

## 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 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:	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:		03/14/13	03/21/13
2. REQUESTOR NAME: Columba Atienza		6. COUNTY/ORGANIZATION: Santa Clara County Social Services	
3. PHONE NO.: 408-755-7521		7. SUBJECT: Ending of Deeming/Non-Deeming Period at Mid-Cert.	
4. REGULATION CITE(S): MPP: 63-300.5 (e)(2) (F) and (G), MPP 63-508.655		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  ACL 11-06 MPP: 63-300.5 (e)(2) (F) and (G), MPP 63-508.655	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):			

1. A HH's non-deeming period ends at mid certification. When does deeming starts? - at next quarter or at next RRR?
2. A child (non-deeming) turns 18 year old at mid certification, when does deeming starts?
3. A deeming period for an adult who opted- out of CF at application ends at mid certification. When can the adult apply for or be added back to CF and receive CFAP? - at next quarter or next RR?

10. REQUESTOR'S PROPOSED ANSWER:
<p>1 &amp; 2. Per (ACL 11-06), an adult sponsored noncitizen may opt out from CF and "Opting Out" must be done before an eligibility determination is made. The non deeming household and non deeming 18 y.o. in questions 1&amp;2, can only be subject to deeming rules before the next eligibility determination is made in order to be given the opportunity to "Opt Out". Not sure if the next eligibility determination means when determining the next quarter's eligibility or the eligibility for the next certification period (next quarter or next RRR).</p> <p>3. Per (ACL 11-06) Opting out can only be done before eligibility is determined. Per MPP: 63-300.5 (e)(2) (F) and (G), the household/member can be added at mid-quarter as a household composition change. (depending if benefits increase or decrease). But not sure if this applies to the situation in question 3, or if this is strictly related to when verification becomes available. MPP 63-508.655"A previously disqualified member shall be added to the household beginning the first month after the disc. period ends. Not sure if this concept of disc HH member applies to question 3.</p>
11. STATE POLICY RESPONSE (CFPB USE ONLY):

(See Case Details Word Document for response)

### FOR CDSS USE

DATE RECEIVED: 3/14/13	DATE RESPONDED TO COUNTY/ALJ: 4/10/13
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