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counties have not issued a demand for repayment on an overissuance claim by August 1, 2001, they must apply these new regulations to establish and calculate the amount of overissuance

Overissuance claims calculation may include amounts up to six years before the date of discovery of the overissuance. The earned income deduction will not apply to inadvertent household error claims calculations. [No amendment was made to §63-801.111 which limits actions of non-IPV overissuances to three years from the date of discovery by computation, of the overissuance.]

A new regulation has been added to define a "delinquent claim" at MPP §63-102(d)(3) and a new section 63-801.45 has been added to determine when a claim is delinquent. Section 63-801.431 adds several items to the initial notice of action requesting repayment. Among the items added to the notice of action are the following: if the claim is not paid it may be sent to other collection agencies that may use various methods to collect the claim; if the claim is not paid it may be sent to the federal government for collection; and if the claim becomes delinquent, the household may be subject to additional processing charges and subject to involuntary collection.

MPP §63-801.7 adds the following as methods to recoup overissuances: joint collections, interception of unemployment compensation benefits and repayment by public service if authorized by a court. Section 63-801.222 addresses compromise of overissuance claims pursuant to *Lomeli v. Saenz*.

These regulations are effective August 10, 2001. They were distributed as Manual Letter FS 01-03.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - October 9, 2001*

**Item 01-10-01B**

**ACL 01-43 July 18, 2001 (Synopsis): CalWORKs Payments for Security Deposits for Homeless People**

**CalWORKs Payments for Security Deposits for Homeless People**

Effective immediately, the amount of money a county may authorize for a CalWORKs assistance unit toward payment of a security deposit for housing is based on the total rent obligation of the assistance unit as opposed to the amount of monthly rent the assistance unit actually will pay. The rent obligation includes a rent subsidy or third party payment.

Once eligibility for Homeless Assistance has been established, the county must follow a two-step process to determine the amount of money the county may pay for the security deposit. The first step requires the county to determine if the assistance unit is eligible for a permanent housing payment. In order to establish that there is eligibility for the permanent housing payment, the assistance unit must establish it has found housing

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where the rent does not exceed 80% of the MAP. If the assistance unit shares housing, the assistance unit's share of housing may not exceed 80% of the MAP.

The second step requires the county to determine the amount of a security deposit that it can pay to the assistance unit as a special need payment. In accord with MPP §§44-211.531 and .532, the county may provide a special need payment not to exceed two months rent when the security deposit is necessary to secure permanent housing. In subsidized or shared housing situations, the amount the assistance unit is obligated to pay to secure permanent housing is used.

For example, an assistance unit finds permanent housing that rents for \$800 monthly. The assistance unit receives a \$160 subsidy either from HUD or from a third party. Since the assistance unit receives a \$160 subsidy, its share of the rent is \$640. The applicable MAP for four persons is \$811 and 80% of this is \$648. Since the assistance unit's rent of \$640 is less than \$648, the housing arrangement is acceptable under MPP §44-211.531. The first step of the two-step process is met.

In step 2, the assistance unit is requesting \$1440 for the security deposit and last month's rent (i.e., \$640 for rent and \$800 for the security deposit.) The county may authorize payment for the \$1440 because it is less than \$1600, which is the equivalent of two month's rent and the portion of the security deposit attributable to a month's rent (\$640) is less than 80% of the MAP (\$648).

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - October 9, 2001*

<b>Item 01-10-01A</b> <b>ACL 01-39 July 5, 2001 (Synopsis): 2001 Regional Market Rate Ceilings</b>
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## **2001 Regional Market Rate Ceilings**

This ACL provides the 2001 Regional Market Rate ceilings for California child care providers and institutions to use with the Regional Market Rate listing.

*California Department of Social Services - State Hearings Division  
Notes from the Training Bureau - September 7, 2001*

<b>Item 01-09-01I</b> <b>ACWDL 01-47 - -August 20, 2001 (Synopsis): Early and Periodic Screening, Diagnosis and Treatment (EPSDT) General Information Notice (MC003)</b>
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## **Early and Periodic Screening, Diagnosis and Treatment (EPSDT) General Information Notice (MC003)**