



## CONSORTIUM REQUEST FOR POLICY CLARIFICATION (CRPC)

CDSS Tracking #2325

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| <b>Requestor Name:</b><br>Caroline Bui<br>(916) 282-3668<br>BuiC@CalSAWS.org   | <b>Response Due Date:</b><br>09/22/2022  |
| <b>Consortium:</b><br>CalSAWS  | <b>Subject:</b><br>Paper Applications Prior to RE Interview  |
| <b>WIC/Regulation Cite(s):</b><br>MPP 63-504.61; 7 CFR 273.2(c)(1); 7 CFR 273.2(c)(1)(ii); 7 CFR 273.2(b)(2); 7 CFR 273.2(b)(4); 7 CFR 273.14(b)(1)(iii); 7 CFR 273.2(c)(7)(viii)(A); 7 CFR 273.2(c)(7)(viii)(D) | <b>References: (include ACL/ACIN, court cases, etc.)</b><br>ACL 22-20; ACL No. 17-57; ACIN I-60-13 |
| <b>Date of Request:</b> 09/7/2022<br><br><b>Date Closed:</b>   | <b>Enter Affected Program(s):</b><br>CalFresh, CalWORKs  |

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

AB 135 chaptered in WIC Section 18900.4 and ACL 22-20 require all counties to provide CalFresh households with an option to complete an application and recertification by telephone and capture their signature by an electronic signature method, such as recording a telephonic signature (TS) starting January 1, 2023, for counties converted to CalSAWS.

The federal regulation at 7 CFR 273.2(c)(7) allows counties to accept “unwritten” signatures as a generally acceptable method of signing an application or redetermination, which may include electronic, recorded telephonic, or recorded gestured signatures.

7 CFR 273.2(c)(7)(ii) Right to provide written signature. All households have the right to sign a SNAP form in writing.

MPP 63-504.61 – General Requirements: (b) All households shall be provided notice of the impending expiration of their certification period as specified in Section 63-504.251. The CWD also shall provide the household with an application, which may be sent with the notice, including an appointment date for an interview. Or, the application and appointment date may be mailed or given to the household separately. 7 CFR 273.2(c)(7)(viii)(D)/ACL 22-20 states: The State agency shall promptly provide to the household member a written copy of the completed application, with the instructions for a simple procedure for correcting any errors or omissions.

**ACIN I 60-13 states: “The use of a telephone signature, as part of the application or redetermination/recertification process, will eliminate the process of mailing documents in order to gather a client’s ink signature.”**

**Question: Are counties that have adopted the telephonic signature method required to send a paper application prior to the recertification/renewal (RE) interview for:**

- A) CalFresh**
- B) CalWORKs**
- C) Combo CalFresh/CalWORKs REs**

## **2. Proposed resolution (optional)**

## **3. State Response**

**From CalWORKs:**

### **B) CalWORKs**

**For CalWORKs, while many counties do this so the applicant (or for recipient for annual redetermination "RD") to assist them in preparing for their interview, mailing an application prior to an eligibility interview or annual RD interview is not required. However once the interview is completed an applicant must receive a copy of the completed, signed application regardless of how they signed it ("wet" signature, electronically or telephonically). This requirement still applies even if there were no changes to the SAWS 2 PLUS/Statement of Facts. This is pursuant to WIC 11265 and MPP 40-181.2.**

**Additionally, as a reminder, when an applicant provides a signature via verbal attestation, the county must send the completed application to the applicant along with all forms required at intake to be signed and returned within 30 days for the case to continue. The county does not need to wait for the application and forms to be returned to initially grant the case (see ACL 21-134 for more information).**

**C) Combo CalFresh/CalWORKs REs**

**For combo cases, CalWORKs defers to CalFresh if their rule is more restricted than the CalWORKs due to CalFresh's federal oversight.**

**The CalWORKs requirement of providing the SAWS 2 PLUS/Statement of Facts after a completed interview still applies.**