

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814  
September 16, 1986



ALL COUNTY WELFARE LETTER NO. 86-90

TO: ALL COUNTY WELFARE DIRECTORS

REFERENCES: ALL COUNTY LETTER NO. 86-45, ALL COUNTY WELFARE DIRECTOR MEDS  
TRANSMITTAL OF JUNE 10, 1986, ALL COUNTY LETTER NO. 86-55,  
ALL COUNTY LETTER NO. 86-84

SUBJECT: RUTAN v. McMAHON

All County Letter No. 86-84 informed you of the Rutan v. McMahon court order and transmitted a copy of the required lump sum informing notice.


The purpose of this letter is to provide specific instructions regarding the implementation of the Rutan v. McMahon court order. The August 20, 1986 court order enjoins the department from: (1) applying the lump sum regulations (MPP 44-207.4) to recipients who do not receive a written explanation of the rule prior to receipt of the lump sum income; and (2) recouping overpayments resulting from application of the lump sum regulations without such explanation. The order also requires recalculation of periods of ineligibility for affected cases still currently in a period of ineligibility. This court order applies to all AFDC and Refugee (RCA, ECA, and RDP) cases. However, for Foster Care cases, the informing notice is not required when the county is the payee for the lump sum income.

Attached are the following materials:

1. A reproducible Spanish version of the written notice explaining the lump sum rule, TEMP 1683(Sp)(8/86).
2. Detailed implementing instructions.
3. Reproducible English/Spanish versions of the notice to be sent to the identified former recipient, TEMP 1683A(9/86), TEMP 1683A(Sp)(9/86).
4. Reproducible English/Spanish versions of the Rutan Certification, TEMP 1683B(9/86), TEMP 1683B(Sp)(9/86).

Reproducible copies of the informing notice (TEMP 1683) in Vietnamese, Laotian, Cambodian, and Chinese and the necessary notices of action messages will be forthcoming.

If you have any questions, please contact Cindy Wong Lan, AFDC Policy Bureau, at (916) 324-2158.

  
ROBERT A. HOREL  
Deputy Director

Attachments

cc: CWDA