

ITEM 4

DISMISSAL OF TEST CLAIM

Welfare and Institutions Code Sections 12301, 12302, and 12306

Statutes 1981, Chapter 69 (Senate Bill 633)

Department of Social Services Manual Letter No. 81-30 (Dated July 19, 1981) and
Interim Instruction Notice (Dated January 19, 1982)

In-Home Support Services

(CSM 4314)

County of San Bernardino, Claimant

Executive Summary

On April 12, 2007, the County of San Bernardino requested withdrawal of the test claim filing on *In-Home Support Services* (CSM 4314).¹ Claimant's request was served in writing, and a sixty-day notice of the withdrawal and dismissal was provided to all parties and interested parties on the mailing list pursuant to California Code of Regulations, title 2, section 1183.08.²

The deadline for an eligible claimant to request to take over the claim by substitution of the parties was on June 12, 2007. The Commission did not receive any objections to the request to withdraw the claim or any requests from another local agency to take over this test claim by substitution of parties.

Recommendation

Staff recommends that the Commission adopt the Proposed Decision to Dismiss Test Claim on page 3.

¹ Claimant's withdrawal request letter (Exhibit A).

² Notice of withdrawal and dismissal (Exhibit B).

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM:

Welfare and Institutions Code Sections 12301, 12302, and 12306; Statutes 1981, Chapter 69 (Senate Bill 633); Department of Social Services Manual Letter No. 81-30 (Dated July 19, 1981) and Interim Instruction Notice (Dated January 19, 1982)

Filed on September 6, 1988, by the Counties of Los Angeles and Fresno; Substitution of Claimants on September 25, 2000, by the County of San Bernardino, Claimant.

Case No.: CSM 4313

In-Home Support Services

PROPOSED DECISION TO DISMISS TEST CLAIM PURSUANT TO GOVERNMENT CODE SECTION 17500 ET SEQ.; CALIFORNIA CODE OF REGULATIONS, TITLE 2, DIVISION 2, CHAPTER 2.5, ARTICLE 3, SECTION 1183.08, and ARTICLE 7

(Proposed for Adoption on July 26, 2007)

PROPOSED DECISION TO DISMISS TEST CLAIM

On April 12, 2007, the County of San Bernardino requested withdrawal of the test claim filing on *In-Home Support Services* (CSM 4314). Claimant's request was served in writing, and a sixty (60)-day notice of the withdrawal and dismissal was provided to all parties and interested parties on the mailing list pursuant to California Code of Regulations, title 2, section 1183.08.

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties within the sixty (60)-day deadline of June 12, 2007.

CONCLUSION

IT IS HEREBY ORDERED that the test claim filing, *In-Home Support Services* (CSM 4314), is dismissed without prejudice pursuant to California Code of Regulations, title 2, section 1183.08. Any eligible claimant may file a new test claim on the above-referenced statutes and alleged executive orders. Any new test claim, however, shall be subject to the statute of limitations in Government Code section 17551 and a new potential period of reimbursement pursuant to Government Code section 17557.