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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (*Division 9 added by Stats. 1965, Ch. 1784.*)

PART 6. MISCELLANEOUS PROVISIONS [18000 - 18999.98] (*Part 6 added by Stats. 1965, Ch. 1784.*)

CHAPTER 3. Demonstration Projects in Public Assistance [18200 - 18207] (*Heading of Chapter 3 amended by Stats. 1965, Ch. 1949.*)

ARTICLE 1. General Provisions [18200 - 18207] (*Heading of Article 1 added by Stats. 1970, Ch. 1615.*)

18200. The Legislature recognizes the necessity to improve the administration of public assistance so as to minimize dependency and reduce the total costs of public welfare services by restorative and preventive measures, and to expand protective services for children and adults.

It is the intent of the Legislature in enacting this chapter to provide state assistance to counties to encourage them to establish demonstration and experimental projects calculated to achieve the objectives stated in this section and to strengthen, extend, and improve public welfare services and their administration.

It is also the intent of the Legislature to encourage and aid, within the limitations of this chapter, organizations of recipients to conduct demonstration and experimental projects designed to promote a more effective and efficient system of public aid and services. The Legislature intends to encourage the participation of individuals on public assistance to the fullest extent in the workings of the public welfare program and through this chapter hopes to provide a mechanism for organized groups of recipients to mobilize their resources and through concerted and cooperative action contribute to solutions to the economic, social and personal problems which tend to prolong dependency.

(Amended by Stats. 1965, Ch. 1949.)

18201. The department may authorize the payment of state funds to defray in whole or in part the cost of a project undertaken by the county department of any county or by the county departments of a group of counties or by the department in behalf of county departments generally or by an organized group of recipients, if the project is consistent with the purpose of this chapter and meets the criteria established pursuant to Section 18202. Any county shall meet at least the cost of equipment, supplies, and facilities required by the staff engaged in carrying out any project approved pursuant to this chapter, except (1) with respect to those plans submitted by an organization of recipients, and (2) that state funds may be used to defray the entire cost of any project which is undertaken by a group of counties or is directed by the department in behalf of county departments generally or is directed by a recognized institution of higher learning. To the extent this section authorizes the department or a recognized institution of higher learning to undertake and direct a project in behalf of county departments, the provisions of Section 18202 shall not apply to such projects.

(Amended by Stats. 1965, Ch. 1949.)

18202. The department shall develop and publish criteria for the submission and approval of county plans for projects proposed to be undertaken pursuant to this chapter. Such criteria shall be so devised as to encourage and stimulate local efforts to improve staff performance and to undertake new and experimental activities specifically designed to increase family responsibility and capacity for self-care.

Criteria shall include those plans which may be submitted by organizations of recipients within the county, when in the judgment of the director, such plans will contribute to increased social responsibility on the part of the recipients and increased knowledge concerning the rights and responsibilities of citizens.

In order to qualify for state participation in the cost of any local project or activity, the county shall submit a plan to the department which shall provide the following assurances:

- (1) The project or activity will be undertaken and directed by the county welfare department, with the exception of those plans submitted by an organization of recipients.

(2) None of the state funds will be used to offset or reduce the amount of county funds currently applied to or budgeted for ongoing administrative activities and services.

(3) The employment of personnel with qualifications consistent with the disciplines required by the project, with the exception of plans submitted by organizations of recipients in which case the department shall be responsible for evaluative functions.

(4) A system for maintaining records and methods of analyses which will permit accurate and regular evaluations of the results achieved by the project or activity.

(Amended by Stats. 1965, Ch. 1949.)

18203. Among the county projects approved by the department, priority shall be given to those which involve:

(a) Efforts to minimize as much as possible, within the limits of state and federal laws, the administrative differences between the several categories of assistance;

(b) Demonstrations in providing family service programs;

(c) Employment counseling, training, and placement programs for public assistance recipients;

(d) Extension of rehabilitation and self-care services for handicapped and incapacitated persons not accepted for services offered by the Department of Rehabilitation;

(e) Efforts designed to give particular attention to the family where dependency is associated with illegitimacy, parental behavior, delinquency, and other family relationship problems;

(f) Coordinated use of medical, psychiatric, and casework services with public assistance recipients;

(g) Development of caseload management and case classification programs;

(h) Homemaker services for families and adults;

(i) Protective services for both children and adults;

(j) Projects demonstrating use of preventive services related to dependency, family breakdown, or personal maladjustment; and

(k) Participation of county departments in community service programs, particularly in approaches to problems of the underprivileged presented by recipients from minority groups.

(Amended by Stats. 1965, Ch. 1949.)

18204. To enable it to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients of public social services, the department may waive the enforcement of specific statutory requirements, regulations, and standards in one or more counties or on a statewide basis by formal order of the director. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, shall not be general in scope but shall apply only for the duration of such a project and not to exceed three years, and shall not take effect unless and until the following conditions have been met:

a. The Secretary of Health, Education and Welfare of the United States has agreed, for the same project, to waive the public assistance plan requirements relative to statewide uniformity.

b. A comprehensive plan, including an analysis of the expected costs, has been published in a newspaper of general circulation and filed with the Rules Committee of each house of the Legislature.

(Added by Stats. 1965, Ch. 1784.)

18205. (a) Notwithstanding any other provision of law, at the request of a county, after public hearing by the county, the department may extend an experimental project for in-home supportive services established pursuant to Section 18204 for an additional period of time as long as the total duration of the project does not exceed five years. The extension shall be established by formal order of the director and shall be subject to all other requirements and conditions of the initial order establishing the project pursuant to Section 18204.

(b) In the case of a project subject to subdivision (a) that is conducted pursuant to a contract between a private provider and a county, the contract may be renewed for one or more additional terms provided the combined duration of the initial and extended contract terms does not exceed five years. A new rate of reimbursement may be negotiated consistent with the level of available funding.

(Added by Stats. 1994, Ch. 1124, Sec. 1. Effective January 1, 1995.)

18205.5. The Director of Child Support Services may, pursuant to this article, approve county demonstration projects to provide employment and training services to nonsupporting, noncustodial parents of children who are recipients of aid under Chapter 2

(commencing with Section 11200) of Part 3 or Article 5 (commencing with Section 18241) of Chapter 3.3 of Part 6 or any other public social service as defined in Section 10051. In a county operating a demonstration project pursuant to this section, the superior court may order a nonsupporting, noncustodial parent of a child receiving aid under Chapter 2 (commencing with Section 11200) of Part 3 or Article 5 (commencing with Section 18241) of Chapter 3.3 of Part 6 or any other public social service as defined in Section 10051 to participate, as appropriate, in job training, job search, vocational rehabilitation, and other work activities, as well as in parental development training. The superior court, county department of child support services, and the county welfare department, in a demonstration county, shall all agree to cooperate in the operation of the demonstration project.

(Added by renumbering Section 18205 (as added by Stats. 1997, Ch. 606) by Stats. 1999, Ch. 980, Sec. 22.5. Effective January 1, 2000.)

18206. (a) The director shall specify performance and quality assurance standards to be included in any experimental project for in-home supportive services undertaken pursuant to Section 18204 or extended pursuant to subdivision (a) of Section 18205.

(b) In the case of a project subject to subdivision (a) of Section 18205 that is conducted pursuant to a contract between a private provider and a county, the standards shall assure delivery of all required services at the time the services are needed, including weekends and nights; establish proper screening, training, and supervision of persons providing direct services; and institute frequent periodic quality control audits and utilization review of all services. These standards shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) Quality control audits and utilization review shall be performed by entities that are independent of the county and the private contractor. The reports of the quality control audits and utilization review, excluding client confidential information, shall be made available to the public. The cost of those quality control audits and utilization review shall be considered as part of the county administrative costs for the managed contract.

(d) (1) One year after the effective date of any project for in-home supportive services established pursuant to Section 18204 or after the date of extension pursuant to subdivision (a) of Section 18205, the Auditor General shall commission a study to review the performance of that project. Any independent reviewer designated in an existing contract may be commissioned to perform the study.

(2) The study shall give special attention to both of the following:

(A) The health and welfare of the recipients under the project, including the degree to which all required services have been delivered, out-of-home placement rates, prompt response to recipient complaints, and any other issue the director deems relevant.

(B) The cost implications of the project, estimating the potential for ongoing savings, if any.

(3) The study may include a fiscal audit of the contract.

(e) Projects subject to Section 18204 relating to in-home supportive services and subject to this section shall, to the greatest extent possible, permit recipients to select their own qualified provider of care and set their own service schedule.

(Amended by Stats. 2001, Ch. 745, Sec. 263. Effective October 12, 2001.)

18207. Sections 18205 and 18206 shall apply only to experimental projects for in-home supportive services established pursuant to Section 18204 that were in existence on July 1, 1994.

(Added by Stats. 1994, Ch. 1124, Sec. 3. Effective January 1, 1995.)