STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF SOCIAL SERVICES
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July 11, 1984

ALL-COUNTY LETTER NO. 84-74

TO: ALL-COUNTY WELFARE DIRECTORS

SUBJECT: PROCEDURE MODIFICATIONS FOR SALDIVAR IMPLEMENTATION

REFERENCE: ALL-COUNTY LETTER 84-47, DATED APRIL 19, 1984

The purpose of this letter is to transmit modifications to the Department's Saldivar instructions contained in ACL 84-47. The intent of those instructions was to reduce administrative complexity while remaining within the scope of the Saldivar decision. Since those instructions were released, several of the counties informed this Department that they have the ability and desire to do more toward processing of the CA 7. The Department has also been advised by Food and Nutrition Services (FNS) that they may be citing Quality Control (QC) errors in these areas. As a result, the policies and procedures issued in ACL 84-47 have been modified. The modifications listed below are the only changes to the previous instructions which are otherwise still in effect, and only apply to actions taken on the DFA 377.4 notice form.

The major change from the prior instructions is that any CA 7 which is complete, as defined by Section 63-504.32, must be processed. This includes the processing of a reported and verified income change. In all cases where the CA 7 is complete for Food Stamps, the county shall take the appropriate action on all reported and verified income changes or other eligibility factors. (If the CA 7 is complete for Food Stamps, but incomplete for AFDC purposes, the county shall process any food stamp changes using the DFA 377.4, and send the NA 960 Y for the AFDC action. In these instances, the county should make every effort to mail the two notices together.)

If the CA 7 is complete, but missing information/verification of a deduction(s), the county shall use either Option 1 or Option 2 as appropriate to each individual county's capabilities.

OPTION 1: The county must act upon a complete CA 7 which reports changes in income or other eligibility factors, but will not disallow any unverified deduction(s).

If income or other eligibility factors are involved, send a timely DFA 377.4 informing the household that the allotment has changed, based on reported and verified information. The allotment amount should be computed using previously verified deduction amount(s). Also check the "Proposed Change in Benefits" box as a reminder to the household that verification/information of a claimed deduction is missing.

- If verification/information is received too late to effect any resultant decreases, the county shall issue the amount shown on timely notice without disallowing the unverified deduction.

If no change in income has occurred, send a timely DFA 377.4, checking only the "Proposed Change in Benefits" box as a reminder to the household that verification/information of deduction(s) is missing.

- o If verification/information is received too late to effect any resultant decreases, issue previous month's allotment.

OPTION 2: The county must act upon a complete CA 7 which reports changes in income or other eligibility factors, and will disallow any unverified deduction(s).

If income or other eligibility factors are involved, send a timely DFA 377.4 (may be a combination NOAA and reminder notice) informing the household that the allotment has changed because of increased income and also reflect the effect of the disallowance of the unverified deduction(s).

- o If verification/information is received before the extended filing date, issue a supplement to reflect correct deduction amount(s) if the county cannot include in the household's normal issuance.

If no change in income has occurred, send a timely DFA 377.4 informing the household of the effect of the disallowance of the unverified deduction(s) on the allotment amount.

- o If verification/information is received before the extended filing date, issue a supplement to reflect correct deduction amount(s) if the county cannot include in the household's normal issuance.

Each county using Option 2 must ensure that the Notice of Change is timely, and the explanation is adequate. This means that the notice must inform the household in easily understood language, of the reason for the proposed change; how to remedy the negative action, if appropriate, and the effect the remedy will have on the allotment level; what the extended filing date is; and that the county will assist recipient, if necessary. The county will also be responsible for modifying the DFA 377.4 if it is to be used as a combination NOAA and Reminder Notice. Suggested notice language is contained in ACLs 84-19 and 84-47.

It is our intent that these modifications will offer the counties flexibility in terms of administration, and avoid conflict in the regulations not directly related to the Saldivar decision. If there are any questions, please call the Food Stamp Policy Implementation Bureau at (916) 445-6907.

Kyle S. McKinsey

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Deputy Director

cc: CWDA