

TUOLUMNE COUNTY DEPARTMENT OF SOCIAL SERVICES
Eligibility Division of Policies and Procedures

Subject: 48-Month Time Limit Changes

Effective Date: 05/13/2011

Section No:

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Purpose	Implement changes in law to reduce the existing CalWORKs 60-Month Time Limit for aided adults to 48 months pursuant to SB 72 and All County Letter 11-33.
Background	Current law allows for aided adults to receive CalWORKs benefits a maximum of 60 months. The passage of SB 72, and the corresponding All County Letters and All County Information Notices serve to guide the county to calculate time clocks and to implement the changes in law. ACL 97-65, ACL 99-90, ACL 01-66, ACL 02-33, ACL 02-66, ACL 03-21, ACL 11-33, ACIN I-95-02, ACIN I-40-03; WIC Sections 11454, 11454.2, and 11454.5.
Policy	Effective July 1, 2011, aided adults are eligible to receive CalWORKs benefits for a maximum of 48 countable months. The 48-month CalWORKs time clock replaces the 60-month CalWORKs time clock that was implemented January 1, 1998. In implementing the new CalWORKs 48-month time limit for adults, CWDs must consider the following months of aid received: • All countable months of CalWORKs time-on-aid (TOA) received in California since January 1, 1998; • All months of Temporary Assistance for Needy Families (TANF) TOA received from other states since January 1, 1998. • Continue to treat months of Tribal TANF assistance as out-of-state TOA. The following months of aid will not count toward the CalWORKs 48-month time limit which is consistent with current law: • Months of TANF aid received in California or any other state between September 1, 1996 (when some states first implemented their TANF program) and December 1997; • Months in which the adult was exempt from the CalWORKs time limit clock, for any of the reasons listed in the MPP Sections 42-302.11 – 12 and ACL 11-34, or were not aided due to a sanction from the Welfare-To-Work program. When the aided adult reached the new CalWORKs 48-month time limit: • The adult is removed from the Assistance Unit (AU) effective the first day of the month following the month in which the adult reaches their CalWORKs 48-month time limit. • This action is considered an allowable county-initiated mid-quarter action pursuant to MPP Section 44-316.331 (QR)(a).

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	• For cases where the only aided adult reaches the CalWORKs 48-month time limit and is removed from the AU, the children remain aided in a Child-Only Safety Net case using the appropriate aid code, if otherwise eligible. • For two-parent households, the case does not become a Child-Only Safety Net case with the appropriate aid code until all aided adults in the AU have been discontinued as a result of reaching their CalWORKs time limit.
60-Month Federal TANF Time Limit	New State law does not change the federal TANF 60-month time limit rules. CWDs must continue to count all federally non-exempt months of TANF assistance in all states, including California (whether the month was exempted from the CalWORKs time limit or not) toward the federal TANF 60-month time limit. Depending on when states implemented a TANF program, all federally non-exempt months of TANF assistance received by an adult since September 1, 1996, from any state including California, will apply toward the federal TANF 60-month time clock. Additionally, when an adult reaches their 60-month federal TANF time clock and they do not meet federal extender criteria, CWDs must move the case to a TANF timed-out aid code (32 or 3W). If the adult has any remaining CalWORKs TOA after they have exceeded their federal TANF time clock, they shall be aided with state-only funds, as they are ineligible to be aided with federal TANF funds. Due to the new CalWORKs 48-month time limit, there will be times when an aided adult will reach the CalWORKs 48-month time limit before reaching the TANF federal 60-month time limit. When these adults reach the 48 months limit, the adult <u>must be removed</u> from the AU in accordance with the 48-month time limit provisions, and the eligible children are to be transferred into a state funded Safety Net case with the appropriate aid code (3A or 3C), if otherwise eligible.
Recipient Noticing (NOAs) Requirements <i>June 2011 through December 2011</i>	Due to the significant impact of this new law CWDs must provide a 30-day NOA instead of the existing 10-day NOA to households negatively affected by the new 48 month time limit law. The 30-day noticing requirement (transition period) is effective June 2011 through December 2011. During this transition period the new TEMP 2186A (4/11) form must accompany each NOA sent to impacted households.

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<i>After January 1, 2012</i>	In computing the 30-day noticing period do not include the date of mailing or the date the action is to take effect. Example: Actions that effect July 1, 2011 benefits must be mailed on or before May 31st. Do not count May 31st or July 1st. Beginning January 1, 2012, the 10-day noticing requirements will resume. In addition, aided adult recipients who are subject to the CalWORKs 48-month time limit will receive a NOA or an informing notice at: • The 42nd month of aid • Between the 42nd and 46th months of aid • CalWORKs 48—Month Time Limit notification form CW 2184 is included in intake and redetermination packets, which provides information on how to request an exemption or extension of the 48-Month Time limit regulations.
Overpayment Instructions	Adults whose time clocks exceed 48-month time limit as of July 1, 2011 will be discontinued from the case and no overpayments are calculated retroactively. Example: If as of July 1, 2011, an aided adult has 55 countable CalWORKs months of aid, no OP shall be established for the additional seven months (beyond the 48) that the adult received prior to 7/1/2011.
Welfare Data Tracking Implementation Project (WDTIP) Tracking Recipients Across California (TRAC) Impact	Currently, WDTIP sends C-IV a monthly report file to show any individual who is in one of the following months of the 60-month time limit for the CalWORKs and/or TANF Programs: 48, 53, 54, 55, 56, 57, 58, 59, or 60. The report intervals for the TANF time limit will not change. To assist CWDs in tracking the new CalWORKs 48-month time limit WDTIP system will be modified along with the C-IV. The modified report file will include individuals who have reached the following CalWORKs months of aid: 36, 41, 42, 43, 44, 45, 46, 47 or 48 to reflect the current CalWORKs time limit changes. C-IV will notify the Eligibility Worker through a “Task” following current procedures.
CalFresh Impact	The new 48-month time limit is not considered a failure to comply with program requirements; therefore removing an adult from the CalWORKs program will more than likely increase CalFresh benefits.
Medi-Cal Impact	CWDs will continue current practice of determining ongoing Medi-Cal eligibility to timed-out individuals.

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Refugee Cash Assistance (RCA)/Entrant Cash Assistance (ECA) and Trafficking and Crime Victims Assistance Program (TCVAP) Impact	The new 48-month time limit law is not applicable to recipients of RCA, ECA, and TCVAP Cash Assistance who are single adults or in families without children.
TCVAP CalWORKs Impact	The new 48-month time limit law does apply to recipient families of TCVAP CalWORKs.
General Assistance (GA) Impact	GA will not be impacted as a result of the 48 month time limit law. Under current law, CalWORKs adults who have lost their eligibility for CalWORKs due to reaching their time limits are not eligible to receive county GA benefits until all of the children of the individual on whose behalf aid was received, whether or not currently living in the home with the individual, reach age 18.
Forms and Notices of Action (NOAs)	NOAs have been revised and placed in OMNI and if not electronically produced are available to provide notice to recipients affected by the new CalWORKs 48-month time limit for adults.
C-IV Batch Run	C-IV will conduct batch runs to evaluate each aided adult impacted by this new law. The batch run will occur May 28th and the 30 day NOA will be mailed on May 31st. In addition to the 48 month time limit changes the following changes are also included in the batch run. ◆ Eight percent Maximum Aid Payment (MAP) Reduction (ACL 11-29) ◆ Changes to the Earned Income Disregard (ACL 11-29) Eligibility Workers will review using an adhoc report the existing time clocks exceeding 48 months to ensure the validity of the client's information in C-IV. All new applications for CalWORKs must have a time clock review prior to authorization.