

## 6. Immediate Need [EAS 40-129]

### 6.1 Request

#### 6.1.1 IN Definition [EAS 40-129.1]

Immediate Need (IN) is a cash benefit available to CalWORKs applicant families who have an emergency situation and insufficient funds to meet the need. It is an aid payment made in advance of a completed determination of eligibility for CalWORKs when specific criteria are met.

#### 6.1.2 Request for IN

An IN can be requested at any time during the application process.

IF the request is made...	AND...	THEN...
At the time of the CalWORKs application,	The applicant indicates they are homeless or have an eviction notice,	A request for an IN payment exists.
By a verbal or written indication of emergency situation after the CalWORKs application has been submitted,	The applicant completes an "Immediate Need Payment Request" (CW 4) form	A request for an IN payment exists.



**Note:**

The only time the EW or other authorized person completes the IN request for the applicant is at the specific request of the applicant. The EW SHALL NOT ASK the applicant to withdraw an IN request.

#### 6.1.3 Time Frame

A determination of eligibility for an IN must be made and recorded in CalWIN no later than the next working day following the receipt of the referral.

#### 6.1.4 Payment Level

The IN payment is the amount of cash aid to which the applicant family is entitled for the month of application, or \$200.00, whichever is less.

## 6.2 Eligibility [EAS 40-129.2]

### 6.2.1 Apparently Eligible

“Apparently eligible” means that the information provided on the Statement of Facts and information otherwise available to the EW indicates that the applicant would be eligible if the information was verified.

In order to be apparently eligible:

- A non-citizen applicant must provide verification of eligible "non-citizen" status or show that the "exception criteria" is met.
- A pregnant woman with no eligible children must provide acceptable medical verification of the pregnancy.

### 6.2.2 Emergency Situation

The following situations constitute an emergency for IN:

SITUATION	EXPLANATION — THE APPLICANT:
Lack of Housing	Meets the criteria to be homeless. [Refer to “Financial Eligibility,” page 33-1].]
Pending eviction	Has received ANY KIND of eviction notice, including a three day notice to pay or quit.
Lack of food	Does not have enough food to sustain the family for a period of three calendar days.
Utility shutoff	Has received any type of notification that utilities will be shut off, including telephone service.
Transportation	Is unable to meet essential transportation needs such as those relating to food, medical care, or job opportunity.
Clothing	Lacks essential clothing such as diapers or clothing needed for inclement weather.
Other	Has other emergencies of similar importance to the family's immediate health and safety.

### 6.2.3 Liquid Resources

Liquid resources are defined as exempt and nonexempt items of value which are immediately available and reasonably convertible to cash in time to meet the emergency situation and which belong to persons who would be included in the AU. This includes, but is not limited to cash, negotiable securities, and similar resources. This does not include the cash surrender value of insurance policies, trust deeds, household items and furnishings, personal effects, motor vehicles, or real property.

### 6.2.4 Excess Liquid Resources

To determine if the applicant has excess liquid resources, use the following chart:

IF the emergency situation...	THEN Liquid Resources...
Involves transportation,	Must be less than the cost of the emergency.
Is a pending eviction,	Together with income must be less than the rent owing.
Is any other emergency situation,	Must be less than \$100.00.

If it is determined that the applicant has liquid resources in excess of the amounts listed above, the IN must be denied in CalWIN.

### 6.2.5 Technical Conditions

Technical conditions for CalWORKs are:

- Verification of, or application for a SSN.
- Application for unconditionally available income (includes UIB and DIB).
- Cooperation with the Local Child Support Agency (LCSA) (signature on the “Child/Spousal and Medical Support Notice and Agreement” [CW 2.1]).

### 6.2.6 Eligibility Conditions

Eligibility for an IN payment exists if the applicant meets ALL of the following conditions:

CONDITIONS	THE APPLICANT MUST...
1.	Be apparently eligible for CalWORKs. <b>Note:</b> A non-citizen who does not provide verification of non-citizen status is NOT apparently eligible. A woman with no eligible children who does not provide verification of pregnancy is NOT apparently eligible.

2.	Have an emergency situation which cannot be addressed by the: <ul style="list-style-type: none"> <li>• Issuance of CalFresh, or</li> <li>• Homeless Assistance, or</li> <li>• By referral to a community resource.</li> </ul>
3.	Not have excess liquid resources.
4.	Have complied with the technical conditions of eligibility.

Applicants who are aided from other states are treated in every way as applicants in California and are eligible to request an IN.

## 6.3 IN Request Procedures

### 6.3.1 IN Action [EAS 40-129.5]

Use the following chart to process an Immediate Need (IN) Request:

IF...	THEN...
The applicant requested an IN and was approved by the Triage Screener,	Applicant will be assigned to an Intake EW within 24 hours.
Conducting a face to face interview,	<p>EW will review the completed SAWS 1, SAWS 2 Plus and/or CW 4 forms. View all documentation and verification the applicant is able to provide. Make a determination of eligibility for IN no later than one working day following the date of the IN request. Issue one of the following:</p> <ul style="list-style-type: none"> <li>• An Expedited Determination of Eligibility (EDE) CalWORKs payment within 3 working days of the request for IN, or</li> <li>• An IN approval NOA and payment, no later than the next working day following the date of the IN request, or</li> <li>• An IN denial NOA, no later than the next working day following the date of the IN request</li> </ul> <p><b>Reminder: Requests for IN payments AND Approval or Denial of the IN payment <u>MUST be entered in CalWIN</u> no later than the next working day following the date of the IN request.</b></p>

IF...	THEN...
IN eligibility exists AND CalWORKs eligibility has been verified,	The EW will provide a "CalWORKs Applicant Choice Form Immediate Need Payment/Expedited Grant" CW 43. <b>If the applicant chooses an Immediate Need Payment</b> , it must be recorded and issued in CalWIN no later than the next working day following the date of the IN request. <b>If the applicant chooses to receive an Expedited Grant</b> , it must be recorded and issued in CalWIN no later than the third working day following the date of the IN request.
IN eligibility exists AND all conditions for IN have been met, BUT eligibility for CalWORKs has not been verified,	EW will issue the IN Payment and enter the IN approval in CalWIN no later than the next working day following the date of the IN request; and/or Issue Homeless Assistance, if the emergency is housing; and/or Issue ES CalFresh by the next working day following the date of the IN request, if the emergency is food; and/or Make a referral to a Community Resource. Provide the IN Notice of Action (NOA) generated by CalWIN to the applicant. Schedule a return appointment with the applicant to provide the remainder of the verifications necessary to clear eligibility.
IN eligibility does not exist,	EW will deny the IN request in CalWIN and provide an IN Denial NOA no later than the next working day following the date of the IN request.

### 6.3.2 IN for More than One Reason

When the applicant indicates on the IN request more than one unmet need, the EW must respond separately to each item requested; however, only one IN is granted (i.e., up to \$200 total).



**Example:**

Applicant completes CW 4 indicating a request for IN based on homelessness AND lack of essential clothing. The homeless portion of the IN is denied as the applicant does not meet Homeless Assistance (HA) eligibility criteria. IN based on lack of essential clothing must also be explored and an appropriate IN action must be taken. In this situation a denial was issued for IN based on homelessness and the IN for request for clothing was approved, requiring two separate notices and entries in CalWIN.

Same situation as above, except IN based on Homelessness is approved. The applicant is

issued the HA payment (\$60) with the appropriate HA NOA along with the approval of the IN request for homelessness. In addition the applicant is issued an IN payment (up to \$200) for the request for lack of essential clothing requiring a second approval NOA issued by CalWIN.

### 6.3.3 Second IN Request [40-129.24]

A family is eligible for a second IN payment if:

- The IN has been issued, and
- A second request is made in the next month, and
- The applicant remains apparently eligible, and
- The CalWORKs case has not yet been approved/denied, and
- The family emergency continues or a new emergency has arisen, and
- The IN payment issued in the previous month was for an amount less than \$200.00.



#### Note:

In NO event, shall the combined amount of the IN exceed \$200.



#### Example:

A mother with two children applies for CalWORKs and IN on December 29. The EW determines IN eligibility and hand-issues a warrant for \$67.17. On January 3, the customer again contacts the EW and requests a second IN payment. The EW determines that she meets the necessary criteria and issues a second IN check for \$132.83. The customer has received a total of \$200 in IN payments.



#### Example:

The applicant has already requested and been issued a \$200 IN payment (maximum allowed). The applicant then finds they have a second IN, and it qualifies as an IN. The applicant has already been paid the maximum, so the EW's only option is to offer the applicant "Expedited Determination of Eligibility" (EDE), if applicable.

### 6.3.4 CW 4 Requirements

The appropriate use of the “Immediate Need Payment Request” (CW 4) is as follows:

IF...	THEN the CW 4...
The applicant indicates on the SAWS 1 they have an IN,	Is not required.
At a later time during the application process the applicant indicates they have an IN,	Must be completed.
The IN is denied,	Must be given to the applicant for any other additional requests.

### 6.3.5 Special Situation

#### All But One Family Member Eligible

Take the following steps when some family members are apparently eligible, and other members do not meet apparent eligibility conditions or the technical conditions of eligibility:

STEP	ACTION
1.	Process the application for IN, treating the person(s) for whom eligibility cannot be determined as excluded person(s).
2.	If the condition of eligibility is verified prior to approval of the CalWORKs application, approve the excluded individual(s) with the rest of the AU.
3.	If the condition of eligibility is not verified within 45 days from the date of the CalWORKs application, deny the individual(s) and approve the rest of the AU.

## 6.4 Community Resources

### 6.4.1 Rule [40-129.6]

When an applicant requests an IN based upon an emergency situation, other than the need for shelter or food, the EW may refer the applicant to another public program or private resource when all of the following conditions exist:

- Only one referral may be made per IN request.

During the application period no more than one referral is made and the referral, when made, is to meet no more than one need.

- There is prior approval.

The EW has verified in advance that the specific need will be fully met by the public program or private resource by the end of the working day following the request for an IN payment. The EW must document in the "Case Comments" window that the EW has verified in advance that such a need will be met.

- The applicant has the ability to travel to the required location.
- The family has the mental and physical capabilities to travel to the public or private agency.

### **6.4.2 Referral Procedure**

When making a referral to a public or private agency, the EW must provide the applicant with the following information:

- The name, address and phone number of the agency, and the contact person.
- The specific need which will be met by the referral agency.
- Notification that if the agency does not meet the applicant's need and the applicant remains eligible and returns within the IN time frames, the IN payment will be issued no later than the next working day following the date the county received the IN request.

### **6.4.3 Resource Not Available**

When the referral agency does not meet the applicant's need and the applicant returns within the IN time frame, the EW shall process an IN payment, if the applicant remains eligible.

When the referral agency does not meet the applicant's need and the applicant returns after the IN time frame, the EW shall give the applicant a CW 4, and shall process the new IN request.



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## 6.5 Expedited Determination of Eligibility [40-129.7]

### 6.5.1 Definition

“Expedited Determination of Eligibility” (EDE) means fully processing the CalWORKs application and issuing a CalWORKs payment within three working days following the date of the IN request. The day following the request is day #1.

#### Required Conditions

An EDE is appropriate when the following conditions exist:

- The emergency situation is an eviction, and
- The applicant is apparently eligible, and
- The applicant is in receipt of an eviction notice, including a three day notice to pay or quit, and
- The applicant has insufficient funds to pay the rent owing, and
- The applicant is currently residing in the home, and
- The applicant chooses, in writing, an expedited determination of CalWORKs cash eligibility.

It is not required that an EDE be offered when an IN is issued unless the applicant has an eviction or the applicant chooses in writing an EDE.

### 6.5.2 Payment Issued

For purposes of the EDE payment, “issued” means the EW:

- Made the regular CalWORKs payment available by the end of the EDE time frame, within three working days following the date of the IN request.

If the EW can't determine CalWORKs eligibility and issue the EDE, the \$200 IN payment must be issued within three working days following the date of the IN request if all IN eligibility requirements are met.

### 6.5.3 Procedure

To complete the Expedited Determination of Eligibility, the EW shall:

STEP	ACTION
1.	Identify the need as an eviction in which: <ul style="list-style-type: none"> <li>• The applicant is in receipt of a notice of eviction, including a three day notice to pay or quit, and</li> <li>• The applicant has insufficient funds to pay the rent owing, and</li> <li>• The applicant is currently residing in the home.</li> </ul>
2.	Inform the applicant, in writing, of the information and verification known to be necessary to determine eligibility for CalWORKs. This is usually done by using the "Request for Verification" form (CW 2200).
3.	Allow the applicant to choose between an IN payment and an EDE. Document the choice in the "Case Comments" window of CalWIN. Use the "Applicant Choice Form, Immediate Need Payment/Expedited Grant" (CW 43).
4.	Fully process the CalWORKs application within three working days following the date of the IN request and issue the monthly grant if the applicant chooses an expedited determination.
5.	If the CalWORKs eligibility determination cannot be completed, issue the IN payment no later than three working days following the date of the IN request.

## 6.6 Denial

Deny the IN request in CalWIN and issue the IN Denial NOA when:

- The IN emergency is food and the need has been met through the issuance of CalFresh within one working day from the date of the IN request.
- The IN emergency is homelessness and a Homeless Assistance payment has been issued by the end of the next working day following the date of the IN request.
- The applicant is not apparently eligible for CalWORKs.
- The applicant does not have an emergency situation based upon all available information.
- The applicant is eligible for an IN payment based on an eviction and has chosen an EDE for CalWORKs.
- The need has been met through a referral to a community resource.
- The applicant is currently receiving CalWORKs or RCA.
- The IN request was made by an individual being added to an existing AU.

- The IN request was made on behalf of a child placed in Foster Care.
- The entire AU is currently being sanctioned.
- The EW is unable to establish the applicant's eligibility in the following circumstances:
  - The applicant fails or refuses to cooperate with the technical conditions of eligibility. Depending on the condition of eligibility, either the individual or the entire AU may be ineligible.
  - The applicant fails to keep their interview.

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## 6.7 Completing Process

### 6.7.1 EW Requirements

When any request for an IN is made, the EW must do one of the following for each of the unmet need items:

- Approve the request in CalWIN, or
- Deny the request in CalWIN, or
- Complete an Expedited Determination of Eligibility (EDE).

After a decision is made and the request has been processed the EW must complete:

- The “County Use Only” section of the SAWS 1/SAWS 2 Plus/CW 4, and
- Issue the appropriate NOA generated by CalWIN within the required time frame.

### 6.7.2 15-Day Time Frame

The applicant's eligibility for aid must be verified within 15 working days from the date of the receipt of the IN payment.

This time frame also applies to an IN request which was denied because:

- The need was met by a community resource, or
- The need was met by the issuance of a Homeless Assistance payment.

### 6.7.3 Determining CalWORKs Eligibility

Once the result of the IN is determined, process the CalWORKs application as follows:

IF...	THEN...
The applicant is eligible for CalWORKs benefits,	<ul style="list-style-type: none"> <li>• Compute the aid payment in accordance with the beginning date of aid rules. (The amount of aid payment is the grant amount less any IN payment issued for that month.)</li> <li>• Complete the “County Use Only” Section of the SAWS 1/SAWS 2 Plus/CW 4.</li> <li>• Issue the aid payment as soon as administratively possible.</li> </ul>
The applicant is ineligible for CalWORKs benefits,	<ul style="list-style-type: none"> <li>• Deny the CalWORKs application.</li> <li>• Complete the “County Use Only” Section of the SAWS 1/CW 4, and the SCD 1532.</li> <li>• Process overpayment claim for IN issuance.</li> </ul>

## 6.8 Other Hand Typed Warrants

A “hand-typed warrant” may be issued in situations other than those described above as “Immediate Need.” Payment could be made after eligibility has been established if an applicant is in urgent need of money.

Hand-typed warrants should be minimized as it is costly to the county and can result in grant errors.

The use of hand-typed warrants should be utilized only when absolutely necessary to avoid UNDUE HARDSHIP.

### 6.8.1 Undue Hardship

Undue hardship may exist if, in the judgment of the EW, the applicant family has an emergent situation which results in additional costs to the family, or in additional service requirements for the family and which could be deterred by the issuance of a hand-typed warrant.

Failure of an applicant to receive a payment in a timely manner due solely to worker or agency error does not in itself, constitute justification for issuing a hand-typed warrant.

The EW must thoroughly explore the situation with the applicant, as well as other possible resources the applicant or the agency may have available to meet their needs. This includes:

- Documenting in the "Case Comments" window of CalWIN the extent of the situation as well as the applicant's responses to the exploration of other resources prior to making a decision to issue a hand-typed warrant.
- Obtaining supervisory approval which is required.

### **6.8.2 Supervisory Review**

EW supervisors must review ALL "Immediate Need" and "Hand-Issued Warrant" cases for correctness of eligibility and grant amount.

This review must be completed prior to authorizing the hand-issuance of the warrant.

### **6.8.3 Supplements, Cancellations and Rewrites**

The criteria specified in other hand-typed warrants above shall be applied, including supervisory approval, in considering the urgency of need in situations where:

- A warrant is being canceled or rewritten, or
- A supplemental payment is being authorized.