



CDSS

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GOVERNOR

May XX, 2018

ALL COUNTY LETTER NO: XX-XXXX

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

SUBJECT: CDSS SPECIAL TRANSACTION WRIT OF MANDAMUS

REFERENCE: [ALL COUNTY LETTER \(ACL\) 12-36 \(July 24, 2012\); ACL 17-18 \(FEBRUARY 16, 2017\); ACL 18-30 \(MARCH 16, 2018\)](#)

This All County Letter (ACL) provides counties with information and changes relating to California Department of Social Services (CDSS) Special Transaction Writ of Mandamus (Writs) requests. This ACL supercedes any and all prior instructions and documentation relating to the CDSS Writ requests and processing.

BACKGROUND

The Writ of Mandamus was originally created in the Case Management, Information and Payrolling System (CMIPS) as a method to pay an In-Home Supportive Services (IHSS) providers and recipients when payment was ordered by a Superior Court Judge not related to a State Hearing.. During conversion from Legacy to Case Management Information & Payrolling System (CMIPS), CDSS began allowing the Writ to be used to pay IHSS providers when a system conversion issue did not allow normal payroll processing to take place. The Writ usage was intended to be a temporary solution for conversion errors and county processes and not an ongoing method of payment.

CDSS WRIT TRANSACTION REQUEST LIMITATION

Currently, the vast majority of Writ requests submitted to CDSS are due to a county worker not entering an IHSS application into CMIPS within 14 days of the application date. Several ACLs have been published citing IHSS policies, procedures, regulations and statutes related to persons applying for IHSS services. The most recent ACLs

17-18 and 18-30, provide direction that a new application for IHSS services must be accepted by telephone, facsimile, in person or by email, if the county is capable. Once the application is entered into CMIPS, the system generates a seven digit case number (confirmation number) assigned to the applicant. Counties are required to provide IHSS program applicants with the confirmation number either verbally, before the end of the telephone call during which the application is taken, or in writing once the application is entered into CMIPS. ACL 17-18 references form (SOC 2300) *Notice to Applicant of Application Confirmation Number,* for county IHSS agencies to use when providing written notification to IHSS applicants of their application confirmation number.

CDSS is informing counties that the CDSS Special Transaction Writ of Mandamus (Writs) requests will no longer be used to correct application errors and shall be limited to the following circumstances:

- Court Ordered Payments to IHSS Providers not related to a State Hearing
- Loss of Medi-Cal (Medi-Cal Funding temporarily changes to Residual reducing authorized hours)
- CDSS Defined System Defects
- County Administrative Errors that are outside of the control of the county

Each Writ request received by CDSS will be evaluated and a determination will be made as to whether the request will be processed. It is important to note that the CDSS Writ is a special transaction that pays additional dollars in a pay period. It does not allow for hours to be entered and therefore, this transaction does not apply to county benefits, union deductions or sick leave accrual hours, which occur through the normal timesheet process.

The Writ process will not be used to pay **providers** due to a State Hearing decision. If a county receives a State Hearing decision that states they must pay the **provider**, they should forward the information to the Adult Programs Policy Branch, so the issue can be addressed.

COUNTY RESPONSIBILITIES

Counties must utilize business processes that comply with program rules. Counties may not employ screening practices in an effort to reduce applications and may not use ancillary tools or manual processes to capture applicant information that cause applications not to be entered directly into CMIPS as is mandated. Upon direct entry of applications into CMIPS, CMIPS preserves the application date and enables services to be authorized appropriately to the recipient.

Counties must establish appropriate processes and procedures necessary to ensure that IHSS applications are processed according to IHSS rules and direction provided by CDSS. ACL 12-36 provides further guidance for counties as to what constitutes an inquiry, a referral and/or an application. CMIPS has both referral and application functionality which preserves the application date of the recipient.. If counties insist on

using ancillary tools, they must enter the referral and/or application directly into CMIPS first to ensure that the application date is being preserved appropriately. The County Referral Detail Report and the Application, Approval, Denial, Termination Report have been developed to enable counties to access both referral and application information in CMIPS.

If an application is not processed timely, due to county error or county lack of use of existing CMIPS functionality, the county must seek an alternate method for paying providers in consultation on a case by case basis with CDSS and as such can expect a review of the county's current business process that may be causing errors. CDSS will no longer accept Writ transaction requests from counties for circumstances not related to the four circumstances noted above.

Counties currently have the ability to process a State Hearing Special Transaction. Payments for State Hearings must be issued to the recipient by using a State Hearing Transaction in CMIPS. State Hearing payments should be issued to recipients and it is the recipient's responsibility to pay the provider accordingly.

Please direct questions regarding the content of this ACL to the Systems Operations and Data Analysis Bureau within the Adult Programs Systems and Administrative Branch at the following email address: CMIPSII-Requests@dss.ca.gov.

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Original Document Signed by:

DEBBI THOMSON

Deputy Director

Adult Programs Division