

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



December 10, 1992

Reason for this Transmittal	
<input type="checkbox"/>	State Law Change
<input type="checkbox"/>	Federal Law Change
<input checked="" type="checkbox"/>	Court Order or Settlement Agreement
<input type="checkbox"/>	Clarification Requested by One or More Counties
<input type="checkbox"/>	Initiated by SDSS

ALL-COUNTY LETTER (ACL) NO. 92-110

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY AFDC COORDINATORS
ALL COUNTY GAIN COORDINATORS

SUBJECT: INSTRUCTIONS FOR BALANCING OVERPAYMENTS WITH RETROACTIVE BENEFITS RESULTING FROM THE WINDLEY V. McMAHON COURT ORDER

REFERENCES: ACL NO. 91-92

The purpose of this letter is to provide follow-up instructions to counties on the method of balancing overpayments with Windley retroactive benefits and to amend the Implementation Guidelines for Windley to reflect the revised retroactive and request periods for Los Angeles County. It is also to transmit to counties reproducible copies of the amended Notice of Action (NOA) message and form for approving the payment of retroactive benefits as specified in the Consent Decree for this case.

Before paying a retroactive benefit, counties shall first determine if there are any outstanding overpayments in the Greater Avenues for Independence (GAIN) Program and/or the Aid to Families with Dependent Children Program. If there are overpayments, the retroactive benefit shall be balanced against the overpayment before being disbursed to a current or former GAIN participant [Manual of Policy and Procedures (MPP) Section 42-751.41]. Furthermore, counties shall concurrently balance a newly discovered overpayment with a newly discovered underpayment. An adequate and complete overpayment notice must accompany the NOA M50-022A when an overpayment is being balanced against an underpayment. Upon receipt of this ACL, counties shall use the enclosed NOA message and forms when balancing an overpayment against a Windley corrective underpayment.

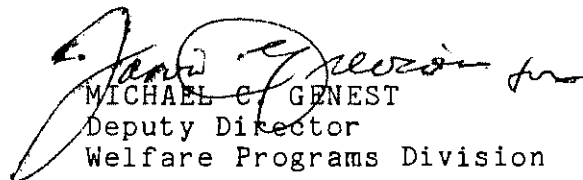
We have amended Sections 50-022.2(i) and (j), .412(a), .422 and .541(c) of the Windley Implementation Guidelines to reflect

the new retroactive period and request period for Los Angeles County. We have also amended Sections 50-022.2(k), .422(a), .542, .542(a) and .543 for minor editorial errors. The revised language has been underlined or struck out for your convenience.

Enclosed are the following materials: NOA message and form M50-022A; the revised TEMP GAIN 58 (9/92); and Pages 2, 4, 5, 8 and 9 of the Implementation Guidelines. Please note that the newly revised TEMP GAIN 58 (9/92) is to be used when balancing an overpayment with a Windley corrective underpayment.

Additional reproducible copies of the NOA form can be obtained by calling the Department's Forms Management Section at (916) 657-1893 or (CALNET) 8-437-1893. The NOA message and form translated in Spanish and the four standard Asian languages will be sent to counties by Language Services Bureau under separate cover.

If you have any questions regarding the balancing of overpayments with underpayments or the enclosed materials, please contact Ms. Pat Loader at (916) 654-1770 or (CALNET) 8-464-1770.


MICHAEL C. GENEST
Deputy Director
Welfare Programs Division

Enclosures

cc: CWDA