

DEPARTMENT OF SOCIAL SERVICES



February 18, 1982

ALL-COUNTY LETTER NO. 82-14

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: CHANGE IN COUNTABLE INCOME CRITERIA WHEN DETERMINING IHSS SHARE OF COST

REFERENCE:

This letter is to inform you of a change in SSI/SSP deeming criteria that affects the In-Home Supportive Services (IHSS) Program. The Social Security Administration has issued regulations (20 CFR Part 416.1161) which, in essence, state that the payment received by an ineligible spouse or parent of an SSI/SSP recipient for providing in-home supportive services to that recipient is not to be counted as deemable income to the SSI/SSP recipient.

Current IHSS regulations section 30-475.337(b) provides that deeming procedures shall conform to those specified in federal regulations; therefore, the IHSS payment made to an ineligible spouse/parent provider will no longer be counted as deemable income when determining the share of cost for an income eligible recipient.

Because these regulations were enacted on November 23, 1981, counties are required to review all income eligible cases as soon as possible, but not later than April 1, 1982, and recompute the recipient's share of cost excluding the IHSS spouse/parent payment. The computation must be computed retroactively to November 23, 1981, and the difference shall be paid to the recipient for the months affected. Additionally, a Notice of Action shall be mailed indicating the reason for this change, as specified in Section 10-116.

The above mentioned process will not require counties to redetermine eligibility or reassess each case. A new share of cost calculation is all that will be required.

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

**Original Document Signed By:**

CLAUDE E. FINN  
Deputy Director