

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

Immediate Need

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Revision Date:

May 1, 2022

Background:

Immediate Need (IN) is a cash benefit available to customers applying for CalWORKs, who have apparent eligibility, an emergency situation, and insufficient funds to meet the need. It is an aid payment made, when specific criteria are met, in advance of a completed determination of eligibility for CalWORKs.

Purpose:

The purpose of this revision is to include the changes to the pregnancy verification requirement for CalWORKs IN and for sunset review. This material has been renumbered from CalWORKs Program Guide (CPG) section 40-100.K to CPG section 40-100.B. CPG section 40-100.K becomes obsolete with the issuance of this material.

Policy:

Request for IN

IN can be requested at any time during the application process. A request for an IN payment exists if the customer indicates they have an emergency situation, and the request is made:

- At the time of the CalWORKs application
- By a verbal or written indication after the CalWORKs application has been submitted

Note: The only time staff will complete the IN section of the application or form CW 4 *Immediate Need Payment Request* for the customer is at the customer's specific request. Customers will never be asked to withdraw an IN request.

Timeframe

A determination of eligibility for an IN must be completed no later than the next working day following the IN request. When feasible, the worker must conduct the interview and eligibility determination the same day as the IN payment is requested.

Payment Level

The IN payment is the amount of cash aid to which the family is entitled for the month of application, or \$200, whichever is lesser.

Apparently Eligible

Apparently eligible means that the information provided on the Statement of Facts, and information otherwise available to the county, indicates that the customer would be eligible to CalWORKs if the information were verified.

In order to be apparently eligible:

- A non-citizen customer must provide verification of eligible "non-citizen" status, or show that the "exception criteria" are met
- A Pregnancy Person Only (PPO) customer must provide a sworn statement or verbal attestation if they are unable to provide acceptable medical verification of pregnancy at application. Refer to

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CalWORKs Program Guide (CPG) section 44-100.F Pregnancy Based Assistant Unit for more information regarding acceptable pregnancy verifications

Emergency Situation

The following situations constitute an emergency for IN:

Situation	The Customer:
Lack of Housing	Meets the criteria of homelessness
Pending Eviction	Has received any kind of eviction notice, including a three day notice to pay or quit
Lack of Food	Does not have enough food to sustain the family for three calendar days
Utility Shutoff	Has received any type of notification that utilities, including telephone service, will be shut off
Transportation	Is unable to meet essential transportation needs such as those relating to food, medical care, or job opportunity
Clothing	Lacks essential clothing such as diapers, or clothing needed for inclement weather
Other	Has other emergencies of similar importance to the family's immediate health and safety

Liquid Resources

Liquid resources are defined as exempt and nonexempt items of value, which are immediately available (at the time of the request), reasonably convertible to cash in time to meet the emergency situation and belong to people who would be included in the Assistance Unit (AU). These include cash, negotiable securities, and similar resources. This does not include the cash surrender value of insurance policies, trust deeds, household items and furnishings, personal effects, motor vehicles, or real property.

Excess Liquid Resources

To determine if the customer does not have excess liquid resources, use the following chart:

If The Emergency Situation...	Then Liquid Resources...
Involves transportation	Must be less than the cost of the emergency
Is a pending eviction	Together with income, must be less than the rent owed
Is any other emergency situation	Must be less than \$100

If it is determined that the customer has liquid resources in excess of the amounts listed above at the time of the request, the IN must be denied.

Technical Conditions

Technical conditions for CalWORKs are:

- Verification of, or application for, a Social Security Number (SSN)

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- Application for unconditionally available income (includes Unemployment Insurance Benefits and Disability Insurance Benefits)
- Cooperation with the Local Child Support Agency (LCSA) including signature on the Child/Spousal and Medical Support Notice and Agreement (CW 2.1/CW 2.1Q)

Eligibility Conditions

Eligibility for an IN payment exists if the customer meets **all** of the following conditions:

- Be apparently eligible for CalWORKs
Note: A non-citizen who does not provide verification of non-citizen status is not apparently eligible.
- Has an emergency situation which cannot be addressed by:
 - The issuance of CalFresh
 - Homeless Assistance
- Not have excess liquid resources
- Has complied with the technical conditions of eligibility - The customer must provide verification of any technical condition of eligibility
- Comply with the photo identification requirement, for each member for whom it is required, within 15 working days from the date of receipt of the IN payment

IN for More than One Reason

When the customer indicates on the IN request more than one unmet need, each request will be evaluated and responded to separately. However, only one IN may be granted (IN payment up to \$200).

Examples:

- A. The customer requests IN based on homelessness and lack of essential clothing. However, the customer does not meet the homeless eligibility criterion, but does lack essential clothing. In this situation a denial would be issued for the IN based on homelessness, and the IN request for clothing would be approved, requiring two notices.
- B. Same situation as above, except the IN based on homelessness is approved. The customer would be issued a Homeless Assistance (HA) payment with the HA Notice of Action (NOA) along with the approval of the IN request for homelessness. In addition, the customer would be issued an IN payment (up to \$200) for the request for lack of essential clothing requiring a second approval NOA.

Second IN Request

A family is eligible for a second IN payment if **all** of the following are met:

- The initial IN payment has been issued for an amount less than \$200
- A second request is made
- The customer remains apparently eligible
- The CalWORKs grant has not yet been issued
- The family emergency continues or a new emergency has arisen

Note: The second payment combined with the first IN cannot not exceed \$200.

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Examples:

- A. The customer requests CalWORKs and IN on 12/29/21. A determination is made that the customer is IN eligible and a payment for \$67 is issued. On 01/03/22, the customer requests a second IN payment. A determination is made that the customer meets the criteria and a second IN payment for \$133 is issued. The customer receives a total of \$200 in IN payments.
- B. The customer was issued a \$200 IN payment. The customer then requests a second IN, and is eligible to an IN. Because the customer has already been paid the maximum IN payment, an offer of Expedited Determination of Eligibility (EDE) can be made, or a referral to community resources, or the CalWORKs application can be processed within the 15-day timeframe for the first IN payment, if applicable.

EDE For CalWORKs

- If the emergency situation is an eviction, and the customer is found to be eligible to an IN payment, the customer will be permitted to choose in writing (form CW 43 *CalWORKs Applicant Choice Immediate Need Payment/Expedited Grant*) either the IN payment, or an EDE for CalWORKs, when the customer meets all of the following conditions:
 - Is in receipt of an eviction notice, including a three-day notice to pay or quit
 - Has insufficient funds to pay the rent owed
 - Is currently residing in the home

Before making a decision, the customer will be informed in writing (form CW 2200 *Request for Verification*) of the information and verifications needed to determine eligibility for CalWORKs. The customer's decision will be documented and the CW 43 form will be imaged.

Note: It is not required that an EDE be offered when an IN is issued, unless the customer has an eviction notice, or the customer chooses an EDE in writing.

Issuance of EDE Payment

If eligibility for CalWORKs is verified within three working days from the date of the IN request (all available resources will be used to verify eligibility), the regular aid payment to which the customer is eligible will be issued in lieu of the IN. If the EDE cannot be completed, the IN payment will be issued no later than three working days following the date of the IN request, if the customer is eligible.

IN Ineligibility/Denial

An IN request will be denied and an IN NOA will be issued when:

- The IN emergency is food and the need has been met through the issuance of CalFresh benefits within one working day after the date of the IN request
- The IN emergency is homelessness and a HA payment has been issued by the end of the working day following the date of the IN request
- The customer is not apparently eligible for CalWORKs
- The customer does not have an emergency situation based on all available information
- The customer is eligible to an IN payment based on an eviction and has chosen an EDE for CalWORKs
- The need has been verified as met by a community resource

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- The customer is currently receiving CalWORKs or Refugee Cash Assistance (RCA)
- The IN request was made by an individual being added to an existing AU
- The IN request was made on behalf of a child placed in Foster Care
- The entire AU is currently being sanctioned
- Staff are unable to establish the customer's eligibility in the following circumstances:
 - The customer fails, or refuses, to cooperate with the technical conditions of eligibility - Depending on the condition of eligibility, either the customer or the entire AU may be ineligible
 - The customer fails to keep their interview

15-Day Timeframe

The customer's eligibility for aid must be verified within 15 working days from the receipt of the IN request. This timeframe also applies to an IN request that was denied because the need was met by another public program, private resource, or one when the need was met by the issuance of HA.

When the 15-day timeframe cannot be met, because of circumstances beyond the county's or customer's control, the eligibility verification process will continue. All relevant reasons for the 15-day timeframe not being met will be documented in the case comments.

The amount of aid payment will be the grant amount minus the value of any IN payment issued for that month. The payment must be issued as soon as administratively possible.

IN Overpayment

An IN payment is only an overpayment if the customer was not apparently eligible to CalWORKs when the IN payment was issued. If the AU is ineligible to CalWORKs, after full evaluation of the application, this does not by itself mean that the IN payment is an overpayment.

Unless the AU failed to comply with requirements as detailed above, the IN payment is not an overpayment when the AU is determined ineligible later. Also, a change in circumstances between issuance of IN and full evaluation of the application does not make the IN payment an overpayment unless the customer was not apparently eligible to CalWORKs when the IN payment was issued based on the customer's circumstances at the time the IN payment was issued.

Examples:

- A. An IN payment was issued due to apparent eligibility. The eligibility was based on the customer's statement that they had a pending claim for Workers' Compensation benefits but was told that they would not receive the benefits for two to three months, and the amount was not yet determined. However, the customer had already received their first \$2,000 Workers' Compensation payment when the IN payment was issued, which would have made them ineligible for CalWORKs. The IN is considered an overpayment because they would have been determined ineligible for the IN payment had they reported that they received the \$2,000.
- B. The AU only had one adult when the IN payment was issued. After the IN payment was issued, the AU became ineligible to CalWORKs because of income attributed to an adult who returned to the household before the final determination of CalWORKs eligibility. The IN payment is not considered an overpayment because eligibility was correctly determined due to the customer was eligible to the IN payment when it was issued.

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Procedure:

Refer to CalWORKs Processing Guide 40-100.B Immediate Needs Procedures.

References:

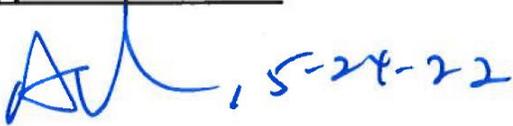
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Sunset Date:

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

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services