

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: | NEED RESPONSE BY: |
| <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other: | | May 16, 2013 | May 20, 2013 |
| 2. REQUESTOR NAME: PATRICK W. BURKE | | 6. COUNTY/ORGANIZATION: Butte County | |
| 3. PHONE NO.: 916-651-1400 | | 7. SUBJECT: classification of income | |
| 4. REGULATION CITE(S): MPP §63-502.2(h) | | 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). MPP §63-502.2(h) | |

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

The Proposed Decision holds that the county determined that the claimant is not eligible for CalFresh for himself by incorrectly using the claimant's daughters' Social Security incomes in determining the claimant over the net income limit for a one person household.

The county considered the daughters' incomes because the claimant is the payee for the daughters' Social Security benefits. This Proposed Decision holds that the regulations exclude monies received and used for the care and maintenance of a third-party who is not a household member from household income. The daughters had been determined non-household members, and as their Social Security incomes are intended for the care and maintenance of non-household members, the daughters' incomes should not be used in determining the claimant's net income.

10. REQUESTOR'S PROPOSED ANSWER:

See the attached Proposed Decision's Conclusion and Order.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The state agrees with the proposed hearing decision.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

**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: |
| 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> NOTE: All requests must have a regulation cite(s) and/or a reference(s). | |