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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (Division 9 added by Stats. 1965, Ch. 1784.)

PART 3. AID AND MEDICAL ASSISTANCE [11000 - 15771] (Part 3 added by Stats. 1965, Ch. 1784.)

CHAPTER 2. California Work Opportunity and Responsibility to Kids Act [11200 - 11526.5] (Heading of Chapter 2 amended by Stats. 1997, Ch. 270, Sec. 49.)

ARTICLE 3.4. CalWORKs Home Visiting Initiative Program [11330.6 - 11330.9] (Article 3.4 added by Stats. 2018, Ch. 35, Sec. 19.)

11330.6. (a) (1) The Legislature hereby establishes the CalWORKs Home Visiting Program as a voluntary program for the purpose of supporting positive health, development, and well-being outcomes for pregnant and parenting people, families, and infants born into poverty, expanding their future educational, economic, and financial capability opportunities, and improving the likelihood that they will exit poverty.

(2) The program shall provide high-quality, evidence-based, culturally competent services to pregnant people, parents or caretaker relatives, and children for 24 months or until the child's second birthday, whichever is later, that meet the needs of at-risk assistance units, including those in underserved, rural, tribal, impoverished, and other communities.

(b) Subject to an appropriation in the annual Budget Act, the department shall award funds to participating counties for the purposes of this article in order to provide voluntary evidence-based home visiting services to any assistance unit that meets the requirements of this article. Services authorized pursuant to this section are not entitlement services and participating counties may limit the number of families participating in the program to ensure that the costs do not exceed the amount of funds awarded to the county for this purpose. Funding awarded for the purpose of home visiting services provided under this article shall not supplant expenditures from any other existing funding sources subject to county control for home visiting services. Funding appropriated may be used in combination with funding from other sources if the entirety of services provided meet the award requirements of the program.

(c) (1) Participation in the program established in this article is optional for counties, and counties that apply for, and are awarded, funds shall agree to the terms of this article. A county's application for funding shall describe all of the following:

(A) How the program's purposes, as specified in subdivision (a), will be accomplished.

(B) How the county will integrate and coordinate the evidence-based home visiting programs with county workers and core CalWORKs services to maximize the utilization of those services provided to CalWORKs recipients.

(C) How the county consulted with existing home visiting programs, if applicable.

(D) The county's plan to recruit and retain home visitors that reflect the population of its CalWORKs program.

(E) The voluntary population of CalWORKs applicants and recipients the county intends to serve, which shall include those populations identified in paragraph (2).

(2) A voluntary participant shall meet both of the following criteria:

(A) The individual is one of the following:

(i) A member of a CalWORKs assistance unit.

(ii) The parent or caretaker relative for a child-only case.

(iii) An individual who is apparently eligible for CalWORKs aid.

(B) (i) The individual is pregnant or the individual is a parent or caretaker relative of a child less than 24 months of age at the time the individual enrolls in the program.

(ii) A county may serve additional individuals not described in clause (i) with departmental approval.

(3) The department shall work with counties to develop the outreach and engagement process that will effectively reach the priority populations.

(4) The county shall demonstrate in its application to the department how services will be designed and provided as specified in Section 11330.7.

(d) (1) Participation in the program for eligible assistance units shall not be considered a condition of CalWORKs eligibility and this shall be explained in the document required pursuant to paragraph (2).

(2) Participation in the program shall be offered in writing to an eligible parent or caretaker relative. A document that includes a description of the program, its anticipated benefits and duration, a description of how to opt into the home visiting program, and a description of how to terminate participation shall be given to the parent or caretaker relative. Other forms of outreach are permitted and encouraged.

(3) An assistance unit agreeing to receive services under this article need not be eligible for, nor shall be required to participate in, the welfare-to-work program established pursuant to Article 3.2 (commencing with Section 11320). If an assistance unit elects to participate in the welfare-to-work program, the scheduled hours to be spent directly with the home visitor shall count toward allowable activities under a welfare-to-work plan.

(4) Participation in this program shall not affect a family's application for aid nor eligibility for any other CalWORKs benefits, supports, or services, including, but not limited to, welfare-to-work exemptions pursuant to subdivision (b) of Section 11320.3, good cause for not participating pursuant to subdivision (f) of Section 11320.3, participating in housing support services pursuant to Article 3.3 (commencing with Section 11330), or participating in family stabilization pursuant to Section 11325.24.

(5) If the parent or assisted caretaker has been removed from the assistance unit or exits the CalWORKs program, voluntary home visiting services may continue until completion of the evidence-based home visiting program or until the parent or assisted caretaker relative terminates their own participation.

(6) A county and the home visiting program may incorporate participation of the noncustodial parent of a child who is a member of a CalWORKs assistance unit into home visiting services, subject to the mutual agreement of the custodial and noncustodial parents.

(e) The following definitions shall apply for purposes of this article:

(1) "Cultural competence" means the ability to interact effectively with people of different cultures.

(2) "Evidence-based home visiting" means a home visiting model approved by the department, which shall be evaluated considering criteria developed by the United States Department of Health and Human Services for evidence-based home visiting.

(3) "Home" means a temporary or permanent residence or living space, or another location identified by the assistance unit.

(f) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer the changes made to this section by the act that added this subdivision by means of all-county letters or similar instructions from the department that shall have the same force and effect as regulations until regulations are adopted.

(2) The department shall adopt regulations implementing the changes specified in paragraph (1) no later than December 31, 2024.

(Amended by Stats. 2023, Ch. 43, Sec. 44. (AB 120) Effective July 10, 2023.)

11330.7. (a) A primary component of the program described in this article shall be case management and evidence-based home visiting for the purpose of family support, which shall commence upon the determination that an individual is eligible in accordance with paragraph (2) of subdivision (c) of Section 11330.6 and shall continue until the eligible individual completes the evidence-based home visiting program or terminates the individual's own participation.

(b) Home visiting shall include, but not be limited to, resources and referrals to all of the following:

(1) Prenatal, infant, and toddler care.

(2) Infant and child nutrition.

(3) Developmental screening and assessments.

(4) Parent education, parent and child interaction, child development, and child care.

(5) Job readiness and barrier removal.

(6) Domestic violence and sexual assault, mental health, and substance abuse treatment, as applicable.

(c) Home visitors shall encourage participants to enroll their child in a high-quality, early learning setting, or participate in playgroups, or other child enrichment activities, as appropriate, and parent participation in this early learning setting shall count towards allowable activities under a welfare-to-work plan developed by the parent or caretaker relative under Section 11325.21.

(d) Home visiting services shall only be those intended to achieve the goals established in subdivision (a) of Section 11330.6 and that are provided in the home of an assistance unit or at a location agreed upon by the parent or caretaker relative and the home visitor. Home visiting services shall only be provided by a registered nurse, nurse practitioner, social worker, or other person able to provide culturally appropriate services who is trained and certified according to the requirements of this article, has completed a background check, and has completed training as specified in subdivision (g) for the purposes of implementing this article.

(e) Home visiting services and visits shall not be mandatory, random, or unannounced.

(f) Counties may give preferential treatment to contractors of home visiting programs that are able to colocate home visitors and CalWORKs caseworkers in order to facilitate communication and coordination.

(g) (1) All home visiting providers shall complete training in the following areas before providing services to a CalWORKs recipient:

(A) (i) CalWORKs, Medi-Cal, CalFresh, California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and other programs, with county-specific information about how the home visiting professionals can help a parent access additional services for which the parent may be eligible and troubleshoot problems with benefits or eligibility that would impact the parent's access to services.

(ii) This training shall be administered by the county and shall include, but not be limited to, the demographics of the population served and the supports and services available for CalWORKs recipients.

(iii) Any costs incurred shall be funded as part of the allocation from the department to that county.

(B) (i) Cultural competency and implicit bias.

(ii) It is the responsibility of the contractor to ensure that all home visitors have received implicit bias and cultural competency trainings. The department shall establish the minimum training standards as required in this section.

(iii) Contractors are encouraged to partner with local organizations to develop a curriculum that best suits the needs of the home visiting program participants.

(C) (i) Strengths-based practices for working with families with unmet needs.

(ii) Either the contracted provider or the county shall administer this training.

(2) A county that staffs its home visiting program solely with county staff is exempt from the requirements of paragraph (1) to the extent the training would duplicate training already received.

(h) Counties, in coordination with home visitors and CalWORKs staff, may establish processes to provide one-time, as-needed funding for the purchase of material goods for a program participant's household related to care, health, and safety of the child and family, which shall not exceed one thousand dollars (\$1,000).

(Amended by Stats. 2022, Ch. 50, Sec. 43. (SB 187) Effective June 30, 2022.)

11330.8. (a) For the purpose of implementing this article, the department shall form and consult with a workgroup of stakeholders, including legislative staff, representatives of counties and county human services agencies, CalWORKs eligibility workers, home visitors with experience serving CalWORKs recipients, current or former CalWORKs clients, advocates for clients, local and state First 5 representatives, the State Department of Health Care Services, the State Department of Public Health, home visiting program administrators, home visiting program experts and advocates, and other stakeholders. The workgroup shall be maintained indefinitely to provide continuous quality improvement, utilizing the data collected and received pursuant to subdivision (c), and shall biennially provide technical assistance to county home visiting programs.

(b) The department shall convene counties with participating home visiting programs to gather twice annually, beginning April 1, 2019, to share challenges, lessons learned, and best practices. These meetings shall be open to all stakeholders described in subdivision (a).

(c) The department shall collect, and counties and participating home visitation organizations shall provide, as a condition of funding, data necessary to administer the program and also related to the outcomes of participants and children, including by race, ethnicity, national origin, primary and secondary language, and county. The data shall include program outcomes for the parents and children

served in the program and these data components shall be identified in consultation with the stakeholder workgroup referenced in subdivision (a), and pursuant to subdivision (d). All state, county, and other participating organizations shall protect the personal information of individuals and families collected or maintained against loss, unauthorized access, and illegal use or disclosure, consistent with applicable state and federal laws.

(d) (1) The department shall work with at least one independent, research-based institution to identify existing, and establish additional, outcome measurements. The Legislature shall be consulted as part of the outcomes measurement development process. These measurements shall inform an evaluation report that shall be provided to the Legislature no later than January 10, 2022. The evaluation shall include program outcomes for the parents and children served in the program, models utilized, and measures specific to CalWORKs objectives. Notwithstanding any other law, the department may accept and expend funds from nongovernment sources for the evaluation, for a longitudinal study of the home visiting program that is in addition to the evaluation, or for both. The report shall include, but not be limited to, all of the following information, with respect to the period of evaluation:

(A) Rates of children receiving regular well-child checkups and, if available, immunization rates according to the American Academy of Pediatrics Bright Futures guidelines.

(B) Rates of children receiving developmental screening and referrals for further assessment.

(C) Rates of participation in early learning programs.

(D) Service referrals by type.

(E) Services accessed by type.

(F) Number of home visits completed, including data on duration of families' enrollment in home visiting services.

(G) Parental satisfaction with their gains in parenting skills and knowledge.

(H) Food and housing stability.

(I) Workforce training, employment, and financial stability.

(J) Participation in educational programs or English as a second language programs, or both, as applicable.

(K) Access to immigration services and remedies.

(L) Indicators of home visiting program workforce capacity, including demographics, characteristics, composition, including employer and certification status, and future training needs of the home visiting workforce.

(M) Child welfare referrals and outcomes.

(N) Additional descriptive and outcome indicators, as appropriate.

(2) The requirement for submitting a report pursuant to paragraph (1) is inoperative on January 10, 2026, pursuant to Section 10231.5 of the Government Code.

(Amended by Stats. 2019, Ch. 497, Sec. 308. (AB 991) Effective January 1, 2020.)

11330.9. This article shall become operative on January 1, 2019.

(Added by Stats. 2018, Ch. 35, Sec. 19. (AB 1811) Effective June 27, 2018. Note: This section makes Article 3.4, commencing with Section 11330.6, operative on January 1, 2019.)