

June 28, 2011

## CalWORKs Program Guide (CPG) Letter # 243

**Subject** IMPLEMENTATION OF NEW 48-MONTH TIME LIMIT FOR CALWORKS ADULTS

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**Effective Date** July 01, 2011

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**Reference** All County Letter (ACL) No. 11-33

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**Purpose** The purpose of this letter is to provide Eligibility and Employment staff with instructions regarding the implementation of the new CalWORKs 48-month time limit for aided adults.

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**Background** On March 24, 2011, Governor Brown signed Senate Bill (SB) 72, which reduced the CalWORKs time limit for aided adults from 60 months to 48 months. Therefore, the California Department of Social Services revised Time on Aid (TOA) regulations.

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**Implementation of New CalWORKs 48-Month Time Limit for Aided Adults** Effective July 1, 2011, adults shall only be eligible to receive CalWORKs for a maximum of 48 countable months. This new 48-month CalWORKs time clock replaces the 60-month CalWORKs time clock that was implemented on January 1, 1998.

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**60-Month Federal TANF Limit for Aided Adults** SB 72 does not make any changes to the federal TANF 60-month TOA rules. FRCs shall continue to count all federally non-exempt months of TANF assistance in all states, including California (whether the month was exempted from the CalWORKs time limit or not) toward the federal TANF 60-month TOA limit.

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**Summary of Updates** The following updated sections have been loaded to the CPG online:

CPG Section	Title	Program Updates/Changes
<a href="#">15-100 A.</a>	CalWORKs Time Limits	• Replaced language referring to the 60-month time limit with 48-month time limit, as appropriate.
<a href="#">15-100 B.</a>	Federal and State Cash Aid Time Limit Requirements	
<a href="#">15-100 C.</a>	CalWORKs Time Limit Extender Categories	

<a href="#">15-100 D.</a>	Unable to Maintain Employment or Participate Extension	
<a href="#">15-100 E.</a>	Safety Net Program	
<a href="#">15-100 F.</a>	Exemption Calculation	
<a href="#">15-100 G.</a>	How to Determine Time on Aid	
<a href="#">15-100 H.</a>	CalWIN/TRAC (MEDS) Reports, Windows and Screens	
<a href="#">15-100 I.</a>	Time on Aid Determination Procedures	
<a href="#">40-100 I.</a>	Diversion Program	
<a href="#">41-500 E.</a>	Persons Excluded from the Assistance Unit	
<b>Additional CPG Updates:</b>		
CPG Section	Title	Program Updates/Changes
<a href="#">15-100 A.</a>	CalWORKs Time Limits	<ul style="list-style-type: none"> <li>Entered 2010 data regarding Indian Country in San Diego County with unemployment rate of 50% or higher (CalWORKs exemption)</li> <li>Added language regarding Domestic Violence (DV)/Domestic Abuse Good Cause Waivers</li> </ul>
<a href="#">15-100 B.</a>	Federal and State Cash Aid Time Limit Requirements	<ul style="list-style-type: none"> <li>Subsection added regarding TANF implementation dates in other States</li> </ul>
<a href="#">15-100 C.</a>	CalWORKs Time Limit Extender Categories	<ul style="list-style-type: none"> <li>Added language regarding DV/Domestic Abuse extenders, including use of sworn statements as verification of past or present DV/Domestic Abuse</li> <li>Added additional language regarding reinstatement of previously timed out adults</li> </ul>
<a href="#">15-100 E.</a>	Safety Net Program	<ul style="list-style-type: none"> <li>Added language regarding reinstatement of timed out adults whenever exemption criterion is met</li> <li>Updated the <i>Safety Net Cases</i> subsection for user clarification</li> </ul>
<a href="#">15-100 F.</a>	Exemption Calculation	<ul style="list-style-type: none"> <li>Renamed subsections for simplification</li> <li>Revised and/or simplified language to aid users</li> <li>Added a blank Exemption</li> </ul>

		Calculation Grid for users
<a href="#">15-100 G.</a>	How to Determine Time on Aid	<ul style="list-style-type: none"> <li>• Revised and/or simplified language to aid users</li> <li>• Added a <i>TOA Evaluation Examples</i> section to aid users</li> </ul>
<a href="#">15-100 H.</a>	CalWIN/TRAC (MEDS) Reports, Windows and Screens	<ul style="list-style-type: none"> <li>• Added a Table of Contents</li> <li>• Renamed the section with updated terminology</li> <li>• Updated information regarding TOA reports currently in use</li> <li>• Added information regarding CalWIN windows related to TOA</li> <li>• Removed information regarding TOA reports no longer in use</li> <li>• Added a historical section describing previous TOA reports</li> </ul>
<a href="#">15-100 I.</a>	Time on Aid Determination Procedures	<ul style="list-style-type: none"> <li>• Added a Table of Contents</li> <li>• Updated TOA evaluation timeframes</li> <li>• Added information regarding the CalWIN system, as appropriate</li> <li>• Outlined use of communication form 27-341 HHS</li> </ul>
<a href="#">40-100 I.</a>	Diversion Program	<ul style="list-style-type: none"> <li>• Updated the definition of Apparent Eligibility for user clarity</li> <li>• Updated the section regarding CalWORKs application by Diversion recipients</li> </ul>

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**Notification Requirements** From July 1, 2011 through December 31, 2011, FRCs shall provide 30-day Notices of Action (NOAs) to cases that shall be affected by implementation of the new CalWORKs 48-month time limit (by either a grant reduction or discontinuance of aid). This 30-day NOA shall **temporarily** replace the existing 10-day NOA requirement through December 31, 2011. Consistent with 10-day notice provisions, the 30-day notice period shall not include the date of mailing or the date the action shall take effect.

Starting January 1, 2012, adult recipients who are subject to the 48-month time limit shall receive NOAs at the 42nd and the 46th months of aid, notifying them of their TOA. The 48-month decrease or discontinuance NOAs shall be sent 10 days prior to the decrease or discontinuance action in accordance with existing 10-day notice requirements.

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**Overpayment Instructions** Although adults who exhaust their CalWORKs 48-month time limit as of July 1, 2011 shall be discontinued from the case, some of these adults will have reached the CalWORKs 48-month time limit well before this date. FRCs shall not assess TOA-related overpayments for any month(s) in which these adults exceed the CalWORKs 48-month time limit prior to July 1, 2011.

If appropriate action (e.g. timely removal of the adult, grant reduction, or case discontinuance) does not occur or if an FRC is not able to provide a timely 30-day NOA for actions effective on or after July 1, 2011, an Administrative Error Overpayment shall be assessed for all months in which the Assistance Unit (AU) received aid to which they were not entitled.

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**Operations Impact** FRC Management shall ensure that there is sufficient staff dedicated to completion of TOA evaluations during implementation of the new 48-month time limit for aided adults and for required TOA evaluations and time frames.

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**ACCESS Impact** ACCESS Customer Service Agents shall answer caller inquiries regarding the new CalWORKs 48-month time limit based on instructions outlined in this letter and the revised CPG sections in the Summary of Modifications, above. SharePoint requests shall be opened and referred to the appropriate FRC for callers who:

- Request an in-depth TOA evaluation/re-evaluation; or
- Disagree with TOA Notice of Action findings; or
- Have TOA questions that require extensive research.

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**CalFresh** Since the removal of the adult, as a result of the new 48-month time

**Impact** limit, is not considered a failure to comply with program requirements of another “means tested” program, the Safety Net Assistance Units CalFresh benefits shall be recalculated and increased as a result of the reduction in the CalWORKs grant.

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**Medi-Cal Program Impact** FRCs shall continue current practice of determining ongoing Medi-Cal eligibility for timed-out individuals.

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**Automation Impact** No Impact

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**Forms Impact** The following NOAs shall be used to provide notice to recipients affected by the new CalWORKs 48-month time limit for adults:

Action	Name	Purpose	NOA #
Discontinue /Change	CalWORKs 48 Month Time Limit Change Notice	NOA to: <ul style="list-style-type: none"> <li>Discontinue the adult(s) when 48 months of aid have been received; and/or</li> <li>Change benefits for MFG families based on the 48-month time limit.</li> </ul>	M40-107-CalWIN 2
Discontinue	CalWORKs 48 Month Time Limit Discontinuance Notice (Income)	NOA to discontinue the case when 48 months of aid have been received and income exceeds the MAP.	M40-107-CalWIN 4
Discontinue	CalWORKs 48 Month Time Limit Discontinuance Notice (No Eligible Child)	NOA to discontinue the case when 48 months of aid have been received and no eligible child is in the case.	M40-107-CalWIN 5
Partial Approval	48th Month on Aid (Partial Approval)	NOA that approves part of the family and the reason for excluding others in the family.	TEMP M40-107j

The following forms were also updated to reflect the new CalWORKs 48-month time limit for adults:

Form #	Name	Purpose	Location
CW 2184 (4/11)	CalWORKs 48-Month Time Limit	Provides facts regarding the CalWORKs 48- month time limit	In Xerox Print Center for FRCs to order as shelf stock
CW 2187 (4/11)	Your CalWORKs 48-Month Time Limit	Used to respond to client inquiries regarding their 48-month time clock	In CalWIN under Other Correspondence
CW 2186B (4/11)	CalWORKs and Welfare- To-Work Time Limit Exemption Determination	Used to provide determination responses to clients who request an exemption from the CalWORKs 48-month time limit and/or Welfare-to-Work participation, usually using form CW 2186A	In Xerox Print Center for FRCs to order as shelf stock

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**Imaging  
Impact**

Correspondence that is not resident in CalWIN shall be imaged using the 16-137, *TOA Documentation Form*, template.

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**Child Care  
Impact**

Former CalWORKs recipients may be eligible to receive subsidized child care for up to 24 months in Stages 1 and 2 after leaving CalWORKs. A former recipient may then continue receiving subsidized child care services in Stage 3 as long as they continue to meet eligibility requirements and funding is available.

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**GR Impact**

Adults who become ineligible to CalWORKs due to reaching time limits are not eligible to receive General Relief (GR) benefits until all of the children of the individual on whose behalf aid was received, whether or not currently living in the home with the individual, reach age 18.

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**Appeals  
Impact**

Adults affected by this change in the law are entitled to request a state fair hearing to appeal the action. As of the date of this CPG Letter, the California Department of Social Services (CDSS) State Hearings Division (SHD) is drafting special instructions to be published via an All

County Information Notice (ACIN) to address the handling of these hearing requests and the process for administrative dismissal of cases with no jurisdiction.

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**QC/QA  
Impact**

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

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