

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, California 95814



March 8, 1989

ALL-COUNTY INFORMATION NOTICE NO. I-17-89

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: **TRANSFER OF NONEXCLUDABLE RESOURCES FOR LESS THAN FAIR MARKET VALUE (PUBLIC LAW 100-360)**

This is to inform you of Public Law 100-360 (PL 100-360) regarding transfers of nonexcludable resources for less than fair market value for the purpose of establishing eligibility to the Supplemental Security Income/State Supplementary Payment Program (SSI/SSP).

The Social Security Administration (SSA) has implemented PL 100-360 regarding transfers of nonexcludable resources for less than fair market value. Effective July 1, 1988, the statutory requirement for the SSI/SSP Program to count any uncompensated value of a transferred nonexcludable resource was repealed. Under no circumstances will the uncompensated value of a transfer of a nonexcludable resource be counted as a resource in the SSI/SSP Program.

Because In-Home Supportive Services Program (IHSS) eligibility standards parallel SSI/SSP eligibility standards, PL 100-360 applies to all new applications, pending applications and current income eligible individuals. If an individual was denied IHSS due to a transfer of a nonexcludable resource that occurred on or after July 1, 1988, the application must be reopened and reprocessed. The uncompensated value of any transfer occurring before July 1, 1988 will be counted under prior policy (ACL 82-84), even if the transfer was discovered after July 1, 1988. Example: During a reassessment in September 1988, it is discovered that a transfer of a nonexcludable resource took place in June 1988 which resulted in uncompensated value. The uncompensated value of the transfer will count as a resource for 24 months from the date of transfer. In this example, if the individual made the transfer in July 1988, no uncompensated value will be counted since the transfer took place on or after July 1, 1988.

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If you need further assistance on the above policy change, please contact the Adult Programs Division at (916) 653-5403.

A handwritten signature in black ink, appearing to read "Loren D. Suter". The signature is fluid and cursive, with a prominent initial "L" and "S".

Loren D. Suter
Deputy Director
Adult and Family Services

cc: CWDA