

October 13, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 20-111

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.



KIM JOHNSON
DIRECTOR

GAVIN NEWSOM
GOVERNOR

October 13, 2020

ALL COUNTY LETTER NO. 20-111

TO: ALL COUNTY WELFARE DIRECTORS
ALL IN-HOME SUPPORT 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, 30-763.331, 30-763.456; [CASE MANAGEMENT, INFORMATION AND PAYROLLING SYSTEM \(CMIPS\) USER MANUAL](#); [2020-21 STATE Budget](#)

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 shall be prorated (MPP 30-763.331). 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 arrangements, 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 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).

For minors, social workers must continue to explain the availability of PS with the recipient, or the recipient's parent(s), guardian, or conservator, in accordance with [ACL 15-25](#).

It is the responsibility of each county to ensure that recipients understand that eliminating PS proration in shared living arrangements may result in an increase in authorized hours. In those instances, counties should reiterate to recipients the applicable workweek limitations and communicate that additional care providers may be needed to provide IHSS for any increased hours.

ENTRIES IN CASE MANAGEMENT INFORMATION AND PAYROLL SYSTEM (CMIPS II)

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, which will end proration of PS due to a shared household. 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 by the end of October. This report will include all cases in which proration is currently applied to protective supervision due to a shared living arrangement.

Counties should follow their existing business practices to perform the retroactive service authorization change in CMIPS to address PS proration removal. In some instances, the retroactive authorization back to July 1, 2020 may not be allowed in the system due to a previous decrease in service hours or change in funding sources; therefore, counties will need to issue a special transaction to address the service increase as a result of the PS proration removal. Instructions for identifying and creating special transactions can be found in Chapter 8, Section 6 of the [CMIPS User Manual](#) located on CommsHub. These actions should then be annotated in the CMIPS Assessment Narrative.

If you have any questions regarding the policy in this letter, please contact the Adult Programs Division, Policy and Operations Bureau at (916) 651-5350. For any questions regarding CMIPS functionality or assistance in completing the special transaction, please send your questions to the Systems Operations and Data Analysis Bureau at CMIPSII-Requests@dss.ca.gov.

Sincerely,

Original Document Signed By

DEBBI THOMSON, Deputy Director
Adult Programs Division