

CALFRESH(CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 – 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator or may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> POLICY/REGULATION INTERPRETATION QC FAIR HEARING OTHER:	5. DATE OF REQUEST: 07/30/12	NEED RESPONSE BY: ASAP
2. REQUESTOR NAME: LINO RIOS	6. COUNTY/ORGANIZATION LOS ANGELES/DEPARTMENT OF PUBLIC SOCIAL SERVICES	
3. PHONE NUMBER: (562) 908-6345	7. SUBJECT: Adoption Assistance Payment	
4. REGULATION CITE(S): 63-402 and 63-502	8. REFERENCES: (Include ACL/ACIN, court cases, etc. In references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACIN I-05-92, dated 1-24-1992 and ACIN I-58-08, dated 8-13-2008	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Based on ACIN I-05-92, "Adoption Assistance Program (AAP) payments are considered "incentive payments" to the adoptive parents of hard-to-place children. Once the child is adopted, the subsidies shall be treated as unearned income to the household since adopted children are considered household members" And according to ACIN I-58-08, "Payments through the Adoption Assistance Program are assigned to the adoptive parents, not the child."

If the adoptive parent is an SSI/SSP recipient, should AAP payments still be assigned to the parent or in this situation, should it be assigned to the child since the SSI/SSP recipient's income is exempt?

What if it is a two-parent household, and only one parent is an SSI/SSP recipient?

10. REQUESTOR'S PROPOSED ANSWER:

Based on the ACIN I-58-08, AAP payments should be assigned to the parent(s), and not the child, even when the parent is an SSI/SSP recipient.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The State concurs. Per ACIN I-05-92 AAP payments are made to the parents. Per MPP 63-503.45 the income of SSI recipients shall not be considered as available to the CalFresh household. So should the household be composed of an adopted child and an SSI recipient, the AAP payment would be considered excluded income. If it is a two parent household with one receiving SSI, then the income should be prorated with the appropriate portion of the AAP being considered unearned income received by the non-SSI parent.

FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUTY/ALJ:
----------------	------------------------------

