

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

Resources Excluded by Federal Law

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63-204

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Revision Date:

06/01/2021

Background:

Federal law allows certain resources and income to be excluded from the eligibility determination of CalFresh benefits. This section is being formatted after sunset review, there are no Federal or State legislative changes.

Purpose:

This section defines the resources and income that are excluded by Federal law and are not counted in the eligibility determination for CalFresh.

Policy:

Resources or income that are excluded by Federal law are exempt and must not be used in the eligibility determination of CalFresh benefits. The following resources/income are excluded by Federal Law:

- Food benefits received from programs such as Women, Infants and Children (WIC), School Lunch, Commodity Distribution, Child / Adult Care Food Programs
- Relocation Assistance and Real Property Acquisition reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970
- Earned Income Tax Credit (EITC) payments are excluded as resources for 12 calendar months after the refund is received
- Restitution payments to United States (US) citizens of Japanese Ancestry who were interned during World War II
- Payments under the Radiation Exposure Compensation Act of 1990
- Payments received by Aleut residents for injustices suffered while under United States control during World War II
- Payments to volunteers under Title II of the Domestic Volunteer Services Act
- Payments under Title I of the Domestic Volunteer Services Act, to volunteers who were receiving CalFresh or public assistance at the time they joined the Title I program. This includes programs such as Volunteers in Service to America Program (VISTA). Payments to AmeriCorps VISTA volunteers will be excluded only if the households were on CalFresh benefits or public assistance when they joined VISTA
- Payments received by individuals age 55 and over, provided by Senior Community Service Employment Program (SCSEP) Title V, Older Americans Act
- Childcare payments made, provided, or arranged under Title IV-A of the Social Security Act
- Payments made to individuals because they have been determined to be victims of Nazi persecution
- California Achieving a Better Life Experience (ABLE) Account
- Any amount in which the basic pay of an individual is reduced under the Veterans' Benefits Improvement and Health-Care Authorization Act of 1986
- Payments to individuals in programs under Workforce Investment Act (WIA). Earnings of individuals participating in on-the-job training programs will not be excluded as income. Earnings of dependent household members under 19 years of age and under the parental control of an adult household member, participating in on-the-job training under WIA, will be excluded

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- Payments to veterans or survivors of deceased veterans under the Agent Orange Compensation Act of 1989
- Payments made under programs from the Title I of the National and Community Service Act (NCSA) will be excluded. Earnings of individuals, except dependent household members under 19 years of age, participating in on-the-job training under Title I programs will not be excluded
- Financial educational assistance provided under Title IV of the Higher Education Act, Bureau of Indian Affairs student assistance programs, Title XIII Indian Higher Education Programs, Tribal Development Student Assistance Revolving Loan Program (Tribal Development Student Assistance Act), and the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990
- Benefits under a state program funded under Part A of Title IV of the Social Security Act for the purpose of energy assistance, including one-time assistance payments under federal or state laws for weatherization or emergency repair or replacement of heating or cooling devices
- Federal major disaster and emergency assistance payments under the Disaster Relief Act of 1974 and comparable disaster assistance provided by states, local governments, and disaster assistance organizations because of a major disaster

Procedure:

Refer to CalFresh Processing Guide #200-01 in Eligibility Essentials.

Other Program Impacts:

None

References:

ACL 17-61; ACL 12-62 & 13-32; ACIN I-58-08; ACL 98-19; ACIN I-50-13


MPP 63-507; MPP 63-102(p)(12)(a); ACWDL June 30, 2014

ACIN I-34-05; ACIN I-16-05 and ACIN I-18-07; ACIN I-34-99; ACIN I-79-03

Sunset Date:

This policy will be reviewed for continuance on or by 06/30/2024.

Approval for Release:



A handwritten signature in blue ink, appearing to read 'R. Wanne', followed by the date '6-23-21'.

RICK WANNE, Director
Self-Sufficiency Services