

**ITEM 17 A**  
**FINAL STAFF ANALYSIS**  
**PROPOSED AMENDMENT TO PARAMETERS AND GUIDELINES**

Penal Code Section 1524.1

Statutes 1988, Chapter 1088

*Search Warrant: AIDS*

05-PGA-17 (CSM-4392)

State Controller's Office, Requestor

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**EXECUTIVE SUMMARY**

This is a request filed by the State Controller's Office (SCO) to amend the parameters and guidelines for the *Search Warrant: AIDS* program (CSM-4392) to add language regarding source documentation, and record retention requirements during the period a claim is subject to an audit. If the Commission on State Mandates (Commission) approves the SCO's request, the amendments would be effective for costs incurred beginning on July 1, 2005.

In 2003, upon recommendation from the Bureau of State Audits, direction from the Legislature, and an SCO request, the Commission adopted amendments to parameters and guidelines that clarified what source documentation claimants are required to retain to support the claims they file to obtain reimbursement for mandated programs, and records retention language that identifies the records that must be retained to support an audit initiated by the SCO. The adopted language, commonly referred to as "boilerplate language," has been included in all parameters and guidelines adopted since 2003. In addition, section 1183 of the Commission's regulations require parameters and guidelines to include instruction on claim preparation, notice of the SCO's authority to audit claims, and the amount of time documentation must be retained during the audit period.

The SCO is now requesting that parameters and guidelines adopted prior to 2003 be amended to also include the source documentation and records retention language.

This analysis pertains only to the request to amend the *Search Warrant: AIDS* program. The staff analyses for the other 48 programs will be presented separately.

There is one issue for the Commission's consideration:

- **Should the parameters and guidelines be amended to add the current "boilerplate language"?**

Staff finds that it is appropriate to approve the SCO's request to insert the source documentation and records retention language because it would conform the parameters and guidelines for the *Search Warrant: AIDS* program with the parameters and guidelines adopted for other programs, and is consistent with section 1183.1 of the Commission's regulations. Therefore, staff included the language requested by the SCO.

## **Staff Recommendation**

Staff recommends that the Commission:

- Adopt the SCO's proposed amendments to the parameters and guidelines for the *Search Warrant: AIDS* program, beginning on page 9.
- Authorize staff to make any non-substantive, technical corrections to the parameters and guidelines following the hearing.

## STAFF ANALYSIS

### Requestor

State Controller's Office

### Chronology

09/30/1988	Statutes 1988, Chapter 1088 (Senate Bill No. (SB 2642)) is enacted and establishes a legislatively determined mandate
08/22/1991	Commission on State Mandates (Commission) adopts parameters and guidelines
01/23/2003	The Commission, upon the recommendation of the Bureau of State Audits, direction from the Legislature, and upon request from the State Controller's Office (SCO), adopts amendments to the <i>School Bus Safety II</i> parameters and guidelines to include "boilerplate language" that details the documentation necessary to support reimbursement claims. After this date, all adopted parameters and guidelines contain this language
04/07/2006	SCO requests the parameters and guidelines for 49 mandated programs adopted prior to 2003 also be amended to include boilerplate language, including the <i>Search Warrant: AIDS</i> program analyzed here
04/27/2006	Commission deems SCO's request for amendment of parameters and guidelines complete and issues for comment
07/23/2009	Commission reissues SCO's request for amendment of parameters and guidelines for comment
08/18/2009	Department of Finance files comments
12/09/2009	Commission issues draft staff analysis

### Background

This is a request filed by the SCO to amend the parameters and guidelines for the *Search Warrant: AIDS* program (CSM-4392) to add language regarding source documentation, and record retention requirements during the period a claim is subject to an audit. If the Commission approves the SCO's request, the amendments would be effective for costs incurred beginning on July 1, 2005.

#### Program and Parameters and Guidelines

Statutes 1988, chapter 1088 (SB 2642)<sup>1</sup> was enacted to inform victims of crimes whether the defendant accused of the crime is infected with the acquired immune deficiency syndrome (AIDS) virus. The statute requires a court to issue a search warrant upon defendants charged with a crime to be tested for the AIDS virus, upon request of the victim of the crime. Prior to issuing the search warrant, the court is required to conduct a preliminary hearing on the matter. The prosecutor is required to inform the victim of his or her right to make this request, and to refer the victim to the local health officer for counseling. The local health officer is required to administer the AIDS test, and disclose the results to the victim and to the defendant.

The Legislature included language in this statute stating that it imposes a new program or higher level of service on local government, and declared it to be a reimbursable mandate, making the

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<sup>1</sup> Exhibit A.

statute a legislative determined mandate. Therefore, no test claim was filed, and no decision by the Commission was necessary.

The draft parameters and guidelines were submitted on December 31, 1990. On August 22, 1991, the Commission adopted the parameters and guidelines for this program.<sup>2</sup>

### Boilerplate Language

On March 28, 2002, the Bureau of State Audits (BSA) issued an audit report on the *School Bus Safety II* program, stating that the parameters and guidelines do not impose sufficient requirements regarding the documentation required to support reimbursement claims, and thus, insufficient documentation was being submitted to support claims.<sup>3</sup> The report recommended, among other things, that the Commission work with the SCO, other affected state agencies, and interested parties to make sure the language in the parameters and guidelines and the claiming instructions for the *School Bus Safety II* program reflects the Commission's intentions as well as the SCO's expectations regarding supporting documentation. On June 10, 2002, the SCO proposed that parameters and guidelines be amended to clarify what documentation is necessary to support reimbursement claims and what records must be retained to support audits initiated by the SCO.

Based on BSA's audit findings and recommendations, the Legislature enacted Statutes 2002, chapter 1167 (AB 2781) to direct the Commission to amend the parameters and guidelines in *School Bus Safety II*, to detail the documentation necessary to support reimbursement claims.

On January 23, 2003, upon recommendation from BSA, direction from the Legislature, and the SCO's request, the Commission adopted the following language regarding source documentation and records retention to the *School Bus Safety II* parameters and guidelines:<sup>4</sup>

#### *Reimbursable Activities*

*To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.*

*Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct based upon personal knowledge." Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.*

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<sup>2</sup> Exhibit B.

<sup>3</sup> Exhibit C.

<sup>4</sup> The Commission also adopted other boilerplate language that is not relevant to this request.

*The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.*

#### *Record Retention*

*Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter\* is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.*

The Commission has included this language, commonly referred to as “boilerplate language,” in all parameters and guidelines adopted on or after January 23, 2003.

#### SCO Request to Amend Parameters and Guidelines

On April 7, 2006, the SCO requested that the parameters and guidelines for 49 mandated programs that were adopted prior to 2003 be amended to also include the boilerplate language regarding source documentation and records retention that was adopted by the Commission in 2003.<sup>5</sup>

The parameters and guidelines for the *Search Warrant: AIDS* program is one of the 49 programs the SCO is requesting be amended.

#### Comments on the Proposal

On April 27, 2006, the Commission issued the SCO’s request to amend the parameters and guidelines for comment. No comments were filed. On July 23, 2009, the Commission reissued the proposal for comment. On August 18, 2009, Department of Finance submitted comments.<sup>6</sup>

In its comments, Finance stated it was neutral on the proposal, because the request to include boilerplate language in the parameters and guidelines for the 49 programs would allow the Controller to complete audit related tasks more efficiently, and provide the claimant with more information and record retention requirements, as well as the statute of limitations for audits.

Commission staff issued the draft staff analysis on December 9, 2009.<sup>7</sup> No comments were filed.

#### Related Litigation (*Clovis Unified School Dist., et al. v. State Controller*)

This case involves a challenge by school districts and community college districts on reductions made by the State Controller’s Office to reimbursement claims for several mandated programs.<sup>8</sup>

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\* This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

<sup>5</sup> Exhibit D.

<sup>6</sup> Exhibit E.

<sup>7</sup> Exhibit F.

<sup>8</sup> The Commission is not a party to this action.

The school districts argue that reductions made on the ground that school districts do not have contemporaneous source documents are invalid.

*Trial Court Ruling.* On January 2, 2009, the Sacramento County Superior Court (Case No. 06CS00748) issued a clarification of ruling and on February 19, 2009, issued a Judgment and Writ, finding that reductions made by the Controller on the ground that claimants did not have contemporaneous source documents supporting their reimbursement claims were invalid as an underground regulation *if* the contemporaneous source document requirement was not in the Commission's parameters and guidelines. The court held that the Controller has no authority to reduce a claim on the ground that a claimant did not maintain contemporaneous source documents to support their claim, absent statutory or regulatory authority to require contemporaneous source documents, or language in the parameters and guidelines requiring it. Pursuant to Government Code section 17558, the Controller's claiming instructions shall be derived from the test claim decision and the adopted parameters and guidelines. Thus, the court granted declaratory relief and a writ of mandate requiring the Controller to set aside the reduction and pay the school district plaintiffs the amounts reduced on two mandated programs that did not have parameters and guidelines language requiring claimants to maintain contemporaneous source documents.

*Court of Appeal Filings (Third District Court of Appeal, Case No. C061696).* Notices of appeal and cross-appeal have been filed by the SCO, the community college districts, and the school districts, and opening briefs have been filed. The appeal on the issue of the validity of the contemporaneous source documentation requirement remains pending.

## **Discussion**

The proposed amendments to the parameters and guidelines raise the following issue for determination by the Commission:

**Issue:                Should the parameters and guidelines be amended to add the Commission's current "boilerplate language"?**

In 2003, following recommendation from the BSA and direction from the Legislature, the SCO requested, and the Commission adopted amendments to parameters and guidelines that clarify what source documentation claimants are required to retain to support the claims they file to obtain reimbursement for mandated programs, and records retention language that identifies the records that must be retained to support an audit initiated by the SCO.

The adopted language, as detailed on pages 4 and 5 of this analysis, has been included in all parameters and guidelines adopted since 2003.

In addition, section 1183.1, subdivision (a) (5) and (6) require that the parameters and guidelines contain, among other things, the following:

- Claim preparation. Instruction on claim preparation, including instruction for direct and indirect cost reporting, or application of a reasonable reimbursement methodology.
- Record retention. Notice of the Office of the State Controller's authority to audit claims and the amount of time supporting documents must be retained during period subject to audit.

The SCO is now requesting that parameters and guidelines adopted prior to 2003 be amended to also include the source documentation and records retention language. This analysis pertains to the parameters and guidelines for the *Search Warrant: AIDS* program.<sup>9</sup>

Inserting the source documentation and records retention boilerplate language would conform the parameters and guidelines for the *Search Warrant: AIDS* program with the parameters and guidelines adopted for other programs, and is consistent with section 1183.1 of the Commission's regulations.

Therefore, staff finds that it is appropriate to approve the SCO's request, and made the following modifications to the parameters and guidelines:

#### *IV. Period of Reimbursement*

Government Code section 17557, subdivision (d) states that a parameters and guidelines amendment filed on or before the claiming deadline following a fiscal year, shall establish reimbursement eligibility for that fiscal year. This amendment was filed on April 7, 2006, (after the claiming deadline) establishing reimbursement for fiscal year 2005-2006. Therefore, reimbursement for this amendment shall begin on July 1, 2005.

Staff clarified that the proposed amendments would be effective on July 1, 2005.

#### *V. Reimbursable Activities*

Staff inserted the following boilerplate language regarding source documentation, as requested by the SCO:

*To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.*

*Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct based upon personal knowledge." Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.*

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<sup>9</sup> The SCO only requested that the portions of the boilerplate language regarding source documentation and records retention be added to the parameters and guidelines for the 49 programs. There are other sections of the boilerplate language regarding the remedies available before the Commission, and the legal and factual basis for the parameters and guidelines. Staff did not include these sections because the SCO did not request that they be included.

*The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate*

#### VII. *Records Retention*

At the request of the SCO, staff removed the existing language regarding records retention, and replaced it with the following boilerplate language regarding records retention.

*Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter\* is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.*

#### **Staff Recommendation**

Staff recommends that the Commission:

- Adopt the proposed amendments to parameters and guidelines for the *Search Warrant: AIDS* program, beginning on page 9.
- Authorize staff to make any non-substantive, technical corrections to the parameters and guidelines following the hearing.

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\* This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.



Adopted: 8/22/91

Proposed Amendment: January 29, 2010

## Proposed Amendment to Parameters and Guidelines

Penal Code Section 1524.1

Statutes 1988, Chapter 1088, ~~Statutes of 1988~~

*Search Warrant: AIDS*

05-PGA-17 (CSM 4392)

This amendment is effective beginning with claims filed for the July 1, 2005 through June 30, 2006 period of reimbursement

### I. Summary of Mandate

Penal Code section 1524.1, as added by Chapter 1088, Statutes of 1988, allows a crime victim the right to request AIDS testing on persons charged with a crime.

Under Penal Code section 1524.1, a crime victim may request a court to issue a search warrant to test the blood of a person charged with a crime for the human immunodeficiency virus (HIV) when there has been a transfer of blood, semen, or any other body fluid identified by the Department of Health Services as capable of transmitting the AIDS virus to another individual. Penal Code section 1524.1 applies to all crime victims, and includes sexual assault crimes, nonsexual crimes, and crimes where peace officers are victims. It applies to both adults and minors charged with crimes.

The District Attorney's Office is mandated by law to notify all crime victims falling within the provisions of Penal Code section 1524.1 of their right to request a search warrant. By law, a search warrant must be signed by a magistrate before any blood of the person charged with a crime can be drawn. Penal Code section 1524.1 allows the victim to request the court to issue a search warrant to require HIV testing of the accused, (1524.1(d)), and the District Attorney prepares the search warrant.

The local health officer is mandated by law within the provisions of Penal Code section 1524.1 to assist the victim in determining whether to request a search warrant for HIV testing and whether to request a test for him- or herself. The local health officer is required to administer the HIV test as specified in Penal Code section 1524.1(b) and to confirm and keep confidential those results, as specified. The local health officer is also required to offer professional counsel to the victim and the offender, as specified.

### II. Commission on State Mandates Decision

Section 2 of Chapter 1088, Statutes of 1988, (Senate Bill 2643), sets forth a specific mandate for expenditures required by the legislation by any city or county office such as the District Attorney's Office, and provides that reimbursement shall be made pursuant to Part 7 (commencing with section 17500) of Division 4 of Title 2 of the Government Code; therefore, no test claim is required. The draft parameters and guidelines were submitted on December 31, 1990, thus establishing eligibility for fiscal year 1990-91.

### III. Eligible Claimants

Any city or county which incurs increased costs as a result of this mandate is eligible to claim reimbursement of those costs.

Costs that are reimbursable under the Brown-Presley Trial Court Funding Act of 1985, commencing with Government Code section 77000, cannot be claimed for this state mandated program.

### IV. Period of Reimbursement

This amendment is effective beginning with claims filed for the July 1, 2005 through June 30, 2006 period of reimbursement.

Chapter 1088, Senate Bill 2643, was approved by the Governor on September 20, 1988, and became law on January 1, 1989. The city or county is seeking reimbursement for enforcement and implementation of the new legal procedures for the fiscal year beginning July 1, 1990, to June 30, 1991.

Actual costs for each fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to section 17561, subdivision (d)(3) of the Government Code, all claims for reimbursement of costs shall be submitted within 120 days of notification by the State Controller of the enactment of the claims bill.

If the total costs for a given fiscal year do not exceed \$200, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

### V. Reimbursement Costs/Activities

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating, "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct based upon personal knowledge."  
Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

## A. Scope of Mandate

Any city or county shall be reimbursed for the reasonable and necessary increased costs which they are required to incur to notify all crime victims of their right to request a search warrant for the purpose of testing the blood of the accused for the HIV virus in any case where there is probable cause to believe that blood, semen, or any other body fluid (identified by the State Department of Health Services in appropriate regulations) has been transferred from the accused to the victim. The reimbursable costs include the reasonable and necessary costs of any city or county to share documents, information, and services among themselves and with the victims and suspects.

## B. Reimbursable Activities of Penal Code Section 1524.1, Chapter 1088, Statutes of 1988.

For each eligible claimant, the direct and indirect costs of labor, supplies, and services for the following cost items are reimbursable:

1. Develop policies and procedures used by various governmental agencies in the implementation and continued operation of this section;
2. Develop training materials used to conduct training sessions for District Attorneys, law enforcement agencies, court personnel, health department and various other government agencies, and activities that are required by Penal Code Section 1524.1, Chapter 1088, Statutes of 1988.
3. Identify possible AIDS testing cases, per Penal Code Section 1524.1(b). A possible AIDS testing case is one where there is shown in the police reports a probable cause that blood, semen, or any other body fluid identified by the Department of Health Services as capable of transmitting the human immunodeficiency virus to another individual has been transferred from the accused to the victim. Route copies of the criminal complaint to all appropriate personnel and the court.
4. File a "Notice of Testing" document with the court and give the document to the arrested person at his/her arraignment.
5. District Attorney's office to notify the victim of the right under California law to have a defendant tested for AIDS, per Penal Code section 1524.1(c)(1).
6. District Attorney's office or local health officer, as appropriate, to provide trained professional consultation to the victim informing him/her about the spread of the disease, high risk factors for transmitting AIDS, and the benefits and limitations of testing, per Penal Code Section 1524.1(c)(1).
7. If the victim decides to request testing of the person arrested, District Attorney's office to prepare the necessary documentation for the court and support the hearing, if the court finds a hearing applicable. This hearing is to support or rebut the issuance of a search warrant, per Penal Code Section 1524.1(b)(2).
8. District Attorney's office to prepare for and attend a hearing before the court as required by Penal Code Section 1524.1(b)(2).

9. District Attorney's office to prepare, distribute and follow up on all search warrants, per Penal Code Section 1524.1.
10. Local health officer responsible to test the arrested person for the AIDS virus and notify the arrested person and the victim of the test results, per Penal Code Sections 1524.1(e) and (g).
11. Local health officer to provide pre-request counseling to the victim to help the victim to decide whether to ask that the accused be tested, to decide whether the victim wants to be tested, and provide other counseling including post-test counseling when test results are positive to the arrested person and victim, per Penal Code Section 1524.1(g).

#### VI. Claim Preparation

Each claim for reimbursement for increased costs incurred to comply with the mandate must be timely filed and set forth a listing of each item for which reimbursement is claimed:

##### A. Attach a statement showing the actual increased costs incurred.

###### 1. Employee Salaries and Benefits.

Show the classification of the employees involved, mandated functions performed, number of hours devoted to the function, and hourly rates and benefits.

###### 2. Services and Supplies.

Include only expenditures which can be identified as a direct cost resulting from the mandate. List cost of materials acquired which have been consumed or expended specifically for the purposes of this mandate.

###### 3. Allowable Overhead Costs.

Cities and counties have the option of using 10% of direct labor as indirect costs or preparing a departmental Indirect Cost Rate Proposal. If the city or county elects to prepare an Indirect Cost Rate Proposal, the Proposal must be prepared in accordance with Office of Management and Budget Circular A-87 (OMB A-87).

#### VII. ~~Supporting Data Record Retention~~

~~For auditing purposes, all costs claimed must be traceable to source documents and/or worksheets that show evidence of the validity of such costs. These documents must be kept on file by the agency submitting the claim for a period of no less than three years from the date of the final payment of the claim pursuant to this mandate, and made available at the request of the State Controller or his agent.~~

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter<sup>1</sup> is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to

<sup>1</sup> This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section V, must be retained during the period subject to audit. If the Controller has initiated an audit during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

#### VIII. Offsetting Savings and Other Reimbursements

Any offsetting savings the claimant experiences as a direct result of this statute must be deducted from the costs claimed. In addition, reimbursement for this mandate received from any source, e.g., federal, state, etc., shall be identified and deducted from this claim.

#### IX. State Controller's Office Required Certification

An authorized representative of the claimant will be required to provide a certification of the claim, as specified in the State Controller's claiming instructions, for those costs mandated by the state contained herein.