

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 7, 1997

ALL COUNTY LETTER 97-63

TO: ALL COUNTY WELFARE DIRECTORS
ALL AFDC PROGRAM SPECIALISTS

<u>REASON FOR THIS TRANSMITTAL</u>
<input type="checkbox"/> State Law Change
<input type="checkbox"/> Federal Law or Regulation Change
<input checked="" type="checkbox"/> Court Order
<input type="checkbox"/> Clarification Requested by One or More Counties
<input type="checkbox"/> Initiated by CDSS

SUBJECT: CHANGE IN INSTRUCTIONS RELATING TO ELIMINATION OF THE
LUMP SUM RULE

REFERENCE: PAOLI v. ANDERSON COURT CASE
ALL COUNTY LETTER 97-51

The purpose of this letter is to advise counties of a change in the instructions relating to elimination of the lump sum rule. This letter supersedes All County Letter 97-51 and is necessary because of the Paoli v. Anderson court case. The Paoli court order requires counties to:

- (1) immediately cease applying the lump sum rule;
- (2) rescind any lump sum notices of action which have been issued to persons for whom a period of ineligibility has not yet begun;
- (3) provide the attached informing notice (Temp 2148) no later than November 21, 1997 to all cases which counties can identify through electronic data processing as currently being in a period of ineligibility because of the lump sum rule;
- (4) for persons who apply for aid and would otherwise be in a period of ineligibility due to the lump sum rule, use the standard process to determine eligibility and pay benefits, including evaluating immediate need as required by Manual of Policies and Procedures (MPP) Section 40-129;
- (5) orally ask applicants who identify themselves as being in a period of ineligibility because of the lump sum rule whether they are currently in any of the emergency situations specified in MPP Section 40-129.13, and
- (6) prominently display the attached poster (Temp 2149) from November 21, 1997 through December 31, 1997, in all county welfare offices.

To comply with requirement (6), counties must duplicate the appropriate number of Posters (Temp 2149) necessary using the attached form. Counties may add a phone number to the informing notice or the poster if they wish to direct inquiries.

An All County Letter addressing retroactive benefits will follow under separate cover. Until the further instructions arrive, counties shall flag all cases known to be in a period of ineligibility or to have been in a period of ineligibility on or after November 1, 1996 to facilitate any future implementation. If you have any questions about this letter, please call Mr. Vincent Toolan at (916) 654-1808.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Wagstaff". The signature is written in black ink and is positioned above the typed name.

Bruce Wagstaff
Deputy Director
Welfare to Work Division

Attachment