
to purchase prepared meals from meal providers who have been authorized by the Food and Nutrition Service (FNS) to accept food coupons at the shelter.

Per MPP §63-801.112, the county shall not take action on inadvertent or administrative error claims for which more than three years have elapsed between the month the overissuance occurred and the month the county determined by computation that the overissuance occurred.

Per MPP §63-801.311(b) the county shall calculate the amount of overissuance that occurred during the six years preceding the date the overissuance was discovered. The county shall not include in its calculations any amount of overissuance which occurred in a month more than six years prior to the date the overissuance was discovered.

There is a difference between establishing and calculating claims. Claims are "established" by documenting the amount of and reason for the overissuance and issuing a demand letter to the person. The date of the demand letter is the date the overissuance is established. Computing the amount of overissuance does not constitute establishing a claim. Counties must compute and issue a demand letter within three years from the month the overissuance occurred.

This ACIN provides the following example of calculating a claim back six years, but acting within three: "An overissuance occurred in December 2000. The county must establish a claim (compute the amount of claim and issue a demand letter) for this overissuance within three years which would be before December 2003. When the county computes the amount of this overissuance, it must go back six years to determine the total amount of the claim. Thus, if the county discovers and calculates the amount of the overissuance in December 2002, it would include in its calculations any amount which occurred during the six years preceding the December 2002 date, which would be back to December 1996."

"Once a claim is established, there is no time limit, with the exception of (*Lomeli* cases pursuant to MPP §63-801.222) on collection of overissuances."

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - April 10, 2002*

Item 02-04-02A

ACIN I-82-01 October 4, 2001 (Synopsis): Food Stamp Questions and Answers

Reference: ACINs I-01-00 and I-124-00

This ACIN is one of several that provide answers to questions regarding food stamp policy. This ACIN states that because there have been several food stamp regulation packages in the past few years, some of the answers in the Food Stamp Questions and Answers Distribution System (FSQUADs) may be obsolete.

The answers to some of the questions in this ACIN are as follows:

Although MPP §63-504.151 provides that the county shall not shorten the household's certification period, MPP §63-504.123 still permits the county to align a food stamp certification period when a food stamp household subsequently applies for public assistance benefits within the current certification period.

Per MPP §63-300.4, if the household completes the recertification process by mail as permitted under this regulation, the household must still complete a telephone interview even if it has provided all necessary verification.

A household consists of an SSI/SSP mom, a dad and their children in common. The Social Security Administration deems a portion of dad's earnings to the SSI/SSP mom that reduces mom's SSI/SSP grant. Since there is no applicable exclusion in MPP §63-502.2, all dad's income, including that deemed to the mom is counted as earned income in computing the food stamp allotment.

*California Department of Social Services - State Hearings Division
Notes from the Training Bureau - April 12, 2002*

Item 02-04-01A

Updated Paraphrased Regulations

This is the April 2002 update of the Paraphrased Regulations (ParaRegs). The last update was November 2001. The last new hardcopy of the ParaRegs was distributed in July 2001 to all ALJs and to two counties (Kern and San Mateo) and two authorized representative groups (Legal Services of Northern California [the Sacramento office] and Western Center on Law and Poverty [the Los Angeles office]). Interested parties may request a hardcopy from the appropriate contact.

The Plan is that there will be an update in September 2002. That will be my final work on the ParaRegs. The approximate date of the following update will be provided in September.

Beginning with the February 2001 issue, the hardcopy is updated in the manner of a manual, i.e., as Barclay's does in Title 22. Instructions for manual filing follow: Please