EXECUTIVE ORDER N-59-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS physical distancing and other public health measures, and related service disruptions, may prevent applicants to and recipients of the California Work Opportunity and Responsibility to Kids (CalWORKs) program from meeting certain program requirements to receive aid and services; and

WHEREAS COVID-19 continues to cause serious economic harm and financial uncertainty for many Californians, including those who are recipients of the CalWORKs program; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) Notwithstanding sections 40-115.22 and 80-301(m)(3) of the Department of Social Services' Manual of Policies and Procedures ("MPP"), or any other provision of law (including, but not limited to, any provision of Welfare and Institutions Code section 11450(b)), pregnant CalWORKs applicants who do not have another needy child in the family shall be permitted to satisfy the requirement to provide medical verification of pregnancy by means of a sworn statement, or, if necessary, verbal attestation that they are pregnant. Medical verification of pregnancy must be submitted within 30 working days following submittal of the sworn statement or verbal attestation for benefits to continue.

2) Welfare and Institutions Code section 10831 and any implementing regulations, including (but not limited to) MPP section 40-105.3, are suspended to the extent that they require the Department of Social Services to implement an identity verification method for CalWORKs applicants who are not able to present photo identification in person.

3) Notwithstanding Welfare and Institutions Code section 11054 and any implementing regulations, including, but not limited to, MPP Sections 40-115.22 and 40-128.11, the "affirmation setting forth [an applicant's] belief that [the applicant] meets specific conditions of eligibility" required by section 11054 need not be in writing: County Welfare Departments may accept a CalWORKs applicant's oral affirmation of belief if the County Welfare Department is unable to accept, or the applicant is unable to provide, a physical signature.

4) Welfare and Institutions Code section 11052.5 is suspended to the extent that it requires CalWORKs applicants to undergo an interview before being granted public assistance if a County Welfare Department has verified the identity of the applicant and has completed all other mandatory verifications pursuant to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code and any implementing regulations, including, but not limited to, MPP Section 40-131.

5) To the extent state eligibility criteria for the lump-sum diversion program under Welfare and Institutions Code section 11266.5 impose more stringent requirements related to an applicant's gross income than would otherwise be imposed by federally applicable income eligibility criteria (including, but not limited to, 45 C.F.R. § 260.31(b) and related Temporary Assistance for Needy Families guidance), those state eligibility criteria are suspended, on the condition that applicants seeking to participate in the lump-sum diversion program pursuant to this paragraph shall establish a need for such participation that is related to the COVID-19 pandemic, and on the further condition that total payments issued to an applicant family shall not exceed $5,000.

6) Welfare and Institutions Code section 11157 and any implementing regulations, including, but not limited to, MPP Sections 44-101(g), 44-102.14, 44-103.121, and 44-113.21 are suspended to the extent that they require a County Welfare Department to consider Federal Pandemic Unemployment Compensation received by a recipient as income in determining eligibility for the CalWORKs program.

7) The suspensions set forth in Paragraphs 1–5 shall expire on June 30, 2020, except that the Department of Social Services may re-impose any requirement suspended by Paragraphs 1–5 before June 30, 2020, if necessary to comply with any federal requirement.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 1st day of May 2020.

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GAVIN NEWSOM
Governor of California

ATTEST:

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ALEX PADILLA
Secretary of State