



CDSS

JOHN A. WAGNER
DIRECTOR

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



ARNOLD SCHWARZENEGGER
GOVERNOR

July 3, 2009

ERRATA

TO: ALL COUNTY WELFARE DIRECTORS
ALL IHSS PROGRAM MANAGERS
ALL COUNTY FISCAL OFFICERS
PUBLIC AUTHORITY EXECUTIVE DIRECTORS

SUBJECT: CORRECTION TO ALL-COUNTY INFORMATION NOTICE (ACIN) I-48-09

REFERENCE: ACIN No. I-48-09, dated June 30, 2009: MARTINEZ v.
SCHWARZENEGGER COURT ORDER AFFECTING STATE
PARTICIPATION IN-HOME SUPPORTIVE SERVICE (IHSS) PROVIDER
WAGES AND HEALTH BENEFITS

REASON FOR THIS
TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

The purpose of this errata is to provide additional clarification regarding the Public Authority Rate process. The Rate Change Requests that were submitted by Public Authorities and approved by the California Department of Social Services (CDSS) and the Department of Health Care Services (DHCS) remain in effect until counties submit new Rate Change Requests through the process outlined in Welfare and Institutions Code Section 12306.1 and CDSS and DHCS approve those requests.

In addition, the original ACIN did not include a copy of the signed injunction, therefore a copy of the Martinez v. Schwarzenegger Preliminary Injunction is attached to this errata.

If you have any questions regarding this letter, please contact Rolonda Moen, Manager of the Fiscal and Administrative Unit, at (916) 229-4598, or you may contact the Public Authority Analyst assigned to your county. (see attached list).

Sincerely,

Original Document Signed By:

EVA L. LOPEZ
Deputy Director
Adult Programs Division Attachments

c: CWDA

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MIKESHA MARTINEZ, et al.,
Plaintiffs,
v.
ARNOLD SCHWARZENEGGER, et al.,
Defendants.

No. C 09-02306 CW
PRELIMINARY
INJUNCTION

IT IS HEREBY ORDERED that Defendants ARNOLD SCHWARZENEGGER, Governor of the State of California; JOHN A. WAGNER, Director of the California Department of Social Services; DAVID MAXWELL-JOLLY, Director of the California Department of Health Care Services; JOHN CHIANG, California State Controller; and their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them, are HEREBY ENJOINED AND RESTRAINED from implementing California Welfare and Institutions Code § 12306.1(d)(6) without first conducting the analysis required by 42 U.S.C. § 1396a(a)(30)(A), as described in Orthopaedic Hospital v. Belshe, 103 F.3d 1941, 1493 (9th Cir. 1997).

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A reasoned written order will follow.

IT IS SO ORDERED.

Dated: 6/26/2009



CLAUDIA WILKEN
United States District Judge