

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



February 25, 2002

ALL-COUNTY LETTER 02-21

TO: ALL COUNTY WELFARE DIRECTORS  
ALL FOOD STAMP COORDINATORS

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: CHANGES TO AUGUST 1, 2001, RECIPIENT CLAIM ESTABLISHMENT AND COLLECTION STANDARDS—EFFECTIVE JANUARY 14, 2002, AND CLARIFICATION OF LOMELI V. SAENZ

REFERENCE: ALL COUNTY INFORMATION NOTICE (ACIN) I-09-00;  
ALL COUNTY LETTERS (ACLs) 00-59, 00-87, and 01-49;  
LOMELI V. SAENZ COURT CASE

The purpose of this letter is to provide counties with policy clarification regarding the Lomeli v. Saenz court case and with final emergency regulations regarding recipient claim provisions.

On July 26, 2001, we issued ACL 01-49 to transmit draft emergency regulations pertaining to Recipient Claim Establishment and Collection Standards. These regulations were effective August 1, 2001. The final emergency regulations were filed with the Secretary of State on January 14, 2002, and are effective as of that date. A copy of these regulations is attached.

The major change to the regulations was to the first sentence of MPP 63-801.222. This section relates to the Lomeli v. Saenz court case. The first sentence now states: "CDSS does not compromise overissuances with the exception of administrative error overissuances in which allotment reduction began on or after March 1, 2000."

The Lomeli court case requires all administrative error overissuances to be recouped through a five percent or \$10, whichever is greater, allotment reduction for up to a total of 36 consecutive months. After the 36-month period, the collection ceases and the remaining balance is to be forgiven.

It has come to our attention that some counties may be dividing an administrative error overissuance and establishing separate claims so that each claim can be collected in full over the 36-month time limit. An example of this practice would be if a county overissues \$1,080 worth of food stamps over several months and then establishes three separate claims of \$360 each in order to collect the entire \$1,080 in three 36-month time periods.

Dividing overissuances into separate claims so that the entire amount can be collected frustrates the purpose of the Lomeli agreement which was to provide relief on large administrative overissuances and to exercise the federal option for compromising claims under 7 CFR 273.18(e)(7). The California Department of Social Services is committed to implementing this settlement as it was intended and directs counties not to change any aspects of their overissuance establishment and collection processes to avoid the impact of Lomeli.

MPP 63-801.311(b) states, "The CWD shall calculate the amount of the overissuance which occurred during the six years preceding the date the overissuance was discovered." Therefore, only one claim may be established for an overissuance resulting from a single administrative error. In the example provided above, the county should establish one claim for \$1,080. Therefore, we are asking counties to recalculate any multiple overissuance claims that they have established against a single administrative error overissuance and establish one claim.

If you have any questions, please contact Doris Bowers of the Food Stamp Policy Implementation Unit at (916) 654-0710.

Sincerely,

***Original document signed by***

BRUCE WAGSTAFF  
Deputy Director  
Welfare to Work Division

Attachment

- 1) Adopt Section 63-016 to read:
- 2) Amend Section 63-016 to read:

63-016      IMPLEMENTATION OF CHANGES TO RECIPIENT CLAIM      63-016  
                 ESTABLISHMENT AND COLLECTION STANDARDS

Effective August 10, 2001, the CWDs shall implement the adopted and amended provisions in MPP Sections 63-102, 63-300.2, 63-504.261, 63-801.1, 63-801.2, 63-801.3, 63-801.4, 63-801.7, 63-802.2 and 63-804.64.

Authority Cited: Sections 10553, 10554, and 18904, Welfare and Institutions Code.

Reference:            Sections 10554 and 18902, Welfare and Institutions Code; and Public Law 104-4.

Amend Section 63-102 to read:

63-102 DEFINITIONS

63-102

- a. (1) - (2) (Continued)
  - (3) “Administrative (Agency) Error (AE)” is an overpayment claim caused by an action or failure to take action by the CWD. (The only exception is an overpayment caused by a household transacting an untampered, expired Authorization to Participate (ATP) card).
  - (4) (Continued)
  - (5) (Continued)
  - (6) (Continued)
  - (7) (Continued)
  - (8) (Continued)
  
- d. (3) “Delinquent claim” is either a claim that has not been paid by the due date and a satisfactory payment arrangement has not been made, or a payment arrangement has been made and a scheduled payment has not been made by the due date.
  - (4) (Continued)
  - (5) (Continued)
  - (6) (Continued)
  - (7) (Continued)
  - (8) (Continued)
  
- i. (5) “Inadvertent Household Error (IHE)” is any claim for an overpayment resulting from an unintentional error on the part of the household.
  - (6) (Continued)
  - (7) (Continued)
  - (8) (Continued)
  - (9) (Continued)
  - (10) (Continued)
  - (11) (Continued)

r. (1) “Recipient Claim” is an amount owed because benefits were overissued or benefits were trafficked.

(2) (Continued)

(3) (Continued)

(4) (Continued)

(5) (Continued)

(6) (Continued)

(7) (Continued)

(8) (Continued)

(9) (Continued)

(10) (Continued)

t. (3) “Trafficking” means the buying or selling of coupons, access devices or authorization documents such as ATP cards for cash or consideration other than for eligible food, or the exchange of firearms, ammunition, explosives, or controlled substances for food coupons. (Continued)

Authority Cited: Sections 10553, 10554, and 18904, Welfare and Institutions Code.

Reference: Sections 10554, 10830, 11486.5 and 18930 through 18934, Welfare and Institutions Code; 8 U.S.C.A. Section 1522(e); 42 U.S.C.A. 601, et seq.; and 42 U.S.C.A. 5122; 7 CFR 272; 7 CFR 272.4(f); 7 CFR 273; 7 CFR 273.1(c)(5); 7 CFR 271.2; 7 CFR 273.2, .2(j), and (j)(4), and (v)(2)(i)(B); 7 CFR 273.4(a)(3)(ii) and (iv), .4(c), (c)(2), and (e)(3)(iv); 7 CFR 273.5(a); 7 CFR 273.8; 7 CFR 273.9(c)(1)(ii)(D); and (c)(11)(i) and (ii); 7 CFR 273.11(a)(2)(iii); 7 CFR 273.12(e); 7 CFR 273.16(c); 7 CFR 273.18(a)(1)(ii); 7 CFR 273.18(e)(3)(v), (e)(5)(v) and (n)(1)(i); 7 CFR 273.21(b); 7 CFR 274.3(a)(2); 7 CFR 2710.2; 45 CFR 401; 45 CFR 400.62; Public Law (P.L.) 100-77, Section 802; (Court Order re Final Partial Settlement agreement in Jones v. Yeutter (C.D. Cal. Feb. 1, 1990) [Dock. No. CV-89-0768]); Section 66011, Education Code; P.L. 102-237, Section 902; 7 U.S.C. 2014(c)(2)(B) and (k)(2)(F); 7 U.S.C. 2022(b)(4); 8 U.S.C. 1631, U.S.D.A. Food and Nutrition Service Administrative Notices 94-39; 97-44, and 98-56; Hamilton v. Madigan (9<sup>th</sup> Cir. 1992) 961 F.2d 838; Food Stamp Act Section 6(k)(1); P.L. 104-193, Sections 272, 273, 805, 821, and 827 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); Federal Register Vol. 59, No. 224, dated November 22, 1994; and Federal Register Vol. 65, No. 130, dated July 6, 2000 and Vol. 65, No. 149 Corrections, dated August 2, 2000.

Amend Section 63-300 to read:

63-300 APPLICATION PROCESS (Continued)

63-300

.2 Application Form and Form Definition (Continued)

.23 Privacy act statement. For all households applying or being recertified for food stamp benefits, the following applies:

.231 The collection of information, including the Social Security Number (SSN) of each household member, is authorized under the Food Stamp Act of 1997. This information will be used to determine if a household is eligible or continues to be eligible to participate in the food stamp program. The information will be verified through computer matching program and will also be used to monitor compliance with program regulations and for program management.

.232 The information may be disclosed to other federal and state agencies for official examination, and to law enforcement for apprehending persons fleeing to avoid the law.

.233 If a claim is made against a household, the information on the application, including all SSNs, may be referred to federal and state agencies and private claims collection agencies for claims collection action.

.234 Providing the requested information, including SSNs of each household member, is voluntary. However, failure to provide this information will result in denial of food stamp benefits to each individual failing to provide a SSN.

.24 (Continued)

.25 (Continued)

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: Sections 10554, 11023.5, 11348.5, 18904, and 18932, Welfare and Institutions Code; 7 Code of Federal Regulations (CFR) 273.2(b)(ii), (c)(2)(i) and (ii), (c)(3), (c)(5), (e)(2), (f)(1)(i)(C), (ii)(B)(1), (2), (3), and (C), and (iii)(h)(1)(i)(D), and proposed (f)(1)(xii) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, (f)(3), (f)(3)(ii), (f)(8), (h), (h)(1)(i)(D), and (j)(1); 7 CFR 273.4(a)(2) and (10) and (c)(2); 7 CFR 273.12(c); 7 CFR 273.14(b)(3)(i), (iii) and (b)(4) and (e); 7 CFR 273.21(h)(2)(iv), (i), and

(j)(3)(iii)(B); USDA Food and Nutrition Service Office, Western Region, Administrative Notice 84-56, Indexed Policy Memo 84-23; 7 U.S.C.A. 2020(e)(2); Americans with Disabilities Act (ADA), Public Law (P.L.) 101-336, 1990; U.S.D.A., Food and Consumer Services, Administrative Notice No. 94-22, dated January 7, 1994; Chapter 306, Statutes of 1988, and AB 1371, Chapter 306, Statutes of 1995; and Blanco v. Anderson Court Order, United States District Court, Eastern District of California, No. CIV-S-93-859 WBS, JFM, dated January 3, 1995.

- 1) Amend Section 63-504 to read:
- 2) Amend Section 63-504.261 to read:

63-504      HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY      63-504  
(Continued)

.2      Notices of Action (Continued)

.26      Changes in Eligibility Status or Benefit Levels (Continued)

.261 Adverse Actions

Timely notice shall be provided to a household prior to any action to reduce or terminate its benefits within the certification period, except as specified in Sections 63-504.264, .266, and .267. If a hearing officer determines that an overissuance claim exists, the household must be renotified of the claim, and delinquency is based on the due date of the subsequent notice and not the initial pre-hearing demand letter sent to the household. (Continued)

Authority Cited: Sections 10554, 11265.1 and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 Code of Federal Regulations (CFR) 271.2; proposed 7 CFR 273.2(f)(1)(xii) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, (f)(8)(i); (f) (8)(i)(A) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994; (f)(8)(ii), (h), and (h)(1)(i)(D), 7 CFR 273.2(j)(3) and (4); 7 CFR 273.8(b); 7 CFR 273.10(d)(4), (f), (g)(1)(i) and (ii); proposed 7 CFR 273.12(a)(1)(vi) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, and (c); 7 CFR 273.12(e)(1), (e)(2), and (e)(4); 7 CFR 273.13(a)(2); 7 CFR 273.13(b)(1); 7 CFR 273.14; 7 CFR 273.14(b)(3) and (e); 7 CFR 273.18(e)(6)(ii); 7 CFR 273.21(e)(1), (f)(1)(iii), (f)(1)(iv)(B), (h)(2)(iv), proposed (h)(2)(ix) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994, (h)(3)(ii), (i), (j), (j)(1)(vi), (j)(1)(vii)(A) and (r), (j)(2)(iii), (j)(3)(ii), (j)(3)(iii)(B), (j)(3)(iii)(C), and proposed (j)(3)(iii)(E) as published in the Federal Register, Vol. 59, No. 235 on December 8, 1994; 7 CFR 274.10; Public Law (P.L.) 100-435, Section 351, P.L. 101-624, and P.L. 103-66; Section 1717, [7 U.S.C. 2014(e)]; 7 U.S.C. 2014(d)(7) and 2017(c)(2)(B); U.S.D.A. Food and Consumer Services, Administrative Notices 94-39 and 97-50; P.L. 104-193, Sections 801, 807 and 827 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996); and Federal Administrative Notice 97-99, dated August 12, 1997.



- 1) Amend Section 63-801 to read:
- 2) Amend Section 63-801.222 and .431 to read:

63-801 CLAIMS AGAINST HOUSEHOLDS

63-801

.1 Establishing Claims Against Households and/or Against Sponsors of Alien Households

All adult household members shall be jointly and individually liable for the value of any overissuance of benefits to the household. The CWD shall establish a claim, in accordance with Section 63-801.2, against any household that has received more food stamp benefits than it is entitled to receive or any household which contains an adult member who was an adult member of another household that received more food stamp benefits than it was entitled to receive, except as specified in Section 63-801.12. Any sponsor of an alien and the sponsored alien shall be held jointly and individually liable for repayment of any overissuance of food stamp benefits that results from incorrect information provided by the sponsor. In such cases, the CWD shall establish a claim against the sponsor or the alien household as provided in Section 63-801.13. In instances of trafficking, any person who is connected to the household, such as an authorized representative, who actually traffics or otherwise caused an overissuance or trafficking, shall be liable for the repayment of the trafficking claim. (Continued)

.2 Types of Claims (Continued)

.22 Administrative Error Claims

.221 A claim shall be handled as an administrative error claim if the overissuance was caused by the action or inaction of the CWD. This shall also apply to categorically eligible households only when the CWD incorrectly determined the household's net income and/or household size. The only exception is an overpayment caused by a household transacting an untampered Authorization to Participate (ATP) card.

.222 CDSS does not compromise overissuances with the exception of administrative errors ~~occurring~~ overissuances in which allotment reduction began on or after March 1, 2000. These administrative error overissuances are automatically compromised and recouped pursuant to the Lomeli v. Saenz court case settlement agreement. This agreement stipulates that administrative error overissuances are to be recouped by reducing the monthly allotment by five percent or \$10.00, whichever is greater for up to a total of 36 consecutive calendar months.

.223 (Continued)

.23 Intentional Program Violation Claims

.231 A claim shall be handled as an intentional Program violation claim for an overissuance or trafficking only if an administrative disqualification hearing official or a court of appropriate jurisdiction has determined that a household member or the sponsor had committed an intentional Program violation, as defined in Section 20-300.1 or if an individual accused of intentional Program violation has signed either a Disqualification Consent Agreement or an Administrative Disqualification Hearing Waiver as defined in Sections 63-102(a)(2) and (d)(6). Prior to a determination of intentional Program violation the claim against the household shall be established and handled as an inadvertent household error claim. (Continued)

### .3 Calculating the Amount of Claims

#### .31 Inadvertent Household and Administrative Error Claims

.311 For each month that a household received an overissuance due to an inadvertent household or administrative error, the CWD shall determine the correct amount of food stamp benefits the household was entitled to receive.

- (a) The CWD shall not allow claims established prior to April 1, 1984 to be recalculated for non-IPV-caused overissuances which occurred more than 12 months prior to the month of discovery.

For an IPV claim, calculate the claim back to the month that the IPV first occurred.

- (b) The CWD shall calculate the amount of the overissuance which occurred during the six years preceding the date the overissuance was discovered. The CWD shall not include in its calculation any amount of the overissuance which occurred in a month more than six years prior to the date the overissuance was discovered. (Continued)

#### .33 Trafficking-Related Claims

.331 Claims arising from trafficking-related offenses will be the value of the trafficked benefits as determined by the following:

- (a) Admission by the individual;
- (b) Adjudication; or
- (c) Documentation that is the basis for the trafficking determination.

.332 The CWD must establish a claim before the last day of the quarter following the quarter that the overpayment or trafficking incident was discovered. The CWD will ensure that no less than 90 percent of all claim referrals are established or disposed of in this time frame.

#### .4 Collecting Claims Against Households and Sponsors of Alien Households

##### .41 Criteria for Initiating Collection Action on Inadvertent Household and Administrative Error Claims

.411 CWDs shall initiate collection action against the household for all inadvertent household error claims, or administrative error claims or against the sponsor in accordance with Section 63-801.413, unless one of the following conditions apply: (Continued)

##### .43 Initiating Collection on Claims

.431 CWDs shall initiate collection action by providing the household or the sponsor of an alien household an initial notice of action to begin collection action and requesting repayment. (Subsequent demand letters or notices may be sent at the discretion of the CWD.) The due date or time frame for repayment must be no later than 30 days after the date of the initial notice of action, and shall provide the following information:

- (a) The amount owed, the type (IPV, IHE, or AE) and reason for the claim, the period of time the claim covers, how the claim was calculated, any offsetting that was done to reduce the claim, how the household or its sponsor may pay the claim, the household's or the sponsor's right to a state hearing if the household or the sponsor disagrees with the amount of the claim, and that the household has 90 days to request a fair hearing.
- (b) through (d) (Continued)
- (e) (Reserved)
- (f) Claim collection will be from all adults who were in the household when the overpayment occurred.
- (g) The household has the opportunity to inspect and copy any records related to the claim.
- (h) If the claim is not paid, it may be sent to other collection agencies that may use various methods to collect the claim.

- (i) If not paid, the claim will be referred to the Federal government for collection. However, the household may make a written agreement to pay the claim amount prior to referral for Federal action.
- (j) If the claim is not received by the due date and becomes delinquent, the household may be subject to additional processing charges and will be subject to involuntary collection action(s).
- (k) A due date or time frame to repay or make arrangements to repay the claim, unless the CWD will impose an allotment reduction. (If allotment reduction is to be imposed, the percentage to be used and effective date must be stated.)
- (l) (Continued)
- (m) (Continued)

.45 Determining Delinquency of Claims

.451 Unless specified in Section 63-801.454, a claim shall be considered delinquent if:

- (a) The claim has not been paid by the due date, and a satisfactory payment arrangement has not been made, or
- (b) A payment arrangement has been established, and a scheduled payment has not been made by the due date.

.452 The date of delinquency for a claim covered under Section 63-801.451(a) is the due date on the initial written notification/demand letter. The claim will remain delinquent until payment is received in full, a satisfactory payment agreement is negotiated, or allotment reduction is invoked.

.453 The date of delinquency for a claim covered under Section 63-801.451(b) is the due date of the missed installment payment. The claim will remain delinquent until payment is received in full, allotment reduction is invoked, or the CWD determines to either resume or renegotiate the repayment schedule.

.454 A claim will not be considered delinquent if another claim for the same household is currently being paid either through an installment agreement or allotment reduction, and the CWD expects to begin collection on the claim once the prior claim(s) is settled.

.455 A claim is not subject to the requirement for delinquent debts if the CWD is unable to determine delinquency status because collection is coordinated through the court system. (Continued)

.7 Method of Collecting Payments

CWDs must accept any payment for a claim, whether it is a full or partial payment. As specified in Section 63-801.4, CWDs shall collect payments for claims against households as follows: (Continued)

.72 Installments (Continued)

.722 (Continued)

(b) If the household, or the sponsor responds to the notice of action requesting repayment, the CWD shall take one of the following actions as appropriate. (Continued)

(3) If the household or the sponsor requests renegotiation of the amount of its repayment schedule, but the economic circumstances of the household or the sponsor have not changed enough as specified in Section 63-801.431(1)(1) to warrant the requested settlement, the CWD may continue renegotiation until a settlement can be reached. The CWD may invoke allotment reduction against a currently participating household for repayment of an intentional Program violation claim if a settlement cannot be reached. (Continued)

.73 Reduction in Food Stamp Allotments (Continued)

.736 (Continued)

(b) Intentional Program Violation Claims

For intentional program violation claims, the amount of food stamps shall be 20 percent of the household's monthly allotment or \$20 per month, whichever is the greater amount.

.74 Other Collection Actions

.741 CWDs may employ any other collection methods to collect claims. These actions include, but are not limited to, referrals to collection and/or similar private and public sector agencies, state tax refund and lottery offsets, wage garnishments, property liens, and small claims court.

.75 Unspecified Joint Collections

.751 When an unspecified joint collection is received for a combined public assistance/food stamp recipient claim, each program must receive its pro rata share of the amount collected. An unspecified joint collection is when funds are received in response to correspondence or a referral that contained both the food stamp and other program claim(s) and the debtor does not specify to which claim to apply the collection.

.76 Unemployment Compensation Benefits

.761 Arrangements may be made to intercept the liable individual's unemployment compensation benefits to collect any claim. This collection may be included as part of a repayment agreement.

(a) Unemployment compensation benefits may be intercepted by obtaining a court order.

(b) Any intercept of unemployment compensation benefits must be reported as "cash" payments.

.77 Public Service

.771 If authorized by a court, the value of a claim may be paid by the household performing public service.

.78 Interstate/Intercounty Claims Collection

.781 In cases where a household moves out of state, the CWD shall initiate or continue collection action against the household for any overissuance to the household which occurred while it was under the state's jurisdiction. The CWD which overissued benefits to the household shall have the first opportunity to collect any overissuance. However, if the CWD which overissued benefits to the household does not take action to collect as soon as administratively possible, then the government agency which administers the area into which the household moves may initiate action to collect the overissuance. Prior to initiating action to collect claims against households which have moved into the state, the CWD shall contact the agency which overissued benefits to ascertain that it does not intend to pursue prompt collection. Once the CWD accepts responsibility, claim collection incentive and reporting shall be retained by the CWD which collects the overissuance, regardless of whether the household remains in the state or not, and all interstate transfers shall be reported to FNS.

.782 (Continued)

Authority Cited: Sections 10554, and 18904, Welfare and Institutions Code.

Reference: Sections 10554 and 18904, Welfare and Institutions Code; 7 CFR 271.2; 7 CFR 273.18(a), (a)(1)(ii), and (a)(2); 7 CFR 273.18(b)(3); 7 CFR 273.18(c)(1)(i), (c)(1)(ii), (ii)(b), and (c)(2)(ii) (Federal Register, Vol. 58, No. 209, pp. 58454 and 58455, dated November 1, 1993); 7 CFR 273.18(d)(4)(iii); 7 CFR 273.18(e)(1); 7 CFR 273.18(e)(3)(iv); 7 CFR 273.18(e)(3)(v); 7 CFR 273.18(e)(5)(v); 7 CFR 273.18(e)(6)(ii); 7 CFR 273.18(e)(7)(i); 7 CFR 273.18(f); 7 CFR 273.18(g)(4)(ii); 7 CFR 273.18(g)(6); 7 CFR 273.18(g)(8); 7 CFR 273.18(g)(9); 7 CFR 273.18(h)(4); 7 CFR 273.18(i); 7 CFR 273.18(k)(5); 7 CFR 273.18(n)(1)(i); 7 U.S.C. 2022(a)(1); U.S.D.A., Food and Nutrition Service letter WFS-100:FS-10-6-CA, dated October 7, 1991; P.L. 104-193, Sections 809 and 844 (Personal Responsibility and Work Opportunity Reconciliation Act of 1996) and Lomeli v. Saenz, Sacramento Superior Court, Case #98CS01747.

- 1) Amend Section 63-802.2 to read:
- 2) Amend Section 63-802.21 to read:

63-802 RESTORATION OF LOST BENEFITS (Continued)

63-802

.2 Method of Restoration

.21 CWDs must reduce any restored benefits owed to a household by the amount of any outstanding claim. This may be done at any time during the claim establishment and collection process. For administrative errors, please see MPP Section 63-801.313, Lopez v. Glickman Court Case.

.22 (Continued)

.23 (Continued)

Authority Cited: Sections 10554, and 18904, Welfare and Institutions Code.

Reference: Reference: 54 Federal Register 30, Table of Redesignations (Part 274), p. 6991, 7 CFR 273.17(a)(1); 7 CFR 273.17(d)(4); 7 CFR 273.18(f); and Sections 10554 and 18904, Welfare and Institutions Code.



Amend Section 63-804 to read:

63-804 STATE HEARINGS (Continued)

63-804

.6 Continuation of Benefits (Continued)

.64 Changes Pending the Hearing Decision (Continued)

.642 Once continued or reinstated, benefits shall not be reduced or terminated, nor shall a claim awaiting a hearing decision be considered delinquent, prior to the receipt of the official hearing decision, unless any of the following situations occur while the hearing decision is pending: (Continued)

Authority Cited: Sections 10554 and 18904, Welfare and Institutions Code.

Reference: 7 CFR 271.2; 7 CFR 273.18(e)(6), and Sections 10554 and 18904, Welfare and Institutions Code.