that the reported Data Month's income is "typical," the county can count that income as reasonably anticipated for the next quarter. If, however, the recipient never has any regular shifts or hours, and the employer or prior income history verifies that there is no minimum amount of income expected, then this income cannot be reasonably anticipated.

Example 2: If the person's income varies between \$200 and \$400 a month and the employer can't confirm the earnings or schedule, but the recipient and the employer both agree that earnings are usually about \$200; the county could list \$200 as reasonably anticipated income. If the person's income varies dramatically (for example someone who is waiting for an on-call substitute position, who doesn't know whether there will be any work or any minimum hours) there is no income that can be reasonably anticipated.

4. Recipients are having problems filling out the QR 7 correctly. This is especially true regarding anticipated income. What can be done to minimize this problem?

Answer: The county must review reporting responsibilities, including a review of the QR 7 form, at application and annually at redetermination (MPP §40-181(1)(e)(1); 63-508.322). In addition, the county must review the reporting responsibilities any time it appears that the person is having problems understanding his or her reporting responsibilities, in order to avoid overpayments and fraud (MPP §20-005.313).

It is important that counties assist recipients in understanding their reporting responsibilities in order to minimize reporting errors. Counties must ensure that appropriate language services are used for limited English proficient recipients, and that reasonable accommodations are provided to those recipients with disabilities requiring assistance (MPP §21-115).

It is also important to work with the recipients to determine whether income can be reasonably anticipated. As indicated in Question 3, recipient earnings sometimes cannot be reasonably anticipated, although they have occasional work.

5. What verification is the recipient required to provide when reporting decreased income mid-quarter?