

# County of San Diego, Health and Human Services Agency (HHS) CalWORKs Program Guide

	Number	Page
Annual Reporting (AR) Overview	44-260.A	1 of 5

## **Background**

Senate Bill (SB) 1041 requires certain CalWORKs cases with no eligible adult in the Assistance Unit (AU) to be transitioned from a periodic reporting system to an Annual Reporting (AR) system effective October 1, 2012.

## **Policy**

### **44-260.A.1 Regulation**

These AUs are referred to as Annual Reporting/Child Only (AR/CO) cases and will be required only to:

- Report changes **once per year** using required forms during the annual CalWORKs redetermination
- Report any mandatory mid-year changes timely within 10 days

Periodic reports will no longer be required for these AR/CO AUs effective October 2012 and CalWORKs **cannot** be discontinued if a complete periodic report is not provided.

ACL 12-49

### **44-260.A.2 AR/CO Cases**

If there is no aided adult in the AU, the CalWORKs case is **generally** an AR/CO case.

The following are the most common AR/CO case scenarios:

- All adults have timed out (Safety Net case)
- The adult(s) is fleeing felon status, or has been found by a court to be in violation of probation or parole
- The adult(s) does not qualify for CalWORKs due to immigration status
- The adult(s) has refused to cooperate with Social Security Number (SSN) requirements
- The adult(s) is receiving Supplemental Security Income (SSI)
- The adult(s) is a Non-Needy Caretaker Relative
- The adult(s) is sanctioned due to refusal to assign child/spousal support rights
- The adult(s) has been convicted of an Intentional Program Violation (IPV) prior to July 1998
- The adult(s) is a striker and is not eligible to CalWORKs for him/herself
- The adult(s) in the AU is a sponsored non-citizen whose needs are being met by his/her sponsor (CPG 45-000.B)

**Note:** A person convicted in state or federal court, after December 31, 1997, of a drug related felony, is ineligible for CalWORKs from the date of conviction up to March 31, 2015. Effective April 1, 2015, the prohibition from receipt of CalWORKs for individuals has been repealed.

ACL 12-49; 13-28, 14-100, 15-92, ACIN I-02-16

### **44-260.A.3 Non-AR/CO Cases**

Any AU in which an adult is aided is **not** considered to be an AR/CO case and will continue to be subject to periodic reporting requirements.

## County of San Diego, Health and Human Services Agency (HHS) Agency (HHS) Agency (HHS) CalWORKs Program Guide

Annual Reporting (AR) Overview	Number	Page
	44-260.A	2 of 5

The following are **non-AR/CO** case scenarios:

- Cases where the adult(s) is not aided due to Welfare-to-Work (WTW) sanction
- Cases that are subject to a penalty, unless there is no adult in the AU
- Two-parent households where one parent remains aided and included in the AU
- Any case in which optional members have opted to be included in the AU and receive CalWORKs. See CPG 41-500.D for additional information about optional AU members

### FINANCIAL PENALTIES

A penalty results in a reduction to the CalWORKs grant because the needs of the penalized adult are not considered in the benefit determination. The adult who is subject to the penalty **remains** in the AU.

Since the penalized adult is considered to be aided and is still required to comply with WTW requirements unless otherwise exempt, periodic reporting will still be required.

ACL 12-49

### 44-260.A.4 Clarification about Child Support

#### CHILD SUPPORT SANCTION

When a parent/caretaker relative refuses to assign support rights and does not have Good Cause, he/she is not eligible to CalWORKs and is not included in the AU.

#### CHILD SUPPORT PENALTY

When a parent/caretaker relative fails to cooperate with the Local Child Support Agency (LCSA) in establishing paternity and does not have Good Cause, a 25% penalty is imposed against the AU's grant amount and a restriction is placed on the adult's Medi-Cal benefits.

Child Support penalties occur **after** child/support rights have already been assigned (i.e., the Notice and Agreement for Child, Spousal and Medical Support has already been signed and the adult agrees to cooperate with LCSA).

The following table summarizes AR/CO case status when there is noncompliance with CalWORKs Child Support requirements:

When there is a Child Support ...	Then the case is ...
Sanction being imposed	AR/CO
Sanction that is lifted	Not AR/CO
Penalty being imposed	Not AR/CO
Penalty that is lifted	Not AR/CO

See CPG 43-200.C for additional information about Child Support cooperation requirements.

ACL 12-49

**County of San Diego, Health and Human Services Agency (HHS) CalWORKs Program Guide**

<b>Annual Reporting (AR) Overview</b>	<b>Number</b>	<b>Page</b>
	44-260.A	3 of 5

**44-260.A.5 AR/CO and Non-AR/CO Examples**

The following scenarios are examples of AR/CO and non-AR/CO cases:

<b>Example 1: WTW Sanction</b>	
Scenario	HH Comp: Single Dad and his minor child. Dad is currently WTW sanctioned. AU = 1. Only the child is receiving CalWORKs.
Outcome	This is <b>not</b> an AR/CO case. Periodic reports are still required.

<b>Example 2: WTW Sanction and Parole Violation</b>	
Scenario	Same HH Comp as Example 1 (above). AU = 1. Only the child is receiving CalWORKs. Dad is currently WTW sanctioned and then is later found by a court of law to be in violation of his parole.
Outcome	This <b>is</b> now an AR/CO case because of the violation of parole. Periodic reports are no longer required.

<b>Example 3: School Attendance Penalty</b>	
Scenario	HH Comp: Mom and her two school-aged children (ages 13 and 10). AU = 3. All are receiving CalWORKs. Mom fails to comply with CalWORKs school attendance verification requirements. Good Cause does not exist and no other exemption criteria are met.
Outcome	A penalty is imposed against Mom and her needs are no longer considered in the CalWORKs benefit determination. This is <b>not</b> an AR/CO case. Periodic reports are still required.

<b>Example 4: Non-Needy Caretaker Relative and Immunization Penalty</b>	
Scenario	HH Comp: Non-Needy Grandmother and her grandchild (age 4). AU = 1. The grandchild is receiving CalWORKs. Grandmother fails to comply with the CalWORKs immunization requirement. Good Cause does not exist and no other exemption criteria are met.
Outcome	A penalty is entered in CalWIN against the Grandmother but CalWORKs benefits are not decreased since she is not currently aided.

**County of San Diego, Health and Human Services Agency (HHS) CalWORKs Program Guide**

Annual Reporting (AR) Overview	<b>Number</b>	<b>Page</b>
	44-260.A	4 of 5

	This is an AR/CO case. Periodic reports are not required.
--	---

**Example 5: Refusal to Assign Support Rights**

Scenario	<p>HH Comp: Single Dad applying for CalWORKs for himself and his two minor children.</p> <p>Dad signs the <b>Notice and Agreement for Child, Spousal, and Medical Support (CW 2.1)</b> and checks the box for <i>“I refuse to assign child/spousal support rights (cash aid).”</i></p> <p>He does not claim Good Cause.</p> <p>All other CalWORKs eligibility criteria are met and the case is ready to be approved.</p>
Outcome	<p>A Child Support sanction is imposed against Dad due to his refusal to assign support rights.</p> <p>The case is approved for an AU = 2. Only the children are eligible to receive CalWORKs.</p> <p>This is an AR/CO case. Periodic reports are not required.</p>

**Example 6: Refusal to Cooperate with Child Support**

Scenario	<p>HH Comp: Single Mom and her minor child.</p> <p>AU = 2. Both are receiving CalWORKs.</p> <p>The FRC is contacted by the Department of Child Support Services (DCSS) and a <b>Referral to Local Child Support Agency (CW 371)</b> is provided.</p> <p>Mom has failed to respond to several requests for information and did not appear for any appointments scheduled by DCSS.</p> <p>There is no Good Cause or other exemption.</p>
Outcome	<p>A Child Support penalty is imposed against Mom to reduce the CalWORKs grant by 25% and also place a restriction on her Medi-Cal (MC) benefits.</p> <p>This is <b>not</b> an AR/CO case. Periodic reports are still required.</p>

ACL 12-49

**44-260.A.6 Other Cash Assistance Cases**

The following cash assistance cases will **not** be AR/CO cases:

- Refugee Cash Assistance (RCA)
- Entrant Cash Assistance (ECA)
- Trafficking and Crime Victims Assistance Program (TCVAP)\* cash assistance

**County of San Diego, Health and Human Services Agency (HHS)A)  
CalWORKs Program Guide**

<b>Annual Reporting (AR) Overview</b>	<b>Number</b>	<b>Page</b>
	<b>44-260.A</b>	<b>5 of 5</b>

Cash assistance rules for these programs do not allow minor children to be aided without an aided adult. If the adult(s) is discontinued or not eligible, the entire case is discontinued or not eligible unless the minor child is emancipated.

**\*Note:**

TCVAP CalWORKs cases will follow CalWORKs processing guidelines for AR/CO.

ACL 12-49

**Procedure:**

None

**Impacts:**

None

**References:**

- ACL 12-25
- ACL 12-49
- ACL 13-28
- ACL 14-100
- ACL 15-92
- ACIN I-02-16

**Approval for Release:**

March 22, 2016

**Sunset Date:**

This policy will be reviewed for continuance by March 31, 2019.