

**DEPARTMENT OF SOCIAL SERVICES**

744 Street, Sacramento, CA 95814



(916) 322-6671

April 1, 1985

ALL-COUNTY LETTER NO. 85-38

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IHSS PROGRAM CHANGES TO NONEXCLUDABLE RESOURCE LIMITATIONS

This is to notify you of a change in Supplemental Security Income/State Supplemental Program (SSI/SSP) which affects the determination of In-Home Supportive Services (IHSS) eligibility for certain applicants/recipients.

Effective January 1, 1985, the Social Security Administration implemented Public Law (PL) 98-369 which revises the nonexcludable resource limits when determining eligibility for SSI/SSP. In compliance with Welfare and Institutions Code (W&IC) section 12304.5 and with the state Department of Social Services (SDSS) Manual of Policies and Procedures (MPP) Sections 30-770.2 and 30-773.6(h), these changes apply to IHSS applicants/recipients who are not receiving SSI/SSP but would be eligible to do so except for excess income.

The specific provisions of PL 98-369, as applicable to IHSS, are as follows:

1. MPP Section 30-773.2. Currently this regulations states that: "Each aged, blind, or disabled individual whose eligibility for aid commenced on or after January 1, 1974 may have countable resources not in excess of \$1,500 in value and be eligible." This limit is revised as follows, in conformity to 20 CFR 416.1206(a):

... Effective January 1, 1985	\$1,600
... Effective January 1, 1986	\$1,700
... Effective January 1, 1987	\$1,800
... Effective January 1, 1988	\$1,900
... Effective January 1, 1989	\$2,000
2. MPP Sections 30-773.3 and 30-773.31. Currently these sections state that: "An individual who is living with either an eligible or ineligible spouse may have countable resources not in excess of \$2,250 in value and remain eligible. The \$2,250 limitation includes the resources of such spouse." This limit is revised as follows to conform with 20 CFR 416.1205(a):

... Effective January 1, 1985	\$2,400
... Effective January 1, 1986	\$2,550
... Effective January 1, 1987	\$2,700
... Effective January 1, 1988	\$2,850
... Effective January 1, 1989	\$3,000

3. MPP Section 30-773.4. Currently this section states that: "The resources of a recipient child who is living with his/her parent, parents, or parents and spouse of parent, shall be deemed to include that portion of the countable resources of his/her parent(s) and spouse of parent which exceeds \$1,500 in value in the case of one parent, or \$2,250 in value in the case of two parents or parents or parent and spouse." This limit is revised as follows in conformity with 20 CFR 416.1202(b):

	<u>One Parent</u>	<u>Two Parents</u>
... Effective January 1, 1985	\$1,600	\$2,400
... Effective January 1, 1986	\$1,700	\$2,550
... Effective January 1, 1987	\$1,800	\$2,700
... Effective January 1, 1988	\$1,900	\$2,850
... Effective January 1, 1989	\$2,000	\$3,000

Revised regulations are being developed by the Adult Services Bureau to eliminate regulatory reference to specific dollar amounts in the above MPP sections in order to prevent further confusion between State regulations and applicable Code of Federal Regulations sections.

If you have any questions regarding the above, please contact your Adult and Family Services Program Operations Bureau Consultant at (916) 322-6671.

***Original Document Signed By:***

LOREN D. SUTER  
Deputy Director  
Adult and Family Services

cc: CWDA