

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



August 30, 2001

ALL-COUNTY LETTER NO. 01-60

TO: ALL COUNTY WELFARE DIRECTORS
ALL SPECIAL CIRCUMSTANCE 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: CHANGES TO THE SPECIAL CIRCUMSTANCES PROGRAM (SCP)

REFERENCE: ACL 98-74; MANUAL OF POLICY AND PROCEDURES (MPP) 46-400
AND MPP 49-000

The purpose of this All-County Letter (ACL) is to inform counties of the effects of recent law changes to the SCP made by the Fiscal Year 2001/02 Social Services budget trailer bill, Assembly Bill (AB) 429, Chapter 111, Statutes of 2001.

BACKGROUND

The Budget Act of 1998 reinstated the SCP to provide a limited cash allowance to qualifying Supplemental Security Income/State Supplementary Payment (SSI/SSP) recipients, including In-Home Supportive Services (IHSS). The SCP allowance is also available to recipients of the Cash Assistance Program for Immigrants (CAPI). The SCP allowance is available to assist these recipients in specified "special circumstances," which include circumstances that are not common to all recipients and are of a nonrecurring nature, specific to the recipient's individual situation. Under the program, an allowance could be paid for items such as replacement or repair of essential household furniture, appliances, equipment, supplies, and clothing when lost, damaged, or destroyed by a catastrophe; for necessary moving expenses; for required housing repairs or modifications; and for certain unmet shelter needs, including a one-time payment to prevent foreclosure.

The California Department Social Services (CDSS) regulations governing the SCP (Chapter 46-400 through 46-425, Aid Recoveries and Special Circumstances, Manual of Policies and Procedures) were originally issued in 1989. No changes were made to the regulations when the program was repealed and reinstated.

SCP PROGRAM CHANGES

AB 429 made the following changes to the SCP laws:

- Amended Welfare and Institutions Code (WIC) Section 12550.1 to specify that SCP allowance payments are excluded for purposes of determining income of IHSS and CAPI applicants. This simply codifies current department practice.
- Added WIC Section 12502 to prohibit the use of any additional income or resource limits when determining SCP eligibility, beyond those used to determine eligibility for IHSS, CAPI, or SSI/SSP. The same resource limits that apply to IHSS and CAPI will now apply to the SCP.
- Amended WIC Section 12550(a) to allow the purchase of essential household furniture and equipment, and clothing in addition to the repair or replacement of those items. It also clarifies that the term “equipment” includes appliances. The necessity for a catastrophe has been eliminated from the definition of “special circumstances.”
- Added WIC Section 12552.1(a) to allow counties to transfer funds from their SCP administrative allocations to their benefit allocations in order to provide additional benefits to clients, to the extent that administrative savings are achieved. This simply codified current department practice.
- Changed the maximum SCP allowance for the following SCP categories as follows:
 - Increased the maximum amount for purchase, repair, or modification of housing, or to prevent foreclosure, or for relocation expenses from \$750 to \$1,500;
 - Increased the maximum amount for purchase, repair, or replacement of essential household equipment, including appliances, from \$405 to \$600;
 - Increased the maximum amount for purchase, repair, or replacement of bedding and mattresses from \$143 to \$300; and
 - Increased the maximum amount for purchase, repair, or replacement of clothing from \$113 to \$250.

REGULATIONS

AB 429 allows the department to issue emergency regulations to reflect these statutory changes, and the department will issue emergency regulations for this purpose in the near future. The regulations will continue to provide that the maximum allowance for all categories, other than the prevention of foreclosure, is determined on an annual basis. The allowance for prevention of foreclosure will continue to be allowed one-time only.

FISCAL IMPACT

On July 26, 2001, the Governor signed the 2001-02 Budget Act in which the SCP budget allocation was reduced by \$3.3 million (General Fund) leaving only \$5 million (General Fund) in total funding. The Department's County Financial Analysis Bureau will provide more information about the county budget allocations in County Fiscal Letter (CFL) No. 01/02-06 dated August 8, 2001.

REPORT TO THE LEGISLATURE

AB 429 require CDSS to gather information from counties and report to the Legislature by March 1, 2002, on which counties transferred funds from their administrative allocation to their benefit allocation. In the near future we will be providing further instructions regarding the collection of information needed for the report.

IMPLEMENTATION

All SCP changes made by AB 429 became operative on July 1, 2001.

If you have any questions regarding the SCP, please contact Rolonda Moen, Program Analyst at (916) 229-4598.

Sincerely,

***Original Document Signed By
Donna L. Mandelstam on 8/30/01***

DONNA L. MANDELSTAM
Deputy Director
Disability and Adult Programs Division