



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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October XX, 2018

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY INFORMATION NOTICE NO. XX-XX

This notice is transmitting updated In-Home Supportive Services provider and recipient notices/form (SOC 2282, 2283 and 2273) regarding the county’s decision to uphold the third or fourth violation for exceeding the workweek and/or travel time limits, and to specify that the State Administrative Review request must be postmarked within 10 calendar days from the date on the provider uphold notice (SOC 2282).

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY IN-HOME SUPPORTIVE SERVICES PROGRAM
MANAGERS

SUBJECT: UPDATES TO THE IN-HOME SUPPORTIVE SERVICES STATE
ADMINISTRATIVE REVIEW REQUEST FORM AND THIRD AND FOURTH
VIOLATION UPHOLD NOTICES TO PROVIDERS AND RECIPIENTS.

REFERENCE: [ACL NO. 16-46, DATED MAY 16, 2016](#); SB [855](#) and SB [873](#)

The purpose of this All County Information Notice (ACIN) is to transmit an updated form and notices relevant to the State Administrative Review (SAR) process, including county notices to In-Home Supportive Services (IHSS) providers and recipients regarding the county’s decision to uphold the IHSS provider’s third or fourth violation, following completion of the county’s review of the County Dispute filed by the IHSS provider.

BACKGROUND

On May 16, 2016, All County Letter (ACL) [16-46](#) was released to provide counties with information and policies for implementing the provisions of Senate Bill (SB) [855](#) and SB [873](#) that established limits on the number of authorized hours that providers in the IHSS and Waiver Personal Care Services programs are permitted to work in a workweek and

travel time compensation policies. The [ACL 16-46](#) established instructions for implementing the dispute process for workweek and travel time violations, and established the SAR process, which included the timeline for IHSS providers to submit their request for a SAR to the California Department of Social Services (CDSS). As part of [ACL 16-46](#), county notices were introduced as the method to notify IHSS providers and recipients of the outcome of the County Dispute review process. The updated form/notices transmitted herein were previously released in [ACL 16-46](#), and have been revised to consolidate these separate notices into a single notice for IHSS providers and recipients, respectively; to grant the IHSS provider additional mail time to submit their SAR request; and to collect additional provider information to aid towards an efficient SAR process by CDSS.

UPDATES TO PROVIDER AND RECIPIENT THIRD AND FOURTH VIOLATION UPHOLD NOTICES

To ensure efficiency and reduce the number of notices the county is required to send the IHSS provider and recipient following completion of their County Dispute review process for the third or fourth violation, CDSS has combined the In-Home Supportive Services Program Notice to Provider Upholding Third Violation (90-Day Suspension of Eligibility) for Exceeding Workweek and/or Travel Time Limits (SOC 2282, 6/16) and the In-Home Supportive Services Program Notice to Provider Upholding Fourth Violation (One-Year Period of Ineligibility) for Exceeding Workweek and/or Travel Time Limits (SOC 2284, 7/16) into the following single notice:

- In-Home Supportive Services Program Notice to Provider Upholding Third or Fourth Violation for Exceeding Workweek and/or Travel Time Limits (SOC 2282, 9/18)

This same action has been taken for the recipient notices, In-Home Supportive Services Program Notice to Recipient Upholding Provider's Third Violation (90-Day Suspension of Eligibility) for Exceeding Workweek and/or Travel Time Limits (SOC 2283, 7/16) and the In-Home Supportive Services Program Notice to Recipient Upholding Provider's Fourth Violation (One-Year Period of Ineligibility) for Exceeding Workweek and/or Travel Time Limits (SOC 2285, 7/16), which have been combined into the following single notice:

- In-Home Supportive Services Program Notice to Recipient Upholding Provider's Third or Fourth Violation for Exceeding Workweek and/or Travel Time Limits (SOC 2283, 9/18)

The provider notice SOC 2284 (7/16) and its corresponding recipient notice SOC 2285 (7/16) are no longer valid and have been removed from the CDSS forms website. The single use notice for the provider is the SOC 2282 (9/18), and the single use notice for the recipient is the SOC 2283 (9/18), both of which are identified by the revision date of

9/18 and the change in title to reflect its relevance to the third and fourth violation. These forms replace their prior versions.

UPDATES TO THE IN-HOME SUPPORTIVE SERVICES PROGRAM REQUEST FOR STATE ADMINISTRATIVE REVIEW OF THIRD OR FOURTH VIOLATION FOR EXCEEDING WORKWEEK AND/OR TRAVEL TIME LIMITS (SOC 2273)

The revisions to the In-Home Supportive Services Program Request for State Administrative Review of Third or Fourth Violation for Exceeding Workweek and/or Travel Time Limits (SOC 2273, 10/18) will grant the IHSS provider more mail time to submit a timely SAR form. As stated in [ACL 16-46](#), IHSS providers have 10 calendar days from the date on the uphold notice for third or fourth violations to submit a SAR request to CDSS. As such, the SAR request form was required to be received by CDSS within 10 calendar days. This timeline was not often met by providers, and in an effort to assist providers with submitting a timely SAR request to have their third or fourth violation reviewed by CDSS, the SOC 2273 (10/18) must be postmarked within 10 calendar days from the date on the SOC 2282 (9/18), rather than received within 10 calendar days. The SOC 2273 (10/18) has also been modified to reflect the following additional changes:

- Updated Branch, Bureau and Unit name changes for which the SOC 2273 (10/18) must be mailed, including an updated internal mailstop code.
- A request for IHSS providers to record their current telephone number.
- A request for IHSS providers to indicate if they need an interpreter for any follow-up with CDSS staff, and for which language they require this service.

The revised forms mentioned herein this ACIN will supersede the original forms introduced in [ACL 16-46](#) and counties should begin using the revised forms available on the [CDSS Forms-Brochures web page](#). All other SAR processes remain in effect as outlined in [ACL 16-46](#).

CAMERA-READY COPIES AND TRANSLATIONS OF FORMS

Camera-ready copies of the English language versions of the forms referenced in this ACL are available on the [CDSS Forms-Brochures web page](#). Upon completion of translations, CDSS will post Armenian, Chinese and Spanish versions on the [Translated Forms and Publications web page](#).

The designated Forms Coordinator for your county must distribute translated forms to each program and location. Each county shall provide bilingual/interpretive services and written translations to non-English or limited-English proficient populations, as required by the Dymally-Alatorre Bilingual Services Act ([California Government Code](#)

[Section 7290 et seq.](#)) and by state regulation ([CDSS Manual of Policies and Procedures Division 21, Civil Rights Nondiscrimination, Section 115](#)).

Questions about accessing the forms may be directed to the Forms Management Unit at fmudss@dss.ca.gov. Questions about translations may be directed to the Language Services Unit at LTS@dss.ca.gov.

Questions regarding the content of this ACIN may be directed to the Adult Programs Division's Appeals, Administrative Review and Reimbursements Bureau at (916) 651-3488.

Sincerely,

Original Document Signed By:

DEBBI THOMSON
Deputy Director
Adult Programs Division

Attachments