

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



March 13, 1997

COUNTY FISCAL LETTER (CFL) NO. 96/97-47

TO: COUNTY WELFARE DIRECTORS  
COUNTY FISCAL OFFICERS  
COUNTY AUDITOR CONTROLLERS  
COUNTY PROBATION OFFICERS

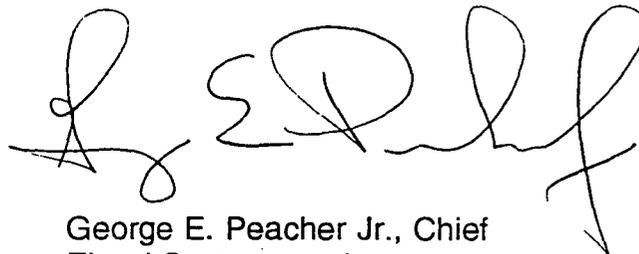
SUBJECT: Assistance Expenditures Claiming Limit

REFERENCE: CFL 90/91-46

In response to county inquiries and in order to more effectively capture case status changes and subsequent adjustments to assistance payment expenditures, the California Department of Social Services (CDSS), in partnership with the California Welfare Director's Association (CWDA), has recently engaged in a reexamination of the 9-month assistance claiming limit requirement. This included a review of the provisions of Welfare and Institutions Code (WIC) Section 10604.5 (attached) to determine whether assistance claiming limits should be extended to 18 months, consistent with the original intent that the 9-month claiming limit apply only to administrative expense claims.

Because of these efforts, the CDSS has determined that the fiscal claiming policy should be revised to establish an 18-month claim adjustment limit for assistance claims. This policy becomes effective with the December 1996 quarter, the same quarter in which the CWDA Fiscal Committee reopened this issue. Under this new policy, and although adjustments to claims previously filed for the June 1995 quarter (April through June 1995) would have been due no later than December 1996, the Department will allow a one-time extension, based on the CWDA Fiscal Committee's request date for reconsideration.

In order to satisfy Federal (two-year) reporting requirements, **adjustments to June 1995 quarter assistance claims must be submitted as part of, and no later than, the February 1997 assistance claim.** Normal backup documentation rules will continue to apply for all assistance Claims submitted for reimbursement. If you have any questions regarding this letter, please call the Fiscal Policy Bureau at (916) 657-3440.

A handwritten signature in black ink, appearing to read "G. Peacher Jr.", written in a cursive style.

George E. Peacher Jr., Chief  
Fiscal Systems and  
Accounting Branch

c: CWDA

Attachment

§ 10600. Supervisory agency

## ATTACHMENT

## Cross References

State department of health services, see Health and Safety Code § 100100 et seq.

## § 10604.5. County claims for reimbursement; time limitations

\* \* \* (a) (1) Exclusive of county claims associated with the Child Support Program, commencing July 1, 1992, the department shall pay only those county claims for federal or state reimbursement under this division which are filed with the department within nine months of the end of the calendar quarter in which the costs are paid. \* \* \* A claim filed after that time may only be paid if the claim falls within the exceptions set forth in federal law. Any claim filed with the department after July 1, 1985, shall be subject to these limitations.

(2) The department may change the nine-month limitation specified in paragraph (1), as deemed necessary by the department to comply with federal changes which affect claiming time limits.

(b) (1) The department may waive the time limit imposed by subdivision (a) if the department determines there was good cause for a county's failure to file a claim or claims within the time limit.

(2) (A) For purposes of this subdivision, "good cause" means circumstances which are beyond the county's control, including acts of God and documented action or inaction by the state or federal government.

(B) "Circumstances beyond the county's control" do not include neglect or failure on the part of the county or any of its offices, officers, or employees.

(C) A county shall request a waiver of the time limit imposed by this section for good cause in accordance with regulations adopted and promulgated by the department.

(3) The department's authority to waive the time limit under this subdivision shall be subject to the availability of funds and shall not apply to claims submitted beyond 18 months after the end of the calendar quarter in which costs were paid.

(Amended by Stats.1991, c. 611 (A.B.1491), § 73, eff. Oct. 7, 1991.)

## § 10604.6. Filing time; limitations

(a) The department shall pay only those claims for federal or state reimbursement under this division which are filed with the department within 18 months after the end of the calendar quarter in which the costs are paid.

(b) Any claim which is filed after the time specified in subdivision (a) may be paid only if an exception under federal law applies to that claim.

(Added by Stats.1991, c. 611 (A.B.1491), § 74, eff. Oct. 7, 1991.)

## § 10605.2. County probation departments; failure to comply with code or regulations; placement activity

If the director believes that a county probation department is substantially failing to comply with any provision of this code or any regulation pertaining to the placement activities required to be performed by the probation department to ensure that the needs of wards in placements whose board and care is funded through the Aid to Families with Dependent Children-Foster Care program are met, and the director determines that formal action may be necessary to secure compliance, he or she shall inform the chief probation officer, the presiding judge of the juvenile court, and the board of supervisors of that failure. The notice to the chief probation officer, the presiding judge of the juvenile court, and board of supervisors shall be in writing and shall allow the county probation department a specified period of time, not less than 30 days, to correct its failure to comply with the law or regulations. If within the specified period the county probation department does not comply or provide reasonable assurances in writing that it will comply within the additional time as the director may allow, the director may take one or both of the following actions:

(a) Bring an action for injunctive relief to secure immediate compliance.

Any county probation department that is found to be failing in a substantial manner to comply with the law or regulations pertaining to placement activities required to be performed by the probation department to ensure that the needs of wards in placement whose board and care is funded through the Aid to Families with Dependent Children-Foster Care program are met, may be enjoined by any court of

Additions or changes indicated by underline; deletions by asterisks \* \* \* 71234.1123