

§ 18084.1 Duration of Service Requirement

At initial certification or recertification contractors shall:

(a) Certify services for not less than twelve (12) months:

(b) Consider the family to meet the eligibility and/or need requirements for not less than twelve (12) months and provide those services for not less than twelve (12) months before having the family's eligibility or need recertified.

§ 18084.2 The Family's Right to Voluntarily Report Changes

(a) Upon a family voluntarily reporting changes in accordance with 8263(h)(4) the contractor shall:

(1) Use information as applicable to reduce the family fee, increase the family's services, or extend the period of eligibility.

(2) Collect documentation to support the changes requested,

(3) Not later than 10 business days after receipt of applicable documentation, issue a NOA in accordance with section 18095 and,

(4) Not use any information received to make any other changes to the service agreement.

(b) A family may at any time voluntarily request a reduction to their service level. Before a contractor may make any reductions to the service level, a parent shall:

(1) Submit a written request that includes:

(A) Days and hours per day requested;

(B) Effective date of proposed reduction of service level; and

(2) Acknowledge in writing that they understand that they may retain their current service level.

(c) Upon receipt of the parent's written request in subsection (b), the contractor shall:

(1) Notify the family in writing of the parents right to continue to bring their child pursuant to the original certified service level, and

(2) Collect documentation to support the changes requested, and

(3) Not later than 10 business days after receipt of applicable documentation, issue a Notice of Action pursuant to section 18095, and

(4) Not use any information received to make any other changes to the service agreement.

§ 18084.3 Requirement to Report when Income Exceeds Ongoing Income Eligibility.

When a family is initially certified or recertified on the basis of income eligibility:

(a) The family shall, within thirty (30) calendar days, report changes to ongoing income that causes their adjusted monthly income, adjusted for family size to exceed ongoing income eligibility.

(b) Contractors shall:

(1) At initial certification and recertification, notify the parent, in writing;

(A) Of the adjusted monthly income amount, based on the family size, that would render the family ineligible for services, based on ongoing income eligibility requirements, and

(B) Of the requirement to notify the contractor, within thirty (30) calendar days, of any change in ongoing income that causes the family's adjusted monthly income to exceed eighty-five percent (85%) of SMI.

(2) Upon notification of income changes by the family, the contractor shall:

(A) Obtain income documentation, pursuant to section 18084 as applicable;

(B) Calculate the family's adjusted monthly income, pursuant to section 18096;

(C) Assess if the family's adjusted monthly income exceeds the eighty-five percent (85%) of the most recent SMI as published by the SSPI; and

(D) When the family's calculated adjusted monthly income exceeds the eighty-five percent (85%) of the SMI threshold for the verified family size the contractor shall determine if the family is eligible for services based upon other eligibility criteria pursuant to Education Code section 8263(a)(1)(A). If the contractor establishes another basis for eligibility, the contractor shall document the new basis for eligibility and issue a NOA reflecting the change of eligibility.

(E) If the family does not meet another basis for eligibility, the contractor shall issue a Notice of Action to dis-enroll the family, pursuant to section 18095