

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

Application Process

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Revision Date:

March 1, 2022

Background:

State regulations require that assistance be offered in a manner which is consistent with, and helps achieve, basic program purposes, which respect individual rights, and do not violate individual privacy or personal dignity.

Purpose:

The purpose of this revision is to include the changes to the CalWORKs signature requirements for the Statement of Facts (SOF) and the photo identification requirements, per Assembly Bill (AB) 135. Per AB 135 effective July 1, 2021, verbal attestation is acceptable in lieu of written signatures when customers are not able to provide wet signatures or when the Human Services Specialist (HSS) is unable to accept an electronic or telephonic signatures. Also, effective July 1, 2021, in addition to providing photo identification in-person, customers may present photo identification virtually. This section is also being revised to:

- Combine the information from CalWORKs Program Guide (CPG) section 40-100.A – *Case Handling Procedures* into this section
- Renumber this material from 40-100.E to 40-100.A
- Incorporate the guidance on telephonic signatures and related resources
- Reference the use of recorded Rights and Responsibilities during the intake interview

Policy:

Right to Apply/Application for Cash Aid

Any person has the right to apply for aid, either for themselves or on behalf of another by completing an application. If both parents are in the home, both parents must sign all required forms. If the parents are unavailable, a caretaker relative may apply for aid on behalf of the child(ren) by completing and signing the forms. Customers who appear ineligible must still be allowed to complete an application.

The date of application is the later of the date the customer signs the application or the date the county receives the signed application.

Applications are classified as follows:

- **New Application:** The customer has not previously applied for the same aid, in the same county
- **Restoration:** The customer applies for CalWORKs within 12 months of CalWORKs discontinuance in the same county
- **Reapplication:** The customer reapplies for CalWORKs more than 12 months from CalWORKs discontinuance in the same county

Customer Responsibilities

Customers must assume responsibility (within their capabilities) including:

- Completion of all required documents
- Providing required documents or verifications
- Reporting all changes that affect eligibility or grant determination; customers with pending applications must report changes within **five** calendar days of the change

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- Cooperate in quality control reviews

Assisting the Customer

Staff are responsible for:

- Evaluating whether customers are capable of fulfilling their responsibilities
- Assisting customers:
 - To understand their rights and responsibilities in relation to their application for or redetermination of aid. The recorded Rights and Responsibilities will be utilized during the interview and customers will be assisted with any related questions
 - In establishing eligibility
- Retaining an electronic copy of the signed Rights and Responsibilities in the case file. The SAWS 2A SAR is mandatory and required to be signed by the parent/caretaker relative, the other adult (spouse/stepparent) or parent of the aided child(ren) living in the home, as well as by the staff conducting the interview
- Notifying customers in writing via form CW 2200 *Request for Verification* with the information needed to complete the eligibility determination

Statement of Facts (SOF)

The SOF application (SAWS 2 Plus) and Rights and Responsibilities (AR 2 SAR or SAWS 2A SAR) must be completed at intake and annual redetermination and signed by the parent/caretaker relative. The signature page is electronically stored in the case file. If both parents are in the home both parents must sign the forms. A stepparent must also sign the form if they are included in the Assistance Unit (AU).

Effective July 1, 2021, verbal attestation is acceptable in lieu of written signature when either:

- Customers are not able to provide a wet signature
- The HSS is unable to accept an electronic or telephonic signature

Note: Staff must utilize the NICE inContact System when available. Refer to Desk Aid – *How to Complete a Telephonic Form*. When the customer is unable to provide an electronic or telephonic signature, staff must document in case comments that the customer verbally attested to the information provided in the application including all of the following:

- Customer's name
- Date and time of application
- Summary of the information to which the applicant verbally assents
- Customer's response indicating agreement or disagreement (Yes or No)

Following the acceptance of the verbal attestation, the SOF will be mailed to the customer including all other forms used to affirm the customer's belief that specific conditions of eligibility are met. The customer must sign and return the SOF within 30 business days following the date the verbal attestation was accepted in order for the benefits to continue. If the customer fails to submit a signed SOF within 30 working days, the case will be terminated with timely and adequate notice.

When customers are unavailable to participate in the interview process or to sign the application document(s) due to physical or mental conditions, a personal contact, such as a home visit, can be allowed to complete the interview process.

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The SOF must include the following individuals if they are living in the home:

- The applicant child
- All children who are siblings or half siblings of the applicant child(ren)
- Parents of any child listed above
- A pregnant person in a one-person AU (Pregnant Person Only – PPO)
- A caretaker relative, stepparent, California registered domestic partner of a Supplemental Security Income/State Supplemental Payment (SSI/SSP) child's parent, and second parent of an SSI/SSP child when aid is requested

Other people who need to be included:

- A caretaker relative, stepparent, California domestic partner of the child's parent, and second parent of a child who is sanctioned (Employment Services, Intentional Program Violator (IPV), fleeing felon, etc.)
- The senior Parent
- Sponsor of a noncitizen
- Spouses, or California registered domestic partners of people mandatorily included in the family
- Optional people when aid is requested for the optional person

The application will be denied if the required persons are not included on the SOF.

Biological relatives of a child are not required to be included on the SOF when their rights have been relinquished for adoption, or the child has not been adopted but parental rights have been terminated.

Interview Requirement

An interview is required prior to granting aid, including Immediate Need payments. The application interview will be conducted via telephone, unless customers request a face-to-face interview within seven working days from the date of application or within one working day if customers are applying for Immediate Need.

If both parents are in the home, both parents must be interviewed. The interview with each parent can occur separately. A stepparent must attend the interview only if aided as an optional person.

When customers fail to complete the interview (telephone or face-to-face), the application will be denied. Customers denied due to failure to complete the interview will have to re-apply.

Face-to-Face Interview Accommodations

Customers will be accommodated with a face-to-face interview when requested. When any physical or mental condition (or any other circumstance) prevents customers from attending a face-to-face interview in the Family Resource Center, a home visit can be offered. If a home visit is infeasible, an alternative accommodation to meet the customer's need can be arranged. Discretion must be used when determining if an accommodation is necessary. If a request for reasonable accommodation is denied, customers must be reminded of their right to file a complaint of discrimination if they feel they have been discriminated against. Customers can also be reminded of their right to file a non-discriminatory complaint.

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Electronic and Telephonic Signatures

Customers may sign forms electronically and telephonically. Refer to Desk Aid – *How to Complete a Telephonic Form* and to Eligibility Operation Processing Guide – *Telephonic/Electronic Signatures* for more information.

CalFresh Program Information

Customers have the right to apply for CalWORKs and CalFresh benefits at the same time. A single interview for both programs is sufficient and the eligibility rules and benefits available from both programs must be explained.

When customers apply for CalWORKs and they have an active Non-Assistance CalFresh (NACF) case, Public Assistance CalFresh (PACF) eligibility will be evaluated and benefits changed from NACF to PACF. CalFresh benefits cannot be decreased without timely notice. The CalFresh recertification and CalWORKs redetermination must be aligned.

Collection of Ethnicity and Race/Ethnic Origin Data

Customers' provision of ethnicity and race information is voluntary. Self-identification is the preferred method of obtaining ethnic and racial data. When a customer is assisted with the completion of application forms, the question regarding Hispanic or Latino ethnicity will be asked first, followed by race. Customers who declare themselves to be of multi-racial/ethnic origins will have all of their races/ethnicities documented.

When customers decline to identify their ethnicity and/or race, staff will:

- Encourage customers to self-identify any missing Ethnicity and/or Race/Ethnic origin data
- Inform customers that ethnic and race data will be collected through visual observation
- Complete appropriate sections of the application forms, using their best judgment and visual observation to identify which category best applies

Photo Identification Requirement

Effective July 1, 2018, all adult and minor parent applicants must present a form of photo identification in-person to complete the application and eligibility determination process. A child recipient turning 18 must also provide a photo identification if aided beyond age 18, unless they meet the criteria of Non-Minor Dependent (NMD). The photo identification requirement can be delayed until the next Semi-Annual Reporting (SAR) or redetermination, whichever is sooner.

Effective July 1, 2021, in addition to providing photo identification in-person, customers may present photo identification virtually if the virtual method allows staff to view and identify the customer presenting the photo identification. Virtual methods include but are not limited to, electronic computerized, videoconferencing and smartphone application methods such as WebEx, Microsoft Teams, Zoom, or FaceTime. Customers must be allowed to choose the method to present photo identification provided the method is available to staff, and the customer, and meets the above requirement. ID provided virtually meets the photo identification requirement. A copy of the ID is required to be kept on file. If the ID is viewed virtually, the customer must follow up by sending in a copy of the ID or staff may screen capture the ID during the video call if available.

Exceptions to the photo identification requirement:

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- Customers who received CalWORKs, CalFresh, or Medi-Cal prior to July 1, 2018 and have acceptable photo identification imaged are not required to resubmit photo identification unless the evidence of identity is conflicting, inconsistent or incomplete
- A non-needy caretaker relative applying for a relative foster child

If customers have made a good faith effort to obtain photo identification but a third-party agency imposes a fee in order to obtain the photo identification, the county may assist the customers with paying the fee. The county may pay the lowest fee.

The following are examples of acceptable forms of photo identification:

- Driver's License
- Identification from government agency, school, etc.
- Passport
- U.S. Citizenship and Immigration Services (USCIS) documents with photo

Income and Eligibility Verification System (IEVS)

All family members who possess social security numbers must be referred to IEVS at application, but no later than five working days after the SOF is signed. Determination of eligibility will not be delayed pending receipt of IEVS information.

CalWORKs Program Requirements Information

Customers must also be informed of program requirements, including the following:

- Immunization
- School attendance
- Assignment of child/spousal support rights
- Application for and acceptance of all unconditionally available income
- Non-citizen sponsorship

Note: If there is a sponsored non-citizen, the non-citizen must provide their Affidavit of Support (from USCIS) form and the sponsor must provide the required information on the Sponsor's Statement of Facts Income and Resources form. The non-citizen is responsible for ensuring the form is received by the sponsor, and the return of the completed and signed form. Ineligibility of the sponsored non-citizen only will result when customers fail to provide the form when required to do so.

- Employment Services

Treatment of Changes during the Application Process

Any changes reported by the AU during the pending eligibility determination process will be used to make a correct final determination of eligibility and grant amount.

If the change in situation occurs while the application is pending, and the change:

- Results in applicant ineligibility, aid will be denied
- Does not result in ineligibility, but will have an effect on the grant amount, it will be used to determine the correct grant amount for AU
- Makes the customers ineligible at the time of the application, but they will become eligible within 60 days, action will be withheld until the applicant family is eligible; the customer must be notified,

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using the appropriate Notice of Action (NOA), that the application is being held and the date when action will be taken

Refer to Processing Guide 40-100.A3 for further information on the process to follow when changes in a customer's circumstances occur during the application period.

Informational Material

The following informational material will either be given to customers during the application interview, or mailed with the approval/restoration NOA:

- Child Health and Disability Prevention (CHDP)
- Family Planning; Women, Infants, and Children Program (WIC)
- Earned Income Tax Credit (EITC)
- National Voter Registration Act (NVRA)

Promptness Requirement to Determine Eligibility

An eligibility determination must be completed within 45 calendar days from the application date. This includes the gathering of any necessary evidence, approving or denying the application, and mailing the NOA.

The time limit may be extended when completion of the eligibility determination is delayed due to circumstances beyond the control of the agency. The reason for delay must be documented in the case narrative. These circumstances may include:

- Inability on the part of the customer to provide necessary clarification
- Failure or delay of an examining physician to provide all required information
- Application made prior to the date on which the customers meet the eligibility requirements and the 45-day period ends before the customers meet the requirements

Rescind Denial and Withdrawals

A denial will be rescinded and aid will be granted if the customers are otherwise eligible based on the original application when:

- The denial is based solely on the customer's failure to cooperate in providing evidence of eligibility **and**
- The verification needed is received within 30 calendar days from the denial

Note: Customers have 30 calendar days after the denial to provide all the requested verification. A denial will not be rescinded when the customers provide only partial verification. A new application or SOF is not required when a denied application is rescinded for failure to cooperate in providing verification.

Denials will not be rescinded when customers:

- Refuse to cooperate
- Fail to complete the intake interview
- Fail to complete the SOF

An application can be withdrawn only upon a customer's request. The request for withdrawal must be in writing.

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Expanded Subsidized Employment (ESE) Participants

The “Applicant Test” will not be applied when former ESE participants reapply for CalWORKs within three months of when their subsidized employment ended. This policy only applies to former ESE participants who lost their CalWORKs eligibility due to being over the income limit as a result of, their ESE income. Refer to CPG 10-150.A – *Expanded Subsidized Employment (ESE)* and CPG 44-100.K – *Income Eligibility*.

Adding New Members to the AU

All factors will be evaluated in order to determine whether, and when, to add a member to the AU. The evaluation is based on regulations regarding voluntary mid-period changes, and their effect on the CalWORKs grant for the current AU.

Adding Adults and/or Children 16 Years or Older

The SOF for Additional Persons (CW 8) form must be completed by customers when:

- An adult or child, 16 years or older, moves into the home and is required to be in the AU
- Adding an adult (previously unaided father of the newborn) and the newborn in the AU

In addition, the adult must attend an interview and provide all required documentation/verifications.

Adding Children Under 16 Years Old (including newborns)

The SOF to Add a Child under 16 Years form (CW 8A) will be sent to customers for completion and the parent/caretaker relative must:

- Complete and sign the form
- Submit the form to the worker for processing
- Provide all documentation/verifications as required by CalWORKs Program regulations

The adult does not need to attend an interview when a child under 16 years of age is requested to be added in the AU.

Edward v Carlson Court Order Cases

The Edward v Carlson court order allows non-sibling child(ren) to be included in the AU when the non-sibling child(ren) is living in the same household and the caretaker is legally responsible for the non-sibling child(ren).

Procedure:

CalWORKs Processing Guides:

- 40-100.A1 Applications Made by Non-parent Caretaker Relative
- 40-100.A2 Required Forms for Persons Requesting to be Aided in an Existing AU
- 40-100.A3 Treatment of Changes during the Application Process
- 40-100.A4 Telephone Interviews for CalWORKs Applications
- 40-100.A5 Birth Certificate Request, In-Person Identity Verification and Third-Party Payment

References:

- EAS 40-100, 40-103, 40-105, 40-107, 40-109, 40-115-121, 40-126.342, 40-128, 40-131, 40-171.23

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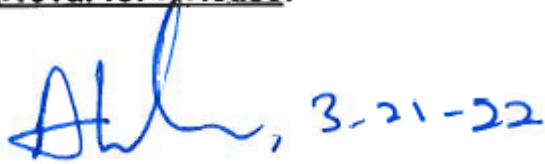
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- ACL No. 92-49, 12-25, 14-57, 15-31, 16-119, 18-68, 20-54, 21-134
- ACIN No. I-15-03, I-66-19
- EPPG 03.11 My Benefits CalWIN
- EPPG 03.12 Reduced DMV Fee Identification Card
- CPG 22-000.B Request for Verification
- CPG 41-500.H Minor Parent Assistance Unit
- CPG 44-270.A Semi-Annual Reporting (SAR)

Sunset Date:

This policy will be reviewed for continuance by March 31, 2025.

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services