

**KERN COUNTY DEPARTMENT OF HUMAN SERVICES
WELFARE POLICY/POLICY IMPLEMENTATION MEMEORANDUM 98-32**

DATE: July 1, 1998
RE: CalWORKs DIVERSION PROGRAM

The purpose of this memo is to provide information and implementation instructions on the Diversion program. CalWORKs requires that each county develop its own Diversion program no later than 1998.

I. General

The Diversion program keeps certain applicants from going on CalWORKs by providing an up-front lump sum payment to meet a short-term financial crisis. If a family has employment options, meets all eligibility requirements, and chooses Diversion, then a payment is issued and the family does not go on cash aid. There is no limit to the number of times a family may participate in the Diversion program.

II. Informing

Every CalWORKs applicant must be informed of the availability of the Diversion program. Diversion informing will be provided to CalWORKs applicants during:

- The Application/Screening Interview
- Employment Services Orientation

III. Requirements

The county has sole discretion to determine whether the Diversion program should be offered to a family and whether the family is eligible for the Diversion program. The eligibility determination is made by the Employment Social Services Worker (SSW) based on information obtained by the Human Services Technician (HST) and the SSW.

A. The HST is responsible for determining the family meets the following conditions:

1. CalWORKs Applicant

The family must have applied for CalWORKs. The application must be in a pended status with no emergency (homeless assistance and/or immediate need) benefits issued during the current application process.

2. Time Limit

At least one parent in the family must be subject to the CalWORKs time limit and required to participate in Welfare-to-Work activities.

3. Apparent Eligibility

The applicant family must meet the “apparent eligibility” requirements contained in EAS Manual Section 40-129.11 and .211. Apparent eligibility means that the information provided on the Statement of Facts and information otherwise available indicates that the applicant would meet all eligibility requirements for aid if the information on the Statement of Facts was verified.

- a. An alien applicant who does not provide verification of eligible alien status is not apparently eligible.
- b. A woman with no eligible children who does not provide medical verification of pregnancy is not apparently eligible.

B. The SSW is responsible for determining the family meets the following conditions:

1. Identity

The employable adults in the family must have identification required to secure employment.

2. Family Situation

The applicant family must be stable and have, or have the potential for, ongoing income to meet the family's needs. Each situation is to be evaluated on the family's unique circumstances at the time of application. Areas to be evaluated include, but are not limited to:

- a. The applicant's employment history. (Consistent, stable, or regular pattern with few gaps; gaps covered with few instances of cash aid.)
- b. The likelihood or prospect for immediate full-time employment. (Supported by strength and skills in areas of high demand/existing occupations.)
- c. The applicant's general prospect for self-sufficiency in the near future. (Available income or prospective available income will meet ongoing needs. Lack of barriers.)
- d. The applicant's need for cash assistance to pay for housing or substantial unforeseen expenses or work related expenses.
- e. Housing stability.

- f. The adequacy of the applicant's child care arrangements, if applicable. (Available during employment hours.)
- g. The adequacy of the applicant's transportation arrangements. (Available during employment hours.)
- h. Prior Diversion was successful. (The family remained off cash aid for the Diversion period plus an additional six months.)

3. Need

The family must demonstrate a need which cannot be met. The need must be one that is non-recurring. Examples of needs that may be paid include, but are not limited to:

- a. Transportation such as car repairs, bus pass, gas, driver license, renewals, registration, insurance, etc.
- b. Employment related expenses such as union dues, uniforms, special work shoes/clothes, tools, business license, etc.
- c. Child care.
- d. Emergency housing/utility costs.
- e. Other needs as appropriate.

4. Verification

The applicant family must provide verification of the following:

- a. The employment situation which may include past, current, and future employment that will support the family's ability to be self-sufficient.
- b. The need, including information from the provider of the service.
- c. The identity of employable adults in the applicant family.
- d. Other (at the discretion of the SSW based on the family's situation).

5. Applicant Choice

The applicant family must choose to participate in the Diversion program rather than pursuing the CalWORKs application. In choosing the Diversion program, the family must expect to be able to remain off CalWORKs for at least the Diversion period plus an additional six months.

C. Determination

The SSW is responsible for evaluating all information and determining eligibility for Diversion.

IV. Benefit

The Diversion benefit may be for a single need or a combination of needs. The actual amount of the benefit will depend on the amount necessary to meet the specific needs identified for the CalWORKs applicant family.

A. Cash/Noncash

A Diversion payment may be in the form of a cash or noncash payment.

B. Maximum Benefit

The maximum amount of a Diversion payment, per episode, will be the reasonable and necessary costs up to \$1500.00 unless a Program Director approves a greater amount.

C. Method of Payment and Issuance

A Diversion payment may be issued to the applicant and/or as a vendor payment. The SSW determines how the payment is to be issued and the HST will authorize the payment.

1. A Diversion payment issued direct to the applicant must have Program Director approval.
2. A Diversion payment issued to a vendor requires tax payer identification for the vendor as the payment is reported at the end of the year for tax purposes.

V. Diversion Period

The Diversion period is the time represented by the value of the Diversion payment/service divided by the appropriate Maximum Aid Payment amount for the apparently eligible Assistance Unit at the time of receipt of the Diversion payment/service. In this calculation, only the whole month count is used. Any remainder after the Diversion is disregarded. Month One of the Diversion period

is the calendar month the Diversion payment is issued. In the case of noncash services, the SSW determines the fair market value of the services in calculating the Diversion period.

VI. Other Programs

During the period of time represented by the Diversion payment/services and ongoing, the applicant shall be eligible for Medi-Cal, CalFresh, and Stage Three child care according to the regulations for those programs. Diversion payments are not considered income for the purposes of determining eligibility for Medi-Cal and CalFresh.

VII. Application after a Diversion Payment

If a Diversion recipient returns and applies for CalWORKs and is determined eligible for aid, the following applies:

A. Beginning Date of Aid (BDOA)

The normal BDOA rules apply. The BDOA is either the date of the new application or the day the applicant meets all CalWORKs program eligibility requirements, whichever is later.

B. The Diversion payment/service is treated as follows:

1. Applies and is Eligible during the Diversion Period

The Diversion payment must be recouped through one of two methods. At the option of the recipient, the Diversion payment/service is recouped by either:

- a. Recoup the Diversion amount from the recipient's ongoing grant at the rate of 5% of the AU MAP per month. Once established, the overpayment would be collectable after discontinuance; or
- b. Count the total Diversion period toward the time limit.

2. Applies and is Eligible After the Diversion Period

Always count one month toward the time limit.

VIII. Notices of Action

A Notice of Action is required when a Diversion benefit is approved or when a former Diversion recipient reapplies and is approved for CalWORKs.