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:
   - ☐ Policy/Regulation Interpretation
   - ☐ QC
   - ☑ Fair Hearing
   - ☐ Other:

2. REQUESTOR NAME: Lora Alexander Clopine, Administrative Law Judge

3. PHONE NO.: 530-246 7277 or 530-945-5019

4. REGULATION CITE(S):

5. DATE OF REQUEST: June 22, 2012

NEED RESPONSE BY:

6. COUNTY/ORGANIZATION: Contra Costa County

7. SUBJECT: CalFresh Administrative Error Over Issuance

8. REFERENCES: *(Include ACL/ACIN, court cases, etc. in references)*
NOTE: All requests must have a regulation cite(s) and/or a reference(s).

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

On May 20, 2012, the county notified the claimant that due to admin error, she had been overpaid $448 during the period of May 2010 through July 2010, $92 during the month of August 2010, $398 in September 2010, and $398 October 2010. The claimant was most recently known to the county since April 2010, when she applied for cash aid, food stamps and Medi-Cal. The claimant's CalWORKs benefits were discontinued effective February 2011. On April 2, 2010, the eligibility specialist documented that due to the claimant's failure to attend her intake appointment scheduled for April 1, 2010, her application for CalWORKs and Medi-Cal had been denied. The specialist further documented she was forwarding the food stamp information to the appropriate worker as the 30th day for submitting documents had not been reached. On April 21, 2010, the eligibility specialist documented the claimant was in the office applying for immediate need/emergency services. The claimant was scheduled to return on April 21, 2010. On April 22, 2010, the claimant completed her intake interview and CalWORKs and Medi-Cal was granted effective April 19, 2010. At the time of the intake interview, the claimant did not

10. REQUESTOR'S PROPOSED ANSWER:

If the county cannot determine the cl's income for the data reporting month, it cannot establish the cl received the wrong benefits for the month or that she received an overissuance for that month.

11. STATE POLICY RESPONSE *(CFPB USE ONLY)*:

Based on the information provided in the CF 24 scenario dated June 13, 2012, the state agrees with your proposed response that an overissuance cannot be established based on inaccurate information, therefore this is an invalid claim.

FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ:
June 25, 2012	June 25, 2012

1. RESPONSE NEEDED DUE TO: ☐ Policy/Regulation Interpretation ☐ QC ☑ Fair Hearing ☐ Other:	5. DATE OF REQUEST: June 22, 2012 NEED RESPONSE BY: 6. COUNTY/ORGANIZATION: Contra Costa County 7. SUBJECT: CalFresh Overissuance due to Administrative Error
2. REQUESTOR NAME: Lora Alexander Clopine, Administrative Law Judge 3. PHONE NO.: 530-246 7277 or 530-945-5019 4. REGULATION CITE(S):	8. REFERENCES: *(Include ACL/ACIN, court cases, etc. in references)* **NOTE: All requests must have a regulation cite(s) and/or a reference(s).**

report any income. On June 14, 2010, the ES documented a child support penalty was being applied to the case as the claimant failed to cooperate with the Department of Child Support Services. The ES had also documented that since the claimant returned to work her income, along with the claimant's penalty, exceeded the IRT and the case was discontinued effective June 30, 2010. (During the hearing, the county representative testified the county had since determined the claimant's income with the penalty did not exceed the IRT.) The ES further documented the case was on the wrong quarterly reporting cycle because the CalFresh benefits were granted in March 2010. She said the claimant was currently on cycle one and the correct cycle was cycle 3.

On July 7, 2010, the ES documented rescinding the claimant's case as she had sent verification that she was on leave for the summer and was reasonably sure she would return to work in the Fall 2010. The ES processed the claimant's April 2010 QR 7.

On August 10, 2010, the ES received correspondence from the employment worker that the claimant was now employed at the school district beginning August 11, 2010 and the claimant had been put in QR cycle one. The claimant's QR 7 for the data month of August 2010 was received on September 20, 2010 and the claimant reported $721 income and that she might possibly be laid off, but she would not know for sure until mid September 2010.

On March 1, 2010, the ES received the claimant's QR 7 for the data month of January 2011 in which she reported income of $1,928.18. The claimant also requested her CalWORKs benefits be discontinued so that she could saver her remaining CalWORKs months. The case was discontinued in February 2011 and transitional CalFresh continued through July 31,2011. The county reported income reports were submitted for the months of May 2010, June 2010 and September 2010. All wage information available in CaseStars since April 19, 2010 is as follows:
1/2010 stub - gross income $979.10
2/2010 stub - gross income $1,302.07
3/2010 stub - gross income $1,346.84
4/2010 stub - gross income $472.15
8/2010 stub - gross income $1,288.07
1/2011 stub - gross income $1,928.18
There was also UIB information; however since the county was unable to determine if it was reasonably anticipated, it was not counted.

REMEMBER THE CLAIMANT WAS SUPPOSED TO BE IN CYCLE THREE. THE DATA MONTHS FOR CYCLE THREE ARE: April with the submit month of May, July with submit month of November and January with a submit month of February. (You should probably double check this because I just realized the paragraph in the county's Statement of Position dealing with this is wrong. It states the correct QR cycle should have been cycle three with QR 7's due in May, August, October and December. I think the county representative meant these were the Submit months, but not the Data reporting months, but this is wrong because there is not three months between August (8th month), October (10th month) and December (12th month).

In the month of application (April 2010), a QR 7 was completed. The income of $472.15 was used by the county to apply to April through June 2010, because there was no July 2010 QR 7, the income was continued into July and August 2010. The September 2010 QR 7 reported August earnings of $1,288.07 which were applied to September, October, November, December, January and February. The January 2011 QR 7 with income of $1,928.18 was applied to March 2011. The only QR 7 that were received were April, May and August 2010, January 2011. County said the CalWORKs overpayments were as follows: May through July 2010 $448; August 2010 $92; September 2010 $398; and October 2010 $398.