



DACA LEGAL SERVICES TOOLKIT

Practice Advisory 1 of 7

DACA, Deferred Action Status, and Public Benefits: Who is Eligible and How to Apply

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A Note from the Executive Director

The Center for Human Rights and Constitutional Law is a non-profit, public interest legal foundation dedicated to furthering and protecting the civil, constitutional, and human rights of immigrants, refugees, children, prisoners, and the poor. Since its incorporation in 1980, under the leadership of a board of directors comprising civil rights attorneys, community advocates and religious leaders, the Center has provided a range of legal services to vulnerable low-income victims of human and civil rights violations and technical support and training to hundreds of legal aid attorneys and paralegals in the areas of immigration law, constitutional law, and complex and class action litigation.

The Center has achieved major victories in numerous major cases in the courts of the United States and before international bodies that have directly benefited hundreds of thousands of disadvantaged persons.

This practice advisory is part of a *DACA Legal Services Tool Kit* produced by the Center for Human Rights and Constitutional Law including seven practice advisories addressing deportation defense, educational and other government services, employment rights, employment and family-based visa eligibility, individual deferred action status applications, and a potential legislative fix for DACA recipients.

This practice advisory reviews which public benefits and programs Deferred Action Status recipients may qualify for. We cover a range of education and public benefits potentially important to DACA recipients. Keep in mind that the information provided may also be relevant to other immigrant groups including those with individual deferred action status, or without status.

Manuals prepared by the Center are routinely reviewed for improvements and updates to reflect current policies and practices. This manual was researched and written by Senior Staff Attorney Natalie Webb. Please feel free to email me at pschey@centerforhumanrights.org to suggest corrections, updates or edits to this practice advisory.

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I. College Admissions and Financial Aid

a. DACA, Deferred Action Status, and Individuals with Work Permits

In California, the best option for student financial aid for both DACA recipients and those with expired or no status is through the California Dream Act. This Act and the application process is discussed in greater detail below, under subsection b(i). More information is also available at <https://dream.csac.ca.gov>.

DACA recipients are not eligible for federal financial aid, however they are able to use their Social Security Number to complete the Free Application for Federal Student Aid (FAFSA) form in order to receive a Student Aid Report (SAR). The SAR is an important tool that can be used to demonstrate need and can be used to apply for institutional aid and other scholarships. It should also be noted that “California has its own version of the FAFSA for undocumented students” which can be accessed through <https://dream.csac.ca.gov>.

- https://unitedwedream.org/wp-content/uploads/2014/04/DACAStepsforFAFSA2014_Final.pdf

b. Other, Expired, and No Status

i. California Dream Act

The California Dream Act Application allows students enrolled in eligible California Colleges, Universities, and Career Education Programs to apply for state financial aid regardless of their immigration status. The Act is separated into two sections: AB 130 and AB 131. The California Student Aid Commission has strict security and confidentiality policies and procedures in place to protect the integrity and confidentiality of student records. The California Student Aid Commission has not now, or in the past, shared any information which would indicate a student's immigration status, either documented or undocumented. The California Student Aid Commission also adheres to the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), a Federal law that protects the privacy of student education records. More information and application forms are available at <https://dream.csac.ca.gov>.

ii. AB 130

This is the first half of the California Dream Act, which went into effect on January 1, 2012. This law allowed a person who meets the eligibility requirements to be eligible to receive private scholarships.

[On] January 1, 2012, a student attending the California State University, the California Community Colleges, or the University of California who is exempt from paying

nonresident tuition under Section 68130.5 shall be eligible to receive a scholarship that is derived from nonstate funds received, for the purpose of scholarships, by the segment at which he or she is a student.

Cal. Ed. Code Section 66021.7

1. Eligibility

In order for an undocumented student to be eligible for private scholarships under AB-130, s/he must meet the following requirements:

- Have attended a California High School for at least 3 academic school years
- Have or will graduate from a California high school or have attained a G.E.D. or received a passing mark on the California High School Proficiency Exam
- Register or be currently enrolled at an accredited institution of public higher education in California
- File or plan to file an affidavit as required by the institution stating that s/he will apply for legal residency as soon as possible
- Not hold a valid non-immigrant visa

iii. AB 131

AB 131 was signed by Governor Jerry Brown in 2011 and went into effect on January 1, 2013. It allows undocumented individuals to be eligible for all student aid programs to the extent permitted by federal law.

Cal. Ed. Code Section 66021.6

1. Eligibility

In order for an undocumented student to be eligible for all student aid programs under AB-131, s/he must meet the following requirements:

- Have attended a California High School for at least 3 academic school years

- Have or will graduate from a California high school or have attained a G.E.D. or received a passing mark on the California High School Proficiency Exam
- Register or be currently enrolled at an accredited institution of public higher education in California
- File or plan to file an affidavit as required by the institution stating that s/he will apply for legal residency as soon as possible
- Not hold a valid non-immigrant visa

iv. AB - 540

California's Assembly Bill 540 (AB – 540)¹ was passed on October 12, 2001 by Governor Gray Davis. This bill allows eligible undocumented students to be exempt from paying the significantly higher out-of-state tuition at California public colleges and universities. Eligible undocumented students can now qualify for the in-state tuition rate, allowing college to be more affordable.²

1. Eligibility

In order for an undocumented student to be eligible for in-state California tuition under AB-540, s/he must meet the following requirements:

- Have attended a California High School for at least 3 academic school years
- Have or will graduate from a California high school or have attained a G.E.D. or received a passing mark on the California High School Proficiency Exam
- Register or be currently enrolled at an accredited institution of public higher education in California
- File or plan to file an affidavit as required by the institution stating that s/he will apply for legal residency as soon as possible
- Not hold a valid non-immigrant visa

2. How to Apply

If an undocumented student meets the requirements of the AB-540 program, they can apply for the benefits by sending the following information to the Enrollment office of their California public college or university:

¹ Assembly Bill 540 (Stats. 2001, ch. 814) added a new section, 68130.5, to the California Education Code.

² <http://ab540.com/WhatIsAb540.html>

- AB 540 Affidavit³ must be completed prior to enrollment and must state, under penalty of the law of the state of California that the student:
- has graduated from a California high school or the equivalent.
- attended high school in California for three years
- will legalize their residency as soon as possible
- is not a nonimmigrant visa holder
- All information on the schools the student attended for grades 9-12 must be submitted as well as high school transcripts

II. Public Assistance, Work Programs, and Medical Benefits

a. DACA Recipients, Deferred Action Status, and Individuals with Work Permits

i. CalWORKS

CalWORKs (California Work Opportunity and Responsibility to Kids) is a welfare program that gives cash aid and services to eligible needy California families. The program serves all 58 counties in the state and is operated locally by county welfare departments. If a family has little or no cash and needs housing, food, utilities, clothing or medical care, they may be eligible to receive immediate short-term help. Families that apply and qualify for ongoing assistance receive money each month to help pay for housing, food and other necessary expenses.

The amount of a family's monthly assistance payment depends on a number of factors, including the number of people who are eligible and the special needs of any of those family members. The income of the family is considered in calculating the amount of cash aid the family receives.

[<http://www.cdss.ca.gov/calworks/>]

Most able-bodied aided parents are also required to participate in the CalWORKs GAIN employment services program.

[<http://www.ladpss.org/dpss/calworks/default.cfm>]

Cash aid is limited to 60 months total in a lifetime for most adults
[www.cdss.ca.gov/calworks/]

1. Eligibility

The following are basic requirements to qualify for financial assistance through CalWORKS:

- Reside in California and intend to stay
- Have children or are pregnant and:
 - One or both parents are absent from the home, deceased or disabled

³ The affidavit is found at <http://www.csulb.edu/depts/enrollment/forms/>.

- Both parents are in the home, but the principal wage earner is either unemployed or working less than 100 hours per month at the time they apply for assistance.
- Be a U.S. citizen or a lawful immigrant

CalWORKs is only available to citizens, “qualified” immigrants, or “permanently residing in the U.S. under color of law” that generally means that the USCIS knows you are in the U.S. and does not plan to deport/remove you. “Qualified immigrants” are:

- lawful permanent residents (persons with green cards);
- refugees, persons granted asylum, withholding of deportation/removal, or paroled into the U.S. for one year or more;
- Cuban or Haitian entrants; and
- certain abused immigrant spouses or children
- Have a Social Security number or have applied for one
- Have a net monthly income less than the maximum aid payment for family size
- Have less than \$2000 in cash, bank, accounts and other resources (\$3000 if 60 years or older)
- Provide proof of regular school attendance for all school age children
- Provide proof of immunizations for all children under the age of six.
- Perform 32 hours of work related activities per week for a single parent household or 35 hours per week in a two-parent household
- Cooperate with child support requirements
- Participate in welfare-to-work activities

a. Property and Resources

For CalWORKs applicants and participants there is a \$2,000 or \$3,000 (if 60 years or older) property limit. Motor vehicles valued at \$4,650 or less may be excluded from the resource limit. If the County agrees, participants may also save up to \$5,000 in restricted bank accounts to buy a home, start a business or pay for college or vocational training for a household member. Some resources that do not count include:

- A home, if the family lives in it
- Personal and household items such as furniture, appliances and computers
- Tools needed for employment
- Federal relocation and disaster relief benefits
- If property is owned with someone else, only the participant's share counts

b. School Attendance and Immunizations

All school-age children, except those in the Cal-Learn or other approved teen parent program, must attend school to receive aid. Parents must also show proof that all children not in school

and under the age of 6 have received appropriate immunizations within 30 days from the date of eligibility. A financial penalty will be imposed on the parent/caretaker relative for failure to comply with the immunization requirements. In the following situations, the family may be exempt from the immunization rules:

- Immunizations are contrary to religious beliefs
- Immunizations are medically inappropriate

[<http://www.ladpss.org/dpss/calworks/eligibility.cfm>]

2. Which immigration documents do I need to get CalWORKs?

You can show the welfare office that you have one of the following documents:

- DHS Form I-797 indicating approval of an I-130 petition filed for a spouse or child of a U.S. citizen/lawful permanent resident (LPR), or adult son or daughter of an LPR;
- DHS Form I-797 or I-797C indicating approval or "prima facie" validity of an I-360 petition of a self-petitioning spouse/child of a U.S. citizen/LPR or widow/widower of a U.S. citizen;
- an order or document from the Immigration Court or Board of Immigration Appeals granting suspension of deportation or cancellation of removal under VAWA; or
- a document from the Immigration Court or Board of Immigration Appeals indicating a prima facie case for suspension of deportation or cancellation of removal under VAWA.

Children of battered spouses and parents of battered children who have these documents are also eligible for CalWORKs.

Note: There may be other documents that you can show in order to get benefits as a battered immigrant. Check with an immigration attorney for more information.

3. How to Apply

There are welfare offices located in each of the 58 California counties. For a list of CalWORKS offices see: <http://ladpss.org/dpss/maps/default.cfm>. The county welfare department is also listed under the County Government Section of the telephone book. Needy qualifying immigrant children may apply for CalWORKs at any office located in the county where they live.

Immigrant children, or parents requesting assistance on behalf of their qualifying children, must complete application forms. The family can ask for immediate help if it has little or no cash and needs emergency housing, food, utilities, clothing or medical care.

Next, the welfare office will set up an interview with one of its workers to obtain facts and verify eligibility. Applicants must provide the County with proof of income and property, citizenship

status, age, social security number, residence, shelter costs, work or school status and other information. Similar information may be requested for all of the people in the home.

At the interview, the County will advise applicants of the rules that must be met to be eligible for CalWORKs. If the County determines that the applicants are eligible for CalWORKs, the applicant will receive monthly checks from the county welfare department until determined ineligible.

In order to meet requirements for the application process, the applicant must go to a Department of Public Social Services office of the County of Los Angeles for a full intake interview. This application may not be submitted by mail. The applicant may fill out the application ahead of time and bring it to the Department of Public Social Services office of the County of Los Angeles.

For a copy of the application see:

<http://www.lacountyhelps.org/go?frompage=topic4&lastPage=Page001>.

If the applicant is disabled and unable to go to a Department of Public Social Services office of the County of Los Angeles, call 1 (877) 481-1044 and a home visit will be scheduled to assist with the application process.

a. Fingerprinting

All eligible adult household members for cash aid and/or food stamps must be fingerprint/photo imaged. If anyone who is required to cooperate with these rules does not get fingerprint/photo imaged, no benefits will be issued to the entire household. The fingerprints are confidential and can only be used to prevent or prosecute welfare fraud.

[CalWORKS Manual of Policies and Procedures Section 40-105.3]

b. Social Security Number

A social security number must be provided, it will be used to computer match and check income and resources. The social security number for each applicant/recipient of cash aid must be provided. Proof of a SSN must be provided within 30 of the application for cash aid. [CalWORKS Manual of Policies and Procedures Section 40-105.2]

c. Proof of eligibility

The applicant must supply proof of eligibility, if s/he cannot provide proof, s/he will have to give the name of a person or agency who can be contacted to get proof. The CalWORKS office will assist the applicant in getting proof when necessary.

[CalWORKS Manual of Policies and Procedures Section 40-105.1; 40-157.212; 40-157.213]

4. GAIN

The GAIN program provides employment-related services to CalWORKs participants to help them find employment, stay employed, and move on to higher paying jobs, which will ultimately lead to self-sufficiency and independence. CalWORKs participants receive GAIN services in the GAIN Regional offices.

Participation in GAIN is mandatory for all CalWORKs participants unless exempt. Exemptions require documentation, verification, and approval of a GAIN Services Worker. Exempt participants may volunteer to participate in GAIN. Once a volunteer enters the program she/he must adhere to the rules and regulations of the program as mandatory participant.

[<http://www.ladpss.org/dpss/gain/>]

4. Special Rules Regarding Children

- a. Up to what age can a child be aided for CalWORKs?

A child may continue to receive CalWORKs benefits until his/her 18th birthday. After the child turns 18, the child may continue to receive cash aid if she/he meets the following requirements:

- She/he is a full-time student (as defined by the school/program) in high school, or in a vocational or technical training program, and is expected to graduate/complete the training program before reaching age 19; or
- Full-time student (as defined by the school/program) in high school, or in a vocational or technical training program, and is not expected to graduate/complete the training program before reaching age 19 due to a disability.

The otherwise eligible 18 year old who attends school full-time and is considered disabled under the below-mentioned criteria shall continue to be eligible for CalWORKs benefits until they graduate, turn 19 or stop attending school full-time, whichever occurs first. To be considered disabled, an eligible 18 year old must:

- Receive or have in the past received SSI/SSP benefits; or
- Receive or in the past received services through a Regional Center Program pursuant to the Lanterman Act; or
- Receive or have in the past received services at school in accordance with his/her Individual Education Plan (IEP) or Section 504 Accommodation Plan; or
- Provide verification of a current or past disability by a health care provider or a trained, qualified learning disabilities evaluation professional, or authorizes the county to obtain information to verify the child's disability.

[http://www.ladpss.org/dpss/calworks/calworks_policy.pdf]

As CalWORKS automatically terminates cash aid for a child upon turning 18 years of age, to continue to aid a child, Eligibility Workers must ensure that the child's disability or expected graduation date is recorded in the School Information screen.

- b. What verification is required when the child is 18 years old and has not graduated from high school?

If the applicant is a full-time student expecting to graduate or complete a training program by age 19, verification must include:

- A PA 1725 (LEADER generated), School Attendance/Enrollment Verification, with

Part B completed by the school verifying current full-time enrollment and that the child is expected to graduate high school or will complete a training program before age 19;

or

- A current semester's report card, progress report or other current school document that verifies current full-time enrollment and a statement from the school that the child is expected to graduate high school or will complete the training program before age 19.

- c. What verification is required when the child is a full-time student not expecting to graduate high school by age 19 due to a disability?

If the child is a full-time student not expecting to graduate or complete a training program by age 19 due to a disability, verification must include A PA 1725 with Part B completed by the school and one of the following:

- An SSI/SSP award letter
- A statement from the Regional Center
- An approved copy of the child's Individual Education Plan (IEP) or Section 504 Plan
- An independent verification of a current or Past disability by a health care provider or a trained, qualified learning disabilities evaluation professional.

- d. How is a child informed that he/she can continue to get cash aid on their parent's/caretaker relative's case if they meet the age requirement?

The QR 2103, Reminder for Teens Turning 18 Years Old, is centrally mailed to the parents/caretaker relatives of aided teens 60 days before the teen's 18th birthday. The form provides information on how teens can continue to get cash aid as part of their parent's/caretaker

relative's case if they meet the educational/training and/or disability requirements. The form also provides information about the options that are available (remaining in the parent's/caretaker relative's AU or opening his/her own case) to a pregnant or parenting teen. [didn't change wording of this.]

[http://www.ladpss.org/dpss/calworks/calworks_policy.pdf]

b. Other, Expired, or No Status

Undocumented immigrants do not qualify for public assistance, SNAP benefits, and most other public benefits⁴. However, California has taken steps to expand Medicaid to all resident children regardless of immigration status under the Health4AllKids program.

i. Health4AllKids

“The “Health4AllKids” health care expansion allows low-income children under the age of 19 to receive affordable care under Medi-Cal, the name for California’s Medicaid program, regardless of their immigration status. This will allow undocumented kids to access the full scope of Medi-Cal benefits—such as regular preventive and primary care, dental, and mental health services, as well as behavioral health treatment for children with autism.

To qualify for the program, children must belong to a family that meets low-income requirements, making no more than \$65,505 for a year for a family of four. Families with lower incomes may be able to receive coverage for free, while other families may pay between \$19 per child or \$39 for all their children.”

- <https://thinkprogress.org/thousands-of-undocumented-kids-can-now-enroll-in-health-care-coverage-ee232cbfc020/>

Additional information about the program and how to enroll is available at <https://health4allkids.org>.

III. SNAP Benefits (Food Stamps)

a. DACA Recipients, Deferred Action Status, and Individuals with Work Permits

The Food Stamp Program is a federal nutrition program that is to “promote the general welfare and to safeguard the health and well-being of the Nation’s population by raising the levels of nutrition among low-income households.” (7 C.F.R. § 271.1(a), 7 U.S.C. § 2011) The program is called supplemental nutrition assistance program [SNAP], it is created by federal law and is executed by the States. Each state is responsible to the implementation and application process for it’s residents. In California, the food stamp program is known as CalFresh.

CalFresh benefits are designed to increase a household’s food-buying power and helps

⁴ <http://money.cnn.com/2014/11/20/news/economy/immigration-myths/index.html>

households purchase the amount of food they need. They are issued in the form of an Electronic benefit Transfer (EBT) card.

[\[http://dpss.lacounty.gov/dpss/calfresh/default.cfm\]](http://dpss.lacounty.gov/dpss/calfresh/default.cfm)

1. U.S. Code

1. USC Title 7, Chapter 51 § 2011. Congressional declaration of policy

It is declared to be the policy of Congress, in order to promote the general welfare, to safeguard the health and well-being of the Nation's population by raising levels of nutrition among low-income households. Congress finds that the limited food purchasing power of low-income households contributes to hunger and malnutrition among members of such households. Congress further finds that increased utilization of food in establishing and maintaining adequate national levels of nutrition will promote the distribution in a beneficial manner of the Nation's agricultural abundance and will strengthen the Nation's agricultural economy, as well as result in more orderly marketing and distribution of foods. To alleviate such hunger and malnutrition, a supplemental nutrition assistance program is herein authorized which will permit low-income households to obtain a more nutritious diet through normal channels of trade by increasing food purchasing power for all eligible households who apply for participation.

[U.S. Code, Title 7, Chapter 51 § 2011. Congressional declaration of policy]

2. Federal Eligibility Standards

“Participation in the [SNAP] shall be limited to those...whose income and other financial resources...are determined to be a substantial limiting factor in permitting them to obtain a more nutritious diet.” [USC Title 7, Chapter 51 § 2014(a) Eligible households]

“The income standards of eligibility shall...provide that a household shall be ineligible to participate in the supplemental nutrition assistance program if... the household's income...exceeds the poverty line....” [USC Title 7, Chapter 51 § 2014(c) Eligible households]

3. Application Process

1. Who can get food stamps

i. Households

“Households” get food stamps. The household's income must be less than the gross income eligibility standard. There is a higher gross income limit if the household includes an elderly or disabled person. The household does not have to meet any gross income limit if all members of the household are elderly and/or disabled.

“A household is composed of... (1) An individual living alone; (2) An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; or (3) A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.” [7 C.F.R. § 273.1 (a)] “The following individuals... must be considered as customarily purchasing food with the others [and]... must be included in the same household... (i) Spouses; (ii) A person under 22... who is living with his or her... parents; and (iii) A child... under 18...who lives with and is under the parental control of a household member other than his or her parent... [this is includes] if he or she is financially or otherwise dependent on a member of the household, unless State law defines such a person as an adult..” [7 C.F.R. § 273.1 (b)]

ii. Immigration Status

CalFresh is available to legal immigrants who: (1) have lived in the country for (5) years, or (2) are receiving disability-related assistance or benefits, regardless of entry date, or (3) are children under 18 years of age regardless of entry date. Non-citizens who are in the U.S temporarily, such as students, are not eligible.

iii. Income Requirements

CalFresh households, except those containing an aged or disabled member or where all members receive cash assistance, are subject to gross and net income determination tests. Gross Income – all non-excludable income from any source including all earned income and all unearned income. The maximum gross allowed is 130% of the Federal poverty level (FPL) or 165% of the FPL if the household has an elderly or disabled person who qualifies to be a separate household. If the household passes the gross income test, then the net income test is computed. Net income is computed by deducting the following, if applicable, from gross income. The resultant amount cannot exceed 100% of the FPL.

- Earned income has an allowable deduction of 20% (i.e., 80% of the gross earned income counts in the calculation of benefit levels). Examples of earned income include wages and salaries, striker's benefits, etc.
- Standard Deduction – A deduction allowed per household per month. \$147 for households of 1–3 persons, \$155 for 4 persons, \$181 for 5 persons, and \$208 for 6 or more persons (effective 10/1/11).
- Excess Shelter – A monthly shelter cost in excess of 50% of the household's income after all above deductions are considered. The excess shelter deduction must not exceed the current maximum of \$459 (effective 10/1/11).
- Homeless Household Shelter – Available to homeless persons who are not receiving free shelter for the entire month. If the homeless shelter allowance is used, separate utility costs are not allowed because the homeless shelter allowance includes a utility component. The current allowance is \$143.
- Standard Utility Allowance (SUA) – Allowed for a household that incurs utility costs, which are separate and apart from the household's

rent/mortgage payment. The current allowance is \$329 (effective 10/1/11).

- Limited Utility Allowance (LUA) – Allowed for a household that incurs expenses for at least two separate utilities other than heating and cooling are eligible for a LUA. The LUA allowance is \$99 (effective 10/1/11).
- Telephone Utility Allowance (TUA) - A household that is not eligible for the SUA or LUA but incurs a telephone expense or in its absence an equivalent form of communication, is eligible to receive a telephone deduction. The TUA allowance is unchanged and remains \$20 (effective 10/1/11).
- Dependent Care – The actual cost, not exceeding the maximum dependent care deduction, for care of a child or other dependent. Up to \$200 per month for the cost of dependent care for a child, under 2 years of age and up to \$175 per month for each other dependent can be deducted.

Medical Deduction – The portion of medical expenses, excluding special diets, in excess of the allowable amount of \$35 per household per month (incurred by any household member who is elderly or disabled).

Exempt Income

- In-Kind Benefits – Any gain or benefit that is not in the form of money (i.e., meals, clothing, housing provided by the employer, etc.)
- Vendor Payments – Money paid to a third party for a household expense by a person or organization outside of the household.
- Deferred Educational Loans
- Grants and Scholarships
- Cash donations from a charitable organization of not more than \$300 in a calendar quarter.
- Income received too infrequently/irregularly to be reasonably anticipated but not more than \$30 in a quarter.

[<http://www.calfresh.ca.gov/PG841.htm>]

iv. Resource Requirements

A resource is something the household can draw upon or sell for financial assistance. Resource limits are \$2,000 for all households except those that have a member who has a disability or who is 60 years of age or older. These households can have up to \$3,000 in resources. Any countable resource will be added to the household's resource limit when making an eligibility determination.

Types of Resources:

- Liquid Resources – Includes all funds readily available to the household such as cash on hand, money in checking or savings accounts, savings certificates, trust deeds, notes receivable, stocks, or bonds, non-recurring lump sum payments [which includes retroactive payments, funds held in an individual retirement accounts (IRA) and funds held in accessible Keogh plans].
- Non-Liquid Resources – Includes personal property, buildings, land, recreational properties, and any other property. The value of non-exempt resources shall be its equity value, which is the fair market value less encumbrances.
- Excluded Resources – Resources which are excluded are the home and surrounding property, vehicles, household goods, personal effects, resources with an equity value of \$1500 or less (excluding financial instruments), and resources with a cash value that is not accessible to the household (such as irrevocable trust funds, security deposits on rental property, etc.)
- For certain households, there is no limit to resources. Check with your county for further information.

v. Work Requirements

All able-bodied persons (ages 18-49) without dependents must work 20 hours per week (monthly average 80 hours) or participate 20 hours per week in an approved work activity or do workfare. If not, these persons receive only 3 months of CalFresh benefits in a 36-month period. There are some exceptions, so contact your local County Welfare Department to find out if you are eligible.

[<http://www.calfresh.ca.gov/PG841.htm#work>]

vi. Fingerprint

All applicants for and recipients of aid under the CalFresh Program, other than dependent children and persons physically unable to provide the necessary images, will be required to provide two fingerprint images and a photo image as a condition of issuance.

This includes:

- Each adult household member who is eligible for CalFresh benefits.
- The fingerprint images of the head of household parent and/or caretaker relative of an aided or applicant child when living in the home of the child; and
- If a household member is under the age of 18 and applies for CalFresh as a separate household.

Expedited service must be issued to a household even if it is not possible to complete the SFIS process in time. However, SFIS compliance should occur prior to the issuance of the household's next allotment.

Exemptions:

- If a household member has a medically-verified permanent physical condition that would make him/her unable to comply with SFIS requirements.
- Counties will determine who is physically unable to comply with the SFIS requirements. Counties will have to reevaluate individuals with a temporary exemption within sixty days.
- A household member under the age of 18 is exempt, unless he/she is applying for CalFresh benefits as his/her own household.
- The County Welfare Department (CWD) shall decide when a household member will receive a postponement from the SFIS process. However, the CWD cannot require a household to make a special trip into the office specifically for the fingerprint imaging process.
- Authorized representatives are not required to comply with SFIS requirements, unless no one in the household, which they represent, is required or able to comply with SFIS requirements.
- A household member is allowed to receive temporary benefits when he/she is unable to complete the fingerprint imaging process due to a SFIS equipment problem.

4. How to Apply

Pre Screening

The applicant can use this Pre-Screening tool to determine if he or she is eligible for SNAP benefits before going through the application process:

<http://www.snap-step1.usda.gov/fns/>

Application

In California, each county may have a different way to apply for CalFresh benefits, formerly food stamps. Apply in your county, or online at:

<http://www.benefitscal.org/BenefitsPortal/landing.html>

The application can be mailed or delivered to your local county office. An application can be downloaded and printed here: <http://www.calfresh.ca.gov/PG847.htm>

One adult household member or authorized representative must sign the application for CalFresh benefits under penalty of perjury.

Complete as much of your application as you can. Your name, address and signature are necessary on the application to be accepted by the local CalFresh office. The application will be accepted on the same day it is turned in, even if there is no interview on that day.

As soon as all necessary information is provided and verified for eligibility, you will be able to receive your CalFresh benefits within 30 days of your dated application.

[<http://www.calfresh.ca.gov/PG847.htm>]

Interview

An interview is required before certifying a household to get CalFresh benefits. The interview can occur in the county office or by telephone (in most counties). The interview may be held with the head of household, spouse, the authorized representative or any other responsible household family member. An interview is required annually.

An eligibility worker will explain the program rules and help the household complete any parts of the application that have not yet been completed.

After the interview, the CalFresh office will send a notice. If the household does not qualify for CalFresh benefits, the notice will explain why. If the household does qualify, the notice will explain how much the CalFresh benefit will be for your household. It will also explain how many months the household can receive CalFresh benefits (certification period) before being recertified.

Local CalFresh office officials may waive the face-to-face part of the interview requirement if traveling to the county welfare department would be a hardship for the household. The face-to-face feature must be waived if the household is composed only of elderly or disabled members with no earned income.

Documents to Bring to Interview

For a face-to-face interview, the applicant should bring verification of income and expenses. Even if the applicant does not have all the information s/he should still come for the interview because there will be additional time to provide this information. The following are examples of what to bring:

- Proof of identity (driver's license, etc.), immigrant status.
- Social Security Numbers for all household members.
- If employed, proof of income (wage stubs, earning statements, etc.) for the past 30 days.
- Bank statements for checking accounts, savings accounts, certificates of deposit, credit union accounts, retirement accounts, stocks, bonds, dividends, etc.

- Proof of shelter costs (rent or mortgage payment, lot rent, household, real estate, taxes, utility bills – heat, electricity, water/sewage/garbage, telephone, etc.)

Verification

The CalFresh worker will also ask for proof of certain information that has been reported. The following must be verified prior to certification:

- Identification
- Immigration Status (in some cases)
- Sponsored Noncitizen Information (in some cases)
- Residency
- SSN number for all Household Members
- Gross Income
- Evidence of Disability
- Utility Expenses
- Medical Expenses
- Child Support Obligations and Payments

For expedited service, **only** identification is required and other verification can be postponed. Other verification such as shelter costs, dependent care costs, household size, and liquid resources do not require verification unless questionable.

Categorical Eligibility

Households in which all members are authorized or receiving cash aid, such as CalWORKS or GA/GR, are considered categorically eligible. This means the CalFresh Program accepts eligibility determinations made by the other program for resources, gross and net income limits, sponsored immigrant information, county residency, and social security number information. CalFresh Households containing California Food Assistance (CFAP) recipients are not categorically eligible.

Expedited Service

Households that qualify for expedited service (ES) go through the same application process as all other clients, but not all information has to be verified before benefits are issued. Households may qualify for (ES) based if the household:

- Has less than \$150 in monthly gross income and liquid resources of \$100 or less; or
- Migrant or seasonal farm workers who are destitute; or
- Combined monthly gross income and liquid resources which are less than the household monthly rent or mortgage and utilities; or
- Is homeless.

Social Security Number

If the applicant receives too many food stamp benefits, it will have to be paid them back and/or the benefits may be lowered or stopped. A Social Security Number (SSN) may be used to collect the amount of benefits owed, through the courts, other collection agencies and for federal government collection action.

The applicant's SSN will be used to check identity to prevent duplicate participation and to verify eligibility and benefits. The SSN will be used in computer matches to check income and resources with records from tax, welfare, employment, the Social Security Administration and other agencies. Differences may be checked out with the applicant and with employers, banks, or others. Fraudulent participation in the Food Stamp Program may result in criminal or civil action or administrative claims.

Providing an SSN is not required when the application is first submitted. However, the applicant will be asked to give information to figure the eligibility and benefits for other members of their household. Usually the applicant will have provide his/her SSN(s) or proof of application for an SSN(s) before any benefits can be given.

5. Qualifying for SNAP Benefits

The household's "net income" must be less than the net income eligibility standard in order to qualify for food stamps. There are various deductions and credits that reduce the household's overall earned or other income. Once the deductions and credits are applied, the household's net income is used to determine whether it meets the threshold net income eligibility standard. The deductions and credits are also used to calculate the amount of benefits the household will receive. To qualify for food stamps, the total value of the household's property must be under the food stamp resource limit. Households with children (under 18 years old) can be above the food stamp resource limit and still qualify for food stamps because the household is considered to have "modified categorical eligibility."

Unless exempt, every adult in the household must comply with the food stamp program's work requirements.

If everyone in the household is getting cash welfare assistance (e.g. general assistance or CalWORKs), the household is automatically qualified for food stamps.

Note: In California, those who receive Social Security Income (SSI) cannot get food stamps because the value of the food stamps is already included in their SSI checks.

d. How to Apply

To find out whether you are eligible to receive CalFresh benefits, use the Pre-screening Tool provided at this website <http://www.snap-step1.usda.gov/fns/>.

For more information on how to apply for CalFresh benefits, please visit http://dpss.lacounty.gov/dpss/calfresh/how_to_apply.cfm

b. Other, Expired, and No Statuses

i. California Food Assistance Program

The State of California provides state-funded CalFresh through the California Food Assistance Program (CFAP) for qualified noncitizens who do not qualify for federal benefits. CFAP benefits are issued through the same case as federal CalFresh benefits.

1. Eligibility Requirements

In order to be eligible to CFAP, the Legal Permanent Resident (LPR) non-citizen must currently be ineligible for federal food stamp benefits solely due to his/her immigration status under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996.

Non-citizens who are eligible to CFAP benefits indefinitely are non-citizens who:

- 1) Have been legally residing in the United States as a LPR non-citizen prior to August 22, 1996; or
- 2) Are battered or abused; or
- 3) Are qualified non-citizens who are no longer federally eligible under the seven-year time limited federal eligibility (all except Amerasians or conditional entrants); or
- 4) Are otherwise eligible for the program but were sponsored into the United States on or after August 22, 1996 and one of the following verified situations apply:

The sponsor has died; or

The sponsor is disabled; or

The applicant, after entry into the United States is a victim of abuse by the sponsor or the spouse of the sponsor if the spouse is living with the sponsor

- <http://www.cdss.ca.gov/inforesources/CalFresh/California-Food-Assistance-Program>

Additional information about CFAP is available at www.sccgov.org/ssa/foods/fschap31.pdf

IV. Subsidized and Affordable Housing

a. DACA, Deferred Action Status, and Individuals with Work Permits

i. Public Housing and Section 8

Public housing was established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities. Public housing comes in all sizes and types, from scattered single-family houses to high rise apartments for elderly families. There are approximately 1.2 million households living in public housing units, managed by some 3,300 housing authorities (HAs). The U.S. Department of Housing and Urban Development (HUD) administers Federal aid to local HAs that manage the housing for low-income residents at rents they can afford. HUD furnishes technical and professional assistance in planning, developing and managing these developments.

- http://portal.hud.gov/hudportal/HUD?src=/topics/rental_assistance/phprog

“It is the policy of the U.S.—to promote the general welfare of the Nation by employing the funds and credit of the Nation,...to assist States and political subdivisions of States to remedy the unsafe housing conditions, [] acute shortage of decent and safe dwellings for low-income families [and to] address the shortage of housing affordable to low-income families....”
[42 U.S. C. § 1437(a)(1)]

Public housing are “[a]partments owned by local public housing authorities that tenants typically rent for a maximum of 30 percent of household income. Local housing authorities administer this program under rules set out by [HUD].”

Section 8 vouchers are “[i]ssued by public housing authorities to eligible households to rent apartments or homes from private landlords. The voucher guarantees a payment to the landlord from the local housing authority for the difference between the maximum subsidy and the tenant household’s share, usually 30 percent of income. The rent for the unit may exceed the maximum subsidy. Local housing authorities administer this program under HUD rules.”

- www.nilc.org/pubs/guideupdates/rental_housing_1005.pdf

2. Requirements

“An applicant must meet all eligibility requirements in order to receive housing assistance. At a minimum, the applicant must be a family... and must be income-eligible.... Such eligible applicants include single persons.” 24 C.F.R. 5.653(b)(1).

i. Immigration Status

“[This section] prohibits HUD from making financial assistance available to persons who are not eligible with respect to citizenship or noncitizen immigration status.” 24 C.F.R. 5.500(a)

Public Housing and Section 8 vouchers are available to the following categories of qualifying immigrants:

- Lawful permanent residents (LPRs)
 - Lawful temporary residents under the general amnesty program created by the Immigration Reform and Control Act of 1986
 - Refugees, asylees, and persons granted withholding of deportation/removal
 - Victims of trafficking
 - Parolees
 - Citizens of Micronesia, the Marshall Islands, and Palau, Abused immigrants and Cuban/Haitian entrants are arguably eligible for these programs and have been granted access to public housing in some jurisdictions
- www.nilc.org/pubs/guideupdates/rental_housing_1005.pdf as dictated in 24 C.F.R 5.506(a)

However, not all members of the family must be documented. “At least one person in the household must be eligible, based on his or her immigration status, to reside in the housing (the eligibility person may be a minor child). Household members ineligible for housing assistance based on their immigration status may live in an assisted unit, but the household’s subsidy will be prorated, resulting in a higher rent.

Immigration documents will be verified for current tenants and new applicants, but not for household member who do claim eligibility based on immigration status.”

- www.nilc.org/pubs/guideupdates/rental_housing_1005.pdf

Receipt of housing assistance is not considered in “public charge” determinations. “Federal housing programs do not require reporting to the INS except in rare circumstances.... Immigrants in household with eligible members need not reveal the precise immigration status that makes them ineligible –they can simply indicate that they do not claim to be eligible based on immigration status.” - www.nilc.org/pubs/guideupdates/rental_housing_1005.pdf

ii. Income Requirements

In general, the family's income may not exceed 50% of the median income for the county or metropolitan area in which the family chooses to live. By law, a PHA must provide 75 percent of its voucher to applicants whose incomes do not exceed 30 percent of the area median income. Median income levels are published by HUD and vary by location.

- http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/hcv/about/fact_sheet

Below is a chart showing the income levels for Los Angeles, this will differ from county to county.

Number of Persons in household	Extremely Low Income (30% of median income)	Very Low Income (50% of median income)	Low Income (80% of median income)
1	\$17,950	\$ 29,900	\$47,850
2	\$ 20,500	\$34,200	\$54,650
3	\$ 23,050	\$38,450	\$61,500
4	\$ 25,600	\$42,700	\$68,300
5	\$ 27,650	\$46,150	\$73,800
6	\$ 29,700	\$49,550	\$79,250
7	\$ 31,750	\$52,950	\$84,700
8	\$ 33,800	\$56,400	\$90,200

3. How to Apply

First, the applicant must contact the local housing agency, a list of California offices is available at: <http://www.hud.gov/offices/pih/pha/contacts/states/ca.cfm>

Second, the applicant must verify that s/he meets the local eligibility requirements.

Third, the applicant must complete the application at the local housing agency. The application for public housing is different for each area. If, due to lack of availability, the application process is closed, the applicant should apply to be on a waiting list.

Fourth, if the applicant is applying for a Section 8 voucher, the applicant will have 60-120 days to locate suitable housing.

4. Family Self-Sufficiency Program

The family Self-Sufficiency Program (FSS) is designed to help Section 8 families gain and maintain independence from welfare. The goal is for families to become independent within five to seven years by providing educational development and technical, trade and vocational skill training.

3. Housing Authority of Los Angeles Homeless Initiative

The goal of the Section 8 Homeless Program is to provide permanent affordable housing for the homeless population while insuring them access to supportive services in order to help them maintain independent living.

The Housing Authority of the City of Los Angeles (HACLA) has committed permanent supportive housing (PSH) assistance to more than 17,200 households of formerly homeless and chronically homeless individuals and families through the following rental assistance subsidy programs:

Waiting List Limited Preference: Homeless Program

The goal of the program is to provide permanent affordable housing for homeless individuals and families while insuring them access to supportive services to maintain independent living. The Homeless Program's allocation of 4,111 housing choice vouchers, targets homeless individuals and families living in transitional housing, emergency shelters, and the streets. The HACLA currently works with 19 non-profit and public agency partners located throughout the City of Los Angeles.

Waiting List Limited Preference: Tenant-Based Supportive Housing Program

The Tenant Based Supportive Housing program (TBSH) provides affordable, permanent, supportive housing for high-service-need chronically homeless individuals and families by providing rental subsidies and supportive services through the collaborative effort of the Authority and local service providers. The intensive supportive services enable chronically homeless individuals and families to stabilize their living conditions and remain successfully housed for the length of time that they are on the program. The TBSH program currently has 800 housing choice vouchers. The HACLA currently works with nine non-profit and public agency partners located throughout the community.

Permanent Supportive Housing Project-Based Voucher Program

The Permanent Supportive Housing (PSH) Project-Based Voucher (PBV) Program provides long term rental subsidy contracts that facilitate development of housing for homeless and chronically individuals and families, targeting a variety of special needs populations. Under federal regulations, a public housing authority may choose to provide Section 8 PBV rental assistance for up to 20% of its units under the Housing Choice Voucher Program (HCVP). Initial rents in PBV properties are set at the Section 8 Existing Fair Market Rents (FMRs) or Voucher Payment Standard (VPS), whichever is higher.

The Housing Authority selects projects for PBV through a competitive Notice of Funding Availability (NOFA) issued jointly with the Los Angeles Housing Department and the Los Angeles County Health Departments as the Permanent Supportive Housing Program (PSHP). Upon Housing Authority project award and HUD approval, the HACLA executes an Agreement to enter into a Housing Assistance Payments (AHAP) Contract with the developer. When the project is ready for occupancy, a 15 year HAP Contract for rental subsidy is executed. The Housing Authority currently has 64 PSHP PBV projects online or in development, consisting of 2,550 units.

ii. Shelter Plus Care (Continuum of Care Rental Assistance) Program

The Shelter Plus Care Program was created under the McKinney Homeless Assistance Act and is designed to promote permanent housing with supportive service to persons with disabilities coming from the streets and emergency shelters. Shelter Plus Care grants require a supportive services match and leverage equal to, or greater than, the amount of rental assistance funded by HUD. HUD selects projects for Shelter Plus Care funding in a national Continuum of Care (CoC) competition based on regional and national homeless assistance goals. The Housing Authority chooses projects to include in an application to HUD through a Request For Proposals

(RFP) process coordinated with the Los Angeles Homeless Services Authority (LAHSA). Selected applicants receive one-year rental assistance grants on behalf of homeless tenants. The grants provide for a variety of rental housing components: Tenant-Based (TRA), Sponsor-Based (SRA) and Project-Based (PBA). To be eligible for the program, a person must be homeless or chronically homeless with a mental illness, substance abuse or HIV/AIDS issue, and must be referred by the community-based organization that provides the required supportive services.

In January 2015, HACLA was awarded almost \$13 million from the 2014 CoC competition. The award from HUD will provide funding for 747 chronically homeless individuals and families, including veterans. The award also included 547 units for the Permanent Supportive Housing component of the competition and was the largest award in that category in the country.

In May 2016, HACLA was awarded \$3.2 million in new federal funds from the 2015 CoC competition to provide housing for chronically homeless people. The award from the U.S. Department of Housing and Urban Development (HUD) will provide funding for supportive housing for 218 chronically homeless individuals and families in the City of Los Angeles. The HACLA has participated in the Shelter Plus Care – Continuum of Care program since 1992 and has a current allocation of 4,150 units.

iii. Moderate Rehabilitation Single Room Occupancy (SRO) Program

The Moderate Rehabilitation Single Room Occupancy (SRO) Program was created under the Stewart B. McKinney Homeless Assistance Act of 1987. The Section 8 rental assistance provided under this program is designed to bring more SRO units into the local housing supply to assist homeless persons into permanent housing. HUD's strategy is to convert existing housing, a rundown hotel, or even an abandoned building into safe and decent housing. HUD selects applicants for Moderate Rehabilitation SRO funding in the national CoC competition based on regional and national homeless assistance goals. The HACLA first chooses projects to include in an application to HUD through a Request for Proposal (RFP) process in coordination with LAHSA. Selected SRO projects (owners) receive rental assistance on behalf of a homeless tenant for ten years. The rental subsidy in the Moderate Rehabilitation SRO Program is attached to the building or unit as Project-Based rental assistance. The HACLA currently has an allocation of 1,107 SRO Moderate Rehabilitation units with four non-profit developers.

- <http://www.hacla.org/homelessinitiatives>

b. Other, Expired, or No Status

i. Public Housing

Undocumented individuals are permitted to reside in public housing as long as one member of the household fits into one of the following categories:

- Lawful permanent residents (LPRs)
- Lawful temporary residents under the general amnesty program

- created by the Immigration Reform and Control Act of
- 1986
 - Refugees, asylees, and persons granted withholding of deportation/removal
 - Victims of trafficking
 - Parolees
 - Citizens of Micronesia, the Marshall Islands, and Palau, Abused immigrants and Cuban/Haitian entrants are arguably eligible for these programs and have been granted access to public housing in some jurisdictions

In order to apply, the applicant must contact the local housing agency, a list of California offices is available at: <http://www.hud.gov/offices/pih/pha/contacts/states/ca.cfm>

Second, the applicant must verify that s/he meets the local eligibility requirements.

Third, the applicant must complete the application at the local housing agency. The application for public housing is different for each area. If, due to lack of availability, the application process is closed, the applicant should apply to be on a waiting list.

Fourth, if the applicant is applying for a voucher, the applicant will have 60-120 days to locate suitable housing.

Additionally, “emergency shelter, transitional housing, and several other programs funded by HUD are open to all persons including undocumented immigrants. Programs receiving federal funds either directly or through the state cannot discriminate or turn away immigrants or persons with limited English proficiency from emergency shelter and transitional housing. Immigrant victims of domestic violence, sexual assault, human trafficking, child abuse or abandonment and homeless immigrants are eligible to participate in emergency shelter and transitional housing programs funded by HUD, DOJ and HHS.

ii. Emergency Shelter and Transitional Housing

The following is a list of the HUD funded programs and HUD funding streams that provide or fund shelter and transitional housing that is open to all immigrants. Some of these unrestricted housing programs also fund housing that exceeds duration of stay limitations for emergency shelter and transitional housing:

Continuum of Care (CoC) Program

Provides funding for efforts by nonprofit providers, and state and local governments to quickly re-house homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effect utilization of mainstream programs by homeless individuals and families; and optimize

self-sufficiency among individuals and families experiencing homelessness. CoC program funds can be used for projects under five program components: permanent housing, transitional housing, supportive services, homeless management information system, and homelessness prevention for CoCs designated as high-performing communities.

<http://portal.hud.gov/hudportal/HUD?src=/hudprograms/continuumofcare>

Emergency Solution Grants (ESG) Program

Grants to support essential services related to emergency shelter and street outreach, rehabilitation and conversion of buildings to be used as emergency shelter, operation of emergency shelter, short-term and medium-term rental assistance, and housing relocation and stabilization services for individuals and families who are homeless or at risk of homelessness.

<https://www.hudexchange.info/programs/esg/>

Street Outreach Services

Provide essential services related to reaching out to unsheltered homeless individuals and families, connecting them with emergency shelter, housing, or critical services and providing them with urgent, non-facility based care. Component services generally consists of engagement, case management, emergency health and mental health services and transportation.

<https://www.hudexchange.info/programs/esg/esg-requirements/>

Safe Haven

Safe Haven is a form of supportive housing that serves hard-to-reach homeless persons with severe mental illness who come primarily from the streets and have been unable or unwilling to participate in housing or supportive services previously.

<https://www.hudexchange.info/resource/2719/safe-haven-fact-sheet/>

Rapid Re-Housing

Provided housing relocation and stabilization services and/or short or medium term rental assistance as necessary to help individuals or families living in shelters or in places not meant for human habitation move as quickly as possible into permanent housing and achieve stability in that housing.

<https://www.hudexchange.info/programs/esg/esg-requirements/>

- <http://library.niwap.org/wp-content/uploads/2015/pdf/PB-Man-Ch16.2-HUDProgramsImmEligibility-7.10.13.pdf>

V. California Children Services

a. DACA, Expired, Other, and No Status

The California Children Services (CCS) program provides medical services to children under 21 years of age. The medical services include diagnostic and treatment services, medical case management, and physical and occupational therapy services. CSS also provides medical therapy services at public schools.

The legislative authority enabling the CCS program is California Health and Safety Code Section 123800, et seq. “It is the intent...to provide... for the necessary medical services required by physically handicapped children whose parents are unable to pay for these services, wholly or in part[,] [including] the necessary services rendered by the program to physically handicapped children treated in public schools that provide services for physically handicapped children.” California Health and Safety Code, Section 123825.

The California Department of Health Care Services manages the CCS program. Larger counties operate their own CCS programs, while smaller counties share the operation of their program with state CCS regional offices in Sacramento, San Francisco, and Los Angeles. The program is funded with state, county, and federal tax monies, along with some fees paid by parents.

1. Medical conditions covered

CSS-eligible conditions include⁵, but are not limited to:

- Chronic medical conditions
- Cystic fibrosis
- Hemophilia
- Cerebral Palsy
- Heart disease
- Cancer
- Traumatic injuries
- Infectious diseases major sequelae

2. Eligibility

The child must be under 21 years old⁶, a resident of California and must have “CSS-eligible” medical conditions. Immigration status does not matter, but the legal guardian must apply for this benefit in the county where the child lives. [www.mhaccess.org]

⁵ “‘Handicapped child,’ as used in this article, means a physically defective or handicapped person under the age of 21 years who is in need of services. The director shall establish those conditions coming within a definition of ‘handicapped child’[,] phenylketonuria, hyaline membrane disease, cystic fibrosis, and hemophilia shall be among these conditions.” California Health and Safety Code, Section 123830

⁶ “The department shall establish and administer a program of services for physically defective or handicapped persons under the age of 21 years...” California Health and Safety Code, Section 123805

In addition to the above requirements, one of the following must also apply:

- Family's income is \$40,000 or less
- Out of pocket medical expenses are expected to be more than 20% of the family's adjusted gross income
- Has a need for an evaluation to find out if there is a health problem covered by CCS
- Was adopted with a known health problem that is covered by CCS
- Has a need for the Medical Therapy Program
- Has Medi-Cal with full benefits
- Has Health Families insurance

[<http://www.dhcs.ca.gov/services/ccs/Pages/ProgramOverview.aspx>]

Family income is not a factor for children who:

- need diagnostic services to confirm a CCS eligible medical condition; or
- were adopted with a known CCS eligible medical condition; or
- are applying only for services through the Medical Therapy Program; or
- have Medi-Cal full scope

3. Services available

"Services," ... means any or all of the following:

- (a) Expert diagnosis.
- (b) Medical treatment.
- (c) Surgical treatment.
- (d) Hospital care.
- (e) Physical therapy.
- (f) Occupational therapy.
- (g) Special treatment.
- (h) Materials.
- (i) Appliances and their upkeep, maintenance, care and transportation.
- (j) Maintenance, transportation, or care incidental to any other form of "services."

California Health and Safety Code, Section 123840

CCS may be able to help your child with a doctor visit and testing to find out if there is a special health problem.

If your child has a special health problem that is covered by CCS, then CCS may pay for or help with:

- Doctor visits and care, hospital stays, surgery, physical therapy and occupational therapy, tests, X-rays, medical equipment, and medical supplies
- Medical case management to help get special doctors and to refer you to other agencies, such as public health nursing and regional centers
- Medical Therapy Program, which provides physical therapy and/or occupational therapy in public school

[<http://www.dhcs.ca.gov/services/ccs/Pages/benefits.aspx>]

1. How to Apply

For more information about the California Children’s Service and to apply for benefits, please visit <http://www.dhcs.ca.gov/services/ccs/Pages/apply.aspx>. Forms are available in English and Spanish.

VI. Developmental Disabilities

a. DACA, Expired, Other, and No Status

i. Cash Assistance Program for Immigrants (CAPI)

Cash assistance is available for certain aged, blind and disabled legal non-citizens who are ineligible for Supplemental Social Security Income/State Supplemental Payment (SSI/SSP) because of their immigration status through the Cash Assistance Program for Immigrants (CAPI). CAPI participants may also be eligible for Medi-Cal, In-Home Supportive Services (IHSS), and/or Food Stamps.

For eligibility requirements, the application process or more information about CAPI, please visit their website at <http://www.ladpss.org/dpss/capi/default.cfm>.

1. Eligibility

a. Immigration Status

The following immigrants are able to qualify for CAPI:

Individuals who are disabled, blind or aged, and entered the U.S. on or before August 21, 1996 (these individuals must provide proof of their Permanent Residence)

Qualified immigrants who are disabled, blind or aged, lawfully entered the U.S. on or after August 22, 1996 and have a sponsor, but the sponsor is deceased, disabled or abusive (or the sponsor’s spouse is abusive to the immigrant).

Qualified immigrants who are disabled, blind or aged, entered the U.S. on or after August 22, 1996, and do not have a sponsor or have a sponsor who is deceased, disabled or abusive.

[<http://www.ladpss.org/dpss/capi/default.cfm>]

ii. SSI/SSP

The applicant must apply for Supplement Security Income/State Supplemental Payment. They must be determined to be ineligible solely because of their immigration status in order to be eligible for CAPI.

To apply for SSI go to: <http://www.ssa.gov/ssi/text-apply-ussi.htm>

c. Income

The individual's monthly income, after certain amounts are disregarded, cannot be greater than the maximum monthly CAPI benefit amount. Income is anything the person receives in cash or in-kind that can be used or sold to meet their needs for food, clothing and shelter.

[<http://www.ladpss.org/dpss/capi/default.cfm>]

d. Resources

The resources a person may own cannot be greater than \$2,000 for an individual or \$3,000 for a couple. Resources are cash or other property that the person can convert into cash for support.

For example: stocks, bonds, mutual funds, mortgages, bank accounts, household goods, boats and vehicles, or land. Some resources are not counted in determining eligibility, such as the principal place of residence (regardless of value), one car (used to provide necessary transportation or does not exceed a certain value), and household goods and personal effects of reasonable value.

[<http://www.ladpss.org/dpss/capi/default.cfm>]

e. Residency

The applicant must be a resident of California. California residence is determined by physical presence in California with the intent to remain in the State.

[<http://www.ladpss.org/dpss/capi/default.cfm>]

1. Application Process

CAPI applications may be filed at any Department of Social Services office. Homebound applicants may call the toll-free Hotline Number 1-877-481-1044 to receive an application by mail. CAPI applications are processed centrally in the Wilshire CAPI District.

<http://www.ladpss.org/dpss/capi/default.cfm>

2. Benefits

Direct deposit is one of three options available to participants to receive or access their CAPI benefits. The other two alternatives are through electronic issuance process called Electronic Benefit Transfer (EBT) or by mail

By law, CAPI payment amounts are \$10 less for an individual or \$20 less for a couple than the SSI/SSP payment standards. CAPI participants will receive these payment amounts if no other income is received by the household.

CAPI participants may be eligible for Medi-Cal, In-Home Supportive Services (IHSS) and/or Food Stamp benefits. Individuals requesting such benefits must file the appropriate application for the other program.

[<http://www.ladpss.org/dpss/capi/default.cfm>]

3. Redeterminations

Redeterminations are done periodically ensure that only eligible persons receive assistance and in the amount to which they are entitled. All CAPI cases have eligibility re-determined within 12 months.