



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

November 9, 2009

ALL COUNTY LETTER (ACL) NO. 09-72

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL LOCAL MENTAL HEALTH DIRECTORS
ALL COUNTY ADOPTION AGENCIES
ALL ADOPTION DISTRICT OFFICES
ALL GROUP HOME PROVIDERS

SUBJECT: CALIFORNIA ALLIANCE OF CHILD AND FAMILY SERVICES v. JOHN WAGNER, et.al. TEMPORARY RESTRAINING ORDER PROHIBITING REDUCTIONS TO GROUP HOME RATES

REFERENCE: ASSEMBLY BILL X4 4
WELFARE AND INSTITUTIONS CODE SECTION 11462(f)(1)
WELFARE AND INSTITUTIONS CODE SECTION 11462(g)(4)
WELFARE AND INSTITUTIONS CODE SECTION 11462(g)(5)
ALL COUNTY LETTER NO. 08-01
ALL COUNTY LETTER NO. 09-45

The purpose of this ACL is to provide counties with instructions and information regarding recent developments in the case of California Alliance of Child and Family Services v. John Wagner, et.al. On November 4, 2009, the United States District Court for the Northern District of California issued a Temporary Restraining Order (TRO) that directed the California Department of Social Services (CDSS) to halt implementation of the group home rate reductions mandated in Welfare and Institutions Code (W&IC) section 11462(g)(5) for ten days pending a hearing on the Alliance's request for a preliminary injunction.

When counties pay for services rendered for the effective dates of the TRO, November 4 through 14, 2009, they shall pay at the full rate schedule as identified in ACL No. 08-01 and reflected in W&IC section 11462(f)(1) and W&IC 11462(g)(4); and shall not issue checks to group homes, for that period, that are reduced by ten percent as mandated in W&IC section 11462(g)(5).

REASON FOR THIS TRANSMITTAL

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

All County Letter No. 09-72
Page Two

A hearing is scheduled for November 13, 2009, at which time the court is expected to make the decision as to whether to issue a preliminary injunction. The CDSS will issue another ACL following the hearing with further instructions to the counties.

Please contact the Foster Care Rates Bureau at (916) 324-4857, if you have any questions regarding the content of this ACL.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division