34. Transitional CalFresh Benefits

34.1 Overview [63-504.13]

Assembly Bill (AB) 231 was signed into law which provides Transitional CalFresh benefits to households who are terminating their participation in the CalWORKs program. Transitional CalFresh benefits are designed to help households retain CalFresh benefits after discontinuing from the CalWORKs program to help ensure success in the transition from welfare to work.

Entitlement to Transitional CalFresh benefits is determined by the worker without the household having to apply. Benefits are the same as the amount received by the household prior to its termination from CalWORKs, adjusted for the loss of the CalWORKs grant.

Households may apply for regular CalFresh during the transitional period. Regular CalFresh benefits will be determined based on their current circumstances, and if approved, Transitional CalFresh benefits will stop and all regular CalFresh requirements will apply.

34.2 Eligibility

A CalFresh household (HH) who loses CalWORKs cash assistance is eligible to receive Transitional CalFresh benefits for up to five months with certain exceptions. [Refer to “Exceptions,” page 34-2.]

A CalFresh HH is eligible to receive Transitional CalFresh when eligibility to CW cash assistance is lost even if all CalFresh HH members were not receiving CW cash assistance. The Transitional CalFresh HH would consist of the same regular CalFresh HH members.

Some examples of TCF eligible households include, but are not limited to the following:

- Discontinued from CalWORKs due to excess income. The new IRT for CalFresh does not impact TCF rules. If the household is eligible to TCF then changes income are not considered when determining the amount of benefits the household is eligible to during the TCF benefit period.

- Households that voluntarily withdraw from CalWORKs.

- The reason the CalWORKs case discontinued is due to a parent timing out or child aging out when that individual was the last eligible person in the AU and no otherwise eligible members are in sanction status.
• If the other county does not approve the CalWORKs ICT, then the household may be eligible for Transitional CalFresh benefits from Santa Clara County for up to five months.

EXAMPLE: CalWORKs/CalFresh HH notifies the EW on 04/30/04 that the household has moved out of county. EW sends ICT packet on 04/30/04 and discontinues the CalWORKs and CalFresh benefits effective 05/31/04. On 06/02/04, the EW contacts the other county and is advised the other county did not pick up the ICT since the client failed to show for her interview. Santa Clara County would issue Transitional CalFresh benefits beginning in 06/04 (State PI).

34.2.1 Exceptions

The following households are NOT eligible to receive Transitional CalFresh benefits:

• A household discontinued from CalWORKs for failing to submit a complete SAR 7.

Note:

If a household submits a SAR 7 and fails to meet all of the CalWORKs reporting requirements, but meets the CalFresh requirements, then EWs must evaluate the household’s ongoing eligibility for CalFresh. The household should be converted to a non-assistance CalFresh (NACF) household, retain the current certification period, and benefits are to be be calculated based upon the information provided on the SAR 7 and the removal of the CalWORKs grant from the CalFresh benefit calculation.

Example:

The public assistance CalFresh (PACF) household submits a SAR 7 and fails to answer a CalWORKs-only question. The household does not respond to the NA 960Y and is discontinued from CalWORKs following normal CalWORKs procedures. The household had provided all information required to be reported for CalFresh and based on the information provided the household continues to be eligible to CalFresh. The case must be converted to a NACF and the household's current certification period continues. TCF is not issued.

If the household submits the SAR 7 in the month following the discontinuance from CalWORKs, effectively restoring the CalWORKs case, then the household would be converted back to PACF and CalFresh benefits adjusted for the inclusion of the CalWORKs grant with a timely and adequate notice.

Example:

The PACF household fails to submit a SAR 7 and does not respond to the NA 960X. The household is discontinued at the end of the submit month from both CalWORKs and CalFresh following existing procedures. TCF is not issued to the household.
• A household discontinued from CalWORKs for failing to submit an application for, or complete the redetermination/recertification (RD/RC).

Note:
If the household does not respond to the request for RD/RC or submits an application for RD/RC and fails to complete the RD/RC process, the household will not be eligible for TCF benefits at the time the CalWORKs and CalFresh benefits are stopped. If the household completes the RC, but fails to complete the CalWORKs RD, and is otherwise eligible to CalFresh, then the EW must set-up a new certification period converting the household to a NACF household because the household is ineligible to TCF.

• A household discontinued from CalWORKs due to loss of state residency.

• A CalFresh household containing two or more CalWORKs cases in which all of the CalWORKs cases are not being discontinued. ALL CalWORKs benefits to the CalFresh HH must be discontinued in order for the household to be eligible to receive Transitional CalFresh.

Example:
A mother and her 18-year old son receive CalWORKs. Her 20-year old daughter and her baby also receive CalWORKs in a separate case. They are all on CalFresh in the mother’s case. When her 18-year son graduates from high school, the mother’s CalWORKs case is discontinued. Since some members of the CalFresh HH will continue to receive CalWORKs (the daughter), this CalFresh household is NOT eligible to receive Transitional CalFresh benefits.

• CalWORKs is discontinued due to a CalWORKs sanction or disqualification. This would occur when the eligible CalWORKs individual is:
  • Sanctioned for failing to cooperate with CWES or for failing to meet the school, immunization, child support or any other requirement of CalWORKs.
  • Defined as a fleeing felon or probation/parole violator.
  • All CalFresh household member are discontinued due to a CalFresh sanction or disqualification. This would occur when:
    • The CalFresh household is Quality Control (QC) sanctioned
    • Disqualified for intentional program violation.

Note:
A Transitional CalFresh HH that fails to or refuses to cooperate with a QC review must be discontinued for failure to cooperate with QC reviews. If there is a break in receipt of Transitional CalFresh benefits, the household must reapply for regular CalFresh.
Example:

The Transitional CalFresh household is reported to be noncompliant on 06/02 and the notice to discontinue is sent on 06/03. The client complies on 07/05. Since there is a break in Transitional CalFresh benefits, the household must reapply for regular CalFresh. However, if they comply by 06/30, there would be no break in Transitional CalFresh benefits and Transitional CalFresh continues.

- The ONLY eligible CalFresh individual is disqualified as a fleeing felon or probation/parole violator or for an IPV.
- Households receiving Refugee Cash Assistance (RCA).
- CalWORKs households receiving Aid Paid Pending.

Example:

The client did not show up for the recertification appointment on 03/10/08. CalWORKs and CalFresh discontinued 03/31/08. The client requested a hearing, received a hearing date the first week in May, and was granted Aid Paid Pending for CalWORKs only since the certification period for CalFresh ended 03/31/08. Aid Paid Pending was not applicable for CalFresh; however, Transitional CalFresh was issued effective 04/01/08.

Benefits received:

- March-CalWORKs and CalFresh issued (last month of regular CalFresh)
- April-Aid Paid Pending for CalWORKs and Transitional CalFresh issued for CalFresh
  - (Transitional CalFresh terminated 04/30 due to receipt of Aid Paid Pending for CalWORKs)
  - May-Aid Paid Pending for CalWORKs and no CalFresh (client did not submit a regular CalFresh application)
  - CalWORKs appeal was subsequently lost and Aid Paid Pending terminated 05/31.

Transitional CalFresh must discontinue effective 04/30 since Aid Paid Pending was granted for CalWORKs. Once CalWORKs is approved, including Aid Paid Pending, Transitional CalFresh must stop. The household must reapply for regular CalFresh. Since the client lost the hearing, and CalWORKs benefits discontinued 05/31, Transitional CalFresh will not be issued again. In order for Transitional CalFresh to be received, CalWORKs and regular CalFresh must be received in the month a regular CalFresh household loses CalWORKs.

Example:

Same as above, however benefits were received as follows:

- March-CalWORKs and CalFresh issued (last month of regular benefits)
- April-Aid Paid Pending for CalWORKs and Transitional CalFresh issued. (County was unable to discontinue Transitional CalFresh in April, due to lack of 10-day NOA).
• May-Aid Paid Pending for CalWORKs. Transitional CalFresh issued. (Transitional CalFresh benefits will discontinue 05/31 due to household getting CalWORKs).
• On May 15th the household loses its CalWORKs hearing and CalWORKs Aid Paid Pending is discontinued 05/31.

The household is not eligible for a new five-month Transitional CalFresh period effective June 1 and the Transitional CalFresh benefits will not be reinstated to finish out the remaining three months. In order for Transitional CalFresh to be received for an additional five months, CalWORKs and regular CalFresh must be received in the months a regular CalFresh household loses CalWORKs eligibility. CalWORKs eligibility includes Aid Paid Pending.

• Household receiving a zero basic grant for CalWORKs

**Example:**

If the case is a “zero basic grant” due to administrative cost, (e.g. no grant is issue due to the payment being below $10) technically, the case is still receiving cash aid, but just not eligible to receive it at present. There is no eligibility for Transitional CalFresh

**Example:**

If the CalWORKs grant is adjusted to zero due to an overpayment adjustment, the household is still considered to be receiving cash aid; therefore, there is no eligibility for Transitional CalFresh.

• A household which chooses to receive a lump sum diversion payment instead of regular CalWORKs

• A household which is issued a CalWORKs immediate need payment, then CalWORKs is denied due to ineligibility.

If an Immediate Need is issued and the CalWORKs is subsequently denied, there is no eligibility for Transitional CalFresh. The household must be receiving CalWORKs and regular CalFresh to be eligible for Transitional CalFresh.

### 34.3 Benefit Calculation

Transitional CalFresh benefits are calculated by deducting the CalWORKs grant from the CalFresh budget that was used in the final month that the household received CalWORKs. Additional income that may have resulted in the discontinuance of the Public Assistance (PA) CalFresh case or household change is NOT added in.
Example:

On October 20, a CalWORKs sanction was imposed upon the mother and father for not cooperating with WTW requirements. The EW imposed a concurrent sanction for CalFresh on October 20, and gave the client a 10-day notice of a decrease in benefits. That same night, a NOA for non-receipt of the QR7 was issued. The client failed to provide the QR7 by the extended filing date, so the case was discontinued. Transitional CalFresh were issued effective November. The parents will receive Transitional CalFresh because they received CalWORKS and CalFresh in the last month of eligibility. The sanction had not yet been imposed in the last month. (October)

In a situation where CalWORKs benefits should have been discontinued but the client continued to receive a CalWORKs grant, Transitional CalFresh benefits will begin the month after the last month the client received a CalWORKs grant.

Example:

A client has earned income of $1450 per month and receives $226 in CalWORKs, $170 in CalFresh for herself and her three children for 01/04. Her earnings increase to $2000 per month, beginning in 02/04, making the AU/CalFresh HH ineligible for CalWORKs and regular CalFresh benefits. The case is discontinued 01/31/04. The 02/04 Transitional CalFresh budget is calculated using the same income and deductions as in the 01/04 CalFresh budget minus the CalWORKs grant. The Transitional CalFresh benefits for 02/04 will be $272.

FEBRUARY 2004 Transitional CalFresh BUDGET

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</tr>
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</tr>
<tr>
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</tr>
<tr>
<td>Transitional CalFresh Allotment</td>
<td>$272</td>
</tr>
</tbody>
</table>

34.3.1 Loss of Categorical Eligibility (CE) Status

The loss of categorical eligibility (CE) status can not be acted upon in establishing eligibility or benefit entitlement for Transitional CalFresh.

When a CalWORKs household is receiving a zero CalWORKs cash grant at the time they are discontinued from CalWORKs and is receiving $10 in CalFresh benefits because of CE status, the household is entitled to receive the same amount ($10) of CalFresh benefits for the Transitional CalFresh period. The fact that the household is no longer CE eligible can not be taken into consideration.
34.4 Household Changes

Households are NOT required to report changes in their circumstances during the transitional period. QR 7 reports will NOT be generated or required on Transitional CalFresh cases.

Once Transitional CalFresh benefits are established, they remain the same for the duration of the Transitional CalFresh period, regardless of changes, except if the:

- Household requests discontinuance of Transitional CalFresh in writing,
- The household OR members of the household are approved for CalWORKs (TANF) and/or regular CalFresh benefits in another case, county or state.

Any other information received shall not be acted on. This includes information received from a third party. If it appears a reported change would increase the amount of CalFresh benefits to which the household would be entitled, the CalFresh HH should be advised that they have the right to request termination of Transitional CalFresh benefits and to reapply for regular CalFresh benefits.

Example:

CalWORKs case is discontinued effective 12/31/03, due to an increase in earnings. On 03/14/04, the client calls to report that three of her children, who were in foster care, have been returned to her. The Transitional CalFresh benefits amount would remain unchanged. The client would be advised she has the right to reapply for regular CalFresh benefits.

34.4.1 Address Changes

When the household moves:

- Within the county, the household’s address should be changed to the new address. Shelter costs are NOT changed during the Transitional CalFresh period.
- Outside of the county, Santa Clara County continues to issue Transitional CalFresh until the end of the Transitional CalFresh period.
- If the client applies for CalWORKs in the new county, Santa Clara County will discontinue Transitional CalFresh with 10-day notice after the CalWORKs grant has been approved.
- Out of State, the Transitional CalFresh case is not discontinued during the Transitional CalFresh period. The only instance in which Transitional CalFresh can be terminated is when the County learns that the household has been approved for TANF/CalWORKs or Supplemental Nutrition Assistance Program (SNAP) out of state.
Note:

The EBT “Out of State Usage Report” does not constitute CalFresh benefit discontinuance.

34.5 Reapplication for CalWORKs

Households who reapply for CalWORKs and are approved during their Transitional CalFresh period will be discontinued from Transitional CalFresh when the CalWORKs case is granted. A 10-day Notice of Action (NOA) is required to discontinue Transitional CalFresh. Regular CalFresh benefits cannot be approved until the first of the month after Transitional CalFresh benefits are discontinued.

Example:

CalFresh HH is discontinued from CalWORKs/PA CalFresh effective 12/31/03, due to failure to submit the November Income Report (QR 7). Transitional CalFresh is set up for 01/04-05/04. The CalFresh HH reapplys for CalWORKs on 01/18, is interviewed on 01/19, and is approved on 01/23/04. Transitional CalFresh is discontinued 02/29/04, due to the 10-day notice requirement and regular CalFresh benefits are granted based on the 01/18/04 application effective 03/01/04.

Household members who are approved for CalFresh on a separate CalFresh case must be discontinued from Transitional CalFresh prior to granting the separate CalFresh benefits. Transitional CalFresh benefits must be recomputed for the remaining Transitional CalFresh household members by removing the individual from the Transitional CalFresh household along with his/her income and deductions, if any.

Example:

The Transitional CalFresh household consists of two adults and two children. On 08/15/08, one adult and one child move out of the home. On 08/24/08, this adult reapplys for CalFresh. Because a 10-day notice must be given, the two individuals who moved out of the home are discontinued from the Transitional CalFresh case effective 09/30/08. The Transitional CalFresh benefits are reduced by removing the two individuals from the Transitional CalFresh household, their income and deductions, if any. The 08/24/08 CalFresh application is granted effective 10/01/08 (the first of the month after Transitional CalFresh benefits were discontinued).

In order for Transitional CalFresh to be received, CalWORKs and regular CalFresh must be received in the month a regular CalFresh household loses CalWORKs eligibility.

Example:
• 04/30-Household is receiving Transitional CalFresh and reapplies for CalWORKs
• 05/15-Applicant attends the CalWORKs intake interview
• 05/22-CalWORKs is approved with the beginning date of aid 04/30 (application date)
• 05/31-The household requests CalWORKs discontinuance
• 06/30-Original Transitional CalFresh is set to discontinue
  • CalWORKs discontinues 6/30 due to 10-day notice requirement.

There is no Transitional CalFresh eligibility for 07/01 because regular CalFresh were not received in June.

34.6 Recertification Process

In accordance with federal regulations, a TCF household may request to recertify for CalFresh benefits at any time during the five-month TCF period by submitting an application (e.g., the DFA 285 A1, A2, and A3, or the SAWs 1 and 2A, or by applying online/electronically). These households, if otherwise eligible, will have a new certification period.

Counties are required to send the CalFresh Notice of Expiration of Certification (QR 377.2), Recertification packet, and CalFresh Recertification Appointment Letter (FS 29) to TCF households the month prior to the last month of the TCF benefit period (i.e., 4th month).

Counties must recertify TCF households in the final month of the their TCF period (i.e., 5th month). These households, if otherwise eligible, will have a new certification period effective on the first day of the following month after the TCF period expires.

Example:

A household who receives TCF benefits from 10/1/11 to 2/29/12, their new certification period begins 3/1/12.

Reminder:

The final federal regulations do not impact the current procedure for TCF households who apply for CalWORKs.

[Refer to “Reaplication for CalWORKs,” page 34-8].

34.6.1 Recertification in the Final Month of TCF

All current recertification policies and procedures as outlined in the CalFresh Handbook, Chapter 17 apply to the TCF household at the end of the benefit period.
The Notice of Expiration of Certification (NEC), Recertification (RC) packet and RC appointment letter must be mailed in the 4th month of the TCF period.

- RC interviews should be scheduled so that households have at least 10 days to provide the required verification before the TCF certification period expires.

- A Notice of Missed Interview (NOMI) must be sent to the household if they miss their scheduled interview.

When the county sends the NEC and RC packet the month prior to the last month of the benefit period (i.e., 4th month), households must complete the recertification process by:

- Returning the application no later than the 15th day of the last month of the benefit period (i.e. 5th month), and

- Completing an RC interview, and

- Submitting any proof of income, expenses, or other information within 10 days from the date of the interview.

**Note:**

TCF households that not recertifying for CalFresh must have their cases closed at the end of the transitional period.

[Refer to “Recertification,” page 17-1].

### 34.6.2 Recertification During the First Four Months of the TCF Period

Federal regulations for recertification during the first four months of the TCF benefit period are as follows:

- If the county does not determine the eligibility for a household within 30 days of the application, then the County must continue processing the application while continuing the household’s TCF benefits.

- If it is determined after the application is processed, that the household is entitled to CalFresh benefits higher than its TCF benefits for the first month of the new certification period, a supplemental benefit payment must be issued.

- If the application process cannot be completed due to the county not taking a required action, the county must continue to process the application and provide a full month’s allotment for the first month of the new certification period.
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- If the application process cannot be completed because the household failed to take a required action, the County may deny the application at that time or at the end of the 30 days. If the household is determined to be ineligible for the program, the County must deny the household’s application for recertification.

Note:
The difference during the first four months of the transitional period is that the County must continue the household’s benefits to the end of the TCF benefit period, at which time the County must initiate the process for recertifying the household.

- If the household is determined eligible for CalFresh, but is entitled to a benefit lower than its transitional benefit, the county must encourage the household to withdraw its application for recertification and continue to receive transitional benefits.

- If the household is determined eligible for the program, the new certification period begins with the first day of the month following the month in which the household submitted the application for recertification. The county must issue the household full benefits for that month, which is a procedural change.

Example:
If the household applied for recertification on April 25th (the third month of TCF period) and the household is determined eligible for CalFresh, the county must begin the household’s new certification period effective May 1.

34.7 Overissuances/Underissuances

Overissuances and underissuances are assessed on Transitional CalFresh cases ONLY when the case is set up for Transitional CalFresh incorrectly. The Transitional CalFresh budget is NOT adjusted to correct for errors that occurred prior to the Transitional CalFresh period.

Example:
Client is discontinued effective 03/31/04 due to no QR 7 ("X" discontinuance). The case is set up for Transitional CalFresh for 04/04-08/04. During the Transitional CalFresh set-up, the EW discovers an error in the shelter deduction allowed for 06/03 through 03/04. The rent of $350 was erroneously entered in CDS as $650. Transitional CalFresh budgeting will include the shelter deduction of $650 which was allowed in the 03/04 CalFresh budget even though this was an incorrect amount. The CalFresh budgets for the months prior to Transitional CalFresh (06/03 through 03/04) would be revised and an overissuance established, if appropriate, for these months.
Note:

When rescinding CW, if good cause is granted and it is too late to stop the issuance of Transitional CalFresh or Transitional CalFresh benefits have already been issued, there is no overissuance for the month Transitional CalFresh was issued.