

Treatment of income and resources of persons excluded from the CalFresh household

Some people cannot get CalFresh benefits at all. It may be because they are being punished for violating CalFresh program rules or are disqualified for a period of time. It may also be simply because the law says they are persons who cannot get CalFresh benefits. When a person is ineligible for CalFresh benefits, the CalFresh office must follow special rules to decide how much of the ineligible person's income, resources and deductions the CalFresh office will count when determining whether the other members of the household are eligible, and how much in CalFresh benefits the other members will get.

Here's how it all breaks down:

Reason person is ineligible, disqualified or not included in household	How excluded person's income is counted to rest of household	Deductions allowed to rest of household	How excluded person's resources are counted to rest of household
<p>Legal Non-citizen (legal but ineligible under welfare reform restrictions). [7 C.F.R. § 273.11(c)(3).] As of May 2001, this category does not apply to any Californians as all legal non-citizens qualify for CFAP (California Food Assistance Program). [MPP § 63-403.]</p>	<p>None. See CFAP</p>	<p>None. See CFAP</p>	<p>None. See CFAP</p>
<p>Other non-citizens. [7 C.F.R. §§ 273.1(b)(2)(ii), 273.4, 273.11 (c)(2); MPP § 63-402.221, 405.11.]</p>	<p>Pro-rata share of excluded person's income counted to aided HH. [MPP § 63-503.442(b); 7 C.F.R. § 273.11(c)(3).]</p>	<p>Earned income deduction pro-rated; other deductible expenses paid by disqualified member pro-rated. [MPP § 63-503.442(b); 7 C.F.R. § 273.11(c)(3).]</p>	<p>All of excluded person's resources are counted to aided HH. [MPP § 63-503.442(b); 7 C.F.R. § 273.11(c)(3).]</p>
<p>Boarder (not included in landlord's household). [7 C.F.R. §§ 273.1(b)(3) and (4), 273.11(d)(1); MPP § 63-402.3, 503.45.]</p>	<p>Only actual payments from boarder for room and board are counted as income to aided HH, minus self-employment expenses. [MPP §§ 63-503.42 and .45; 7 C.F.R. § 273.11(b)(3).] If boarder is a foster child, the foster care payments are</p>	<p>Household gets regular deductions (Boarder is not part of HH) [MPP §§ 63-503.42 and .457 C.F.R. § 273.11(d).]</p>	<p>Boarder is not part of HH so boarder's resources are irrelevant. [MPP §§ 63-503.42 and .45; 7 C.F.R. § 273.11(d).]</p>

	not counted. [MPP §§ 63-503.42 and .45; 7 C.F.R. § 273.9(c)(15).]		
Employment and Training (head of household refused to comply with mandatory work assignment without good cause). [7 C.F.R. §§ 273.7(c)(3), 273.7(f)(1),(2); MPP § 63-407.51, 407.54.]	All of excluded person's income counts against HH. [MPP § 63-503.441; 7 C.F.R. § 273.11(c)(1).]	HH gets all deductions. [MPP § 63-503.441; 7 C.F.R. § 273.11(c)(1).]	All of excluded person's resources counts against aided HH. [MPP § 63-503.441; 7 C.F.R. § 273.11(c)(1).]
Employment and Training (non-head of household refused to comply with mandatory work assignment without good cause). [7 C.F.R. § 273.1(b)(7)(iii), 273.7(f)(1), (2); MPP §§ 63-402.228, 407.51, 407.54, 503.45.]	All of excluded person's income counts against HH. [7 C.F.R. § 273.11(c)(1); MPP § 63-503.441.]	HH gets all deductions. [MPP § 63-503.441; 7 C.F.R. § 273.11(c)(1).]	All of excluded person's resources counts against aided HH. [MPP § 63-503.441; 7 C.F.R. § 273.11(c)(1).]
Fraud (Intentional Program Violation) . [7 C.F.R. § 273.1(b)(7)(vii), 273.11(c)(1); MPP §§ 63-402.223, 503.441(a).]	All of excluded person's income counts against HH. [7 C.F.R. § 273.11(c)(1); MPP §§ 63-503.441, 402.223.]	HH gets all deductions. [MPP §§ 63-503.441, 402.223; 7 C.F.R. § 273.11(c)(1).]	All of excluded person's resources counts against aided HH. [MPP §§ 63-503.441, 402.223; 7 C.F.R. § 273.11(c)(1).]
Failure to sign statement that one is a citizen or failure to report status with INS [7 C.F.R. § 273.1(b)(7)(i); MPP § 63-402.221.]	Pro-rata share. [7 C.F.R. § 273.11(c)(2)(ii); MPP § 63-503.442(b).]	Earned income deduction pro-rated; other deductible expenses paid by disqualified member pro-rated. [MPP § 63-503.442(c); 7 C.F.R. § 273.11(c)(2)(iii).]	All of excluded person's resources counts against aided HH. [MPP § 63-503.442(a); 7 C.F.R. § 273.11(c)(2)(i).]
Live-in Attendant . [7 C.F.R. § 273.1(b)(6); MPP § 63-402.212, 503.45.]	None. [7 C.F.R. §§ 273.11(d)(1), 273.1(b)(6); MPP §§ 63-503.45, 402.212.]	HH gets regular deductions in full. [MPP §§ 63-503.45, 402.212; 7 C.F.R. §§ 273.11(d)(1), 273.1(b)(6).]	None. [MPP §§ 63-503.45, 402.212; 7 C.F.R. §§ 273.11(d)(1), 273.1(b)(6).]
Ineligible Resident of Institution . [7 C.F.R. § 273.1(b)(7)(vi); MPP § 63-402.4, 503.45.]	None. [7 C.F.R. §§ 273.11(d)(1), 273.1(b)(7)(vi); MPP §§ 63-503.45, 402.4.]	HH gets regular deductions in full. [MPP §§ 63-503.45, 402.4; 7 C.F.R. §§ 273.11(d)(1), 273.1(b)(7)(vi).]	None. [MPP §§ 63-503.45, 402.4; 7 C.F.R. §§ 273.11(d)(1), 273.1(b)(7)(vi).]
Roomer . [7 C.F.R. §	None. [7 C.F.R. §	HH gets regular	None. [MPP §§ 63-503.45,

273.1(b)(5), 273.11(d); MPP § 63-402.211, 503.45.]	273.11(d)(1); MPP §§ 63-503.45, 402.211.]	deductions in full, unless the roomer's payment cannot be separated out, in which case deductions are pro-rated (SUA is always full). [MPP §§ 63-503.45, 402.211; 7 C.F.R. § 273.11(d)(1).]	402.211; 7 C.F.R. § 273.11(d)(1).]
Failure of person seeking benefits to report or apply for a social security number (SSN) without good cause. [MPP § 402.222; 7 C.F.R. §§ 273.1(b)(6)(iv), 273.6.]	Pro-rata share. [MPP § 503.442(b); 7 C.F.R. § 273.11(c)(2)(ii).]	Earned income deduction pro-rated; other deductible expenses (except SUA) paid by disqualified member pro-rated. [MPP § 63-503.442(c); 7 C.F.R. § 273.11(c)(2)(iii).]	All. [MPP § 63-503.442(a); 7 C.F.R. § 273.11(c)(2)(i).]
SSI recipient. [MPP § 63-402.226, 503.45; 7 C.F.R. § 273.1(b)(7)(ii).]	None. [MPP §§ 503.45, 402.226; 7 C.F.R. § 273.11(d)(1).]	HH gets regular deductions in full, unless the roomer's payment cannot be separated out, in which case deductions are pro-rated (SUA is always full).[MPP §§ 503.45, 402.226; 7 C.F.R. § 273.11(d)(1).]	None. [MPP §§ 503.45, 402.226; 7 C.F.R. § 273.11(d)(1).]
Striker who is not a victim of a lock-out and was not eligible before the strike. [MPP § 63-402.8; 7 C.F.R. § 273.1(e).]	Entire Household Ineligible. [MPP § 63-402.82; 7 C.F.R. § 273.1(e).]		
Student covered by student rule but not by any exceptions. [MPP §§ 63-402.227, 406.2, 503.45; 7 C.F.R. § 273.5.]	None. [7 C.F.R. § 273.11 (d)(1), 273.5(d); MPP §§ 63-402.227, 406.2, 503.45.]	HH gets regular deductions in full, unless the roomer's payment cannot be separated out, in which case deductions are pro-rated (SUA is always full). [MPP §§ 63-402.227, 406.2, 503.45; 7 C.F.R. § 273.11 (d)(1), 273.5(d).]	None. [MPP §§ 63-402.227, 406.2, 503.45; 7 C.F.R. § 273.11 (d)(1), 273.5(d).]
Head of Household voluntarily quit without good cause. [7 C.F.R. § 273.7(f)(5), (j); MPP §§ 63-408, 503.441.]	All of excluded person's income counts against HH. [MPP §§ 63-408, 503.441; 7 C.F.R. § 273.7(c)(1).]	HH gets regular deductions in full. [MPP §§ 63-408, 503.441; 7 C.F.R. § 273.7(c)(1).]	All of excluded person's resources counts against HH. [MPP §§ 63-408, 503.441; 7 C.F.R. § 273.7(c)(1).]
Felony drug conviction.	In other states, all	In other states, HH gets	In other states, all

<p>This exclusion no longer applies in California. Effective April 1, 2015, no person can be excluded from an assistance unit or be denied CalFresh or CalWORKs benefits because of a prior felony drug conviction. [ACL 14-100, ACL 14-92.]</p>	<p>income of excluded person counted against HH. [7 C.F.R. § 273.1(b)(7)(vii), 273.11(m).]</p>	<p>regular deductions in full. [7 C.F.R. § 273.1(b)(7)(vii), 273.11(m).]</p>	<p>resources of excluded person counted against HH. [7 C.F.R. § 273.1(b)(7)(vii), 273.11(m).]</p>
<p>Transfer of resources to qualify for benefits. [MPP § 63-501.6; 7 C.F.R. § 273.8(h).]</p>	<p>Entire household ineligible. [MPP § 63-501.6; 7 C.F.R. § 273.8(h).]</p>		
<p>Fleeing Felon. [MPP §§ 63-102(f)(4) and 63-402.224; 7 C.F.R. § 273.1(b)(7)(ix), 273.11(m).] The definition of “fleeing felon” has been clarified to ensure that State agencies use consistent procedures to disqualify only those individuals whom law enforcement authorities are <i>actively</i> seeking to prosecute. See 7 U.S.C. § 2015(k)(1)(2)(B).</p>	<p>All income of excluded person counted against HH. [MPP § 63-503.441; 7 C.F.R. § 273.1(b)(7)(ix), 273.11(n).]</p>	<p>HH gets all deductions. [MPP §503.441; 7 C.F.R. § 273.1(b)(7)(ix), 273.11(n).]</p>	<p>All resources of excluded person counted against HH. [MPP §§ 63-503.441; 7 C.F.R. § 273.1(b)(7)(ix), 273.11(n).]</p>
<p>Parole/Probation Violator. [MPP §§ 63-102(p)(2) and 63-402.224; 7 C.F.R. §§ 273.1(b)(7)(ix) and 273.11(m).] CDSS recommends limiting this to violations which have already been investigated and officially established by formal processes of parole/probation authorities. MPP §63-402.224(b)(1-2).</p>	<p>All income of excluded person counted against HH. [MPP § 63-503.441; 7 C.F.R. § 273.1(b)(7)(ix), 273.11(n).] In addition, such excluded household members render the household ineligible for categorical aid status.</p>	<p>HH gets all deductions. [MPP §503.441; 7 C.F.R. § 273.1(b)(7)(ix), 273.11(n).]</p>	<p>All resources of excluded person counted against HH. [MPP §§ 63-503.441; 7 C.F.R. § 273.1(b)(7)(ix), 273.11(n).]</p>