

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. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. 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 and 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 <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: August 13, 2012	NEED RESPONSE BY: August 24, 2012
2. REQUESTOR NAME: Maria Contreras	6. COUNTY/ORGANIZATION: San Bernardino	
3. PHONE NO.: 909-383-9704	7. SUBJECT: Sponsored CFAP Individuals	
4. REGULATION CITE(S): MPP 63-102(s)(7), MPP 63-102(s)(8), MPP 63-403.2	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). MPP 63-102(s)(7), MPP 63-102(s)(8), MPP 63-403.2, ACL 99-78	

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

63-403.2 states: For CFAP recipients who do not meet exemptions from deeming, the period for deeming of a sponsor's income and resources shall be three years from the date of the sponsor's execution of the 213A Affidavit of Support

Questions:

1. Customer's Affidavit of Support is executed on 4/20/12, he/she applies for CalFresh benefits on 7/2/12. Is the customer's case subject to deeming for the three years beginning 4/20/12? Or, is the customer's case not subject to deeming for the first three years, beginning 4/20/12?
2. Does a sponsored customer need to have received CFAP benefits during the first three years in order to be exempt from providing sponsorship information in years 4 and 5?

10. REQUESTOR'S PROPOSED ANSWER:

1. The customer's case is subject to deeming for the first three years from the date of the sponsor's execution of the Affidavit of Support.
2. Yes, the customer must have received CFAP benefits for the first three years in order to be exempt from providing sponsorship information in years 4 and 5.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

1. Staff concurs with the county proposed response due to MPP 63-102(s)(7), MPP 63-102(s)(8), and MPP 63-403.2. The date of the execution of a "legally enforceable" Affidavit of Support Form I-864 and/or I-864A, pursuant to Section 213A of the Immigration and Nationality Act is the date the 3 year period of sponsor deeming applies to eligible CFAP noncitizens. Additionally, in accordance with page two of All County Letter 99-78, "The period for deeming of the sponsor's income and resources is three years from the date of the sponsor's execution of the affidavit of support."

2. No, as stated in #1 above, it is three years from the date of execution of the Affidavit of Support Form, not the beginning date of CFAP benefits. Sponsorship deeming no longer applies after the 3-year period has lapsed. The lapsing of the 3-year period is not an exemption from sponsor deeming.

FOR CDSS USE

DATE RECEIVED:

08/14/12

DATE RESPONDED TO COUNTY/ALJ:

8/15/12

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REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

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