

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814
(916) 323-3401



July 25, 1984

ALL-COUNTY INFORMATION NOTICE NO. 1-71-84

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: THE CONVERSION OF ALL COUNTIES TO INTAKE COUNTIES FOR RECEIPT
OF WRITTEN STATE HEARING REQUESTS

REFERENCE:

The purpose of this letter is to notify counties that the Department of Social Services (SDSS) has made a decision to convert all counties to intake counties for receipt of written state hearing requests. Oral requests will continue to be received directly by SDSS staff in Public Inquiry and Response.

SDSS is currently drafting regulations to implement this process. SDSS anticipates that these regulations can be filed on an emergency basis in time to establish a proposed implementation date of January 1, 1985. An emergency filing is necessary to ensure that SDSS is able to implement existing state regulations now permanently enjoined by the ruling issued in Saldivar v. McMahon. SDSS does not expect this change will necessitate any increased cost to counties based upon the experience of counties which have converted to intake status in the past.

Once implemented, this change should benefit counties by allowing them more time to process appeals and should greatly reduce first-of-the-month calls from recipients inquiring about the status of the aid paid pending (APP), calls which have been caused by the current delay in notifying counties of hearing requests. In conjunction with this change, the five-working-day standard for providing aid paid pending required in the Food Stamp Program will be extended to all other programs. Under the all-county intake system, SDSS will orally notify counties of the existence of an oral hearing request received directly by SDSS within one working day from the date the hearing request is received. It is anticipated that this will provide sufficient lead time (four working days) for the counties to comply with the five-working-day requirement for implementation of aid paid pending. Some written hearing requests will be sent to SDSS by mistake. SDSS will forward these requests to the counties within one working day of receipt of the request. The five-day standard to issue APP will begin on the date the CWD receives notification of the request.

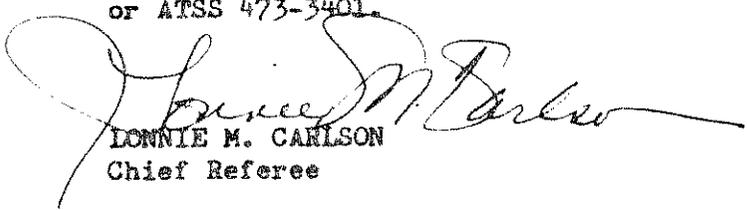
There are a number of procedural requirements and responsibilities which will have to be implemented by counties in order for the process to work smoothly. These are set forth as follows so that you can begin planning for implementation:

1. The reverse side of all Notices of Action shall be revised to reflect the address in the county where the claimant can send his/her state hearing request.
2. The county shall date stamp the state hearing request on the date of receipt at the county offices; the request shall be date-stamped by the county immediately that same day.
3. County staff shall photocopy each state hearing request and mail the original request and envelope to Sacramento, keeping the photocopy for their records. County staff are not to cut off the stamps on envelopes containing state hearing requests.
4. The county shall determine whether each request for state hearing meets the conditions for aid pending as set forth in MPP Section 22-023.11, and shall initiate the appropriate action within the stated time frame.
5. All state hearing requests will be forwarded to the Department of Social Services within three days of receipt.
6. State hearing requests will be batch mailed daily in specially marked envelopes along with a transmittal list of the cases attached to the State Hearing Support Section, M.S. 6-100.

SDSS will provide counties with information on future developments concerning the all-county intake process as they occur, but our main purpose in issuing this All-County Information Notice is to notify you of SDSS's decision and to provide you with this preliminary information for your planning purposes.

Information concerning the changes required by this decision to the Notices of Action back will be provided in a separate All-County Letter. Counties wishing to convert to an intake county status prior to January 1, 1985 should contact the Central Review Unit for information on how this may be accomplished.

If you have any questions, please contact the Central Review Unit at (916) 323-3401 or ATSS 473-3401.


 LONNIE M. CARLSON
 Chief Referee

cc: CWDA