This All County Information Notice (ACIN) is to provide counties with information regarding changes to overtime and travel violation processing in the Case Management, Information, and Payrolling System (CMIPS). These changes include updates to existing violation notices and forms, as well as, changes to violation processing timeframes. These updates are scheduled to be implemented on August 27, 2018.

The information included in this ACIN has been presented by The California Department of Social Services (CDSS) in July 2018 as part of overtime and travel violation training for county staff and for the recipient and provider community.

**UPDATES TO VIOLATION NOTICE DATES**

The date listed in the “County Review Letter Date” field in the County Review cluster on the View Overtime Violations screen (see Figure 1) reflects the date that the SOC 2257 is mailed to the provider. The County Review Letter Date field will be modified to reflect three (3) business days from the date the SOC 2257 is generated, instead of the current one (1) business day. This change will be reflected in the “Notice Date” field on all of the newly revised violation notices. This change provides additional mailing time to ensure providers receive the maximum allotted time for receiving notices in a timely manner and filing a dispute.
UPDATES TO VIOLATION NOTICES AND FORMS

In an effort to simplify notifications received by providers and recipients, CDSS has revised forms and notices generated in CMIPS that provide information regarding overtime and workweek violations. The following two revised forms will be implemented:

- SOC 2257 – In-Home Supportive Services Program Notice To Provider Of Violation For Exceeding Workweek And/Or Travel Time Limits
- SOC 2257A – In-Home Supportive Services Program Notice To Recipient Of Provider’s Violation For Exceeding Workweek And/Or Travel Time Limits

The new SOC 2257 form replaces the following forms which will be removed from CMIPS:

- SOC 2257 – In-Home Supportive Services Program Notice To Provider Of First/Second Violation For Exceeding Workweek And/Or Travel Time Limits
- SOC 2258 – In-Home Supportive Services Program Notice To Provider Of Third Violation (90-Day Suspension Of Eligibility) For Exceeding Workweek And/Or Travel Time Limits
- SOC 2259 – In-Home Supportive Services Program Notice To Provider Of Fourth Violation (One-Year Period Of Ineligibility) For Exceeding Workweek And/Or Travel Time Limits

The new SOC 2257A will replace the following forms which will be removed from CMIPS:

- SOC 2257A – In-Home Supportive Services Program Notice To Recipient Of Provider’s First/Second Violation For Exceeding Workweek And/Or Travel Time Limits
- SOC 2258A – In-Home Supportive Services Program Notice To Recipient Of Provider’s Third Violation (90-Day Suspension Of Eligibility) For Exceeding Workweek And/Or Travel Time Limits
SOC 2259A – In-Home Supportive Services Program Notice To Recipient Of Provider’s Fourth Violation (One-year Period Of Ineligibility) For Exceeding Workweek And/Or Travel Time Limits

The revised forms in this ACIN will supersede the original forms introduced in ACL 16-46 and counties should begin using the revised forms once available.

Camera Ready Copies and Translations

The new forms, which are designated as “Required – No Substitutes Permitted,” will be made available in camera-ready format upon completion of the accessibility requirements. Counties will be able to access the forms on the CDSS Forms/Brochures webpage. Upon completion of translations, CDSS will post Armenian, Chinese, and Spanish versions of the forms on the Translated Forms and Publications webpage.

The designated Forms Coordinator for your county is responsible for distributing translated forms to each program and location. Each county shall provide bilingual/interpretive services and written translations to non-English or limited-English proficient populations, as required by the Dymally-Alatorre Bilingual Services Act (California Government Code section 7290 et seq.) and by state regulation (CDSS Manual of Policies and Procedures Division 21, Civil Rights Nondiscrimination, section 115).

Questions concerning accessing the forms may be directed to the Forms Management Unit at fmudss@dss.ca.gov. Questions relating to translations may be directed to the Language Services Unit at LTS@dss.ca.gov.

VIOLATION PROCESSING TIMEFRAMES UPDATE

The ACL 16-46 introduced violation processing timelines for county workers. Currently, county staff have three (3) business days for the initial county review of a violation. After the initial county review, CMIPS allows ten (10) business days for county staff to enter a provider’s dispute and ten (10) business days to render a decision. The CMIPS prohibits a date to be entered in the “County Dispute Filed Date” field that is more than ten (10) business days from the ‘County Review Letter Date’.

However, to assist county workers, CMIPS will be modified to allow county workers a total of twenty (20) business days to complete the entire provider dispute process, which includes entering the provider’s dispute, conducting any research needed and rendering a decision. Counties should be comparing the postmark date on the dispute submitted by the provider to the “Dispute Filing Due Date” listed on the SAR Tracking Screen in CMIPS to determine whether a dispute has been filed timely. If the dispute is postmarked the same day or any date prior to the “Dispute Filing Due Date,” it should be considered timely and processed accordingly. This system change does not affect
any of the time frames associated with the processing of disputes received from providers as described in ACL 16-46. Counties should be entering all disputes received into CMIPS. If a dispute is received where the postmark date is after the due date on the provider’s notice, this system change allows counties to enter the dispute and uphold the violation.

Example: A provider incurs a violation on Friday, July 27, 2018. During the initial county review, the county worker has three (3) business days to review the violation. After the county review, the violation was upheld by county staff on Wednesday, August 1, 2018. The “County Review Letter Date” recorded in CMIPS or the “Notice Date” on the SOC 2257 form, would be three (3) business days from the initial county review decision date, or Monday, August 6, 2018. Providers have ten (10) calendar days to postmark or submit their dispute to their county office, making the postmark date Thursday, August 16, 2018. This postmark date will be displayed on the SOC 2257 form. County staff will then have twenty (20) business days from the postmark date listed on the provider’s SOC 2257 form to enter the provider’s dispute in CMIPS, research the violation dispute and case information, and make their final decision to uphold or override the violation. The final due date to complete the entire dispute process would be Friday, September 14, 2018.

In addition to the changes for violation processing timelines listed above, a change has been made to the ‘Next Possible Violation Date’ field in CMIPS. When a provider has incurred a 3rd or 4th violation, CMIPS will populate the ‘Next Possible Violation Date’ field with the first day of the pay period following the provider’s ‘Ineligible Begin Date’.

Questions regarding the content of this ACIN may be directed to the Systems Operations and Data Analysis Bureau within the Adult Programs Systems and Administrative Branch at the following email address: CMIPSII-Requests@dss.ca.gov.

Sincerely,

Original Document Signed By:

DEBBI THOMSON
Deputy Director
Adult Programs Division

Attachments

c: CWDA