

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814  
(916) 322-0181



July 23, 1981

ALL-COUNTY LETTER NO. 81-77

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: APPROPRIATE USAGE OF RESTAURANT MEAL ALLOWANCES

REFERENCE:

It has recently been brought to our attention by the Adult Services Program Operations staff that counties are inappropriately authorizing restaurant meal allowances to In-Home Supportive Services (IHSS) recipients. The specific areas are: (1) Authorization of restaurant meal allowances to blind recipients, (2) Authorization of restaurant meal allowances and related services at the same time, and (3) Authorization of restaurant meal allowances to State Supplemental Program (SSP) recipients who do not have adequate cooking facilities at home and request a restaurant meal allowance. The purpose of this notice is to clarify the appropriate usage of restaurant meal allowances.

Blind applicants/recipients are not eligible to receive restaurant meal allowances. Section 12303.7 of the Welfare and Institution Code (WIC) states that restaurant meal allowances are granted only to the aged or disabled. Based on this statute, IHSS regulation MPP 30-457.34 (restaurant meal allowances) satisfies this requirement of law; therefore, counties should immediately discontinue authorizing IHSS restaurant meal allowances to blind recipients.

There have been cases where an IHSS recipient has been authorized both restaurant meal allowances and related services, i.e., meal preparation, shopping for food, and washing and drying dishes. MPP 30-457.34 states that an aged or disabled recipient shall be advised of his/her option to receive a restaurant meal allowance in lieu of such services listed in MPP 30-457.31, .32 and .33, and shopping for food which the recipient would otherwise receive. Counties should note that in no event shall restaurant meal allowances and the above cited related services be authorized at the same time.

MPP 30-457.342 states that an aged or disabled recipient who is a SSP recipient who requests a restaurant meal allowance and who does not have adequate cooking facilities at home shall be referred to SSP. When county staff performs a needs assessment, it should be clearly documented on the needs assessment form that the recipient is

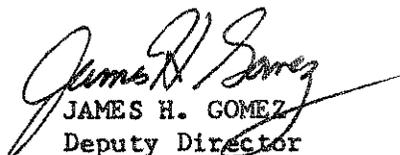
receiving SSP benefits, has inadequate cooking facilities, and is ineligible for an IHSS meal allowance. In such cases, the county should inform the recipient of this provision and refer the recipient to the appropriate Social Security office.

In another related matter involving all restaurant meal allowance cases, it has been determined that IHSS recipients are no longer required to provide written verification indicating that a meal allowance payment was received. It has also been determined that receipts attesting to the proper use of the meal allowance are not necessary. Counties should discontinue the requirement requesting recipients to submit the time sheet that accompanies his/her meal allowance payment as verification for this payment. However, counties must maintain some type of current documentation of those expenditures for audit purposes, such as the SOC. 293 or 311.

Finally, counties are encouraged to review all restaurant meal cases as soon as possible or at the next recipient reassessment. If a case is found to be in error, counties should immediately rectify the case. If the case is in error, an overpayment exists from the date of authorization and counties should take the appropriate recovery methods provided in MPP-10-121.

If you have any questions, contact your Adult Services Program Operations Bureau Consultant at (916) 445-8724.

Sincerely,

  
JAMES H. GOMEZ  
Deputy Director

CWDA