

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

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**Revision Date:**

06/01/2019

**Background:**

Household composition is used to determine which individuals will be included in the CalFresh household. Evaluate the relationship among the members and how meals are purchased and prepared to determine household composition. The customer is responsible for providing complete and correct information on which to base this determination. This section is being revised to reflect the change in regulation as a result of the reversal of the SSI/SSP cash-out policy. Effective June 1, 2019, individuals receiving SSI/SSP are eligible for CalFresh, provided they meet all other eligibility requirements. Individuals receiving SSI/SSP are no longer considered excluded household members.

**Purpose:**

This section details the various types of household composition that can occur and the affect it has on determining eligibility for CalFresh.

**Policy:**

**63-101.1 Verification Requirements:**

Determination of household composition will be verified only if deemed questionable. To be considered questionable the information on the application must be inconsistent with statements made by the applicant household, with other information on the current or previous applications, or with information received by the County. Document in case comments the reason for considering household composition questionable, and the verifications being requested for clarification.

**63-101.2 Determining Household Composition:**

Factors to consider when determining household composition are listed here:

**CalFresh Household**

A CalFresh household is an individual or group of individuals who live together and customarily purchase and prepare meals together for home consumption. A CalFresh household is also determined by the relationship that exists among its members. The restricted relationships in CFPG 63-101.4, take priority when determining household composition.

**Joint Custody**

When there is equal (50/50) joint physical custody and the living arrangements are that the child lives with each parent an equal number of days per month, determine CalFresh household composition by the following guidelines:

- If it can be established that the child takes a majority of meals in a month with one of the parents, the child may participate with the parent providing the majority of the meals in any given month
- Where the child eats an equal number of meals with each parent, or the majority changes monthly, the first custodial parent to apply may participate with the child, unless the two custodial parents agree otherwise

When custodial parents agree with whom the child will participate, the child may participate with that parent regardless of where most meals are taken in any given month.

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**Parental Control**

A minor child (under 18) not living with a parent, will be considered under parental control of the adult with whom he/she resides unless the minor:

- Has entered into a valid marriage. Divorce or dissolution of this marriage does not affect the minor's status of being considered not under parental control
- Is on active duty in the U.S. armed forces
- Has been emancipated by a court order

If none of the above factors exists, assess the relative importance of the criteria below for each individual case in determining whether parental control exists:

- He/she is economically self-supporting and managing his/her own affairs. There is no specific minimum dollar amount needed to determine self-support. If separate household status is claimed, the amount of liquid resources or income must be sufficient to meet the minor's known living expenses
- He/she is approaching his/her 18th birthday. Minors who apply in the calendar month prior to the month, in which their 18th birthday occurs, will be considered as approaching their birthday, and their age becomes the significant factor in determining the minor as not being under parental control
- He/she is absent from the adult with whom he/she is residing for significant periods of time and comes and goes without the adult's approval

The factor(s) determining a minor to be not under parental control and therefore, eligible to separate household status shall be documented in the case comments or on the CalFresh application

**Spouse**

Refers to either of two individuals who would be defined as married to another individual under applicable state law or who are cohabitating and representing themselves to the community as spouse to relatives, friends, or neighbors.

**Unaccompanied Homeless Youths**

Unaccompanied homeless youths are individuals who are not in the physical custody of a parent or guardian. There is no age requirement to apply for CalFresh benefits. Unaccompanied homeless youths have a right to apply for and receive CalFresh benefits without a parent's or guardian's signature.

**63-101.3 Separate Household Status:**

Separate household status may be approved for any of the following individuals or groups of individuals:

- An individual living alone
- An individual living with others who customarily purchases and prepares meals separately from the other members in the home
- A group of individuals who live together and customarily purchase and prepare meals together
- A person or person with children who are temporary residents of a shelter for battered persons and children
- An individual who is elderly (aged 60 or older) and his/her spouse, living with others, when:

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- The individual is unable to purchase and prepare food separately from the others with whom the individual lives because of a disability considered permanent under the Social Security Act or who suffers from a non-disease related permanent disability; and
- The income of the others with whom the elderly and disabled individual resides does not exceed 165% of the federal poverty level

Refer to CFPG 63-1104, Determination of Separate Household Status for Elderly and Disabled Households and CFPG 63-114.14 and CFPG 63-117.H for verification of disability.

**Note:** Certain individuals are required to be in the same CalFresh household whether or not they purchase and prepare separately from the other household members. Refer to CFPG 63-101.4, Restricted Household Status.

#### **63-101.4 Restricted Household Status:**

Separate household status will not be approved for any of the following even if they claim to purchase and prepare meals separately:

- Spouses
- A person under 22 years of age who is living with his or her natural or adoptive parent (s) or stepparent (s)
- A **minor** child (other than a foster child) under 18 years old who lives with and is under the parental control of a household member who is not his or her parent
- An individual who is 60 years of age or older who is part of a household, but who is unable to purchase and prepare meals because of a disability, when the income of the others with whom the elderly and disabled individual resides exceeds 165 percent of the Federal Poverty Level
- A boarder as defined in CFPG 63-101.8
- Children of drug addicts or alcoholics who reside at a treatment center as specified in CFPG 63-101.9

There are no age requirements when applying for the CalFresh program. Youths who are not living with their parents are not required to apply as part of their parent's household.

**Note:** A foster child placed by a federal, state, or local governmental program in the private home of a relative or other individual or family is considered a boarder. The foster child may be included in CalFresh only at the request of the household providing boarder services and only as a member of that household (Refer to CFPG 63-101.7).

#### **63-101.5 Non-Household Members:**

Non-household members are individuals who are prohibited from being included in the CalFresh household of those persons with whom they reside. The income and resources of non-household members will not be considered available to the household when determining eligibility and benefit level, except for cash payments made to the CalFresh household by non-household members.

Non-household members who are otherwise eligible may participate in the CalFresh Program as separate households. The following individuals will be considered non-household members when determining household composition:

- **Roomers:** Individuals to whom a household furnishes lodging, but not meals for compensation
- **Live-In Attendants:** Individuals who reside with a household to provide medical, housekeeping, childcare or other similar personal services

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- **Others:** Individuals who share living quarters with the household but customarily purchase food and prepare meals separately from the CalFresh household

### **63-101.6 Excluded Household Members:**

Excluded household members are individuals who are ineligible to participate in the CalFresh Program. The income and resources of some excluded household members will be considered available to the CalFresh household when determining eligibility and benefit level.

When determining the CalFresh household composition, an excluded person is considered a member of the CalFresh household but is excluded from the household size count in determining benefits.

The following group of individuals will be considered as excluded household members when determining household composition:

- **Group I**
  - **Ineligible Noncitizens:** Individuals who do not meet the citizenship or eligible alien status requirements of CFPG 63-154
  - **SSN Disqualified:** Individuals disqualified to participate for refusal or failure, without good cause, to provide or obtain a Social Security Number as required in CFPG 63-161

**Note for Group I:** When determining the CalFresh household composition, an excluded person is considered a member of the CalFresh household but must be excluded from the household size count in determining benefits. All their resources are counted. Income and expenses are prorated and all but the excluded person's share is counted. Refer to CFPG 63-244 for treatment of income and expenses.

- **Group II**
  - **Intentional Program Violation Disqualified:** Individuals disqualified for committing act(s) of intentional program violation, as specified in CFPG 63-453
  - **Workfare Sanctioned:** San Diego County operates an Employment and Training Program rather than a Workfare Program. Therefore, individuals disqualified for noncompliance with the Employment and Training Program will be treated as Workfare Sanctioned
  - **Fleeing Felons and Probation/Parole Violators:** Individuals who are fleeing felons or probation/parole violators
  - **Convicted Drug Felons:** Effective April 1, 2015, individuals with a Drug Felony conviction will no longer be excluded from CalFresh, as long as the individual is in compliance with the terms of his or her probation or parole

**Note for Group II:** Income, expenses and resources of people in this group are counted in their entirety to the eligible household. Refer to CFPG 63-244.

- **Group III**
  - **SSI/SSP Recipients:** Effective June 1, 2019, Individuals receiving SSI/SSP will no longer be excluded from CalFresh. Individuals receiving SSI/SSP are eligible for CalFresh, provided they meet all other eligibility requirements. Refer to 63-303.

### **SSI in Suspense Status**

Effective August 30, 2016, customers in California whose SSI benefits are in suspense status (regardless of the reason) may receive CalFresh benefits, if otherwise eligible. Therefore,

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individuals in SSI/SP suspense status on the implementation date of June 1, 2019 are not impacted by the reversal of the cash-out policy. Household members who become eligible for CalFresh as a result of suspense status will become an included household member. Their income, resources and deductions must be evaluated for CalFresh. If a deduction was pro-rated because a customer contributed to the deductions, re-evaluate deductions now that the customer is being added to the CalFresh household.

### **Payment Status**

Verify the customer's payment status by viewing the Payment Status Code in the MEDS system. A Payment status code other than C01 (current pay) or M02 (with a payment amount) indicate the SSI benefits have been suspended or denied.

### **Voluntarily Mid-Period Report of Change to SSI Suspense Status**

A change in SSI status from active to suspense is not a mandatory mid-period report. Households are not required to report this change. If a customer voluntarily reports this change, take appropriate action to add the customer to the CalFresh household the month after the report is made. Determine the households benefit allotment for the remaining payment period. Inform the household of the added member and allow 10 day notice for reductions or termination of benefits.

### **County Initiated Mid-Period Change to SSI Active Status**

Receipt of SSI benefits is considered a mid-period change. If it is known to the county that the customers SSI status has changed from suspended to active status, action must be taken on this change.

### **Verification of SSI Benefit Suspension**

Verify SSI payment suspension status at intake, SAR 7, recertification and mid-period using existing data bases, such as MEDS and IEVS.

- **Ineligible Students:** Individuals enrolled in an institution of higher education are ineligible unless they meet the student exemption requirements identified in CFPG 63-162.2.

**Note:** No resources owned exclusively by the student are counted. Their income and expenses are considered unavailable to the household unless the student makes a cash contribution to the household and/or share in the expenses.

- **Group IV**

- **Work Requirement Disqualified:** Individuals disqualified for noncompliance with the work requirements of CFPG 63-158 including Employment and Training disqualifications.

**Note for Group IV:** their income, expenses and resources are counted in their entirety to the eligible household.

Refer to CFPG 63-221.8 to clarify the treatment of income/resources for an excluded household member, who is excluded for more than one reason.

### **63-101.7 Foster Care Children or Approved Relative Caregiver (ARC) Program:**

Foster Care or ARC children placed by a federal, state, or local governmental program in the private home of a relative, or other individual, are considered boarders. Boarders may participate in CalFresh as a member of the household at the household's request.

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If the household chooses to:

- **Exclude the Foster Care or ARC child:**

The Foster Care payments will be excluded as income to the household.

- **Include the Foster Care or ARC child:**

The Foster Care child will be considered an eligible household member and the entire Foster Care or ARC payment will be counted as unearned income to the household.

### **Extended Foster Care Program (AB 12)**

Non-Minor Dependent (NMD) children receiving CalWORKs under the Extended Foster Care Program (AB 12) are also considered boarders in the relative caretaker household. Therefore the CalWORKs payment received by NMD children shall be:

- Countable income in the CalFresh budget if the caretaker chooses to include the NMD child.
- Excluded as income to the household if the caretaker chooses to exclude the NMD child.

Refer to CalWORKs Program Guide Letter No #260 and CalWORKs Program Guide 40-100-T

### **Supervised Independent Living Placement (SILP) SILP and Transitional Housing Placement plus Foster Care (THP+FC) THP+FC Placement:**

Non-Minor Dependents (NMD) often reside in SILP or THP+FC placements. Foster care payments are made to the facility and to the foster youth.

Exclude the foster care payment that is paid directly to the SILP and THP facility.

Include the foster care payment that is paid directly to the foster youth. Count as unearned income. Refer to *HT #331 Entering THP/FC Benefits in CalFresh Case* for instructions on entering the income into CalWIN.

THP-Plus is a transitional housing program for former foster and probation youth. The residents participating in THP-Plus program are not NMDs but the rules for counting income are the same as they are for THP+FC.

### **Foster Care Wraparound Services**

The "Foster Care Wraparound Services" program was created to permit children who ordinarily would be placed in foster homes or group homes to remain in their own homes. Children who participate in the "Foster Care Wraparound Services" program are not considered Foster Care children, even though Foster Care Program funds are used to provide services to these children.

Services provided to such families are not counted as income. Also, in instances where the County makes payments to a vendor or a third party on behalf of the household for an expense, such a vendor payment is excluded as income under this same section.

However, any cash paid directly to the CalFresh household is treated as income.

### **KIN-GAP**

For CalFresh purposes, children receiving Kin-GAP will be treated the same as children who receive Aid to Families with Dependent Children – Foster Care (AFDC-FC) benefits.

### **63-101.8 Boarders:**

#### **Commercial Boarding Houses**

Residents of commercial boarding houses are ineligible to participate in the CalFresh Program under any circumstances. A commercial boarding house is an establishment licensed as a commercial enterprise offering meals and lodging for compensation.

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## **Non-Commercial Residences (not licensed/private homes)**

Boarders are individuals residing with the household and paying reasonable compensation to the household for lodging and meals (excluding residents of a commercial boarding house). A reasonable monthly payment will be either of the following:

- Where board arrangement is for more than two meals per day, the boarder will pay an amount which equals or exceeds the maximum allotment for the number of boarders, or;
- Where board arrangement is for two meals or less per day, the boarder will pay an amount which equals or exceeds two thirds of the maximum allotment for the number of boarders.

Boarders are ineligible to participate in the CalFresh Program **unless** the household requests the boarder to be included. See CFPG 63-243 for treatment of income from boarders.

The household with which the boarder resides (including the household of the proprietor of a boarding house) may participate in the program, if the household meets all the eligibility requirements. If the household of the proprietor chooses to exclude the boarder(s), the income and resources of the excluded boarders are not counted. However, the amount of payment that a boarder gives to a household for lodging and meals is treated as self-employment income to the household as described in CFPG 63-243.

The following people are **NOT** considered to be boarders:

- Children under 18 years old (except foster children) under parental control of a member of the household; or
- Parents living with their natural, adopted or stepchildren **or** children living with their natural, adopted, or stepparents, even if one parent is elderly or disabled; or
- A spouse of a member of the household; or
- Siblings (except for foster children) living with their natural, adopted, half or stepbrothers and sisters, even if one of the siblings is elderly or disabled.

Boarders should not be confused with roomers as defined above in 63-101.5 who are only paying for lodging.

## **63-101.9 Residents of Institutions:**

Residents of institutions are ineligible to CalFresh.

- Individuals are considered residents of an institution when the institution provides them with the majority of their meals (over 50% or three meals a day) as part of the institution's normal services.

Examples of institutions include Job Corps, hospitals, jails and nursing homes.

- Individuals who are in jail or prison for more than 30 days are ineligible to CalFresh. Any time the HSS becomes aware that a household member is incarcerated, they should verify the information and discontinue benefits for the individual if the stay has lasted, or is expected to last, over 30 days.

**Exemptions:** The following individuals will not be considered residents of institutions:

- Residents of federally subsidized housing for the elderly.
- Narcotic addicts or alcoholics residing in a facility or treatment center for the purpose of participation in a drug or alcohol treatment and rehabilitation program. Refer to 63-123 for the treatment of residents of drug or alcoholic treatment and rehabilitation centers.

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- Children (not the spouses) of residents of drug and alcohol treatment centers who reside with their parent(s) in a residential substance abuse treatment center.
- Disabled or blind individuals residing in group living arrangements receiving benefits under Title II of the Social Security Act. Refer to CFPG 63-123 for the treatment of residents of group living arrangements.
- A person or a person with children, temporarily residing in shelters for battered persons. They are considered individual households for purpose of applying for and participating in CalFresh. Refer to CFPG 63-124 for the treatment of residents of battered person’s shelters.
- Residents of public or private nonprofit shelters for the homeless.

Note: Homeless meal providers cannot act as authorized representatives for homeless CalFresh recipients.

### **63-101.10 Head of Household:**

The term “head of household” means the person in whose name the application is made. The household may designate any responsible household member to serve as head of household.

Where there is no adult eligible to be included in the CalFresh household, the head of household may be a non-household member, excluded household member, or any adult responsible for the minor household members. A minor may be the head of household if not living with an adult or if determined not be under parental control per the restricted minor definition.

In the event that the only adult living with a CalFresh household is classified as a non-household or excluded household member, the head of household, spouse, or any other responsible member of the household may designate an authorized representative to act on behalf of the household in one or all of the following capacities:

- Applying for benefits;
- Obtaining the Electronic Benefit Transfer (EBT) card; or
- Buying food with the EBT card.

### **63-101.11 Food Distribution Program:**

No household will be allowed to participate simultaneously in the CalFresh Program and Food Distribution Program (Commodity Program).

Refer to CFPG 63-166 for policy concerning the “Food Distribution Program on Indian Reservations”.

### **63-101.12 Participation Of Strikers:**

A striker is defined as anyone involved in a strike or concerted stoppage of work by employees or any concerted slowdown or interruption of operations by employees. Included in the definition of a concerted stoppage of work is a stoppage by reason of the expiration of a collective-bargaining agreement.

Households with striking members are ineligible to participate in CalFresh unless the household was eligible for CalFresh the day before the strike and is otherwise eligible at the time of application.

**Exception:** The following people are not considered strikers:

- Employees whose workplace is closed by an employer in order to resist demands of employees (a lockout).
- Non–striking employees unable to work as a result of striking employees.



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- Employees not wanting to cross a picket line due to fear of personal injury or death.
- Individuals exempted from work registration per Work Registration Requirements.
- Employees whose employers have hired permanent replacements for the striking employees' jobs. The fact that the striking employees are offered other jobs does not affect their status as they must be able to return to the same job.

Refer to Section "Work Registration" CFPG 63-158 for Strikers work registration requirement.  
Refer to Processing Guide 101-01 for instructions on determining eligibility for strikers.

**Procedure:**

Do not deny a CalFresh application when an applicant applies separately, but lives with others who must be included in the CalFresh household with the applicant. Continue processing the application and:

- Inform the applicant that the other persons living with him/her must be included in the CalFresh household, and
- Request information and verification of the other people in the home and continue processing the application for the entire CalFresh household following regulations as explained in CFPG 63-109.

If the applicant fails to provide the information and verification on other household members needed to determine eligibility, deny the application for failure to provide information.

**Other Program Impacts:**

None

**References:**

ACL 18-90  
ACIN 1-68-17  
ACL14-100  
MPP 63-503.44  
ACL 17-09  
ACIN I-39-13  
Processing Guide 101-01 Household Concept:  
<https://cwc.sdcounty.ca.gov/sites/Eligibility/cfip/Forms/Processing%20Guide.aspx>

**Sunset Date:**

This policy will be reviewed for continuance by 06/30/2022

**Approval for Release:**



RICK WANNE, Director  
Eligibility Operations