CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

COUNTY FISCAL LETTER NO. 18-19-83

The purpose of this CFL is to provide updated claiming instructions as a result of the elimination of the requirement that counties submit an In-Home Supportive Services (IHSS) Anti-Fraud Plan in order to claim Title XIX Federal Financial Participation (FFP) for enhanced fraud prevention, detection, referral, and investigation activities. Details regarding the elimination of this requirement were addressed in All County Letter (ACL) No. 19-21. This letter also provides updated guidance for reporting contracted costs associated with County District Attorney staff performing fraud investigations and prosecutions.
June 12, 2019

COUNTY FISCAL LETTER (CFL) NO. 18/19-83

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY FISCAL OFFICERS

SUBJECT: UPDATED CLAIMING INSTRUCTIONS AS A RESULT OF THE ELIMINATION OF THE IN-HOME SUPPORTIVE SERVICES ANTI-FRAUD PLAN REQUIREMENT AND UPDATES TO CONTRACTED COUNTY DISTRICT ATTORNEY CLAIMING


The purpose of this CFL is to provide updated claiming instructions as a result of the elimination of the requirement that counties submit an In-Home Supportive Services (IHSS) Anti-Fraud Plan in order to claim Title XIX Federal Financial Participation (FFP) for enhanced fraud prevention, detection, referral, and investigation activities. Details regarding the elimination of this requirement were addressed in All County Letter (ACL) No. 19-21. This letter also provides updated guidance for reporting contracted costs associated with County District Attorney staff performing fraud investigations and prosecutions.

**Elimination of IHSS Anti-Fraud Plans**

The Budget Act of 2009 increased the IHSS appropriation by an additional $10 million General Fund (GF) for fraud investigations and program integrity efforts. As outlined in CFL No. 09/10-43, prior to claiming costs associated with IHSS enhanced anti-fraud
efforts, counties were required to submit an IHSS Anti-Fraud Plan describing the county’s proposed activities (supplemental to the anti-fraud and program integrity activities funded by the county’s IHSS Administrative Allocation) to the California Department of Social Services (CDSS) for approval.

Once approved, counties were advised to utilize Anti-Fraud Plan Program Codes (PC) 740 (IHSS Non-PCSP/Plus Option Anti-Fraud Plan) and PC 741 (IHSS PCSP/Plus Option Anti-Fraud Plan) for costs associated with the plan’s activities. The codes included implementation activities related to the provision of fraud prevention, detection, referral, investigation, and program integrity. However, the eligible IHSS Anti-Fraud activities were not intended to be duplicated by other IHSS activities or claimed to other IHSS codes.

The Budget Act of 2011 eliminated the GF portion for IHSS Anti-Fraud Plan costs, as described in CFL No. 11/12-40. Despite the lack of a GF allocation, counties were still allowed to draw down Title XIX FFP for relevant costs by claiming to PC 740 and PC 741 if they had a CDSS-approved IHSS Anti-Fraud Plan as communicated to counties via ACIN No. I-26-15.

Claiming Instructions

Due to the elimination of the GF allocation, CDSS has determined that IHSS Anti-Fraud Plans will no longer be required to claim Title XIX FFP for activities previously listed in county IHSS Anti-Fraud Plans. The elimination of this requirement was communicated through ACL No. 19-21 and is effective July 1, 2019. As a result, CDSS will delete the PCs associated with this requirement effective July 1, 2019, and counties must redirect the claiming of their corresponding activities to other appropriate IHSS fraud-related codes.

Activities that were previously claimed to PC 740 will now be claimed to PC 330 (IHSS – Non-HR/PCSP/Plus Option Fraud) while activities that were previously claimed to PC 741 should be claimed to PC 743 (IHSS Anti-Fraud Initiative). For descriptions of these program codes, please refer to the Program Code Description Manual.

IHSS District Attorney Costs

As seen in CFL No. 04/05-57, dated June 15, 2005, effective with the March 2005 quarter, Type of Expense (TOE) code 24 (Investigations) and TOE code 41 (Prosecution) were added to PC 003 (IHSS Quality Assurance) for reporting contracted costs associated with County District Attorney staff performing fraud investigations and prosecutions.

Effective with the September 2019 quarter, TOE codes 24 and 41 will be deleted from PC 003. As previously mentioned above, counties should claim contracted costs associated with County District Attorney staff performing IHSS fraud investigations and
prosecutions to PC 330 and PC 743. These PCs already include TOE codes 24 and 41 and should be used to capture the contracted investigation and prosecution costs previously claimed to PC 003.

**Overtime/Compensatory Time Off (OT/CTO) Costs**

In the ongoing effort to ensure appropriate charging of OT/CTO for all time study codes, TOE code 92 (Casework OT/CTO Costs) and TOE code 93 (Support Staff – OT/CTO Costs) will be added to PC 003 and PC 743.

**Contact Information**

If you have questions regarding this letter, please direct your questions to fiscal.systems@dss.ca.gov. For all other related questions, please contact the Adult Programs Fiscal, Appeals and Benefit Programs Branch at ihss-pi@dss.ca.gov.

Sincerely,

**Original Document Signed By:**

SALENA CHOW, Chief
Fiscal Forecasting and Policy Branch