

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

Time-on-Aid (TOA)

Number

15-100.A

Page

1 of 7

Revision Date:

June 1, 2022

Background:

The Temporary Assistance to Needy Families (TANF) Program was implemented on November 26, 1996 and began issuing federal TANF funds in December 1996. The TANF program imposed a cumulative 60-Month life time limit on the receipt of cash assistance for all adults and aided minors who are the head of a household or married to a head of household.

California implemented its own qualifying program on January 1, 1998 known as the CalWORKs Program. From January 1, 1998 to June 30, 2011, the CalWORKs Time on Aid (TOA) limit was 60 months. Beginning July 1, 2011, the TOA limit was changed from 60 months to 48 months. Any months of aid received prior to January 1, 1998 from California or any other state, must not count against the CalWORKs time limit.

Purpose:

The purpose of this revision is to provide the changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) TOA limit per Assembly Bill (AB) 79. Effective May 1, 2022, the TOA limit changes from 48 months to 60 months. With this change, adults are eligible to receive a total of 60-Months of CalWORKs cash assistance.

Policy:

TANF 60-Month Limit

The Federal time limit is 60 months in a lifetime for the receipt of cash assistance for all adults and aided minors who are the head of a household or married to a head of household. This is known as the TANF 60-Month time limit. The TANF time limit does not allow extenders but may allow exemptions under certain conditions.

A month will be considered exempt and not count towards the TANF 60-Month time limit if any of the following conditions exist:

- Any month in which a customer living is Indian Country with a 50% or more unemployment rate
- A month in which a customer who repaid a full month of overpayment
- Any month in which a customer who is employed received a Zero Basic Grant (ZBG)
Note: If the customer was unemployed and received supportive services, the months in which supportive services were received will count towards the TANF 60-Month limit.
- Any month in which **only** a nonrecurring short-term benefit is issued (for example: Homeless Assistance)

The TANF 60-Month time limit starts with the date each state implemented a TANF Program. Any TANF assistance received from any state will count towards the TANF 60-Month time limit depending on when the state implemented a TANF Program. For example, California implemented a TANF Program and began using TANF funds as of December 1996. Therefore, any assistance received in California as of December 1996 will count towards the TANF 60-Month time limit. Refer to the Desk Aid – TANF Implementation Date in Other States.

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

Time-on-Aid (TOA)	Number	Page
	15-100.A	2 of 7

Tribal TANF

Tribal TANF provides cash assistance and employment services to Native American families and Alaska Native families. The Native American families can elect to receive aid from CalWORKs or Tribal TANF. However, they cannot receive aid from both programs. The TANF 60-Month time limit also applies to Tribal TANF.

CalWORKs 60-Month Time Limit

Effective May 1, 2022, the CalWORKs TOA limit changes from 48 months to 60 months. The CalWORKs 60-Month time limit only applies to adults. The CalWORKs 60-Month time limit does not apply to children or non-minor dependents.

The month will count towards the CalWORKs 60-Month time limit when the customer received:

- CalWORKs aid in California as of January 1, 1998
- TANF assistance from other states as of January 1, 1998
- Tribal TANF assistance as of January 1, 1998
- A Special Needs payment
- An Immediate Need payment
- Diversion Payment (Refer to CPG 40-100.D Diversion Program for more information)
- CalWORKs aid as an overpayment that exceeded the CalWORKs time limit (For example, the customer was aided beyond 60 months, those months will continue to count towards the time limit until the overpayment is fully paid)

TANF assistance received in California or any other state between September 1, 1996 and December 31, 1997, will not count towards the CalWORKs 60-Month time limit. Also, the months in which the customer received the COVID-19 Good Cause time limit exemption between March 1, 2020 to April 30, 2022 will not count towards the CalWORKs 60-Month time limit.

CalWORKs TOA Exemptions

CalWORKs has time limit exemptions which exempts months from being counted towards the CalWORKs time limit. The customer may request an exemption verbally or in writing. In addition, the customer is not required to request for the exemption if all the required information to grant the exemption is available to the county. Any month in which the following conditions exist (for the adult customer) will be considered exempt and not count towards the CalWORKs 60-Month time limit:

Exemption	Details to Qualify
Disabled	Disability that is expected to last at least 30 days that significantly impairs the customer's ability to be regularly employed or participate in Employment Services (ES).
Advanced Age	The customer is 60 years of age or older.
Caretaking Responsibilities	<ul style="list-style-type: none"> • The customer is providing care for an ill or incapacitated household member which impairs the customer's ability to be regularly employed or to participate in ES activities • The customer is providing care for a dependent child of the court, or a child who has been determined by the County as being at risk for placement in foster care and the caretaking responsibilities are determined by the County to be beyond those considered normal day-to-

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

Time-on-Aid (TOA)	Number	Page
	15-100.A	3 of 7

	<p>day parenting responsibilities</p> <p>Note: The added responsibility must impair the parent or caretaker's ability to be employed on a regular basis or to participate in ES activities.</p> <ul style="list-style-type: none"> • Effective January 1, 2013, a <u>once in a lifetime</u> exemption can be applied for a customer who is providing primary care to a child aged 0 to 23 months
Cal-Learn	<p>This applies to teens who are the head of household or married to the head of household. The teen is eligible for Cal-Learn and is participating (both mandatory and voluntary participants) until they turn age 20 or graduate from high school or its equivalent.</p>
Grant Less than \$10	<ul style="list-style-type: none"> • The customer is not receiving a cash aid payment because the grant amount is less than \$10 or • The customer is receiving a ZBG because their income is exceeding the Maximum Aid Payment (MAP) for their Assistance Unit (AU) size but their income is still within the Tier 2 Income Reporting Threshold (IRT) <p>Note: A ZBG is only applicable to current customers (recipients). The CalWORKs 60-Month time clock will tick in the following ZBG scenarios:</p> <ul style="list-style-type: none"> • The customer received a non-recurring special need payment for the month such as Temporary Homeless Assistance (THA) payments • The CalWORKs grant was reduced below \$10 because of an overpayment recoupment or imposed penalty
Indian Country	<p>Any month in which a customer received CalWORKs while living in Indian Country, as defined by federal law, with an unemployment rate of 50% or higher.</p>
Unaided	<p>The customer is excluded from the AU for reasons other than exceeding the time limit such as being sanctioned or being excluded by law (For example: undocumented).</p>
Child Support	<p>Starting January 1998, any cash aid that is fully reimbursed by child/family support will be deducted from the total months on the CalWORKs time clock. The exemption will be applied to each month of aid beginning with the earliest unreimbursed month and moving forward chronologically as each month's grant is fully reimbursed, whether the month had been previously exempted for any reason or not, including any month(s) exempt because the customer was unaided for any reason including a sanction.</p>
Domestic Violence (Time limit Waiver)	<p>The CalWORKs time limit requirement will be waived for victims of domestic violence if the abuse prevents the customer from obtaining employment or participating in ES activities.</p>
Diversion	<p>Part or all of the diversion period may be exempt; refer to CPG 40-100.D Diversion Program for more information.</p>
Repays a full month overpayment (exception)	<p>The month in which the overpayment was fully repaid will be unticked.</p> <p>Note: Child support recoupment is used to repay aid to the AU and cannot be used to repay CalWORKs overpayments.</p>

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

Time-on-Aid (TOA)	Number	Page
	15-100.A	4 of 7

Historical Exemption	Dates (Newest to Oldest)	Details
COVID-19 Pandemic	Effective July 1, 2021 to April 30, 2022	To qualify, the customer cannot reach or exceed the CalWORKs 48-Month time limit.
COVID-19 Pandemic	Effective March 1, 2020 to June 30, 2021	To qualify, the customer must meet both criteria: <ul style="list-style-type: none"> Has not reach or exceeded their CalWORKs 48-Month time limit Has not exceeded their TANF 60-Month time limit
Young Child (AB X4 4)	Effective August 1, 2009 to December 31, 2012	Parents or caretakers responsible for the primary care of a child 12 through 23 months old, or of two or more children under the age of six were exempt from participating in ES. For two-parent AU, it is the choice of the parents to decide who will receive the exemption. Note: Customers who met the AB X4 4 exemption criteria as of 12/31/2012 were continued to be exempt until they were fully engaged in ES but no later than 01/01/2015.
Lack of Supportive Services	Effective August 1, 2009 to December 31, 2012	Parents or caretakers who had primary responsibility for providing care to a child who is: <ul style="list-style-type: none"> 3-12 months of age and already exempt due to care of a child under 6 months of age or Under 12 weeks and the customer did not meet the temporary young child exemption Note: Customers who received aid in San Diego during this period is not eligible for this exemption because child care services was available.

CalWORKs TOA Extenders

The customer who received a cumulative of 60 months of CalWORKs aid will be removed from the AU. However, the customer may remain on aid beyond the 60-Month limit if they are eligible to a TOA extender. In a two-parent household, each parent, aided stepparent or caretaker relative must meet an extender criterion to be eligible for the extender with the exception of current victims of domestic violence.

The CalWORKs time limit allows the following extenders:

- Over 60 years of age
- Providing care for an ill or incapacitated person in the home
- Non-parent caring for a child at risk of placement in Foster Care
- Disabled: Receiving State Disability Insurance (SDI), Worker's Compensation Temporary Disability Insurance, In-Home Supportive Services (IHSS) Care, or State Supplemental Program (SSP) and the disability impairs their ability to work or participate in ES activities

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

Time-on-Aid (TOA)	Number	Page
	15-100.A	5 of 7

- Unable to maintain employment (see below for details)
- Unaided: The individual is excluded from the AU for reasons other than exceeding the time limit
- Domestic Violence Good Cause Waiver: This extender is not automatically given to all victims of domestic violence and cannot be granted permanently. For the customer to be eligible to the domestic violence waiver, the domestic violence must prevent the customer from obtaining employment or participating in ES activities. If only one adult in a two-parent family meets the domestic violence extender only that person will qualify for the extender. The extender period may be allowed for a maximum of six-months and must not exceed twelve months without a Family Resource Center manager's approval (Refer to CPG 40-100.E – Family Violence Regulations)

Unable to Maintain Employment or Participate Extension

An “Unable to Maintain” extension may be granted when a timed-out customer has a significant impairment that does not meet the ES exemption or waiver requirements but nevertheless limits the customer’s ability to perform the physical or mental functions necessary to maintain employment or participate in ES activities. The customer must have history of employment or full cooperation in the ES activities.

The following criteria are used to establish the history of unable to maintain employment:

1. The customer has not failed to meet satisfactory participation, attendance, and progress requirements, without good cause, as evidenced by the absence of an instance of noncompliance that resulted in an ES financial sanction during the time the customer was a mandatory ES participant
2. The customer has instances of noncompliance that resulted in an ES sanction. However, the customer has also maintained to the best of their ability, a sustained period of ES participation despite the presence of a significant impairment or combination of impairments as determined by one of the following:
 - A Mental Health Assessment
 - A Substance Abuse Assessment
 - A Learning disability or medical problem as determined by a professional whose training qualifies them to determine whether the participant is unable to successfully complete or benefit from a current or proposed activity assignment

Note: The customer may request this extender even if they have been removed from aid for a period of time.

The customer who has reached their 60 months of CalWORKs aid and has undergone a Learning Disability (LD) screening that showed positive indicators for LD, but for whom the assessment results are not yet available, may be extended for 30 days to allow time for the results to be available.

At the end of the 30 days, the extension may be reviewed for one additional extension of 30 days, provided that the delay in completing the assessment is not due to the customer’s failure to follow through.

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

Time-on-Aid (TOA)	Number	Page
	15-100.A	6 of 7

Safety Net Program

Children who remain eligible for CalWORKs shall continue to receive aid under the Safety Net Program when all adults in the AU have been discontinued due to exhausting their CalWORKs time limit.

The following cases are not considered Safety Net cases:

- An AU with two aided adults and only one adult is discontinued from the AU for reaching the time limit
- An AU with parent(s) or caretaker(s) who are excluded from or ineligible to cash assistance because the customer is a convicted drug felon, fleeing felon, Supplemental Security Income (SSI) recipient or non-needy caretaker relative

Note: As of April 1, 2015, CalWORKs Program allowed customers with felony drug convictions to get benefits.

Homeless Assistance (HA)

Certain HA may count towards the CalWORKs and TANF clocks.

- Expanded Temporary Homeless Assistance (Expanded THA) – Only CalWORKs applicants can receive Expanded THA. If the applicant received Expanded THA and is then determined to be ineligible for CalWORKs, the applicant’s CalWORKs or TANF clocks will not tick
- THA under Family Reunification (FR) – The TANF clock does not tick, but the CalWORKs clock does if the customer received THA under the Family Reunification case

Type of HA	Does it count towards...	
	TANF 60-Month time limit?	CalWORKs 60-Month time limit?
THA	No	Yes
Expanded THA	Yes, unless the CalWORKs application is denied	Yes, unless the CalWORKs application is denied
THA through FR	No	Yes

Procedure:

CalWORKs Processing Guide 15-100.A1 – Time on Aid Determination Process

References:

- EAS 40-107(a)(4-5)(A), 42-301, 42-302
- ACL No. 97-65, 98-38, 99-27, 99-90, 99-90E, 14-78, 15-08, 17-01, 18-123, 19-77, 19-112, 20-113, 21-45, 21-45E, 21-89
- ACIN No. I-10-07, I-14-20, I-53-20
- Code of Federal Regulations: Title 45, Subtitle B, Chapter II

Sunset Date:

This policy will be reviewed for continuance by June 30, 2025.

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

Time-on-Aid (TOA)

Number
15-100.A

Page
7 of 7

Approval for Release:

Handwritten signature in blue ink, appearing to read "RW", followed by the date "6-15-22".

Rick Wanne, Director
Self-Sufficiency Services