



Mandatory and Optional Verification for CalFresh Eligibility
 Jessica Bartholow, Western Center on Law and Poverty (November 2017)

Rule	Mandatory?	Optional	Notes
<p>BAWD employment verification</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(xiv) • 63-300.5(g)(3) • 63-410.2 	<p>Yes, hours worked need to be verified if:</p> <ul style="list-style-type: none"> • The recipient is subject to the time limit; • The person has already received 3 months of aid in a 3-month period; and, • The month is countable against the time limit. 	<p><i>At the option of the recipient:</i> The recipient may optionally report work during the first three months of aid to disqualify those months countable against the 3-month limit. However, this cannot be required.</p>	<ul style="list-style-type: none"> • ABAWD Statewide Waivers for FFYs 2011 – 2018 waived ABAWD time limits for all counties or a portion of California that meets at least one of several federally-established waiver criteria, including being eligible for extended Unemployment benefits and Labor Surplus Area (LSA) designation. • Counties will remain eligible for the waiver up until September 2018, and a handful of counties will need to implement the time limit at that time. See the ABAWD Guidebook to reference additional rules relating to the time limit.
<p>Eligible Noncitizens Status</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(ii) • 63-300.5(e)(2) • 63-405.11 through .17 	<p>Yes, but only if the noncitizen member(s) is applying for benefits. Verification may include: Immigration papers, forms, cards, or certification of naturalization.</p>		<p>The county is required to assist all applicants in securing documents, and may only contact USCIS if the noncitizen has given permission to do so.</p> <p>If the status of one HH member is not verified, only that person is not aided. Lack of verification for that person cannot be basis for delaying or denying benefits to other members in the HH.</p>

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<p>Child Support</p> <ul style="list-style-type: none"> • 273.(f)(1)(xii) • 63-300.5(e)(10)(A) -(C) • 63.502.122 	<p>Yes, must verify legal obligation, the amount of obligation, and the monthly amount actually paid. This amount is treated as an exclusion instead of a deduction. This includes garnished wages.</p>	<p>.</p>	<p>County may help applicant or recipient secure verification from the Department of Child Support Services automated system. If not verified, income exclusion is not given. Lack of verification is not a basis for delaying or denying benefits.</p>
<p>Disability</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(viii) • 63-300.5(e)(9)(A) - (I) • 63-102(e)(1)(B) - (K) 	<p>Yes, if applicable. Proof that a household is receiving Social Security Income (SSI), Social Security (Title II) benefits, Veterans Administration, or Applicant Income and Eligibility Verification System (IEVS).</p>		<p>For disability determination for work requirements or the ABAWD time limit, observation by the worker suffices. Lack of verification is not a basis for delaying or denying benefits. If the person does not provide verification and the county has exhausted all support required by SNAP Law and ADA, then the application should be accepted under non-disabled guidelines.</p>
<p>Household Composition</p> <ul style="list-style-type: none"> • 273.2(f)(1)(x) • 63-300.5(g)(1)(A) and (B) • 63-402.15 	<p>Yes, if questionable.</p>		<p>Households shall provide verification for individuals who claim to be a separate household from those with whom they reside based on the various age, relational and disability factors</p>
<p>Medical Expenses</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(iv) • 63-300.5(e)(7) • 63-502.33 	<p>Yes, if deduction is sought. No need to re-verify if unchanged or change is \$35 or less.</p>		<p>If verification causes delay in certification, eligibility can be determined without deduction. Failure to verify expenses results in disallowance of deduction, not denial of application.</p>

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<p>Child Care</p> <ul style="list-style-type: none"> • The 2008 Farm Bill P.L. 110-246) • 7 C.F.R. § 273.9(d)(4). The current regulation still contains language referring to the cap, which the 2008 Farm Bill eliminated. This language is obsolete. • 7 C.F.R. § 273.1(b) • 154 Cong. Rec. S. 4750 (daily ed. May 22, 2008). 	<p>Yes, but only self-certification can be required (unless questionable).</p> <p>All other cases must follow state law and guidance pursuant to: http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2013/13-102.pdf</p>		<p>Link to ACL & CBPP Materials. CBPP Paper on the Topic: https://www.cbpp.org/research/the-food-stamp-dependent-care-deduction & Webinar on Topic: https://www.cbpp.org/sites/default/files/atoms/files/snap_academy_webinar_1-7-15.pdf</p> <p>U.S. Department of Agriculture, Food and Nutrition Service Memorandum, Supplemental Nutrition Assistance Program (SNAP): Applications' Statements about Unreported and Unverified Expenses, November 18, 2009, http://www.fns.usda.gov/fsp/rules/Memo/2010/111809.pdf.</p> <p>Sample Flyer: https://static1.squarespace.com/static/55130907e4b018f9300f3e63/t/5549190ee4b0f292e59cf1ad/1431378152254/Dependent+Care+Deductions101++7_14.pdf</p>

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<p>Identity</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(vii) • 63-300.5(e)(3) • 63-300.5(h)(2) 	<p>Yes, but only if the household is <u>not</u> also receiving Medi-Cal, where their identity was verified via MEDs verification with Social Security Administration (SSA). For all others, identification of the head of household is required. Examples of allowable verification include, but are not limited to: a social security card, driver’s license, picture ID, work or school ID, health benefits ID, voter’s registration card, wage stubs, birth certificate or 3rd party.</p>	<p>Optional for non-head-of-household members on the application.</p>	<p>No specific ID can be required. Any document which reasonably establishes identity must be accepted and no requirement for a specific type of document may be imposed. County must assist in obtaining verification, if needed. Collateral contact must be attempted if there is no documentation available.</p>
<p>Medical Expenses</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(iv) • 63-300.5(e)(7) • 63-502.33 	<p>Yes, if deduction is sought. No need to re-verify if unchanged or change is \$35 or less.</p>		<p>If verification causes delay in certification, eligibility can be determined without deduction & should not result in denial of application. The Standard Medical Deduction (SMD) demonstration project began October 1, 2017.</p>
<p>Residency</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(vi) • 63-300.5(e)(5)(A) • 63-301.7 • 63-401 	<p>Yes, with some exceptions. Verification of residency should be accomplished via information from other sources, such as rent or mortgage billing statement, utility billing statements, or identity documents.</p>		<p>Exceptions include homeless households, some migrant farmworker households, or households newly arrived in project area. Residency can be verified in conjunction with other forms of verification (e.g., rental agreement).</p>

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Liquid Resources and Loans <ul style="list-style-type: none"> • 273.2(f)(3) • 63-300.5(f)(2) • 63-501.1 	Yes, but only for Households with elderly or disabled household members who have gross incomes over 200% of the Federal Poverty Level (FPL). Also, in the case of determining entitlement for expedited services, only liquid resources such as cash are counted.		Categorically eligible households do not have to meet the resource limits under 273.8(b). AB 433, Chapter 625, Statutes of 2008 required CDSS to establish a program of Modified Categorical Eligibility (MCE) for CalFresh and, in accordance with Section 5(a) of the federal Food and Nutrition Act of 2008, to not consider resources for Non-Assistance CalFresh households (NACF).
Student Exemption <ul style="list-style-type: none"> • 273.2 (f)(1)(xi) • 63-406.2 	Yes, the worker will have to verify half-time attendance or more, if applicable, unless the physical or mental unfitness for work is evident or it is already known to the county that the person is exempt (i.e. participating in E&T, single parent with child under 12, etc.) The worker will also have to verify exemption.		See All County Letter ACL 17-05 (February 14, 2017) and ACL 16-112 (December 23, 2016) for checklist with exemption. Western Center issued a guide for these new policies, published here .
Shelter Expenses – only collected for the purposes of determining Excess Shelter Deduction. MPP 63-502.362	No. Only for the purposes of determining shelter deduction. Expenses can include rent, mortgage, homeowner’s association fees, loan payments on other forms of shelter (e.g., mobile home), property taxes, and home repair costs not already subsidized.		If verification causes delay in certification, eligibility can be determined without deduction & should not result in denial of application.

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<p>Gross Nonexempt Income</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(i) - 63-300.5(e)(1) • 63-502.1 	<p>Yes, income must be verified through wage stubs, a letter from the employer, award letter, Applicant IEVS, The Equifax Work Number, etc.</p>	<p>The state opted to exclude certain types of income not counted under TANF. Also, this option does not apply to wages, salaries, benefits from major public assistance programs, regular government payments, worker's compensation, and child support payments.</p>	<p>If verification of income is unsuccessful after exhausting all attempts, the eligibility worker can determine an amount to be used for certification purposes based on the best available information. Best available information may include an applicant's affidavit.</p>
<p>Utility Expenses</p> <ul style="list-style-type: none"> • 273.2 (f)(1)(iii) • 63-300.5(e)(6) • 63-502.363 	<p>No. Household may verify that they incurred heating and/or cooling cost separate and apart from their rent or mortgage payments.</p> <p>However, because California has chosen the Heat & Eat Option, if verification is not provided, the Standard Utility Allowance (SUA) must be assigned to the Household.</p> <p>Households who are homeless can receive the Homeless Shelter Deduction.</p>		<p>All County Information Notice: http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2014/14-66.pdf</p>

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Prior Drug Felony Conviction <ul style="list-style-type: none"> • 273.11(m) • 63-300.5(e)(11)(A) through (E) • 63-402.229 	Yes, but only in limited circumstances. California opted out of the lifetime ban for people with prior drug felony convictions. However, people must comply with the terms of their probation and parole, including participation in a drug-rehabilitation program.	Only as allowed by state law and guidance pursuant to this All County Letter: http://www.cdss.ca.gov/letters/notices/EntRes/getinfo/acl/2014/14-100.pdf	http://www.cdss.ca.gov/cdssweb/entres/forms/English/Temp3005.pdf
Sponsored Noncitizen Information <ul style="list-style-type: none"> • 273.4 (c) • 63-300.5(e)(8)(A) through (I) • 63-405.7 	Yes, unless the sponsored noncitizen receives no money from the sponsor and either claims to be indigent, is under 18 years of age, or opts out of receiving benefits. Indigent is defined as having an income of less than 130% of FPL.		If the sponsored noncitizen is seeking benefits, deemed income from the sponsor applies only if the sponsor has signed an Affidavit of Support (USCIS from I-864 and/or Form I-864A). If the sponsored noncitizen's sponsor's information cannot be verified, eligibility shall be considered for all remaining people in the household. <i>Note:</i> If a sponsor is giving free room & board to a sponsored non-citizen, then the fair market value of that in-kind support is counted. An in-kind support of \$0 should be assigned when the space is not inhabitable.

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Citizenship <ul style="list-style-type: none"> • 273.4(a) • 63-300.5(g)(2)(A) and (B) • 63-503.442 	Yes, if questionable		Acceptable forms of verification include birth certificates, religious records, certificates of citizenship or naturalization provided by USCIS or U.S. passports.

Source: Original work product, Western Center on Law and Poverty and Legal Services of Northern California. A 2010 version of this chart was included in CDSS All County Information Notice (ACIN) 1-45-11, found online [here](#), which is now out of date due to changes in state law. Updated guidance is available in ACL 14-26, found online [here](#).

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About Western Center on Law and Poverty

Western Center on Law and Poverty leads the fight in the courts, counties, and capital to secure housing, health care and a strong safety net for low-income Californians. Learn more at: www.wclp.org. For more information about our work to reduce hunger by improving policy and strengthening implementation of existing, contact:

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