

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2019-0917-07	REGULATORY ACTION NUMBER 2020-0102-015	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

FEB 04 2020

3:02 PM

2020 JAN -2 A 10:17
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY California Department of Social Services	AGENCY FILE NUMBER (if any) ORD #419-10
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed <input type="checkbox"/> Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2019,39-2	PUBLICATION DATE 9/27/2019

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Electronic Interview for CalWORKs	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)				
<table border="1"> <tr> <td rowspan="3">SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</td> <td>ADOPT</td> </tr> <tr> <td>AMEND 40-129 and 40-131</td> </tr> <tr> <td>REPEAL</td> </tr> </table>	SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT	AMEND 40-129 and 40-131	REPEAL
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT		
		AMEND 40-129 and 40-131		
	REPEAL			
TITLE(S) MPP				

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

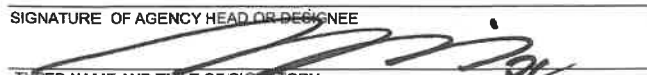
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Oliver Chu	TELEPHONE NUMBER (916) 657-3588	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) oliver.chu@dss.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 12/20/2019
TYPED NAME AND TITLE OF SIGNATORY Pete Cervinka, Chief Operating Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 04 2020

Office of Administrative Law

Amends Section 40-129 to read:

40-129 IMMEDIATE NEED

.1 (Continued)

.4 The Immediate Need interview

.41 (Continued)

.411 (Continued)

.412 The ~~face-to-face~~ interview shall be conducted in accordance with MPP section 40-131.

.413 (Continued)

.5 Action on The Immediate Need Payment Request

.51 (Continued)

.53 (Continued)

.531 (Continued)

.534 (Continued)

(a) (Continued)

(k) The county is unable to establish the applicant's eligibility in the following circumstances.

(1) (Continued)

(2) The applicant fails to keep the scheduled ~~face-to-face~~ interview.

.6 (Continued)

Authority cited: Sections 10553, 10554, and 11209, Welfare and Institutions Code.

Reference: Sections 11052.5, 11056, 11266, and 11270, Welfare and Institutions Code; and 45 CFR 205.52, 206.10 and 233.10(a)(1)(iv).

Amends Section 40-131 to read:

40-131 INTERVIEW REQUIREMENT

.1 Interview Required Prior to Granting Aid

.11 A face-to-face, telephonic, or electronic interview with the applicant is required prior to the granting of aid. For the home visit requirement in CalWORKs, see Section 40-161.

.111 "Face-to-face" means that the individual is physically present.

.112 For purposes of this section, telephonic interview shall be classified as a form of electronic interview. Electronic interviews shall be limited to audio or video conferencing where the CWDs are able to hear or see the individual(s) being interviewed.

.113 A County Welfare Department (CWD) that chooses the telephonic or other electronic interview option may continue to conduct face-to-face interviews on a case-by-case basis, if the CWD determines it is best practice for working with and assisting families in receiving assistance quickly. CalWORKs application interview requirements must be followed regardless of how the interview is conducted.

.114 CWDs electing to conduct telephonic or electronic interviews shall submit an electronic interviewing plan in writing to the CDSS prior to implementation. The plan must include a set of procedures for conducting interviews in a manner that ensures that applicants whose interviews are conducted telephonically or electronically are provided with the same information as applicants whose interviews are conducted face-to-face.

.115 Telephonic or electronic interviews shall occur within seven working days after the time of the application, unless the applicant has been determined eligible for an Immediate Need Interview, pursuant to Section 40-129.4, or when there are extenuating circumstances which justify further delays.

.116 CWDs shall conduct a face-to-face interview in lieu of an interview through telephonic or other electronic means if requested by an applicant.

.2 - .3 (Continued)

Authority cited: Sections 10553, 10554, 10604, and 18904, Welfare and Institutions Code.

Reference: Sections 10613, 11052.5, 11209, 11253.5, 11265.8, 11268(a), ~~11280~~, 11323.3, 11324.8(a), 11495.1, and ~~11500(b)~~, and ~~11511(a)~~, Welfare and Institutions Code; 7 U.S.C. 2020(i), 7 CFR 273.2(j), 42 U.S.C. 616(f), ~~682(c)(2), (3) and (4)~~, and 1320b-7(a)(1), 45 CFR 205.52(a)(1), ~~45 CFR 250.20, 45 CFR 250.40(a) and (b); 45 CFR 255.1; 45 CFR 256.1(b)~~, and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193): California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996.

