
CalWORKs Handbook 40-1.3: Immediate Need

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Summary:

Upon application for CalWORKs, a family can ask for immediate help if it has little or no cash and needs emergency housing, food, utilities or clothing. If the Eligibility Technician (ET) determines that the applicant is apparently eligible, the ET will evaluate the need to issue an Immediate Need payment amount, not to exceed \$200.

General:

I. ELIGIBILITY FOR AN IMMEDIATE NEED PAYMENT

A. Eligibility for an Immediate Need payment exists when at least one CalWORKs applicant in a Filing Unit meets all of the following conditions:

1. Is apparently eligible for CalWORKs

- a. An applicant is apparently eligible when the information provided on the Statement of Facts SAWS2 and information otherwise available to the County indicates that the applicant would be eligible for aid if the information on the Statement of Facts were verified.
- b. An alien applicant who does not provide verification of his/her eligible alien status is not apparently eligible.
- c. A woman with no eligible children who does not provide medical verification of pregnancy is not apparently eligible.

2. Has an emergency situation, without regard to whether it could have been anticipated, which cannot be addressed by the issuance of Food Stamps or Homeless Assistance or by referral to a community resource. Emergency situations are defined as:

- a. Lack of Housing - The applicant is homeless as defined for Homeless Assistance eligibility.
- b. Pending Eviction - The applicant has received any type of eviction notice, including a three-day notice to pay or quit, evicting the family from its current residence.
- c. Lack of Food - The applicant does not have enough food to sustain the family for a period of three calendar days.
- d. Utility Shut Off Notice - The applicant has received a notice of termination of utility service or such service has been terminated.
- e. Transportation - The applicant is unable to meet essential transportation needs such as those relating to food, medical care, or job opportunity.
- f. Clothing - The applicant lacks essential clothing such as diapers or clothing needed for inclement weather.
- g. Other - The applicant has other emergencies of similar importance to the family's immediate health and safety.

3. Has liquid resources which meet the following limitations:

- a. When the emergency situation involves transportation, liquid resources must be less than the cost of the emergency.

b. When the emergency situation is a pending eviction, liquid resources together with income must be less than the rest owing.

1) For the purposes of this limit, "income" is defined as exempt or nonexempt monetary income that is:

- Available to meet the emergency situation;
- Received by or attributed to the members of the Filing Unit who will receive an IN payment; and
- Received from the first of the month through the end of the Immediate Need time frame.

c. For all other emergency situations, liquid resources must be less than \$100.00.

d. "Liquid Resources" means both exempt and nonexempt items of value belonging to persons who would be included in the Assistance Unit member which are immediately available and convertible to cash in time to meet the emergency situation.

1) Liquid resources include but are not limited to cash, negotiable securities, and similar resources.

2) Liquid resources do not include the cash surrender value of insurance policies, trust deeds, household items and furnishings, personal effects, motor vehicles, or real property.

4. Has complied with the technical conditions for CalWORKs

a. Technical conditions of eligibility for CalWORKs include:

- 1) Furnishing a Social Security number or receipt
- 2) Application for unconditionally eligible income (including UIB)
- 3) Work registration of the principal earner who is exempt from Welfare to Work (WtW) due to remoteness.
- 4) Work registration of the nonfederal principal earner.
- 5) Cooperation with DCSS.

b. A technical condition of eligibility must be met on or before the date the County authorized payment of Immediate Need or regular cash aid, but does not affect the beginning date of aid.

c. CalWORKs and Immediate Need case processing will continue pending the applicant's verification of his/her completing of any technical condition of eligibility required.

d. If an applicant refuses to complete a technical condition of eligibility, that individual is ineligible for both regular cash aid and Immediate Need.

1) If the technical condition of eligibility is a requirement of deprivation (i.e., application for UIB or EDD-JS registration by a U-parent), all Filing Unit members whose eligibility depends on the fulfillment of the condition are ineligible.

e. If an applicant does not refuse, but fails to complete a technical condition of eligibility within the IN time frame, the County must process any remaining eligible persons.

1) If the technical condition of eligibility is a requirement of deprivation (i.e., application for UIB or EDD-JS registration by a U-parent), no Filing Unit members whose eligibility depends on the fulfillment of the condition are eligible for Immediate Need.

f. For the purposes of the Immediate Need determination, the income and resources of persons who are ineligible to IN due to failure to meet a technical condition are treated using excluded persons regulations.

B. If eligible, the Immediate Need payment is the lesser of:

1. The amount of the grant to which the applicant family would be entitled for the month of application; OR
2. \$200.00

C. The family is eligible for a second Immediate Need payment when:

1. A second request is made; and
2. The applicant remains apparently eligible; and

3. The CalWORKs check has not yet been issued; and
4. The family emergency continues or a new emergency has arisen; and
5. The Immediate Need payment issued in the previous month was approved for an amount less than \$200.00.
 - a. In no event will the combined amount of the Immediate Need payments exceed \$200.00.

D. Expedited Determination of Eligibility (EDE)

1. If the emergency situation is an eviction, and the applicant is apparently eligible, the County must offer the applicant the choice of either the IN payment or an expedited determination of CalWORKs ongoing eligibility. All of the following conditions must be met:
 - a. The applicant is in receipt of a notice of eviction, including a three-day notice to pay or quit; and
 - b. Has insufficient funds to pay the rent owing; and
 - c. Is currently residing in his/her home.
2. An expedited determination of eligibility (EDE) is a determination of eligibility for regular ongoing cash aid.
3. Before the applicant chooses between the two options, the County must give the applicant a need letter listing the items known to be necessary to determine eligibility for aid.
 - a. To the extent that the necessary items for eligibility to an IN payment differ from those needed to establish ongoing eligibility, the worker must explain the difference.
4. The applicant's decision is documented in case comments.
5. The expedited eligibility determination must be completed within three working days from the date of the Immediate Need request.
 - a. The workday following the day of the request is day #1.
6. The county will issue the Immediate Need payment no later than the third working day if the eligibility determination cannot be completed.

II. IMMEDIATE NEED REQUESTS

A. A family may request an Immediate Need payment any time during the application process.

1. The application process begins the date the County receives a completed application and continues until the CalWORKs application is approved and aid is issued or until the application is denied or withdrawn.

B. At the time of application every applicant will be given the opportunity to request an Immediate Need payment by completing the Immediate Need section of the application.

1. The County will encourage applicants who indicate that they are in an emergency situation to complete the Immediate Need section of the SAWS1 application form.
2. If an applicant indicates verbally or in writing that he/she has an emergency situation, after the application has been submitted, the County must provide the applicant with a [CW 4](#), "Immediate Need Payment Request".

Note: The [CW 4](#) is only required for applicants who request an Immediate Need payment **after** the initial application.

C. A request for an IN payment is defined as any one of the following:

1. A completed, signed SAWS1 showing both a request for cash aid and a "NO HOME" answer to Question 1-G.
2. A completed, signed SAWS1 showing both a request for cash aid and a "YES" answer to any part of Question 12.
3. A completed signed [CW 4](#).

D. The County cannot complete the Immediate Need section of the application (SAWS1) or the Immediate Need Payment Request (CW 4), except at the applicant's specific request.

E. All Immediate Need payment requests received during regular business hours must be accepted on that date.

1. No person wishing to file a request for an Immediate Need payment will be denied the right to do so.

2. The County cannot ask an applicant to withdraw an Immediate Need payment request.

F. The applicant must be given a copy of the completed SAWS1 or CW 4, indicating the date of receipt.

III. IMMEDIATE NEED INTERVIEW

A. If the applicant indicated on the SAWS1 or CW 4 that the family has an emergency situation, the County should have a face-to-face Immediate Need interview the same day, if feasible.

1. If not possible, it must occur the next working day.

B. During the Immediate Need interview, the County must review:

1. The completed Statement of Facts (SAWS2); and

a. The SAWS2 must be completed by the applicant as part of the IN process.

b. If the applicant refuses to complete the SAWS2, and the form is needed for the purposes of regular cash aid, the County must deny both the application for cash aid and the request for an Immediate Need payment.

c. If the applicant does not refuse, but fails to complete the SAWS2, and the form is needed for the purposes of regular cash aid, the County must deny the Immediate Need request, but give the applicant another chance to complete the form for ongoing eligibility.

d. If the applicant either fails or refuses to complete the SAWS2, but the form is not needed for the purposes of regular cash aid, the County must deny the Immediate Need request and continue to determine eligibility for regular cash aid.

2. The SAWS1 or, if applicable, the CW 4.

C. The County must request documentation or verification needed to establish eligibility for regular cash aid.

1. The applicant must provide this material within the IN time frame to the extent that the County can reasonably expect the applicant to do so.

IV. ACTION ON IMMEDIATE NEED PAYMENT REQUEST

A. A determination of eligibility for an Immediate Need payment must be made no later than the next working day following the receipt of the request.

1. A request for IN cannot be withdrawn. It must be approved or denied.

2. The IN Processing timeframe begins with the first workday during which the County is in receipt of the request for an IN payment during normal business hours.

B. When eligibility to an Immediate Need Payment exists:

1. And eligibility for ongoing CalWORKs is verified within the Immediate Need time frame, the County must issue the regular aid payment instead of the IN payment.

2. And eligibility for ongoing CalWORKs is not verified within the Immediate Need time frame, the County will issue the IN payment (unless the emergency situation is pending eviction and the applicant has asked for an expedited determination of ongoing eligibility per MPP 40-129.7).
- C. The worker must notify the applicant in writing of the results of the IN request.

V. DENIAL OF THE IMMEDIATE NEED PAYMENT REQUEST

- A. When eligibility for an Immediate Need payment does not exist:
 1. The Immediate Need payment request will be denied and the applicant notified in writing.
 - a. The NOA for the denial of a request for an IN payment need not be provided within the IN timeframe, but should be issued as soon as administratively possible.
 - b. When the NOA is hand-delivered, the Request for Immediate Need Payment (CW 4) must also be given to the applicant.
 2. The CalWORKs eligibility determination process will continue, unless the family fails to meet financial eligibility or deprivation standards. In this case, the CalWORKs application and the request for an Immediate Need payment may be denied at the same time.
- B. The County will deny the Immediate Need request in the following situations:
 1. The applicant is eligible for Immediate Need based on the need for food and this need has been met through the issuance of Food Stamps in the IN time frame, as long as the Food Stamps will meet the family's need in its current living arrangement.
 2. The applicant is eligible for IN based on homelessness and a Homeless Assistance payment has been issued in the IN timeframe.
 3. The applicant is not apparently eligible for CalWORKs.
 4. The worker has concluded, based upon all available information, that the applicant does not have an emergency situation.
 5. The applicant is eligible for an Immediate Need payment based on an eviction and the applicant chooses an expedited eligibility determination for aid.
 6. The need has been met through a referral to a community resource.
 7. The applicant is currently receiving CalWORKs or Refugee Cash Assistance (RCA).
 8. The Immediate Need request was made by an individual being added to an existing Assistance Unit (AU).
 9. The Immediate Need request was made on behalf of a child placed in Foster Care.
 10. The entire AU is currently being sanctioned.
 11. The County is unable to establish the applicant's eligibility in the following circumstances:
 - a. The applicant fails or refuses to cooperate.
 - b. The applicant fails to keep the scheduled face-to-face interview.

VI. IMMEDIATE NEED PAYMENT ISSUANCE

- A. If ongoing CalWORKs eligibility has not been verified, the County will issue the Immediate Need payment.
- B. If the applicant chooses to pick up the check at the Division office, the payment must be delivered no later than the third working day following the day the County received the Immediate Need request. (The workday following the day of the request is day #1.)
- C. When the applicant fails to pick up the payment, the warrant must be mailed no later than the end of the next working day.

D. Document the issuance in case comments.

VII. COMPLETION OF THE CALWORKS ELIGIBILITY DETERMINATION PROCESS

A. When an Immediate Need payment has been issued, the County will verify the applicant's eligibility for aid within 15-working days from the date of receipt of the Immediate Need payment request.

1. The 15-working-day time frame applied to an Immediate Need request that was denied because the need was met by another public program or private resource.

2. The 15-working-day time frame applied to an Immediate Need payment request that was denied because the emergency situation was a lack of housing and the need was met by the issuance of a Homeless Assistance payment.

3. The eligibility verification process will continue when the 15-working-day time frame cannot be met.

B. If verification of eligibility is completed, and the applicant determined eligible, the County will compute the aid payment in accordance to the beginning date of aid rules. (See handbook 44-3.5)

C. The amount of aid payment will be the grant amount less any Immediate Need payment the County issued for that month.

D. The County will issue the payment as soon as administratively possible.

E. When an Immediate Need payment has been issued, and the applicant family is determined to be ineligible for CalWORKs benefits, the application must be denied.

VIII. For CalWIN instructions on how to process an immediate need, [click here](#).

IX. REFERRAL TO COMMUNITY RESOURCES

A. The County has the option to refer the applicant to another public program or private resource to meet an emergency situation other than the need for shelter or food.

B. The request for an Immediate Need payment may then be denied only when all of the following conditions are met:

1. During the application period, not more than one referral can be made and that referral can meet no more than one need.

2. The County has verified in advance that the specific need will be fully met by resource in the IN time frame.

a. The case record must be documented to show that the County has verified in advance that the need will be met.

b. Example: The applicant's emergency situation is a need for essential clothing (shoes). In order for the IN request to be denied based on the resource referral, the worker must verify in advance that the resource will be able to provide shoes that fit.

3. The family has the mental and physical capabilities to travel to the resource. The worker must consider the situation of the family as a whole.

C. The County will not refer the applicant to the resource when travel will create another emergency situation.

D. When a referral to another resource is made, the worker must provide the applicant the following information in writing:

1. The name, contact person, address and phone number of the resource, and
2. The applicant's specific need that will be met by the referral, and
3. If the resource does not meet the applicant's need and the applicant returns within the Immediate Need time frame and remains eligible for an Immediate Need payment, the payment will be issued no later than the next working day following the date the County received the Immediate Need request.
4. When the resource does not meet the applicant's need and the applicant returns within the IN time frame, the County will provide the applicant with an Immediate Need payment, providing the applicant remains eligible.

E. When the resource does not meet the applicant's need and the applicant returns after the IN time frame, the County will provide the applicant with a new Request for Immediate Need Payment (CW 4).

References:

All County Letter No. 90-103
Manual Section 40-129

Attachments:

[CW 4](#)
[CalWIN Instructions](#)

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