

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 13, 1987

ALL-COUNTY INFORMATION NOTICE No. I-102-87

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: EMERGENCY ASSISTANCE PROGRAM

REFERENCE: ALL-COUNTY LETTER 86-24, March 21, 1986

The purpose of this letter is to inform you of the status of the Emergency Assistance (EA) Program and to clarify County liability for costs of deferrals of Federal EA Funds.

On January 30, 1987, the State Department of Social Services (SDSS) submitted to the Department of Health and Human Services (DHHS) the State plan amendment necessary to implement the proposed EA program redesign. Federal regulations require that action to approve or disapprove plan amendments be taken within 90 days of their receipt by DHHS. However, DHHS has yet to take action to approve or disapprove the EA State plan amendment. We have been told informally by DHHS Region IX that the plan amendment may be disapproved. We were not informed of the basis for the possible disapproval. SDSS believes in the proposed EA redesign and will take whatever action is necessary to obtain approval of the amendment. We do not know when approval will occur and must anticipate that the current program will remain in effect indefinitely. We will keep you advised of future activities regarding EA redesign.

DHHS continues to defer Federal EA funds. These deferrals are based upon a combination of State noncompliance issues and County errors. It is SDSS' policy that State funding be provided to replace Federal EA funds deferred or disallowed because of State requirements which were not in compliance with Federal requirements, and that counties be financially responsible for County errors.

Because of the policy that no funding will be made available for costs of deferrals based upon County errors, it is incumbent upon counties to reduce EA eligibility errors in order to minimize the impact of the loss of Federal EA funding. SDSS released All County Letter (ACL) 86-24 (attached) in March 1986 to assist counties in taking steps to insure proper implementation of EA.

ACL 86-24 should be reviewed and used as the basis for any corrective action taken. Should you have any questions regarding services requirements for EA-Family Services and EA-Emergency Shelter Care, please contact the Adult and Family Services Operations Bureau at (916) 445-0623. Questions concerning EA-Foster Care should be directed to the Foster Care Program Bureau at (916) 445-0813. Questions regarding EA-Unemployed Parents should be directed to the AFDC Food Stamp Policy Implementation Bureau at (916) 445-7046.



ROBERT A. HOREL
Deputy Director
Welfare Program



ROBERT GARCIA
Deputy Director
Administration



LOREN D. SUTER
Deputy Director
Adult and Family Services

Attachment

cc: CWDA

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814
(916) 445-0813



March 21, 1986

ALL-COUNTY LETTER NO. 86-24

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: EMERGENCY ASSISTANCE PROGRAM

This is to inform you of the status of the Emergency Assistance (EA) Program in California and to provide instructions to assist you in its operation. The Department of Health and Human Services (DHHS) has raised a number of program concerns and has been deferring federal funds for certain expenditures in the EA Program since its implementation in July, 1982. To date, the deferrals total approximately \$12 million. These deferrals have developed into a critical fiscal problem for both this Department and the counties.

In order to resolve the concerns expressed by DHHS and to avoid future deferrals, the State Department of Social Services (SDSS) is working to restructure the EA Program. In the interim, the following information restates and clarifies existing EA Program instructions released to counties in previous All-County Letters and, in addition, provides information on issues not previously addressed. Except where noted, these provisions affect all EA-Abused, Neglected, and Exploited Children (EA-ANEC) components. The provisions dealing with one issuance of EA per family, central listing requirements, and utilization of family income and resources also apply to the EA-Unemployed Parent (EA-UP) component of EA.

Adherence to these instructions is essential to avoid deferrals or disallowances of federal funding. All disallowances resulting from counties' failure to comply with SDSS instructions will result in reductions in EA funding to the affected counties.

APPLICATION (SOC 349) COMPLETION

As stated in All-County Letter (ACL) 83-31, dated March 30, 1983, the Emergency

Assistance Application/Eligibility Determination form (SOC 349) is essential to the claiming of emergency assistance funds. It is imperative that this form be accurately and fully completed for each emergency assistance case. As stated in the instructions on the reverse of the SOC 349, the social worker and/or eligibility worker must complete and sign all applicable portions of the form.

All information requested in each appropriate section of the form must be completed (each line and box filled in, signature and date lines completed, etc.). Because the SOC 349 is both an application form and an eligibility determination form, all eligibility determination activities must take place and be documented within the 30-day period indicated in Sections A and F of the form. (See page 3, Beginning Date of Aid and Authorization of Aid, below.) The following form sections must be completed for each corresponding EA component:

<u>SOC 349 Section</u>	<u>EA-ANEC Component</u>
A,B, and F	All components
C	EA - Family Services (EA-FS)
D	EA - Emergency Shelter Care (EA-ESC)
E	EA - Foster Care (EA-FC)

All supporting documentation must be maintained in the appropriate case record (services time log in services case, income and resources documentation in income maintenance case). This may include the CA 2 or FC 2 completed for AFDC families determined eligible for EA-ANEC.

ONE ISSUANCE OF EMERGENCY ASSISTANCE PER FAMILY UNIT

State Emergency Assistance regulations require that EA be issued to a family for no more than one 30-day period in a given 12-month period (Eligibility and Assistance Standards (EAS) Sections 41-500.62, 45-402.11(d), and 45.403.2). Therefore, one provision of EA (cash assistance and/or services) to a family or family member exhausts EA eligibility for the entire family for a 12-month period. Issuance of EA to family member(s) who would otherwise be included in an EA Assistance Unit except for his/her removal from the family household also exhausts the family's EA eligibility.

CENTRAL LISTING REQUIREMENT

As discussed above, one EA eligibility requirement is that EA must not have been received within the past 12 months. In order to prevent the granting of

EA more than once in a 12-month period and to assure EA eligibility, counties should maintain a central listing which identifies families who have received EA within the 12-month period preceding the month for which application for the EA Program is made.

UTILIZATION OF FAMILY INCOME AND RESOURCES

Emergency Assistance is to be issued on the basis of the family unit. For that reason, eligibility for the family or any individual family member is to be based upon the income and resources of the entire family. If the family is currently receiving AFDC, eligibility documentation from the AFDC case may be used as supporting documentation in the EA income maintenance case record. If EA is granted to a family/family member not receiving AFDC, the income and resources of the family must be identified and supporting documentation maintained in the EA income maintenance case record. Where income/resources cannot be determined, the case is not EA eligible.

BEGINNING DATE OF AID FOR EA-ESC

It is a federal requirement that no aid be paid prior to the application for assistance. This is a requirement for all EA cases. Current EA regulations (EAS 45-403.1(b)) have as the beginning date of aid for EA-ESC the first day of an otherwise eligible child's placement into emergency shelter. The Department is in the process of making a regulations change to make the EA-ESC beginning date of aid the date of application. Counties are advised to make EA-ESC effective the date of application rather than the date of placement pending implementation of the regulations change.

AUTHORIZATION OF AID

Federal Financial Participation is not available when EA is authorized retroactively. For that reason, authorization for EA must occur within the 30-day period following the date of application for aid. Benefits authorized subsequent to the 30-day aid period are not eligible for reimbursement under the EA Program.

EA SERVICES TIME DOCUMENTATION

The services case worker is to maintain a log of services time expended for each emergency assistance case. The log must be retained in the emergency assistance case record, and shall be maintained on an ongoing basis during the 30-day aid period. This log is necessary to provide the case by case identification and documentation of EA services time expended.

ABATEMENTS

Abatements are to be applied immediately upon the discovery that improper EA payments have been made. The abatements are to include the costs of social services (direct and allocable) provided to ineligible and the cash grant overpayments.

The EA Services Time Log is to be used to identify the number of hours that were incorrectly charged to the EA Program. The ratio of ineligible hours to total hours reported to the EA Program for the quarter will be applied to the total EA Costs (excluding direct costs) to determine the quarterly costs not eligible for EA funding. These costs must be abated on the Administrative Claim. In addition, direct services costs (Shelter Care) which have been erroneously charged against the EA Program must also be abated.

The costs to be abated must be developed on a quarterly basis, consistent with the claiming requirements. However, costs may be summarized on a fiscal year basis and reported on the June quarter claim format. Counties are to maintain the detailed breakdown identifying ineligible costs at the county level.

Ineligible EA costs are to be reflected on the Direct Cost Detail Schedule (DFA 325.1B), Operating Costs, as a negative adjustment against the EA Program. An offsetting positive adjustment is to be reflected against the Emergency Response component of the CWS Program. Example:

100	Unallowable hours reported to EA (based on the Services Time Log) for the quarter
1,500	EA hours reported on the Social Services Time Study Summary (DFA 47) for the quarter
\$50,000	Total EA costs (excluding direct costs)
$100 \div 4,500 (1,500 \times 3 \text{ months}) = .02$ $\$50,000 \times .02 = \$1,000$. unallowable EA costs to be abated.	

The ineligible cash grant payment is to be reflected on the Summary Report of the Assistance Expenditures FA - Foster Care (EA-FC) Report (SOC 800) Transferring the costs from the SOC 800 Line 9 to the appropriate Program Summary Document.

RETAINER FEES

EA funding is available only for services and benefits provided to recipients

of EA. Retainer fees which keep a bed available during the month are not related to a child's status or days in placement and, therefore, are not allowable for funding under the EA Program. These costs are to be claimed against the county's CWS allocation.

CLOTHING ALLOWANCE

Costs of clothing allowances is not allowable as a direct charge to the EA-ESC Program. Clothing allowance costs in EA-ESC are to be reported to the Other County Only Program (OCOP).

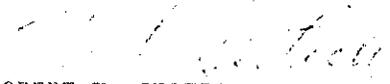
ALTERED RECORDS

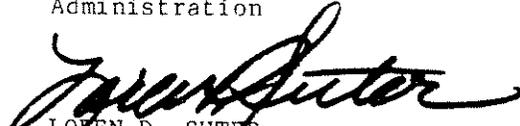
During the DHHS reviews, cases requested were reviewed by county staff prior to submittal for the federal review. In some of the instances, case documentation was altered so that an audit trail did not exist. Counties are reminded not to alter documents.

Counties remain totally responsible for proper determinations, claiming, and documentation related to the EA Program. Immediate action at the county level is imperative if future deferrals are to be alleviated and federal concerns regarding program issues allayed. Based upon the instructions contained in this letter, counties are to review all aspects of their EA Programs in order to assure compliance with EA Program requirements.

Should you have any questions regarding EA-Family Services and EA-Emergency Shelter Care, please contact Family and Children Services Policy Bureau at (916) 322-6333 (ATSS 492-6333). Questions concerning EA-Foster Care should be directed to the Foster Care Program Management Bureau at (916) 445-0813 (ATSS 485-0813). Questions regarding EA-Unemployed Parent should be referred to the AFDC Food Stamp Policy Implementation Bureau at (916) 322-5330 (ATSS 492-5330). For any questions concerning fiscal claiming contact Fiscal Policy and Procedures Bureau at (916) 445-7046 (ATSS 485-7046).


ROBERT A. HOREL
Deputy Director
Welfare Program Division


ROBERT T. SERTICH
Deputy Director
Administration


LOKEN D. SUTER
Deputy Director
Adult and Family Services

cc: CWDA