

## 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: 12/18/2013	NEED RESPONSE BY:
2. REQUESTOR NAME: Robert Presto	6. COUNTY/ORGANIZATION: Stanislaus County Community Services Agency	
3. PHONE NO.: 209-558-1563	7. SUBJECT: CF Eligibility for Persons in D and A Treatment Centers	
4. REGULATION CITE(S): 63-402.42, 63-503.47	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s).	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):		

An applicant for CalFresh is enrolled in the New Life Program at the Gospel Mission. This is an Alcohol and Drug treatment center that provides the residents three meals per day. This treatment center is not authorized by FNS as CalFresh retailer. The CF applicant is on a special diet, verified by her physician, and can not eat the food offered by the treatment center. Due to the special diet, is the applicant eligible to participate in the CalFresh program?

10. REQUESTOR'S PROPOSED ANSWER:

63-503.47 clearly states that the Drug and Alcohol treatment center must be authorized by FNS as a retailer or meet the eligibility criteria to receive funding under Part B of Title XIX of the Public Health Service Act to allow any residents of such centers eligibility to participate in the CalFresh program. There are no exceptions listed in the regulation cite. Therefore the applicant would not be eligible to participate in the CalFresh program while residing at this center.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

An FNS memo dated March 8, 2006 clarifies authorization policies for drug addiction and alcoholic treatment and rehabilitation programs. In order for the residents of a treatment center to be certified to receive CalFresh, the treatment program must provide evidence that it is tax exempt and is certified by the state agency responsible for the certification of drug and alcohol treatment facilities.

Facilities are to be certified as meeting one of the following conditions:

Receiving funding under part B of title XIX;

Eligible to receive funding under part B of title XIX, even if no funds are being received; or

Operating to further the purposes of part B of title XIX, namely, to provide treatment and rehabilitation of drug addicts or alcoholics.

CONTINUED ON NEXT PAGE

### FOR CDSS USE

DATE RECEIVED: 12/18/13	DATE RESPONDED TO COUNTY/ALJ: 2/4/14 RN
----------------------------	--

**CALFRESH (CF) PROGRAM  
REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST:	NEED RESPONSE BY:
	6. COUNTY/ORGANIZATION:	
	7. SUBJECT:	
	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s).	
2. REQUESTOR NAME:		
3. PHONE NO.:		
4. REGULATION CITE(S):		

STATE POLICY RESPONSE CONTINUED

The CWD must verify that the treatment center meets the above requirements before residents may be determined eligible for CalFresh. Verification criteria are contained in the FNS memo referenced above.  
A treatment facility would also qualify if authorized as a retailer by FNS.  
Counties should take care not to impose additional burdens upon faith-based treatment facilities.  
Note: Dietary restrictions are not a basis for eligibility to the CalFresh program.