

October 31, 2013

CalWORKs Program Guide Letter No. 300

Subject **EXTENDED CALWORKS FOR NON-MINOR DEPENDENTS (NMDs)
– UPDATES AND QUESTIONS & ANSWERS (Q&A)**

Effective Date January 1, 2013

Reference All County Letters (ACLs) 12-27; 12-66; and 13-10; CalWORKs Program Guide Letter No. 260; and CalWORKs AB12 NMD Best Practice Guide (CalWIN)

Purpose To provide Family Resource Center (FRC) staff with:

- Updates and clarification regarding CalWORKs eligibility for eligible foster youth age 18 and over; and
- Operational procedures and automation information for the processing of extended CalWORKs and Medi-Cal benefits.

Background Assembly Bill (AB) 12 established a new category of youth, **Non-Minor Dependents (NMDs)**, who are eligible to receive extended Program became effective **January 1, 2012**. Individuals who were eligible for federal or state foster care or CalWORKs prior to age 18 **remain eligible** to those same programs after age 18, as NMDs, if all other eligibility conditions are met.

The CalWORKs Program Guide (CPG) was updated in 2012 via [CPG Letter No. 260](#) – Extended Foster Care and CalWORKs Eligibility.

AB 1712 changed several state regulations for NMDs regarding CalWORKs Program requirements, including Statewide Fingerprint Imaging System (SFIS), Child Support liability and enforcement, and residency.

Senate Bill (SB) 1013 modified the phase-in timeframes for NMDs who re-enter foster care. NMDs who continuously remain in foster care are eligible to extended benefits under the EFC Program until age 21.

The EFC changes that resulted from AB 1712 and SB 1013 became effective **January 1, 2013**. State guidance for the CalWORKs Program was issued in June 2013. CalWIN functionality for the **CalWORKs AB12 NMD** Program was implemented in late June 2013

Policy Change

Effective **January 1, 2013**, a NMD is:

- Exempt from the CalWORKs SFIS requirement and is no longer required to provide a photo image and fingerprint in order to receive extended benefits;
- Not required to be referred to the Department of Child Support Services (DCSS) for the collection or enforcement of child support;
- Eligible for extended benefits if placed with an approved caretaker relative residing outside of California; and
- Able to reestablish his/her county of residence if he/she moves to a new county, after which Child Welfare Services (CWS) may initiate a transfer in court jurisdiction to that county.

Effective **January 1, 2013**, a NMD may continue to receive benefits up to age 21 if he/she reached age 19 prior to January 1, 2013 and all eligibility requirements have been met.

If the NMD exits EFC during 2013 at age 19 and subsequently turns age 20 while **not** in placement, the NMD will have to wait until 2014 (when the maximum age limit is 21) to re-enter foster care. CWS must reestablish eligibility to EFC based on the youth's circumstances.

Summary of Updates

The following **new** sections have been added to the online CPG:

CPG Section	Title
45-000.A	CalWORKs Non-Minor Dependents (NMDs) Q&A
45-100.A	Processing Extended CalWORKs for Non-Minor Dependents (NMDs)

The following **changes** have been made to existing CPG information:

CPG Section	Title	Program Updates
40-100.T	Extended CalWORKs for Non-Minor Dependents (NMDs)	<ul style="list-style-type: none">• Updated section title• Revised verbiage to clarify, simplify, and update information• Removed information related to CWS procedures (no impact to CalWORKs)• Added references to new NMD Q&A section

		<ul style="list-style-type: none"> • Added references to new NMD Processing Guide section • Added references to new How To #261 for the CalWORKs AB12 NMD Program in CalWIN
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Changes to the CPG are noted with **highlighted text**.

Program Impact

CALFRESH PROGRAM

CalFresh eligibility is based on the entire household composition. The NMD is considered a **boarder** in the caretaker relative’s household as outlined in [CFPG 63-101.7](#).

As a boarder, the NMD **may not** participate in the CalFresh program separately from the rest of the household.

MEDI-CAL PROGRAM

NMDs who receive extended CalWORKs benefits are eligible to receive full-scope Medi-Cal benefits with no share-of-cost (SOC) under the **4N aid code**, per [MPG 5.15.10](#), if eligible under the Former Foster Care Children (FFCC) Program.

Foster care children who previously received CalWORKs benefits as minors under a caretaker relative’s case received full-scope no SOC Medi-Cal benefits under the **4H aid code**.

When a NMD begins to receive extended CalWORKs benefits, the aid code must be changed from **4H** to **4N** without a break in aid.

OTHER PROGRAMS

There is no impact to other programs.

Automation Impact

CalWIN functionality for the **CalWORKs AB12 NMD** program was implemented with Release 33 on June 24, 2013. This is a partially automated, **non-EDBC** program, which requires the CalWORKs AB12 NMD program to be kept in **pending** status in order for monthly benefits to be issued through the Non-System Determined Issuance (NSDI) process.

How To #261 – Process the CalWORKs AB12 NMD Program provides automation information and instructions to CalWORKs eligibility staff regarding required CalWIN entries. How To #261 will be available and posted in the CalWIN Intranet following the issuance of this CPG Letter.

Operational

Impact to FRC staff has been minimal since the January 1, 2012

Impact implementation of the EFC Program for NMDs. Applications for extended CalWORKs will always be initiated via an Intra-Program Transfer (IPT) from CWS. The NMD's eligibility to the EFC Program is determined by the **CWS Social Worker**, not the CalWORKs Human Services Specialist (HSS).

To prevent delays in benefit issuance to the NMD, IPTs from CWS must be processed timely in accordance with procedures outlined in [CPG 45-100.A](#) and required CalWIN entries per How To #261.

Communication between the CWS Social Worker and the CalWORKs HSS is essential to the ongoing maintenance of the CalWORKs AB12 NMD case since a CalWORKs overpayment (OP) may result from untimely action. CWS is responsible for contacting the appropriate FRC when information about the NMD may affect CalWORKs eligibility (i.e., address changes). CWS may use the **Foster Child's Data Record and AFDC-FC Certification (SOC 158A)** to communicate information about the NMD to the CalWORKs HSS; however the SOC 158A is **not** a required form.

Despite the Release 33 updates to CalWIN functionality, the CalWORKs AB12 NMD program requires **manual processing** for the issuance of benefits, creation and adjustments of OP claims, recoupment of benefits via grant reduction, and issuance of Notices of Action (NOAs).

ACCESS Impact Impact to ACCESS staff has been minimal since the January 1, 2012 implementation of the EFC Program for NMDs.

NMDs are responsible for reporting all changes to the **CWS Social Worker**, not to the CalWORKs HSS; however, NMDs may contact the CalWORKs HSS or ACCESS for questions regarding benefit issuance or CalWORKs eligibility for themselves and/or their minor children.

Correspondence and Document Capture Impact When an IPT is initiated by CWS, the following documents must be provided by the CWS Social Worker before CalWORKs benefits are issued to the NMD:

1. Mutual Agreement for Extended Foster Care (SOC 162);
2. Six-Month Certification of Extended Foster Care (SOC 161); and
3. Identification for the NMD

CWS may also provide additional forms to the HSS:

- Foster Child's Data Record and AFDC-FC Certification (SOC 158A)

- Voluntary Re-entry Agreement for Extended Foster Care (SOC 163)

NOTE: The SOC 158A, SOC 161, SOC 162, and SOC 163 are CWS forms; therefore, these forms will never be generated or issued to the NMD by the CalWORKs HSS.

Until the CalWIN Electronic Records Management System (CERMS) is implemented, all forms provided to the HSS by CWS will continue to require the current **16-141 Statement of Facts Certification** template when submitted for document capture.

NOTICES OF ACTION (NOAS)

The following Notices of Action (NOAs) are available for the HSS to manually generate in CalWIN and are not required to be submitted for document capture unless issued outside of CalWIN:

- Approval NOA (NA 1269)
- Denial/Discontinuance NOA (NA 1270)

NOTE: All NMD-related correspondence will be removed from the CalWIN Intranet following the issuance of this CPG Letter.

Quality Control (QC) Impact

QC will cite the appropriate error when instructions in this material are not followed or are followed incorrectly.

Director Approval



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