

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

608



FROM: Department of Public Social Services

SUBMITTAL DATE:
November 8, 2013

SUBJECT: Approve Agreement with Pechanga Band of Luiseño Mission Indians for Tribal TANF (Temporary Assistance to Needy Families) [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve and authorize the Chair of the Board to sign the attached agreement with Pechanga Band of Luiseño Mission Indians; and
- 2) Authorize the Director of DPSS to administer the Agreement.
- 3) Authorize the Purchasing Agent, in accordance with Ordinance No. 459 to sign amendments that do not change the substantive terms of the agreement.

Departmental Concurrence

Susan von Zabern

Susan von Zabern
Director

FORM APPROVED COUNTY COUNSEL
BY: *Jennifer L. Sargent* 11-20-13
DATE: _____
ELEN M. BOEVA

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------|-------------|--------------------------------------------------|-----------------------------------------------------------------------------|
| COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |
| SOURCE OF FUNDS: Federal Funding: 100% State Funding: 0%; County Funding: 0%; Realignment Funding: 0%; Other Funding: 0% | | | | Budget Adjustment: Yes For Fiscal Year: 13-14 | |

C.E.O. RECOMMENDATION:

APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref: 3.38 (July 31, 2012)

District: ALL

Agenda Number:

3-29

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Approve Agreement with Pechanga Band of Luiseño Mission Indians for Tribal TANF (Temporary Assistance to Needy Families) [\$0]

DATE: November 8, 2013

PAGE: Page 2 of 2

BACKGROUND:

The Personal Responsibility and Work Opportunity Act of 1996 (Public Law 104-193) authorizes federally recognized Indian tribes to administer and operate their own TANF programs. On June 1, 2011, the Pechanga Band of Luiseño Mission Indians was authorized by the State of California to administer a Tribal TANF program for the Pechanga Band of Luiseño Mission Indians Reservation. This agreement outlines DPSS' and the tribe's respective and joint responsibilities for administering the program.

Impact on Residents and Businesses

Provides assistance to individuals or families who are eligible to receive services under the Pechanga Tribal TANF Program.

Contract History and Price Reasonableness

There is no cost associated with this agreement. This agreement will be in effect from the date of execution, until terminated by either party according to the contract termination clause.

SvZ:eps

**Riverside County Department of Public Social Services
Agreement with the
Pechanga Band of Luiseño Mission Indians**

WHEREAS, the Department of Public Social Services, hereinafter referred to as DPSS, desires to transfer the provision of Temporary Assistance to Needy Families (TANF) services to a tribal government, in accordance with applicable Federal and State laws (see 42 U.S.C. Section 612, and Calif. Welfare and Institutions Code Section 10553.25) and any applicable regulations promulgated thereunder; and

WHEREAS, the Pechanga Band of Luiseño Mission Indians, hereinafter referred to as PBLMI, desires to provide a tribal family assistance program, hereinafter referred to as the "Pechanga Tribal TANF"; and

WHEREAS, DPSS desires PBLMI to perform these services;

NOW THEREFORE, DPSS and PBLMI do hereby covenant to follow the provisions in this Agreement and give full faith and credit to the public acts, records, and judicial proceedings for each party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this _____ day of _____, 2013.

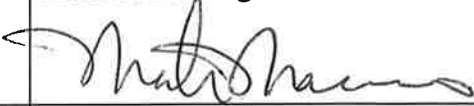
| | |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Authorized Signature for Board: | Authorized Signature for PBLMI:  |
| Printed Name of Person Signing: John Tavaglione | Printed Name of Person Signing: Mark Maccaro |
| Title: Chairman of the Board of Supervisors | Title: Tribal Chairman |
| Address: 4080 Lemon Street Riverside, CA 92501 | Address: P.O. Box 1477 Temecula, CA 92593 |

TABLE OF CONTENTS

I. DEFINITIONS 3
II. DPSS RESPONSIBILITIES 3
III. PBLMI RESPONSIBILITIES 3
IV. JOINT RESPONSIBILITIES..... 4
V. TRANSFER OF CASE INFORMATION 4
VI. CONFIDENTIALITY 4
VII. FISCAL..... 4
VIII. SANCTIONS 5
IX. INDEPENDENT CAPACITY 5
X. GOVERNING LAW / LIMITED WAIVER OF SOVEREIGN IMMUNITY 5
XI. DISPUTES 5
XII. MODIFICATION OF TERMS 5
XIII. TERM 5
XIV. NOTICE..... 6
XV. ENTIRE AGREEMENT 7

EXHIBITS

Exhibit A - DPSS Form RVSD3218

Exhibit B - DPSS Department Policy 44-301

I. DEFINITIONS

- A. "CDSS" refers to the California Department of Social Services.
- B. "DPSS" refers to the County of Riverside and its Department of Public Social Services, which has administrative responsibility for this Agreement.
- C. "Eligible adult" for the purpose of this Agreement refers to one of the following:
 - 1. An Indian or non-Indian caretaker of an eligible Indian child(-ren);
 - 2. An Indian who is pregnant and has reached the third trimester of the pregnancy;
 - 3. An Indian needy or non-needy caretaker who is related by blood to the eligible child. There is no limit to the degree of relationship to the eligible child.
- D. "Family" for the purpose of this Agreement refers to all natural children, step-children, adopted children or relative child (including non-Indians) under the age of 18 years of age living with an eligible adult, with at least one member being an Indian.
- E. "Retrocession" refers to the voluntary termination of the Pechanga Tribal TANF.
- F. "PBLMI" refers to the Pechanga Band of Luiseño Mission Indians.
- G. "Pechanga Tribal TANF" refers to the Pechanga tribal family assistance program.
- H. "TANF/CaWORKs" refers to the family assistance program administered by DPSS.
- I. "Service Population Area" refers to the Pechanga reservation and all members of federally recognized Indian tribes and their household members residing therein.

II. DPSS RESPONSIBILITIES

DPSS will:

- A. Inform in writing all TANF/CaWORKs applicants of potential eligibility to the Pechanga Tribal TANF program as specified in the most recently issued DPSS Form RVSD3218 attached hereto as Exhibit A and incorporated herein by this reference.
- B. Assign a liaison to PBLMI to assist in the resolution of issues that may arise during administration of the Pechanga Tribal TANF program. The liaison shall be available on normal Riverside County workdays from 8:00 a.m. through 5:00 p.m., excluding County holidays and shall conduct County clearances for PBLMI within five (5) business days.
- C. Provide to PBLMI copies of DPSS' policies and procedures for TANF/CaWORKs assistance and services in existence as of the date of signing of this MOU.
- D. Provide technical assistance and training, covering a scope that has been mutually agreed upon, for program development and implementation, as requested.

III. PBLMI RESPONSIBILITIES

PBLMI shall:

- A. Identify families to be transferred to the Pechanga Tribal TANF program.
- B. Obtain a written acknowledgement from families participating in the Pechanga Tribal TANF program that they cannot receive TANF/CaWORKs assistance and services from DPSS while being served by PBLMI.
- C. Provide verification, as requested by DPSS Eligibility staff, to establish eligibility and benefit level for the Food Stamp and Medi-Cal programs.
- D. Assign a liaison to DPSS in each Pechanga Tribal TANF program office to assist in the

resolution of issues that may arise during administration of the Pechanga Tribal TANF program. The liaison shall be available during normal PBLMI workdays from 8:00 a.m. through 5:00 p.m.

- E. Send all county clearance requests to the Tribal TANF e-mail address designated by DPSS.

IV. JOINT RESPONSIBILITIES

Both parties shall:

- A. Cooperate and share information in a manner that best serves Indian families.
- B. Provide mutual assistance through the identification of issues and solutions.
- C. Meet on an as-needed basis, but no less than annually, at a date and time mutually agreeable to both parties.
- D. Inform all applicants and recipients of their right to apply for the Food Stamp and Medi-Cal programs.
- E. Take all reasonable steps to avoid duplication of assistance or services through monthly comparisons of client lists, and as specified in the most recently issued DPSS Department Policy 44-301, attached hereto as Exhibit B and incorporated herein by this reference.
- F. Take all reasonable steps to identify overpayment and duplication of services, as specified in the most recently issued DPSS Department Policy 44-301 (Exhibit B).
- G. Create and maintain a referral process between the TANF/CalWORKs and PBLMI Tribal TANF programs, as specified in the most recently issued DPSS Department Policy 44-301 (Exhibit B).
- H. Verify the number of months on aid between the TANF/CalWORKs and PBLMI Tribal TANF programs, as specified in the most recently issued DPSS Department Policy 44-301 (Exhibit B).

V. TRANSFER OF CASE INFORMATION

- A. DPSS will transfer case information in compliance with established DPSS policy and in accordance with the Privacy Act, the Freedom of Information Act, and Section 10850 of the Welfare and Institutions Code.
- B. DPSS will require a signed release of information from each family for every case transferred to the Pechanga Tribal TANF program.

VI. CONFIDENTIALITY

- A. Each party shall ensure that case record information is kept confidential when it identifies an individual by name, address, or other information that identifies an individual. Confidential information requires special precautions to protect it from loss, unauthorized use, access, disclosure, modification, and destruction.
- B. The parties to this Agreement shall keep all information that is exchanged between them in the strictest confidence, in accordance with Section 10850 of the Welfare and Institutions Code.

VII. FISCAL

- A. PBLMI is to be funded directly from federal and state sources for the provision of a Tribal TANF family assistance program by the California Department of Social Services (CDSS).

- B. This Agreement is contingent upon the availability of funds from which payment will be made.
- C. DPSS shall incur no fiscal obligation, unless as otherwise provided for in this Agreement, for any assistance or services under the Pechanga Tribal TANF program. The recovery or adjustment of any overpayment, underpayment, or duplicative assistance will be the responsibility of the party issuing the erroneous payment.

VIII. SANCTIONS

Both parties agree that penalties and sanctions are not transferable from TANF/CalWORKs to Pechanga Tribal TANF, or conversely.

IX. INDEPENDENT CAPACITY

- A. It is understood that PBLMI is an independent agency and that no employer-employee relationship exists between the parties hereto.
- B. PBLMI assumes exclusively the responsibility for PBLMI's acts and the acts of PBLMI's employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.
- C. DPSS assumes exclusively the responsibility for DPSS' acts and the acts of DPSS' employees, agents, or subcontractors as they relate to services to be provided during the course and scope of this Agreement.

X. GOVERNING LAW

This Contract shall be construed and interpreted according to the laws of the State of California. Any legal action related to the interpretation or performance of this Contract shall be filed only in the appropriate courts located in the County of Riverside, State of California. Should action be brought to enforce or interpret the provisions of the Contract, the prevailing party shall be entitled to attorney's fees in addition to whatever other relief are granted.

XI. DISPUTES

If a dispute arises from this Agreement involving the interpretation, implementation, or conflict of policy or procedures, the parties shall meet to resolve the problem within applicable state, and federal law. Both parties shall ensure that any dispute will not disrupt the delivery of services or assistance payments to Indian families.

XII. MODIFICATION OF TERMS

No addition to or alteration of the terms of this Agreement, whether by written or verbal understanding of the parties, their officers, agents, or employees, shall be valid unless made in the form of a written amendment to this Agreement which is formally approved and executed by both parties. This Agreement is subject to amendment, as necessary, in accordance with requirements contained in any future federal or state statute, regulation, or policy.

XIII. TERM

- A. This Agreement shall remain in effect unless amended or terminated. Review of this Agreement shall, at a minimum, occur every three (3) years, starting from the date of execution of this Agreement.
- B. This Agreement may be terminated unilaterally by either party upon written notice one hundred twenty (120) days in advance of the date of its termination. Either party considering

termination shall explore alternatives with the other party before taking such action and ensure that there is no disruption or break in service or assistance to Indian families.

- C. In the event of retrocession, PBLMI shall notify DPSS and CDSS one hundred twenty (120) days prior to the effective date of retrocession.

XIV. NOTICE

All notices, claims, correspondence, and/or statements authorized or required by this Agreement shall be addressed as follows:

If to DPSS:

County of Riverside
Department of Public Social Service
P.O. Box 7789
Riverside, CA 92513

If to CDSS:

Director
California Department of Social Services
744 P Street, M.S. 17-11
Sacramento, CA 95814

If to PBLMI:

Legal Department
Pechanga Band of Luiseño Mission Indians
P.O. Box 1477
Temecula, CA 92593

Tribal Chairperson
Pechanga Band of Luiseño Mission Indians
P.O. Box 1477
Temecula, CA 92593

And copies sent simultaneously to:

Administration of Children and Families
50 United Nations Plaza, Room 450
San Francisco, CA 94102
Attention: HUB Director

and:

California Department of Social Services
CalWORKs Eligibility Bureau
744 P Street, M.S. 17-08
Sacramento, CA 95814
Attention: Tribal Coordinator

XV. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, and all prior or contemporaneous agreements of any kind or nature relating to the same shall be deemed to be merged herein. This Agreement is not intended to, and shall not be construed, to create the relationship of agent, officer, employee, partnership, joint venture, or association between DPSS and PBLMI. No verbal commitment or conversation with any officer, agent, or employee of either party shall affect or modify any of the terms and conditions of this Agreement.

Are you or is anyone in your household (adult or child) a Native American Indian? Three Tribal Temporary Assistance to Needy Family (TANF) programs in Riverside County provide welfare services to needy Indian families in a similar manner as Riverside County's Department of Public Social Services (DPSS) including but not limited to job-readiness training, assistance in finding a job, and supportive services to enable Native American Indians to leave the program and become self-sufficient.

The Tribal TANF Programs are:

| Tribe | Name of Program | Serving Native American Indian Families |
|-----------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Torres-Martinez Desert Cahuilla Indians | Torres-Martinez Tribal TANF (TMTT) Contact: Celeste Risvaloso (760) 262-1400 x 1137 | in Riverside County, excluding residents of the: <ul style="list-style-type: none"> • City of Riverside • Morongo Reservation, and • Soboba Reservation. |
| Morongo Band of Mission Indians | Morongo Tribal TANF Contact: (951) 755-5178 | <ul style="list-style-type: none"> • who reside on the Morongo Reservation, and • who are direct lineal descendants (by blood or marriage) to a Morongo tribal member who reside throughout Riverside County excluding the City of Riverside. |
| Soboba Band of Luiseno Indians | Soboba Tribal TANF Contact: 1-800-914-1282 or (951) 300-1040 | <ul style="list-style-type: none"> • who reside on the Soboba Reservation • who reside in the City of Riverside, or • who are Soboba descendants who reside in Riverside County, excluding the Morongo Reservation and reservation lands served by TMTT. |

If you think you qualify and have verifying documents, you have the right to choose the agency from which to receive your cash benefits and employment services.

If you choose to receive your cash benefits and employment services from one of the three Tribal TANF programs, your application for benefits will first be processed by Riverside County DPSS and then transferred to the Tribal TANF program.

If your family is Native American and you wish to have your application processed by Riverside County DPSS you don't need to do anything.

My family is Native American and I choose to:

- Receive cash benefits and employment services with TMTT.
- Receive cash benefits and employment services with the Morongo Tribal TANF.
- Receive cash benefits and employment services with the Soboba Tribal TANF.
- I only want more information about Tribal TANF.

I authorize the Riverside County DPSS within one (1) year of this dated document to receive and disclose information from and/or to Tribal TANF representatives for the purpose of determining eligibility for services from either DPSS or Tribal TANF. I understand that the information on my application will be kept confidential.

| | |
|--------------------|---------------------------------------------|
| NAME | TELEPHONE NO. |
| X | |
| SIGNATURE | DATE |
| TRIBAL AFFILIATION | RESERVATION OF RESIDENCE (If applicable) |

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 1 of 11

Tribal TANF

Overview

Introduction This Department Policy (DP) provides information regarding Tribal Temporary Assistance to Needy Families (TANF) programs within Riverside County.

CalWORKs (CW) recipients who meet the Tribal TANF service population definition may choose at any time to discontinue their CW and receive Tribal TANF.

In this policy This policy contains the following topics:

| Topic | Page |
|------------------------|--------|
| 1. Introduction | 2 – 4 |
| 2. CalWORKs Benefits | 5 – 7 |
| 3. Other Programs | 8 |
| 4. 60-Month TANF Clock | 9 – 10 |
| 5. County Clearance | 11 |

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 2 of 11

1. Introduction

What is Tribal TANF?

The federal government grants authority to federally recognized Native American tribes wishing to administer their own TANF program. Tribal TANF replaces CW assistance as the temporary cash assistance program for eligible tribal member applicants or recipients.

Tribes define the:

- service area and population
- benefits and services
- eligibility criteria, and
- work activities.

Tribal TANF programs structure program activities according to the needs of the customers and their heritage so as to preserve, strengthen and protect Native American communities and cultures.

California state regulations do not apply to Tribal TANF programs since Tribal TANF programs operate under federal regulation. For example, because Homeless Assistance (HA) once-in-a-lifetime rules are state mandated, Tribal TANF programs are not required to follow the same regulations and may provide their own version of HA, even if the customer received HA from Riverside County Department of Public Social Services (DPSS).

Other services/benefits

Customers receiving temporary cash assistance through a Tribal TANF program receive the following services from the designated providers below:

| Service/Benefit | Provider |
|---------------------|------------------------------------------|
| Employment Services | Tribal TANF program |
| Child Care Services | Tribal TANF program or DPSS (see page 8) |
| Food Stamp Benefits | DPSS |
| Medi-Cal Benefits | DPSS |

Continued on next page

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 3 of 11

1. Introduction, Continued

Riverside County Tribal TANF

The federal government approved Tribal TANF programs for:

- Torres-Martinez Consortium, consisting of:
 - Torres-Martinez Desert Cahuilla Indians
 - Pechanga Band of Luiseño Indians
 - Santa Rosa Band of Mission Indians
 - Cahuilla Band of Mission Indians
 - Ramona Band of Mission Indians, and
 - Augustine Band of Indians.
- Morongo Band of Mission Indians (MBMI), and
- Soboba Band of Luiseño Indians (SBLI).

Members of these tribes may choose to receive Tribal TANF services.

The following tribes chose **not** to participate in Tribal TANF:

- Agua Caliente Band of Cahuilla Indians
- 29 Palms Band of Indians, and
- Cabazon Band of Mission Indians.

As otherwise eligible, members of these tribes receive all benefits from Riverside County DPSS.

TMTT service population

The Torres-Martinez Consortium defines the service populations eligible for Torres-Martinez Tribal TANF (TMTT) as members, their families, individuals on the California Judgment Roll, or descendants of any federally recognized tribe residing either on reservation lands served by the Consortium or anywhere in Riverside County who choose to apply for assistance through the TMTT program. The exceptions are Native Americans:

- residing in the city limits of Riverside
- residing on the Reservations of the Agua Caliente, Morongo and Soboba tribes, or
- descendants and members of the Agua Caliente and Morongo tribes.

Continued on next page

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 4 of 11

1. Introduction, Continued

MBMI service population

MBMI defines their service population to mean eligible needy:

- Morongo Tribal members, their children and descendants, including those who reside in the off reservation areas of Riverside County, **excluding** the City of Riverside which is the approved service area of the Soboba Tribe
- Indian families who are members of a federally recognized Tribe, their child(ren) and descendants, and
- individuals identified on the California Judgment Roll and their descendants who reside on the Morongo reservation.

Soboba service population

SBLI's "service area" refers to the Soboba reservation, the city limits of the City of Riverside, and all Soboba tribal members and their descendants residing in Riverside County, excluding the Morongo reservation and reservation lands served by the Torres-Martinez Desert Cahuilla Indians.

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 5 of 11

2. CalWORKs Benefits

Choice of provider Persons meeting the definition of one of the service populations for a Riverside County Tribal TANF program retain the right to choose whether they receive benefits from a Tribal TANF program or from DPSS.

CW applicants All new applicants for CW benefits, even if no tribal affiliation is indicated, must receive the DPSS 3218, *Important Information for Native American Indians*, with their SAWS 1, *Application for Cash Aid*.

Application processing Riverside County DPSS processes CW applications for applicants choosing to receive cash assistance through Tribal TANF prior to transferring the customer to the appropriate Tribal TANF organization. This ensures the applicant's needs are met during the transfer process. Food Stamps (FS) and Medi-Cal (MC) are processed along with CW.

Denied CW applications Follow the steps below to refer a denied CW application to the appropriate Tribal TANF organization:

| Step | Action |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Eligibility Technicians (ET) e-mail referrals to the Tribal TANF liaison at tribalTANF@riversidedpss.org . Include all of the following: <ul style="list-style-type: none">case numbercase namesocial security number(s)reason for denial, andtribal affiliation and documentation (if available). |
| 2 | The Tribal TANF liaison reviews and prints imaged documents and faxes the information to the appropriate Tribal TANF organization. |
| 3 | ETs journal the recipient's: <ul style="list-style-type: none">tribal affiliationdenial reason, andreferral actions. |
| 4 | ETs transfer the FS and MC programs per district procedures. |

Continued on next page

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 6 of 11

2. CalWORKs Benefits, Continued

Transferring
CW recipients

Transfer an active CW case to Tribal TANF by following the steps below:

| Step | Action |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | ETs e-mail transfer requests to the Tribal TANF liaison at tribalTANF@riversidedpss.org . Include all of the following: <ul style="list-style-type: none">• case number• case name• social security number(s), and• tribal affiliation and documentation (if available). <p>Note: The case must be imaged prior to transfer.</p> |
| 2 | The Tribal TANF liaison reviews and prints imaged documents and faxes the information to the appropriate Tribal TANF organization. |
| 3 | <ul style="list-style-type: none">• The Tribal TANF Organization notifies the Tribal TANF liaison of the Tribal TANF eligibility determination and beginning date of aid, if applicable.• The Tribal TANF liaison forwards the information to the ET. |
| 4 | The ET discontinues the CW program in C-IV as a county-initiated action with 10-day notice. <p>Note: Do not discontinue the CW program until notified by the Tribal TANF liaison.</p> |
| 5 | Transfer the Food Stamp program to the appropriate ET per district procedures. |
| 6 | Follow existing <i>Edwards v. Kizer</i> continuing Medi-Cal procedures for all discontinued cash aid families. See DP 40-184A, <i>Terminated CalWORKs and Kin-Gap Recipients – Reassigned to Medi-Cal</i> , for more information. |
| 7 | Journal the recipient's: <ul style="list-style-type: none">• tribal affiliation• verification used• termination action, and• transfer. |

Continued on next page

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 7 of 11

2. CalWORKs Benefits, Continued

Welfare to Work (WTW) sanctions

WTW sanctions do not transfer between CW and Tribal TANF programs. Requirements for imposing WTW sanctions, contained in Manual of Policies and Procedures (MPP) 42-721, do not apply to the Tribal TANF program.

Any pre-existing WTW sanctions for customers returning from Tribal TANF continue until cured by the customer. Refer to DP 42-722, *Curing or Rescinding WTW Sanctions*.

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 8 of 11

3. Other Programs

Food Stamps If all household members receive cash aid through Tribal TANF, the household is considered Categorically Eligible (CE) as a Public Assistance household for FS benefits under MPP 64-301.7.

Because Tribal TANF is public assistance, cases discontinued from Tribal TANF are eligible to Transitional Food Stamp (TFS) benefits as otherwise eligible.

Medi-Cal Section 1931 (b) rules apply to families discontinued from CW for Tribal TANF. As a result, families who received CW cash assistance, not Tribal TANF, for 3 of the 6 months prior to discontinuance are recipient eligible. If the family is not recipient eligible, process under applicant rules.

Welfare to Work Deregister any WTW participants transferring to Tribal TANF programs by taking the following actions:

| Step | Action |
|------|-------------------------------------------------------------------|
| 1 | Discontinue supportive services and send the appropriate notices. |
| 2 | End non-compliance actions. |
| 3 | Journal the reason for deregistration. |

Child Care Some Tribal TANF programs pay for Child Care services. If Child Care is not paid by Tribal TANF, treat the customer as a former recipient, provided the customer previously received CW. Follow instructions in DP 47-310, *CalWORKs Child Care Stage One to Stage Two Transfers*.

Child Care discontinues when the customer receives Child Care through Tribal TANF. The Child Care Services Worker (CCSW) closes/denies the Child Care program and provides timely and adequate notice when notified of the parent/caretaker's discontinuance from CW.

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 9 of 11

4. 60-Month TANF Clock

60-month timed out Tribal TANF benefits count toward the 60-month Federal and State time clocks. Currently no safety net exists for Tribal TANF programs when 60-months of federal aid is reached. Tribal TANF refers these cases back to DPSS to process as a Safety Net child-only case using the DPSS 3655, 60-Month Expiration of Tribal TANF. The form lists the referred customer's:

- name
- months TANF assistance received
- Tribal TANF worker and telephone number
- list of verifications attached, and
- other information in the comments section pertinent to the family's case.

DPSS staff fax the DPSS 3655 to the Tribal TANF liaison at 951-358-6649 for processing.

Processing TANF timed-out referrals

Designated TAM staff take the following actions when a TANF timed-out customer makes an application:

| Step | Action |
|------|-----------------------------------------------------------------------------------------------------|
| 1 | schedule CW Intake appointment |
| 2 | receive the customer's referral packet |
| 3 | determine CW eligibility for the children only |
| 4 | determine FS eligibility for the household |
| 5 | add the number of TANF months the customer received Tribal TANF to the TANF time clock in C-IV, and |
| 6 | refer timed-out adults to MC, as appropriate, according to district office procedures. |

MFG rules

Because Maximum Family Grant (MFG) is a state regulation, MFG rules do not apply to Tribal TANF recipients. However, MFG rules do apply once a family begins receiving CW benefits. The designated ET gives the CW 2102, *Maximum Family Grant*, to the Timed-Out customer, acquires the customer's signature, and images the form into C-IV.

For example, if a family receives Tribal TANF and adds a child to their Tribal TANF assistance unit, MFG rules do not apply. If the family then applies for CW, the ET gives the applicant a CW 2102 at application and any additional children fall under MFG rules for CW benefits.

Continued on next page

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 10 of 11

4. 60-Month TANF Clock, Continued

Verification Tribal TANF workers provide verifications for referred customers to the Tribal TANF liaison. The Tribal TANF liaison contacts the referring Tribal TANF worker when the referral packet lacks verification that is not already in the county's possession.

Other services Do not refer timed-out customers to the WTW program as they are not eligible to services.

Refer customers that received CW within the last 24 months to the Child Care program by following DP 40-002A/42-775/47-120, *Notification of CalWORKs Child Care Services and Request*. If there is no linkage to CW within the last 24 months, refer the customer to the Riverside County Office of Education (RCOE) at 1-800-442-4927.

Department Policy

Exhibit B

44-301
63-505.2
Medi-Cal 108
Page 11 of 11

5. County Clearance

What is county clearance?

County clearance is a request made by Tribal TANF organizations to verify:

- TANF time on aid
- current eligibility status, and
- non-duplication of services and benefits.

Tribal TANF liaison responsibilities

The Tribal TANF liaison completes the following:

- all county clearance requests, and
- is the contact for transfers and related information between CW and Tribal TANF.

Eligibility staff contact the Tribal TANF liaison at 951-358-3217.

County clearance requests

Tribal TANF organizations send county clearance requests to the liaison at tribalTANF@riversidedpss.org.

The Tribal TANF liaison provides the requested information by fax to the requesting Tribal TANF Organization within ten (10) business days. Urgent requests are completed within two (2) business days.

The information provided to Tribal TANF organizations consists of the following applicable information for active or pending cases:

- case number
- worker information
- assistance unit/household members
- aliases, and
- correct social security number (if available)
- sanctions/penalties, fraudulent situations, or any other discrepancies, and
- TANF months used including time limit periods and any exemptions.

References

All County Information Notice (ACIN) I-01-07 and I-54-02

KR: kr