



## ***FNS Policy on Food Stamp Application Withdrawals***

DSS has issued ACIN I-08-03 dated February 4, 2003. This ACIN contains a recommended form CW89. Basically, counties do not have to use this form. They could simply ignore it, however, if the county chooses to use the form, the form asks the applicant “Did you decide to drop this application?” and “Did anyone from the County tell you to drop this application?”

The problem is, the forms instructions do not tell the county what to do if the client states that he/she did not decide to drop the application or that the County told him/her to drop the application. Thus, many clients in California are unlawfully being instructed by the law-breaking counties to withdraw their application. In fact, it is not uncommon for applicants to be told if you drop your food stamp application, we will give you Medi-Cal.

To see how counties are handling withdrawals of applications we looked at DSS’s statistical reports December 2002 CA 237 that show how many people applied and how many applicants withdrew their applications.

Statewide, according to the DSS DFA 296 reports for February 2003, about 5%

of the food stamp cases are withdrawing their applications in California.

They top ten counties are:

<b>1</b>	<b>Plumas</b>	<b>14.29%</b>
<b>2</b>	<b>Santa Clara</b>	<b>14.01%</b>
<b>3</b>	<b>Napa</b>	<b>13.73%</b>
<b>4</b>	<b>Mono</b>	<b>12.82%</b>
<b>5</b>	<b>San Benito</b>	<b>12.68%</b>
<b>6</b>	<b>Calaveras</b>	<b>11.69%</b>
<b>7</b>	<b>Yuba</b>	<b>10.71%</b>
<b>8</b>	<b>Sutter</b>	<b>10.33%</b>
<b>9</b>	<b>Glenn</b>	<b>10.26%</b>
<b>10</b>	<b>Mariposa</b>	<b>9.68%</b>

These are the top ten best counties with the least number of withdrawals. They are:

<b>Riverside</b>	<b>1.83%</b>
<b>Santa Cruz</b>	<b>1.77%</b>
<b>San Francisco</b>	<b>1.64%</b>
<b>Santa Barbara</b>	<b>1.28%</b>
<b>Kings</b>	<b>1.01%</b>
<b>Lake</b>	<b>0.88%</b>
<b>Yolo</b>	<b>0.43%</b>
<b>Fresno</b>	<b>0.17%</b>
<b>Sierra</b>	<b>0.00%</b>
<b>Alpine</b>	<b>0.00%</b>

It is hard to understand why Fresno

County had a .17% withdrawal rate, while Santa Clara County had a 14% withdrawal rate. What is difference between the applicants in Santa Clara County versus Fresno?

Imperial County had a 9% withdrawal rate, while neighboring Riverside County had a 2% withdrawal rate. (Never thought I would say something nice about Riverside County.)

We then looked at the December 2002 DSS statistical report for CalWORKs. The figures were more devastating. Most CalWORKs applicants are also applying for Food Stamps.

Leading the pack are Sutter and Butte Counties with over 20 percent of the applications withdrawn.

<b>Sutter</b>	<b>21.08%</b>
<b>Butte</b>	<b>20.49%</b>
<b>Sacramento</b>	<b>19.73%</b>
<b>Imperial</b>	<b>19.53%</b>
<b>Humboldt</b>	<b>18.79%</b>
<b>Glenn</b>	<b>15.94%</b>
<b>El Dorado</b>	<b>15.38%</b>
<b>Mendocino</b>	<b>15.08%</b>
<b>Santa Clara</b>	<b>14.59%</b>
<b>Orange</b>	<b>14.33%</b>

The only logical answer is that the counties with rates above 5% are telling people to withdraw their applications. In fact, this is being too kind. It is our belief that about 95% of the applications withdrawn were done in gross violation of the FNS rules as presented in AN 03-021.

If you want to know how your county rated, just drop us a line via e-mail and we will answer.

## **TANF UPDATE**

**TANF will expire June 31, 2003.** Congress has to pass a bill by this date or enact another temporary extension of the current law. As you know, the House has passed the sadistic H.R. 4, launching a vicious attack on poor families of America as reflected in the policies of the Bush Administration.

The next step is the Senate Finance Committee, where it is anticipated that the Senate Finance Committee may take up the TANF matter during late May.

Senator Grassley of Idaho, Chair of the Senate Finance Committee has indicated that he hopes to introduce a bipartisan bill to move the bill quickly.

Senator Grassly has indicated that he would like to keep the TANF program like it is today and not make major changes in the program. However, the hours of participation, child care funding, and types of services are still open issues in the Senate.

Also issues to be resolved in the Senate Finance Committee are marriage incentives, and TANF and medicaid benefits to immigrants similar to the changes made in the Food Stamp program.

## **State Budget News**

**Governor Davis today released his revised budget for 2003-2004 known as the "May Revise".** The budget has abandoned the concept of transferring many of the programs to the counties under the concept known as realignment, but has proposed to increase the county's share for Foster Care, child welfare services, and CalWORKs. The CalWORKs grants are

currently 97.5 percent state and federal funding and 2.5% county match. The Governor proposes that the counties put up a 30% match. The counties will also have to put up a 30% match for CalWORKs services and administration.

The CalWORKs caseload is anticipated to decline by 9% in 2003-2004. The May revise **reduces** total spending for CalWORKs benefits by 6%, **increases** county administration by 17%.

The budget continues to use CalWORKs money for county juvenile halls - \$ 201.4 million; Child Welfare Services - \$ 137.3 million; Foster Care grants and administration- \$ 69.3 million; and a \$ 270 million reserve for TANF. There is also another \$ 350 million available because DSS overestimated the size of the caseload.

The budget continues to propose the elimination of June, 2003 COLA, elimination of 2003-2004 COLA, but on a positive note abandons the 6.16% reduction in CalWORKs benefits during 2003-2004.

### ***County Welfare Department Victims REPORT***

**Stanislaus County charged** Ms. 2002032040 with a \$3,250 CalWORKs overpayment and a \$1,029 food stamp overpayment. The overpayment was discovered by Quality Control. When she applied for welfare; she showed Stanislaus County that her daughter's immigration status was §201(b). The county found the daughter to be eligible and granted cash aid and food stamps. On December 27, 2001, Ms. 2002032040 received Holiday Greetings from Stanislaus County - a demand for \$3,288. Ms. 2002032040 filed for a hearing and a decision was issued stating

that the county could not recoup the CalWORKs overpayment. Justice requires equitable estoppel be applied to preclude the county from recouping the overpayment caused by the incompetence and total negligence of the county. The food stamp overpayment has to be repaid because the federal law does not provide for "justice".

**Riverside County charged** Ms. 2002277089 with a \$292 dollar overpayment because the county committed an administrative error. This is a bureaucratic way of saying the overpayment was caused because the welfare department screwed up. In this case, the AL J ordered the reduction of the county-caused overpayment by the additional amount of food stamps that Ms. 2002032040 would have received with the lower amount of CalWORKs benefits.

#### **CCWRO SERVICES AVAILABLE TO LEGAL SERVICES PROGRAMS & WELFARE RECIPIENTS RE- FERRED TO US BY LEGAL SERVICES PROGRAMS**

**Types of Services Offered:** Litigation, State Hearing Representation, Fair Hearing Consultation, Informational Services, and Research Services, in depth Consultation.

**Programs Covered:** CalWORKs, Welfare to Work (WtW), Food Stamps, Media-Cal, General Assistance and Refugee & Immigration Problems.