

GETTING AID AFTER THE 48-MONTH LIMIT ON CALWORKS

Although as of July 1, 2011, adults are limited to 48-months of CalWORKs cash aid, there are ways to “stop” the 48 months from being used up (*exemptions*), and stay on aid longer (*exceptions*). See our Exemptions brochure for information on stopping your clock.

WHAT IS AN EXCEPTION?

- An “exception” means when you can get aid, even though you used up your 48-months of CalWORKs.
 - ✓ You can meet an exception when you reach 48-months, and *stay on aid*.
 - ✓ You can qualify for an exception after you have already lost your cash aid because of time limits, and *get back on aid*.
- For two parent families, *both* adults must meet an exception for either to get back on.

WHAT EXCEPTIONS ARE THERE?

AGE

When you are 60 or older

DISABILITY

- When you are disabled.
 - ✓ You must get benefits from SDI (State Disability Insurance), Worker's Compensation Temporary Disability Insurance, In-Home Supportive Services, *or* the State SSP Program
- **and**
 - ✓ The disability must significantly limit your being able to work or do CalWORKs activities. Someone licensed by a state to diagnose or treat your condition must verify this.
- When you care for an ill or disabled household member.
Caring for this person must limit your being able to work or do CalWORKs activities.

FOSTER CARE

This exception is for relatives taking care of children in foster care, or who are at risk of going into foster care. *Parents are not eligible*. You must show that:

- ✓ Taking care of the children involves more than normal parenting responsibilities.
- ✓ Caring for the children impairs your being able to work or do CalWORKs activities.

UNABLE TO KEEP OR GET A JOB

This exception is for people who are unable to “*obtain or maintain*” a job, and had *history of doing welfare-to-work activities* during their 48 months of CalWORKs. You can still qualify if you had been sanctioned for not doing welfare-to-work, as long as you cooperated for six-months (or a total of six months over a 24 month period). The county must “assess” you to see if you currently are employable. If you are doing your full 32-35 hours/week of welfare-to-work when you reach your 48 months, the county will consider you employable. *Get help from Legal Services if you disagree*.

DOMESTIC VIOLENCE

If current or past domestic violence limits with your ability to do CalWORKs activities, you may qualify for a “**good cause waiver**.” This can include not applying the 48-month lifetime time limits, as well as waiver of any CalWORKs program rule. *If the county says you cannot get your time stopped unless you cannot do welfare-to-work, contact Legal Services immediately and ask for a hearing.*

How To Apply for An Exception

- **Recipients**: the county will review your case before stopping your aid because of the time limits. If you get a notice ending your share of (or your family's) cash aid because of the time limits, and you think you meet an exception, *ask for a state fair hearing. Call 1-800-952-5253.*
- **If You Are Off Aid/Your Children Get Aid**: If your children still get aid, ask the worker to aid you as an “exception.” If denied, and you think you qualify, *ask for a state fair hearing. Call 1-800-952-5253.*
- **If The Family is Off Aid**: If the whole family is off aid, reapply.

Having problems? Contact Legal Services:



REQUEST FOR AN EXCEPTION

I think I should still get CalWORKs cash aid past the 60 month limit, because:

- Age: I turned 60 years old on: _____.
- My Disability: I am disabled now, and on the State Supplemental Payment program, or SDI, or Workers Comp or IHSS.
- Disabled Household Member: I am caring for someone in my house who is ill or disabled. This affects by being able to work or do welfare-to-work.
- Foster Child: I am caring for a child that is a ward of the court or at risk of going into foster care. This care affects my being able to work or do welfare-to-work.
- Can't get/keep work: I can't find or keep work now, and had cooperated with welfare-to-work.
- Domestic Violence: I or my family experienced/am experiencing Domestic Abuse. I need a "good cause waiver" of the 60 months so we are not unfairly penalized or made more likely to stay with/return to the abuser.

Name: _____

Worker: _____

Address: _____

Case #: _____

Phone: _____

Date: _____

Please respond to me in writing within 15 days from the date of this request pursuant to §42-302.32

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Exemption

I think that some of the months counted against my 60 month limit should not count, because:

- Age: I turned 60 on: _____
- My Disability
- Caring for A Disabled Household Member
- Caring for a Foster Child
- No Cash Aid (not on aid or sanctioned)
- Teen Parent
- Lived in an Alaskan Village or Native American land
- Child Support (if total paid was enough to pay off one or more month of CalWORKs.)
- Domestic Violence (good cause waiver)