

**County of San Diego, Health and Human Services Agency (HHS) (HSA)
CalWORKs Special Notice**

CalWORKs Time-On-Aid 60-Months Implementation

Number

22-02

Page

1 of 4

Effective Date:

May 1, 2022

Background:

California implemented the California Work Opportunity and Responsibility to Kids Program (CalWORKs) on January 1, 1998. The CalWORKs Program established a life time limit on the receipt of cash assistance for all adults. 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 to 48-months. Any months of aid received prior to January 1, 1998 from California or any other state, do not count toward the CalWORKs time limit.

Purpose:

The purpose of this Special Notice is to provide guidance to implement the provision in Assembly Bill (AB) 79 that extends the CalWORKs time limit from 48-months to 60-months and AB 135 that provides temporary CalWORKs policies and policy waivers to implement a temporary mid-period county-initiated change as a result of the 60-month time limit.

Policy:

Effective May 1, 2022, adults will be eligible to receive CalWORKs for a maximum of 60 countable months. This 60-month CalWORKs time limit replaces the 48-month CalWORKs time limit.

Customers who meet the following conditions will be added automatically to their respective Assistance Unit (AU):

- Living in the home with an existing CalWORKs AU, but currently are not being aided solely due to reaching the 48-month CalWORKs time limit.
- Mandatorily included filing unit member and are included on the most recent Statement of Facts.
- Joining an existing AU mid-period because of the 60-month time limit waiver.
- They have not exhausted their CalWORKs 60-month time limit.

Customers who meet these conditions are referred to as “formerly timed-out household members.” Timed-out customers who are optional household members or new household members are not considered “formerly timed-out household members” and they must request to be added to the AU.

Note: Refer to the Procedure section of this material for more information regarding the automated process.

Optional Household Members or New Household Members

There is no change in the policy of adding optional household members or new household members. They will not be added automatically and must request to be added to the AU. The request must be documented in the case record.

Optional household members, including stepparents, registered domestic partners and needy caretaker relatives may choose to stay unaided. New household members who are mandatory household members are required to be reported and added to the AU at the beginning of the next Semi-Annual Reporting (SAR) payment period. The new household member may request to be added prior to the

County of San Diego, Health and Human Services Agency (HHS) CalWORKs Special Notice

CalWORKs Time-On-Aid 60-Months Implementation

Number

22-02

Page

2 of 4

next SAR payment period and if eligible, they will be added to the AU if their addition does not result in a decrease to the existing AU's grant amount.

Optional household members and new household members are required to complete the form CW 8 – Statement of Facts for An Additional Person and provide all the necessary verification to complete a determination of eligibility. If eligible, the customer is to be added the month following receipt of all required verifications. If the request was made more than 30-days prior to 05/01/2022, the request must be denied and staff must inform the customer of the earliest date they may request to be added to the AU.

Temporary CalWORKs Policies and Policy Waivers

AB 135 issued temporary policies and policy waivers to allow adding the formerly timed-out household members to an existing AU as a county-initiated mid-period change effective May 1, 2022. The temporary policies and policy waivers include the following:

1. County-Initiated Mid-Period Changes – Adding the formerly timed-out household members to an existing AU will be considered a county-initiated change. Staff are to treat these mid-period AU additions as they would other county initiated mid-period changes per CalWORKs Program Guide (CPG) 44-270.I *County-Initiated Actions and Third Party Information*.
2. Statement of Facts – Waives the CW 8/CW 8A Statement of Facts form requirement to add a member to an existing AU.
3. Child Support – Waives the child support cooperation requirement for 60-days. Refer to the Child Support Cooperation section of this material for additional guidance concerning child support.

These temporary policies and policy waivers are for the sole purpose of implementing the CalWORKs 60-month time limit. They are effective May 1, 2022 through August 29, 2022 (120-days from implementation date) until eligible “formerly timed-out household members” have been added to their respective AUs. **These temporary policies and policy waivers do not apply to all adults. They strictly apply to “formerly timed-out household members” as defined earlier in this material.**

Child Support Cooperation

The following child support requirements will be waived for 60-days after a “formerly timed-out household member” has been added to their existing AU or by next SAR or redetermination, whichever is earlier:

- Assignment of support rights as a condition of eligibility for CalWORKs customers requesting to be aided or any other family member required to be in the AU unless the customer is exempt from complying or the forms are already on file.
- Customer to complete, sign and date the CW 2.1 NA Notice and Agreement for Child, Spousal and Medical Support and CW 2.1 Q Support Questionnaire for each absent parent or alleged parent.

If the formerly timed-out household member fails to submit the required child support forms (CW 2.1 NA and CW 2.1 Q) within 60-days or by the next SAR or redetermination, they will be excluded from the AU. A timely and adequate Notice of Action (NOA) must be provided to inform the customer of the sanction and discontinuance of the adult customer's aid.

County of San Diego, Health and Human Services Agency (HHS)
CalWORKs Special Notice

CalWORKs Time-On-Aid 60-Months Implementation

Number

22-02

Page

3 of 4

Reminders:

1. Unless the AU is exempt, the CW 2.1 NA and CW 2.1 Q for the current application period must be on file. A new set of forms must be completed each time there is a break in the AU's aid that requires a new application. In addition, for any child born after the application date, completed and signed child support forms (CW 2.1 NA and CW 2.1Q) may also be required to be on file.
2. Particularly for cases with aid code K1/3F (Child Only cases), after a "formerly timed-out household member" is added to an existing AU, budgets for CalWORKs and CalFresh may be revised. Budget revisions are needed when the Local Child Support Agency (LCSA) stops dispersing the full child support amount and begins to disperse only the child support disregard to the AU. Staff must update the direct child support income entry in CalWIN with an end date once the signed child support forms are received. Failure to revise the budgets when "formerly timed-out household members" are added back to the AU may result in underpayments. Refer to Processing Guide 43-200.D1 for more information regarding Child Support Payments.

Exemption and Exception (Extenders)

The exception (extender) months must count towards the CalWORKs 60-month time limit unless the time limit exception (extender) is also a time limit exemption.

Procedure:

Refer to Attachment A for examples that reflect the CalWORKs 60-month time limit implementation including the state of emergency CalWORKs time limit exemption that occurred from March 2020 through April 2022.

Automation

Effective May 15, 2022, upon CalWIN Release 69, all "formerly timed-out household members" who have been discontinued due to exhausting their CalWORKs 48-month timeclock will be automatically returned to the AU if:

- The customer is still living in the home.
- The customer is marked as requesting aid in CalWIN.
- The existing CalWORKs case is active case.

Note: CalWORKs grant supplements will be issued to customers on May 15, 2022, when applicable.

All applicable form and NOAs text will be updated from 48-month to 60-month time limit. CalWORKs timeclocks will be updated to 60-months for all adults on active CalWORKs cases. The 46th-month notice informing CalWORKs individuals that they would discontinue May 2022 or after will be suppressed by CalWIN.

Program Impacts:

CalFresh

The addition of the "formerly timed-out adult" to an existing AU may increase the family's grant amount. Therefore, the AU's CalFresh allotment may be recalculated as a county-initiated action and may change due to the increase in the CalWORKs grant.

**County of San Diego, Health and Human Services Agency (HHS) (HSA)
CalWORKs Special Notice**

CalWORKs Time-On-Aid 60-Months Implementation

Number

22-02

Page

4 of 4

On May 15, 2022, a mass CalWIN update will automatically apply the revised CalWORKs grant for the June 2022 CalFresh budget. In addition, the CalFresh Change NOA will be generated for the applicable cases as part of the mass update when the case is authorized.

Medi-Cal

The “formerly timed-out household member” who is added to an existing AU and who was previously aided under a Modified Adjusted Gross Income (MAGI) or Non-MAGI Medi-Cal aid code will transition to a cash-linked Medi-Cal aid code.

Employment Services (ES)

Separate material will be issued to provide guidance on the ES participation for the “formerly timed-out household members” being added to an existing AU.

Child Care

Customers who had previously exhausted their 48-month of CalWORKs time limit who are eligible for additional months of aid under this policy will potentially need child care services to work or participate in other approved ES activities. Staff should ensure that customers requesting child care services are assisted or referred to the appropriate stage of child care based on their CalWORKs status and eligibility.

References:

ACL 20-113, 21-89,

Sunset Date:

This policy will be reviewed for continuance by August 29, 2022.

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services

CalWORKs 60-Month Time Limit Examples

Below are examples of how the CalWORKs 60-month time limit will apply. Unless otherwise stated, these examples reflect the state of emergency CalWORKs time limit exemption (related to COVID-19) that occurred from March 2020 through April 2022.

Example A - Customer with Less Than 48 Countable Months:			
An Assistance Unit (AU) of three (a parent and two children) has been receiving aid in California since January 2020. The parent received the time limit exemptions in the months of March 2020 through April 2022. In this scenario, the parent's time limit would change from 48-months to 60-months in May 2022.			
	03/2020	04/2022	05/2022
CalWORKs Time On Aid (TOA) months	2	2	3
Temporary Assistance for Needy Families (TANF) TOA months	3	28	29

Example B - Formerly Timed-out Mandatorily Included Adult in an Annual Reporting/Child Only (AR/CO) Household:			
An AU of two (timed-out parent and two children) has been receiving aid. The parent did not receive the time limit exemption because the customer already exhausted their CalWORKs 48-month limit prior to March 2020. In this scenario, the parent would be added automatically to the AU in May 2022. The AU would change from AR/CO to a Semi-Annual Reporting (SAR) household at the same time. The case will continue to have the same reporting cycle and redetermination date. Unless exempt, the parent will be required to complete the CW 2.1 - NA Notice and Agreement for Child, Spousal and Medical Support and CW 2.1 Q - Support Questionnaire for each absent parent or alleged parent and must provide it within 60-days after they are added to their existing AU.			
	03/2020	04/2022	05/2022
CalWORKs TOA months	Timed out	Timed out	49
TANF TOA months	48	48	49

Example C -
 Formerly Timed-out Mandatorily Included Adult in an AR/CO Household:

An AU of two (parent and one child) has been receiving aid in California since May 2017 under state-funded CalWORKs. The parent has exceeded their TANF 60-month time limit prior to March 2020 and for that reason, the parent did not receive time limit exemptions in the months of March 2020 through June 2021. The parent reached their CalWORKs 48-month limit on April 2021. Therefore, the parent is removed from the AU as of May 2021. In this scenario, the parent would be added automatically to the AU in May 2022 and the AU would change back to a SAR household. Unless exempt, the customer will be required to complete the CW 2.1 and CW 2.1 Q for each absent parent or alleged parent and must provide it within 60-days after they are added to their existing AU.

	03/2020	04/2021	05/2021	04/2022	05/2022
CalWORKs TOA months	35	48	Parent removed from the AU	Timed out	49
TANF TOA months	Timed out	N/A	N/A	N/A	N/A

Example D -
 Formerly Timed-out Optional Household Member in an AR/CO Household:

An AU of two (two children only with non-needy caretaker relative) has been receiving aid since January 2020. The caretaker relative was previously aided in another AU and was timed-out prior to January 2020. The caretaker relative made a request on April 2022 to be added to the AU. The caretaker relative reported that they own a vehicle and have earned income. The CW 8 Statement of Facts for An Additional Person, CW 80 Self-Certification Form for Motor Vehicle, and CW 2200 Request for Verification were mailed out to request the necessary documentation to complete the caretaker's eligibility determination. The caretaker relative provided all the requested forms and documentation in the same month. In this scenario, the caretaker relative would be added to the AU in the following month, May 2022.

	04/2022	05/2022
CalWORKs TOA months	Timed out	49
TANF TOA months	48	49

Example E -
 Formerly Timed-out Mandatorily Included Adult with Time Limit Extender:

An AU of two (timed-out parent and two children). As of December 2019, the parent's total countable months for CalWORKs and TANF is 48-months. The parent timed-out from CalWORKs in January 2020. In February 2022, the parent was determined eligible for an exception (extender) due to disability. In this scenario, the customer would be added to the AU in May 2022 and their extended months would not count towards their CalWORKs 60-month time limit as the time limit exception (extender) criterion is also a time limit exemption criterion.

	12/2019	01/2020	02/2022	05/2022
CalWORKs TOA months (before 60-month time implementation)	48	Removed from the AU	Time Limit Exception (extender)	N/A
CalWORKs TOA months (after 60-month time implementation)	N/A	N/A	Time limit Exception (extender)	Time limit exemption
TANF TOA months	48	N/A	49	52

Example F -
 Counting Out of State Months Towards the CalWORKs 60-Month Time Limit:

In April 2022, an AU of three (parent and two children), moves to California from Michigan, applies for CalWORKs and is determined to be eligible as of April 1. The TOA review identified that the parent received 36-months of TANF in Michigan during 2018 and 2021. In this scenario, the parent is eligible to receive 24 countable months of CalWORKs aid in California. Unless the parent meets a CalWORKs time limit exemption or exception (extender) criteria, they will be removed from the AU once the CalWORKs 60-month time limit is exhausted. The children would be moved into the Safety Net program on the first of the following month, April 2024, if otherwise eligible.

	03/2022	04/2022	03/2024	04/2024
CalWORKs TOA months	36 (previous aid received out of state)	37 (start of aid in California)	60	Parent removed from AU
TANF TOA months	36	37	60	Timed-out

Example G -
 Counting Out of State Months of TANF Received Prior to January 1, 1998:

In May 2022, an AU of three (grandparent/needful caretaker relative and two grandchildren) moves to California from South Carolina. The grandparent previously received TANF aid for 19-months from November 1996 through May 1998. South Carolina implemented its TANF Program on October 12, 1996. From June 1998 until the AU moved to California, the grandparent was not receiving aid any state.

In this scenario, the grandparent has a total of 19 countable months of federal aid but only 5 months will be counted toward the CalWORKs clock (January 1998 to May 1998). Therefore, when the grandparent applied and was determined eligible as a needful caretaker relative in August 2022, the grandparent still had 55-months remaining on their CalWORKs time limit but only 41 months remaining on their TANF time limit. Unless the grandparent meets a CalWORKs time limit exemption or exception (extender), the grandparent will be removed from the AU effective December 2026.

	04/2022	05/2022	9/2025	10/2025	11/2026
CalWORKs TOA months	5 (aid received out of state)	6	46	47	60
TANF TOA months	19	20	60	Timed-out	N/A