

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: 3/2/16	NEED RESPONSE BY: 3/11/16
2. REQUESTOR NAME: Estera Heiberger	6. COUNTY/ORGANIZATION: Orange	
3. PHONE NO.: (714) 541-7406	7. SUBJECT: MCE Status for HH with Drug Convicted Fleeing Felon	
4. REGULATION CITE(S): MPP Section 63-301.74 & 7 CFR 273.2(J)(2)(vii)(D)	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). ACLs: 14-56; 14-56E; and 15-82	

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

Is a household (HH) with a fleeing member who has been convicted of a drug related felony to be conferred Modified Categorical Eligibility (MCE) status? For example, the HH was provided the Temporary Assistance to Needy Families (TANF)-funded "Family Planning – PUB 275" brochure and the felony arrest warrant for the fleeing felon who has a drug conviction conforms to one of the 3 National Crime Information Center (NCIC) codes (4901, 4902, or 4999).

10. REQUESTOR'S PROPOSED ANSWER:

Per Federal Regulation 7 CFR 273.2(J)(2)(vii)(D), that states:

"(vii) Under no circumstances shall any household be considered categorically eligible if:

(D) Any member of that household is ineligible under §273.11(m) by virtue of a conviction for a drug-related felony", a HH with a fleeing member who has been convicted of a drug related felony is NOT to be conferred MCE status.

Also, per ACL 15-82, the drug felon meets the new definition of fleeing felon (would be an excluded HH member).

11. STATE POLICY RESPONSE (CFPB USE ONLY):

CDSS concurs with the proposed response. Any household with a member convicted of a drug related felony cannot be conferred MCE status.

FOR CDSS USE

DATE RECEIVED: 3/2/2016	DATE RESPONDED TO COUNTY/ALJ: A.B. 3/4/2016
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**CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

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2. REQUESTOR NAME:		
3. PHONE NO.:		
4. REGULATION CITE(S):		