



Madera County
Department of Social Services

Eligibility Services
CalWORKs (CW) 7
Over IRT/HH Comp Without 10-Day Notice

Date: May 24, 2017
References: Assembly Bill (AB) [2062](#)
MANUAL OF POLICIES AND PROCEDURES (MPP) § [22-001](#), [22-071](#),
[22-072](#), [44-350.15](#)
WELFARE AND INSTITUTIONS CODE (WIC) §[11004](#), [11004.1](#), [11265.3](#),
[11265.47](#), [11486.5](#)
ALL COUNTY LETTERS (ACLs) [16-120](#)

Background

Prior to 2017, when a client reported any of the required changes under the Semi-Annual Reporting (SAR) and Annual Reporting/Child Only (AR/CO) rules timely and the Eligibility Worker (EW) was unable to provide a 10-day notice of the resulting termination or reduction of aid, the client would incur an overpayment (OP) for the following month.

Effective January 2017, state law was changed to prohibit County Welfare Departments (CWD) from establishing OPs in such situations.

SAR Reporting Client shall report orally or in writing, within 10 days;
Rules

- When the monthly household income exceeds Income Reporting Threshold (IRT).

AR/CO Reporting Client shall report orally or in writing, within 10 days;
Rules

- The monthly household income exceeds IRT
- Any changes in household composition in accordance with WIC section [11265.47\(c\)\(1\)-\(2\)](#)

Policy

Madera County DSS staff shall not process an OP the month following a change in income over the IRT for a CW SAR-reporting case, or following a change in income over IRT or household composition for a CW AR/CO case that does not include an eligible adult, if the client has reported the

change timely and EW was unable, before the first of the month following the change, to provide a 10-day notice of the termination or reduction in benefits.

EWs shall send the appropriate Notice of Action (NOA) for the month following the month the OP would have traditionally taken effect.

SAR Case Example

- A SAR recipient in an AU of three timely reports that the family is over the IRT on January 24 and the income is expected to continue. On the day of the report, EW issues the 10-day notice regarding the termination of cash aid effective the last day of February. Although the resulting decrease in cash aid was not in effect by February 1, EW shall not terminate aid in February based on January's changes because EW did not have sufficient time to issue the 10-day notice. Nor shall the EW establish an OP for February.

AR/CO Case Example

- On February 21, a timed out adult in an AR/CO case timely reports on behalf of a child-only AU of two that one of the children has moved in with his other parent. The next day EW mails the 10-day NOA regarding the reduction in cash aid for April 1. Although the resulting decrease in cash aid does not affect the March grant due to insufficient time to issue the 10-day notice, EW shall notify the client of the pending change to take place in April based on February's changes in household composition. EW shall not establish an OP for March.

Clients Failing to Report Change of Income Timely

- A client reports on March 22 that in February the AU was over IRT. Since the client failed to meet the 10-day reporting requirement under the WIC Section [11265.3](#), an OP will be assessed for March. Further, if EW acts to reduce the cash grant, but cannot give timely notice on the action, aid received in April will also be an OP.