

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



September 30, 1993

ALL-COUNTY LETTER NO. 93-77

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order or Settlement Agreement
- Clarification Requested by One or More Counties
- Initiated by CDSS

SUBJECT: PROCEDURES REGARDING IN-HOME SUPPORTIVE SERVICES (IHSS) RECIPIENTS DISCONTINUED FROM THE SUPPLEMENTAL SECURITY INCOME/STATE SUPPLEMENTARY (SSI/SSP) PROGRAM AS OF 9-1-93

REFERENCE: ALL-COUNTY LETTER NO. 93-55

We have received requests for procedures to address share-of-cost computations for IHSS recipients discontinued because of the SSI/SSP benefit reductions identified in Chapter 69, Statutes of 1993 (Senate Bill 35). This All-County Letter (ACL) is to provide you with the following:

- Notification of IHSS share-of-cost exemptions for IHSS recipients recently terminated from the SSI/SSP Program.
- Instructions regarding changes in aid codes.
- Identification of required forms.
- Procedures regarding retroactive underpayments.

**I. Share-of-Cost Exemptions for IHSS Recipients Discontinued From the SSI/SSP Program on 9-1-93**

**Personal Care Services Program Recipients.** Chapter 69 caused some IHSS recipients to lose their SSI/SSP benefits on September 1, 1993, due to the 2.7 percent SSI/SSP grant reductions. Personal Care Services Program (PCSP) recipients, however, will continue to be considered categorically needy, and thus continue to be eligible for PCSP without a share-of-cost until their incomes exceed the SSI/SSP grant levels that existed prior to September 1, 1993.

**Residual IHSS Recipients.** Affected recipients of the IHSS residual program that lost their SSI/SSP benefits on September 1, 1993, as a result of the 2.7 percent grant reductions, will continue to be eligible for IHSS without a share-of-cost. This share-of-cost exemption will continue until their incomes exceed the SSI/SSP grant levels that existed prior to September 1, 1993.

**Title II (Social Security Retirement) Cost-of-Living Adjustments (COLAs).** As a result of the anticipated Title II COLAs effective on January 1, 1994, many IHSS recipients discontinued from SSI/SSP on September 1, 1993 may be required to pay an IHSS share-of-cost. Accordingly, recipients formerly considered categorically needy under the PCSP may then be considered medically needy, and ineligible for PCSP, after the Title II COLA is provided. Those affected recipients will then revert to residual IHSS. Further instructions will be provided on the treatment of the January COLAs.

## **II. Aid Codes**

A listing of all IHSS cases whose SSI/SSP benefits were terminated as a result of the SSI/SSP grant reductions will be sent to IHSS Program Managers with an advance copy of this All-County Letter. All PCSP cases have a "P" indicator by the recipient's name. Existing Medi-Cal aid codes of 14, 24 and 64 for the aged, blind and disabled categories, respectively, will be used for all affected cases to identify those recipients who are "held harmless" from incurring an IHSS share-of-cost as a result of the SSI/SSP grant reductions. Those affected cases with aid codes of 10, 20 and 60, prior to September 1, 1993, will be automatically converted to aid codes 14, 24 and 64 in CMIPs around the beginning of October. Thus, for those cases, no data entry of the new aid codes is required by counties. Medi-Cal cards for the affected cases will continue to be generated by the Department of Health Services.

Those affected cases that had been converted to aid codes 18, 28 or 68 cannot be automatically changed to aid codes of 14, 24 or 64. We will produce an exception report of these cases.

## **III. Required Forms**

For any case erroneously converted to a share-of-cost, the IHSS Assessment Form (SOC 293) should be revised to:

- Enter 14, 24 or 64 in Aid Code Field (A3).
- Enter future share-of-cost date (I1).
- Delete all other share-of-cost data (I2 through K5).
- Enter NOA message number 535 in Rsn. Cd. field (ZZ2) which states:

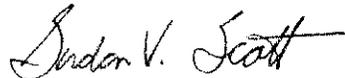
"A prior notice required you to pay an IHSS share-of-cost because of State law reductions to the SSI/SSP benefit levels. Contrary to that notice, you do not have to pay an IHSS share-of-cost. This is because of a special exclusion for IHSS recipients who lost their SSI/SSP benefits on September 1, 1993 and were not required to pay an IHSS share-of-cost before that date. W&IC 14005.21 and 12200.015, MPP 30-755.3".

- Enter or re-key a begin date in Beginning Date Field (ZZ3).

#### IV. Retroactive Underpayments

Underpayments could occur to the extent that affected recipients were charged a share-of-cost. County Welfare Departments (CWD) will be responsible for correcting any underpayments. Please refer to Program Regulations Section 30-768 for underpayment procedures.

If you have questions regarding this letter, please contact the Policy analyst assigned to your county. Refer to ACIN, I-24-93, for your analyst's phone number or call the Adult Services Policy Bureau at (916) 657-2143. For questions regarding CMIPS procedures, please contact Marshall Browne at (916) 657-2200.



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c: CWDA