

## ParaReg Headnotes

### 600-699 Social Services

- 600-1 Definition of "recipient", which includes applicants when clearly implied by regulatory context ([30-701\(r\)\(1\)](#))
- 600-2 Definition of "minor" ([30-701\(m\)](#))
- 600-3 Definition of "spouse" ([30-701\(s\)\(4\)](#))
- 601-1 Notices involving service programs must be provided on a timely basis ([10-116.3](#))
- 601-2 Circumstances under which notices are to be provided in service programs ([10-116.1](#))
- 601-3 Approval notices requires an effective date ([10-116.41](#))
- 601-4 Notice to recipient decreasing service requires county to detail circumstances which led to proposed change, cite regulations, explain aid pending ([10-116.42](#), [.43](#))
- 601-5 Persons who do not have right to state hearings ([10-117.4](#))
- 602-1 Requests for IHSS must be made in accordance with 30-009 ([30-759.1](#))
- 602-2 Definition of intercounty transfer, transferring county, and receiving county ([30-701\(i\)\(1\)\(A\)](#), [\(B\)](#))
- 602-3 Definition of transfer period ([30-701\(i\)\(1\)\(C\)](#), [\(D\)](#))
- 602-4 No interruption or overlapping of services during IHSS transfer period; responsibility of transferring county ([30-759.9](#), [.92](#))
- 602-5 Receiving IHSS county shall complete service assessment, and continue benefits (unless there has been a substantial change in living arrangements) ([30-759.94](#))
- 602-6 County of responsibility during transfer period when IHSS recipient files a hearing request ([30-759.5](#))
- 603-1 Requirement to send notice of assessment ([W&IC 12300.2](#))
- 603-2 CDSS position is that IHSS recipient, who receives personal care services, and is an eligible recipient must sign a form SOC 426. Failure to sign the form results in loss of personal care and ancillary services (ACWDL 99-13, 99-25; 30-757.1; W&IC 12300(f), [14132.95](#))
- 603-2A State law and regulations do not permit person eligible for personal care services under PCSP to receive IHSS for those services (30-757.1; W&IC 12300(f), [14132.95](#); ACL 99-25)
- 603-3 CDSS policy, regarding noncompliance to respond to notice to submit SOC 426, is to send additional notice before discontinuing ([ACL 99-25](#))
- 603-4 County of responsibility during transfer period when IHSS recipient files a hearing request ([30-759.5](#))
- 603-5 County duty to have regulations, ACLs, W&IC, other public social service laws, in waiting or reception room in each central or district county office ([Handbook 17-017](#))
- 603-6 Record retention requirements in Social Services (ACL 00-38; [10-119.2](#), [23-353-356](#))
- 604-1 County must act with courtesy, consideration, and respect ([W&IC 10500](#))
- 608-1 Civil rights laws must be complied with ([30-700.4](#))

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- 610-1 Counties are responsible for assisting applicants and recipients of service programs ([30-760.2](#))
- 611-1 Definition of disability ([30-771.3, .4](#))
- 611-2 Eligibility limited to persons living in own home and who meet SSI/SSP eligibility criteria ([30-755.113](#))
- 611-2A Non-citizen victims of human trafficking, domestic violence and other serious crimes potentially eligible for IHSS-Residual ([30-770.51](#))
- 611-3 Safety as standard in need determination (30-700.1; [W&IC 12300](#))
- 611-4 Rules pertaining to applications for service programs ([30-009.22](#))
- 611-5 Effective date of eligibility in service programs ([30-009.231](#))
- 611-6 Eligible individuals must be U.S. citizens or eligible aliens ([30-770.41](#); W&IC 11104)
- 611-7 Federal rules on establishing permanent residence and PRUCOL status ([20 CFR 416.1615, 416.1618](#))
- 611-8 Non-SSI recipients must meet state or federal standards to qualify for IHSS ([30-770.1, .2](#))
- 611-9 CDSS policy is to apply SSI/SSP rules to IHSS in regard to transfer of resources for less than FMV, and for counting assets held in trust as resources, without notice to the applicant/recipient or without regulatory change ([ACL 00-35](#))
- 611-10 Non-citizens who are LAPRs or considered to be PRUCOL are potentially eligible for IHSS-R ([ACIN I-18-08](#))
- 612-1 Definition of "severely impaired" individual ([30-701\(s\)\(1\), 30-757.14](#))
- 612-2 Maximum hours for severely impaired person; definition of "severely impaired person"; no dollar limits on IHSS payments as of 4/14/00 ([30-765.11 and Handbook 30-765.111](#), 30-701(s)(1))
- 612-3 Severely impaired IHSS recipients are entitled to receive advance payments. Responsibility of such recipients to submit provider's timesheets ([30-769.73](#))
- 612-4 Maximum hours for nonseverely impaired individual; no dollar limits on IHSS payments as of 4/14/00 ([30-765.11 and Handbook 30-765.121](#))
- 612-5 Under IHSS-R, NSI maximum hours are 195, SI maximum hours are 283 ([ACIN I-28-06](#))
- 612-6 MSSP waiver allows MSSP to grant hours above statutory IHSS maxima if maxima has been reached, and to exclude MSSP as an alternative resource when maxima IHSS not authorized (W&IC 9562(b); [ACL 00-34](#))
- 613-1 Definition of "own home" ([30-701\(o\)\(2\)](#)), renumbered from 30-753(o)(2), 11/14/98, revised 3/27/00; reinstated 3/27/00 per *Lubahn v. Saenz*)
- 613-1A Statutory requirement that IHSS/PCSP recipient must live in his/her home or abode of choice ([W&IC 12300\(a\)](#))
- 613-1B Interpretation of "home" and dictionary definition of abode (*Nadler v California Veterans Board*; Random House Websters College Dictionary)
- 613-1D Emergency regulation 30-701(o) prohibited, enjoined, stayed, as of 6/2/00 (*Lubahn v. Saenz*)
- 613-2 Definition of "shared living arrangement" ([30-701\(s\)\(2\)](#)), renumbered from 30-753(s)(2), 11/14/98)

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- 613-3 Definition of "housemate" ([30-701\(h\)\(2\)](#)), renumbered from 30-753(h)(2), 11/14/98)
- 613-4 Definition of "landlord/tenant living arrangement" ([30-701\(l\)\(6\)](#)), renumbered from 30-753(l)(1), 11/14/98)
- 613-5 Definition of "live-in provider" ([30-701\(l\)\(3\)](#)), renumbered from 30-753(l)(3), 11/14/98)
- 613-6 Proration of related services ([30-763.32](#))
- 613-6A Recipient may have meals prepared separately because he/she chooses to eat separately ([ACL 08-18](#))
- 613-7 Need in shared living arrangements, domestic services, and heavy cleaning ([30-763.31](#))
- 613-8 Needs are not to be prorated counting son/daughter under 14 as part of household, for domestic and heavy cleaning in common areas, and for related services ([30-763.46](#))
- 614-1 When IHSS recipient under 18 living with parent(s) may receive IHSS with parent as provider ([30-763.451](#))
- 614-2 If both parents in the home, a parent may receive IHSS provider payments in certain situations ([30-763.453](#))
- 614-3 If both parents in home, and recipient under 18, a provider may be paid for IHSS in certain circumstances ([30-763.441-.444](#))
- 614-4 Services a parent provider can be paid to provide ([30-763.454](#))
- 614-5 Services for children based on disability, not age ([W&IC 12300\(a\); ACIN I-28-06](#))
- 614-6 Able and available spouse, when services authorizable ([30-763.41](#))
- 614-6A Spouse defined for PCSP, IPW and IHSS-R ([ACL 08-18](#))
- 616-1 Contractors who provide IHSS services must guarantee continuity and reliability of service and competency of providers of service ([30-767.122](#))
- 616-2 Individuals can be hired to provide IHSS services. Counties must assist recipients in securing such individuals ([30-767.13](#))
- 616-3 General responsibilities of the county regarding the payrolling of individual providers ([30-769.24, .25](#))
- 616-4 Services provided must be appropriate to the needs of the individual or family ([30-009.21](#))
- 617-1 Circumstances under which county can change from one to another of the IHSS service delivery methods ([30-767.133](#))
- 619-1 Retroactive benefits (*Leach v. Swoap*)
- 619-2 Definition of IHSS overpayment ([30-768](#))
- 619-3 Limitation to resources and exempt income on liability to repay IHSS overpayment ([30-768.311](#))
- 619-4 Methods of collecting IHSS overpayment ([30-768.32](#))
- 619-5 ALJs have no authority to award interest ([AFL-CIO v. UIAB; ACIN I-52-96; Knight v. McMahon](#))
- 619-6 IHSS Plus Waiver overpayments determined under Medi-Cal regulations ([30-785\(o\)](#))
- 620-1 Responsibility of county to conduct needs assessment ([30-761.25, 30-763.2](#))

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- 620-2 Program content of IHSS ([30-757](#))
- 620-3 No minimum number of hours required to authorize a case for IHSS ([ACL 08-18](#))
- 620-5 6-hour standard for domestic services ([30-758.11 renumbered to 30-757.11\(k\)\(1\)](#))
- 620-6 Paramedical services, what constitutes ([30-757.19](#))
- 620-7 Time standard; general ([30-758.2; former W&IC 12301.2 repealed](#))
- 620-7A Standardized time per task guidelines ([ACIN I-69-04, W&IC 12301.2](#))
- 620-8 Time standard; laundry ([30-758.12 repealed, 30-757.135 renumbered to 30-757.134\(c\) and \(d\)](#))
- 620-9 Time standard, food shopping ([30-757.136 renumbered to 30-757.135 and .135\(b\)\(1\), 30-758.13 repealed](#))
- 620-10 Time standard; other shopping ([30-758.14 repealed and renumbered to 30-757.135\(c\)\(1\)](#))
- 620-11 Exception to time standards if threat to health or safety ([30-758.4 repealed and renumbered in 30-757](#))
- 620-12 Scope of medical transportation covered by IHSS ([30-757.15](#))
- 620-12A Travel time to non-local medically necessary medical appointments permitted ([ACL 08-18](#))
- 620-13 Alternative resources, general; VA not an alternative resource ([30-763.61](#); *Clift v. McMahon*)
- 620-13A Regional centers cannot be considered an alternative resource ([ACL 98-53](#); *Arp v. Anderson*)
- 620-13B MSSP waiver allows MSSP to grant hours above statutory IHSS maxima if maxima has been reached, and to exclude MSSP as an alternative resource when maxima IHSS not authorized (W&IC 9562(b); [ACL 00-34](#))
- 620-14 County must determine that alternative resources provided by relatives and friends are voluntary ([30-763.62](#))
- 620-14A County must obtain a statement from protective service provider when service is provided voluntarily ([30-757.176, 30-763.64](#); *Miller v. Woods, Community Service for the Disabled v. Woods*)
- 620-14B Specific information required in voluntary service agreement ([30-757.176\(a\), 30-763.64](#))
- 620-14C Volunteers who could be paid for services must sign a Certification form ([ACL 00-28](#))
- 620-15 Authorization for uniform needs assessment ([W&IC 12309](#); [ACL 88-118](#); [30-756](#))
- 620-15A Stand-by time not allowed. Assessed time for encouragement and reminding may be minimal ([ACL 08-18](#))
- 620-16 Assessment of need based on medical need, living situation, statement of need ([30-761.26, 30-763.1](#))
- 620-18 Need when recipient lives with live-in provider ([30-763.47](#))
- 620-19 Multiply weekly hours by 4.33 to determine monthly hours ([30-761.27, 30-763.2](#))
- 620-20 Uniform range of services based on individual needs ([W&IC 12301.1\(a\) and \(e\)](#))

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- 620-21 Need assessments made at least every 12 months, but may be extended by six months under specific conditions ([W&IC 12301.1\(b\) and \(c\)](#))
- 620-22 When need assessments may be made at intervals of less than 12 months ([W&IC 12301.1\(c\) and \(d\)](#))
- 620-23 Department statewide time-per-task guidelines by June 30, 2006 ([W&IC 12301.2](#))
- 620-24 Exceptions to the time per task guidelines based on individual circumstances ([W&IC 12301.2\(c\) and \(d\)](#))
- 620-25 Provider may be authorized time to provide services while recipient is temporarily out of home if provider accompanies recipient ([ACL 08-18](#))
- 622-1 Determination of share of cost for IHSS ([30-755.233](#))
- 622-2 Definition of unearned income for IHSS purposes ([30-775.322](#))
- 622-3 Disregard of \$20 of unearned income ([30-775.433](#))
- 622-4 SSI/SSP benefit level ([46-120.1](#))
- 622-5 Determination of overpayment when recipient had a share of cost ([30-768.23](#))
- 622-6 Income deemed from ineligible spouse to be in accord with 20 CFR 416 ([30-775.337](#))
- 622-6A SOC294-A form used to calculate deemed income from ineligible spouse (ACL 85-110)
- 622-6B Income deemed from ineligible spouse ([20 CFR 416.1163](#))
- 622-7 Multiply hours authorized by minimum wage to determine IHSS payment level ([30-764.12, 30-764.21; ACIN I-100-06](#))
- 622-8 Income eligible former IHSS recipients will not be penalized due to potential higher share of cost ([ACWDL 99-13; AB 2779](#))
- 622-9 IHSS and PCSP eligibility determinations made following Medi-Cal rules ([ACWDL 04-27](#))
- 625-1 Personal service provided through PCSP shall not be provided by IHSS ([30-757.1](#))
- 625-1A IHSS-R recipients are those who have needs but are not eligible for full-scope Medi-Cal ([ACIN I-28-06](#))
- 625-2 CDSS shall notify persons receiving IHSS payment in advance of zero share of cost possibility if they accept payment in arrears, if they are otherwise PCSP eligible, and are Pickle persons or eligible under 42 USC 1383c(c) ([W&IC 14132.95\(k\)](#))
- 626-1 Protective supervision; limitations ([30-757.17](#))
- 626-1A Availability of protective supervision; how protective supervision provided ([30-757.17, .171](#))
- 626-1B When protective supervision is not authorized ([30-757.172](#))
- 626-1C Twenty-four hour need required for protective supervision; use of SOC821 form ([30-757.173](#))
- 626-1D A mental health diagnosis can only be made by a mental health professional ([ACL 08-18](#))
- 626-2 Only nonself-directing and mentally infirm can receive protective supervision (*Marshall v. McMahan*)
- 626-3 Protective supervision; not necessary when provider in home performing other tasks ([30-763.332](#))

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- 626-4 Protective supervision cannot be authorized if the recipient lacks the capacity to engage in unsafe behaviors. (*Calderon v. Anderson*)
- 626-5 Procedures to be followed when assessing a minor's need for protective supervision in the IHSS program. (*Lam v. Anderson, Garrett v. Anderson*; [ACL 98-87](#))
- 626-5A County must obtain a statement from protective service provider when service is provided voluntarily ([30-757.176, 30-763.64](#); *Miller v. Woods, Community Service for the Disabled v. Woods*)
- 626-5B Specific information required in voluntary service agreement ([30-757.176\(a\), 30-763.64](#))
- 626-6 Statewide standard for to obtain physician certification of need for protective supervision ([W&IC 12301.21](#))
- 628-1 Income eligible former IHSS recipients will not be penalized due to potential higher share of cost ([ACWDL 99-13; AB 2779](#))
- 628-1A PCSP and IHSS Plus Waiver share of cost computed using Medi-Cal rules, but recipient pays only balance of Medi-Cal share of cost if IHSS share of cost is less than Medi-Cal share of cost ([ACL 05-05; 05-05 errata](#))
- 628-1B Applicable share of cost in IHSS Plus Waiver cases ([30-785\(b\)\(5\)](#))
- 628-1C Supplemental payment program permitting share of cost comparison ([WIC 12305.1\(a\) and \(b\)](#))
- 628-2 CDHCS Beneficiary Services Center processes all claims for reimbursement of excess share of cost including buy-out claims except for buy-out claims for current and prior month ([ACL 07-32](#))
- 628-3 Share of cost definition ([30-701\(s\)\(3\)](#))
- 628-4 SSI/SSP payment level current and prior year ([ACWDL 07-21](#); 08-51E)
- 628-4A Fill in blank SSI/SSP payment level ( )

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#### Other Social Services

[632 Protective services for adults](#)

[633 Out-of-home care for adults](#)

[634 Child Welfare Services](#)

- 632-1 Old rule: Definition of adult protective services ([30-802, repealed 10/31/02](#))
- 632-2 Old rule: Need for adult protective services ([30-810.2, repealed 10/31/02](#))
- 632-3 Eligibility for adult protective services ([33-115](#))
- 632-4 Coverage under adult protective services ([W&IC 15760](#))
- 632-5 Service plan for adult protective services ([33-535](#))
- 633-1 Definition of "nonmedical out-of-home care", and of "care and supervision" ([46-140.1; Handbook 46-140.2](#))
- 634-1 Requirement to provide family maintenance services ([W&IC 16506](#))
- 634-2 Types of family maintenance services ([W&IC 16506.1](#))
- 634-3 No right to unsupervised parent/child visits of child who has been subjected to "severe physical abuse" ([31-340.1](#))
- 634-3A Parents' right to visitation with children who are in out-of-home placement ([31-340.2-.4](#))
- 634-4 County is required to provide social services involving family reunification when a minor is placed out of the home pursuant to an order of the Juvenile Court ([W&IC 361.5\(a\)](#))
- 634-5 Cessation of reporting of family reunification services ([31-088.2](#))
- 634-6 Confidentiality of Juvenile Court proceedings ([W&IC 827\(a\)](#))
- 634-7 Juvenile Court orders, when modifiable ([W&IC 775, 776](#))
- 634-8 Juvenile Court cannot give total discretion to determine visitation to CDSS (*In re Danielle W., In re Jennifer C.*)
- 634-9 Definitions of "minor parent" generally, for Teen Pregnancy Disincentive, and for CWS ([80-301m.\(3\); 89-201.1; 31-002\(m\)\(3\)](#))
- 634-10 When counties must provide MPS to minor parents, exemptions from the Teen Pregnancy Disincentive ([31-530.24; Handbook 31-530.21; W&IC 16506\(d\)](#))