

## 21. Senior Parent/Minor Parent

---

### 21.1 Definitions of Terms Used in This Section

#### 21.1.1 Adult-Supervised Living Situation

An adult-supervised living situation is any living situation which meets the minor parent residency requirement. This term is used to refer to any of these situations.

#### 21.1.2 Minor Parent

A minor parent is defined as a never-married individual, under the age of 18, who is pregnant or has a dependent child residing with that minor parent. In this section the minor parent will be referred to as a "she". However, should the father be the minor parent with whom the dependent child resides, then the minor parent rules apply to him.

#### 21.1.3 Senior Parent

The senior parent(s) are the biological (or adoptive) parents of a minor parent. The minor parent's stepparent is not considered a senior parent.

---

## 21.2 Minor Parent Residence Requirement [EAS 89-201]

A never-married minor, under the age of 18 who is pregnant or who has a dependent child must live:

- With his or her parent(s) (the senior parents),
- With his or her legal guardians,
- With any other adult relative who is over the age of 18 and meets the CalWORKs degree of relatedness. [Refer to "Caretaker Relative Requirements [EAS 82-808]," page 25-5].]



#### Reminder:

The "significant other" of the minor parent does not meet the degree of relatedness to the minor parent.

- In a state licensed adult-supervised supportive living arrangement which includes a group home or a maternity home.

**Note:**

The residency requirement applies to ALL never-married minor parents, even if the minor parent is an undocumented noncitizen or an SSI/SSP recipient.

**Reminder:**

When a minor parent does not live in an appropriate living situation or meet one of the exceptions listed below, the minor parent and/or the minor parent's AU is ineligible for CalWORKs.

### 21.2.1 Exceptions to Minor Parent Residence Requirement [EAS 89-201.2]

The minor parent and the minor parent's child(ren) are exempt from the above residence requirement when specific exceptions are met. The EW must determine if any of the following conditions are applicable to EACH senior parent:

- The minor parent has no living parent or legal guardian.
- The whereabouts of each of the minor parent's parent(s) or legal guardians are unknown.
- Each parent(s) or legal guardian of the minor parent will not allow the minor parent and the minor parent's child(ren) to live in their home.
- The minor parent has lived apart from each senior parent or legal guardian for a period of at least twelve (12) months prior to the birth of the dependent child or the application for aid.
- The minor parent is legally emancipated.
- A Child Protective Services (CPS) Social Worker (SW) determines that the physical or emotional health or safety of the minor parent and her dependent child would be jeopardized if the minor parent and child lived with either senior parent or legal guardian.

**Reminder:**

An exception must exist for each senior parent. If a minor parent did not know the whereabouts of her father and was unable to live with her mother, then both senior parents met an exception, and the minor parent would be potentially eligible. However, if the minor parent did not know where her mother was, but knew where her father was and he would allow her and her child to reside with him, then she must do so in order to receive CalWORKs.

## 21.2.2 EW Action

When determining eligibility for a minor parent the EW must review the minor parent's living situation and insure that the minor parent meets the residency requirement or meets one of the exceptions to the residency requirement. If the minor does not meet either of these requirements, the minor is not eligible for CalWORKs unless he/she moves into one of the acceptable living arrangements.

If the minor moves out of an adult supervised living-situation, the EW must redetermine if the minor still meets the minor parent residency requirement or an exception.

## 21.2.3 Intake Processes

When a minor parent is applying for ONLY herself and her child, it is not necessary that the senior parent be present at the intake interview. It is the minor parent's responsibility to complete the required forms and provide all other necessary information.

## 21.2.4 "Supplemental Statement of Facts - Minor Parent" CW 25

At Intake, Redetermination (RD) or whenever the minor parent reports a change in their living situation, the EW must secure a "Supplemental Statement of Facts - Minor Parent" (CW 25). Based upon the information provided on the CW 25 and the verification received, an eligibility determination must be made. The CW 25 provides the minor parent's statement concerning their living arrangement.

A CW 25 is required for every case which contains a minor parent. The original of the CW 25 is scanned into the IDM case record.

## 21.2.5 Verification of Exception(s)

The EW must secure verification which supports the minor parent's claim that they meet one of the exception criteria. A written or verbal statement is preferable; however, the EW may confirm a statement by telephone. If no other verification can be obtained and there is no conflicting information, a written statement using the "General Affidavit" (CSF 2) from the minor can be used as verification.

If the minor parent states that the senior parent will not allow the minor parent to move back home, a written or verbal statement from the senior parent is required. If the minor parent can not provide this statement, then a confirming telephone call or letter can be substituted.

If the minor parent claims that the senior parents are deceased, the minor parent can provide a death certificate or a written statement from another adult relative who can confirm that the parent is deceased.

If the minor parent claims to have lived apart from the senior parents for 12 months, the EW must secure verification of this. The minor parent may provide written statements from reliable sources who would have known of the situation, rent receipts or other similar verifications.

If the CW 25 indicates that the minor parent can not reside with their senior parent due to abuse, drug or alcohol problems, extremely unsanitary conditions, etc., the EW must determine whether this is a health and safety issue and make a referral to Child Protective Services (CPS). It will be up to the CPS SW to determine whether or not the allegation is valid. Based upon the CPS findings, the EW will determine if an exception exists. [Refer to “Referral to CPS [EAS 89-201.24],” page 21-6].]

## 21.2.6 Specific Examples of Exception Request and EW Action

A minor parent requests an exception and it is approved. Later it is discovered that she could live with her senior parents and they want her to return home. The EW must contact her and advise her that the exception due to whereabouts unknown of the senior parent is no longer valid. The minor parent must be informed that as a result of this change she is not CalWORKs eligible, unless she meets the criteria for another exception. A determination must also be made whether any of the CalWORKs previously paid is an overpayment.

If the minor parent states that the whereabouts of her senior parents are unknown, but the EW discovers that the senior parents are on aid in another county, the EW must contact the senior parents and inform them that the minor parent has applied for CalWORKs here. If the minor parent had previously resided with the senior parent at the senior parent’s current residence, then she must be notified that her claim that her parent’s whereabouts are unknown is unfounded and that she must return to the home of her senior parent or another relative or meet another exception in order to be eligible for CalWORKs.

If the minor parent claims that her child was conceived as a result of incest or rape by the senior parent or adult male living in the home, then a referral to CPS must be made. It will be up to the CPS SW to determine whether or not the allegation is valid. Based upon the CPS findings, the EW will determine if an exception exists. [Refer to “Referral to CPS [EAS 89-201.24],” page 21-6] for the CPS Referral Process.]

## 21.2.7 “Payee Agreement For Minor Parent” (CW 25A) [EAS 89-201.4]

The EW must secure a "Payee Agreement for Minor Parent" (CW 25A) when the minor parent lives in any one of the specified adult-supervised living situations.

### Senior Parent/Legal Guardian/State Licensed Home as Payee

The payee for the minor parent is the adult living in the home or the group/maternity home. By signing the CW 25A, the responsible adult agrees to:

- Use the funds for the support of the minor parent and the minor parent's child(ren).
- Make sure that all written information sent by the county is given to the minor parent, as the minor parent is responsible for any required actions. This includes, but is not limited to, the "Semi-Annual Eligibility/Status Report" (SAR 7), any NOAs, any informing notices, etc.
- Notify the county within 5 days if the minor parent should move out, and return any payments received after that.

**Note:**

If the minor parent fails or refuses to cooperate in securing the CW 25A, the entire AU is ineligible for aid. If the CW 25A is not signed by the adult in the home and is returned by the minor parent, the EW must verify and document that the minor parent attempted to obtain the adult's signature but the adult refused to sign the CW 25A. The signature of the minor parent on the CW 25 gives the EW permission to contact the adult in the home.

Once the determination is made that an on-going minor parent case meets the residency requirements, the CW 25A must be completed by the adult in the home. If the senior parent or other adult is to be the payee for the minor parent's AU, the minor parent must be given an adequate NOA. This is because the minor parent who is the CalWORKs recipient is being affected by the payee status change.

**Example:**

An example of the payee information is: "Mrs. Susan Brown for Kathy Brown, 22345 E. 59th Street, San Jose, CA. 95111".

The CW 25A is scanned into the IDM case record.

**Minor Parent as Payee**

The minor parent may be the payee on their own case, ONLY when:

- The minor parent is an exception from the residency requirement, or
- The adult living in the home or the group/maternity home refuses to act as payee.

If the EW determines that the adult in the home is not using the CalWORKs funds to meet the needs of the minor parent and the minor parent's child, the EW may make the minor parent the payee. This must be verified (usually through a SW) and carefully documented on the **Maintain Case Comments** window of CalWIN. If the SW provides this information through a telephone call, the EW should also request a written statement.

### 21.2.8 Referral to CPS [EAS 89-201.24]

If the minor parent states that the physical or emotional health or safety of the minor parent’s child or the minor parent him or herself would be jeopardized if they were to return to the senior parent’s home, a referral must be made to Child Protective Services (CPS) to determine if this allegation is true.

- For applicants, CalWORKs eligibility can not be determined until the CPS Social Worker has reviewed the situation and verified that this is a health and safety issue.



**Note:**

If the minor parent requests an Immediate Need (IN) or applies for Homeless Assistance (HA), the EW must follow existing procedures. If the minor parent appears to be otherwise eligible, IN or HA must be authorized within the specified time frames.

- For recipients, the minor parent must be instructed to cooperate with the CPS SW. CalWORKs eligibility continues until the SW has completed their review and notified the EW of the outcome. The EW must then take appropriate case action.

When the minor parent claims that there is a health and safety issue involved and the minor parent is potentially CalWORKs eligible, follow these steps to refer the minor parent to CPS:

Step	Action
1.	Review the CW 25 to determine what the minor parent is alleging.
2.	Explain to the minor parent that a referral to CPS must be made to have the allegation supported.
3.	Call 299-2071 and make the initial contact with a telephone referral. Explain to the person answering the telephone that this is a health and safety referral for a minor parent CalWORKs applicant/recipient.
4.	Send a copy of the CW 25 to CPS, 373 W. Julian Street. The CPS SW will contact the minor parent to complete an in-person safety assessment of the minor parent’s living situation, the minor’s ability to live independently, and the services required to insure the health and safety of the minor parent and the minor parent’s child(ren). Any subsequent action by the EW is dependent upon the results of the SW’s case review. NOTE: There is no need to complete any additional forms when reporting this as a potential case of child abuse or neglect.

After the completion of the CPS investigation, the SW will send the EW a copy of the completed CW 25, verifying the results of the investigation. The CPS SW has 20 calendar days from the date of referral, to make their determination. Once the CPS investigation is completed, the EW must take appropriate action based upon the CPS referral:

If . . .	Then the EW must. . .
It is determined that a health and safety concern does exist,	Complete the remainder of the eligibility determination process.

If . . .	Then the EW must . . .
It is determined that a health and safety concern does not exist,	Explain to the minor parent that she must reside with an appropriate caretaker relative or meet one of the other exceptions in order to be CalWORKs eligible.
The teen parent does not meet any other exemption criteria or chooses not to change their place of residence,	Deny/discontinue the application, as appropriate.



**Reminder:**

The minor parent can always appeal any decision made by the Agency. If the minor parent is denied or discontinued based upon the CPS determination, that action may be appealed. If the minor parent requests an Appeal in a timely manner, that individual may be eligible to Aid Paid Pending (APP). The SW may decide to make another CPS investigation, or can wait for the hearing decision.

**21.2.9 Referral to "The Adolescent Family Life Program" [EAS 89-201.3]**

All minor parents who meet an exception from the requirement that they live with their senior parent or in another adult-supervised living arrangement must be referred to "The Adolescent Family Life Program" (AFLP) for on-going "Minor Parent Family Maintenance" (MPFM) services. A minor parent who is legally emancipated is not referred to AFLP, as they are treated as adults. If a referral has been made to CPS for a health and safety concern, the CPS SW will forward the referral to AFLP, once their determination has been made and the minor parent is determined eligible.

If it is determined that the minor parent meets any of the other exceptions (other than health and safety or emancipation) the EW must:

- Inform the minor parent that a referral is being made to AFLP, and
- Refer that individual for MPFM services, once eligibility is cleared, by sending a copy of the CW 25 to AFLP.

The case manager assigned this case has 30 calendar days from the date of the referral to make an in-person visit with the minor parent. This visit is to determine whether it is safe for the minor parent and the minor parent’s child to live independently with the receipt of MPFM services.

If the minor parent’s case then closes, the EW must notify AFLP by telephone that this has occurred. If the minor parent lives with their senior parent or in another appropriate adult-supervised living arrangement, a referral to AFLP is not made.

## 21.2.10 Cal Learn

The minor parent must also cooperate with the Cal Learn program if that minor parent does not have a high school diploma or the equivalent. Cal Learn is administered by the Adolescent Family Life Program (AFLP) at the Public Health Department in Santa Clara County. More intensive services will be provided to the minor parents who are referred to Cal Learn with the CW 25. [Refer to "Cal Learn [EAS 42-762]," page 57-1] for a complete description of the Cal Learn program and for any other information.]

---

## 21.3 Budgeting

### 21.3.1 Minor Parent Lives In Adult-Supervised Situation or Meets an Exception [EAS 89-201.64]

Use regular CalWORKs budgeting if the minor parent:

- Lives in an appropriate adult-supervised living arrangement other than with her parent(s) (i.e. with legal guardian, another adult relative, a state licensed adult-supervised home).
- Meets one of the exceptions to the minor parent residence requirement.



#### Example:

A minor mother and her child are living with her maternal grandmother. The minor mother has no income. The minor mother's grant for January 2007 is \$584 per month (an "Non-Exempt" AU of 2).



#### Example:

A minor mother and her child are living independently, as the senior parents have refused to allow her to return to their home. The minor mother's grant for January 2007 is \$584 per month (an "Non-Exempt" AU of 2).

### 21.3.2 MAP Level Determination

The determination that the AU's MAP level should be "Exempt" or "Non-Exempt" is based upon whether the parent/caretaker of the aided child meets the "Exempt" criteria. If the minor parent is the only caretaker relative in the AU, whether included or excluded from the AU, only the minor parent must meet the "Exempt" criteria to receive the higher MAP level. If both the senior parent and the minor parent are included in the AU, then both the senior parent and the minor parent must meet the "Exempt" criteria in order to receive the higher MAP level. [Refer to "MAP Levels," page 33-14].]

**Reminder:**

As of January 1, 1998, the "Exempt" MAP criteria no longer includes teen parents under the age of 19, who are enrolled in program which leads to a high school diploma.

### 21.3.3 Beginning Date of Aid

The beginning date of aid for minor parent AUs follows existing beginning date of aid rules. [[Refer to "Beginning Date of Aid," page 3-1.](#)]

**Example:**

A minor parent applies for CalWORKs on July 2nd. At the Intake interview, the client alleges that a health and safety factor prevents her from living with her parents. On July 18th, the CPS SW determines that the minor can and should return to her parent's home. The minor parent returns to the senior parent's home on July 29th.

Since the minor met all eligibility criteria prior to authorization of aid by moving back home, the beginning date of aid is July 2nd, the application date. If the minor parent's application had been denied prior to her return to her parent's home, the minor could provide verification that she moved into an acceptable adult-supervised living arrangement within 30 days of the denial notice and the denial should be rescinded. The beginning date of aid would be the application date.

---

## 21.4 Senior Parent / Minor Parent Budgeting [EAS 89-201.5]

When the minor parent lives in the home with the senior parent:

- The senior parent's income and needs are used in the minor parent's budget
- The senior parent(s) may choose to be included in the minor parent's AU when there are no aided siblings and aid is only being requested for the minor parent and his/her child(ren)
- If the senior parent, minor parent's siblings, minor parent and minor parent's child are all aided, they all must be in the same AU
- The senior parent's income and needs are applied at application and on a continuing basis in all income eligibility determinations (including the appropriate income tests) as well as budget computations
- The senior parent regulations do NOT apply to the resources, of the senior parent.

**AU Composition** A minor parent is not considered a child for purposes of establishing eligibility for the senior parent. If the family consists of the senior parent, the minor parent and the minor's child, the senior parent can only be aided if the senior parent is the caretaker relative of both the minor and the minor's child. If the minor child is the caretaker relative of his/her child, the senior parent has no eligibility, unless the senior parent has other eligible children. [Refer to 32.5.2]

### 21.4.1 Income Exempt from Excluded Parent Computation

**Dominika S. v. Saenz** The *Dominika S. v. Saenz* court order stipulated that child support payments paid to a senior parent on behalf of the minor parent, who resided with the senior parent, could NOT be considered in determining the CalWORKs eligibility and the grant amount for the minor parent's child. This policy was effective from February 1, 2001, through October 1, 2002.

If the minor parent lives with the senior parent and ...	Then the AU consists of...
Is included in the senior parent's AU,	The senior parent, the minor parent, any siblings or other relatives of the minor parent and the minor parent's child(ren). The CalWORKs grant amount is determined by using all of the AU's income.
The minor parent's AU remains eligible,	The minor parent and the minor parent's child(ren). The CalWORKs grant amount is determined by using all of the AU's income plus any income from the senior parent unit. NOTE: When there are no aided siblings the senior parent can only be aided if they are the caretaker relative of both the minor and the minor's child.
The income of the senior parent results in the ineligibility of the AU containing the minor parent and the minor parent's child(ren),	<ul style="list-style-type: none"> <li>No one. Case must be discontinued.</li> </ul> The minor parent is not eligible for Cal Learn. The EW must determine the minor parent's eligibility for Medi-Cal and any other benefits the minor parent may request.

### 21.4.2 Senior Parent Unit (Non-AU Members)

The Senior Parent Unit (SPU), consists of the following persons, who are considered part of the "family" and are non-AU members:

- The senior parent,
- The spouse of the senior parent (the minor parent's stepparent), including a spouse on SSI, and
- Any persons, other than the senior parents children, in the home who are not in the AU and who are or may be claimed by the senior parent as federal tax dependents.



**Note:**

The Senior Parent Unit does not include any individual who has been excluded from the AU for cause (sanctioned).

**IEVS Information** Persons whose income and/or resources must be included in the eligibility determination must be included in the IEVS match processes, even though they are not receiving benefits for themselves.

**Effect of SSI/SSP** If the senior parent has income which is being deemed to an SSI/SSP spouse or child, income must still be used in the minor parent budgeting process without considering the SSI/SSP deeming. The EW must notify Social Security that the income is used in the CalWORKs computation enabling SSA to change the SSI/SSP budget accordingly.



**Note:**

The SSI spouse or child of the senior parent is NOT considered a non-AU member in the income determination.

### 21.4.3 Senior Parent Budgeting Computation [EAS 44-315]

To compute the income used in the minor parent’s CalWORKs budget, use the following chart:

	Total disability-based income of both the senior parent and AU members.
Minus	Income Disregard
Equals	Net Disability-based Income
	Total Gross Earned Income of both the senior parent and AU members
Minus	Any portion of the Income Disregard remaining from above.
Equals	Net Earned Income
Minus	50% (Earned Income Disregard) from the remainder.
Equals	Net Nonexempt Earned Income
Plus	Any remaining disability-based income after the Income Disregard was deducted.
Plus	Nonexempt Unearned Income.
Equals	Total Nonexempt Income of both the senior parent and AU members.

MAP (plus Special Needs) for the AU and non-AU members.

Minus Total Nonexempt Income from above.

Equals First potential grant amount.  
 Second potential grant amount. (MAP for AU)  
 Compare both potential grant amounts. The grant amount is the lesser of the two amounts.  
 If the Potential Grant is a negative amount, complete the CalWORKs budgeting process and deny or discontinue the AU.

### 21.4.4 Applicant Example

- The Senior Parent Unit consists of one senior parent and one child (the sibling of the minor parent). These are non-AU members.
- The CalWORKs Applicant AU consists of a minor parent and her child. This is a "Non-Exempt" AU of 2.
- The senior parent earns \$1,600 per month from full-time employment.
- The minor parent earns \$400 within the month from part-time employment.

**Initial Applicant Gross Income Test - Contains both the Senior Parent Unit and the Minor Parent Unit**

Gross earned income (both senior and minor parent)	\$2000.00
Less \$90 for each employed applicant	- <u>180.00</u>
Net Earned Income	\$1820.00
MBSAC for 4 (as of 7/06)	\$ 1175.00

The minor parent is ineligible as the first Applicant Gross Income Test is failed. Deny the application.

### 21.4.5 Recipient Example



**Important:**

Current Income Disregard and MAP values must be used in calculations. Income Disregard and MAP values in the example below may **not** reflect current values.

- The Senior Parent Unit consists of two senior parents and one child (the parents and a sibling of the minor parent). These are non-AU members.
- The CalWORKs AU consists of a minor parent and an aided child. This is a "Non-Exempt" AU of 2.
- One senior parent earns \$900 within the month from full-time employment.

- One senior parent earns \$500 within the month from part-time employment.

Computation:

Gross income of senior parents	\$1400.00
Less \$225 Income Disregard	- <u>225.00</u>
Equals Net Earned Income	\$1175.00
Less 50% Earned Income Disregard	\$ <u>-587.50</u>
Total Nonexempt Income	\$ 587.00

MAP for 5	\$980.00
Less Total Nonexempt Income	- <u>587.00</u>
First Potential Grant	\$393.00

Second Potential Grant (MAP for 2)	\$584.00
------------------------------------	----------

Grant amount	\$393.00
--------------	----------

The AU is eligible to receive the lesser of the Potential Grant amounts. In this case the minor parent's AU is eligible to receive \$393.

### 21.4.6 “Senior Parent Statement of Facts” (CW 23) [EAS 40-128.12]

As well as obtaining the regular statement of facts, the "Supplement to the Statement of Facts" (CW 23) is required when a minor parent who lives with an unaided senior parent applies for aid. The CW 23 is also required at RD. The minor parent is responsible for providing information and verification necessary to make correct eligibility and grant determinations.

- If the minor parent fails to provide adequate information or verification, aid must be denied or discontinued.
- If a minor parent RECIPIENT moves into the senior parent's home or vice-versa, a CW 23 is required to establish continuing eligibility. It is not necessary to take a new "Statement Of Facts For Cash Aid, Food Stamps and Medi-Cal/State-Run County Medical Services Program (CMSP) (SAWS 2) unless other changes occur at the same time.

### 21.4.7 "Senior Parent Semi-Annual Income Report" (SAR 73) [EAS 40-181.241(i)]

- | A SAR 73 is required when a minor parent lives with an unaided senior parent. When a minor parent moves from the home of one senior parent to the home of another senior parent within the same Semi-Annual Reporting Payment Period (SAR), a SAR 73 for each senior parent home is required. The EW must apply the income from senior parent deeming to the AU.
- |
  - The SAR 7 is not considered complete if the SAR 73 is not also submitted.
  - The completeness criteria of the SAR 73 are the same as for the SAR 7.
  - Verification requirements are the same for the SAR 73 as for the SAR 7. The minor parent's signed statement on the SAR 73 or CW 23 is sufficient verification of senior parent's tax dependents living in the home.
  - The senior parent is not required to sign the SAR 73.

### 21.4.8 Minor Parent and Senior Parent In One AU [EAS 89-201.6]

When the senior parent and the minor parent are in the senior parent's AU, the income from the AU is used to determine the amount of their CalWORKs grant.

When a minor parent moves home to live with the senior parent and the senior parent is receiving CalWORKs, the AU's must be combined. The minor parent must be in the senior parent's AU, if the senior parent is receiving CalWORKs for the minor parent's siblings or half-siblings.



**Example:**

The AU consists of a senior parent, her three children (one of whom is a minor parent) and the minor parent's child. The minor parent is enrolled in high school and is Cal Learn eligible. This is a "Non-Exempt" AU. They have no income, other than CalWORKs. Their CalWORKs grant is based upon MAP for 5. In February 2007, this AU receives \$980.



**Example:**

The AU consists of a senior parent, her three children (one of whom is a minor parent) and the minor parent's child. The minor parent is enrolled in high school and is Cal Learn eligible. This is a "Non-Exempt" AU. The senior parent is employed and earns \$1,000 per month. The CalWORKs grant computation shows:

Gross income	\$1000.00
--------------	-----------

Less \$225 Income Disregard	- <u>225.00</u>
Equals Net Earned Income	\$ 775.00
Less 50% Earned Income Disregard	\$ <u>387.50</u>
Total Net Nonexempt Income	\$ 387.00
MAP for 5	\$ 980.00
Less Total Net Nonexempt Income	- <u>387.00</u>
Grant amount	\$593.00



**Example:**

The AU consists of a senior parent, her three children (one of whom is a minor parent) and the minor parent’s child. The minor parent is enrolled in high school and is Cal Learn eligible. This is a “Non-Exempt” AU. The senior parent is employed and earns \$1,000 per month. The minor parent receives Social Security (Survivors’ benefits) of \$350 monthly. The CalWORKs grant computation shows:

Gross income of senior parent	\$1,000.00
Less \$225 Income Disregard	- <u>225.00</u>
Equals Net Earned Income	\$ 775.00
Less 50% Earned Income Disregard	\$ <u>387.50</u>
Total Nonexempt Earned Income	\$ 387.00
Plus Nonexempt Unearned Income	+ <u>350.00</u>
Total Net Nonexempt Income	\$ 737.00
MAP for 5	\$ 980.00.
Less Total Nonexempt Income	- <u>737.00</u>
Grant amount	\$243.00

**Senior Parent AU Becomes Ineligible**

When the AU which contains the senior parent, the minor parent, the minor parent’s child and siblings of the minor parent, becomes ineligible, the EW must explore continued eligibility for all members of the existing AU. This includes on-going eligibility for Medi-Cal for the AU.



**Example:**

An AU which contains a senior parent, a minor parent, the minor parent’s child and the minor parent’s sibling becomes ineligible as the senior parent has found employment and her earnings exceed the Recipient Net Income Test. The gross earnings of the senior parent are \$2,300 per month. Based upon this income, the senior parent, the minor parent and the minor parent’s sibling are determined financially ineligible for CalWORKs and they are transferred to the appropriate Medi-Cal program because they are ineligible for CalWORKs based upon the increased earnings of the senior parent.

**21.4.9 AU Consists of Minor Parent and Minor Parent’s Child(ren) [EAS 89-201.53]**

When the AU consists of only the minor parent and the minor parent’s child, the EW must determine if the minor parent AU is financially eligible, based upon the income of the senior parent:

If the minor parent AU is...	Then...
Financially eligible based upon the income of the senior parent(s),	The AU consists of the minor parent and the minor parent’s child(ren). Use the regular CalWORKs budgeting process, counting the income of the senior parent(s) and any income received by the minor parent or the minor parent’s child.
NOT financially eligible based upon the amount of income from the senior parent(s),	Discontinue the CalWORKs cash aid for the AU.

The senior parent computation process is applicable, even if the senior parent has a small amount of income which results in no income being used in the minor parent’s budgeting computation. Therefore, as long as the minor parent is living with the senior parent, the grant for the minor parent’s AU is based upon the grant amount calculated using the regular budgeting process.



**Example:**

The Senior Parent Unit consists of both of the senior parents and one sibling (non-AU of 3). The minor parent AU consists of the minor parent and one child (a "Non-Exempt" AU). One senior parent earns \$900 per month. The other senior parent earns \$400 per month and receives \$125 from State Disability Insurance benefits. The minor parent has no income. The CalWORKs budget shows:

Disability-based Income	\$125.00
Less \$225 Income Disregard	<u>- 225.00</u>
Net Nonexempt Disability-based Income	\$ -100.00

Gross Earned Income	\$1300.00
Less remaining amount of \$225 Income Disregard	- <u>100.00</u>
Equals Net Earned Income	\$1200.00
Less 50% Earned Income Disregard	- <u>600.00</u>
Net Nonexempt Income	\$ 600.00
MAP for 5	\$980.00
Less Net Nonexempt Income	- <u>600.00</u>
First Potential Grant (Minor parent is eligible to be included in the AU.)	\$ 380.00
Second Potential Grant (MAP for 2)	\$ 584.00
Grant amount (Lesser of First or Second Potential Grant Amounts)	\$ 380.00



**Example:**

The Senior Parent Unit consists of the senior parent, the spouse of the senior parent (the minor parent’s stepparent) and 1 minor child (non-AU of 3). The Minor Parent AU consists of the minor parent and one child (an "Non-Exempt" AU). The senior parent is employed and earns \$1,000 per month. The minor parent’s stepparent earns \$1,500 per month. The CalWORKs grant computation shows:

Gross income	\$1000.00
Less \$225 Income Disregard	- <u>225.00</u>
Equals Net Earned Income	\$ 775.00
Less 50% Earned Income Disregard	\$ <u>387.50</u>
Total Nonexempt Income	\$ 387.00
MAP for 5	\$ 980.00
Less Total Nonexempt Income	- <u>387.00</u>
First Potential Grant (Minor parent is included in AU)	\$ 593.00
Second Potential Grant (MAP for 2)	\$ 584.00
Grant amount (Lesser of 1st and 2nd Potential Grants)	\$ 584.00



**Reminder:**

Count only the income of the senior parent, not the income of the senior parent’s spouse (the minor parent’s stepparent) or any siblings.



**Example:**

The Senior Parent Unit consists of 1 person. The Minor Parent AU consists of the minor parent and one child (a "Non-Exempt" AU). The senior parent earns \$275 per month. The CalWORKs grant computation shows:

Gross income	\$275.00
Less \$225 Income Disregard	- <u>225.00</u>
Equals Net Earned Income	\$ 50.00
Less 50% Earned Income Disregard	\$ <u>25.00</u>
Total Nonexempt Income	\$ 25.00
MAP for 3	\$723.00
Less Total Nonexempt Income	- <u>25.00</u>
First Potential Grant (Minor parent is included in AU)	\$698.00
Second Potential Grant (MAP for 2)	\$584.00
Potential Grant (Lesser of 1st and 2nd Potential Grants)	\$584.00
Grant amount	\$584.00



**Example:**

The Senior Parent Unit consists of the senior parent, the minor parent’s stepparent and one sibling (non-AU of 3). The minor parent AU consists of the minor parent and one child (a "Non-Exempt" AU). The senior parent has \$1,499 gross earned income and the minor parent receives \$350 in Child Support benefits. The CalWORKs budget shows:

Gross Earned Income	\$1499.00
Less \$225 Income Disregard	- <u>225.00</u>
Net Earned Income	\$1274.00
Less 50% Earned Income Disregard	\$ <u>637.00</u>

	Net Nonexempt Earned Income	\$ 637.00
	Plus Other Nonexempt Unearned Income	+ <u>350.00</u>
	Total Nonexempt Income	\$ 987.00
	MAP for 5	\$ 980.00
	Less Total Nonexempt Income	- <u>987.00</u>
	Potential Grant	\$ 000.00

Minor parent's AU is not eligible for cash aid.

### 21.4.10 AU Consists of Two or More Sibling Minor Parents

If two minor parents who live with their unaided senior parent apply for, and receive CalWORKs on their own behalf, a separate eligibility determination must be made for each minor parent. (Each minor parent is in their own AU in their own case.) The EW must compute the total gross income of the senior parent, divide that amount by 2 (the number of minor parents) and use that amount for each minor parent. The number of persons in the senior parent unit remains the same for both minor parent units. For example, if there was only 1 person in the senior parent unit, the senior parent's gross income was \$1,200 and there were two minor parent AUs, use \$600 as total earnings from the senior parent. The SPU contains one person.

If two minor parents live with their unaided senior parent and only one minor parent applies for and receives CalWORKs, the minor parent applying for assistance is counted in a separate minor parent AU. The minor parent not applying for aid is included in the Senior Parent Unit when determining the size of the non-AU. Count only the income of the senior parent(s).

### 21.4.11 AU Consists of Both Parents of a Minor Parent's Child

If both unmarried minor parents of the child live together and apply for CalWORKs, then each minor parent must be living in an appropriate adult-supervised living arrangement or meet one of the specified exceptions, in order to be eligible for CalWORKs. If only one of the minor parents meets this condition of eligibility, only that minor parent and the child are aided. The minor parent who does not meet the minor parent provisions is excluded from the AU. Any income from that minor parent is counted in the budgeting process as a non-AU member.



#### Example:

Both unmarried minor parents (mother and father) live with the mother's mother (the Senior Parent Unit). The income from the senior parent is combined with any income received by either parent to determine if there is eligibility for the minor mother and her child. Since the child's father is also a minor he would have to meet an exception in order to be in the AU.

If both unmarried parents of the child live together, and one of the parents is a minor parent and the other parent is an adult (over 18), this is not considered an acceptable adult-supervised living arrangement. The adult is not considered to meet the degree of relatedness to the minor parent. However, if the parents were both living in another acceptable adult-supervised situation or if the minor parent met one of the exception criteria, the AU could contain both parents and the child. If the minor parent did not meet an exception, the AU would contain the adult parent and the child. The minor parent would be excluded by law and any income from that minor parent would be counted as a non-AU member.



**Example:**

A 16-year-old mother, a 19-year-old unmarried father, and their child live independently. The 16-year-old does not meet one of the exceptions. The AU contains the father and the child, and the minor mother is an excluded parent (non-AU member) and any income received by the minor mother is counted.



**Reminder:**

When both unmarried parents are living in the home and paternity has not legally been established, the EW must inform them of the benefits in establishing paternity and they may sign a voluntary declaration of paternity. [\[See Chapter 22.5 for requirements\]](#)

## 21.5 Other Concerns

### 21.5.1 Minor Parent Moves Into or Out of Senior Parent’s Household

When a minor parent recipient (not applicant) moves in with the senior parent, the income which is received by the senior parent in the portion of the month after the date of the move is counted in the senior parent computation. Deductions for the whole month are allowed. A change of address is a Mandatory Mid-Period reporting requirement.



**Example:**

The minor parent moves in with the senior parent on August 20th. The senior parent receives earnings of \$750 on August 12th and \$700 on August 26th. Only \$700 earnings is used in the income computation. The Senior Parent Unit consists of senior parent and 1 other minor child:

**Computation:**

August senior parent earnings	\$ 700.00
Less \$225 Income Disregard	- <u>225.00</u>

Net Earned Income	\$ 475.00
Less 50% Earned Income Disregard	- <u>237.50</u>
Total Nonexempt Income	\$ 237.00
MAP for 4	\$862.00
Less Nonexempt Income	- <u>237.00</u>
First Potential Grant	\$ 625.00
Second Potential Grant (AU of 2)	\$ 584.00
Grant amount (Lesser of First and Second Potential Grants)	\$ 584.00

If benefits increase as a result (compare the new amount to the cash aid previously authorized), the increase in benefits is effective the first of the following month.

Revise the first month of next payment period:

- If the date of move occurs in, or before the data month, or
- If benefits will decrease as a result of the change.

When the minor parent moves out of the home, only the senior parent's income which is received in the month of the move, but prior to the date of the move is deemed. Again, the appropriate deductions for the whole month are used in the budgeting computation.

### 21.5.2 Minor Parent Turns 18 Years of Age

When the minor parent lives with the senior parents, is aided in the minor parent AU and turns 18 years old, the use of the senior parent's income in the budgeting process no longer applies beginning with the month following the minor's 18th birthday.



**Example:**

On November 3rd, the minor parent who lives with their senior parent turns 18. This is a county-initiated change. Do not budget any of the income from the Senior Parent Unit effective the first of the following month, (December) since the minor parent budgeting is no longer applicable.

In cases where the minor parent is being aided in the senior parent's AU (nested cases) THE MINOR MUST BE AIDED IN HIS/HER OWN CASE ONCE THAT MINOR PARENT NO LONGER MEETS THE AGE REQUIREMENT to be included in the senior parent AU.

**Note:**

If the minor parent is applying for herself and her own child and is no longer included in the senior parent's AU, then that minor parent **MUST BE GIVEN HER OWN CASE AND CASE NUMBER.**

**Reminder:**

When the child of a minor parent is born, a determination must be made of whether this child is an MFG child. [Refer to "Effect of MFG Rule on Minor Parents," page 48-16].]

### 21.5.3 Income in-Kind

When the senior parent is contributing to the minor parent's AU, do not count income in-kind for the minor parent or the minor parent's child.

### 21.5.4 Confidentiality

When the minor parent completes the CW 25, the minor parent is giving the county (EW) the authority to verify the information provided on the form. The EW may contact the senior parents to inform them that the minor parent has applied for CalWORKs and to verify the information provided regarding the exception being claimed. If the senior parents have moved since the minor parent left their home, the EW must request the senior parent's permission to release pertinent information to the minor parent.

The EW may share case information with the CPS SW and with the Employment Services case manager from AFLP, without having a release of information signed.

### 21.5.5 Overpayment Issues

If a minor parent who is aided in her own AU moves out of the senior parent's home, in order to remain CalWORKs eligible, a new CW 25 must be completed to determine whether or not the minor parent meets the minor parent residency requirement or meets an exception.

- If the minor parent remains eligible for CalWORKs, there is no overpayment.
- If the minor parent moves out of the home and is no longer eligible for CalWORKs, then the minor parent is responsible for any overpayment which may have occurred.



**Note:**

It is the minor parent’s responsibility to report timely any change in her living arrangements. If the minor parent has moved into a living arrangement which does not meet the minor parent residency requirements or an exception, the first month of the next payment period following the move would be the effective date of the overpayment.

- If the minor parent is included in the senior parent’s AU, then the senior parent is responsible for any overpayment which may have occurred.

### 21.5.6 Minor Parent is Pregnant and Has No Other Child(ren)

The senior parent/minor parent income provisions do not apply until the minor parent’s child is born. Therefore, the normal eligibility and grant determination rules are applied to the pregnant minor if she has no other dependent child(ren) living with her.



**Example:**

There are 2 persons in the Senior Parent Unit (the senior parent and one sibling of the minor parent). The minor parent applies for herself as she is pregnant (a "Non-Exempt" AU). She does not have any other children. The senior parent Unit has \$875 gross earned income. The minor mother has no income.

APPLICANT GROSS INCOME TEST

MBSAC for 3 (plus Special Needs)	\$1036.00
Gross Earned Income	\$ 875.00
Less \$90 for each employed applicant	- <u>90.00</u>
Net Earned Income	\$ 785.00
Applicant passes the “Applicant” Test	

RECIPIENT NET INCOME TEST

Gross Earned Income	\$ 875.00
Less \$225 Income Disregard	- <u>225.00</u>
Net Earned income	\$ 650.00
Less 50% Earned Income Disregard	- <u>325.00</u>
Net Nonexempt Earned Income	\$ 325.00
MAP for 3 plus Special Needs	\$ 770.00
Applicant passes the “Recipient” Net Income Test	

The budget computation is as follows:

Gross Earned Income	\$ 875.00
Less \$225 Income Disregard	- <u>225.00</u>
Net Earned income	\$ 650.00
Less 50% Earned Income Disregard	- <u>325.00</u>
Net Nonexempt Earned Income	\$ 325.00
MAP for 3 plus Special Needs	\$ 770.00
Less Net Nonexempt Income	- <u>325.00</u>
Potential Grant	\$445.00
MAP for 1 plus Special Needs	\$406.00
Grant Amount (lesser of Potential Grant and MAP for AU)	\$406.00

Using the same figures as above, when the child of the minor parent is born, the budget is as follows:

Gross Earned Income	\$ 875.00
Less \$225 Income Disregard	- <u>225.00</u>
Net Earned income	\$ 650.00
Less 50% Earned Income Disregard	- <u>325.00</u>
Net Nonexempt Earned Income	\$ 325.00
MAP for 4	\$ 862.00
Less Net Nonexempt Income	- <u>325.00</u>
First Potential Grant	\$ 537.00
Second Potential Grant (MAP for 2)	\$ 584.00
Grant amount (Lesser of First and Second Potential Grant)	\$ 537.00

### 21.5.7 Minor Parent Receives SSI/SSP or Is Undocumented Noncitizen

When the minor parent is an undocumented noncitizen or receives SSI/SSP, the requirements that the minor parent live with the senior parent apply.

**Example:**

A minor parent receives SSI/SSP and lives with her mother and father. The minor parent applies for her own child. The residency requirements are met. When determining the grant amount for the AU, use any income of the senior parent(s) and the minor parent's child. Do not use the income of the minor parent who receives SSI/SSP.

**Example:**

A minor parent is an undocumented noncitizen and lives with her mother and father. The minor parent applies for her own child. The residency requirements are met. When determining the grant amount for the AU, use any income of the minor parent and her parent(s), treating her as a non-AU member.

### 21.5.8 Minor Parent Excluded for Cause

When the minor parent is excluded for cause, her needs are not allowed in the Senior Parent Unit, nor are her needs allowed as a non-AU member.

