

DEPARTMENT OF BENEFIT PAYMENTS

744 P Street
Sacramento, CA 95814
Telephone: (916) 445-0633



September 21, 1976

ALL-COUNTY LETTER NO. 76-122

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: MPP SECTIONS 22-001.3 AND 22-009.1 - WASHINGTON V. OBLEDO

REFERENCE:

Attached are emergency regulations which amend MPP Sections 22-001.3 and 22-009.1. These amendments change the time within which an individual must request a fair hearing from 90 days to one year. The change was made pursuant to a court order in the case of Washington v. Obledo. This order requires the Department to bring the regulations into compliance with W&IC § 10951. These regulations are effective immediately.

The Department is currently in the process of revising its forms to reflect the new one-year fair hearing filing period. Until these revised forms are available, you should continue to use existing forms. However, on each existing form that is used, you should cross out "90 days" where it appears in relation to requests for fair hearing. In place of "90 days" you should write or type "one year".

Among the major forms affected are the ABCD 239 Series, the DFA 377 Series, APSB 201, DFA 285, SSP 4B, SSP 5, SSP 17, WR 1, WR 2 and WR 2A. You may be using substitute forms or other forms that refer to the time period for requesting a fair hearing. If so, you should ensure that the form is corrected to indicate that the time for filing a request is one year instead of 90 days.

Questions concerning the new one-year fair hearing filing period should be addressed to the Office of the Chief Referee at 916/322-2797. Questions concerning the use of forms should be addressed to the AFDC Program Operations Bureau at 916/445-4458.

Sincerely,

A handwritten signature in cursive script that reads "Marion J. Woods".

MARION J. WOODS
Director

cc: CWDA