

March 13, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

This letter provides guidance on existing policy and flexibilities available to County Welfare Departments (CWDs), as well expectations for serving communities affected by the statewide outbreak of coronavirus disease 2019 (COVID-19 or novel coronavirus).



KIM JOHNSON
DIRECTOR

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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

March 13, 2020

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JENNIFER HERNANDEZ, Deputy Director
Family Engagement and Empowerment Division

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS), CALFRESH, HOUSING AND HOMELESSNESS PROGRAMS, AND REFUGEE CASH ASSISTANCE (RCA)/REFUGEE SUPPORT SERVICES (RSS): GUIDANCE REGARDING THE STATEWIDE OUTBREAK OF CORONAVIRUS DISEASE 2019 (COVID-19 OR NOVEL CORONAVIRUS)

The purpose of this letter is to provide guidance on existing policy and flexibilities available to County Welfare Departments (CWDs), as well as expectations for serving communities affected by the statewide outbreak of COVID-19, or novel coronavirus. On March 4, 2020, Governor Newsom proclaimed a [State of Emergency](#) in California in response to the global COVID-19 outbreak and the increase in the number of positive cases across the state.

Guidance provided in this letter applies to CalWORKs, CalFresh, Housing and Homelessness Programs, RCA, and RSS. This letter provides guidance to counties based on existing policy and flexibilities that are available to CWDs when processing cases on behalf of individuals affected by the outbreak. In addition, an update on steps that have been taken by the California Department of Social Services (Department) to support counties in their response to COVID-19 is included. The Department will provide CWDs more information as additional guidance is available or additional policy flexibilities are granted.

This guidance is based on what is currently known about the transmission and severity of COVID-19. The Department will update this guidance as needed and as additional information becomes available.

Planning and Preparedness

CWDs should begin assessing their organizational needs and make any necessary changes to ensure readiness for any severe pandemic conditions that could arise. CWDs should also assess their business processes and technology to ensure that systems are capable of functioning under those conditions. CWDs should work within their agency and with county- and state-level pandemic planning authorities to update their relevant emergency response plans.

CWDs must ensure the continuity of and safe access to services during pandemic conditions or periods of social distancing. Should a pandemic be severe or prolonged, there may be an increase in demand for CalFresh, CalWORKs, Homelessness and Housing, RCA, and RSS benefits due to income loss related to illness or unemployment resulting from the pandemic. Consistent with applicable public health guidance, CWDs may also wish to or need to operate with reduced or no face-to-face contact in order to minimize disease transmission.

Gatherings and Social Distancing

On March 11, 2020, the Office of the Governor issued the following [guidance](#) on gathering to help slow the spread of COVID-19:

- Gatherings should be postponed or cancelled across the state until at least the end of March.
- The state's updated policy defines a "gathering" as any event or convening that brings together people in a single room or single space at the same time, such as an auditorium, stadium, arena, large conference room, meeting hall, cafeteria, or any other indoor or outdoor space.
- Large gatherings of 250 people or more should be postponed or cancelled.
- Smaller gatherings that do not allow social distancing of six feet per person should be postponed or cancelled.
- Gatherings of individuals who are at higher risk for severe illness from COVID-19 should be limited to no more than 10 people, while also following social distancing guidelines.

The California Department of Public Health's (CDPH) guidance on social distancing emphasizes the creation of space between individuals who have come together on a one-time or rare basis and who have different travel patterns, such as those coming from multiple countries, states, or counties. For more information on gathering and social distancing, go to the CDPH [website](#).

Mitigation Strategies

The Administration for Children and Families (ACF) has shared the following guidance on efforts to mitigate COVID-19 transmission among communities across the country:

- [Implementation of Mitigation Strategies for Communities for Local COVID-19 Transmission](#) from the Centers for Disease Control and Prevention (CDC), which identifies readily available nonpharmaceutical interventions to help slow the transmission of the virus.
- [Guidance for Preparing Workplaces](#) from the Department of Labor, which provides information to workers and employers on COVID-19.
- [Interim Guidance for Homeless Shelters](#) from the CDC to help plan, prepare and respond to COVID-19.
- [General Preparation Information](#) from the White House Coronavirus Task Force.

CalWORKs

Diversion Services

CWDs are encouraged to explore CalWORKs Diversion eligibility. Diversion payments are designed to address a specific crisis or item of need, and may be appropriate for affected families. Since Diversion payments are short-term, non-recurring benefits, they are not considered Temporary Assistance for Needy Families (TANF) “assistance.” As such, individuals who receive CalWORKs Diversion payments are not subject to federal requirements for individuals receiving TANF assistance, including child support assignment and work requirements. However, Diversion payments may impact individuals’ CalWORKs 48-month time limits per MPP Sections [42-302.22](#), [81-215.33](#), and [81-215.5](#).

Eligibility Requirements

While all CalWORKs applicants and recipients must meet all conditions of eligibility (including, but not limited to: deprivation, age, residency, immigration status, income, and property limits), given the circumstances, counties should be aware of the following options that exist in the CalWORKs program:

- **Verification documentation:** Acceptable evidence must be obtained concerning the linking and nonlinking factors of eligibility. When such evidence does not exist, the applicant's sworn statement under penalty of perjury will be considered sufficient, except in the areas of verification of U.S. citizenship or immigration status and/or medical verification of pregnancy (MPP section [40-115.22](#)).
- **Photo Identification:** As a condition of eligibility, applicants must present a form of photo identification in person at the time of application. When acceptable

photo identification does not exist, an applicant's sworn statement under penalty of perjury regarding identity shall be considered sufficient; however, the applicant must present their photo identification in person within 15 working days for benefits to be continued. If the applicant presents evidence of good faith efforts to obtain photo identification, the county shall continue aid. (MPP section [40-105.343](#))

- **Residency:** The written statement of the applicant is acceptable to establish their intention to establish residency in California and in the county of application for the foreseeable future.
- **Income:** Reasonably anticipated income is defined as income expected to be available to or received by an applicant/recipient, and available to needy members of the family in meeting their needs during the Payment Period. It is expected that some individuals affected by school/work closures due to COVID-19 will no longer have income that can be reasonably anticipated.

Available CalWORKs Flexibilities

Interviews by telephonic or other electronic means: All CWDs have the option of conducting personal interviews in the CalWORKs program telephonically or by other electronic means. Guidance on this option was first provided in ACL [16-119](#). CWDs who choose this option are required to submit an electronic interviewing plan in writing to the Department. The plan must include a description of how the CWD intends to ensure that applicants whose interviews are conducted telephonically or electronically are provided with the same information as applicants whose interviews are conducted in person.

- Consistent with applicable public health guidance, CWDs may wish to or need to consider implementing electronic/telephonic interviewing in order to limit in-office operations due to COVID-19. CWDs who wish to implement telephonic/electronic interviewing immediately may contact the Department for immediate approval prior to submittal of the plan. Guidance on the plan can be found in [ACIN I-56-18](#).
- CWDs approved to implement telephonic/electronic interviewing as soon as possible will be expected to submit a plan to the Department within one week of implementation, and will be expected to adjust their telephonic/electronic interviewing process based on the Department's feedback on the plan.
- Applicants applying remotely through telephonic or other electronic means who are not known to the SAWS must present their photo identification in person

within 15 working days for benefits to be continued (MPP section [40-105.342](#); however, if the applicant presents evidence of good faith efforts to obtain photo identification, the county shall continue aid. (MPP section [40-105.343](#)). Please also see “County Office Closure Requirements” section below for additional guidance.

Welfare-to-Work Participation (MPP Sections [42-712](#) and [42-713](#))

CWDs may provide existing Welfare-to-Work (WTW) good cause and/or WTW exemptions in response to COVID-19. This includes good cause/exemptions from normal face-to-face WTW participation requirements, such as orientation and the Online CalWORKs Appraisal Tool. Good cause determinations and WTW exemptions should be made on a case-by-case basis. However, as the situation with COVID-19 evolves, counties have the flexibility to implement county-wide policy and procedures for the provision of blanket good cause/exemptions in order to avoid face-to-face interactions and mitigate the impacts of COVID-19. It should be noted that extensive provision of good cause/exemptions could have a negative effect on the work participation rate (WPR); however, per MPP Section [99-100](#), counties are provided relief from any potential pass-on of federal penalties when state participation rules differ from the federal WPR calculation, as well as relief for circumstances beyond the control of the county. Please note that while good cause determinations do not stop the 48- or 60-month time clocks, both good cause and WTW exemptions stop the WTW 24-month time clock (MPP Section [42-708.3](#)).

CalWORKs Child Care

A child care provider may not be reimbursed for child care for days on which the provider is not open to provide services, unless that provider has a paid day of non-operation and can provide documentation that the contractual terms of the provider for services to unsubsidized families require payment for such day(s) of non-operation. The number of reimbursable paid days of non-operation shall be limited to a maximum of ten days per fiscal year per provider (Title 5 California Code of Regulations Section [18076.2](#)).

Reimbursable hours for an eligible alternate provider shall include time that child care services are provided when the regular provider has a paid day of non-operation, and the parent has to obtain an alternate provider to meet the need for care. Payment to an alternate provider when the regular provider has a paid day of non-operation shall be limited to ten days per child per fiscal year (Title 5 California Code of Regulations Section [18076.2](#)). All existing health and safety and background check requirements remain in effect (MPP Section [47-601](#)).

Current regulations require that CWDs pay for child care on behalf of the client when the child is ill or during excused absences for illness or quarantine. These may include

payments to a child care provider who has a policy that child care is on a fixed schedule, regardless of whether the child attends care (MPP Section [47-401.4](#)).

CalFresh

In the event of a declared pandemic, counties will need to deliver CalFresh services under a combination of conditions unlike those of other disasters. Since Disaster CalFresh is intended for natural disasters and is not likely to be approved by the federal government for such a circumstance.

The United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) has posted FNS guidance on human pandemic response and will continue to provide additional updates here: <https://www.fns.usda.gov/disaster/pandemic>.

Existing CalFresh policies and flexibilities that may be employed by CWDs to ensure the continuity of, and safe access to CalFresh during pandemic conditions or periods of social distancing are provided below:

Promote Phone and Online Service

CWDs should promote online, phone, or mail-in applications in place of in-person applications and should conduct as many interviews by phone as possible. Out of office services should be promoted via the CWD's website, social media, and among community-based organizations and other stakeholders. CWDs may also consider updating their Interactive Voice Response (IVR) systems with pre-recorded messages regarding the county's response to COVID-19. In promoting phone service, CWDs should consider whether their call centers are ready to accept the corresponding increase in call volume.

CWDs should fulfill EBT card requests by phone or mail as often as possible. Clients should be directed to the EBT Customer Service line at (877) 328-9677 to request card replacements by mail if CWD offices are closed and to limit in person contact.

Certification Periods and Verifications

CWDs must ensure that existing state policy to grant the maximum allowable certification period based on household type is employed.

CWDs should maximize use of existing databases to complete verifications and/or support clients in the submission of verifications using document imaging or photo upload technology. If a household cannot provide required verifications due to unusual circumstances, self-certification, or a signed and dated written affidavit, can be used in place of the requested documentary verification.

Other Program Requirements

CWDs may exempt households from certain requirements for good cause. Currently, good cause determinations must be made by the CWD on a case-by-case basis.

Per Title 7 of the Code of Federal Regulations (CFR) Section [273.24\(b\)\(2\)](#), CWDs should consider whether it is appropriate to determine that circumstances beyond an individual's control, such as but not limited to, temporary loss of work, illness, or illness of another household member, provide good cause for the individual to not satisfy the Able Bodied Adult Without Dependents (ABAWD) work requirement. If an individual would have worked 20 hours per week but missed some work for good cause, the individual must be considered to have met the work requirement if the absence from work is temporary and the person retains his or her job.

Per MPP Section [63-407.5](#) and 7 CFR Section [273.7\(a\)\(1\)\(vii\)](#), the CWD may also provide good cause, as applicable, for an individual to not satisfy the general CalFresh work registration requirements.

Lastly, the CWD may also provide good cause, as applicable, for an individual to not satisfy other CalFresh requirements as applicable, such as but not limited to timely submission of a required report.

County Operations

If CWD operations are significantly impacted and local conditions do not allow the CWD to maintain normal CalFresh operations, CWDs may consider a request for mutual aid. Mutual aid may include phone based and remote eligibility support. The Department is ready and able to facilitate mutual aid support between counties as needed.

Additional CalFresh Flexibilities

Even without a disaster declaration, the USDA may grant waivers from certain CalFresh program requirements. The FNS is ready and able to explore additional opportunities or flexibilities to help state agencies streamline program administration and support CalFresh access. At this time, the Department has not requested any waivers from program requirements. CWDs may reach out to the CalFresh and Nutrition Branch directly if additional CalFresh flexibilities are needed in response to COVID-19. CWDs should be ready to work in collaboration with the Department to develop appropriate justification and background information to support a request for a waiver of program requirements.

Recommendations for CalWORKs and CalFresh

Public Outreach

CWDs are encouraged to inform households of the continuing availability of CalWORKs, CalFresh, and Homelessness and Housing services and promote online

and phone-based access via the county's website, social media, IVR system, and other avenues.

County Office Closure Requirements

If CWD offices close during regular business hours, they must make it possible for individuals to apply for and receive CalFresh and CalWORKs, including emergency benefits, within the timeframes prescribed by state and federal law. CWDs must also provide notice of their hours of operation, and of the procedures during these hours of closure for applying for and receiving these benefits. CWDs must also:

- Notify the Department of the office closure as soon as possible by calling the CalFresh and Nutrition Branch main line at (916) 651-8047.
 - Be ready to provide the following information:
 - The name and location of the closed CWD office(s)
 - The services normally offered at the closed CWD office(s)
 - The anticipated timeframe, if available, of the closure
 - The name and location of the office nearest the closed office within the county, if operating
 - A county point of contact who can provide more information regarding the status of the office closure(s)
- Greet incoming calls on the main telephone line of the CWD's offices with an announcement informing the caller of the days and hours the office will be closed, procedures for obtaining and filing applications for CalFresh and CalWORKs during the hours of office closure, and procedures for applying for and receiving expedited services, immediate need and homeless assistance benefits.
- Make applications readily available and provide a drop-box, mail slot, or other reasonable means for filing applications. Applications deposited in a drop-box, mail slot, or other reasonable means for filing applications, must be deemed to have been filed on the date of the CWD closure. In the event of an office closure, and the household is denied the opportunity to file an application at no fault of their own, and the CWD does not have evidence to the contrary, the application must be processed, in all respects, as though it was filed on the date of the CWD closure.
- Maintain sufficient staff to accept and act upon all applications and/or maintain a local telephone service with sufficient staff to accept and act upon all applications, as if the requests had been made in person.

- Provide households the opportunity to apply for and receive regular and expedited CalFresh and/or immediate need by maintaining sufficient staff to accept and act upon applications, and/or maintaining a local telephone service with sufficient staff to accept and act upon applications, as if the requests had been made in person at the CWD's office.
- Post notices in prominent locations within the CWD's offices and in the public areas, including the doors immediately outside the CWD's offices, which display:
 - The working days, or the regular eight hours of a working day when the office(s) will be closed.
 - The procedures to obtain and file applications, and the procedures for applying for and receiving expedited CalFresh, immediate need, and homeless assistance benefits.
- For households entitled to expedited CalFresh at initial application, the CWD must make the application and the EBT card available to the recipient either by mail or for pickup at the household's request, no later than the third calendar day following the date the application was filed.

Housing & Homelessness Program

Homeless Service Providers

Counties providing homeless services should reference the guidance released by the [Business, Consumer Services and Housing Agency \(BCSH\)](#) and the [National Alliance to End Homelessness \(NAEH\)](#) on steps that should be taken to address the transmission of COVID-19.

Refugee Programs

Refugee Cash Assistance/Refugee Support Services

Pursuant to the 45 CFR Section [400.66](#), and in accordance with MPP Sections [69-205 through 69-208](#), CWDs should refer to the CalWORKs eligibility section above regarding program flexibility related to eligibility requirements and additional guidance concerning interviews and workforce participation. Any alternative accommodations implemented in the CalWORKs program following this guidance should also be applied to the RCA and RSS programs.

All County Welfare Directors Letter
Page Ten

Additional Sources of Information

For updated information on COVID-19, please visit the [CDPH website](#), where the CDPH continues to post [updated guidance](#).

If you have any questions or need additional guidance regarding the information in this letter, contact the CalFresh and Nutrition Branch at (916) 651-8047, the CalWORKs and Family Resilience Branch at (916) 657-2128, the Housing and Homelessness Branch at (916) 651-5155, or the Refugee Programs Bureau at (916) 654-4356.

Sincerely,

Original Document Signed By:

JENNIFER HERNANDEZ, Deputy Director
Family Engagement and Empowerment Division