

## **Item 07-03-01A**

### **Paraphrased Regulations**

This version of the paraphrased regulations provides 43 additions and 38 revisions to the paraphrased regulations. There are also seven deleted paraphrased regulations.

The majority of the changes are in three areas:

1) Based on the division 22 regulation changes effective January 24, 2007, paraphrased regulations have been added or revised in the hearing procedures (000-009) section.

2) All County Letter 06-58 provided many questions and answers on Homeless Assistance issues.

Nineteen new pararegs have been added and one revised to issue code 174 in the Special Needs section.

3) Rankings have been added to many paraphrased regulations in the new QA Needs Assessments issue code (568).

In addition, this version of the paraphrased regulations updates federal poverty levels effective in 2007. Also, the protective supervision regulations found in paraphrased regulations were finalized and the final version of those regulations are found at paraphrased regulations 626-1A and 626-1B.

### **Renumbered**

174-5A to 174-13  
174-5B to 174-14  
430-25 to 448-5  
448-5 to 448-5A  
448-5A to 448-5B  
448-5B to 448-5C  
448-5C to 448-5D

### **Deleted**

S151-3	430-8	526-4A
S245-1A	430-8A	
S245-2A	430-14	

### **Revised**

001-12	No further administrative appeal after rehearing; right to rehearing on rehearing if merits not decided in initial rehearing (22-065.6 revised 1/24/07)
001-14	Parties must be prepared on substantive issues unless hearing is limited to jurisdictional

	issue (22-049.53)
002-2	Regulatory provisions when adequate and/or language-compliant notice raised at hearing (22-049.52, 22-072.1; 22-901)
003-7	"Aid" includes all PA programs subject to a state hearing (22-001(a)(3)(A))
003-11	Definition of "claimant"; TCC program repealed 1/1/98 (22-001(c)(2))
003-13A	Requirements for establishing valid authorized representative including for incompetent claimant (22-085.1, .11, .12, .221, .222, .23, and .24)
003-13B	County must send notices and correspondence to claimant and authorized representative in state hearing process (22-085.4)
003-15	Representative of estate or heir may represent claimant who filed request and then died (22-004.4 and .5)
003-16	Discourteous treatment by county employees is not a state hearing issue (22-003.13)
004-1	Statute of limitations, general; includes language-compliant effective January 24, 2007 (22-009.1, 22-901)
004-1A	Period of review extends back to first day of month of 90-day review period (22-009.2)
006-1	"Compliance issue" defined (22-001(c)(3)); "Compliance related issue" is one resolved in favor of claimant but county must make further determination (22-001(c)(4))
007-1	Old Rule: Hearing is to be dismissed if it is abandoned (22-054.22)
007-2	Good cause for postponements (22-053.113, 22-901)
010-7A	Parties must be prepared on substantive issues unless hearing is limited to jurisdictional issue (22-049.53)
010-9	County representative has authority to make binding stipulations at the hearing (22-073.37)
011-1	County responsibility to be courteous and respectful (40-101.12)
155-2	Current demand for repayment rule (44-352.44)
155-4	The county is not precluded from arriving at a reasonable settlement of its demand for repayment with the recipient or former recipient (44-352.46)
174-8	Prior to November 16, 2006, RCA applicants/recipients ineligible for CalWORKs HA (44-211.312(a) repealed)
186-5	In FC intercounty transfer, first county remains responsible for payment of aid (40-190.32, formerly 40-187.221)
240-1A	Policies re 90-day period for homeless persons living in another person's home (63-102(h)(2))

439-2	Allocations in the QMB, SLMB, QI, and 250% working disabled programs in last two years and current (ACWDL 04-39, 05-38, 06-35, 06-35 errata)
439-3	Current and prior year TB income standard, resource limit, standard allocation and federal benefit rate (ACWDL 06-01, 06-40)
439-5	Effective A&D FPL limit for individual and couples in current and prior year (ACWDL 06-08; 07-06)
439-7	FPL, SLMB and QI levels effective April 2005 and April 2006 (ACWDL 06-06; 07-04)
568-2	Hourly task guidelines for meal preparation (30-757.131, ACL 06-34 errata, attachments B and C)
568-3	Hourly task guidelines for meal cleanup (30-757.132, ACL 06-34 errata, attachments B and C)
568-4	Hourly task guidelines for bowel and bladder care (30-757.14(a), ACL 06-34 errata, attachments B and C)
568-5	Hourly task guidelines for feeding (30-757.14(c), ACL 06-34 errata, attachments B and C)
568-6	Hourly task guidelines for routine bed baths (30-757.14(d), ACL 06-34 errata, attachments B and C)
568-7	Hourly task guidelines for dressing (30-757.14(f), ACL 06-34 errata, attachments B and C)
568-9	Hourly task guidelines for ambulation (30-757.14(k), ACL 06-34 errata, attachments B and C)
568-10	Hourly task guidelines for transfers (30-757.14(h), ACL 06-34 errata, attachments B and C)
568-11	Hourly task guidelines for bathing, oral hygiene and grooming (30-757.14(e), ACL 06-34 errata, attachments B and C)
626-1A	Availability of protective supervision; how protective supervision provided (30-757.17, .171)
626-1B	When protective supervision is not authorized (30-757.172)
1311-5	Dollar amounts that equal SGA \$830 as of 1/05, \$860 as of 1/06, and \$900 as of 1/07 (20 CFR 416.974(b); ACWDL 04-40; 05-42, 06-34; MEPM 22C-2.1)

### **Added**

001-12A	No rehearing right on hearing request dismissed without hearing (22-065.62)
001-14A	Explanation of bifurcation process to limit issue to jurisdiction (22-049.531)
003-17	Child custody and child welfare service issues are not state hearing issues when child is under juvenile court jurisdiction (22-003.14)

004-1D	Language-compliant notice defined (22-001(l)(1))
007-1A	New Rule: Hearing is dismissed if it is abandoned; new hearing scheduled and dismissal decision set aside if good cause established for abandonment (22-054.22 effective 1/24/07)
013-6	Language-compliant notice defined (22-001(l)(1))
013-6A	Statute of limitations, general; includes language-compliant effective January 24, 2007 (22-009.1; 22-901)
174-4A	TMHI used for determining permanent Homeless Assistance eligibility, not temporary assistance (ACL 06-58)
174-4B	Include person added to AU in determining daily rate for temporary assistance (ACL 06-58)
174-4C	The daily temporary HA rates only apply to eligible or apparently eligible AU members (ACL 06-58)
174-5A	Clarification of different types of Homeless Assistance benefits (ACL 06-58)
174-13A	Payment of rent arrearages is once-in-a lifetime benefit (ACL 06-58)
174-13B	Client who exhausted OLT benefits not eligible for payment of rent arrearages unless an exception is met (ACL 06-58)
174-13C	No need for AU to seek housing to qualify for permanent Homeless Assistance rent arrearage (ACL 06-58)
174-13D	County not required to pay temporary Homeless Assistance to families who have notice to pay rent or quit (ACL 06-58)
174-13E	Hourly task guidelines for menstrual care (30-757.14(j), ACL 06-34 errata, attachment C)
174-13F	County only pays AU's share of arrearages (ACL 06-58)
174-13G	Homeless Assistance rent arrearages only paid for rent, not utilities unless utilities included in rent (ACL 06-58)
174-13H	Homeless Assistance payment for rent arrearages may include current months rent to prevent eviction (ACL 06-58)
174-13I	Once AU receives rent arrearage payment, it is ineligible for temporary Homeless Assistance payment (06-58)
174-13J	If making arrearage payments would not prevent eviction, AU would not receive arrearage payment but could be eligible for Homeless Assistance to secure permanent residence (ACL 06-58)
174-14A	MFG child's income counted in computing TMHI (ACL 06-58)
174-14B	Examples of financial hardship, and situations that are not considered extraordinary circumstances (ACL 06-58)
174-14C	Income county considers in determining eligibility for permanent Homeless

	Assistance (ACL 06-58)
174-14D	Explanation of TMHI process (ACL 06-58)
174-14E	County must use the current amount of income available to the AU that they list on the CW 42 (ACL 06-58)
240-6A	Common law spouses may not claim separate household status (ACIN I-58-06)
240-6B	Divorced spouses may claim separate household status if they purchase and prepare meals separately (ACIN I-58-06)
252-2A	Types of IRAs and retirement plans that are counted or excluded as resources (ACIN I-91-06)
252-3A	Income producing property policies (ACIN I-96-06)
266-13A	Child support payments are excluded even if another household member pays child support on behalf of obligator (ACIN I-96-06)
269-1A	Counties may choose to require written verification of loans on a county-wide basis; legally binding agreement is not required (ACIN I-91-06)
273-6C	Household that incurs costs for at least two utilities other than heating and cooling eligible for LUA (ACIN I-96-06)
273-6D	If household incurs a cost, they can receive TUA even if phone or cell phone is not in their name (ACIN I-96-06)
417-16A	Bridging" program provides one month zero share of cost to children losing full-scope, no-cost Medi-Cal and who are apparently eligible for Healthy Families (ACWDL 07-03)
430-21	Hierarchy of Medi-Cal programs for both aged/blind disabled MFBUs and nonaged/nondisabled MFBUs (ACWDL 06-41)
439-5B	A&D FPL limits for 1/07 through 3/07 (ACWDL 06-39)
439-7B	Effective dates for new FPLs in 2007 (ACWDL 07-04)
526-3A	Adjustments to be made when share of cost is less than originally computed (MEPM 12C)
527-2	Reimbursement process for out-of-pocket medical expenses of Medi-Cal beneficiaries (ACWDL 07-01)
567-9A	In-home caregiver wages exempt as income and property if spouse or minor child receive services from spouse or parent provider and services are through federal, state or local program (ACWDL 07-02)
568-1B	General functional index rankings; variable functioning discussed (ACL 06-34E1)