

January 31, 2012

CalWORKs Program Guide Letter No. 258

Subject **SB 72 UPDATES AND CALWORKS AND WELFARE-TO-WORK DOMESTIC VIOLENCE/ABUSE UPDATES AND CLARIFICATIONS**

Effective Date January 31, 2012

Expiration Date None.

Reference All County Letter (ACL) No. 11-33
[CalWORKs Program Guide \(CPG\) Letter No. 243](#)
All County Informing Notices (ACIN) No. I-02-06

Purpose The purpose of this program letter is to:

- Update section 15-100 C to clarify the Time On Aid Extenders policy based on domestic violence/domestic abuse.
- Update section 15-100 J due to the passage of Senate Bill (SB) 72.
- Incorporate CalWORKs Program Guide 10-011 F. (existing domestic violence/domestic abuse protocols, regulations and allowable program waivers for CalWORKs program applicants and recipients) into CPG 40-100 O.
- Introduce the Domestic Violence/Domestic Abuse Waiver Request Form 07-317 HHSa, Waiver Determination Form 07-318 HHSa that are to be used when serving CalWORKs applicants and recipients who are past or present victims of domestic violence/domestic abuse, and 07-319 HHSa - Community Resource Pamphlet.
- Add a section called Domestic Abuse Waivers to clarify existing waivers available.
- Add information about Safe-At-Home as a resource.
- Clarify that individuals identified as victims of domestic violence/domestic abuse do not automatically qualify for program waivers. However, individuals may request a waiver of specific CalWORKs/Welfare-To-Work (WTW) program requirements.

Background

Existing domestic violence/domestic abuse policy emphasizes that

- Identification of individuals who are victims of domestic violence/domestic abuse is critical in order to provide the services individuals need to overcome this barrier to employment and become self-sufficient.
- Every consideration shall be provided to CalWORKs recipients and their families who are past or present victims of domestic abuse/violence in order that they are not placed at further risk of domestic abuse/violence, including strict confidentiality provisions and waiver of program requirements.
- All CalWORKs and WTW staff must adhere to domestic violence/domestic abuse policies and procedures.

Summary of Updates

The following program updates have been made to the CPG online:

CPG Section	Title	Program Updates
15-100 C.	CalWORKs Time Limit Extender Categories	Section updated to: <ul style="list-style-type: none">• Add language regarding domestic violence/domestic abuse extenders
15-100 J.	Required Time On Aid Determinations.	In accordance to SB72 this section updated to: <ul style="list-style-type: none">• Incorporate the appropriate time limit• Modify the references to the CalWIN/MEDS automated systems
10-011 F.	Domestic Abuse Services	Section deleted and incorporated into 40-100 O.
40-100 O.	Domestic Violence/Domestic Abuse Regulations	Section updated to: <ul style="list-style-type: none">• Combine CPG Chapters 10-011 F. and 40-100 O. on domestic violence/ domestic abuse• Introduce Domestic Violence/Domestic Abuse Waiver Request Form, Waiver Determination Form and a community resource pamphlet• Add a section called Domestic Abuse Waivers to highlight existing waivers available• Add information about Safe-At-Home as a resource

Policy changes are noted with highlighted text.

**ACCESS
Impact**

ACCESS agents shall give out appropriate information to the client and send any necessary message to the Human Services Specialist (HSS) and/or Employment Case Manger (ECM) as needed.

**CalFresh
Program
Impact**

For treatment of CalFresh household victim of domestic violence refer to:

- [63-124.2](#) and [63-245.2](#) for exception waiver where a client can receive benefits in two different households for the same month; and to determine eligibility for the woman and children solely on the basis of the income and expenses for which they are responsible as of the date of the interview.
 - [63-155.18](#) and [63-161.2](#) for exception waiver to social security number verification for victims of human trafficking, other serious crimes or non-citizen victims of domestic violence; exemption to work registration requirements for holders of T and U Visas.
 - [63-155.5](#), [63-155.15](#), and [63-156.4](#) for treatment of qualified immigrants, victim of domestic violence.
 - [63-158.3](#) for work registration exemption. Household victim of domestic violence would fall under the qualifying exemption of physically/mentally unfit for employment.
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**Medi-Cal
Program
Impact**

For treatment of Medi-Cal household victim of domestic violence refer to:

- [15.01.01](#) for situations when medical coverage will be considered unavailable due to domestic violence.
 - [15.01.03](#) for situations when Other Health Coverage (OHC) codes must be removed from MEDS for children and adults who have left their homes due to domestic violence caused by another adult in the household that has OHC.
 - [7.3.01](#) for aliens who are battered or subjected to extreme cruelty. They shall be considered qualified aliens and entitled to full scope Medi-Cal benefits under federal law if they meet certain provisions.
 - [MPG Article 4, Section 18. 8](#) for good cause for noncooperation in establishing paternity, medical support payments, or identifying third party liability if he/she feels there is a risk of emotional or physical harm to himself/herself or children.
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**Child Care
Impact**

When Child Care staff identifies the client as a victim of domestic violence/domestic abuse, the worker shall review CalWIN case comments to determine if actions have been taken by the HSS/ECM already. If not, Child Care staff shall follow the referral process stated in the "Required Child Welfare Services (CWS) Referrals" section of [CPG 40-100 O](#).

In addition, the worker shall notify their supervisor, the assigned ECM, and the HSS Child Care liaison to ensure appropriate actions are taken. Child Care staff

shall follow up to ensure the Child Care case adheres to the client's requested method of communication, etc. to ensure the family's safety and confidentiality.

Forms Impact

07-317 HHSa - CalWORKs Welfare-to-Work Domestic Abuse Waiver Request

Domestic abuse/violence victims may be reluctant to disclose information about the abuse due to fear and/or embarrassment. The form 07-317 HHSa (attached) will provide a private mechanism to initiate discussion about the need for services and the possibility for a waiver of some CalWORKs program requirements.

Staff shall provide this request form to all CalWORKs families at the time of application, redetermination and at any time a CalWORKs applicant, recipient, or family member indicates they may be a victim of domestic abuse/violence or when a recipient requests a waiver of program requirements because of domestic abuse/violence. Staff shall provide a copy of a completed 07-317 HHSa to the individual requesting the waiver(s) and a copy must be imaged or filed in the case file, as appropriate.

07-318 HHSa - CalWORKs and Welfare-to-Work Domestic Abuse Waiver Determination

The 07-318 HHSa shall be used to notify the recipient when his/her request for a domestic violence waiver has been approved or denied. The 07-318 HHSa contains the state hearing rights on the back (NA Back 9). A copy must be imaged or filed in the case file, as appropriate.

Staff shall ensure that the form is completed for each type of waiver requested, and that it lists all program requirements that the individual requested to be waived. Also, a NOA shall accompany the determination made on the 07-318 HHSa when it affects the recipient's grant.

07-319 HHSa - San Diego Community Resource Pamphlet

The 07-319 HHSa shall be included in all application and redetermination packets and provided to clients.

The forms have been uploaded in the Xerox Print Center and staff can request them directly from the print center using their existing procedure.

Imaging Impact

The forms shall be imaged according to existing procedures.

Due to the fact that the 07-317 HHSa form requires a client's signature, the form

is to be imaged using the *16-128 Miscellaneous Client Written Communication Template*.

The 07-318 HHSa is a Notice of Action, therefore the form shall be imaged using the *16-140 NOA Template*.

Operations Impact

None.

Automation Impact

In order to track Domestic Violence/Domestic Abuse victims, staff shall complete the appropriate windows in CalWIN, as described in [CPG 40-100 O.](#):

- *Collect Domestic Abuse Detail*
 - *Collect Special Indicator Detail* (in the *Collect Individual Demographics Detail* window)
 - *Collect Case Special Indicators*
 - *Maintain Employment Services Participation* (Registration tab)
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QA Impact

Quality Assurance will cite the appropriate error when the regulations cited in the material have not been followed.

Manager Approval



Sylvia Melena
Assistant Deputy Director
Self-Sufficiency Programs
Strategic Planning & Operational Support

Manager Contact

CalWORKs Program

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