
**APPLICATION
OF MFG RULE**

The MFG rule applies when:

- The AU has received the MFG informing notice [CW 2102](#) at least ten months prior to the birth of the child(ren), **and**
- The AU has not had a break in aid of at least two consecutive months during the ten months immediately prior to the month of birth of the child(ren). A partial month counts as a month in which aid was received. NOTE: Zero basic grant months do not count as months on aid.

The MFG rule will continue to apply until the AU has not received CalWORKs aid for at least 24 consecutive months. Zero basic grant months do not count as months on aid.

The [MFG Worksheet F063-30-372](#) may be used to assist in determining whether a child born on or after September 1, 1997 is an MFG child.

**INFORMING
NOTICE**

All applicants/recipients must be given the MFG informing notice [CW 2102](#) explaining the MFG rule at application and at each Redetermination (RRR). The applicant/recipient must sign and date the bottom of the CW 2102 to acknowledge his/her understanding and receipt of the MFG informing notice. If the client refuses to sign, the worker must document the refusal, including the date, in CalWIN Case Comments. The client's refusal to sign does not invalidate the notification.

The worker must provide a copy of the CW 2102 to the client and retain the original.

**MFG CHILD
ELIGIBILITY**

The MFG child(ren) is considered an eligible AU member and a CalWORKs recipient.

The MFG child(ren) is eligible for all related benefits, including Public Assistance CalFresh, cash-linked Medi-Cal and special needs (such as temporary shelter payments, special diet and child care benefits).

The benefits that are derived from the MAP, such as Permanent Shelter payments for Homeless Assistance, will not include the MFG child.

The needs of the MFG child(ren) will be taken into consideration; thus, the Minimum Basic Standard for Adequate Care (MBSAC) level will be increased.

The immunization and school attendance requirements apply to MFG

child(ren).

Refer to CalWORKs Policy [Policy 100-E2](#) Immunizations and CalWORKs [Policy 100-E4](#) School Attendance for additional information.

EXEMPT INCOME

Child Support and Social Security benefits received on behalf of the MFG child(ren) are exempt from consideration as income in the CalWORKs grant computation:

- Child support payments from the absent parent for the MFG child(ren), whether paid directly to the MFG child(ren), the custodial parent, or through Child Support Services (CSS).
- Payments from Social Security or other government programs resulting from the absent parent's disability or retirement, and paid on behalf of the MFG child(ren), fulfill, in whole or in part, the absent parent's child support obligation.

Note: This income must be budgeted for CalFresh.

MFG CHILD'S OTHER INCOME/PROPERTY

Any other income the MFG child(ren) receives other than Child Support and payments from Social Security, is not exempt and would be considered as income for both eligibility and grant computations.

Death benefits and/or survivor benefits are not considered child support for purposes of the MFG child(ren) as they are not based on an absent parent's disability or retirement; therefore, death and survivor's benefits are considered income.

If these monies are placed in a savings account, they do count toward the AU's property limit.

Resources of the MFG child(ren) will be included in the AU's property/resource limits.

Refer to CalWORKs [Policy 100-B2](#) Treatment of Income and CalWORKs [Policy 100-C1](#) Property for additional information.

CHILD SUPPORT REFERRAL

A referral to the Local Child Support Agency must be made on all MFG children.

The referral is sent via electronic interface between CalWIN and the Child Support Enforcement (CSE) System.

Refer to CalWORKs [Policy 100-A1](#) Child Support for additional information

MFG EXEMPTIONS

The MFG rule shall not apply when:

Informing Requirement

The caretaker relative did not receive adequate notification about the MFG rule.

Rape

The child(ren) was conceived as a result of an act of rape and the rape has been reported to a law enforcement agency, medical or mental health professional or an organization that provides counseling to victims of rape prior to, or within three months after, the birth of the child(ren).

The recipient must provide written verification from one of the entities listed above that the incident of rape was reported and the date the report was made. A copy of the actual report is not required.

Incest

The child(ren) was conceived as a result of incest. Paternity has been established, or the incest has been reported to a law enforcement agency, medical or mental health professional or an organization that provides counseling to victims of incest prior to, or within three months after, the birth of the child(ren).

The recipient must provide written verification from one of the entities listed above that the incident of incest was reported and the date the report was made. A copy of the actual report is not required.

Contraceptive Failure

The child(ren) was conceived as a result of the failure of:

- An intrauterine device (IUD),
- Norplant,
- Depo Provera, or
- Sterilization of either parent.

The recipient must provide written verification from a physician or a member of the physician's staff that documents the contraceptive failure.

Unaided Caretaker Relative

The child(ren) was conceived while either parent was an unaided nonparent caretaker relative.

Example: If a non-needy aunt conceives while receiving CalWORKs on behalf of her nieces and/or nephews, the MFG rule would not apply to her child(ren) if she chose to apply for CalWORKs for herself.

Not Living with Parent	If the MFG child(ren) leaves the parents' home and lives with a nonparent caretaker relative, the MFG rule does not apply and the MAP would include the child(ren).
Two Month Break in Aid	The AU had a two-month continuous break in aid during the ten-month period before the child's birth. Zero basic grants are counted as months <u>off aid</u> and are counted toward the two-month break in aid for MFG.
Children Born to Aided Parents	Child(ren) born to a minor parent aided in a senior parent case who has MFG applied will no longer be subject to the MFG rule once the minor parent establishes his/her own AU.

MINOR PARENT ESTABLISHES OWN AU

Once the minor establishes his/her own AU, the MFG rule can be applied to any additional children born ten months after the [CW 2102](#) has been provided, if no other exemptions apply.

A copy of the MFG informing notice [CW 2102](#) must be provided to the minor parent during application when he/she applies for aid in his/her own AU.

NOTICES OF ACTION

CalWIN automatically generates the appropriate MFG notice of action based on case action. CalWIN also allows for the manual selection and printing of correspondence.

CalWIN # M44-314A - CW Add Person Denial-MFG Child

CalWIN # M44-314B - CW Add Person Change-MFG Child

CalWIN # M44-314C - CW Change-MBSAC Increase

IDENTIFYING THE MFG CHILD IN CALWIN

An MFG indicator of "Y" must be entered in the MFG Child [Y/N] field on the "MFG Child" tab of the Collect Individual Attributes Detail page in CalWIN.

QUESTIONS AND ANSWERS FOR MFG

[Questions and Answers for MFG](#) were developed to assist staff.

ATTACHMENTS

[CW 2102 MFG Informing Notice](#)
[MFG Worksheet](#)
[Questions and Answers for MFG](#)

REFERENCES

EAS Manual 44-314
CalWORKs [Policy 100-E2](#) Immunizations
CalWORKs [Policy 100-E4](#) School Attendance
CalWORKs [Policy 100-B2](#) Treatment of Income
CalWORKs [Policy 100-C1](#) Property
CalWORKs [Policy 100-A1](#) Child Support
ACL 97-29 Implementation Instructions for MFG in the AFDC Program
ACL 97-42 Delay of Implementation of MFG in the AFDC Program
ACL 00-78 Nickols V. Saenz Settlement Agreement; MFG Rule Changes
ACIN I-82-00 Mass Mailing of the New CalWORKs MFG Informing Notice
ACL 01-16 Kehrer V. Saenz Court Order

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