

**County of San Diego, Health and Human Services Agency (HHSA)
CalFresh Program Guide**

Treatment of Income of Excluded & Non-Household Members

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Background:

The income and deduction of excluded household members will be counted in its entirety, and the entire household's allowable earned income, standard, medical, dependent care, and excess shelter deduction will continue to apply to the remaining household members.

Policy:

63-244. 1 Excluded Members: SSN Disqualified, Ineligible Noncitizen, or those who Fail to Meet ABAWD Work Requirement:

A. Income:

A prorated share of the income of the following household members will be counted as income to the remaining members:

- SSN disqualified, or
- Ineligible noncitizens, or
- Individuals failing to meet ABAWD work requirements.

This share is calculated by first subtracting the allowable exclusions (e.g., legally obligated child support payment) from the excluded member's income and dividing the remaining income evenly among the household members, including the excluded members.

All but the excluded members' share is counted as income for the remaining household members.

Note: The income of SSN disqualified, ABAWD disqualified and ineligible noncitizens shall be prorated prior to gross income test. The pro rata share assigned to the remaining household members is then added to the CalFresh household's total income for the gross income test.

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B. Deductible Expenses:

The earned income deduction will apply to the prorated income earned by the excluded members which is attributed to the household. The household's allowable shelter and dependent care, which are paid in their entirety by the excluded member(s), will be prorated and only the CalFresh eligible member's(s) prorated share will be counted as a deduction.

If the excluded member(s) share(s) allowable shelter and/or dependent care expenses with the CalFresh eligible household; deduct the excluded members' contribution from the applicable expense and the net amount is the CalFresh household's allowable deduction. If the contributed amount cannot be distinguished from the excluded members' share (e.g., pooled income), the expense will be prorated among all members and only the eligible members' share will be counted as the deduction.

C. Eligibility and Benefit Level:

These excluded members will not be included when determining the household size for the purposes of assigning a benefit level to the household; comparing the household's monthly income with the income eligibility standards; or determining the categorical eligibility of the remaining household members.

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63-244.2. Excluded Members: Fleeing Felons or Probation/Parole Violators:

The income of Fleeing Felons or Probation/Parole Violators household member (s) will continue to be counted in its entirety, and the entire household's allowable earned income, standard, medical, dependent care, and excess shelter deduction will continue to apply to the remaining household members.

Note: Effective April 1, 2015, individuals with a prior Drug Felony conviction will no longer be excluded from CalFresh, as long as the individual is in compliance with the terms of his or her probation or parole ([ACL 14-100](#))

63-244.3 Excluded Members: SSI/SSP Recipients or Ineligible Students:

The eligibility and monthly allotment of households containing individuals excluded for being an SSI/SSP recipient or ineligible student, will be determined in accordance with the requirements for non-household members. Refer to [Sections 4-7](#) below:

A. Income:

The Income of the SSI/SSP recipient or ineligible student will not be used in the budget of the CalFresh household.

B. Deductible Expenses:

If the excluded member(s) share(s) allowable shelter CalFresh eligible household; deduct the excluded members' contribution from the applicable expense and the net amount is the CalFresh household's allowable deduction. If the contributed amount cannot be distinguished from the excluded members' share (e.g., pooled income), the expense will be prorated among all members and only the eligible members' share will be counted as the deduction. If the excluded member does not contribute to the expense, the household is allowed the entire expense as the deduction.

C. Eligibility and Benefit Level:

These excluded members will not be included when determining the household size for the purposes of assigning a benefit level to the household; comparing the household's monthly income with the income eligibility standards; or determining the categorical eligibility of the remaining household members.

Note: An SSI/SSP recipient does not qualify the household to these unlimited excess shelter deductions unless the household includes another elderly or disabled household member who is not receiving SSI/SSP.

63-244.4 Notice of Action Timeline Requirement to Discontinue an Excluded Household Member:

A. Excluded For Intentional Program Violation (IPV):

When a household member is excluded because of an IPV disqualification, and the household's allotment is subsequently reduced or terminated, notify the remaining members of their eligibility and monthly allotment at the same time the excluded member is notified of his/her disqualification.

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The household is not entitled to a timely notice but may request a state hearing.

B. Excluded For Work Sanction Or Disqualification:

When a household member is excluded for a work requirement sanction, SSN disqualification, ineligible alien status, conviction of a drug felony, or is a fleeing felon and/or a probation/parole violator, and the household's allotment is subsequently reduced or terminated, issue a notice of action.

The notice will inform the household of the exclusion, the reason for the exclusion, the eligibility and monthly allotment of the remaining members and the actions the household must take to end the disqualification.

63.244.5 Income of Non-Household Member:

The income of non-household members will not be considered available to the household.

Cash payments from the non-household member to the household will be considered income. Vendor payments will be excluded as income.

63-244.6 Combined Household & Non-Household Earned Income:

In situations in which the earned income of one or more household members and the earned income of a non-household member are combined into one wage, the income of the household member(s) will be determined as follows:

- If the household's share can be identified, count that share as earned income to the household.
- If the household's share cannot be identified, prorate the income among all those by whom it was earned and count the household's prorated share as earned income to the household.

63-244.7 Non-Household Member Sharing Expenses:

When a CalFresh eligible household member(s) that lives with and shares allowable shelter, and/or dependent care expenses with a non-household member, deduct the non-household member's contribution from the appropriate expense and the net amount is the CalFresh household's allowable deduction. See [63-238.6](#).

63-244.8 Benefits and Eligibility Determination:

Non-household members will not be included when determining the household's size for the purposes of determining a benefit level to the household, comparing the household's monthly income with the income eligibility standards, or determining the categorical eligibility of the remaining household members.

The non-household member will not be included when determining the household's size for the purpose of assigning a benefit level to the household; or comparing the household's monthly income with the income eligibility standards.

Procedure:

None

Other Programs Impacts:

For CalWORKs regulations refer to [CPG Letter No. 357](#)

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References:

- [ACL No. 14-100](#)
- [CalFresh SN 15-01](#)
- [MPP 63-503.44](#)

Sunset Date:

This policy will be reviewed for continuance on or by 10/31/2018

Release Date:

10/16/2015