

March 27, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

The purpose of this letter is to provide County Welfare Departments with guidance to implement the provisions of Executive Order N-29-20 signed by Governor Newsom on March 17, 2020, pertaining to CalFresh and California Work Opportunity and Responsibility to Kids (CalWORKs) eligibility redeterminations and CalWORKs time on aid.



KIM JOHNSON
DIRECTOR

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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

March 27, 2020

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JENNIFER HERNANDEZ, DEPUTY DIRECTOR
FAMILY ENGAGEMENT AND EMPOWERMENT DIVISION

SUBJECT: CALFRESH AND CALIFORNIA WORK OPPORTUNITY AND
RESPONSIBILITY TO KIDS (CALWORKS) IMPLEMENTATION
OF EXECUTIVE ORDER N-29-20 REGARDING ELIGIBILITY
REDETERMINATIONS AND TIME ON AID LIMITS

REFERENCE: [EXECUTIVE ORDER N-29-20 SIGNED MARCH 17, 2020](#); [TITLE 45, CODE OF FEDERAL REGULATIONS \(CFR\) SECTION 264.1](#),
AND [WELFARE AND INSTITUTIONS CODE \(WIC\) SECTION 11265](#),
[WIC SECTION 11265.1](#), AND [WIC SECTION 11454](#).

The purpose of this All County Welfare Directors Letter is to provide County Welfare Departments (CWDs) with guidance to implement the provisions of [Executive Order N-29-20](#) signed by Governor Newsom on March 17, 2020, pertaining to CalFresh and California Work Opportunity and Responsibility to Kids (CalWORKs) eligibility redeterminations and CalWORKs time on aid. This guidance is effective immediately for both CalFresh and CalWORKs.

In response to COVID-19 and to ensure that Californians are able to continue meeting their basic needs and maintaining their CalFresh and CalWORKs benefits, Executive Order N-29-20 provides authority for the California Department of Social Services to suspend redeterminations of eligibility and exempt months from the CalWORKs 48-month time clock. These changes are to be implemented for CalFresh and CalWORKs as follows:

- (1) Suspend the requirement to redetermine CalFresh and CalWORKs eligibility for the months of March, April, and May 2020; and
- (2) Exempt months or partial months of CalWORKs aid from being counted on the 48-month time clock through June 2020.

CalFresh has received approval from the U.S. Department of Agriculture to waive current federal regulations that require the submission of a periodic report (i.e., SAR 7) and recertification. The federal approval allows the State to provide households whose recertification requirement has been waived a new six-month certification period. For CalWORKs, there is no need for a federal waiver in order to effectuate the same policy changes because periodic reports and recertifications are implemented pursuant to state statutory authority.

Throughout this letter, the term “household” is used in reference to both a CalFresh household and a CalWORKs assistance unit. Similarly, the term “recertification” is used in reference to both a CalFresh recertification and a CalWORKs redetermination; the term “certification period” is used in reference to both a CalFresh certification period and a CalWORKs payment period; and the term “benefit” is used in reference to both a CalFresh allotment and a CalWORKs grant.

March CalFresh and CalWORKs SAR 7s

The March SAR 7 reporting requirement has been retroactively waived for all households. This applies to all households, regardless of the length of their original certification period, including CalFresh households with a 24- or 36-month certification period.

Effective immediately, as many discontinuances as possible related to March SAR 7s have been or will be stopped through a Statewide Automated Welfare System (SAWS) automated process. For March SAR 7s that have already been processed, CWDs must manually rescind any discontinuances as a result of information reported on the SAR 7. For March SAR 7s that have already been processed and resulted in a benefit reduction, a benefit increase, or no change in benefits, the action on the case must not be changed and will remain the same.

Effective immediately, the CWDs must stop processing March SAR 7s.

Households whose SAR 7 is waived will continue to receive benefits in the amount they were eligible for the month the report was due. For example, the household will be issued the March benefit amount in April. The March benefit amount will continue through the remainder of the certification period unless the household completes a voluntary or mandatory report resulting in a benefit change, including but not limited to, a mandatory report of monthly gross income received over the Income Reporting Threshold (IRT) or a voluntary report of a decrease in income.

Households whose March SAR 7 is waived will complete the remainder of their originally assigned certification period. For example, a household assigned to a 12-

month certification period with a March SAR 7 deadline do not need to complete the SAR 7, but will complete their recertification as scheduled in September.

CalFresh households with a certification period length of 24 or 36 months with a March SAR 7 do not need to complete the March SAR 7, but will complete the remainder of their assigned certification period as originally scheduled. This applies whether the next report is a SAR 7 or recertification.

March CalFresh Recertifications and CalWORKs Redeterminations

The March recertification requirement has been retroactively waived for all households. Households do not need to complete their originally scheduled recertification in March. Instead, households will be granted a new six-month certification period with a recertification due in September 2020. This applies to all households regardless of the length of their original certification period, including households with a 24- or 36-month certification.

Effective immediately, as many discontinuances as possible related to March recertifications have been or will be stopped through a SAWS automated process. For March recertifications that have already been processed, CWDs must manually rescind any discontinuances as a result of information reported at recertification. For March recertifications that have already been processed and resulted in a benefit reduction, a benefit increase, or no change in benefits and for which a certification period has already been assigned, the action on the case must not be changed and will remain the same.

Effective immediately, the CWDs must stop processing March recertifications.

Households whose March recertification is waived and who are granted a new six-month certification period will continue to receive benefits in the amount they were eligible for the month the recertification report was due. The household will be issued the March benefit amount in April. The March benefit amount will continue through the new six-month certification period unless the household completes a voluntary or mandatory report resulting in a benefit change, including but not limited to, a mandatory report of monthly gross income received over the Income Reporting Threshold (IRT) or a voluntary report of a decrease in income.

For example, a household assigned to a 12-month certification period with a March recertification that has been waived will be assigned a new six-month certification period and will complete their new recertification in September. CalFresh households with a certification period length of 24 or 36 months whose March recertification has been waived will also be assigned a new six-month certification period and will complete their new recertification in September.

All CalFresh households that are granted a new six-month certification period must be issued a notice informing them of their new six-month certification period and new recertification due date.

For all households, if at the time the new recertification is complete, the household is determined to be eligible for CalWORKs and/or CalFresh, the household will be assigned a certification period length based on existing policy for their household type.

April and May CalFresh and CalWORKs SAR 7s

The April and May SAR 7 reporting requirement has been waived for all households. This applies to all households regardless of the length of their original certification period, including CalFresh households with a 24- or 36-month certification period.

The SAWS have stopped or will stop the mailing of April and May SAR 7s. The SAWS will record the SAR 7 as complete and received in the system so that the household will continue receiving benefits at the benefit amount the household was eligible to receive in either April or May, as applicable.

For households whose SAR 7 reporting requirement is waived, the household will complete the remainder of their existing certification period. During the remainder of their certification period, the household will be required to complete all mandatory reports and the household will complete a recertification at the end of the certification period, consistent with existing policy.

Note that the waiver of the SAR 7 reporting requirement does not change the length of the household's originally assigned certification period. Households whose April or May SAR 7 reporting requirement is waived will complete the remainder of their originally assigned certification period. For example, a household assigned a 12-month certification period with an April or May SAR 7 that has been waived will complete their recertification in October or November, respectively.

CalFresh households with a certification period length of 24 or 36 months whose April or May SAR 7 is waived will complete the remainder of their originally assigned certification period as originally scheduled. This applies whether the next report is a SAR 7 or recertification.

If a household inadvertently submits a SAR 7 in April or May, the CWD must disregard the report. The CWD does not need to image or otherwise document in the case record any SAR 7 received during this period.

April and May CalFresh Recertifications and CalWORKs Redeterminations

The April and May recertification requirement has been waived for all households. Households do not need to complete their originally scheduled recertification in April or May. Instead, households will be granted a new six-month certification period with a recertification due in October or November, respectively. This applies to all households regardless of the length of their original certification, including CalFresh households with a 24- or 36-month certification.

The SAWS will stop the mailing of May recertification packets (April recertification packets have already been mailed at the time of publication of this letter). The SAWS will record the recertification as complete and received in the system so that the household will continue receiving benefits at the benefit amount the household was eligible to receive in the submit month.

Households whose April or May recertification is waived and who are granted a new six-month certification period will continue to receive benefits in the amount they were eligible for the month the report was due. The household will be issued the April or May benefit amount in May or June, as applicable. The April or May benefit amount will continue through the remainder of the extended certification period unless the household completes a voluntary or mandatory report resulting in a benefit change, including but not limited to, a mandatory report of monthly gross income received over the Income Reporting Threshold (IRT) or a voluntary report of a decrease in income.

For example, a household assigned to a 12-month certification period with an April recertification that has been waived will be assigned a new six-month certification period and will complete their new recertification in October. CalFresh households with a certification period length of 24 or 36 months whose April recertification has been waived will also be assigned a new six-month certification period and will complete their new recertification in October.

All CalFresh households that are granted a new six-month certification period must be issued a notice informing them of their new certification period and new recertification due date.

For all households, if at the time the recertification is complete, the household is determined to be eligible for CalWORKs and/or CalFresh, they will be assigned a certification period length based on their household type, as normal.

If a household inadvertently submits a recertification packet in April or May the CWD must disregard the report. The CWD does not need to image or otherwise document in the case record any recertification packet received during this period.

Transitional CalFresh Households

The guidance outlined above does not apply to Transitional CalFresh (TCF) households. A TCF household whose recertification is due in March, April, or May will need to complete their recertification as originally scheduled. To avoid any unnecessary disruptions in CalFresh benefits for TCF households who have a recertification due in March, April and May, CWDs should attempt to contact any TCF household that does not respond in a timely manner to their recertification packet and who is therefore at risk of not transitioning to the regular CalFresh benefits for which they may be eligible.

The CDSS will provide the CWDs and the SAWS guidance regarding TCF March recertifications as soon as administratively feasible.

Note that CWDs who use an imaging system that triggers automated business processes should only image documents for TCF recertifications during the months of March, April and May, to avoid triggering those business processes for regular CalFresh cases.

CalWORKs Time on Aid Exemption

Executive Order N-29-20 exempts any month or partial months in which CalWORKs aid or services are received from being counted to the 48-month time clock. This exemption will be applied beginning March 1 through June 30. This exemption is not to be applied if it will exceed the federal time limits set forth in Title 45 of the CFR, Section 264.1.

The SAWS has stopped all discontinuances set to occur for March, April, May and June tied to exceeding the 48-month time limit.

This directive applies to all current CalWORKs recipients (not just those approaching the 48-month time limit), so exemptions must be applied to all CalWORKs recipients' 48-month time-on-aid clocks for March, April, May and June 2020. The CDSS is working with the Welfare Data Tracking Implementation Project to reinstate the CalWORKs Time Limit Good Cause Exemption related to a "Lack of Supportive Services available from the county" to be used during this period (see Attachment).

Please note that the Executive Order only suspended any month in which CalWORKs aid or services *are received* from counting towards the CalWORKs 48-month time limit. Therefore, any former CalWORKs recipient who was discontinued due to reaching 48 cumulative and countable months of aid must meet a CalWORKs exception (time limit extender) in order to be added back to an assistance unit (AU).

CWD staff who are processing cases should stop manually applying discontinuances for exceeding the 48-month time limit in March, April, May or June. Cases that have already been discontinued for exceeding the time limit in the month of March should be reinstated through June as soon as possible. Counties are also reminded to review whether the recipient's time limit exemption for this period was properly applied at application, redetermination, and when the 42nd and 46th month was reached.

Client Communication

The CWDs should implement mass informing practices to communicate this change to households. CWDs should considering including a message like the following on their websites, social media, Interactive Voice Response Systems, and other client communication tools, as soon as possible:

Attention: All CalWORKs and CalFresh Recipients

In response to COVID-19, your CalWORKs and CalFresh Benefits will continue with no changes for March, April, May, and June 2020. This means that if your semiannual report form (SAR 7) or annual renewal was due in March, April, or May 2020, you do not have to turn it in or complete your interview. If you have turned in your March SAR 7 or renewal paperwork already, it will not be processed, and nothing will change. If your SAR 7 or renewal paperwork included information that would make your benefits go up, please call the county to report this information over the phone.

You must report if your gross monthly income goes over your family's Income Reporting Threshold (IRT). Also, if you report that your income has gone down, your benefit amount may go up. Call the county to find out what your IRT is, to report if your income goes down, or if you have any questions about your case.

If you have any questions or need additional guidance regarding the information in this letter, contact:

For CalWORKs, the Early Engagement and Eligibility Bureau at (916) 654-1322.

For CalFresh, the CalFresh Policy Bureau at (916) 651-8047.

Attachment

Attachment

PGME XC CD	PGME XC RSN CD	STAR T DATE	END DATE	PROG RAM EXCE PTION REAS ON NAME	PROG RAM EXCE PTION REAS ON TEXT	PGM EXC TANF 60 FG	PGM EXC CW 48 FG	PGM EXC WtW 24 FG	PGM EXC END
04	407	03/01/ 2020	06/30/ 2020	Time Good Cause - CalW ORKs 48 Mth Limit	CalW ORKs 48- Month Clock - Lack of Suppo rtive Servic es availa ble from the county .	Y	N	N3	Y

N3 – This Exemption only apply to the CalWORKs Time Clock and not to the TANF & WTW Time Clocks per Executive Order N-29-20.