DEPARTMENT OF SOCIAL SERVICES
744 P Street
Sacramento, California 95814
Telephone: (916) 445-0633

February 26, 1982

ALL-COUNTY LETTER NO. 82-17

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: Notice of Action Language for Implementing Loss of $30 and 1/3 Earned Income Disregard After Four Consecutive Months

REFERENCE:

For use in notices of action implementing the termination of the $30 and 1/3 earned income disregard to recipients who have received the disregard for four consecutive months, you should use the following language, which has been approved by the court in Turner v. Woods.

"The $30 and 1/3 earned income disregard may be allowed for only four consecutive months for each AFDC recipient in your family with earned income. Any month in which the $30 and 1/3 disregard was not allowed because you failed to return your CA 7 on time, or any month that you request discontinuance for the purpose of avoiding the four month limit on the $30 and 1/3 is counted as one of the four consecutive months. The $30 and 1/3 disregard expires on the 1st of next month for _____ (name(s)). The four consecutive months were _____ (month), _____ (month), _____ (month), and _____ (month).

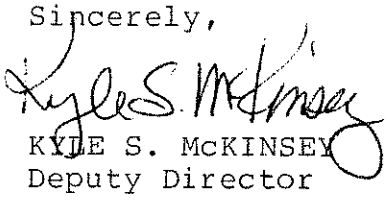
/_/ We have determined that the request for discontinuance of aid in the month of _____ was for the purpose of avoiding the four month limit."

The above language should be included in the "Reason(s) for the Action" section of Form NA 294(12/81) or its equivalent.

The notice of action must, of course, be complete. It must contain a statement of the proposed action, the grant recomputation, any additional reasons or comments for a grant or aid change because of other changes in the family budget unit or its income, and appropriate regulation citations.

The regulation citations for the termination of the $30 and 1/3 earned income disregard after four consecutive months are MPP sections 44-111.23 and 44-207.32. Citation to P.L. 97-35 is not adequate.

Sincerely,



KYLE S. McKINSEY
Deputy Director

cc: CWDA