

**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:

February 1, 2023

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 lifetime 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 clarification on the TANF 60-month and CalWORKs 60-month time limit exception due to issuance of a Zero Basic Grant (ZBG) or Homeless Assistance (HA).

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 in an 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 received a ZBG (unless the customer was unemployed and received supportive services, the months in which supportive services were received while unemployed will count towards the TANF 60-month limit).
- Any month in which **only** non-assistance benefits are received. Non-assistance benefit includes non-recurring short-term benefit (such as HA) and supportive services such as childcare and transportation when provided to families who are employed.

Note: The months will count towards the TANF 60-month time limit when the customer received cash payments, vouchers, and other forms of benefits designed to meet a family's on-going basic needs. Additionally, if the customer was unemployed and received supportive services such as transportation payments, the months in which supportive services were received will count towards the TANF 60-month limit. For examples, refer to Desk Aid – *TANF and CalWORKs Time Limit Examples: Zero Basic Grant and Homeless Assistance*.

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

Time-on-Aid (TOA)

Number

15-100.A

Page

2 of 7

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.

Tribal TANF

Tribal TANF provides cash assistance and employment services to Native American families and Alaska Native families. 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 changed from 48 months to 60 months. The CalWORKs 60-month time limit only applies to customers who received aid as an adult, 18 years of age or older. 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 a time limit exemption 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:

**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

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-day parenting responsibilities. <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	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.
Grant Less than \$10	<p>The case is ZBG and the reason the customer is not receiving a cash aid payment is either due to:</p> <ul style="list-style-type: none"> Their grant is less than \$10 therefore the aid payment is not issued. 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>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 HA payments. The CalWORKs grant was reduced below \$10 because of an overpayment recoupment or imposed penalty. <p>Refer to Desk Aid – <i>TANF and CalWORKs Time Limit Examples: Zero Basic Grant and Homeless Assistance</i>, for more information.</p>
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> <p>Note: CalWORKs Program issues a yearly memo that includes the Indian Country areas that had 50% or higher unemployment rate.</p>
Unaided	The customer is excluded from the AU for reasons other than exceeding

**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

	the time limit such as being sanctioned or being excluded by law (For example: undocumented).
Child Support	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.
Domestic Violence (Time limit Waiver)	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.
Diversion	Part or all of the diversion periods may be exempt; refer to CPG 40-100.D Diversion Program for more information.
Repays a full month overpayment (exception)	The month in which the overpayment was fully repaid will be unticked. Note: Child support recoupment is used to repay aid to the AU and cannot be used to repay CalWORKs overpayments.

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 reached 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, parents can 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 either: <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. Under 12 weeks and the customer did not meet the temporary young child exemption.

**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

		Note: Customers who received aid in San Diego during this period were not eligible for this exemption because childcare services were available.
--	--	---

CalWORKs TOA Extenders

The customer who received a cumulative total 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 extenders for the following individuals:

- 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.
- 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 the customer’s inability 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:

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

Time-on-Aid (TOA)

Number

15-100.A

Page

6 of 7

- A Mental Health Assessment.
- A Substance Abuse Assessment.
- A Learning Disability (LD) 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 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.

Safety Net Program

Children who remain eligible for CalWORKs will 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 receive benefits.

Homeless Assistance

TANF regulations exclude non-recurring, short-term benefits from being defined as receipt of assistance. HA is considered a non-recurring short-term benefit; therefore, all HA benefits do not count towards the TANF 60-month time limit.

The months in which the AU **only received HA** will not count towards the TANF 60-month time limit (For example, if HA was issued when the application was pending, and the application was later denied). The months in which the customer **received cash aid benefits** and HA will count towards their TANF 60-month time limit unless the customer meets a TANF exemption.

The months in which the **case was ZBG and the AU received HA** will not count towards the TANF 60-month limit unless the customer was unemployed and received supportive services, the months in which supportive services were received while unemployed will count towards the TANF 60-month limit.

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

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

Under CalWORKs regulations, all HA benefits are considered non-recurring special needs payments. All special needs payments count towards the CalWORKs 60-month time limit. Therefore, the months in which an AU received HA will count towards the CalWORKs 60-month time limit.

For months in which the AU **received HA and did not receive CalWORKs payment** (because their income being over MAP but within Tier 2 IRT or no payment is issued due to their grant is less than \$10), the months in which HA was received will count towards their CalWORKs 60-month time limit.

For examples, refer to the *TANF and CalWORKs Time Limit Examples: Zero Basic Grant and Homeless Assistance Desk Aid*.

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, I-67-22
- Code of Federal Regulations: Title 45, Subtitle B, Chapter II

Sunset Date:

This policy will be reviewed for continuance by February 28, 2026.

Approval for Release:

Handwritten signature in blue ink, followed by the date "2-23-23" also in blue ink.

Rick Wanne, Director
Self-Sufficiency Services