

**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street, Sacramento, California 95814



December 17, 1997

**ALL COUNTY LETTER NO. 97-80**

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: **COOPER v. ANDERSON** COURT ORDER

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

REFERENCE: In-Home Supportive Services Manual Section 30-767.133

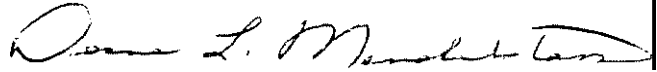
In accordance with the recent Stipulation and Order for Judgment in the case of Cooper v. Anderson, issued August 22, 1997, the California Department of Social Services reminds counties that individual changes in service delivery methods not consented to by an In-Home Supportive Services program beneficiary are prohibited unless they meet the requirements of Manual of Policy and Procedures (MPP) Section 30-767.133.

MPP section 30-767.133 provides:

The county shall have the right to change from one to another of the three delivery methods outlined above or from payment in advance to payment in arrears when any of the following apply:

- a) It has been determined that a recipient is using his/her payment for other than the purchase of authorized services.
- b) The recipient has failed to submit timesheets, as specified in Section 30-769.737, within 90 days from the date of payment.
- c) The recipient has not provided timely payment to his/her providers.

Any additional questions or clarification pertaining to this court case may be directed to Ms. Marie August, IHSS Policy Unit at (916) 229-4592.

A handwritten signature in black ink, appearing to read "Donna L. Mandelstam", written in a cursive style. The signature is positioned above the printed name and title.

DONNA L. MANDELSTAM  
Deputy Director  
Disability and Adult Programs Division