

June 6, 2002

GENERAL RELIEF PROGRAM GUIDE LETTER NO. 36

SUBJECT: DENIAL OF GENERAL RELIEF FOR INDIVIDUALS WHO ARE INELIGIBLE TO CALWORKS AND AVAILABILITY OF NONCITIZEN REFERENCE GUIDES

Effective Date: Upon Receipt

1. Purpose

This General Relief Program Guide (GRPG) Letter is to:

- Issue revised pages of chapter 90-100, incorporating GRPG Special Notice 98-09, Addendum A; and
- Notify staff of the availability of Noncitizen Reference Guides.

2. Background

A county ordinance, adopted on February 10, 1998 (4), prohibited GR benefits for individuals who:

- Had been convicted of a felony committed after August 22, 1996 for possession, use or distribution of illegal drugs; or
- Were ineligible to CalWORKs because of time limits, sanctions or penalties.

On October 25, 2001, a lawsuit (Luis Arenas v. San Diego County Board of Supervisors) on this policy was resolved. The court invalidated the part of the county ordinance that bars all convicted drug felons from receiving GR benefits. San Diego County Administrative Code Section 257.1 was amended to reflect this change and became effective April 12, 2002.

Noncitizen Reference Guides were issued in July and October of 2000 for Food Stamps and CalWORKs. These guides contain an explanation of the various categories of noncitizens, Immigration and Naturalization Service (INS) codes and documents, which may be helpful to GR staff.

3. Policy

Deny GR benefits for individuals who are ineligible to CalWORKs because of:

- Drug-related felony convictions on or after December 31, 1997, per San Diego County Administrative Code Section 257.1; or
- CalWORKs time limits, sanctions or penalties, per San Diego County Administrative Code Section 257.3.

This represents no change from current policy, as stated in GRPG Special Notice 98-09, Addendum A, which implemented the lawsuit changes prior to revising the ordinance.

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4. Changes

Section	Change
90-100.1.F.	Adds requirement to clear for CalWORKs denial or discontinuance codes 161 and 066.
90-101.4.B.	Adds instructions for denial of GR for individuals who are ineligible to CalWORKs because of drug-related felony convictions, CalWORKs time limits, sanctions or penalties.
90-101.4.D. and 90-101.4.E.	Changes letters C. and D. to D. and E. to accommodate addition of new section B.
Appendix A	Issues revised Verification Check List, Form 11-74 HHS (Rev. 4/02), changes form 11-44 DSS to form 16-6 HHS and eliminates question #17 about drug felony convictions.
Appendix J	Adds list of CDS screens to explore for CalWORKs denial, discontinuance, sanction and penalty codes (may be copied for use as a desk aid).
Appendix K	Adds revised Notice of Action 143, GR Person/Case Denied Due to CalWORKs Ineligibility

5. Required Actions

A. Clerical

- Replace the 11-38 HHS Coversheet (6/98) in GR packets with the revised 11-38 HHS Coversheet (Rev. 5/02).
- Upon clearing of GR applications, note on form 16-39 DSS (Clearance Information) any denial/discontinuance codes, including 161 or 066. Attach available screen prints and forward to appropriate staff.

B. Information, Assessment and Referral (IAR)

- Deny GR applicants, using denial/NOA code 143 (Appendix K), if the individual is ineligible for CalWORKs because of a drug-related felony conviction, time limit, sanction or penalty.
- If others are applying on the same application who are not ineligible due to the reasons listed in 5.B., schedule them for GR intakes.

C. Intake/Granted

- Deny GR if the applicant has been denied or discontinued from CalWORKs due to a drug felony conviction, sanction or penalty, using denial/NOA code 143 (Appendix K).
- Grant GR if the applicant has not been denied/discontinued from CalWORKs due to a drug felony conviction, sanction or penalty and is otherwise eligible.
- If an applicant answers "Yes" to question #42 on form 11-38 HHS (6/98) or question #15 on form 11-38R HHS (6/98), regarding drug felony convictions, grant the applicant or continue aid, if otherwise eligible.

6. Notification of Previously Denied Applicants

GR Special Notice 98-09, Addendum A, instructed each Family Resource Center to post a notice to previously denied applicants about the change in policy regarding denial of GR to convicted drug felons. The notice (Attachment A) is to remain posted in the lobby through the end of June 2002.

A notice (Attachment B) to applicants denied or discontinued from GR due to drug felony convictions was mailed in December 2001 to those individuals with addresses (i.e., last known address). No further notice is required.

7. Automation Impact

The following negative action codes and Notices of Action have been deleted from the Case Data System (CDS) NOA Table:

Case Denial (Auto NOA)	Person Denial (Order NOA)	Case Discontinuance (Auto NOA)	Person Discontinuance (Order NOA)
142	142 (NOA 142)	045 * * Mailed automatically	045 (NOA 048)

Notice of Action 143 (Appendix K) was revised 12/01 and the CDS Code and Message Handbook has been updated accordingly.

8. Forms

- The revised Verification Check List (11-74 HHSA , Rev. 4/02) was issued with GRPG Special Notice 02-01, which becomes obsolete with this Guide Letter.
- The 11-38 HHSA Coversheet (Rev. 5/02) in English and Spanish has been revised as follows:

Location	Change
Page 1, No. 1	Applicants are no longer required to provide two forms of identification, if fingerprinting and photographing have been done, per GRPG Special Notice 99-05. The ID provided must be a valid picture ID.
Page 1, No. 6	Addition of reference to statewide fingerprint imaging system (SFIS).
Page 2, No. 12	Omission of last part of statement about drug felony convictions after August 22, 1996 making an individual ineligible for aid.
Page 3, top Legal Aid Info	Addition of zip code for the San Diego office and change of area code for the Oceanside office.

Note: Several other changes were made to correct minor errors and to adjust formatting.

Office Services will print and distribute an initial supply of the revised English and Spanish Form 11-38 HHSA Coversheet (Rev. 5/02) by the end of June. Staff shall use the new forms upon receipt and recycle the old ones. See Attachment C for both the English and Spanish versions of the revised form.

- Copies of the noncitizen reference guides should be available in each district office. If additional copies are needed, contact the GR Program Specialist.

9. Quality Control Impact

Quality Control Desk Audit staff will cite a dollar error if General Relief is granted to persons, who are ineligible to CalWORKs due to drug felony convictions, time limits, sanctions, and/or penalties.

A dollar error will also be cited if an individual has been excluded from a GR case due to a drug felony conviction, for which he/she has not been denied CalWORKs.

10. Filing Instructions

Remove the following pages of Chapter 90-100:	Replace with the following revised pages of Chapter 90-100:
3 and 4	3 and 4
9 through 12	9 through 12
33	33 and blank backing page
Appendix A-1 through A-3	Appendix A-1 through A-3 and blank backing page
Add new Appendices J-1 and K-1	

11. Obsolete Program Material

This obsoletes General Relief Special Notices 98-09, 98-09, Addendum A, and 02-01.

ORIGINAL SIGNED BY:

JEAN VUKOTICH, Assistant Deputy Director
Other Assistance Programs
Policy and Program Support Division

JV:LJ:BP:bp

CERTAIN CONVICTED DRUG FELONS MAY NOW BE ELIGIBLE FOR GENERAL RELIEF

Have you been denied or discontinued from General Relief due to a conviction for a drug-related felony committed after August 22, 1996? If so, you may now be able to get General Relief benefits. The county has changed its policy on this.

However, if you have been denied or discontinued from the CalWORKs Program due to a drug felony conviction after December 31, 1997, you CANNOT receive General Relief.

If you think you may be eligible for General Relief, please apply.

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If you think you may be eligible for General Relief, please apply at one of the offices listed below:

220 S. First Street
El Cajon, CA 92019

1130 10th Avenue
San Diego, CA 92101

5001 73rd Street
San Diego, CA 92115

7947 Mission Center Court
San Diego, Ca 92108

690 Oxford Street, Suite E
Chula Vista, CA 91911

1315 Union Plaza Court
Oceanside, CA 92054