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GAVIN NEWSOM  
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July XX, 2020

ALL COUNTY LETTER (ACL) NO. **XX-XX**

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

SUBJECT: IHSS PROTECTIVE SUPERVISION PRORATION CHANGES

REFERENCE: ALL-COUNTY LETTERS [15-25](#) (March 19, 2015), [17-95](#) (September 12, 2017); CALIFORNIA DEPARTMENT OF SOCIAL SERVICES [MANUAL OF POLICIES AND PROCEDURES \(MPP\)](#) SECTIONS 30-757.17, and 30-763.321, 30-763.331, 30-763.456; CASE MANAGEMENT, INFORMATION AND PAYROLLING SYSTEM ([CMIPS](#)) [USER MANUAL](#)

The purpose of this All-County Letter (ACL) is to provide information to all counties regarding changes to the proration of protective supervision and related changes in CMIPS.

### **BACKGROUND**

Protective supervision (PS) consists of observing recipient behavior and intervening as appropriate in order to safeguard the recipient against injury, hazard, or accident (MPP 30-757.17). PS is available for observing the behavior of non-self directing, confused, mentally impaired, or mentally ill persons only, where a need for twenty-four-hours-a-day supervision exists for the recipient to remain at home safely (MPP 30-757.171, 30-757.173).

### **ELIMINATION OF PRORATION OF PROTECTIVE SUPERVISION**

Currently, when two or more recipients living in the same household are eligible for PS, the need is considered to be met in common and the hours are automatically prorated (MPP 30-763.321). As a part of the budget for fiscal year 2020-2021, the Governor has eliminated the proration of PS in shared living arrangements. Accordingly, effective July 1, 2020, proration will no longer be applied to companion cases where two or more recipients living in the same home are receiving PS. Consistent with the elimination of

PS proration for shared living arraignments, the California Department of Social Services (CDSS) will pursue repealing MPP section 30-763.331; however, in the interim, MPP section 30-763.331 will no longer be enforced.

All eligibility requirements for PS and documentation, including the SOC 821 and SOC 864, remain unchanged. As a reminder, PS does not include routine childcare or supervision per MPP 30-763.456. PS shall not be authorized for friendly visiting or other social activities; when the need is caused by a medical condition or in anticipation of a medical emergency; to prevent or control anti-social or aggressive recipient behavior; or to guard against deliberate self-destructive behavior (MPP 30-757.172). Social workers must continue to explain the availability of PS and discuss the need for twenty-four-hours-a-day supervision with the recipient, or the recipient's parent(s), guardian, or conservator, and the appropriateness of out-of-home care as an alternative to PS (MPP 30-757.174).

### **Entries in Case Management Information and Payrolling System (CMIPS)**

Proration is automatically completed by CMIPS, provided that the social worker links companion cases correctly. Currently, the social worker enters cases into CMIPS on the *Modify Household Member* screen and selects "Yes" for PS in the *PS Proration* field. Then CMIPS calculates proration as applicable.

It is important for county staff to note that this procedure has changed with the elimination of PS proration for shared living arrangements. When the county social worker enters cases into CMIPS on the *Modify Household Member* screen, the social worker must select "No" for PS in the *PS Proration* field. This procedure must be completed on all new cases upon assessment and authorization, and for existing recipient cases, as soon as administratively feasible but no later than the next scheduled reassessment, or immediately upon request from a recipient (or their authorized representative) that PS proration be removed.

To assist counties in completing this process for recipient cases, CDSS will create a report for each county that will include all cases in which proration is currently applied to protective supervision due to a shared living arrangement. Counties will remove the proration by updating the *PS Proration* field in the *Modify Household Member* screen to "No", which will end proration of PS due to a shared household. The county shall then initiate a special transaction to issue retroactive payment to the recipient from July 1, 2020 through the date the proration ended, for any increase in authorized hours that are due to the recipient as a result of removing the proration.

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If you have any questions or need additional guidance regarding the information in this letter, contact the Adult Programs Division, Policy and Operations Bureau at (916) 651-5350.

Sincerely,

***Original Document Signed By***

DEBBI THOMSON, Deputy Director  
Adult Programs Division