

90-600.05. NOTICE OF ACTION (NOA) REQUIREMENT

A. General This section provides information regarding the NOA requirements in the GR Program.

B. Policy An adequate NOA is required for all GR denials (including at pre-application), withdrawals, approvals, discontinuances, sanctions and budget changes. A timely NOA is required for all discontinuances, sanctions and decreases in grant.

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C. Manual NOAs The proper forms for manual NOAs in GR include:

- 11-43 HHS – Notice of Denial
- 11-50 HHS – Employable
- 11-21 HHS – Computation of Need and Notification of Payment for General Relief.

These notices also serve as the budget worksheet.

When the worker must issue a Denial or Discontinuance NOA manually, the worker must make an entry in Case Comments stating when the NOA was issued and why it was a manual NOA instead of a CalWIN NOA.

D. CalWIN NOAs Many NOAs are available to be automatically triggered in CalWIN. These NOAs should be used whenever possible as CalWIN will keep a record of the NOA.

E. Minimum Adequate Notice Requirements All NOAs shall contain the following information to document the action taken. This information shall be clearly understandable and legibly written.

- Case name and address
- Case number
- Worker name and number
- The NOA completion date
- Effective date action will be taken
- Explanation of the action to be taken and the reason for that action

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Minimum Adequate Notice Requirements (continued)

- The GRPG section reference if the action is adverse
- Correct and accurate budget computations for approvals and changes
- An explanation of the applicant's/recipient's right to a GR Hearing for all denials, discontinuances, or decreases
- The period of time the aid covers, if appropriate, or the specific dates of any sanction period.

F. Approval/Discontinuation NOA

In situations where the GR aid payment period is less than one calendar month, the approval NOA may also serve as the discontinuation NOA. However, the notice must state the period of time the aid payment covers. These situations include only the following:

- Aid Through First Payday
- Transportation to resource.

G. Timely Notice Requirement

In other situations, any adverse action shall require that a timely NOA be sent to the recipient at least 10 calendar days prior to the effective date of the proposed action to reduce, discontinue, or terminate aid. This means that the NOA must be placed in the mail 10 days prior to the effective date of the adverse action.

Timely notice of adverse action consisting of 10 calendar days must also be provided to recipients without residential addresses. If there was a failure to complete program requirements, a NOA should be produced to be given to the recipient when they come in to the FRC. The cause determination should also be done at this time so that the recipient will know if more benefits will be issued.

Note: The above timely notice requirements have been modified pursuant to a settlement in the Reyes v. the Board of Supervisors lawsuit.

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Timely Notice Requirement (continued)

Examples	Situation
1	Employable applicant determined eligible in September for a prorated period (September 5 – September 30). After granting, the recipient notifies the worker that he/she will begin a job on September 20, with first pay expected October 1. The income will make the recipient ineligible. The worker must send a NOA to discontinue and mail by September 20. The recipient then has been provided timely notice of adverse action.
2	Aid is issued for September. Recipient does not attend work project and worker is notified on September 27. The worker cannot give the recipient a notice of adverse action. Therefore, aid for the next month must be issued. The worker shall issue NOA to discontinue at the end of the following month and will impose an employable sanction, which will extend the 12-Month Period (TMP). The NOA must provide the effect of that sanction.

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H. Timely Notice Not Required

In the following situations an adequate NOA is required, but need not be sent 10 days prior to the effective date of the proposed action. It shall be sent immediately, but no later than the effective date of the action. In addition, the above situations may allow the worker to place a hold on the benefits to prevent them being issued. These situations may include:

- The recipient was granted aid with a Granting/Discontinuance NOA as in E, above.
- The worker has verification confirming the death of the recipient.
- The worker has received a written or verbal request from the recipient to terminate aid.
- The worker has verification that the recipient has been incarcerated.
- The recipient receives another form of assistance, income, or resources to meet his needs.

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**Timely Notice
Not Required**
(continued)

- The recipient's whereabouts are unknown, or county mail directed to the recipient has been returned by the Post Office, indicating no forwarding address. (The recipient's aid payment must be made available to him/her if his/her whereabouts become known during the payment period covered by the benefits and the recipient is otherwise eligible.)
- The recipient is no longer a resident of San Diego County.

Whenever the recipient requests that his/her case be closed, the worker shall inquire as to the reason for the request. This information may determine if a fraud referral is appropriate, and is necessary to complete form 11-4 HHSA.

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