

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:		8/13/15	8/20/15
2. REQUESTOR NAME: Marian Acosta		6. COUNTY/ORGANIZATION: Santa Barbara County	
3. PHONE NO.: (805) 387-3858		7. SUBJECT: MCE and Fleeing Felons	
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). ACL 15-42	

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

A household comes into apply for CF and is conferred MCE during intake. Later on it is discovered that one of the household members is a Fleeing Felon. Would the household still be conferred MCE?

10. REQUESTOR'S PROPOSED ANSWER:

Per ACL 15-42: A sanctioned individual may include: Any household member who is disqualified for an Intentional Program Violation (IPV). The head of household who does not comply with work requirements. Any member of a household that has been convicted of a drug-related felony (refer to Manual of Policies and Procedures (MPP) section 63-402.229). [Note: With the passage of AB 1468 (Chapter 26, Statutes of 2014) which removes the drug felon ban in California effective April 1, 2015, this will no longer apply.

Answer: Fleeing Felons are not considered sanctioned individuals, therefore entitled to MCE.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Fleeing felons are different than someone that has been convicted of a drug-related felony. Per 7 CFR 273.11(n), fleeing felons and probation or parole violators or who are violating a condition of probation or parole under a Federal or State law shall not be considered eligible household members. ACL 14-100 (dated December 19, 2014) updates state changes in accordance with AB 1468 which repealed the lifetime ban on individuals with a prior felony drug conviction to be eligible for CalWORKs and CalFresh benefits.

To answer the above question, fleeing felons are not eligible for CalFresh benefits and would not be entitled to MCE.

FOR CDSS USE

DATE RECEIVED:

August 13, 2015

DATE RESPONDED TO COUNTY/ALJ:

August 17, 2015 JN

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

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