

PLEASE READ CAREFULLY



STATE OF CALIFORNIA-
HEALTH AND HUMAN SERVICES AGENCY
CALIFORNIA DEPARTMENT OF SOCIAL
SERVICES ADULT PROGRAMS DIVISION

Important Information for the In-Home Supportive Services (IHSS) Provider:

This notice is regarding a **recent change in state law that affects IHSS recipients and providers.** (Welfare and Institutions Code section 12300.4) The new law legally establishes the **Extraordinary Circumstances Exemption** which allows the provider to work over 66 hours per week, but no more than 360 authorized IHSS hours per month for two or more recipients included under the exemption.

What is an Extraordinary Circumstances Exemption?

The Extraordinary Circumstances Exemption, or Exemption 2, applies to providers who provide services for two or more recipients whose extraordinary circumstances place them at serious risk of placement in out-of-home care, and all of the recipients meet at least one of the following criteria:

- **Criteria A** – The recipient(s) served by the provider have complex medical and/or behavioral needs which must be met by the applying provider who lives in the same home as the recipient.
- **Criteria B** – The recipients for whom the individual provides services reside in a rural or remote area where available providers are scarce and, as a result, they are unable to hire another provider.
- **Criteria C** – The recipients served by the provider are unable to hire a provider who speaks his/her same language in order to direct his/her own care.

Note: The provider need not live in the same home as the recipients to qualify for Criteria B and C.

In order to be granted an Exemption 2, the recipients, with the assistance of the county, as needed, must have explored and exhausted all options for hiring an additional provider(s) so that their authorized service hours can be worked within the workweek limitations.

How Do I Request an Exemption?

You must complete and submit the enclosed Request For Exemption From Workweek Limits For Extraordinary Circumstances (Exemption 2) (SOC 2319) to your authorizing county. The submission of an SOC 2319 does not mean that your request will be approved. An eligibility determination will be issued to you and the recipients included under the exemption request within 30 calendar days of the county's receipt of the SOC 2319.

This notice gives you information about the
Extraordinary Circumstances Exemption.