

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814  
May 23, 1996  
ALL COUNTY LETTER NO. 96-28



TO: ALL COUNTY WELFARE DIRECTORS ALL-  
COUNTY GAIN COORDINATORS

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: SETTLEMENT IN BENO COURT CASE - 2.3% GRANT

REDUCTION AND EXEMPTIONS FROM PAST REDUCTIONS

REFERENCE: EAS 42-793, 42-795, 44-115.3, 44-207.113, 44-315.311, 44-402.1,  
89-1102; A.CL 96-13; ACIN I-96-26

Introduction

This letter provides further implementation instructions and revised proposed emergency regulations reducing the Maximum Aid Payment (MAP) amount used in cash assistance programs statewide by 2.3% and exempting certain Assistance Units (AUs) from this and other past MAP reductions. Under the regulations, AUs are designated as Exempt or Nonexempt. Exempt AUs will be paid based on the MAP levels in effect in July, 1992. Nonexempt AUs will be paid based on the current levels with the 2.3% reduction.

Initial instructions regarding this implementation were provided in All-County Letter (A.CL) 96-13, dated April 3, 1996. A brief explanation of the revisions was transmitted to counties via All-County Information Notice (ACIN) I-96-26, dated May 10, 1996. Revisions to the regulations have been undertaken based on further review of the terms and conditions granted by the Department of Health and Human Services (DHHS) regarding operation of the Assistance Payments Demonstration Project/California Work Pays Demonstration Project (APDP/CWPDP). In addition, certain changes have been made in response to a settlement agreement reached between plaintiffs and the California Department of Social Services (CDSS) in the case of Beno v. Shalala. Plaintiffs in this case challenged the validity of the DHHS waivers relating to the APDP/C\VPDP. This letter includes a discussion of the changes to the regulations (ATTACHMENT 1) and a copy of the revised regulations (ATTACHMENT 2).

Follow-up Notice

A copy of the follow-up notice (TEMP 2121 - ATTACHMENT 3) mailed to Aid to Families with Dependent Children (AFDC) recipients by CDSS is included in this package. This notice provides further information about the changes in MAP amounts and the implementation of the new exemption standards. *This* notice has been mailed by CDSS counties need not mail this document.

The TEMP 2121 is structured to allow recipients to return the bottom portion to counties in order to request consideration for Exempt AU status. The date the form is received by the CWD is considered to be the date of such a request

### Notices of Action

ATTACHMENT 4 contains revised versions of the applicable Notices of Action (NOAs) and forms in English required for changes in grant amount for affected AFDC and Refugee Cash Assistance (RCA) recipients. There are also forms and NOAs for changes in status for persons subject to the requirements of the Greater Avenues for Independence (GAIN) program. Implementation instructions for the NOAs are located at the bottom of each message document.

### Translated Forms and NOAs

The CDSS Language Services Bureau will send camera-ready copies of all forms and NOAs as translated into Cambodian, Vietnamese and Chinese to the applicable County Forms Coordinator upon request at a later date. Additionally, the Bureau will send camera-ready copies of the NOAs and forms in Spanish upon request.

### Poster

An informational poster regarding the standards for Exempt AUs will be sent to CWDs at a later date. The poster must be displayed at each CWD office in which applicants or recipients are seen by CWD eligibility staff through February 28, 1997.

### California Work Pays Demonstration Project (CWDP) Research Counties (Alameda, San Joaquin, San Bernardino and Los Angeles)

The follow-up notice (TEMP 2121) was sent to cases in control status. Counties may wish to inform control group participants that the changes do not apply to them.

### Funding for AFDC Administrative Activities

Limited funding for AFDC administrative activities was budgeted for these efforts in 1995/96 based on the implementation date of June 1, 1996, with additional funding proposed for 1996/97. County specific projections conducted in March identified that the majority of counties have existing allocation levels that exceed their projected expenditures. Because of these factors no adjustments to county allocations are planned at this time.

If your county is concerned about exceeding the existing allocation, please contact the County Cost Analysis Bureau at (916) 657-3806.

State Hearings

When a county appeals office receives a request for a State Hearing involving the 2.3 % MAP reductions, the request should be forwarded to the CDSS Administrative Adjudications Division (CDSS-AAD) and assigned to a County Appeals Representative/Specialist for immediate follow-up action.

If a hearing request is filed before the effective date of the action, the county must issue aid pending based on the lv1AP levels which were in effect in May,1996.

These hearing requests will not be dismissed under MPP Section 22-054.4. The requests will be heard individually or in group hearings.

Contacts

If you have questions regarding this letter, please contact the following:

Subject	Contact Person	Phone
Regulations	Jim Lucas	(916) 654-1059 or CALNET 464-1059
AFDC Implementation	Jim Lucas	(916) 654-1059 or CALNET 464-1059
GAIN Implementation	Karen Kennedy	(916) 657-3400 or CALNET 437-3400
Follow-up Notice	Arlene Jamar	(916) 657-2314 or CALNET 467-2314
AFDC NOAs	Pam Kian	(916) 654-1801 or CALNET 464-1801
GAIN Forms	Eric Norris	(916) 654-0946 or CALNET 464-0946
Translations	CDSS Language Services - Bureau	(916) 654-1282 or CALNET 464-1282
Food Stamps	Melissa Buchanan	(916) 654-8467 or CALNET 464-8467
State Hearings	Rosie Morefield	(916) 229-4156 or CALNET 424-4156
Demonstration Projects	Leslie Raderman	(916) 657-2357 or CALNET 437-2357

Sincerely



BRUCE WAGSTAFF  
Deputy Director  
Welfare Programs Division



Attachments