

|-&gt;

Title 22@ Social Security

|-&gt;

Division 1.8@ California Department of Aging

|-&gt;

Chapter 3@ Title III Programs-PSAs and AAAs

|-&gt;

Article 6@ Sanctions

|-&gt;

Section 7427@ Temporary Withholds

## **7427 Temporary Withholds**

### **(a)**

Except when the noncompliance constitutes an immediate threat to the safety, health or welfare of the older individuals being served, a temporary withholding of funds shall be the first sanction applied.

### **(b)**

The Department shall notify the AAA by telegram or fax the same day that the withhold is placed in effect and confirm receipt of the telegram or fax via a telephone call to the AAA. The notification shall include all of the following: (1) That the Department is temporarily withholding funds pending the demonstration of corrective action. (2) A statement of the specific nature of the noncompliance and the corrective action that is required. (3) That the AAA has 10 working days in which to demonstrate that corrective action has been taken or present a plan that demonstrates to the Department's satisfaction that corrective action will be taken at the earliest possible time.

#### **(1)**

That the Department is temporarily withholding funds pending the demonstration of corrective action.

#### **(2)**

A statement of the specific nature of the noncompliance and the corrective action that is required.

**(3)**

That the AAA has 10 working days in which to demonstrate that corrective action has been taken or present a plan that demonstrates to the Department's satisfaction that corrective action will be taken at the earliest possible time.

**(c)**

If within 10 working days following receipt of the notification specified in (b) the AAA has: (1) Demonstrated that corrective action has been taken or presented a plan that demonstrates to the Department's satisfaction that corrective action will be taken at the earliest possible time, the Department shall cease withholding funds and honor any request for funds from the AAA. (2) Not demonstrated that corrective action has been taken or presented a plan that demonstrates to the Department's satisfaction that corrective action will be taken at the earliest possible time, the Department shall issue a Notice of Intent to Suspend to the AAA in accordance with Section 7429(b).

**(1)**

Demonstrated that corrective action has been taken or presented a plan that demonstrates to the Department's satisfaction that corrective action will be taken at the earliest possible time, the Department shall cease withholding funds and honor any request for funds from the AAA.

**(2)**

Not demonstrated that corrective action has been taken or presented a plan that demonstrates to the Department's satisfaction that corrective action will be taken at the earliest possible time, the Department shall issue a Notice of Intent to Suspend to the AAA in accordance with Section 7429(b).