

# 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:		5. DATE OF REQUEST: 07-22-13	NEED RESPONSE BY: ASAP-CASE PENDING
<input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input checked="" type="checkbox"/> Other:		6. COUNTY/ORGANIZATION: FRESNO	
2. REQUESTOR NAME: MARTHA JUE		7. SUBJECT: ELIGIBILITY TO CALFRESH	
3. PHONE NO.: 559-600-2762		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  63-503.48 And Retirement Community Service Agreement, 63-402.4, 7 CFR 273.1(b)(7)(vi), ACL 12-61, and 63-502.331	
4. REGULATION CITE(S): 63-503.48			
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):			

1.. Applicant is a resident of Park Kingsburg, a Retirement Community. The facility provides, 2 meals, housekeeping and other services. Is the applicant eligible to CalFresh?

2. If eligible, would we allow, SUA and the housekeeping as a medical deduction? We would not allow the food expense as this what the benefits are for.

3. If the applicant can opt of the meals, could they be eligible to CalFresh?

### 10. REQUESTOR'S PROPOSED ANSWER:

1. The applicant is not eligible to CalFresh unless the facility is authorized by FNS as a retailer and licensed by CDSS as stated in 63-503.48.

2. Yes, SUA would be allowed and the remaining money, except for the cost of food, can be allowed as a medical expense.

3. if this is not an FNS authorized and CDSS licensed facility, yes, they may qualify for CalFresh, if they opt of of receiving the meals. The fee can be allowed as responded to in 2.

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

1. Residents of an institution are not eligible to receive CalFresh benefits, unless the county can verify that the retirement community is federally subsidized housing for the elderly. In addition, applicants are eligible if the facility does not provide the majority of the meals (over 50 percent of three meals daily) as part of the facility's normal services in accordance with 7 CFR 273.1(b)(7)(vi) and MPP Section 63-402.4.

2. Yes, SUA would be allowed based on the implementation of ACL 12-61 Heat and Eat Program where CalFresh recipients currently receive a LIHEAP benefit in which automatically makes the household eligible to receive SUA. Otherwise, the household would not be entitled to SUA based on the information provided which does not reflect any cost for utilities.

### FOR CDSS USE

DATE RECEIVED:

July 22, 2013

DATE RESPONDED TO COUNTY/ALJ:

July 31, 2013

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

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2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION:	
3. PHONE NO.:	7. SUBJECT:	
4. REGULATION CITE(S):	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

(Continued for Question 2)

As for the medical expenses, the applicant would need to provide proof that the services provided at the facility are medically required (MPP Section 63-502.331).

3. CDSS is researching this item further and will respond in a separate CF 24.