

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



May 3, 1993

ALL COUNTY LETTER NO. 93-29

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

SUBJECT: STEFFENS V. McMAHON

REFERENCES: MPP 40-100 and MPP 63-301.1

The purpose of this letter is to provide County Welfare Departments (CWDs) with instructions for implementing the requirements of the Steffens v. McMahon court case (Superior Court for the County of Sacramento, Case #517548, Attachment 1). This lawsuit affects both the Aid to Families With Dependent Children (AFDC) and the Food Stamp Programs.

On November 28, 1990, the Steffens v. McMahon court case was filed against the California Department of Social Services (CDSS) for failure to process applications within the 45- and 30-day requirements of the AFDC and Food Stamp Programs, respectively. The court determined that delays caused by the Agency (CWDs) require corrective action for each program.

*Reporting requirement changes for AFDC*

CWDs currently submit reports which identify how many requests for aid were processed past the AFDC 45-day processing deadline (CA 237 FG/U). The Steffens court order has added the requirement that CWDs identify how many requests for aid were processed late due to Agency delays (and "other" caused delays for the first report). This reporting change adjusts the AFDC reporting requirements so that they more closely resemble the Food Stamp Program reporting requirements.

CWDs are required to complete the ABCD 257 - Rev. 2/93 statistical report (Attachment 2) in order to comply with the Steffens court order. It is expected that this reporting will continue for at least three years. Data reported on the ABCD 257 will have edit matches to the CA 237 FG/U monthly statistical report.

Agency-caused delay is defined as: failure to timely request essential verification information, failure to timely review

client application, or failure to timely schedule client interview.

When failure to process timely is a combination of Agency delay and "other" causes of delay, CWDs are to determine if the application would have been processed in a timely fashion if the Agency had not caused any significant delay. If the Agency was a significant cause of the delay, the incident would be reported as an Agency-caused delay. Each instance of late processing is only to be reported as a single entry. Do not report one instance of late processing in both categories.

CWDs are to implement this change using the new ABCD 257 no later than October 1, 1993. CWDs are to ensure that all requests for aid are captured on this report including restorations, cancellations, and withdrawals. Failure to implement this reporting change on or before this court-ordered deadline could result in adverse financial consequences to the CWDs and the State.

#### *AFDC Corrective Action*

The Steffens v. McMahon court order also requires CWDs to submit a Corrective Action Plan (CAP) (Attachment 3) within 45 days after the quarterly report is submitted if, for two consecutive quarters, the number of AFDC applications processed beyond 45 days exceeds the defined threshold limits. The threshold limits refer to a specified percentage of applications processed beyond the 45-day time limit. These limits are defined as follows:

- The CWDs will use the quarterly information from the CA 237 FG/U for the period July through September 1993 for determining compliance with the Steffens court order. For this first quarter only, if the total number of AFDC applications processed beyond 45 days exceeds five percent of the total applications, the CWD would be out of compliance with the order.

- Beginning with the use of the ABCD 257 for the October 1993 quarter, the revised reporting system will require CWDs to collect data on the number of applications processed late due to Agency-caused delays. If the total number of AFDC applications processed beyond 45 days exceeds two percent due to Agency-caused delays, the CWD would be out of compliance with the order.

**EXAMPLE 1:** In the first quarter (e.g., July, August, September) the CWD reports eight percent of their total AFDC applications were processed over 45 days. In the following quarter, the CWD reported that four percent of their AFDC applications were processed over 45 days due to Agency delays.

A CAP needs to be submitted because they were over the five percent threshold in the first quarter and over the two percent threshold in the second quarter.

**EXAMPLE 2:** In the third quarter (e.g., January, February, March 1994), the CWD reported that three percent of the AFDC

applications were processed over 45 days due to Agency delays. In the fourth quarter, the CWD reported that 1.8 percent of the AFDC applications were processed over 45 days due to Agency delays.

NO CAP is required because the CWD was not over the two percent threshold due to Agency-caused delay for two consecutive quarters.

It is the responsibility of all counties exceeding the AFDC threshold to submit a CAP to CDSS within 45 days of submittal of the data. No additional notification will be transmitted.

The CAP for AFDC should be sent to:

Department of Social Services  
AFDC Policy Development Bureau  
County Compliance Unit  
744 P Street, MS 16-31  
Sacramento, CA 95814

Please see Attachment 4 for the names of your AFDC County Compliance Consultant. Technical assistance is available from these staff on completing the Steffens AFDC CAP.

#### *Food Stamp Corrective Action*

For the Food Stamp Program, the court order stipulates the following:

- The CDSS is to identify those CWDs that, for the most recent two successive quarters, exceed three percent of the total number of Food Stamp applications processed after 30 days due to Agency-caused delays.

- CWDs which exceed the three percent threshold for the two successive quarters are to be sent a letter within 120 days from CDSS' receipt of the Stipulation and Consent Decree (February 4, 1993), informing them that action must be taken to ensure compliance with the 30-day application processing time frame. Those CWDs with more than 2,000 Food Stamp households are required to submit a CAP within 45 days from the date the CWD is informed that the CAP is required.

- On an ongoing basis, CDSS will have 30 days after compiling the data to notify those CWDs which exceed the three percent threshold for two successive quarters. These CWDs are to be sent a letter informing them that action must be taken to ensure compliance with the 30-day application processing time frame. Those CWDs with more than 2,000 Food Stamp households are required to submit a CAP within 45 days of the date the CWD is informed that a CAP is required.

To implement the Stipulation and Consent Decree, quarterly data has been collected using information submitted on the DFA 296, Food Stamp Program Monthly Caseload Movement Statistical

Report. The first two successive quarters will be July-September 1992 and October-December 1992. CWDs which are required to submit a CAP will be provided a CAP form along with the letter indicating corrective action is necessary.

#### Corrective Action Plans

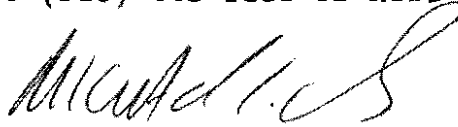
If the CWD is required to submit a CAP, the information in the CAP must include means and progress objectives, and estimated timelines for completion of objectives, and evaluation of action(s) and evaluation dates. This information is defined as follows:

- Means and Progress Objectives: Identify the problem(s) to decide where to concentrate the CWD efforts and resources. An analysis should be made of why the CWD exceeds the required application processing timeframes. Develop objectives to specifically address the problem(s) and a plan of action to prevent recurrence.

- Estimated Timelines for Completion of Objectives: Estimate the length of time it will take for the objectives to be completed. Provide quarterly updates to CDSS on the results as to whether or not the objectives are met and are a viable solution to the problem.

- Evaluation of Actions and Evaluation Dates: Identify the steps to be used to evaluate the implementation of all objectives. Provide timeframes in which you will be conducting these evaluations.

If you have any AFDC questions about the court case, please call Mr. Vincent Toolan at (916) 654-1808 or ATSS 464-1808. If you have any questions regarding AFDC corrective action or the submission of AFDC corrective action plans, please call your AFDC County Compliance Consultant. Food Stamp questions should be directed to Mr. Michael Papin, Food Stamp Program Bureau, at (916) 654-1873 or ATSS 464-1873. If you have any questions about statistical reporting, please call Mr. Levy St. Mary of the Statistical Services Bureau at (916) 445-2135 or ATSS 485-2135.

  
MICHAEL C. GENEST  
Deputy Director  
Welfare Programs Division

Attachments

cc: CWDA