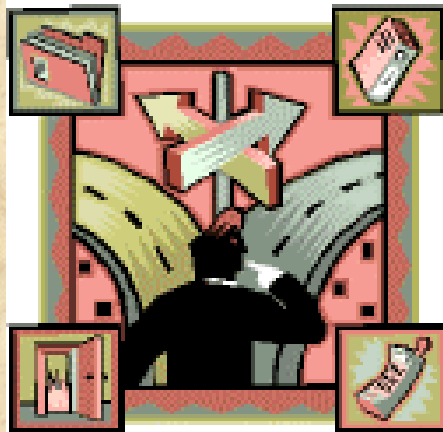


# Now What? Options After Time Limits



# Getting Back on Aid



- Future Child Support
- DV Waiver
- Post-time limit DV waiver
- Post-time limit exceptions
  - Age
  - Disability
  - Care of Disabled HH member
  - “Foster Care” Exception
  - Hardship

# Just to Mess with Your Mind...

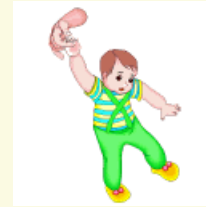
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Ok, so you are off aid. Everything was done right. There's nothing you can do. But then, in the distance, you see....

★ Underpayments discovered after the imposition of the time limit!

– *Underpayments are used to reimburse aid, and can restore eligibility!*

# Future child support



- As child support comes in, county to determine if any additional months of aid are reimbursed
  - If children are on aid, adult to come back on
  - If family is off aid, additional months’ “credit” not provided until family reapplies for aid
    - **This is of limited applicability, as once kids are off aid, child support, including arrearages, is sent to family and not to county LCSA for reimbursement of aid**

# How you get back on

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- The county is to add the adult into the AU when ...
  - the LCSA notifies of the child support recoupment *and*
  - it determines the adult is eligible for additional months
- The adult mandatorily is included as of the first of the month in which additional months become available

# Your Off, Your On. Now What?

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- If you still had training time, you go back to WTW activities
  - Counties need to get new WTW plan, and should get a new assessment re: appropriate activities to develop it
    - no guidance from state re: assessment
- If no more training time, you go to Community Service
  - additional activities available per ACL 99-111 and minimum wage calculation 02-07

# Exception (Extension) Rules

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- When more than one aided adult, all adults (timed-out individual and not) must meet an extension criterion in order for the timed-out individual to receive the exception
- The extension of aid applies at any time timed-out individuals meet exception criteria (ACIN I-95-02)

# Go Retro!



- **Retroactive exemptions**

- did the person ever get an adequate explanation of:
  - **exemptions**
  - **how to request**
- did the person ever get an adequate notice of the exemption denial?
  - **Due process considerations**
  - **Language access considerations**

*Once adequate NOA issued, retro application  
limited by timely hearing request*

# Job Retention Services

---

- County option to provide. Applies to:
  - former recipients (timed out or otherwise)
  - who have received aid within the previous 12 months *and*
  - who are employed *and*
  - which are not available from other sources *and*
  - are needed for the individual to retain employment



**Post-aid Child Care is *mandatory***

# Job Retention Services (cont'd)

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- Counties determine
  - the duration and types of services to provide
  - the reimbursement rate for transportation and other support services
    - options must be in **County CalWORKs Plan**
    - **specific standards must be in writing**
- Job retention services to former recipients may be provided without a community service requirement

# Other post-60-month services

---

- Counties can opt to provide other services (ex: case management and supportive services) to employed or *unemployed* **timed out individuals**
  - **Must do community service to the extent it does not interfere with work**
    - **minimum wage calculation used to determine hours**
  - Counties determines who is eligible, duration and types of services provided; participation requirements, and reimbursement rate for supportive services

# Other Need-based Programs

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- Food Stamps
  - no longer categorically eligible
  - work requirement
- Medi-Cal ([ACWDL 01-36](#))
  - recipients remain eligible for Medi-Cal under 1931(b), until their next annual redetermination
- Housing
  - work requirement

# Keeping Your Medi-Cal

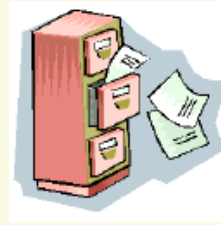


- **Section 1931(b) eligibility runs Simultaneously with CalWORKs**
- **Unless the family has a change in circumstances that impacts Medi-Cal eligibility, Medi-Cal continues (*see next slide*)**
  - **circumstances must “clearly demonstrate not eligible” (*ex: death, incarceration, not in CA...*)**
    - **death and incarceration terminations for individual**
  - **Discontinuances for reasons such as no CW7, non-coop w/ WTW or time limits are NOT changes in circumstances for MC = NO discontinuance**

# Ex Parte Medi-Cal Review Chart

Reason for CW Discontinuance	Ex Parte Rev. Req'd?
Loss of CA residency	No
Written request to discontinue CW/MC	No
Incarceration	No
Death of beneficiary	No
Transition into another PA program w/ MC	No
Failure to provide mo income rept	No
Non-cooper w/ WTW	No
Failure to do CW redeter'n	Yes
Loss contact/whereabouts unknown	Yes
Change HH comp'n + non-coop re; AU	Yes
Change in HH circs that affect MC?	Yes
Excess resources	Yes
Excess income	Yes
Failure coop with child support	Yes

# Medi-Cal Quirks



If you lose CalWORKs because...

- missed CW annual redetermination
  - family *must* complete a MC annual redetermination or else will be discontinued
- increase in income
  - MC reviews case for 1931(b), Transitional MC, 4-month continuing/Percentage/Medically Needy and Medically Indigent programs, etc.
- no eligible child in home
  - review adults for any other basis of eligibility

# Medi-Cal Continuation Process

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- If can, county redetermines eligibility through *ex parte* process (ACWDL 01-36)
- If that fails, county calls to get the needed information
- If *that* fails, send Request for Information
- If no response, county proceeds with termination

# Keeping Your Food Stamps

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- Must “register for work” unless exempt
  - Exemptions from FS work rules, but not bases for getting back on CalWORKs, include:
    - physically “unfit for work” (Dr. statement or other document)
    - care of child under 6
    - self-employed (>30 hrs or earning min wage x 30)
    - regular participant in a drug addiction or alcoholic treatment and rehabilitation program
    - enrolled at least 1/2 time in school, training program, or college
    - On or applied for UI

# Exclusions from Food Stamps Employment and Training (FSET)

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- Must do FSET unless exempt
  - Lack of child care
  - Lack of transportation to FSET site
  - Costs of participation exceed \$25
    - Up to \$25 in costs is reimbursed by FSET
  - Unreasonable distance to travel
  - Severe family crisis
  - Temporary layoff, illness or disability (expected <60 days)

# FSET Programs



- County decides program options and assignments
  - minimum of 12 hours/2 months
  - maximum of 120 hours/month
    - Minimum wage limits # of hours of actual work
- Options include:
  - Job search requirements
  - Job search
  - Workfare and Work experience programs
  - Job training and Educational programs
  - Self-employment

# Housing Issues



- Income down = rent down
  - tenant should request
  - eviction defense if rent not recalculated
- Quality Housing and Work Responsibility Act of 1998
  - % of tenants must be employed or in Community Service program 8 hrs/wk
    - FSET qualifies
    - Evicted if don't participate, but are *exemptions*
- Section 3 Employment job, training and contracting opportunities

# DOL Welfare to Work



- DOL WtW Grant Programs serve timed-out former CalWORKS recipients (and others)
- WtW Grant program activities include:
  - Public and private sector jobs, On-the-job training, and paid work experience
  - Six months of vocational education training
  - Job readiness, placement, and post-employment services
  - Job retention or supportive services, such as child care and transportation assistance

*WtW Grant services available until 7/15/04*

# WIA



- Programs for adults, dislocated workers and youth
- 3-tier services
- Training vouchers for approved providers
  - exceptions for OJT and customized training
- Support Services available if no other resources
  - expect a tussle re: getting these...

# WIA Three Tiers of Service



- Core services
  - assessment, job search/ placement assistance, and career counseling
- Intensive services
  - in-depth assessment, counseling and career planning, and prevocational services
    - unemployed after core services or employed individuals needing additional training services to reach self-sufficiency
- Training services
  - must have used at least one core service and one intensive service

# College Opportunities



- Timed out adults can attend without CW restrictions
  - May be FSET issues
- Likely to qualify for child care
- Financial aid, EOPS-CARE likely available
- Federal Work Study income not counted against Safety Net grant

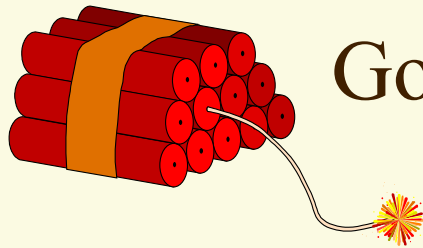
# Child Care: First 2 Years



- Child care continues (through Stage I or Stage II) for up to 24 months after the adult leaves cash aid for *any* reason
  - if needed to participate in work, training, or education, and income eligible
    - **24-month limit is consecutive, and it begins again every time the individual leaves aid**
      - **Ex: leaves aid in 1/00; returns to aid 11/01 (23 mos); on aid for 2 months. When goes off, restarts 24 months.**

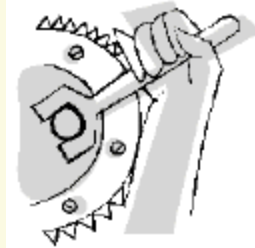
# Child Care: After 24 Months

- After 2 years, *if funding is available*, transition into Stage III child care.
  - families can then get child care subsidies until:
    - children reach age 12 (ltd circs/\$ to 14) *or*
    - the family's income exceeds 75% of the State Median Income



Governor's Budget Proposes  
*eliminating* Stage 3

# Employment Issues



- Family Medical Leave Act
- New UI program for paid family leave
  - 6 weeks paid through SDI *for leave after 7/04*
- UI/SDI
- Worker's Compensation

# FMLA Eligibility



- You worked for your employer for at least 12 months (part-time or temporary ok)
- You have worked at least 1,250 hours during the 12 months before the leave
- Your employer employs at least 50 people within a 75-mile radius of your work site
- You need time off from work to care for a parent, child or spouse who has a serious health condition

# FLMA Protections



## Employers:

- May not fire you for taking up to 12 weeks of leave
- Must give you back the same or equivalent job
- Must continue to pay for health insurance benefits — if you have them — during your leave

# Unemployment/Disability Insurance

- Must have paid into base period
  - Look back time is a 12-month period beginning about 18 months before you file your claim

If you file your claim in:	Base Per. is yr. ending prev:
January, February, March	September 30
April, May, June	December 31
July, August, September	March 31
October, November, December	June 30

- Maximum payment is \$370/week
  - UI - 26 weeks (possible federal extension)
  - SDI - 52 weeks

# Unemployment Insurance

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- Earnings: \$1300 in one qtr. of base period, *or* \$900 in highest quarter + a total of 1.25 x high quarter \$ w/in 4 qtrs. of base period
- Filing: 2-week wait period
- Status: totally or partially unemployed
  - through no fault of your own
  - physically able to work
  - available for (ready/willing to)
  - actively looking for work

# State Disability Insurance (SDI)

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- Earnings: at least \$300 during base period
  - Filing: within 49 days of the date
    - if untimely, may lose benefits
  - Care: under the care and treatment of a licensed doctor or accredited religious practitioner
  - Verification: completed by provider
- Must apply for SDI if on UI and become sick or disabled*

# Workers' Compensation



- Illness or injury caused in the course of job
  - no fault system
- Medical care
- Temporary wage replacement
  - maximum of \$490 per week
- Payments for permanent injuries
- Vocational rehabilitation services