

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



May 6, 1992

ALL COUNTY LETTER NO 92-46

TO: COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

State Law Change

Federal Law or Regulation Change

Court Order

Clarification Requested by One or More Counties

Self-Initiated by SDSS

Administrative, Operational, or Fiscal Instructions

SUBJECT: AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) PROGRAM- EARNED INCOME TAX CREDIT (EITC), BASS v. CARLSON COURT CASE

REFERENCES: PUBLIC LAW 101-508, OMNIBUS BUDGET RECONCILIATION ACT OF 1991, ACL 91-48, MPP 44-113.3(Q), 42-213.2(r)

The purpose of this letter is to instruct the Counties on the requirements contained in the court order in the Bass v. Carlson Court case (a copy of the order is attached). Counties are to prepare to implement the terms of the court order upon receipt of this letter.

The Bass Court case required that effective January 1, 1991 Earned Income Tax Credits (EITC) be excluded as income and as a resource for the individual and his/ her family for the month of receipt and the following month. ACL 91-48 instructed Counties to implement the change in treatment of the EITC payment prospectively for the months July 1991 forward. This letter instructs Counties to pay corrective payments to eligible claimants who self-identify as having their EITC payment incorrectly handled during a retroactive period of January 1, 1991 through June 30, 1991.

POSTER

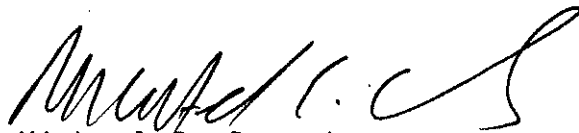
The final settlement in Bass requires that a poster be displayed in English and Spanish in each County Welfare Department Office and Food Stamp outlet. The Poster must be displayed for the period June 1, 1992 through November 30, 1992. Counties will be provided with sufficient Posters to display in all County Welfare Offices and Food Stamp Outlets in their Counties. Counties will make Food Stamp Outlets aware of Bass Poster display requirements and will provide each office with an appropriate number of Posters. The Poster will be transmitted to the Counties under a separate cover letter as soon as administratively feasible.

Claims Process

Claimants who self-identify will be entitled to have their claim reviewed within 60 days. If the review results in a determination of eligibility for retroactive benefits the County must correct any underpayment within 15 days of final determination of eligibility. Claims submitted which identify another County as the responsible County shall be forwarded to the responsible County which then must correct any underpayment.

If your County does not receive enough Posters or if you have any questions on the Bass Court case, please call Mr. Vincent Toolan at (916) 654-1808 or ATSS 464-1808.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Genest". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Michael C. Genest
Deputy Director