



RODERICK L. BREMBY  
Commissioner

**STATE OF CONNECTICUT**  
**DEPARTMENT OF SOCIAL SERVICES**  
**OFFICE OF THE COMMISSIONER**

TELEPHONE  
(860) 424-5053

TDD/TTY  
1-855-470-3767

FAX  
(860) 424-5057

EMAIL  
[commis.dss@ct.gov](mailto:commis.dss@ct.gov)

January 4, 2016

Senator Clark J. Chapin, Co-Chair  
Representative Brian Becker, Co-Chair  
Regulation Review Committee  
Room 011, Capitol Building  
Hartford, CT 06106

RE: The State-Administered General Assistance Program, Tracking No. PR2015-139

Dear Senator Chapin and Representative Becker:

Pursuant to subsection (e) of section 4-170 of the Connecticut General Statutes, I am resubmitting for your approval a proposed regulation that constitutes a total rewrite of the Department of Social Services' (DSS') eligibility regulations governing the State-Administered General Assistance (SAGA) program. The proposed regulation was rejected without prejudice by the Regulation Review Committee on December 15, 2015.

This proposed regulation is the first installment in a broader DSS initiative to eliminate the agency's Uniform Policy Manual (UPM) and replace it with individual regulations for each DSS-administered program. These new regulations will be better organized, more understandable to members of the public and published in the Regulations of Connecticut State Agencies. The vast majority of this proposed regulation constitutes a technical rewrite of existing eligibility rules for SAGA, but a number of substantive changes, outlined in the Notice of Intent published on the eRegulations System on August 18, 2015, are also being incorporated in an effort to modernize the eligibility rules governing the program.

Attached to this letter is a summary of all changes that were made in response to the Legislative Commissioners' December 15, 2015, memorandum concerning the proposed regulation, as originally submitted.

Please note that an additional change was made after renewed conversations with attorneys from the Legal Assistance Resource Center of Connecticut, Greater Hartford Legal Aid, and New Haven Legal Assistance Association (collectively, "Connecticut Legal Services"). Specifically, on page 39 of the proposed regulation, the following language was added in a new section 17b-198-13(a)(2): "(2) When the department receives all information necessary to determine an applicant's eligibility for assistance, the department shall, not later than ten days after the date on which all such information was received, (A) grant assistance and issue the initial benefit payment if eligibility has been established, or (B) deny assistance and issue a notice of denial to the applicant if eligibility has not been established." All existing subdivisions were renumbered to account for the addition of this new subdivision.

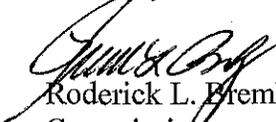
Also on page 39, section 17b-198-13(a)(3) was revised to read as follows: "(3) The department may complete its application determination prior to the expiration of the standard processing deadline whenever the application is withdrawn or the applicant refuses to cooperate with respect to an aspect of the application process that results in ineligibility for assistance." Previously, this provision included language allowing the department to grant or deny assistance prior to the standard processing deadline whenever it receives all relevant information concerning an applicant's eligibility. Given the addition of the new language in subdivision (2), which, as described above, requires the department to make an eligibility determination within ten days of the date on which it receives all information necessary to make an eligibility determination, this language is now superfluous and is being removed.

As a final matter, during the renewed conversations with Connecticut Legal Services, a question arose as to whether certain provisions contained in section 1000, et seq., of the UPM that describe DSS' responsibilities under the Americans With Disabilities Act would continue to apply in the SAGA program after the proposed regulation is adopted. Particular concern was raised with respect to section 1005.10 of the UPM. Among other things, this section describes the right of a disabled applicant or recipient to a reasonable accommodation that is necessary to provide him or her with a meaningful opportunity to participate in and benefit from programs administered by DSS. To be clear, these UPM provisions currently apply to all programs administered by DSS, and will continue to apply to all DSS-administered programs, including SAGA, following formal adoption of the proposed regulation. Accordingly, it has been agreed that no change to the proposed regulation is necessary based on this issue.

Copies of the proposed regulation and all supporting documents have been submitted to the Office of Fiscal Analysis and the Human Services Committee, which has cognizance over the subject matter of the proposed regulation.

If you or your staff require additional information concerning this proposed regulation, please contact Graham Shaffer at (860) 424-5915.

Sincerely,

  
Roderick L. Bremby  
Commissioner

Enclosures

cc: Brenda Parrella  
Phyllis Hyman  
Marc Shok  
Peter Palermino  
Daniel Buckson

## January 4, 2016 Attachment

### RE: Summary of Changes to PR2015-139, The State-Administered General Assistance Program

The Department of Social Services responds to the substantive concerns and technical corrections identified in the Legislative Commissioners' December 15, 2015, memorandum regarding the proposed regulation as follows:

#### Substantive Concerns:

1. On page 2, in section 17b-198-2(13), "Notice" is defined as a "written statement sent by the department to the assistance unit that informs the assistance unit the department has taken or intends to take a specific action in the assistance unit's case". In section 17b-198-2(2), the term "assistance unit" shares the same definition as the terms "assistance unit member" or "member of an assistance unit" and therefore, by definition, the department's notice would seemingly also have to be sent to any "assistance unit member" as well. It is unclear whether the department intends to obligate itself to send notice to an assistance unit, as well as, any "assistance unit member". As such, further clarification concerning the definition of "notice" is required. In addition, on page 42, in section 17b-198-14(g), and on page 46, in section 17b-198-16(c), the term "notice" is used in a context that is at variance with the defined term. To the extent that the definition section has been made applicable to all sections of the regulation, any use of the term "notice" should comport with the definition of the term.

#### **CHANGES MADE:**

The first part of this substantive concern assumes that there is ambiguity about whether multiple notices would need to be sent to an "assistance unit" since "assistance unit" shares the same definition as "assistance unit member" and "member of an assistance unit." This concern presupposes that a SAGA assistance unit can be comprised of more than one member. However, subsection (c) of section 17b-198-4 clarifies that, in the SAGA program, each assistance unit is comprised of only one person: the applicant or recipient. Therefore, there is no ambiguity about whether multiple notices would need to be sent to an assistance unit containing more than one member.

In response to the second part of this substantive concern, the term "notice" was changed to "notification" where indicated on pages 42 and 46. Please note that the necessary change on page 46 was in subsection (b), not (c), of section 17b-198-16.

2. On page 5, section 17b-198-4(b) describes the composition of the needs group for purposes of determining whether the assistance unit meets asset and income requirements and "for the purpose of calculating the appropriate level of assistance." The section then states that the needs group shall consist of the assistance unit and his or her spouse unless they are separated and no longer living together. Since "needs group" is not defined elsewhere in the proposed regulation, it is unclear whether the needs group composition always excludes children and other individuals dependent on the assistance unit or whether this description is

only for the purpose of determining income and assets of an assistance unit. The section should be rewritten for clarity or the term "needs group" should be defined.

**CHANGES MADE:**

Section 17b-198-4(b) indicates that the needs group is comprised only of the assistance unit member (the person requesting or receiving assistance) and such member's spouse. To be clear, any child who is applying for cash assistance and lives with a caretaker would be eligible for the more generous cash benefit provided through the Temporary Family Assistance program. DSS does not believe that a change is necessary with respect to this substantive concern.

3. On page 8, section 17b-198-5(f)(4)(C) states the department will consider an assistance unit member and his or her spouse to be separated if such member or spouse belongs to a "community-based services special needs group". It is not clear what such a group is. The term "community-based services special needs group" should be defined for clarity.

**CHANGES MADE:**

A community-based services special needs group includes a person receiving Medicaid home and community-based services and such person's spouse. Upon reflection, because transfer-of-asset rules set forth in 17b-198-5 only apply to SAGA recipients admitted to a rated facility, such a person would never be receiving home and community-based services, and the definition of "separated" on page 8 in 17b-198-5(f)(4)(C) should not cover situations in which the assistance unit member or his or her spouse belong to a community-based services special needs group. Accordingly, the second sentence in 17b-198-5(f)(4)(C) has been revised to read as follows: "For purposes of this subparagraph, the department shall consider an assistance unit member and his or her spouse to be separated if such member or spouse has left the home and does not intend to return, or such member and spouse are residing in different rooms in the same rated housing facility or licensed residential care." Because the term "community-based services special needs group" is being eliminated from the proposed regulation, no definition of that term is necessary.

4. On page 8, section 17b-198-5(f)(6) states that any penalty assessed under the subsection shall also affect eligibility for AABD during the penalty period. It is unclear whether the SAGA program encompasses the AABD program, an optional state supplementation program for the aged, blind and disabled authorized under federal law and section 17b-600 of the Connecticut General Statutes. Section 17b-600 contains no references to the SAGA program. If SAGA does not encompass AABD, there may have been insufficient notice for this regulatory provision since it is included in proposed regulation for a separate financial assistance program. Section 4-168 of the Connecticut General Statutes requires "a description sufficiently detailed so as to apprise persons likely to be affected of the issues and subjects involved in the proposed regulation."

**CHANGES MADE:**

In response to this concern, the last sentence of 17b-198-5(f)(6) has been removed.

5. On page 8, section 17b-198-5(f)(7) states the department shall provide notice when it intends to deny or discontinue assistance because of an improper asset transfer but does not state how soon before the denial or discontinuance of assistance such notice shall be given and how or whether such notice differs from the "adequate notice" provisions contained in section 17b-198-15 of the proposed regulation. This subdivision should be rewritten to comport with section 17b-198-15 or include specific information concerning the timeliness of notice regarding denial or discontinuance of assistance related to improper asset transfers.

**CHANGES MADE:**

On page 8, language has been added to section 17b-198-5(f)(7) to clarify that the notice described in said section shall be given fifteen days prior to taking the intended action. The first sentence of section 17b-198-5(f)(7) now reads as follows: "The department shall notify each applicant for assistance pursuant to SAGA of the potential impact of transferring an asset. Whenever the department intends to deny or discontinue assistance pursuant to SAGA due to a penalty imposed pursuant to this subsection, the department shall, not later than fifteen days prior to taking such intended action, provide the assistance unit member with notice clearly explaining the reason for the decision and that such member has a right to rebut the findings of the department by a date provided in such notice."

6. On page 9, section 17b-198-6(a)(3) states the department may request that any person it comes into contact with who is not applying for SAGA or who is ineligible for SAGA for reasons other than failing to provide a Social Security number voluntarily disclose his or her Social Security number to the department. It is not clear whether this authority of the department is limited to persons who are part of the needs group of a SAGA applicant. Section 17b-198 of the Connecticut General Statutes gives the department authority to promulgate SAGA regulations but does not confer a broad-based authority to ask any person to voluntarily disclose his or her Social Security number. The section should be rewritten to limit the circumstances under which the department may ask for such information. Alternatively, the department should include a cite to the state or federal law that authorizes the department to request that a person, who may or may not have some connection to a department administered program, voluntarily disclose his or her Social Security number to the department.

**CHANGES MADE:**

Section 17b-198-6(a)(3) is based upon section 3505.05.B of the UPM, which applies to multiple programs administered by DSS. This provision is intended only to clarify that a person who is not applying for or who is ineligible for benefits from a program administered by DSS may voluntarily disclose or apply for a Social Security number, but shall not be required to do so as a condition of the assistance unit's eligibility. The provision is not intended to confer a broad-based authority that would allow DSS to request a Social Security number from anyone with whom it comes into contact. To the extent that the previous language suggested as much, it has been revised to provide as follows: "Any person who is not applying for or eligible to receive assistance pursuant to SAGA for any reason other than failing to disclose or apply for a Social Security number may voluntarily disclose his or her Social Security number to the department or apply for such a number, but such disclosure or application shall not be required as a condition of eligibility for any assistance unit member."

This language more closely tracks the language currently contained in section 3505.05.B of the UPM.

7. On page 12, in section 17b-198-6(f), the regulation requires an applicant to assign to the state any interest such applicant has in an estate or settlement. On pages 55 and 56, in sections 17b-198-18(a) and 17b-198-18(c), the regulation allows the department to recover the full amount of any assistance obtained from estate or settlement proceeds. Section 17b-94 of the Connecticut General Statutes limits state recovery from an estate or settlement proceeds to the amount of benefits paid, or 50 percent of the proceeds, whichever is less (emphasis added). The sections should be rewritten to state that recovery of such interest or settlement shall be in accordance with section 17b-94 of the Connecticut General Statutes.

**CHANGES MADE:**

The following sentence was added on page 12 at the end of section 17b-198-6(f)(1): "The amount of an assignment of an assistance unit member's interest in a decedent's estate shall be equal to the total amount of SAGA benefits received by such member, or fifty per cent of the assets from the estate that are payable to such member, whichever is less. The amount of an assignment of an assistance unit member's interest in a cause of action shall be equal to the total amount of SAGA benefits received by such member, or fifty per cent of the proceeds received by such member in connection with such cause of action after payment of all expenses connected with the cause of action, whichever is less."

On page 55, in section 17b-198-18(a)(1)(A), a comma and "or fifty per cent of the assets from the estate that are payable to such member, whichever is less" was inserted between "benefit" and the semicolon at the end of subparagraph (A).

On pages 55 to 56, in section 17b-198-18(a)(1)(B), a comma and "or fifty per cent of such proceeds after payment of all expenses connected with such cause of action, whichever is less" was inserted between "proceeds" and the semicolon at the end of subparagraph (B).

8. On page 17, in sections 17b-198-8(d)(1)(A) and 17b-198-8(d)(1)(C), and on page 23, in sections 17b-189-9(d)(7) and 17b-198-9(d)(11), it is not clear whether references to federal acts with the original enactment date are meant to exclude any amendments made since the original enactment dates; if not, the phrase "as amended from time to time" should be added after the references to the acts.

**CHANGES MADE:**

To clarify that amendments to the federal laws in question are not meant to be excluded, the phrase "as amended from time to time" was added to each of the identified provisions on pages 17 and 23. In addition, and for the same reason, this phrase was added on page 2 in sections 17b-198-2(14) and 17b-198-2(18); on page 5 in section 17b-198-5(a) after the citations to 8 USC 1641 and 8 CFR 1.3; on page 17 in section 17b-198-8(d)(1)(F); on page 24 in section 17b-198-9(d)(17); and on page 25 in section 17b-198-9(h) after "Section 8 of the Housing Act of 1937".

9. On page 23, in section 17b-198-9(d)(18), Aid and Attendance pension benefits paid by the United States Department of Veterans Affairs are listed as excluded income. On page 25, in section 17b-198-9(l), retirement and veterans' benefits paid by the United States Department of Veterans Affairs are listed as counted unearned income. It is not clear that the latter does not include the former. Sections 17b-198-9(d)(18) and 17b-198-9(l) should be reconciled for clarity.

**CHANGES MADE:**

On page 24, the phrase "Notwithstanding the provisions of subsection (l) of this section," was added at the beginning of section 17b-198-9(d)(18) to clarify that Aid and Attendance pension benefits are treated differently than other types of benefits paid by the U.S. Department of Veterans Affairs.

10. On page 28, section 17b-198-10(b)(2) of the regulation conflicts with the controlling statutory provision, section 17b-104 of the Connecticut General Statutes, as amended by section 375 of public act 15-5 of the June 2015 special session. The regulatory provision should be reconciled with, or cross reference, the statutory provision. In addition, the reference to "unless the General Assembly directs the department to withhold such annual increase" should be deleted. The General Assembly cannot unilaterally direct the department to withhold such annual increase absent a statutory change through the legislative process.

**CHANGES MADE:**

On page 28, section 17b-198-10(b)(2) has been revised to read as follows: "The payment standards described in subparagraph (C) of subdivision (1) of this subsection shall be increased annually in accordance with the provisions of section 17b-104 of the Connecticut General Statutes."

11. On page 39, section 17b-198-13 establishes a forty-five day deadline for the department to make a non-medical determination of SAGA eligibility and sixty days for the department to determine whether a person has a "medical condition that renders him or her unemployable." The current UPM allows ten days for a non-medical SAGA eligibility determination and forty-five days for medical determinations of unemployability. The department appears to be relying on section 17b-80 of the Connecticut General Statutes, which establishes a forty-five day deadline for the department to process financial assistance applications or sixty days to make "disability" determinations. To the extent that "a determination concerning whether a person has a medical condition that renders him or her unemployable" may not equate to a "determination of disability" as set forth in said section 17b-80, the department should reword this section to conform to the statute or alternatively specifically cite to the statute providing the authority for the regulatory provision in its present form.

**CHANGES MADE:**

On page 39, in 17b-198-13(a)(1)(A), the term "medical condition" has been replaced by "physical or mental disability" in order to explicitly equate "disability" (the term used in section 17b-80 of the Connecticut General Statutes) with the SAGA concept of "unemployability."

12. On page 39, in section 17b-198-13(b), the regulation allows the department to extend the processing time "as necessary" when the department has assumed responsibility to obtain required information, is awaiting receipt of the information or the information is otherwise unavailable. This provision appears to benefit applicants by preventing rejection of the application but also allows an indefinite time period for the department to act in certain cases. To the extent that a failure to act on an application is tantamount to a denial, the provision may conflict with an applicant's right to appeal a denial of benefits via a fair hearing pursuant to section 17b-193 of the Connecticut General Statutes or the department's failure to process the application in a timely manner pursuant to section 17b-80 of the Connecticut General Statutes. The section should be rewritten to state that the department's discretion to extend processing deadlines does not conflict with an applicant's rights to appeal a denial of benefits or failure to process applications in a timely manner.

**CHANGES MADE:**

To avoid any concern that the department could fail to act on an application under the provisions of 17b-198-13(b)(2) without offering an opportunity for a hearing, language entitling an applicant to a fair hearing when the department extends the standard processing deadline has been added to the end of subdivision (2). As revised, this provision now reads: "(2) As necessary if the department has assumed responsibility for obtaining information that is required to verify an applicant's eligibility for assistance and is waiting for receipt of such information from a third party or is otherwise unable to obtain such information prior to the standard processing deadline, provided that, (A) upon receipt of such information, the department shall either immediately process the application or grant an additional extension pursuant to this subsection, if applicable, and (B) the applicant may request a fair hearing; and".

Also, on page 40, section 17b-198-13(e) has been revised by striking the phrase "and the standard processing deadline is not extended under subsection (b) of this section" in order to clarify that an assistance unit has a right to a fair hearing to challenge the department's failure to act on an application by the standard processing deadline, even if the department exercises its authority to extend that deadline.

13. On page 48, in section 17b-198-16(i)(3), the regulation states "Notwithstanding the provisions of subsection (a) of this section, any such replacement payment shall be limited to an amount equal to the portion of the previously issued benefit payment or payments that were misused." Subsection (a) defines the term "electronic benefits transfer account" but does not contain any limitation on department repayment terms. The section should be reworded for accuracy to cite the proper subsection.

**CHANGES MADE:**

On page 48, in section 17b-198-16(i)(3), the internal cross reference to subsection (a) has been revised to accurately make reference to subsection (b) of section 17b-198-16.

14. On page 57, section 17b-198-19 of the regulation sets forth, in part, "any married person receiving SAGA benefits at the time said sections become effective, *and who would be adversely affected by the implementation of said sections*, shall continue to receive the same

amount of SAGA benefits such person was receiving prior to the effective date of said sections, provided other circumstances affecting such person's eligibility and appropriate level of assistance do not change." (emphasis added). The phrase "adversely affected by the implementation of said sections" seemingly means that a person would receive a reduction in benefits. However, the regulation provides no guidance as to (1) whether one might be adversely affected in some other way, or (2) who makes the determination as to whether one is adversely affected. Further clarification of this provision is required.

**CHANGES MADE:**

On pages 57 to 58, section 17b-198-19 has been revised to read as follows: "Notwithstanding the provisions of sections 17b-198-9 and 17b-198-10 of the Regulations of Connecticut State Agencies, any married person receiving SAGA benefits at the time said sections become effective whose benefits would be reduced or terminated due to the implementation of subsections (a) and (b) of section 17b-198-10 of the Regulations of Connecticut State agencies, shall continue to receive the same amount of SAGA benefits such person was receiving prior to the effective date of said sections, provided other circumstances affecting such person's eligibility and appropriate level of assistance do not change."

The new language clarifies that the only type of adverse impact that falls within the scope of section 17b-198-19 is the reduction or termination of a married person's benefits resulting from the new payment standards for married recipients, as set forth in subsections (a) and (b) of section 17b-198-10.

**Technical Corrections:**

Item	Comment	Response
1	On page 1, in section 17b-198-1, the catchline "Scope Effective date." should be "Scope. Effective Date." for consistency. Thereafter, the catchlines for sections 17b-198-2 to 17b-198-19, inclusive, should be bolded for consistency.	As discussed with LCO attorneys and confirmed by the Secretary of the State's Office, the drafting tool in the eRegulations System will not allow catchlines to be bolded. This appears to be a system design flaw. However, SOTS has indicated that these catchlines can be bolded during the publication phase, and that it will make these corrections prior to publication.
2	On page 1, in section 17b-198-1, "8000" should be "8000 et seq." for accuracy.	The citation to "8000" was intended to be a citation to "8080". The citation has been revised accordingly.

3	On page 1, in section 17b-198-2(9), "17b-60 to 17b-66" should be "17b-60, 17b-61 and 17b-66" for accuracy.	Correction made as indicated.
4	On page 1, section 17b-198-2(10), which defines the term "MA", should be deleted and the remaining subdivisions renumbered accordingly as the defined term does not appear elsewhere in the specified sections of the regulation.	Deletion and renumbering completed as indicated.
5	On page 3, in section 17b-198-3(b)(1), a semi-colon should be inserted as the end of the subdivision for accuracy and consistency.	Insertion made as indicated.
6	On page 5, in section 17b-198-3(h), "next succeeding business day" should be "next business day" for clarity.	Correction made as indicated.
7	On page 6, in section 17b-198-5(f)(2)(A), "Except as provided in subdivision (5)" should be "Except as provided in subparagraph (C) of this subdivision and subdivision (5)" for accuracy and consistency.	Correction made as indicated.
8	On page 8, in section 17b-198-5(f)(5), "was incompetent" and "is incompetent" should be "has been declared incompetent by a court of appropriate jurisdiction" for consistency with the provisions of section 17b-198-3 of the regulation.	Correction made as indicated.
9	On page 9, in section 17b-198-5(h), "subdivision" should be "subsection" for accuracy.	Correction made as indicated.
10	On page 10, in section 17b-198-6(b)(3), "subsection" should be "subdivision" for accuracy.	Correction made as indicated.
11	On page 11, in section 17b-198-6(c)(4), in line 13, "allegation circumstances" should be "allegation of circumstances" for clarity.	Correction made as indicated.
12	On page 16, section 17b-198-8(14), which defines the term "revocable burial fund", should be deleted and the remaining subdivision renumbered accordingly as the defined term does not appear in this section of the regulation.	Deletion and renumbering completed as indicated.
13	On page 17, in section 17b-198-8(d)(1)(E), and on page 25, in section 17b-198-9(l), "U.S." should be "United States" for consistency.	Correction made as indicated.

14	On page 19, in sections 17b-198-8(f) and (g), "As a general rule, money received on a recurring basis" should be "Money received on a recurring basis" for clarity.	Correction made as indicated.
15	On page 21, in section 17b-198-8(r), in line 2, "owns or" should be deleted; and in line 4, "acquires or" should also be deleted for accuracy and clarity.	Correction made as indicated.
16	On page 24, in section 17b-198-9(e)(5)(B), "room" should be "a room" for consistency.	Correction made as indicated.
17	On page 25, in section 17b-198-9(h), "17b-812" should be "8-345" for accuracy.	Correction made as indicated.
18	On page 35, in section 17b-198-12 (b)(4), "(l)" should be italicized for consistency.	Correction made as indicated.
19	On page 42, in section 17b-198-14(i), in line 5, "good cause for such assistance unit's failure" should be "good cause, as defined in subsection (f) of this section, for such assistance unit's failure" and the succeeding sentence should be deleted for consistency.	Correction and deletion made as indicated.
20	On page 43, in section 17b-198-15(k)(2)(B)(ii), "good cause has the same meaning as provided in subsection (i) of this section" should be "good cause has the same meaning as provided in subsection (f) of this section" for consistency.	Correction made as indicated.
21	On page 49, in section 17b-198-17(b), the first sentence should be rewritten for clarity to state: "The department shall investigate and correct any past underpayment when such underpayment is discovered regardless of when the underpayment occurred or whether the underpaid assistance unit's case has been closed."	Correction made as indicated.
22	On page 49, in section 17b-198-17(c), the first sentence should be rewritten for clarity to state: "The department shall investigate and take action in accordance with this subdivision with respect to any past overpayment when such overpayment is discovered regardless of when the overpayment occurred or whether the overpaid assistance unit's case has been closed."	Correction made as indicated.
23	On page 51, in sections 17b-198-17(e)(2)(A) and 17b-198-17(e)(3)(A)(i), "subsection (i) of section 17b-198-14" should be "subsection (l) of section 17b-198-14" for consistency.	Correction made as indicated.

24	In section 8080.10(A) of the Uniform Policy Manual, "section 1000" should be "section 1000 et seq." for accuracy.	This correction was made, as indicated, in an attachment to the proposed regulation titled "Updated Uniform Policy Manual Amendment." In addition, in section 20 of the proposed regulation, the title of the attached document to which reference is made has been changed from "Uniform Policy Manual Amendment" to "Updated Uniform Policy Manual Amendment" for the purpose of clarifying which document in the regulation-making record contains the technical correction.
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