

CalFresh Benefits

April 2023

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What is CalFresh?

Supplemental Nutritional Assistance Program (SNAP)

- Monthly allotment issued to a “household” via Electronic Benefit Transfer (EBT) EBT card, to be used only on food. Can be used in grocery stores and participating Farmers Markets.
- Homeless, elderly or disabled persons may purchase prepared meals from participating restaurants with their EBT card. ACL [21-100](#).

Evaluating Eligibility – Overview

Key factors for determining CalFresh eligibility/grant amount:

- Number of people in “household”
- Is anyone in the household “elderly” or “disabled”?
- Household income/resources
- Out-of-pocket medical expenses (elderly/disabled HH only)
- Dependent care expenses (if applicable)
- Child support obligations (if applicable)
- Housing costs (rent, mortgage, utility expense or homeless HH)

What is a Household? (63-402)

A group of individuals who live together and customarily purchase food and/or prepare meals together for home consumption (63-402.1.)

- A household may also be any of the following:
 - An individual living alone;
 - An individual living with others, but customarily purchasing food and preparing meals separately;
 - An “elderly” AND “disabled” individual who purchases/prepares with others but who cannot buy/cook own food because of the disability. Can be a separate household (with spouse) if other HH members are under 165% FPL (63-402.17)

Hearing Tip: Always confirm AU/HH size. They may be different!

Mandatory Household Members

- Parents living with natural, adopted or stepchildren, or children living with natural, adopted, or stepparents.
 - Applies unless the child is 22 years old or older and P&Ps separately or participating in the other parent's CalFresh household. ([63-402.142](#))
- The spouse of any CalFresh household member (includes “holding out” spouses). ([63-402.143](#).)
- Any child under 18 years of age and under the care and control of a household member who is not the child’s legal parent. ([63-402.141](#).) [63-102\(p\)](#): criteria for “under parental control”
 - Exceptions: entered into a valid marriage, is on active duty in the United States armed forces, or has been emancipated by court order. ([63-102\(p\)\(1\)](#))

Custody Disputes (63-402.15)

Generally, whichever parent the child eats the majority of their meals with monthly gets to include the child in their CalFresh household (different from CW rule).

When a child eats an equal number of meals with each parent, the first parent to apply gets to receive CalFresh for the child.

The parents can decide the child's CalFresh household regardless of these rules.

When child in question is already aided in another HH, CWD must investigate ASAP with whom the child shares the majority of his/her meals. ACIN I-21-12

No duplicate participation (same kid aided in both HHs)

Ineligible for CalFresh Benefits – Excluded Household Members

- SSN disqualified – individuals who don't provide or obtain SSN without good cause ([63-402.222](#))
- Ineligible immigrants ([63-402.221](#))
- Probation/parole violators ([63-102\(p\)\(2\)](#); [63-402.224](#); [ACL 15-82](#))
- IPV disqualified ([63-402.223](#))
- Fleeing felons ([63-402.224](#); [ACL 15-82](#))

Excluded Household Members Cont.

- Workfare or work requirement sanctioned, including CW sanctioned, for PACF households ([63-402.225](#), [63-402.228](#))
- Students ages 18-49, with major exceptions ([63-402.227](#), [ACL 17-05](#); [19-32](#); handbook in ACL [20-08](#)) [homework]
- Residents of institutions ([63-402.4](#), [ACL 19-51](#))

Residents of Institutions

([63-402.4](#), [ACL 19-51](#))

Generally: residents of an institution can't get CalFresh if the institution provides them with over 50% of the meals as part of the institution's normal services

- Doesn't matter if the person feels they are not edible, nutritious or appropriate for their diet
- Listed exceptions: Residents of subsidized housing for elderly individuals, substance abuse centers, DV shelters, foster care living arrangement, homeless shelters, and certain Drug Addiction and Alcohol (DAA) Treatment Center ([ACL 19-51](#))

Citizenship and Eligible Non-Citizens

(63-405)

Eligible for CalFresh:

- U.S. citizens (50 states, DC, Puerto Rico, Guam, and the Virgin Islands) + citizens of American Samoa, Swain's Island and the Northern Mariana Islands who live in the U.S.
- “Qualified” non-citizens (63-405.11)
- Some non-qualified non-citizens (63-405.2)
 - Some Hmong and Highland Laotian tribes and their spouses and unmarried children
 - Members of certain border Indian tribes

Citizenship and Eligible Non-Citizens Cont.

- Refugees under § 207 of the Immigration and Nationality Act
 - Some Afghani refugees (ACWDL Dec. 2, 2021)
 - Some Ukrainian refugees (ACWDL 7-6-22)
 - Not an exhaustive list
- See [63-405](#) for full list of eligible non-citizens + verification requirements
- See handout, [USDA non-citizen guide](#) & [ACIN I-102-10](#) (Noncitizen Eligibility Reference Guide)
 - Note: CA provides state-funded California Food Stamp Program (CFAP) benefits for “qualified noncitizens” who are not federally eligible

Sponsored Non-Citizens

([63-405.1, .111](#); [63-503.442](#); [ACL 11-06.](#))

- Eligible non-citizens who were sponsored to come to the U.S. generally must provide information about their sponsor
- Sponsor deeming generally applies (sponsor's income and resources are considered available to the CF applicant/non-citizen)
- Two exceptions:
 - Indigence = “unable to obtain food and shelter.” Defined as household income (including sponsor assistance and in kind support) is below 130% Federal Poverty Level
 - “Opting out” = voluntarily excluded from HH (pro-rata income/deductions – [see slide 41](#))

California Food Assistance Program (CFAP)

- State-funded program that provides equivalent CalFresh benefits to qualified immigrants who are not CalFresh eligible
 - Expansion coming soon!
- County required to evaluate for CFAP if applicant is not eligible based on immigration status
- In general, CalFresh rules apply [63-403.2](#)
- See LSNC program description [here](#) for citations

Residency

([63-401](#); [ACL 15-94](#))

- CA resident
 - To apply in county of residence (county can do courtesy application forwarding)
 - No durational requirement and no requirement of intent to reside permanently in CA
 - Homeless individuals are eligible
- Out-of-State usage and loss of residence ([ACL 15-94](#))
 - The county must first send a Request for Information if recipient is using benefits out-of-state for an extended period of time. See [ACL 15-94](#) for details on the process and when county can terminate benefits

If recipient's whereabouts are unknown, county to follow procedures in [ACL 10-01](#) ¹⁷

Elderly or Disabled Households

([63-102\(e\)\(1\)](#))

“Elderly” = 60 years of age or older

“Disabled” = receives SSA disability/blindness benefits (Title II – SSDI or Title XVI - SSI), or other benefit (see [63-102\(e\)\(1\)](#)) that defines disability criteria as stringent as SSA

Essential information for every CalFresh case – can have a major impact on eligibility, grant allotment calculation

CalFresh – Income

([7 CFR § 273.9](#))

What income counts?

- Earned and unearned income ([63-502](#))
- Income withheld by a program for purposes other than to recoup an overpayment from that same program ([63-502.121](#))
 - Ex: Social Security benefits garnishment for child support or tax debt ([ACIN I-16-03E](#))
- Full amount of a public assistance grant reduced for a sanction (including GA) ([63-502.17](#))
- Moneys legally owed to the household that is paid instead to a third party for a household expense
 - Garnishment or court ordered payment made directly to a third party for a non-household expense is exempt ([7 CFR 273.9\(c\)\(1\)\(vii\)\(C\)](#) – see examples)
- See 7 CFR § 273.9 for more on this

What income is excluded?

([63-502.2](#))

- ▶ “In-kind” income – benefits received other than cash (free housing, childcare, food, etc.)
- ▶ Loans (county may require verification)
- ▶ Court-ordered child support payments for child living outside the home ([63-502.2\(p\)](#); [ACL 06-31](#))
- ▶ Tax credits/refunds (includes COVID-19 stimulus payments) ([ACL 13-46](#), [26 U.S.C. § 6409](#); [ACWDL](#), December 31, 2020, [ACWDL](#), April 15, 2020)

Excluded Income Cont.

- ▶ Foster care payments received for foster child who are boarders, and not household members. (7 C.F.R. § [273.1\(b\)\(4\)](#); [63-402.3](#); [63-502.2\(o\)](#).)
- ▶ Benefits recouped as repayment of overpayment by same agency, if no fraud (ex: SSA reduces SSI/SSP to collect overpayment). Only count \$ actually received. (7 C.F.R. § [273.9\(b\)\(5\)\(i\)](#); [63-502.121](#), [ACIN I-22-11](#).)
- ▶ Special financial aid/student income rules

[See LSNC Guide - Things that are Not income](#)

Special Rules for Self-Employment Income

([63-503.4](#))

To evaluate the household's self-employment gross income, must calculate the "net gross income"

- Gross income minus (1) actual cost of producing self-employment income, or (2) Standard self-employment income deduction of 40%

The "net gross" income must be below the gross income limit for household with no elderly/disabled members

- Can change actual/40% choice at SAR or annual recertification
- Certain expenses (though tax deductible) not allowable ([63-503.413\(b\)](#))
- Special instructions on gig economy income ([ACIN I-31-19](#))

Self-Employment Income Example

Carl applies for CalFresh benefits as a HH of 1. He earns \$1,000.00 monthly as a self-employed personal chef. He spends \$250.00 monthly in out-of-pocket business expenses.

Carl's "net gross income" would be either:

- $\$1,000.00 - \250.00 (actual expenses) = $\$750.00$ OR
- $\$1,000.00 - \600.00 (40% standard deduction = $\$400.00$)

Calculating HH Income

Must fall under (1) applicable gross income limit (pre-tax, pre-deductions) and (2) net income limit (after taking allowable deductions)

HH income must be reasonably anticipated to continue throughout the upcoming payment period. ([ACL 12-25](#))

If income fluctuates, only the lowest amount of income can be included.

Income received bi-weekly is multiplied by 2.167, income received weekly is multiplied by 4.33. ([63-509\(a\)\(5\)](#))

Gross Income Eligibility

(ACLs [13-32](#), [14-56](#), [14-56E](#), [15-42](#))

Gross income is based on reasonably anticipated income (ACL 12-25 at 88)

Questions to ask:

- Is the household categorically eligible (Public Assistance CalFresh/PACF)?
- Is the household conferred Modified Categorical Eligibility (MCE)?
- Is there an elderly and/or disabled household member?

More on the following slides

Categorical Eligibility

(63-301.7)

-
- Public Assistance CalFresh (PACF) = Categorical Eligibility (“CE”)
 - Recipients of GA/GR, SSI/SSP or CalWORKs benefits
 - CF presumed because eligibility factors verified by another Public Assistance program
 - No need to verify resources, gross and net income, SSN information, sponsored noncitizen information, or residency.
 - No gross/net income limits (63-409.111, 63-307.72)
 - Non-Assistance CalFresh (NACF) households – are those where the household is not receiving any other form of public assistance.
 - County must verify all eligibility factors (see next slides)

Modified Categorical Eligibility (MCE)

(ACLs [13-32](#), [14-56](#), [14-56E](#), [15-42](#))

Effective July 2014, CalFresh households with gross income up to 200% of the FPL are considered “MCE” if they are issued or have online access to the "Family Planning - PUB 275" brochure ([ACL 14-56](#))

- Impact = households with gross income between 130% and 200% FPL may be entitled to CalFresh benefits if MCE eligible
- For PACF households who lose CW, GR, or Medi-Cal eligibility due to being over resource limit, the county must review case and determine MCE status and CF eligibility.

MCE Exceptions

- The following households cannot be conferred MCE:
 - Household gross income over 200% FPL (no gross income limit for elderly or disabled HHs) *most common*
 - HH member disqualified due to intentional program violation (IPV)
 - Work sanctioned head of household
 - Drug felon if before 4/1/15 (old rule)

MCE – What happens?

- No other gross income test (not subject to the 130% gross income test) (see next slides)
- No resource limits for MCE HHs
 - Non-MCE households must fall under the resource limit ([See Slide 27](#))
- MCE HHs of 1-2 members get the minimum monthly allotment (currently \$23) even if net income exceeds net income limit/100% FPL (so long as the HH gross income does not exceed 200% of the FPL). (ACLs [13-32](#), [14-56](#))
- MCE households of 3 or more members get the benefit amount for household size on the [Allotment Table](#) (including the shaded gray area) until no amount shows, even if net income exceeds the limit (ACLs [13-32](#), [14-56](#))

130% Gross Income Test

- 130% gross income test for HHs that are not PACF (CW), Elderly/Disabled, or MCE
- In practice:
 - Only MCE-excluded HHs (IPV, sanctioned, drug felon) are subject to the 130% gross income test
 - HHs over the 200% MCE limit will also fail the 130% gross test and will not be eligible for CF

CalFresh Program Income Limits: Summary

- ▶ Public Assistance CalFresh (PACF) Households and Elderly/Disabled (E/D) Households are not subject to the gross/net income limits (63-409.111, 63-307.72)
- ▶ General gross income limits
 - ▶ 200% of FPL for MCE households
 - ▶ 130% gross income test for non-MCE, non-PACF, and non-E/D households
 - ▶ 165% for elderly and disabled seeking separate household status: The household income for the household of the individuals buying/cooking for the E&D member must be less than 165%

Example - Calculating Gross Income

4 person MCE household, not elderly or disabled

\$2,000 monthly earned income + \$500 monthly unemployment (UIB)

Gross income = \$2,000 + \$500 = \$2,500.00

3/2023: Max gross income for 4 person MCE HH = \$4,626.00

Meets MCE gross income test because \$2,500.00 is less than \$4,626.00

What Resources Count? ([63-501.3](#))

For HH elderly/disabled + over 200% FPL aka non-MCE HHs - resource limit is \$4,250. If no elderly/disabled HH members and non-MCE – resource limit is \$2,750. ([63-409.12](#), [ACIN I-60-22](#))

- ▶ Real property that is available to support the household
- ▶ Common Excluded Resources
 - ▶ Car
 - ▶ Home
 - ▶ Personal belongings
 - ▶ Non-recurring lump sum = not income. Considered a resource in the month received if not MCE. ([ACIN I-12-19](#))

Income Deductions

([63-503.31](#))

-
- 20% Earned Income Deduction ([63-502.13](#), [63-502.32](#))
 - Always applies unless income not reported (more on OP/OI later)
 - Only applies to earned income (not unearned)
 - Deduct from “net gross” self-employment income (after 40%/actual expenses deduction) [63-503.416\(1\)](#)
 - [Standard Deduction](#) based on household size ([63-502.31](#))
 - Set annually on October 1 by ACIN ([Example](#))
 - Dependent care deductions ([63-502.34](#))
 - Cost of childcare so that a household member can accept or continue employment

Note: there is no \$50/\$100/\$200 disregard for child support received in CF (vs CW) ([ACL 07-31](#))

Medical Expense Deduction

([63-502.33](#); [ACL 17-35](#), [ACL 21-13](#))

- Only applies to elderly or disabled households
- If household has verified out-of-pocket medical expenses between \$35.01 and \$155.00, household gets a standard \$120.00 medical expense deduction (SMD).
 - Must initially verify but no verification required at recertification unless questionable.
- If actual expenses exceed \$155.00, household may take actual expenses minus \$35 if verified.
- Deductible expenses include medication, prescription glasses, cost of care, insurance premiums, transportation, and costs to maintain a service animal.
- Does not include special dietary expenses
- See [ACL 21-13](#) for good overview

Excess Shelter Deduction

([63-502.36](#))

Shelter expenses that exceeds 50% of preliminary net income after applying other deductions.

- Includes rent, mortgage, property taxes, HOA dues [63-502.362 \(c\)](#)
- Max shelter deduction adjusted annually October 1 by ACIN, unless household is elderly or disabled, then can deduct actual excess shelter cost

For example, if a household has \$1,000.00 in income remaining after applying other deductions, and they pay \$800.00 in housing expenses, their shelter deduction would be calculated as follows:

$$\text{\$1,000.00} / 2 = \text{\$500.00 (50\% preliminary net income)}$$

$$\text{\$800.00 rent} - \text{\$500.00} = \text{\$300.00 excess shelter deduction}$$

Excess Shelter Calculation Cont.

A household's excess shelter calculation can also include utilities:

- Standard Utility Allowance (SUA) if household pays for heating/cooling utilities separately from rent/mortgage. Adjusted annually on October 1 by ACIN ([63-502.363\(d\)](#))
- Limited Utility Allowance (LUA)* Household isn't eligible for SUA but pays for 2+ utilities. Adjusted annually on October 1 by ACIN ([63-502.363\(d\)](#))
- TUA (Telephone Utility Allowance)* – not SUA/LUA eligible but pays for phone. (Currently \$18.00) [63-503.362\(e\)](#)

LUA/TUA should almost never be used because of expanded SUA application by SUAS payment ([see SUAS slide](#)) – look out for this issue in hearings

Excess Shelter Example Continued

For example, our household with \$1,000.00 in income remaining after applying other deductions, they pay \$800.00 in housing expenses, and pay for utilities separately from rent, their excess shelter deduction would be calculated as follows:

$$\begin{aligned} \$800.00 \text{ (rent)} + \$560 \text{ (current SUA)} &= \$1,360.00 \text{ total shelter cost} \\ \$1,000.00 / 2 &= \$500.00 \text{ (50\% preliminary net income)} \\ \$1,360.00 \text{ (rent + SUA)} - \$500.00 &= \\ \underline{\$860.00 \text{ excess shelter deduction}} & \end{aligned}$$

Current max shelter deduction = \$624.00 (cap)

If elderly/disabled HH, can use \$860.00 as shelter deduction

State Utility Assistance Subsidy (SUAS)

([ACL 14-66](#))

- County to provide \$20.01 SUAS payments to households
 - that are not eligible for SUA,
 - that are not getting maximum CalFresh allotment for their household size, OR
 - that are not already receiving the maximum shelter deduction (for HHs with no elderly/disabled)
- Households can get SUA if they receive SUAS, starts with month of approval of SUAS
 - ALJ can use SUA (via SUAS) in benefit calculation if HH is eligible, even if county did not correctly issue SUAS payment
 - Restoration of lost benefits for agency error if county doesn't issue SUAS but should have. Depends on request date.
- Cash Benefit – can be restored if expunged (unlike CalFresh)

Homeless Households

- Homeless shelter deduction ([63-502.351](#))
 - Set annually October 1 by ACIN
 - For homeless households w/o free shelter for entire month
- If SUAS and SUA deduction would give HH more benefits than the homeless shelter deduction, then HH should get SUAS and SUA ([ACL 14-66](#))
- Homeless household gets either the Homeless Shelter Deduction OR the SUA – not both! County/ALJ should do the budget calculation for each and use most beneficial option.
- Homeless household can deduct actual costs + claim SUA as excess shelter if verified housing expenses exceed homeless shelter deduction. ([63-502.362\(a\)](#))

Pop Quiz!

Which of these types expenses does not qualify as a CalFresh deduction?

- A. Property Taxes
- B. Car Insurance Payments
- C. Medicare Premium
- D. Rental Payments

Net Monthly Income Example

4 person MCE household, not elderly or disabled (March 2022)

\$2,000 monthly earned income + \$500 monthly unemployment (UIB)

\$250.00 court ordered child support obligation to be paid for someone outside the home

Rent \$1000 + SUA \$487

Example – Net Income Calculation

	March 2022
Gross Earned Income	\$2,000.00
Minus 20% Earned Income Disregard	- \$400.00
Net Earned Income	= \$1,600.00
Minus Standard Deduction (4 people)	- \$184.00
[Subtotal]	\$1,416.00
Minus Child Support	- \$250.00
Net Earned Income	\$1,166.00
Unearned Income (UIB)	+ \$500.00
Total Adjusted Net Income	= \$1,666.00
Total Shelter Cost: (Rent \$1000 + SUA \$487)	\$1,487.00
50% of Adjusted Net Income ($\$1,666.00/2$)	- \$833.00
Excess Shelter Cost	\$654.00
Maximum Shelter Allowance	\$597.00
Allowable Shelter Deduction (Lesser of Excess or Maximum)	\$597.00
Adjusted Net Income	\$1,666.00
Allowable Shelter Deduction	- \$597.00
Net Monthly Income	= \$1,069.00

Net Income Example – Elderly/Disabled

- 4-person household
- \$2,000 earned income + **\$500 SSI/SSP benefits**
- One adult ordered to pay \$250 in monthly child support for a child that lives with the other parent (outside HH)
- Rent = \$1,000/month + pays for utilities
- **Pays \$50.00 in monthly out-of-pocket medical expenses**

- **Note: no gross income test b/c HH is considered disabled (receives SSI/SSP benefits)**

Net Income Calculation – Elderly/Disabled

March 2022

Gross Earned Income	\$2,000.00
Minus 20% Earned Income Disregard	- \$400.00
Net Earned Income	=\$1,600.00
Minus Standard Deduction (4 people)	- \$184.00
[Subtotal]	\$1,416.00
Minus Child Support	-\$250.00
Net Earned Income	\$1,166.00
Unearned Income	+\$500.00
Standard Medical Deduction (expenses between \$35.01 - \$155.00)	-\$120.00
Total Adjusted Net Income	=\$1,546.00
Total Shelter Cost: (Rent \$1000 + SUA \$487)	\$1,487.00
50% of Adjusted Net Income (\$1,546.00/2)	-\$773.00
Excess Shelter Cost	\$714.00
Maximum Shelter Allowance (does not apply to elderly or disabled HH)	\$597.00
Allowable Shelter Deduction (actual)	\$714.00
Adjusted Net Income	\$1,546.00
Allowable Shelter Deduction	-\$714.00
Net Monthly Income	=\$832.00

Monthly Allotment

- Net income is always rounded down for calculations that end in 1 through 49 cents and rounded up for calculations that end in 50 through 99.
- Monthly allotment:
 - Household size + net countable income
 - [Allotment tables](#)
- Examples – household of 4 with net income of \$1,069 – CF Allotment \$514; HH of 4 with net income of \$832 – CalFresh Allotment \$585

Note – all CalFresh households were eligible for the max allotment for their household size under Emergency Allotment rules March 2020 through February 2023 (See [Executive Order Pararegs](#))

CalFresh Calculation with Excluded HH Members (Proration v. No Proration)

Ineligible immigrants and SSN disqualification ([63-502.373\(b\)](#), [63-503.442](#))

- Pro rata share of income of excluded members counts as income to the CalFresh household
- Subtract allowable income exclusions and divide remaining income evenly among all in the household. CalFresh household members' share/percentage count as income
- Apply the 20% earned income deduction after prorating the income
- Prorate rent, dependent care, and other expenses and deduct only the CalFresh household members' share. Never prorate SUA ([63-502.371](#))

Example – Excluded HH Member Immigration Status

CalFresh household of 3 children, 2 adults are ineligible immigrants. One adult has reasonably anticipated monthly income of \$2,817.10 in monthly earnings. Rent is \$965.00

Earnings are pro-rated as follows:

$$\$2,817.10 \div 5 \text{ people} \times 3 \text{ aided members} = \$1,690.26$$

$$\text{HH income} = \$1,690.26^*$$

Rent is pro-rated too:

$$\$965.00 \text{ rent} \div 5 \text{ people} \times 3 \text{ aided members} = \$579.00$$

$$\text{HH rent} = \$579 + \text{SUA}$$

*When calculating net income, subtract 20% earned income deduction from this figure, not \$2,817.10.

Income of Other Types of Excluded Household Members

IPV, workfare, work sanctioned individuals, fleeing felon, parole/probation violators ([63-502.373\(a\)](#), [63-503.441](#)) – no proration

- Entire income and resources are considered for CalFresh household
- Entire rent and utilities are considered for CalFresh household's net income calculation
- Ineligible Students ([63-502.373\(c\)](#), [63-503.443](#))
 - Income from excluded student does not count toward HH
 - Deductible expenses are pro-rated unless the student's portion can be easily separated out.
Reminder – SUA is never pro-rated.

[Handy LSNC chart](#)

Calculation Sample

- Oliver is an eligible immigrant, in a household of 4, applying November 1, 2019. He earns \$1500 a month. His wife has a pending disability application but cannot work or care for the children. The family also receives \$878 in CalWORKs. Oliver pays \$250 in child support. Their rent is \$2,000 and they qualify for a SUA. The Maximum Shelter deduction is \$569; the SUA is \$432
 - What if Oliver was an ineligible immigrant and didn't pay child support?
 - What if Olivier was an eligible immigrant, but was on an IPV(Intentional Program Violation) sanction?

Calculation Sheet – Oliver eligible immigrant

Nov. 2019

Gross Earned Income	\$1,500.00
Minus 20% Earned Income Disregard	- \$300.00
Net Earned Income	\$1,200.00
Minus Standard Deduction for HH of 4	- \$178.00
[Subtotal]	\$1,022.00
Minus Child Support	- \$250.00
Net Earned Income	\$ 772.00
Plus Unearned income	+ \$ 878.00
Total Adjusted Net Income	\$1,650.00
Total Shelter Cost: (Rent \$2000 + SUA \$432)	\$2,432.00
50% of Adjusted Net Income (1650/2)	- \$825.00
Excess Shelter Cost	\$1,607.00
Maximum Shelter Deduction	\$569.00
Allowable Shelter Deduction (Lesser of Excess or Max)	\$569.00
Net Monthly Income (\$1,650 – \$569, rounded)	\$1,081.00
Household Size	4
Allotment	\$321.00

Calculation Sheet – Oliver Ineligible Immigrant

	Nov. 2019
Gross Earned Income	\$1,500.00
Net Earned Income (prorated: total income \$1,500/4 (number of family members) x 3 eligible HH members)	\$1,125.00
Minus 20% Earned Income Disregard	-\$225.00
Plus Unearned Income	+ \$878.00
Minus Standard Deduction	-\$167.00
Total Adjusted Net Income	\$1,611.00
Total Shelter Cost: (Prorated Rent \$2000/4 x 3 = \$1,500 + SUA \$432)	\$1,932.00
50% of Adjusted Net Income (1611/2)	- \$805.50
Excess Shelter Cost	\$1,126.50
Maximum Shelter Deduction	\$569.00
Allowable Shelter Deduction (Lesser of Excess or Maximum)	\$569.00
Net Monthly Income (\$1,611 – \$569, rounded)	\$1,042.00
Household Size	3
Allotment	\$196.00

Calculation Sheet – Oliver IPV Sanctioned

	Nov. 2019
Gross Earned Income	\$1,500.00
Minus 20% Earned Income Disregard	- \$300.00
Net Earned Income	\$1,200.00
Minus Standard Deduction for HH of 3	- \$167.00
[Subtotal]	\$1,033.00
Minus Child Support	- \$250.00
Net Earned Income	\$ 783.00
Plus Unearned income	+ \$ 878.00
Total Adjusted Net Income	\$1,661.00
Total Shelter Cost: (Rent \$2000 + SUA \$432)	\$2,432.00
50% of Adjusted Net Income (1661/2)	- \$830.50
Excess Shelter Cost	\$1,601.50
Maximum Shelter Allowance	\$569.00
Allowable Shelter Deduction (Lesser of Excess or Maximum)	\$569.00
Net Monthly Income (\$1,661 – \$569, rounded)	\$1,092.00
Household Size	3
Allotment	\$181.00

CalFresh Application

- Counties have 30 days to approve/deny application (compare to 45 days in CalWORKs) ([63-301](#))
- 3 key components ([63-300.1](#))
 - Paper/online application
 - Interview
 - Verifications

Application Paperwork (63-300)

- Anyone can apply. No prescreening by county (63-300.21) No verbal denials.
- Must have name, address, signature but does not need to be complete, so long as the form contains the applicant's name and address and is signed by a “responsible member of the household or the household's authorized representative.” (63-300.32)
- Beginning date of aid is date of application.
 - Proration – same concept as CalWORKs proration (63-503.13; 7 C.F.R. § 273.10(1)(ii))

Interview

([63-300.4](#), [ACL 17-80](#))

- Conducted by phone (primarily), in-person at county office, or at applicant's home
 - [63-300.44](#) and [63-300.45](#) have not been updated and still say that interviews must be face-to-face, unless the county waives requirement
- Limited to discussing eligibility issues and county/applicant rights and responsibilities, including reporting and verification requirements

Interview Cont.

- Interview Scheduling ([63-300.46](#))
 - County can't deny application before the 30th day due to missed interview
 - Notice of Missed Interview (NOMI)
 - Tells applicant to contact county to reschedule interview before the 30th day after application
 - If applicant contacts county before the 30th day after application, the county must reschedule the interview
 - If determined eligible after interview, beginning date of aid is application date
 - If misses the second interview, county to send a denial notice after the 30th day

Verifications

([63-300.5](#); [ACIN I-45-11](#); [I-45-11E](#), [ACL 20-48](#), [ACL 20-135](#))

- Prior to determining eligibility for applicant households, county must obtain verification. ([63-300.5\(a\)](#))
- Methods:
 - Documents (i.e. pay stubs, utility bills, a driver's license) [7 C.F.R. § [273.2\(f\)\(4\)\(i\)](#); [63-300.5\(h\)\(1\)](#).]
 - References (“collateral contacts”) - 3rd parties the county calls directly to confirm information provided by the household. Only call when documentation is missing or insufficient. [7 C.F.R. § [273.2\(f\)\(4\)\(ii\)](#); [63-300.5\(h\)\(2\)](#).]
 - Home visits [7 C.F.R. § [273.2\(f\)\(4\)\(iii\)](#); [63-300.5\(h\)\(3\)](#)].
 - County computer systems – Income and Eligibility Verification System (IEVS) [7 C.F.R. §§ [273.2\(f\)\(9\)](#), [272.8](#); [63-300.5\(h\)\(4\)](#), [20-006](#).]

Verifications Cont.

- County is required to use “verification reduction strategies” ([ACIN I-45-11](#))([ACIN I-45-11E](#)), use best available information when verifications are unavailable ([ACL 20-135](#)).
- Counties cannot limit verification to any specific type of documentation. [63-300.5\(h\)\(1\)](#)

(More on verifications in SAR training)

Mandatory Verifications 63-300.5(e)

- Gross nonexempt income
- Immigration status
- Identity (see 63-300.5(e)(3) for acceptable documents)
- Social Security Number (see 63-404 for specifics)
- Residency (rental contract or receipts, bills, etc.)
- Sponsored noncitizen's sponsor's info
- Disability (strictly defined)
- Child support obligations/actual payments
- Medical expenses over \$35.00 (elderly/disabled households) ACL 17-35, ACL 21-13

No Verification Required

Applicant/recipient statement alone is adequate to verify the following categories of information unless “questionable”

- Shelter and utility costs ([ACL 19-86](#))
- Dependent care expenses ([ACL 20-135](#))
- Household size

Missing Verification of Deductions

If household does not submit verification of certain deductible expenses, county must still approve case without the deduction. Cannot be a basis for denial ([ACIN I-33-21](#))

Examples:

- If an applicant reports a monthly medical expense over \$35.00 but does not submit verification, county must process application and determine eligibility without a medical expense deduction.

CalFresh Expedited Service

([63-301](#); [ACL 16-14](#), [16-14E](#); [ACIN I-11-20](#))

If eligible, expedited service CalFresh benefits are issued no later than the 3rd calendar day following the date of application (including Sat and Sun).

Eligibility Criteria:

- Households with less than \$150 in monthly gross income, provided their liquid resources do not exceed \$100, or
- Migrant or seasonal farmworker households who are destitute, provided their liquid resources do not exceed \$100, or
- Households whose combined monthly gross income and liquid resources are less than the household's monthly rent or mortgage, and utilities.

CalFresh Expedited Service Cont.

Same concept as Immediate Need for CalWORKs, but entire first month's CF allotment issued on a fast track (versus \$200.00 advance of first month's grant)

Counties are required to evaluate all applicants for expedited service. [ACL 12 -74](#)

Counties conduct a separate process from determining underlying eligibility

- “Expedited service” interview (separate from application interview)
- Can be denied expedited service and approved for CalFresh
- Cannot delay ES issuance pending verifications

Early Denial Waiver (ACLs [18-64](#), [19-57](#)) – Denying Application Before 30 Days

- Certain counties can deny a CF application ten days after requesting verifications when an applicant fails to provide the required information.
- Check [ACL 19-57](#) for counties covered by waiver
- The waiver is approved through April 30, 2024, and is contingent upon certain requirements (review ACLs)

Determining Eligibility – Changes During Application Time Period

HH's eligibility determined for the month of application is determined based on the circumstances as of the date of interview. ([63-503.11](#); [ACL 12-25](#), p. 88)

- Compare to CalWORKs – duty to report changes in 5 days

Recent job loss at application? [ACL 20-48](#)

- Applicant statement sufficient to verify (unless questionable)
- Income counts in month received, but not RAI for remainder of payment period

For example, Claimant stopped working/received last paycheck on June 10, 2022, and applied for CalFresh on June 13, 2022. Earnings are included in the June 2022 CF budget, but not included as of July 2022.

When an application takes more than 30 days to process ([63-301.4](#))

How to determine beginning date of aid:

“Delayed application processing”

County Delay ([63-301.43](#))

- Must take immediate corrective action
- Beginning date of aid is application date, if eligible

HH Delay ([63-301.42](#))

- Beginning date of aid is no longer the date of application
- County can deny or “pend” the application (per county policy) + send NOA
- Generally, if app is completed within 60 days of denial NOA, aid begins from date app is complete but review rules for individual cases
- 60+ days to complete application, new app required ([63-301.44](#))

Also applies to recertification ([ACL 19-10](#))

CalFresh Certification

([63-504](#); [parareg 216](#); [ACL 17-101](#))

- Once approved for benefits, CalFresh households are certified to receive benefits for a specific period, normally 12 months.
- Exceptions:
 - Elderly Simplified Application Project (ESAP)(36-month certification)
 - Households solely comprised of members who are elderly and/or disabled members, with no earned income ([ACL 17-53](#); [ACL 20-145](#))
 - No annual certification interview
 - Effective 3/2022, Semi-Annual Report (SAR 7) no longer required at 12th and 24th month ([ACL 22-15](#))
 - 24-month certification for households solely comprised of members who are elderly and/or disabled and who have earned income ([ACL 15-90](#), [18-18](#), [18-18E](#))

Certification Cont.

- Must recertify to continue to receive CalFresh – essentially same process as initial application ([63-504.1](#), but see [ACL 15-84](#))
- Counties cannot issue CalFresh past the certification period – no aid paid pending for hearings challenging CalFresh recert terminations ([63-504.1](#))

Annual Recertification

(63-504, ACL 19-10)

- HH must submit recertification application, necessary verifications and participate in a recertification interview
- County must issue notice in 11th month re: need to recertify prior to end of certification period (63-504.25)
 - County must inform the household re verification or action needed to complete recertification
- Recertification application is timely if submitted by the 15th day of the 12th month of the certification period (the 6th month of the 2nd SAR payment period)

Work Requirements

([CalFresh Guide](#); [ACL 19-93](#) Time Limit handbook)

- Register for work at application, and every 12 months after initial registration
 - This is automatic/done by the county
- Participate in CalFresh Employment and Training programs, if mandatorily assigned by the county
 - Can volunteer
- Participate in any non-voluntary assigned workfare program
- Accept a referral or offer of suitable employment
- Sanctions if out of compliance

Able Bodied Adults without Dependents (ABAWDs) ([63-410](#))

- Ages 18 to 50 with no children
- Not disabled
- Can get CalFresh for 3 months in a 3-year period unless exempt or meet work requirements

Time limit currently waived state-wide until October 31, 2024 ([ACL 22-103](#))

Transitional CalFresh Benefits (TCF)

([63-504.13](#), [ACL 03-66](#), [ACIN I-41-10](#))

- ▶ CalWORKs recipients whose CalWORKs benefits are discontinued can get five months of CalFresh benefits at the same level received during the last month of CalWORKs eligibility (adjusted for decrease in income due to loss of CalWORKs)
 - ▶ County to authorize TCF without application
- ▶ When TCF ends, recipient must recertify (apply) for regular CalFresh prior to expiration of TCF benefits from transitional CalFresh to regular CalFresh without a break in aid ([63-504.132\(d\)](#), ACLs [03-66](#), [11-70](#)). Household must submit recertification application.

TCF Cont.

- ▶ No transitional CalFresh benefits for former CalWORKs recipient, who
 - ▶ Moves out of state and is approved for SNAP in another state ([ACIN I-41-10](#))
 - ▶ Loses CalWORKs due to sanction
 - ▶ On Aid Pending appeal of CalWORKs discontinuance are not eligible (discontinuance pending hearing)

CalFresh EBT Theft

REVIEW (same as CW) – Types of EBT theft:

- Theft of physical card
- Electronic theft
 - “Skimming” = using electronic equipment to capture a recipient’s EBT card information and creating a counterfeit replica card
 - “Scamming” = deceiving a recipient into unknowingly giving over their account information and creating a counterfeit replica card
- Electronic theft is very common and we see a lot of these cases!
- Recent common types of skimming: phone calls or text messages impersonating the county threatening to withhold benefits if EBT card number and PIN are not provided

CalFresh EBT Physical Theft

- Recipient must report theft.
- County must immediately deactivate card when reported stolen, and issue new card within 3 business days.
- Funds stolen after card is reported stolen must be replaced.
- Funds stolen from card prior to reported theft cannot be refunded.

[ACIN I-25-03](#)

(Same as CalWORKs rules when physical EBT card is stolen)

CalFresh EBT Electronic Theft

- County must replace lost funds if (1) reported within 10 days of theft, (2) HH completes [EBT 2259](#) within 90 days. ([ACL 21-133](#); ACL 23-13)
 - If theft was scamming, HH must also submit complete EBT 2259A (ACL 23-13)
- County has 10 days to issue benefits
- Theft can be reported either to county or EBT cardholder services (phone # on back of EBT card)

Compare to CalWORKs where theft can be reported any time during 90 day window as long as EBT 2259 completed within 90 days

CalFresh EBT Electronic Theft Cont.

- Limits on EBT electronic theft replacement:
 - Amount of replacement benefits capped at one month's allotment for the household size (compare – no cap in CW)
 - “One month's allotment” includes Emergency Allotment (if applicable) [PRB alert](#)
 - 2 replacements max in a 6-month period.
- Limits do not apply if stolen benefits included CalFresh benefits restored/replaced to the household due to food loss from household misfortune (disaster CF)

CalFresh EBT Theft: Developing the Record – Physical Theft

- Did the Claimant maintain control of their EBT card at the time of the transaction? If not, was it stolen?
- Did someone who knew their PIN number have access to their EBT card?
- When did the Claimant report the EBT card theft to the County? Did the report occur before or after the theft?
- When did the County issue a replacement EBT card? Did any theft occur after the Claimant reported the theft before the County replaced the card?

CalFresh EBT Theft: Developing the Record – Electronic Theft

- For electronic theft, is there a dispute over whether the theft was reported within 10 days?
 - If yes, what evidence to the parties have of the date of report?
 - Note: counties often do not provide evidence of the claimant's report when made to EBT customer service. If the parties disagree on the report date, and the county has no direct evidence of the report, weigh the evidence and consider if the county has met its burden on that issue
- Were any of the benefits stolen Disaster CalFresh (meaning restored/replaced as a result of household misfortune)? **Make sure to investigate this in every electronic theft case***

CalFresh EBT Theft: Developing the Record – Electronic cont.

- Do the parties dispute whether there was skimming/scamming? If yes, consider the evidence and make a finding. Some factors to consider:
 - The location of the disputed transaction(s) compared to where the claimant lives
 - The amount of the transaction(s)/whether they used the full EBT card balance
- Did the Claimant timely submit an EBT 2259? If not, consider:
 - Did the County provide an EBT 2259 to the claimant?
 - Did the County offer assistance with completion?
 - Has the 90-day deadline run to submit the EBT 2259?

Inter-County Transfers (ICT) ACL 17-58

- Inter-County Transfer is when a CalFresh recipient moves from one county to another county.
- The ICT occurs with no redetermination/recertification of eligibility in the new county of residence, unless annual redetermination/recertification is due.
- Note: HHs also receiving CalWORKs may have a mandatory obligation to report address change mid-period

Expungements

([ACL 08-37](#); [7 CFR 274.2\(h\)](#); [16-120.13](#); Notice Req's [ACIN I-38-11](#))

- Expungement = process for removing unused funds from EBT card
- Inactive account: County gets report when no EBT debit activity for 135 days
 - County issues notice that after 180 days, the account will become inaccessible
 - Must use or contact or reapply to reactivate
- Dormant Account: no activity 180+ days
 - Can fix by calling county

Expungement Cont.

- Expunged Account: Benefits removed from an EBT account when they have not been accessed for 274 or more days (Prior to 9/24/22 occurred after 365 days [ACL 22-62](#))
 - CalFresh – this is permanent (unless county error, such as no notice of inactivity or sent notice to wrong address after claimant reported new address) (Compare to CW – can be reissued at AU’s request)
- When a county becomes aware that a household’s CalFresh benefits have become expunged, those benefits must be used to adjust the amount of any existing overissuance claim as soon as administratively feasible. ([§ 16-750](#); [7 C.F.R. § 273.18\(G\)\(ii\)\(c\)](#); [ACL 03-58](#))