

DRAFT

January 8, 2019

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY INFORMATION NOTICE NO. XX-XX

This letter is to inform counties of the availability of a new, manually generated In-Home Supportive Services Notice of Action form advising recipients receiving Advance Pay of the county's intent to initiate overpayment recovery for failure to reconcile timesheets.



PAT LEARY
ACTING DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

January 8, 2019

ALL COUNTY INFORMATION NOTICE (ACIN) NO. I-XX-19

TO: ALL COUNTY WELFARE DIRECTORS
ALL IHSS PROGRAM MANAGERS

SUBJECT: AVAILABILITY OF IN-HOME SUPPORTIVE SERVICES (IHSS)
ADVANCE PAY OVERPAYMENT RECOVERY NOTICE OF
ACTION FORM

REFERENCE: [WELFARE AND INSTITUTIONS CODE \(WIC\) §§12303.4 and §12304](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\) §§30-768.213, 30-768.3, and 30-769.737](#)

The purpose of this ACIN is to inform counties of the availability of a new, manually generated IHSS Notice of Action (NOA) form advising recipients receiving Advance Pay of the county's intent to initiate overpayment recovery for failure to reconcile timesheets.

BACKGROUND

The Advance Pay option allows recipients to receive an advanced payment for their monthly authorized IHSS services and pay their provider(s) directly for the provision of their authorized services. ([WIC §12304\(a\)](#)). Advance Pay is available only to Severely Impaired IHSS recipients, as defined by [WIC §§ 12303.4\(b\)](#) and [12304\(d\)](#), in the IHSS Residual (IHSS-R), IHSS Plus Option (IPO), and Community First Choice Option (CFCO) programs.

In accordance with [MPP §30-769.737](#), recipients receiving Advance Pay are responsible for submitting reconciling timesheets at the end of each month an advance payment is issued. When a recipient fails to submit reconciling timesheets within 45 days of the issuance date of the advance payment, there is a rebuttable presumption that the unreconciled amount is an overpayment. Because this presumption is rebuttable, counties should attempt to assist recipients with any identified reconciliation

challenges. However, if these attempts are unsuccessful, counties may establish an overpayment and collect any unreconciled amount per [MPP §§30-768.213 and 30-768.3](#).

ADVANCE PAY OVERPAYMENT RECOVERY

The California Department of Social Services (CDSS) recently developed the IHSS Advance Pay Overpayment Recovery NOA form (NA 1282) to assist counties with Advance Pay overpayment recovery. Counties should use this NOA to properly inform recipients receiving Advance Pay, who have failed to reconcile timesheets, that the unreconciled amount is now considered an overpayment, which the county intends to recover via warrant offset. The NA 1282 also informs the recipient that he or she has the option of paying the outstanding balance in full, or making payments in addition to the warrant offset to shorten the repayment time. Prior to mailing the NOA, counties must complete all blank fields of the form to meet the requirements of [MPP §30-768.33](#), which include informing recipients of the period of time which the overpayment occurred; the reason for the overpayment, the amount of the overpayment, a description of how the amount was calculated, and the method by which the county proposes to recover the overpayment.

The form is currently available on the CDSS website [insert page name here](#) at the following link: [insert link here](#) and will also be available in the three required threshold languages: Spanish, Chinese and Armenian.

For questions regarding this ACIN, please contact the Adult Programs Fiscal, Appeals and Benefit Programs Branch, Program Integrity Unit at (916) 651-0554 or via e-mail at ihss-pi@dss.ca.gov.

Sincerely,

Original Document Signed By:

DEBBI THOMSON,
Deputy Director
Adult Programs Division