

CCWRO #2003-2- January 13, 2003-Weekly New Welfare News Bulletin -

HEADLINES

- 2003-2004 State Budget
- Clarks Advocacy Practice Tip
- DSS NEWS – Transportation Statistical Update
- COUNTY WELFARE DEPARTMENT (CWD) VICTIMS OF DECEMBER 2002 – A Merry Christmas from Counties.
- ALSO New DS Roster attached in adobe acrobat format

COMING NEXT WEEK – More on the Gray Davis 2003-2004 State Budget; CCWRO Litigation Update; More CWD Victims

2003-2004 State Budget - Average Monthly Benefits Proposed by the 2003-2004 Governor's Budget

1. Average monthly benefits to one child (CalWORKS) - \$185 a month;
2. Average monthly benefits to one Foster Care Child – \$ 1,762 a month;
3. Average monthly benefits to one Adopted Child living in mostly upper class and middle class families - \$690 a month;
4. Average monthly benefits to one KinGAP foster care children - \$491 a month;

WHAT DOES THE BUDGET DO TO THE LOWEST PAID CHILDREN OF CALIFORNIA?

The budget proposes to take away the cost-of-living adjustment (COLA) scheduled to go into effect o 6/03, then, to pit a whopping 6% decrease in benifits effective July 1,2003. Below are the current grant levels and what the grant levels will be if the inhumane and barbaric assault upon needy children of Caliornia is allowed by the Democrats in the State Legislaure.

- Region I
Effective July 1, 2003
- 1 person -315
 - 2 -514
 - 3 -637
 - 4 - 759
 - 5 - 863
 - 6 - 969
 - 7 - 1066

8 - 1161

Current Grant Levels

1 person -336
2 -548
3 -679
4 - 809
5 - 920
6 - 1,033
7 - 1,136
8 - 1,237

Region II

Effective July 1, 2003

1 person – 299
2 – 489
3 - 607
4 - 723
5 - 822
6 - 923
7 - 1013
8 1,104

Current Grant Levels

1 person -319
2 -522
3 -647
4 - 770
5 - 876
6 – 984
7 - 1,079
8 - 1,177

“However, this grant level represents an increase from the start this Administration, when the monthly cash grant for a family of three was \$611 in Region I and \$582 in Region II” according to the Budget Summary published by Davis. Now what a guy that Gray Davis. In 1987-88 the same families were receiving \$617 a month. One wonders if Gray Davis has reduced his pay to the level of 1999 when he was elected or 1987? No way. Now that would be something – practicing what you preach.

IS THERE ENOUGH MONEY IN THE TANF BUDGET TO STOP THIS REDUCTION OF BENEFITS AND GIVE THE WORKING POOR A COST OF LIVING ADJUSTMENT?

YES. \$598 million of the TANF money for impoverished families with children of California is used to pay for “other programs”, according to Governor Gray Davis. His own budget document states:

“California Work Opportunity and Responsibility to Kids The Budget includes total California Work Opportunity and Responsibility to Kids (CalWORKs) expenditures of \$6.7 billion, which includes \$5.8 billion for direct CalWORKs program expenditures, \$598 million in other programs, and \$200 million for a CalWORKs program reserve. Other programs include the Statewide Automated Welfare System, Child Welfare Services, California Community Colleges education services, Department of Child Support Services disregard payments, and non-CalWORKs child care.”

Yes, \$598 million dollars is used for other programs and \$200 million is saved for the future, while impoverished families with children of California are forced to endure a 6% cut in benefits and no cost of living adjustment. Who says Gray Davis does not care for poor families of California? He does. Under his compassionate plan while \$598 million of TANF dollars meant for California children is used for “other programs and \$200 million is tucked into a Davis’s savings account, while benefits for CalWORKs recipients go down on July 1, 2003.

NEED MONEY? – ATTACK TANF –

These reductions of grant levels are done in order to transfer \$65.7 million dollars to the General Fund to be used by the Department of Development Services. This makes perfect sense to the Davis Administration. The Department of Development Services needs money, so take it from poor families with children. In the words of the Governor’s Budget:

“Grant Levels—In order to maintain CalWORKs program expenditures within available resources, while protecting

the critical welfare-to-work emphasis of the program, the Governor's Budget does not include funding to provide a cost-of-living adjustment (COLA) for cash grants. In addition, grant levels will be reduced by approximately 6 percent from the level in the 2002 Budget Act. This reduction is this Administration, when the monthly cash grant for a family of three was \$611 in Region I and \$582 in Region II. The reduction in the cash grant allows \$65.7 million in TANF funds to be transferred to the federal Title XX Block Grant in order to offset General Fund costs within the Department of Developmental Services."

TAKE AWAY FROM THE POOR AND GIVE IT TO THE BUREAUCRATS – The governor's budget takes away the CalWORKs cost-of-living adjustment (COLA) and proposes to reduce the current benefits, the Governor's budget gives the bureaucrats \$241.5 million dollars to provide employment services to the families whose grants are being barbarically reduced. The Governor's budget states:

“CalWORKs Employment Services—The Governor's Budget provides a one-time augmentation of \$241.5 million for employment services. Given the reduction in CalWORKs grant levels, it is important to invest in services that enable recipients to leave aid and become self-sufficient. “

Now how about that, huh, he reduces the monthly benefits 1985 levels, while giving \$241,5 million dollars to the bureaucrats who are very proficient in imposing sanctions on families and dismal failures in getting jobs for welfare families making them self-sufficient. Off course the bureaucrats did donate to Gray Davis campaign, whereas poor children and their parents did not. Thus, the bureaucrats win and the poor children get screwed. It's simply business – political business.

The Gray Davis Budget Winners and Losers?

CalWORKs Payments to Families – Down 10.88%

Foster Care Payments – Up 9.02%

Adoption Assistance – Up 17.82

Child Welfare Bureaucratic Costs – Up 5.89%

County Administration of Foster Care – Up 4.17%

CalWORKs Child Care – Up 4.38%

In Home Supportive Services – Up 19.92%

When the Governor says that everyone will be effected by the budget, it is not really true. The impoverished families of California have been disproportionately singled out for the most barbaric attacks of this century.

•• CalWORKs ADVOCACY PRACTICE TIP – WtW Supportive Services Transportation and Ancillary Services – Retroactive Supportive Services

All County Letter 00-54 – (August 11, 2000) California Work Opportunity and Responsibility To Kids (CalWORKs) Welfare-To-Work Transportation Services - See <http://www.dss.cahwnet.gov/getinfo/ac100/pdf/00-54.PDF>

“**11323.4.** (a) Payments for supportive services, as described in Section **11323.2**, shall be advanced to the participant, wherever necessary, and when desired by the participant, so that the participant need not use his or her funds to pay for these services. Payments for child care services shall be made in accordance with Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code.

(b) The county welfare department shall take all reasonable steps necessary to promptly correct any overpayment or underpayment of supportive services payments to a recipient or a service provider, including, but not limited to, all cases involving fraud and abuse, consistent with procedures developed by the department.”

Transportation and ancillary services are supportive services. See W&IC§ 11323.2.

The law clearly provides that the county shall, and not “may”, advance payments for supportive services to make sure that the participant does not use his or her money to pay for the supportive services that are necessary.

If a participant is participating in an activity that is outside of the participants house, then he or she will need money to get from point “A” to point “B”.

The statute also states that transportation shall be available when “desired” by the participant. The problem is that the counties never ask the participant does he or she desires an advance payment for transportation. In fact counties rarely ask participants if they want transportation supportive services at all. Some counties complain that paying for transportation means less money for the county to pay for staff. The county never verifies that the participant needs or does not need transportation or advance transportation as mandated by law.

Section 11323.4(b) states that the county welfare department shall take all reasonable steps necessary to promptly correct any underpayment of supportive services payments to a recipient.

What happens when a participant seeks underpayments?

Some counties allege that the participant never asked for transportation, thus never gets it.

Some counties argue that given the fact that DSS made retroactive transportation available to participants pursuant to All County Letter 01-50 (<http://www.dss.cahwnet.gov/getinfo/acl01/pdf/01-50.pdf>), the county is no longer required to correct the underpayment pursuant to subsection (b) of Section 11323.4.

The problem with this argument is that ACL 01-50 is an underground rule, thus, it is void and invalid as it was not promulgated pursuant to the California Administrative Procedures Act.

CONCLUSION: Ancillary and transportation services are supportive services. The county is required to issue these payments in advance to assure that the participant does not use his or her money to meet the ancillary and transportation costs associated with participating in WtW activities or working.

If a participant has been denied any supportive services they should file for a fair hearing immediately.

DSS NEWS – Transportation Supportive Services

For the past three years CCWRO has been speaking up against the fact that many counties are unlawfully denying transportation supportive services to WtW participants. This has received the attention from DSS and some counties. DSS has issued an ACL to explain that counties “shall” issue transportation.

Today we review what has happened since 1999. We looked at October 1999, October 2000, October 2001, and October 2002. The percentage of WtW participants receiving transportation supportive services has increased from 23% in 1999 to 48% in 10/2002. Although it is significant that 25% more participants are receiving transportation supportive services, a more significant figure is the fact that statewide 52% of the CalWORKs participants are being denied supportive services. CCWRO estimate that majority of these denials are unlawful.

Below we show what percentage of the unduplicated participant’s transportation supportive services during October of 2002.

In **Kings** County there were 1002 participants and none of them received any transportation assistance. Kings County is a rural county. **Siskiyou** County had 197 participants and only 7 people receiving transportation supportive services. Stanislaus County had 3,459 participants and only 550 received transportation supportive services. Below is a county-by-county rankings of the percentage of participants who received transportation services,

Statewide	47.53%	20 Merced	20.12%	40 San Luis Obispo	38.63%
1 Kings	0.00%	21 Madera	20.92%	41 Monterey	39.31%
2 Modoc	0.00%	22 Trinity	21.57%	42 San Francisco	41.59%
3 Plumas	0.00%	23 Yuba	21.87%	43 Sonoma	45.04%
4 Napa	1.87%	24 Butte	22.84%	44 Placer	47.40%
5 Siskiyou	3.55%	25 Mendocino	22.90%	45 Yolo	47.81%
6 Lassen	3.80%	26 Mono	23.81%	46 Orange	49.45%
7 Imperial	9.40%	27 Mariposa	24.64%	47 Alameda a/	50.84%
8 Glenn	11.80%	28 Santa Barbara	25.09%	48 Tuolumne	52.65%
9 El Dorado	13.96%	29 Inyo	27.27%	49 Los Angeles	61.25%
10 Tehama	13.99%	30 Humboldt	28.19%	50 Santa Cruz	63.12%
11 Sutter	14.77%	31 Riverside	28.27%	51 Marin	63.70%
12 Stanislaus	15.90%	32 Kern	28.60%	52 Sacramento b/	64.97%
13 Colusa	16.00%	33 Sierra	31.82%	53 Santa Clara	68.70%
14 Lake	16.35%	34 San Joaquin	34.71%	54 Contra Costa	70.46%
15 Shasta	16.80%	35 Nevada	35.00%	55 Alpine	71.43%
16 San Mateo	17.68%	36 San Bernardino	35.51%	56 San Diego b/	76.39%
17 Ventura	18.10%	37 Solano	36.03%	57 Del Norte c/	
18 Amador	18.18%	38 Calaveras	36.21%	58 Fresno c/	
19 San Benito	20.10%	39 Tulare	38.22%		

-- COUNTY WELFARE DEPARTMENT VICTIM OF THE WEEK

M.G. of Los Angeles county received a letter giving her a GAIN appointment on 12/8/02, but there was no time, just a date. The 12/8/02 appointment letter arrived at her house on 12/16/02. The number for the worker on the letter was the wrong number. When we called the office where the letter was mailed, we were informed that a MS. M.G. case was not in that office. We were given another number to call. The person at that number told us to call the number that we contacted initially. The 12/8/02 notice stated that Ms. M.G. would be sanctioned, but no one knew for what. It appears that Los Angeles County knows what GAIN is all about – sanction- . She has filed a fair hearing to make sure that the sanction does not go into effect.

Ms. S.K. and live in Los Angeles and has an epileptic daughter, were. Ms. S.K. also has some mental health problems. On 10/25/02 she received a notice of action stating that she would be sanctioned for failure to attend the mental health assessment appointment. The reason she missed the appointment was lack of transportation. When she called to tell the county, they said that they did not advance transportation, even though W&IC Section 11323.3 mandates it. On November 18, 2002, she filed for a fair hearing to stop the illegal sanction of Los Angeles County.

Los Angeles County Sanction v. Self-Sufficiency Update:

During October 2002, Los Angeles County had 47,977 unduplicated GAIN participants. During the same month 23,478 GAIN participants were sanctioned and a meager 1,643 participants found employment that resulted in termination of CalWORKs. (Source: DSS WtW 25 and WtW 25A for 10/02). It is clear that Los Angeles County knows how to sanction, a whopping 49% sanction rate, while is a dismal failure in getting jobs – a 3% success rate.

CCWRO SERVICES AVAILABLE TO LEGAL SERVICES PROGRAMS &
WELFARE RECIPIENTS REFERRED TO US BY LEGAL SERVICES PROGRAMS

Types of Services Offered: Litigation, Fair Hearing Representation, Fair Hearing Consultation, Informational Services, Research Services, In depth Consultation.

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

Coalition of California Welfare Rights Organizations, Inc.
1901 Alhambra Blvd., Sacramento, CA 95816
Tel. 916-736-0616
After 6 PM - 916-387-8341
Message/cell number 916-712-0071
FAX 916-736-2645
e-mail address: ccwro@aol.com