

**County of San Diego, Health and Human Services Agency (HHS)A)
CalWORKs/CalFresh Program Guide Special Notice**

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Issue Date:

02/05/18

Background:

During the Maximum Family Grant (MFG) repeal clean-up process, a consortium sent old eligibility dates and case data to the Child Support Enforcement (CSE) System, overwriting current eligibility dates and case data. This has caused some current Assistance Units (AUs) to receive child support payments rather than only the \$50 disregard payment. In other situations, the incorrect data has caused child support payments to be retained by the Department of Child Support Services (DCSS) when it should have been issued to the family.

Policy:

Child Support Received in Error

Child support payments issued in error cannot be counted against the AU's grant unless the county has reliable information from the CSE/LCSA staff that the payments can be reasonably anticipated or the county is certain they will continue to occur.

\$50 Child Support Disregard Retained by the State in Error

The State will issue child support disregards, retained by DCSS in error, to the affected AUs as soon as the cases have been identified or the clean-up process is completed. The retroactive disregard paid as lump sum will not be treated as income or property.

Note: This only applies to any \$50 child support disregard that was collected by the State beginning January 1, 2017. Any disregard retained before January 1, 2017 do not fall under this change.

Procedure:

- If an AU receives one or two child support payments, the payments will not be considered as reasonably anticipated income and will not be used to determine grant calculations.
- However, when more than one payment is received, reach out to the LCSA to determine if the payments will continue and can be reasonably anticipated.
- If it is determined the payments can be reasonably anticipated, recalculate the AU's grant applying the \$50 child support disregard, and treat the remaining child support payment as unearned income.

Note: The AU has the option of returning the child support payment to prevent the payment from being counted against the grant.

Program Impacts:

CalFresh

- The child support payments (received in error) cannot be reasonably anticipated; therefore these payments cannot be counted in the budget. (CFPG 63-282.3).
- The \$50.00 child support disregard payments received by CalWORKs recipients will count in the budget, if they will continue, and can be reasonably anticipated (CFPG 63-223.5).
- Retroactive Lump Sum payments would be counted as resources in the month received (CFPG 63-224.10).

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Note: The resources of Categorically Eligible (CE) or Modified Categorical Eligible (MCE) households are not evaluated to determine eligibility to CalFresh (CFPG 63-201.1, 63-203.13, 63-120).

References:

All County Welfare Directors Letter, dated December 28, 2017.

Sunset Date:

This policy will be reviewed for continuance by February 28, 2019.

Approval for Release:



Rick Wanne, Director
Eligibility Operations