

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



February 04, 2002

ALL-COUNTY LETTER NO. 02-15

TO: ALL COUNTY WELFARE DIRECTORS
ADULT PROTECTIVE SERVICES PROGRAM
MANAGERS

Reason For This Transmittal

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

SUBJECT: ASSEMBLY BILL (AB) 429, ARONER AND CHAN, CHAPTER 111, STATUTES OF 2001 THE ADULT PROTECTIVE SERVICES AND COUNTY SERVICES BLOCK GRANT STATISTICAL REPORT (SOC 242-REVISED FEBRUARY 2002)

REFERENCE: ACL NO. 99-53 (AUGUST 12, 1999)
ACL NO. 99-98 (MARCH 29, 2000)
ACL NO. 01-23 (MARCH 26, 2001)
WELFARE AND INSTITUTIONS CODE SECTION 15763 (b) (2) (3) and (4)

This All-County Letter (ACL) provides the revised form and instructions for the collection of additional Adult Protective Services (APS) Program data mandated by the passage of AB 429.

AB 429, effective July 30, 2001, reenacts the provisions of Senate Bill (SB) 1003, Vasconcellos, Chapter 670, Statutes of 1999, which sunset on January 1, 2001. The provisions allow county adult protective services agencies the option to not conduct an immediate or ten-day in-person response on adult protective services referrals under certain circumstances. The provisions reenacted in AB 429 amend Welfare and Institutions Code (WIC) Section 15763 (b)(2)(3) and (4). The provisions in WIC Section 15763 (b) (2) and (3) are not mandatory. APS agencies can choose to make an immediate or ten-day in-person response on adult protective services referrals as usual or forgo the immediate or 10-day response under WIC Section 15763 (b)(2) and (3), using the criteria on the revised ADULT PROTECTIVE SERVICES AND COUNTY SERVICES BLOCK GRANT STATISTICAL REPORT (SOC 242). WIC Section 15763 (b)(3) requires APS agencies to consider an evaluation of risk factors when determining if protective services, intervention, or an immediate or in-person response will not be performed until criteria and standards are developed to implement the section.

WIC Section 15763 (b)(4) requires the California Department of Social Services (CDSS) to submit an annual report to the Legislature. The Legislative Report compiled by CDSS for Calendar Year 2000, as required by SB 1003, contained partial information. The Legislative Report did not address the disposition of referrals that were determined not to need an immediate or ten-day in-person response because such information was not collected on the revised SOC 242 following the passage of SB 1003.

In order to address the issue of disposition of referrals determined not to need an immediate or ten-day response as required by AB 429, the APS Bureau worked in conjunction with county Adult Protective Service staff and CDSS Data Systems and Survey Design Bureau staff to revise the SOC 242 form and instructions as distributed with this ACL. The CDSS will use the data reported on the revised SOC 242, Part I, to complete the annual Legislative Report.

Although “disposition” was not defined in the Statute, the workgroup members recommended that Items #30 and #30a be added to the SOC 242 to address the issue. Members of the workgroup felt it was necessary to allow counties to maintain as much flexibility as possible when choosing to implement AB 429.

The recommendations of the workgroup were as follows:

- Maintain Part I of the form as developed following the passage of SB 1003.
- Use Item #27 to determine which counties implement AB 429.
- Use Item #28 to determine the total number of reports evaluated in which no in-person response was made (Part C, Item 9 total is duplicated here and the total includes cases where no in-person response was made under AB 429).
- Use Item #29 (a-e) as criteria for no in-person response on reports in Item #28:
 - a. Receiving intervention from another agency/resource
 - b. Protection Issue Resolved
 - c. Placed in Permanent Facility
 - d. Report was received from a Non-Credible Source
 - e. Other
- Add Item #30 to determine the number of referrals that were previously determined not to need an immediate or ten-day response for the same allegation under the provisions of AB 429, Section 48 (in the current report month or any previous month).
- Add Item #30a to determine how many reports indicated in Item #30 resulted in an open case.

The following examples are provided to help clarify Part I of the revised SOC 242.

Example 1:

County A implements the provisions of AB 429 and takes a report in January 2002 on Mrs. Jones, alleging physical abuse. The County determines that no immediate or ten-day in-person response is necessary.

Complete the SOC 242 as follows:

- Part B, Item 7, include the report on Mrs. Jones in this total.
- Part C, Item 9, include her report in this total since no immediate or ten-day in-person response was made under provisions of AB 429.
- Part I, Item 27, answer Yes and complete Items 28 and 29.
- Under Item 28, transfer the total from Part C, Item 9 reported in the current month.
- Under Item 29, include the report for Mrs. Jones since it was determined in Item

9 that her report did not need an immediate or ten-day in-person response under the provisions of AB 429 (using one of the criteria on the form, in a-e).

- Items 30 and 30a would not be completed.

Example 2:

County A received a second report on Mrs. Jones in March 2002 alleging physical abuse. The County determines that no immediate or ten-day in-person response is necessary.

Complete the SOC 242 as follows:

- Part B, Item 7, include the report for Mrs. Jones in this total.
- Part C, Item 9, include the report for Mrs. Jones in this total since no immediate or ten-day in person response was made under provisions of AB 429.
- Part I, Item 27, answer Yes and complete Items 28, 29 and 30.
- Under Item 28, transfer the total from Item 9 reported in the current month.
- Under Item 29, include the report for Mrs. Jones since it was determined in Item 9 that her report did not need an immediate or ten-day in-person response under the provisions of AB 429 (using one of the criteria on the form, in a-e).
- Under Item 30, include her report in this total because the first report in January 2002 for the same allegation had been determined not to need an immediate or ten-day in-person response.
- Item 30a would not be completed.

Example 3:

County A receives a third report of physical abuse for Mrs. Jones in June 2002. The County determines that an in-person response is necessary.

Complete the SOC 242 as follows:

- Part B, Item 7, include her report in this total.
- Part I, Item 27, answer Yes and complete Items 30 and 30a.
- Under Item 30, include her report in this total because a previous report (in January 2002 or March 2002) for the same allegation had been determined not to need an immediate or ten-day in-person response.
- Under Item 30a, include her report in this total because a previous report for the same allegation was determined not to need an immediate or ten-day response and a subsequent report for the same allegation resulted in an open case.

Attached are camera-ready copies of the form and instructions. This report continues to be due on the 20th calendar day after the report month. Therefore, the first revised report (February 2002 report month) is due on or before March 20, 2002. Reports should be sent to:

California Department of Social Services
Data Systems and Survey Design Bureau, MS 9-081
P.O. Box 944243
Sacramento, CA 94244-2430
FAX (916) 657-2074

If you have questions regarding completion of this form, please contact Tom Nguyen of the Data Systems and Survey Design Bureau at (916) 654-1230. If there are any questions

regarding this ACL or the APS program in general, please contact your assigned Adult Protective Services (APS) Bureau analyst at (916) 229-0323.

Sincerely,

Original Signed By
DONNA L. MANDELSTAM on 2/4/03

DONNA L. MANDELSTAM
Deputy Director
Disability and Adult Programs Division

Attachments

[Adult Protective Services and County Services Block Grant Monthly Statistical Report \(SOC 242\)](#)