



CONSORTIUM REQUEST FOR POLICY CLARIFICATION (CRPC)

CDSS Tracking #2206

Requestor Name: Frederick Gains	Response Due Date: 6/25/20
Consortium: CalSAWS	Subject: CW Incomplete Redetermination
WIC/Regulation Cite(s):	References: (include ACL/ACIN, court cases, etc.)
Date of Request: 6/11/20	Enter Affected Program(s): CW
Date Closed:	

1. What is the SAWS question, issue, or problem?

The CW redetermination process in CalSAWS consists of a renewal (RE) packet being generated by the system and sent to the customer. This RE packet is tracked with the system with various statuses (generated, sent, received, incomplete, completed). In CIV, when the status of the RE is changed to 'Incomplete' the worker has the option to generate a CIV form called NA RE Y notice of incomplete RE.

The form was created at the request of the CIV counties and was modeled after the NA 960 Y for SAR reporting. The purpose of this form is to provide the opportunity for the customer to address whatever is missing/incomplete and while providing information about the discontinuance if the information is not returned.

During CDSS evaluation of the non-state forms CF bureau instructed CIV the form is not allowed for CF programs. The CW 2200 is available in the system for users to request verification. The CW 2200 is not a notice of action.

As a point of reference, the NA RE Y form is not in LRS/CalSAWS or CalWIN.

1. Should CIV counties continue to use the NA RE Y form when a RE packet is received and is determined to be incomplete?

2. a) If the CW 2200 is sent the customer, and the verifications are not returned, what notice of action is used to deny the redetermination?

2. b) If the notice cannot be sent to meet the 10 day cut off timeframes, should they receive the month benefits and establish an overpayment?

2. Proposed resolution (optional)

3. State Response

Question 1 Should CIV counties continue to use the NA RE Y form when a RE packet is received and is determined to be incomplete? CDSS CalWORKs Response:

During the CDSS review of Non-State Forms, the CalWORKs Early Engagement and Eligibility Bureau made the agreement with CWDs to keep the NA RE Y form to allow CWDs to use it for the CalWORKs program. CWD representatives and CalWORKs agreed it is a useful tool as a reminder to clients that they have not completed or complied with the RE process and may be in danger of losing their CalWORKs benefits. The NA RE Y also provide equity for AR/CO cases similar to what SAR cases receive with their SAR 7 reports when they are late or incomplete. The NA RE Y does NOT replace the CW 2200 when verifications are missing and needed. It can be used either for other RD purposes alone or in conjunction with the CW 2200 for a clearer message regarding missing information and the RE process.

Question 2a) If the CW 2200 is sent to the customer, and the verifications are not returned, what notice of action is used to deny the redetermination?

CWDs should use the process that is currently used. The M40-181A was developed to discontinue cases when the AU does not provide information/verifications requested by the CWD during the RE process.

This is the correct discontinuance notice to use. It is not a "denial" but a discontinuance of an ongoing case for failure to provide information needed to redetermine on-going eligibility.

If the SAWS 2 Plus, "statement of facts" is not received, is incomplete or the recipient did not "attend" their interview, the M40-181 is used.

Question 2b) If the notice cannot be sent to meet the 10 day cut off timeframes, should they receive the month benefits and establish an overpayment?

Yes, anytime a CWD misses the 10-day notice requirement the prior month benefit amount must be issued and an overpayment established except for certain circumstances in certain AUs where the applicant/recipient reported timely but the CWD failed to or did not have time to act see ACL 16-120).

In the case of a late RE, the recipient likely did not report timely so the overpayment should be established.

Please contact Shawn Dorris, Program Manager, in the CalWORKs Early Engagement and Eligibility Bureau if you have any further questions with a copy to Rose O'Connor who coordinates the CRPC responses for the Bureau.