

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



August 21, 1984

ALL-COUNTY LETTER NO. 84-90

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: COALITION OF CALIFORNIA WELFARE RIGHTS ORGANIZATION V. McMAHON.  
BEGINNING DATE OF AID REGULATIONS FOR AFDC-FG/U, AFDC-FC, RCA AND  
ECA PROGRAMS

REFERENCE: ACIN 1-53-84, MPP Section 44-317.1

A Preliminary Injunction was issued on May 23, 1984 by Judge Ramirez of the Federal District Court in Sacramento in the case of Coalition of California Welfare Rights Organizations v. McMahon. The Preliminary Injunction prohibits the Department from enforcing the beginning date of aid regulations which went into effect on April 1, 1984 to the extent they provide for a beginning date of aid later than the thirtieth day after application, if the applicant is eligible on the thirtieth day. Plaintiffs are contending that the regulations violate federal law by providing for a beginning date of aid later than 30 days after the date of application in some cases.

The Preliminary Injunction applies to all applications for which aid is authorized on or after May 23, 1984. A copy of the Preliminary Injunction was transmitted to the counties in All-County Information Notice 1-53-84, June 1, 1984 along with advice to flag those cases authorized on or after May 23, 1984.

Counties are instructed to recompute the beginning date of aid and the initial aid payment for those cases which were authorized on or after May 23, 1984, had a beginning date of aid later than 30 days after application and were eligible on the 30th day.

Counties are further instructed to comply with the terms of the Preliminary Injunction when determining the beginning date of aid for current and future cases.

Regulations are being processed which will amend MPP Section 44-317.1 to comply with the Preliminary Injunction. Meanwhile, the beginning date of aid rule shall be as follows:

- 1) The date of authorization if eligibility conditions are met in the same month, but no later than 30 days after the date of application if then eligible, or
- 2) the first of the month after eligibility conditions are met if authorizing action takes place in a later month but no later than 30 days after the date of application if then eligible.

The Department of Finance has approved the issuance of this letter to comply with the Preliminary Injunction.

If you have any questions, please contact Henry Puga, AFDC Policy Implementation Bureau at, (916) 822-5330.



KYLE S. MCKINSEY  
Deputy Director

cc: CWDA