

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 26, 1995

ALL-COUNTY LETTER NO. 95-28
 TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: IMPLEMENTATION OF BLANCO V. ANDERSON REGULATIONS
 (RDB #0295-03)

REFERENCE: MANUAL SECTIONS (M.S.) 63-007.2; 63-205.1; 63-300.381 and .382; 11-601.21, .211, .212, .213, .213(a), .214, and .215; 11-601.31, .311, .311(a), .311(b), .311(b)(1), .311(b)(2), .312(a), .312(b), .313, .313(a), .313(b), and .313(c); 11-601.314, .314(a), .314(b), and .314(c); and HANDBOOK SECTIONS 63-300.383; 11-601.1, 11-601.313(d), and 11-601.314(d). MANUAL OF POLICIES AND PROCEDURES (M.P.P) 44-317.111(a), .111(b), and HANDBOOK SECTION 44-317.111(c).

This letter provides County Welfare Departments (CWDs) with information regarding regulations which will become effective on July 1, 1995. These regulations implement the provisions contained in the final judgment issued by the United States District Court on December 20, 1994 in the Blanco v. Anderson court case. The judgment defines the parameters and options within which CWDs must provide mandated services to the public when offices are closed during the regular eight hours of the working day. The attachment to this letter describes the major provisions of these regulations.

If you have any questions regarding these proposed regulations, please contact David Badal (Food Stamps) at (916) 654-1405 or Vincent Toolan (AFDC) at (916) 654-1808.

Bruce Wagstaff
 Acting Deputy Director
 Welfare Programs Division

Attachment

Description of Major ProvisionsImplementation of Blanco v. Anderson (M.S. 63-007)

This section of the Manual of Policies and Procedures provides a reference to M.S. 11-600 which includes the specific regulations pertaining to the Blanco v. Anderson court order. It specifies that the provisions are effective July 1, 1995.

Hours of Operation (M.S. 63-205.1)

This section is being amended to provide a cross-reference to M.S. 11-601 regarding hours of operation and mandated procedures during office closure.

Application Process (M.S. 63-300.381 and .382) and (M.P.P. 44-317.111(a) and 44-317.111(b))

M.S. 63-300.381 is being adopted to specify that during periods of office closure, the date of application for a Food Stamp application dropped off in accordance with M.S. 11-601.311(b) shall be the date the application is deposited.

M.S. 63-300.382 is being adopted to specify that during periods of office closure, if an applicant calls requesting emergency benefits in accordance with M.S. 11-601.313, the date of application shall be the date the telephone call is received.

M.P.P. 44-317.111(a) is being adopted to specify that during periods of office closure, the date of application for an AFDC application dropped off in accordance with M.S. 11-601.311(b) shall be the date the application is deposited.

M.P.P. 44-317.111(b) is being adopted to specify that during periods of office closure, if an applicant calls requesting emergency benefits in accordance with M.S. 11-601.313, the date of application shall be the date the telephone call is received.

Handbook Section 63-300.383

This section is being adopted to provide examples of the requirements stated in M.S. 63-300.381 and .382.

Handbook Section 44-317.111(c)

This section is being adopted to provide examples of the requirements stated in M.P.P. 44-317.111(a) and .111(b).

Handbook Section 11-601.1

Handbook Section 11-601.1 provides a chronological background of the Blanco v. Anderson court case.

Definitions (M.S. 11-601.211, .212, .213, .213(a), .214, and .215)

These sections define terminology used in the final judgment issued in Blanco v. Anderson.

M.S. 11-601.211 is being adopted to clarify the requirement to "Accept and act upon all applications for emergency benefits". This includes providing emergency benefits within the time limits prescribed by Federal and State law.

M.S. 11-601.212 defines "local telephone service" as a toll-free number in the same geographic area as the CWD's telephone number.

M.S. 11-601.213 is being adopted to provide clarity of the phrase "Opportunity to file an application for benefits" as defined in the Manual of Policies and Procedures for the AFDC and Food Stamp Programs.

M.S. 11-601.213(a) defines "Special Assistance" as the act of assisting the applicant in any way necessary in order to provide emergency benefits.

M.S. 11-601.214 defines "Regular eight hours of the working day" as the eight hour period that CWD offices are open to the public.

M.S. 11-601.215 defines "Working days" as Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays excluding Federal and State holidays.

County Responsibilities (M.S. 11-601.31, .311, .311(a), .311(b)(1) and (2), .312, .312(a) and (b), .313, .313(a), (b) and (c), .314, .314(a), (b) and (c))

These sections contain the specific procedures for counties to use for compliance with the mandates of the Blanco v. Anderson court order if county offices are closed to the public at any time during the eight hours of a regular working day (excluding Federal and State holidays).

M.S. 11-601.31 specifies that if county offices are closed during a normal working day, the county must comply with all of the provisions in the succeeding sections.

M.S. 11-601.311, .311(a), .311(b), (1) and (2) are being adopted to specify that during the hours of office closure during a normal working day, individuals shall be allowed to apply for and/or receive Food Stamp and/or AFDC benefits within the time limits prescribed by federal and state law by making applications readily available; providing a drop box or mail slot for filing applications; and, if necessary, by backdating applications filed on closure days.

M.S. 11-601.312 is being adopted to specify that during hours of office closure, CWDs must provide individuals the opportunity to file an application for and receive expedited Food Stamp, Immediate Need AFDC, and/or Homeless Assistance benefits within the time limits prescribed by federal and state law.

M.S. 11-601.312(a) and .312(b) specify that during hours of office closure, counties must either maintain sufficient staff to accept applications for emergency benefits or provide and maintain a local telephone service to accept and act upon applications as if such applications had been filed in person at the CWD office.

M.S. 11-601.313, (a), (b), and (c) are being adopted to specify that counties must provide incoming callers on main telephone lines with information regarding days and hours of closure and how to apply for benefits during such closure.

M.S. 11-601.314, (a), (b), and (c) are being adopted to specify the CWD's responsibility to post notices informing the public of days and hours of office closure and the procedures for applying for and receiving benefits within the time limits prescribed by federal and state law during closure periods.

Handbook Section 11-601.313(d) and 11-601.314(d)

These sections have been adopted to specify that the Blanco v. Anderson court order contains provisions for providing services and information to clients under the Medi-Cal program as well as the AFDC and Food Stamp programs.