

## 9. Household Composition



### 9.1 Definitions

#### 9.1.1 Definitions

The following definitions are required for understanding and determining household composition.

#### 9.1.2 Elderly or Disabled [63-102(e)(i)]

An individual who:

1. Is 60 years of age or older.
2. Receives SSI benefits under Title XVI, or disability or blindness payments under Title II of the Social Security Act.
3. Receives disability RETIREMENT benefits from a governmental agency because of a disability considered permanent under Section 221(i) of the Social Security Act. [\[Refer to “Elderly or Disabled \[63-102\(e\)\(i\)\].” page 9-1.\]](#)
4. Receives Interim Assistance pending the receipt of SSI, provided that eligibility to receive those benefits is based on disability or blindness criteria that is at least as stringent as those used under Title XVI of the Social Security Act.
5. Receives disability-related medical assistance under Title XIX (Medi-Cal) of the Social Security Act.
6. Is a veteran with a service-connected or nonservice-connected disability rated by the Veteran's Administration (VA) as total, or who is paid as totally disabled under Title 38 of the United States Code.
7. Is a veteran OR the surviving spouse of a veteran, considered by the VA to be in need of regular aid and attendance, or permanently housebound as defined in Title 38 of the United States Code.

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8. Is a surviving child of a veteran and considered by the VA to be permanently incapable of self-support under Title 38 of the United States Code.
  
9. Is a surviving spouse or surviving child of a veteran and considered by the VA to be entitled to compensation for a service-connected death, or pension benefits for a nonservice connected death under Title 38 of the United States Code,  
AND  
Has a disability considered permanent under Section 221(i) of the Social Security Act. (See NOTE).

**Note:**

“Entitled” means those persons who are eligible for these benefits, but who may or may not yet be receiving them.

10. Receives an annuity payment under Section 2(a)(i)(iv) of the Railroad Entitlement Act of 1974;  
AND  
Is determined to be eligible for Medicare by the Railroad Retirement Board (RRB).

**Note:**

Eligibility for Medicare must be specifically requested from the RRB. (Less than 50% are eligible.)

11. Receives an annuity payment under Section 2(a)(i)(v) of the Railroad Entitlement Act of 1974;  
AND  
Is determined to be disabled based on the criteria used under Title XVI (SSI) of the Social Security Act;  
AND  
Qualifies for Medicare.

[Refer to “Elderly/Disabled Separate Household Test [63-402.16, 63-1101.10],” page 18-1] for information regarding requirements for elderly/disabled individuals to be a separate household.

**Note:**

Verification of #3 and #7, above.

In order to verify disability in definitions #3 and #7, the SSA current list of disabilities may be used by the EW. This list is called the “Medical Improvement Not Expected” (MINE) list. [Refer to “The Medical Improvement Not Expected (MINE) List\*,” page 9-3, below.]

- If it is obvious to the EW that the individual has a disability listed on the MINE list, the household will be considered to have a verified disability. Verification from SSA or a doctor is not required if adequate documentation of the disability determination is entered on the **Maintain Case Comments** window. The documentation must include the number of the obvious MINE disability.

- If the disability is not obvious to the EW, the household must provide a statement from a physician or certified psychologist, stating that the individual has one of the MINE impairments. The EW must specifically request the MINE listing number.

**The Medical Improvement Not Expected (MINE) List\***

The MINE list, developed by the Social Security Administration (SSA), applies to individuals with impairments in which no improvement is expected. These are extremely severe impairments determined on the basis of experience in administering the disability programs to be at least static, but more likely to be progressively disabling either by reason of the impairment itself or impairment complications and which are unlikely to improve. Impairments which currently are not expected to improve are listed below.

\* - Effective February, 1986

<b>MINE/Permanent Impairment Listing Codes</b>	
Impairment and Number	Listing Code
1. Arthritis of one major joint in each Upper Extremity	1.04
2. Disorders of the Spine (Arthritis manifested by Ankylosis) or Fixation at 30 degrees or more)	1.05A
3. Amputation or permanent loss of use of two limbs	1.09
4. Amputation of leg at hip	1.10A
5. Amputation of leg or foot because of Diabetes or Peripheral Vascular Disease	1.10B
6. Statutory blindness, except if due to cataracts or detached Retina - markedly reduced ability to see objects not correctable by surgery, other treatment, or glasses	2.02, 2.03A/B
7. Loss of Visual Efficiency (visual efficiency of better eye after best correction 20 percent or less)	2.03C, 2.04
8. Hearing Impairments (Hearing not restorable by a Hearing Aid)	2.08A/B
9. Chronic Obstructive Airway Disease	3.02
10. Ischemic Heart Disease with chest pain of cardiac origin	4.04A/B

<b>MINE/Permanent Impairment Listing Codes</b>	
11. Arteriosclerosis Obliterans or Thromboangiitis	4.13
12. Chronic liver disease with Esophageal Varices resulting in massive hemorrhage or requiring Shunt operation	5.05A/B
13. Impaired renal function due to Chronic Progressive Disease, incurable kidney disease (documented by persistent adverse objective findings) resulting in severely reduced function which may require Dialysis or transplant	6.02
14. Diabetes Mellitus with Manifestations as required by the applicable listing	9.08
15. Central nervous system vascular accident, with manifestations as required by the applicable listing more than 3 months postvascular accident	11.04
16. Parkinsonian Syndrome, with disturbance of movement, gait, or station as required by the applicable listing	11.06
17. Cerebral Palsy, with Manifestations as required by the applicable listing	11.07
18. Spinal cord or nerve root lesion resulting in Paraplegia or Quadriplegia, damage to the spinal cord or major branches resulting in markedly reduced function in two or more extremities	11.08
19. Multiple Sclerosis, damage to the nervous system due to areas of inflammation which recur and may progress to interference with function of the nervous system, including severe weakness, paralysis	11.09
20. Amyotrophic Lateral Sclerosis	11.10
21. Anterior Poliomyelitis, with interference in swallowing, breathing, speech, or motor function as described in the applicable listing	11.11
22. Muscular Dystrophy, a chronic progressive disease causing irreversible wasting of the muscles with a significant effect on the ability to use the arms and/or legs	11.13
23. Degenerative disease, such as Huntington's Chorea, Friedreich's Ataxia, and Spinocerebellar Degeneration, with manifestations as required by the applicable listing	11.17
24. Chronic brain syndrome (Organic Brain Syndrome) with manifestations as required by the applicable listing	12.02
25. Functional psychotic disorders if institutionalized in a licensed Mental Hospital for past 12 Months without releases that would indicate improvement	12.03
26. Functional nonpsychotic disorders if institutionalized in a licensed Mental Hospital for past 12 months without releases that would indicate improvement	12.04
27. Severe mental retardation, with manifestations as required by the applicable listing	12.05A, B or C

<b>MINE/Permanent Impairment Listing Codes</b>	
28. Age 55 and over with following conditions that meets Listing:	
a. Arthritis of major weight bearing joint	1.03A
b. Organic loss of speech	2.09
c. Diffuse Pulmonary Fibrosis	3.04
d. Other restrictive ventilatory disorders	3.05
e. Chronic Venous insufficiency	4.12
f. Scleroderma or progressive system Sclerosis	10.05
g. Tabes Dorsalis	11.15
h. Subacute combined cord degeneration	11.16
i. Springomyelia	11.19
j. Ischemic heart disease (chest pain of cardiac origin)	4.04C/D
NOTE: All impairments listed above are applicable only to cases originally allowed as meeting the listings. The impairments listed below do not have a specific listing equivalent.	
29. Amputation of a limb, current age 55 or older	
30. Age 55 and over with two substantiated Myocardial Infractions	

### 9.1.3 Felony Drug Conviction

Assembly Bill (AB) 1468 repeals the existing prohibition from receipt of CalWORKs and CalFresh benefits for individuals convicted in state or federal court after December 31, 1997 of a drug related felony. AB 1468 enacts statutory changes to the CalWORKs and CalFresh programs so that individuals with a prior felony drug conviction become eligible to receive benefits, so long as the individual is compliant with the terms of his or her probation or parole. With the enactment of Assembly Bill (AB) 1468, individuals with a prior felony drug convictions are eligible for CalFresh benefits effective April 1, 2015.

Applicants and recipients with prior felony drug convictions must be in compliance with the terms of their parole or probation in order to be eligible to receive CalFresh benefits. Therefore, any member who has found by a court of law to be in violation of probation or parole is ineligible for CalFresh.

**Household Composition****Intake process**

When applicants and recipients declare in the CalFresh application that no member of their household is found by a court of law to be in violation of probation or parole, no other verification is required.

**Continuing process**

Households who do not request assistance for a drug felon in their household, must be reviewed for possible eligibility during their recertification. If the drug felon is eligible, they must be added to the CalFresh household on the first of the month following the discovery of eligibility.

When recipients are in violation of the terms of their parole or probation, they must be discontinued from the aid. When the EW receives the DA 1 from the investigator, the EW must review the case and discontinue the parole or probation violator at the end of the month of discovery with a 10 day timely notice, if appropriate. No additional verification shall be required of individuals to verify the status of an applicant or recipient's parole or probation.

**Reminder:**

The Fleeing Felon Match (FFM) report provides counties with information for current recipients who are fleeing felons or parole or probation violators. Currently, the State sends the FFM report to the County Special Investigation Unit (SIU) and an investigator sends the "Public Assistance Fraud Match" (DA 1) to the EW. The EW is required to review the case and discontinue the parole or probation violator, if appropriate.

For more information regarding the process for FFM, Refer to Common Place Handbook Chapter 5.11

### **9.1.4 Fleeing Felon and Persons in Violation of Probation or Parole Violation [63-102f.(3), 63-102p.(2) & 63-402.224 (a&b)]**

Individuals who are fleeing felons and persons in violation of their probation or parole are included as members of the household for the purpose of defining a household. However, such individuals are ineligible to receive CalFresh and are treated as excluded members.

**Note:**

Fleeing felons and probation/parole violators are treated in the same manner as individuals disqualified for an Intentional Program Violation (IPV).

**Fleeing Felon**

“Fleeing Felon” is defined as an individual who is fleeing to avoid prosecution, custody or confinement after conviction of a crime or attempt to commit a crime, that is considered a felony under the law where the individual is fleeing.

An individual is considered a fleeing felon when a federal, state, or local law enforcement officer, acting in an official capacity, presents an outstanding felony arrest warrant that conforms to one of three National Crime Information Center (NCIC) Uniform Offense Classification codes, to the County obtain information on the location of and other information about the individual named in the warrant. The information may also be discovered while working the Fleeing Felon Match report. An individual is a fleeing felon when a warrant for arrest is presented with one of three NCIC codes.

The three NCIC codes are:

- Escape (4901)
- Flight to Avoid (prosecution, confinement, etc.) (4902)
- Flight-Escape (4999)

**Note:**

A felony is considered a high misdemeanor under the law of the state of New Jersey.

**Definition of Probation/Parole Violation**

To be considered a probation or parole violator, an impartial party, such as a judge or officially sanctioned tribunal, must determine that the individual violated a condition of his or her probation or parole imposed under federal or state law **and** that federal, state, or local law enforcement authorities are actively seeking the individual to enforce the conditions of the probation or parole.

**Household Composition**

**Actively Seeking for the Verification of Probation/Parole Violation**

To determine if an individual is in violation of probation or parole, counties must verify that law enforcement is **actively seeking** the individual. Once the verification that an individual is a probation or parole violator and is being actively sought has been attained, the County must take immediate action to terminate or deny CalFresh benefits.

**Verification Procedures**

SIU contacts the law enforcement agency and allow the agency 20 calendar days from the date of the inquiry to respond to a request for information about the conditions of a probation or parole violation, and whether the law enforcement agency is actively seeking the individual.

The following steps are required:

If The Law Enforcement Agency..	Then the County must..
Does not indicate that it intends to enforce the felony warrant or arrest the individual for the probation or parole violation within 30 days of the date of the County's request for information,	Determine that the individual is NOT a probation or parole violator and document the household's case file accordingly.
Indicates that it does intend to enforce the felony warrant or arrest the individual for the probation or parole violation within 30 days of the date of the county's request for information	Postpone taking any action on the case until the 30-day period has expired.



If The Law Enforcement Agency..	Then the County must..						
	<p>Once the 30-day period as expired, the County must verify with the law enforcement agency whether it has attempted to arrest the probation or parole violator.</p> <table border="1" data-bbox="989 428 1393 987"> <thead> <tr> <th data-bbox="989 428 1192 478">If It...</th> <th data-bbox="1192 428 1393 478">Then EW..</th> </tr> </thead> <tbody> <tr> <td data-bbox="989 478 1192 674">Has,</td> <td data-bbox="1192 478 1393 674">Take action to deny the applicant, or discontinue the probation/parole violator.</td> </tr> <tr> <td data-bbox="989 674 1192 987">Has NOT taken any action within 30 days,</td> <td data-bbox="1192 674 1393 987">Must NOT consider the individual a probation or parole violator and take NO further action. Document the case file accordingly.</td> </tr> </tbody> </table>	If It...	Then EW..	Has,	Take action to deny the applicant, or discontinue the probation/parole violator.	Has NOT taken any action within 30 days,	Must NOT consider the individual a probation or parole violator and take NO further action. Document the case file accordingly.
If It...	Then EW..						
Has,	Take action to deny the applicant, or discontinue the probation/parole violator.						
Has NOT taken any action within 30 days,	Must NOT consider the individual a probation or parole violator and take NO further action. Document the case file accordingly.						

**Example:**

Applicant found to be in violation of probation, but after inquiring with issuing agency, the County is informed agency will not act on violation within 30 days. The applicant must not be considered ineligible for CalFresh based on probation status.

**Example:**

Applicant found to be in violation of probation, issuing law enforcement agency informs the county it does intend to act within 30 days. The County must take no action on eligibility determination until the expiration of the 30th day. If after the 30th day the issuing agency has taken action in regards to the violation, the applicant must be denied for CalFresh. If the law enforcement has not taken action, the County must not consider the applicant ineligible for CalFresh based on probation status.

### **9.1.5 IPV Disqualified [63-402.223]**

An individual disqualified from the CalFresh for committing an IPV (Intentional Program Violation).

### **9.1.6 Live-in Attendant [63-402.212]**

An individual who resides with a household to provide medical, housekeeping, child care, or other similar personal services.

### **9.1.7 Living Together**

For CalFresh purposes, the determination that child and parent live together is not limited to sharing the same residence, but maintaining the dependent relationship between child and parent. A dependent relationship can be established in EITHER of two ways:

- If a child and parent reside on the same parcel of land and do not live in separate and distinct living quarters they are living together. Separate and distinct living quarters include different buildings with self-contained living facilities, different units within the same building with self-contained living facilities, and mobile homes that are affixed to the land. To be considered affixed to the land the mobile home would have to have some type of permanent foundation sunk into the earth.
- If a child or parent repeatedly uses the kitchen, bathroom or sleeping facilities of his/her parent or child they are living together. Repeatedly using is defined as a majority of usage of any such type of facility.

**9.1.8 Migrant and Seasonal Farmworkers, Cannery Workers  
[63-102m(8), 63-102s(1)]**

Classifications	An individual or household who:
Migrant Farmworker	Does not live at home, and  Travels from place-to-place, changing residences to seek agriculturally-related work (follows the crops).
Seasonal Farmworker	Within the certification period, works seasonally in an agriculturally-related activity in the county where the household normally lives, and  Does not travel from place-to-place.
Cannery Worker	Does not work on a farm.  Is not considered a migrant or seasonal farmworker.

**9.1.9 Others [63-402.213]**

Other individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with the household. For example, if the applicant household shares living quarters with another family to save on rent but does not purchase and prepare food together with that family, the members of the other family are not members of the applicant household.

**9.1.10 Parental Control [63-102p(1)]**

A minor child will be considered under the “parental control” of the adult with whom he/she resides unless one of the following conditions exists:

- The minor has entered into a valid marriage, whether or not such marriage has terminated by dissolution.
- The minor is on active duty with any of the armed forces of the United States of America.

**Note:**

A person who was in the armed forces but was discharged before reaching the age of 18 could still be considered under parental control.

- The minor has been emancipated by a court order.

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If none of the above conditions exist then whether or not a minor should be considered under the “parental control” of the adult with whom he/she resides will be determined using the following criteria. The Eligibility Worker must assess the relative importance of the criteria below to each individual case in determining whether or not parental control exists:

- The minor is economically self-supporting and managing his/her own affairs.
- The closer a minor is to 18 years the more significant age becomes in the determination of parental control.
- The minor 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 factors which establish whether or not a child is under “parental control” must be documented on the **Maintain Case Comments** window.

**9.1.11 Residents of Institutions [63-402.4]**

Individuals who reside in an institution and receive the majority of their meals as part of the institution's normal services are not CalFresh eligible, except for:

- Residents of any federally subsidized housing for the elderly.
- Participants of drug or alcoholic treatment and rehabilitation programs who must reside at a treatment center. [[Refer to “Eligibility \[63-402.4\],” page 29-1.](#)]
- Disabled or blind persons who reside in a group living home and receive benefits under Title II of the Social Security Act.
- A woman or woman with children who temporarily reside in a battered women's home.
- Residents of foster family settings are considered as members of the household providing foster care.
- Residents of shelters for homeless persons.

**9.1.12 Roomer [63-402.211]**

An individual to whom a household furnishes lodging, but not meals, for compensation.

### 9.1.13 Sponsor

A person who has executed an affidavit of support or similar agreement on behalf of the alien as a condition of the alien's admission to the U.S. as a permanent resident on or after 2/1/83.

### 9.1.14 Sponsored Alien [63-102]

Those aliens lawfully admitted for permanent residents as immigrants and supported by a sponsor.

### 9.1.15 Spouse [63-102]

Either of two individuals who would be defined as married to each other under applicable state law or who are cohabitating and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople.

**Note:**

The concept of “cohabitating and holding themselves out to the community as husband and wife” does NOT apply to same sex relationships/marriages.

### 9.1.16 SSI/SSP Recipients [63-402.226]

No person receiving Supplemental Security Income/State Supplementary Program (SSI/SSP) payments is eligible to receive CalFresh benefits. Under the provisions of Public Law (PL) 95-458:

- Most California SSI/SSP recipients receive as part of their SSI/SSP benefit a cash amount in lieu of CalFresh benefits.
- All SSI/SSP recipients in California are ineligible to receive CalFresh. A person must actually receive, not merely have applied for, SSI/SSP benefits to be determined ineligible for CalFresh.
- If the County provides payments at least equal to the level of SSI/SSP benefits to persons who have been determined eligible for SSI/SSP awaiting receipt of SSI/SSP benefits, receipt of these substitute payments will terminate CalFresh eligibility.
- Once receiving SSI/SSP benefits, the person will remain ineligible for CalFresh benefits until actually “terminated” from the SSI/SSP Program.

- Periods of nonreceipt or suspension of SSI/SSP payments do not restore CalFresh eligibility.

**Example:**

Persons whose SSI/SSP benefits have been stopped or suspended because they have failed to comply with a drug or alcohol addiction treatment program remain ineligible for CalFresh unless they are actually “terminated” from SSI/SSP. They are considered non-household members for the purposes of determining HH size, eligibility, and benefit level.

**Exception:**

Individuals suspended from SSI/SSP due to the following two categories are potentially eligible for CalFresh.

- Persons in suspended status as a result of cuts to the state portion of SSI/SSP grant.
- Humanitarian Refugees/Asylees in suspended status due to the expiration of their extended federal time limits.
- SSI/SSP recipients are considered to be receiving Public Assistance (PA) for purposes of determining Categorical Eligibility (CE).
- When a SSI/SSP recipient receives a combined payment (e.g. joint earnings) with a CalFresh Household, the combined payment must be prorated. [\[Refer to “Combined Payments,” page 10-7](#) for the steps to determine the countable income to the CalFresh Household.]
- The portion of a CalFresh household member’s income, which is deemed by the Social Security Administration (SSA) as income to an SSI/SSP recipient, can not be excluded as income to the CalFresh household.

**Example:**

A household consists of an SSI/SSP mom, dad, and their common children. Dad works and the Social Security Administration is deeming a portion of his income to the SSI mom, which reduces mom’s SSI grant. Dad’s entire income, including the portion deemed to the SSI mom, would still be counted in the CalFresh budget.

**9.1.17 SSN Disqualified [63-402.222]**

Individuals disqualified for refusal or failure, without good cause, to provide or obtain an SSN as required in Section 63-404.4.

**9.1.18 Striker [63-402.8]**

A striker is anyone involved in a strike or concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective-bargaining agreement) or any concerted slowdown or interruption of operations by employees.

The following persons will not be considered strikers:

- Employees whose workplace is closed by an employer in order to resist demands of employees (e.g., a lockout).
- Employees unable to work as a result of striking employees.
- Employees not wanting to cross a picket line due to fear of personal injury or death.
- Individuals exempted from work registration by Section 63-407.2 on the day prior to the strike, other than those exempt solely on the grounds that they are employed.
- 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).

**9.1.19 Thrifty Food Plan [63-102t.(2)]**

The diet required to feed a family of four persons consisting of a man and a woman 20 through 54, a child 6 through 8, and a child 9 through 11 years of age, determined in accordance with the Secretary of Agriculture's calculations. The cost of such diet shall be the basis for uniform allotments for all households regardless of their actual composition, except that the Secretary will make household-size adjustments in the Thrifty Food Plan taking into account economies of scale.

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**9.1.20 UAMs (Unrelated Adult Males) [63-402]**

Whenever the CalWORKs worker determines that an Unrelated Adult Male (UAM) is residing with a family applying for or receiving CalWORKs, each case must be examined individually to assess whether the UAM is a roomer or boarder, a household member or a separate household.





## 9.2 HH Decision

Use the following chart to determine household composition:

ALWAYS INCLUDE:	INCLUDE ONLY AT HH REQUEST:	NEVER INCLUDE:	ALLOW SEPARATE HH STATUS FOR:	URAMS:
<ul style="list-style-type: none"> <li>Persons who purchase and/or prepare meals together.</li> <li>Spouse of a HH member.</li> <li>Children under 18 and under parental control who live with a HH member (except Foster Care children who may be excluded as boarders at the HH's choice);</li> <li>Children under 22 years of age living with their natural, adopted, or step parent(s) even if the child(ren)                             <ul style="list-style-type: none"> <li>Are married and living with their spouse and/or</li> <li>Have children of their own living with them and/or</li> <li>Customarily purchase and prepare food separately.</li> </ul> </li> <li>Boarders if:                             <ul style="list-style-type: none"> <li>The boarder pays less than the "Thrifty Food Plan" amount, or</li> <li>The HH wishes to include the boarder (even though they pay equal to or more than the "Thrifty Food Plan" or are in Foster Care).<a href="#">[Refer to "Boarders," page 9-22, for further information.]</a></li> </ul> </li> </ul>	<p>Boarders who:</p> <ul style="list-style-type: none"> <li>Pay at least the amount of the "Thrifty Food Plan", or</li> <li>Are in Foster Care.</li> </ul>	<p>Nonhousehold Members:</p> <ul style="list-style-type: none"> <li>Roomers;</li> <li>Live-in-attendants;</li> <li>Others living with the HH who buy and prepare meals separately.</li> </ul> <p>Excluded HH Members:</p> <ul style="list-style-type: none"> <li>SSI/SSP recipients (active or suspended);</li> <li>Students who fail to meet the student criteria;</li> <li>Ineligible ABAWDs</li> <li>Ineligible non-citizens</li> <li>Person(s) who refuse to apply for/provide an SSN;</li> <li>Person(s) disqualified for an Intentional Program Violation (IPV) including:                             <ul style="list-style-type: none"> <li>Fraud</li> <li>Fleeing felons, parole/probation violators,</li> <li>Conviction of a DISQUALIFYING drug felony which occurred after August 22, 1996;</li> </ul> </li> <li>Person(s) disqualified for failure to comply with work registration requirements</li> </ul>	<ul style="list-style-type: none"> <li>Persons who purchase and prepare meals separately EXCEPT those listed in Column 1.</li> <li>A person aged 60 or older who is unable to purchase and prepare meals separately due to a disability as defined in Section 28.2.3 (and their spouse), when the total gross income of the people the individual (and spouse) lives with is under the Income Limit for Elderly/Disabled HHs (165% test).<a href="#">[Refer to "Elderly/Disabled Separate HHs [63-402.17]," page 9-18.]</a></li> </ul>	<p>Depending on the HH situation, a URAM may be a HH member, boarder, or separate HH. Follow the guidelines in this chart.</p> <p>An unmarried father whose **child is under 22 years of age and is a HH member must be included in the HH UNLESS the only common child is an unborn.</p>

**Household Composition****9.2.1 Application**

At application, it is important to establish household composition first, before other eligibility factors, because the individual's status may affect the entire household. For example, an IPV-disqualified individual would make the entire CalFresh household ineligible for Categorical Eligibility.

**9.2.2 Definition [63-402]**

A household is an individual, or a group of individuals who LIVE TOGETHER, and:

- Customarily purchase and prepare meals together, or
- Are related by blood or marriage.

Blood or marital relationship is defined as the legal title of spouse, mother, father, daughter, son, and the extension of these relationships using step or half.

Additionally, a household may be composed of a woman alone, or a woman with children, who are temporary residents of a shelter exclusively for battered women and children. [\[Refer to "Battered Women Shelters," page 29-10.\]](#)

**9.2.3 Elderly/Disabled Separate HHs [63-402.17]**

An aged/disabled household member who meets the conditions listed below may be a separate household together with their spouse:

- The aged/disabled person must be unable to purchase and prepare meals because he/she suffers from:
  - A disability considered permanent on the MINE list. [\[Refer to "Definitions," page 9-1.\]](#)
  - A disability which is not on the MINE list, but which is obvious to the EW. (Document the determination.)
  - A disability which is not obvious to the EW, provided verification of the disability is received from a physician or a licensed/ certified psychologist.

The verification must:

- Certify that the individual is unable to purchase and prepare meals because he/she suffers from:

- A non-obvious disability on the MINE list; or
- A severe, permanent disability not on the MINE list.

AND

Be written on the doctor's letterhead stationery or the SC 76, Request for Medical Information.

- The total gross income of the other people with whom he/she lives (excluding the income of the elderly and disabled's spouse) is under 165% of the maximum gross income for an elderly/disabled separate household.

**Example:**

Mr. and Mrs. John Jones live with their daughter, Linda Smith, her husband and two children. The combined gross income of the Smith family must be less than the Maximum Gross Monthly Income for a household of four.

**9.2.4 Joint Custody**

Use the chart below to determine the household composition when parents share joint physical custody of their children on a 50/50 basis (that is, when the child lives with each parent for the same number of days per month).

<b>JOINT CUSTODY SITUATION</b>	<b>HH COMPOSITION</b>
Child eats the majority of meals with one parent.	Include the child in the HH with the parent providing the majority of meals.
Child eats an equal number of meals with each parent.	Include the child in the HH of the first parent to apply, unless the parents mutually agree otherwise.
Parents mutually agree on the HH in which the child should be included.	Include the child in the HH which the parents have agreed upon, regardless of which parent provides the majority of meals.

**9.2.5 Children Under Age 22 [63-402.142]**

A child under 22 years of age, living with his/her natural, adopted or step parent(s) **MUST** be included in the same CalFresh household with his/her natural, adopted or step parent(s), even if the child:

- Is married and lives with his/her spouse and/or
- Has children of his/her own living with them and/or
- Customarily purchases and prepares food separately,

## Household Composition

Or the parent(s) are elderly/disabled and could be considered a separate household under that regulation. [[Refer to “Elderly/Disabled Separate HHs \[63-402.17\].” page 9-18](#)]

If a parent has relinquished his/her parental rights through the courts or parental rights have been terminated through the courts, he/she is no longer considered the parent of the child and separate household status may be granted if the biological parent purchases and prepares food separately from the child.

If a child is adopted, the biological parents no longer have any legal ties to the child and are no longer considered the parents of the child. Therefore, if the biological parent(s) purchase and prepare food separately from the child, separate household status can be granted.

If the step-parent is no longer married to the child’s parent, the “former” step-parent is no longer responsible or under obligation for the support of the child.

### 9.2.6 Separate HH Denials

Follow the chart below when an applicant applies alone, but lives with others who MUST be included in the household with the applicant.

WHEN OTHER HH MEMBERS...	THEN...
Receive CalFresh in another case.	Deny the application because the applicant cannot be a separate household. Notify the EW assigned to the other case. Tell the applicant to ask to be included in the other CalFresh household.
Do not already receive CalFresh.	Request the information and verification on the other people in the home and continue processing the application for the entire CalFresh household. DO NOT deny the application because the applicant is “not a separate household”. The applicant may withdraw the application if he or she does not wish to apply for the entire household. If the applicant does not wish to withdraw the application, but refuses to provide the information and verification on other household members needed to clear eligibility, deny the application on the 30th day for failure to provide information. [ <a href="#">Refer to “Application.” page 9-18</a> ].

### 9.2.7 Institutions and Group Living

[[Refer to “Institutional Residents.” page 29-1](#)], for information on residents of institutions and group-living arrangements.



## 9.3 Nonparticipants

### 9.3.1 Overview

There are two types of people living in the home that are not included in the CalFresh household:

- Nonhousehold members.
- Excluded household members.

The income and resources are treated differently for these two types of nonparticipating household members. However, neither are included in the determination of the size of the household.

### 9.3.2 Nonhousehold Members [63-402.21]

The following persons must not be included in the determination of the size of the household, and their income and resources are not taken into consideration:

- Roomers.
- Live-in attendants.
- Others - individuals who share living quarters but do not customarily purchase food and prepare meals with the household.

[\[Refer to “Excluded and Non-household Members.” page 10-1\]](#) for information on treatment of non-household members.

### 9.3.3 Excluded HH Members [63-402.22]

There are three types of excluded HH members. The income and resources are treated differently for these three types of excluded HH members. However, none of them are included in the determination of the size of the household.

- The following excluded HH Members must NOT be included in the determination of the size of the household, but their income and resources ARE taken into consideration in determining eligibility and benefit allotment:

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- Ineligible non-citizens, ineligible ABAWDs and those who have failed or refused to provide a Social Security number.
- Disqualified persons
  - IPVs
  - Felony drug conviction
  - Fleeing felons
  - Parole/probation violators
  - Work Requirement Disqualified

### Note:

The EW will be notified by Appeals or SIU when an individual has been found guilty of committing fraud-IPV. [\[Refer to “Supplemental Payments/Claims,” page 26-1\]](#) for processing, calculating, and collection of IPV claims.

- The following Excluded HH Members must NOT be included in the determination of the size of the household, and their income and resources are NOT taken into consideration in determining eligibility and benefit allotment:
  - SSI/SSP recipients. (An additional amount is included in the State Supplemental Payment (SSP) portion of their check instead of CalFresh benefits.)
  - Ineligible students - students enrolled in an institution of higher education who fail to meet the Student Eligibility Criteria. [\[Refer to “Students,” page 30-1\]](#) for the Student Eligibility Criteria.

[\[Refer to “Excluded and Non-household Members,” page 10-1\]](#) for information on the treatment of Excluded household members.



## 9.4 Boarders

### 9.4.1 Definition [63-402.3]

A boarder is defined as:

- A foster care child who is receiving foster care payments, or

- An individual residing with the household and paying reasonable compensation to the household for lodging and meals. A reasonable monthly payment will be either of the following:
  - For more than 2 meals per day, an amount which equals/exceeds the Thrifty Food Plan for the size of the boarder household.
  - For two meals or less per day, an amount which equals/exceeds two-thirds of the Thrifty Food Plan for the size of the boarder household.
- An individual who pays less than reasonable compensation to the household which provides him/her with meals and lodging will be considered a member of that CalFresh household rather than a boarder.

### 9.4.2 Who Is Not a Boarder

The following persons will not be considered boarders:

- Children under 18 years of age under the parental control [[Refer to “Definitions,” page 9-1](#)] of a member of the household, except for foster care children.
- Adult or minor children living with their natural, adopted, or step parents.
- Parents living with their natural, adopted, or step children.
- A spouse of a member of the household.
- Siblings living with their natural, adopted, half or step brothers and sisters.

**Exception:**

Sibling foster care children may be considered boarders. Foster care status takes precedence over the sibling relationship. [[Refer to “Foster Care Children,” page 9-24.](#)]

### 9.4.3 Commercial Boarding House Residents

Residents of a commercial boarding house are ineligible for CalFresh.

A commercial boarding house:

- Is licensed.
- Offers meals and lodging for payment with the intent of making a profit.

**Household Composition****9.4.4 Foster Care Children**

Foster Care children are considered boarders and must be excluded from the CalFresh household as nonhousehold members, unless the household specifically requests that they be included. This also applies to sibling foster care children.

A sibling who is a foster care child must be excluded from the CalFresh household as a boarder unless the household specifically asks for the child to be included in the CalFresh household. (Foster care status takes precedence over the sibling relationship.)

A foster child placed by a federal, state, or local government program in the private home of a relative, or other individual or family is considered a boarder, even if the mother or father of the foster care child(ren) is also in the household. (Foster care status takes precedence over parent-child relationship.)

- If the foster care child is included in the CalFresh household at the household's request, count the entire Foster Care grant as income to the household.
- If the household does not choose to include the foster child as a household member, none of his/her income is counted toward the CalFresh household.
- The foster child who is considered a boarder is not required to pay reasonable compensation to the household.

When a child is released to the custody of his/her natural/step parent, the Foster Care payments made to the foster parent must not be budgeted to the natural/step parent's household for CalFresh eligibility.

[\[Refer to "Budgeting Concepts," page 22-1 for additional information.\]](#)

**Note:**

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.

**CalFresh Child Receives Foster Care**

When a child who received CalFresh is placed in Foster Care, a 10-day timely Notice of Action (NOA) must be sent to discontinue the CalFresh effective the end of the SAR period, unless the child is included in the Foster Care household, in which case the CalFresh will be discontinued mid-period.



**Example:**

A child receiving CalFresh is placed in Foster Care on December 16, 2008. The EW sent a timely 10-day NOA to discontinue the child from the parent's CalFresh case as of 12/31/08 (mid-period) because the EW was aware the child would be added to the CalFresh in the Foster Care household effective January 1, 2009.

### 9.4.5 Treatment

Boarders who pay reasonable compensation may be included as members of the CalFresh household at the household's request.

With the following two exceptions, boarders will not be included in the CalFresh household:

- Household chooses to include the boarder in the household, or
- Boarder pays less than reasonable compensation.

Boarders are ineligible to participate in CalFresh independent of the household providing board.

### 9.4.6 Budgeting

[\[Refer to "Budgeting Concepts," page 22-1 for budget directions.\]](#)



## 9.5 UAM

### 9.5.1 Treatment

Whenever the CalWORKs worker determines that an Unrelated Adult Male (UAM) is residing with a family applying for or receiving CalWORKs, each case must be examined individually to assess whether the UAM is a roomer or boarder, a household member or a separate household.

#### Single Household

The UAM must be considered a household member if he customarily purchases and prepares meals with the household.

**Household Composition****Separate Household**

If eligible, the URAM must be considered a separate CalFresh household only if he customarily purchases and/or prepares meals apart from the household.

**Boarder**

The URAM must be considered a boarder if he pays reasonable compensation to the household for meals and meets the boarder criteria as specified in Section 63-402.3.

**9.5.2 Unmarried Father**

[\[Refer to “HH Decision,” page 9-17\]](#) for information on unmarried fathers.

**9.5.3 Budgeting**

[\[Refer to “URAMS,” page 22-30\]](#) for treatment of income from a URAM to the CalFresh household.]

**9.6 Strikers****9.6.1 Eligibility**

Households with striking members will be ineligible to participate in CalFresh, unless the household was eligible one day prior to involvement in the strike action, and on the date of application.

**9.6.2 Definition**

A person will not be considered a striker for CalFresh purposes if:

- The individual has been locked out by the employer.
- The individual does not want to cross the picket line due to fear of personal injury or death.

- The individual is exempt from having a work registration requirement on the day prior to the strike. (This does not include the work exemption based on full employment.)

**9.6.3 Documentation**

Document striker status in the County Use section of the application (DFA 285 A2/SAWS 2).

**9.6.4 Budgeting**

[\[Refer to “Strikers \[63-402.8\].” page 22-34](#) for determination of income eligibility for a striker household.]

**9.6.5 Work Registration**

[\[Refer to “Work Registration.” page 27-1\]](#) for work registration requirements.

**9.6.6 Examples**

The household composition examples below may be used as a guide. They are not all inclusive.

INDIVIDUALS IN THE HOME	HH COMPOSITION	COMMENTS
1. Grandfather (61) and grandson (17). Grandson is under the “parental “ control of grandfather.	One HH.	Children under 18 and under the parental control of a household member cannot be a separate HH.
2. Grandmother, daughter (23) and granddaughter.	a. One HH.  b. Two HHs.	a. If they purchase and prepare meals together.  b. If the daughter and granddaughter purchase and prepare meals separately from the grandmother.

INDIVIDUALS IN THE HOME	HH COMPOSITION	COMMENTS
3. Parents and their married daughter (19) and her husband (23). Daughter purchases and prepares meals separately for herself and her husband.	One HH	The daughter cannot be a separate HH because she is under 22 years of age even if she: <ul style="list-style-type: none"> <li>• is married and living with her spouse and</li> <li>• they customarily purchase and prepare food separately.</li> </ul> She and her husband are part of her parent's HH.
4. Divorced mother and child (10). Mother shares joint (50/50) custody of child with father who does not receive CalFresh.	One HH: mother and child.	If father later applies for CalFresh, child remains in mother's HH, unless parents agree otherwise.
5. Sister (50) and brother (37). Brother is a boarder who pays reasonable compensation to sister for meals.	One HH: sister and brother.	Siblings living with their natural, adopted, half or step brothers and/or sisters (except for foster care children) cannot be considered boarders (63-402.344).
6. Resident of commercial boarding house.	Ineligible.	Residents of commercial boarding houses are ineligible.
7. Husband, wife and unrelated roomer (over 18).	Two HHs: one with husband and wife; one with roomer (if roomer applies for CalFresh).	Roomers must be separate HHs.
8. Mother (61), spouse (53), and mother's son (25).	a. One HH.  b. Two HHs: one with mother and spouse; one with son.	a. If all purchase and prepare meals together.  b. If son purchases and prepares meals separately. (Spouses must be in the same HH.)
9. Brother (59), sister (50), and her son (30). All purchase and prepare meals separately.	Three households.	Adults (other than spouses) who purchase and prepare meals separately must be separate HHs.
10. Grandmother (58), son (20), and grandson (10), who is not the child of 20-year-old son. Grandmother has custody of the child.	One HH.	Grandmother has "parental control" of grandson. 20-year-old son must be included in his mother's HH until he turns 22 AND purchases and prepares meals separately.

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INDIVIDUALS IN THE HOME	HH COMPOSITION	COMMENTS
11. Sister takes in homeless sister.	Two HHs: One HH - homeless sister. One HH - sister.	If homeless sister purchases and prepares meals separately.  (If sisters purchase and prepare meals together, they must all be one HH.)
12. Mom (26) and her child (8) purchase and prepare separately from grandmother (60) who has legal guardianship and provides parental control over mom's 2nd child (5).	One HH.	Grandmother purchases and prepares meals with and provides "parental control" for 2nd child (5). Mom must be included with both children (because both are under 22).
13. Boyfriend (24) and girlfriend (16).	a. One HH.  b. Two HHs.	a. If the minor is under "parental control" of the boyfriend, regardless of whether or not they purchase and prepare meals together.  b. If the girlfriend is not under "parental control" and purchases and prepares her meals separately. (Obtain verification from the boyfriend and document thoroughly as this may be considered questionable.)
14. Minor (16) lives with friends and supports himself by working at McDonald's. Minor pays rent, purchases and prepares meals separately, and is not under "parental control."	Minor is a separate HH from others in the home.	Obtain verification from adults in the home that minor is not under "parental control". Document thoroughly.
15. Grandparent and two sibling grandchildren. One of the children is in foster care.	One HH with grandparent and child who is not in foster care.	Foster care grandchild is considered a boarder and may be either included or excluded at the household's option.
16. Grandmother (63) is permanently disabled and unable to cook for herself. Daughter, son-in-law, and two grandchildren.	a. One household.	a. If the income of daughter, son-in-law, and grandchildren exceeds the Elderly and Disabled Separate HH Test Limit (165% of the federal poverty limit).

INDIVIDUALS IN THE HOME	HH COMPOSITION	COMMENTS
	b. Two HHs: one with grandmother; one with daughter, son-in-law, and grandchildren.	b. If the income of daughter, son-in-law, and grandchildren does not exceed the Elderly and Disabled Separate HH Test Limit (165% of the federal poverty limit).
17. Father, mother, and minor child (10). Daughter (18) lives away from home, but eats the majority of meals with her parents.	Two HHs.	Daughter (18) does not live with the family, and therefore must be a separate HH.
18. Grandmother (50), who has a court order giving her custody of four minor children. The children's father (30) lives with them and purchases and prepares separately from the grandmother and his children.	One HH.	Father cannot be a separate HH from his minor children.
19. Homeless mom and two minor children. Mom temporarily sleeps at one residence and the children sleep at another. Mom purchases and prepares food for the children separately from the family they live with.	One HH: mom and two children.	Children are still under the mother's "parental control" and this is only a temporary living arrangement. The children are not under the "parental control" of the adult they live with.
20. Brother (40), sister (35), and their niece (10). The sister has "parental control" over the niece. The sister and niece purchase and prepare meals separately from the brother.	Two HHs: one with the sister and niece, one with the brother.	The sister has "parental control" over the niece and they purchase and prepare meals separately from the brother.
21. Mother (30) and three minor children live separately from father (32). Father contributes financially to the family.	Two HHs: one with the father, and one with the mother and children (even if father eats with the CalFresh HH).	<ul style="list-style-type: none"> <li>• Father must LIVE with the family to be included in the CalFresh HH.</li> <li>• VERIFY that father lives elsewhere, because this is unusual and therefore questionable.</li> <li>• The actual amount of father's financial contribution counts as income to the HH.</li> </ul>

INDIVIDUALS IN THE HOME	HH COMPOSITION	COMMENTS
22. Indigent man (35) shares housing with three unrelated adults who eat together. He does not eat with them and has no money to buy food. He subsists on food from charity food baskets and soup kitchens.	Two HHs. The man is a separate HH from others in the home.	Verify if questionable. DOCUMENT THOROUGHLY.

**9.6.7 Verification [63-300.5]**

Applicants/recipients are responsible for providing proof of separate household status if it is “questionable.”

- “Questionable” information means applicant statements which are inconsistent with other information (such as, previous applications or other case data).
- “Proof” means the use of third-party information or documentation to establish the accuracy of the statements on the application. A release of information must be obtained before contacting a third party directly, such as a phone call to the landlord or roommates.

