

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: 07/8/16	NEED RESPONSE BY: 07/29/16
2. REQUESTOR NAME: Denise Boehle	6. COUNTY/ORGANIZATION: Shasta County	
3. PHONE NO.: (530) 245-7611	7. SUBJECT: Student Status/IRT	
4. REGULATION CITE(S): 63-402.227, 63-406.3	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). 63-402.227, 63-503.453, ACIN I-89-15, ACL 13-15, ACL 12-25	

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

When an ineligible student, begins working while attending school and their income puts the household over the Income Reporting Threshold (IRT), and the individual becomes an eligible student, when is the change in student status updated? Student status is not a mandatory mid-period report. The household is required to report being over IRT.

Question 1) Is the household required to report being over IRT?

Question 2) If the County finds out the information via IEVS report, is the County required to take action mid-period?

10. REQUESTOR'S PROPOSED ANSWER:

Answer #1:

At MPP section 63-402.227, ineligible students are excluded household members and are not eligible for food stamp benefits.

At MPP section 63-503.453, ineligible students are not included when determining the household size for purposes of assigning a benefit level to the household. Therefore, the income of the ineligible student is not used to determine the benefit level of household members.

Per ACIN I-89-15, a student's status is to be reported at application and at recertification. A change in student status is not a mandatory mid-period reporting requirement and is not considered Verified Upon Receipt (VUR). CWDs are not required to take action should a household report a student status mid-period. They are however, encouraged to document in the case file voluntarily reported changes that do not impact the CalFresh benefit. (continued on back)

11. STATE POLICY RESPONSE (CFPB USE ONLY):

State concurs with proposed answers.

Question 1) Is the household required to report being over IRT? YES, but Per MPP 63-503.453, ineligible students are not included when determining the household size for purposes of assigning a benefit level to the household. Therefore, the income of the ineligible student is not used to determine the benefit level of household members. The county would not change student status mid-period and the income of the ineligible student would not be included in the household budget. Therefore, the HH would not be over IRT. The worker however, should document in the case journal.

Question 2) If the County finds out the information via IEVS report, is the County required to take action mid-period? No. Per ACL 13-17: CWDs can hold the results of an IEVS match until the interim report or recertification if the information is not considered verified upon receipt. Given the info provided, IEVS report of a new hire match would not be VUR and does not indicate if the income is anticipated to continue at that level.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

JR 7.15.16

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

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2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION:	
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Accordingly, the county would not change student status mid-period and the income of the ineligible student would not be included in the household budget. Therefore, the HH would not be over IRT. The worker should document in the case journal.

Answer #2:

Per ACL 13-17: CWDs can hold the results of an IEVS match until the interim report or recertification if the information is not considered verified upon receipt. Information not considered VUR includes (but is not limited to): quarterly wage match data, new hire matches, unearned income matches from Internal Revenue Service, and wage data from the Social Security Administration.

Per ACL 12-25: The CWD will only take mid-period action on those voluntary reports that result in an increase to benefits. All mid-period reports of income, except for income over IRT, are considered voluntary reports.

Therefore, action on an IEVS report of new hire match can be held until the next SAR 7 or recertification. The IEVS report of a new hire match would not be VUR and does not indicate if the income is anticipated to continue at that level.

The worker should document in the case journal that the IEVS new hire match is not VUR because it does not indicate reasonably anticipated income, and no action will be taken until the next SAR 7 or recertification.