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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 3. State Supplementary Program for Aged, Blind and Disabled [12000 - 12351]** ( *Chapter 3 repealed and added by Stats. 1973, Ch. 1216.* )

**ARTICLE 5. Payment of Aid [12200 - 12205]** ( *Article 5 added by Stats. 1973, Ch. 1216.* )

**12200.** An aged, blind or disabled applicant or recipient shall be paid an amount of aid which when added to his or her federal benefit received under Part A of Title XVI of the Social Security Act and other nonexempt income and resources, equals the following:

- (a) For a blind applicant or recipient, the sum of seven hundred four dollars (\$704) per month and for a married couple both qualifying for benefits under this chapter as blind, the sum of one thousand three hundred seventy-two dollars (\$1,372) per month.
- (b) For a married couple, both qualifying for benefits under this chapter, and one of whom is blind, the sum of one thousand two hundred ninety-five dollars (\$1,295) per month.
- (c) For an aged or disabled applicant or recipient, the sum of six hundred thirty dollars (\$630) per month.
- (d) For a married couple both qualifying for benefits under this chapter as aged or disabled, the sum of one thousand one hundred sixty-seven dollars (\$1,167) per month.
- (e) For an aged or disabled applicant or recipient under subdivision (c) or for a married couple under subdivision (d) whose living arrangement prevents preparation of his or her or their meals at home shall be entitled to an allowance of sixty-eight dollars (\$68) per month for an individual and one hundred thirty-six dollars (\$136) per month for a married couple in addition to any other amount he or she is entitled to under this chapter.
- (f) For a disabled minor under 18 living with a parent or guardian or relative by blood or marriage, the sum of four hundred ninety-nine dollars (\$499) per month.
- (g) For a recipient in a nonmedical out-of-home care facility, the sum of seven hundred nine dollars (\$709) per month.
- (h) For the personal and incidental needs of a person receiving care in a medical facility under the Medi-Cal Act, the sum of thirty dollars (\$30) per month. The department shall issue, or arrange for the issuance from the appropriate state agency of, an additional twelve dollars (\$12) each month to each recipient to whom this subdivision applies.
- (i) In the case of any individual, or couple, whose federal benefit received under Part A of Title XVI of the Social Security Act is reduced in accordance with Section 1612(a)(2)(A) of Public Law 92-603 because he lives in another person's household and receives support and maintenance-in-kind from such person, the appropriate grant level set forth in subdivision (a), (b), (c), or (d) of this section shall be reduced by the amount of the reduction in the federal benefit, subject to the provisions in Section 12204.

This subdivision shall be operative only during such time that such in-kind support and maintenance, under federal law, is treated as providing the basis for a lower payment standard rather than being treated as the receipt of unearned income.

(Amended by Stats. 1991, Ch. 97, Sec. 14. Effective June 30, 1991. Operative July 1, 1991, by Sec. 30 of Ch. 97.)

**12200.01.** (a) Notwithstanding any other provision of law, commencing November 1, 1992, the payments schedules set forth in Section 12200 in effect on June 30, 1992, except subdivisions (e), (g), and (h) shall be reduced by 5.8 percent.

(b) Notwithstanding subdivision (a), in no event shall the combined amount of the federal Supplementary Security Income payment and the state Supplementary State Program payment level for any applicant or recipient be reduced below the level required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act (Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code).

(Amended by Stats. 1996, Ch. 206, Sec. 16. Effective July 22, 1996.)

**12200.015.** (a) Notwithstanding any other provision of law, the maximum aid payments in effect on June 30, 1993, in accordance with Section 12200, as reduced by subdivision (a) of Section 12200.01, except subdivisions (e), (g), and (h) of Section 12200, shall be reduced by 2.7 percent beginning the first of the month following 60 days after the enactment of this section.

(b) Notwithstanding subdivision (a), in no event shall the payment schedules be reduced below the level required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act, contained in Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

*(Amended by Stats. 1996, Ch. 206, Sec. 17. Effective July 22, 1996.)*

**12200.017.** (a) Notwithstanding any other provision of law, the maximum aid payments in effect on June 30, 1994, in accordance with Section 12200, as reduced by subdivision (a) of Section 12200.01 and Section 12200.015, except subdivisions (e), (g), and (h) of Section 12200, shall be reduced by 2.3 percent effective September 1, 1994.

(b) Notwithstanding subdivision (a), in no event shall any maximum aid payment schedule in any payment category established pursuant to Section 12200 be reduced below the level required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act, contained in Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

(c) In no event shall the reduction of any maximum aid payment level pursuant to this section result in a change in share of cost or eligibility for services under Article 7 (commencing with Section 12300) for any aged, blind, or disabled person who was receiving services under that article in 1994 prior to the enactment of this section because of that reduction in maximum aid payment, provided he or she continues to meet other applicable requirements.

*(Amended by Stats. 1996, Ch. 206, Sec. 18. Effective July 22, 1996.)*

**12200.019.** (a) Notwithstanding any other provision of law, the maximum aid payments in effect on January 1, 2009, in accordance with Article 5 of Chapter 3 of Division 9, except payments made pursuant to subdivisions (e), (g), and (h) of Section 12200, shall be reduced to the payment levels in effect on December 1, 2008, and shall be further reduced by 2.3 percent.

(b) Notwithstanding subdivision (a), in no event shall the payment schedules be reduced below the level required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act, contained in Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

(c) This section shall become operative on July 1, 2009.

*(Added by Stats. 2009, 3rd Ex. Sess., Ch. 13, Sec. 6. Effective February 20, 2009. Section operative July 1, 2009, by its own provisions. Note: The addition of this section was not terminated by Sec. 11 of Ch. 13 because the conditions failed.)*

**12200.02.** (a) Notwithstanding any other law, and except as provided in subdivision (b), on the first day of the month following 90 days after enactment of the act that adds this section:

(1) The maximum aid payment for a married couple, in accordance with Section 12200, shall be reduced to equal the minimum amount required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act, contained in Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

(2) (A) The maximum aid payment under this article for an individual, in accordance with Section 12200, shall be reduced by 0.6 percent.

(B) Notwithstanding subparagraph (A), in no event shall payments under this paragraph be reduced below the level required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act, contained in Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

(b) Notwithstanding subdivision (a), the reductions required by this section shall not apply to payments made pursuant to subdivisions (e), (g), and (h) of Section 12200.

*(Added by Stats. 2009, 4th Ex. Sess., Ch. 4, Sec. 25. Effective July 28, 2009.)*

**12200.03.** (a) Notwithstanding any other law, and subject to subdivision (b), on the first day of the first month following 90 days after the effective date of the act that adds this section, the maximum aid payment for an individual, as specified in Section 12200, except subdivisions (e), (g), and (h) of that section, shall be reduced to equal the minimum amount required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act, contained in Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

(b) Notwithstanding subdivision (a), in no event shall the payment schedules be reduced below the level of the state's March 1983 payment standards, as adjusted by the federal Social Security Administration, pursuant to Section 416.2096(b) of Title 20 of the Code of Federal Regulations.

*(Amended by Stats. 2011, Ch. 32, Sec. 59. (AB 106) Effective June 29, 2011.)*

**12201.** (a) Except as provided in subdivision (d), the payment schedules set forth in Section 12200 shall be adjusted annually to reflect any increases or decreases in the cost of living. Except as provided in subdivision (e), (f), or (g), these adjustments shall become effective January 1 of each year. The cost-of-living adjustment shall be based on the changes in the California Necessities Index, which as used in this section shall be the weighted average of changes for food, clothing, fuel, utilities, rent, and transportation for low-income consumers. The computation of annual adjustments in the California Necessities Index shall be made in accordance with the following steps:

(1) The base period expenditure amounts for each expenditure category within the California Necessities Index used to compute the annual grant adjustment are:

Food .....	\$ 3,027
Clothing (apparel and upkeep) .....	406
Fuel and other utilities .....	529
Rent, residential .....	4,883
Transportation .....	1,757
Total .....	\$10,602

(2) Based on the appropriate components of the Consumer Price Index for All Urban Consumers, as published by the United States Department of Labor, Bureau of Labor Statistics, the percentage change shall be determined for the 12-month period which ends 12 months prior to the January in which the cost-of-living adjustment will take effect, for each expenditure category specified in paragraph (1) within the following geographical areas: Los Angeles-Long Beach-Anaheim, San Francisco-Oakland, San Diego, and, to the extent statistically valid information is available from the Bureau of Labor Statistics, additional geographical areas within the state which include not less than 80 percent of recipients of aid under this chapter.

(3) Calculate a weighted percentage change for each of the expenditure categories specified in paragraph (1) using the applicable weighting factors for each area used by the Department of Industrial Relations to calculate the California Consumer Price Index (CCPI).

(4) Calculate a category adjustment factor for each expenditure category in paragraph (1) by (1) adding 100 to the applicable weighted percentage change as determined in paragraph (2) and (2) dividing the sum by 100.

(5) Determine the expenditure amounts for the current year by multiplying each expenditure amount determined for the prior year by the applicable category adjustment factor determined in paragraph (4).

(6) Determine the overall adjustment factor by dividing (1) the sum of the expenditure amounts as determined in paragraph (4) for the current year by (2) the sum of the expenditure amounts as determined in paragraph (4) for the prior year.

(b) The overall adjustment factor determined by the preceding computational steps shall be multiplied by the payment schedules established pursuant to Section 12200 as are in effect during the month of December preceding the calendar year in which the adjustments are to occur, and the product rounded to the nearest dollar. The resultant amounts shall constitute the new schedules for the categories given under subdivisions (a), (b), (c), (d), (e), (f), and (g) of Section 12200, and shall be filed with the Secretary of State. The amount as set forth in subdivision (h) of Section 12200 shall be adjusted annually pursuant to this section in the event that the secretary agrees to administer payment under that subdivision. The payment schedule for subdivision (i) of Section 12200 shall be computed as specified, based on the new payment schedules for subdivisions (a), (b), (c), and (d) of Section 12200.

(c) The department shall adjust any amounts of aid under this chapter to ensure that the minimum level required by the Social Security Act in order to maintain eligibility for funds under Title XIX of that act is met.

(d) (1) No adjustment shall be made under this section for the 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 2004, 2006, 2007, 2008, 2009, and 2010 calendar years to reflect any change in the cost of living. Elimination of the cost-of-living adjustment pursuant

to this paragraph shall satisfy the requirements of Section 12201.05, and no further reduction shall be made pursuant to that section.

(2) Any cost-of-living adjustment granted under this section for any calendar year shall not include adjustments for any calendar year in which the cost-of-living adjustment was suspended pursuant to paragraph (1).

(e) For the 2003 calendar year, the adjustment required by this section shall become effective June 1, 2003.

(f) For the 2005 calendar year, the adjustment required by this section shall become effective April 1, 2005.

(g) (1) For the 2011 calendar year and each calendar year thereafter, no adjustment shall be made under this section unless otherwise specified by statute.

(2) Notwithstanding paragraph (1), the pass along of federal benefits provided for in Section 12201.05 shall be effective on January 1 of each calendar year.

(h) (1) On or before January 10, 2025, and annually thereafter, the department shall provide a display in writing, in the department's Local Assistance Estimates Binder, and on the department's internet website.

(2) The display shall show both of the following:

(A) The Supplemental Security Income/State Supplementary Payment grant amount for individuals compared to the most updated fair market rent amounts for a studio apartment in each of the 58 counties.

(B) The amount remaining after paying rent and indicate the fair market rent as a percentage of the grant for each county.

(3) The department shall update the display at the annual May Revision.

*(Amended by Stats. 2024, Ch. 46, Sec. 41. (AB 161) Effective July 2, 2024.)*

**12201.01.** (a) Commencing July 1, 2022, and each year thereafter, the payment schedules set forth in Section 12200 shall be adjusted annually to reflect any increases or decreases in the cost of living, and these adjustments shall become effective January 1 of each year. The annual cost-of-living adjustment shall be based on the increase in the California Necessities Index for the year in which the adjustment becomes effective.

(b) Notwithstanding subdivision (a), unless otherwise specified in the annual Budget Act, the cost-of-living adjustment pursuant to subdivision (a), commencing on or after July 1, 2022, and for each year thereafter, shall be 0 percent.

*(Added by Stats. 2018, Ch. 35, Sec. 31. (AB 1811) Effective June 27, 2018.)*

**12201.03.** (a) For the 1992, 1993, 1994, 1995, 1996, 1997, and 1998 calendar years, or for the period of January 1, 2003, to May 31, 2003, inclusive, if no cost-of-living adjustment is made pursuant to Section 12201, the payment schedules set forth in Sections 12200, 13920, and 13921, as adjusted pursuant to Section 12201, shall include the pass along of any cost-of-living increases in federal benefits under Subchapter 16 (commencing with Section 1381) of Chapter 7 of Title 42 of the United States Code.

(b) Notwithstanding paragraph (2) of subdivision (d) of Section 12201, any adjustments made pursuant to this section to reflect the pass along of federal cost-of-living adjustments shall be included in the base amounts for purposes of determining cost-of-living adjustments made pursuant to Section 12201.

(c) Notwithstanding subdivision (a), no pass along of any cost-of-living increase in federal benefits under Subchapter 16 (commencing with Section 1381) of Chapter 7 of Title 42 of the United States Code shall be made in 1994. This provision shall not apply to those persons receiving payments pursuant to subdivisions (e), (g), and (h) of Section 12200.

(d) Notwithstanding subdivision (a), in no event shall the payment schedules be reduced below the level required by the federal Social Security Act in order to maintain eligibility for federal funding under Title XIX of the federal Social Security Act, contained in Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

(e) Notwithstanding subdivisions (a) and (c), for the 2006 calendar year, the pass along of any cost-of-living increase in federal benefits under Subchapter 16 (commencing with Section 1381) of Chapter 7 of Title 42 of the United States Code shall not become effective until April 1, 2006. This subdivision shall not apply to those persons receiving payments pursuant to subdivisions (e), (g), and (h) of Section 12200.

*(Amended by Stats. 2006, Ch. 75, Sec. 33. Effective July 12, 2006.)*

**12201.04.** On January 1, 1999, in addition to the changes in the payment schedules in Section 12200 required by Section 12201, the payment schedules in Section 12200 shall be increased by an additional 1 percent.

*(Added by Stats. 1998, Ch. 329, Sec. 24. Effective August 21, 1998.)*

**12201.05.** (a) Commencing with the 2004 calendar year, and thereafter, in any calendar year in which no cost-of-living adjustment is made pursuant to Section 12201, the payment schedules set forth in Sections 12200, 13920, and 13921, as adjusted pursuant to

Section 12201, shall include the pass along of any cost-of-living increases in federal benefits under Subchapter 16 (commencing with Section 1381) of Chapter 7 of Title 42 of the United States Code, except that for the 2006 calendar year, the federal pass along shall not become effective until April 1, 2006. This delay shall not apply to those persons receiving payments pursuant to subdivisions (e), (g), and (h) of Section 12200.

(b) Notwithstanding paragraph (2) of subdivision (d) of Section 12201, any adjustments made pursuant to this section to reflect the pass-along of federal cost-of-living adjustments shall be included in the base amounts for purposes of determining cost-of-living adjustments made pursuant to Section 12201.

*(Amended by Stats. 2006, Ch. 75, Sec. 34. Effective July 12, 2006.)*

**12201.06.** (a) Commencing January 1, 2017, the amount of aid paid pursuant to this article, in effect on December 31, 2016, less the federal benefit portion received under Part A of Title XVI of the federal Social Security Act, shall be increased by 2.76 percent.

(b) (1) Commencing January 1, 2022, the amount of aid paid pursuant to this article, in effect on December 31, 2021, less the federal benefit portion received under Part A of Title XVI of the federal Social Security Act, shall be increased by a percent increase, as determined by the State Department of Social Services and the Department of Finance that can be accomplished with two hundred ninety-one million two hundred eighty-seven thousand dollars (\$291,287,000).

(2) The State Department of Social Services and the Department of Finance shall provide a notice to the Assembly and Senate Health and Human Services budget subcommittees, Assembly and Senate Human Services policy committees, and the Legislative Analyst's Office of the final percent increase effectuated by the appropriation included in the Budget Act of 2021 for the purposes of implementing paragraph (1) 30 days prior to notifying the federal Social Security Administration to operationalize the grant increase in this subdivision.

(3) Subject to an appropriation in the Budget Act of 2022, commencing January 1, 2023, the amount of aid paid pursuant to this article, in effect on December 31, 2022, less the federal benefit portion received under Part A of Title XVI of the federal Social Security Act, shall be increased by a percent increase, as determined by the State Department of Social Services and the Department of Finance.

(4) The State Department of Social Services and the Department of Finance shall provide a notice to the Assembly and Senate Health and Human Services budget subcommittees, Assembly and Senate Human Services policy committees, and the Legislative Analyst's Office of the final percent increase effectuated by the appropriation included in the Budget Act of 2022 for the purposes of implementing paragraph (3) 30 days before notifying the federal Social Security Administration to operationalize the grant increase in this subdivision.

(c) (1) Subject to an appropriation in the Budget Act of 2023, commencing January 1, 2024, the amount of aid paid pursuant to this article, in effect on December 31, 2023, less the federal benefit portion received under Part A of Title XVI of the federal Social Security Act, shall be increased by a percent increase, as determined by the State Department of Social Services and the Department of Finance.

(2) The State Department of Social Services and the Department of Finance shall provide a notice to the Assembly and Senate Health and Human Services budget subcommittees, Assembly and Senate Human Services policy committees, and the Legislative Analyst's Office of the final percent increase effectuated by the appropriation included in the Budget Act of 2023 for the purposes of implementing paragraph (1) 30 days before notifying the federal Social Security Administration to operationalize the grant increase in this subdivision.

*(Amended by Stats. 2023, Ch. 43, Sec. 54. (AB 120) Effective July 10, 2023.)*

**12201.5.** Notwithstanding the provisions of Section 12200, the amount applicable under that section to a disabled minor residing in a nonmedical out-of-home facility with a nonrelative guardian shall be the amount specified in subdivision (g) of that section, as adjusted for cost of living pursuant to Section 12201, except as provided in subdivision (d) of Section 12201.

*(Amended by Stats. 1990, Ch. 456, Sec. 7. Effective July 31, 1990.)*

**12201.7.** (a) The department shall issue a one-time increase in the amount of six hundred dollars (\$600) to a payment received under this chapter as of the eligibility date to be determined by the department.

(b) The one-time increase to a payment made pursuant to this section shall be exempt from the administration provisions pursuant to Article 3 (commencing with Section 12100) and shall be administered in the form and manner determined by the department.

(c) 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, interpret, or make specific this section by

means of all-county letters or similar written instructions, which shall be exempt from submission to or review by the Office of Administrative Law. These all-county letters or similar instructions shall have the same force and effect as regulations.

*(Added by Stats. 2021, Ch. 15, Sec. 6. (SB 86) Effective April 16, 2021.)*

**12202.** The policy shall be followed of granting aid to the recipient in his own home or in some other suitable home of his own choosing in preference to placing him in an institution.

*(Repealed and added by Stats. 1973, Ch. 1216.)*

**12203.** If, when, and during such times as the United States government authorizes after October 1972, an increase in the adjusted payment level, for whatever reason, above the adjusted payment level under the appropriate approved plan of this state as in effect for January 1972 under Section 401 of Title IV of the Social Security Act Amendments of 1972, the maximum grants of aid provided in Section 12200 shall be increased by an amount equal to 50 percent of such increase in the adjusted payment level, or any higher amount of such increase in the adjusted payment level as is required by federal law. The increase to the grants provided by this section shall be in addition to any increases provided pursuant to Section 12201 or any other provisions of law.

An increase in the adjusted payment level provided in this section includes, but is not limited to, increases, if any, as a result of Public Law 93-86 and increases as a result of the adjusted payment level being based upon the appropriate approved plan of this state as in effect for any date on and after January 1, 1972.

*(Repealed and added by Stats. 1973, Ch. 1216.)*

**12204.** State supplementary payments under Section 1616 of the Social Security Act shall include payment to recipients as required by Section 212 of Public Law 93-66. In the event that such payment to any such recipient is less than the amount he would otherwise be entitled to receive under this chapter or Chapter 4 (commencing with Section 12500) of this part such recipient shall be entitled to receive the greater amount.

*(Repealed and added by Stats. 1973, Ch. 1216.)*

**12205.** Increases in federal benefits under Part A of Title XVI of the Social Security Act for reasons other than cost of living which are not accompanied by an increase in federal benefits under Title II of the Social Security Act shall be added to the payment schedules as set forth in Section 12200, excluding subdivision (h), in accordance with the following method: The amount of the increase in the federal monthly benefit level shall be multiplied by the number of recipients who will benefit therefrom and the resultant amount divided by the total number of recipients eligible for assistance under the provisions of this chapter at the time the increases are to go into effect, and the quotient rounded to the nearest dollar. This amount shall determine the increase in the aforementioned payment schedules.

Subsequent to the first increase pursuant to this section, each additional increase in the Title XVI federal benefit levels added to the payment schedules of Section 12200, excepting subdivision (h), shall be based on the difference between the federal benefit levels immediately applicable prior to an increase thereto and the federal benefit levels immediately applicable thereafter.

The director shall notify the Secretary of the United States Department of Health, Education and Welfare of the amount of the increases to be added pursuant to this section to the payment schedules in Section 12200, no later than 15 working days following the date on which the director is notified by the secretary in writing of the amounts of the increases to federal benefits.

This section shall be suspended for the period from July 1 through December 31, 1983, and on January 1, 1984, shall become operative again.

*(Amended by Stats. 1983, Ch. 323, Sec. 116.1. Effective July 21, 1983. Note: This amendment suspended the operation of this section from July 1, 1983, until Jan. 1, 1984.)*