

February 9, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-11

The purpose of this All-County Letter (ACL) is to provide counties with clarification regarding the completion and submission of the Health Care Certification Form (SOC 873).



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

February 9, 2022

ALL COUNTY LETTER NO. 22-11

TO: ALL COUNTY WELFARE DIRECTORS
ALL IN-HOME SUPPORTIVE SERVICES (IHSS) PROGRAM
MANAGERS

SUBJECT: **UPDATED INFORMATION REGARDING COMPLETION AND
SUBMISSION OF HEALTH CARE CERTIFICATION (SOC 873)**

REFERENCE: [ALL-COUNTY INFORMATION NOTICE \(ACIN\) I-28-20](#)
(MARCH 30, 2020); [ALL-COUNTY LETTER \(ACL\) 20-139](#)
(DECEMBER 17, 2020); [ACL 21-79](#) (JULY 19, 2021); WELFARE
AND INSTITUTIONS CODE (WIC) SECTIONS [12309.1\(a\)](#),
[12309.1\(a\)\(2\)\(B\)](#); MANUAL OF POLICIES AND PROCEDURES
(MPP) SECTIONS [30-754](#), [30-754.62](#), [30-754.641](#)

The purpose of this All-County Letter (ACL) is to provide counties with clarification regarding the completion and submission of the [Health Care Certification Form \(SOC 873\)](#).

BACKGROUND

As stated in All-County Information Notice (ACIN) I-28-20 (March 30, 2020), Welfare and Institutions Code (WIC) section 12309.1(a) and Manual of Policies and Procedures (MPP) section 30-754 specify that an applicant must submit an SOC 873 completed by a licensed health care professional prior to authorization of In-Home Supportive Services (IHSS). However, an exception to this requirement may be made when the county determines the applicant is at imminent risk of out of home placement (as stated in WIC section 12309.1(a)(2)(B) and MPP section 30-754.62). Applicants granted this exception may be temporarily authorized IHSS pending the county's receipt of the SOC 873 and are permitted 45 days from the date of the county's request for the SOC 873 to submit the form. Applicants who receive the exception may be granted an additional 45 days to submit the SOC 873 if they have "good cause" to do so. MPP section 30-

754.641 defines “good cause” as “a substantial and compelling reason beyond the control of the applicant who has been granted an exception.”

On March 4, 2020, a State of Emergency was proclaimed by the state of California in response to the COVID-19 pandemic. Although Governor Newsom declared the State to be reopened for all commerce and public gatherings on June 15, 2021, he did not declare an end to the state of emergency at that time. Therefore, as of the current date, the state of emergency in California related to the COVID-19 pandemic is still in effect.

COMPLETION AND SUBMISSION OF HEALTH CARE CERTIFICATION FORM

As stated in All-County Letter (ACL) 20-139 (December 17, 2020), during the state of emergency in California due to the COVID-19 pandemic, counties have been able to consider all new IHSS applicants who are unable to obtain an SOC 873 from their licensed health care professional due to the redirection efforts to address the COVID-19 pandemic, to be at imminent risk of out-of-home placement. Counties may be able to continue to grant this exception on that basis until the end of the state of emergency in California. In addition, such applicants have been permitted to claim a “good cause” extension to the submission of the SOC 873 in situations in which they were unable to submit the SOC 873 within 45 days due to their health care professional being redirected to assist with patient care related to the pandemic or to provide other services related to COVID-19. ACL 21-79 (July 19, 2021) allowed for the continuation of granting an extension on that basis through September 30, 2021. Counties may now continue to grant an extension on such a basis through the end of the state of emergency in California.

Furthermore, as stated in MPP section 30-754.644, counties have the discretion to determine on a case-by-case basis when good cause exists. County staff should continue to evaluate cases with “good cause” extensions in accordance with MPP section 30-754.64. This evaluation should be based on various factors that may be considered “good cause” to allow for an extension of the 45-day timeframe, including, but not limited to, the applicant being in the hospital for much of the 45-day timeframe; the licensed health care professional scheduling appointments out for more than the 45-day timeframe; or the SOC 873 being lost in the mail. Additionally, there may be instances that, because of the COVID-19 state of emergency and the current surge of the Omicron variant and the increase in positive cases leading to hospitalizations and other emergency care medical needs, an applicant/recipient’s primary health care professional may be unavailable to complete and sign the SOC 873. In such situations, county staff may consider the health care professional’s current unavailability as a valid justification for acceptance of a “good cause” extension based on that determination.

All County Letter No. 22-11
Page Three

Questions or requests for clarification regarding the information in this letter should be directed to the Adult Programs Division, Policy and Quality Assurance Branch, Policy and Operations Bureau at (916) 651-5350.

Sincerely,

Original Document Signed By

LEORA FILOSENA
Acting Deputy Director
Adult Programs Division