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DSS News

Below are the minutes of the last meeting with DSS between welfare advocates and DSS.

The next meeting will be held on August 28, 2003 @ 1 P.M. Persons who have issued that they would like to be raised, please e-mail them to CCWRO at ccwro@aol.com.

“California Department of Social Services (CDSS) and Welfare Advocates Workgroup Meeting March 27, 2003

Participants:

Advocates

Kevin Aslanian - CCWRO
Karla Barrow - LAFLA
Jodie Berger - LSNC
Stephen Bingham -BALA
Sujatha Jagadeesh Branch - Child Care Law Center
Grace Galligher - CCWRO
Stephanie Haffner - CRLA
Nu Usaha - WCL&P
Kate Meiss - NLS
Hope Nakamura - Legal Aid of San Mateo County
Joseph Ramos - ICLS
Julie Aguilar Rogado - LSNC

DSS Staff

Teena Arneson – CDSS, Fraud Bureau
Teri Ellen –Work Support Services Bureau
Mark Gagnon – Fraud Bureau
Venus Garth – Work Services Branch
Maria Hernandez –CalWORKs Eligibility Bureau
Jo Lee – Fraud Bureau
Cynthia McDowell – Work Services Branch
Debbie McFadden – Program Integrity Branch
Charr Lee Metsker –Employment and Eligibility Branch
Connie Navarrette –Legal Office
Gordon Scott –Employment and Eligibility Branch
Marie Saur – Work Services Branch
Pat Sutherland – Food Stamps Bureau
Antonia Taylor – Work Services Branch
Lyn Vice – Childcare Bureau
Bruce Wagstaff – Welfare to Work Division

Discussion, Action Items, and Follow-up Issues

- Medi-Cal Services For Timed-Out CalWORKs Clients

Maria Hernandez reported that the Department of Health Services (DHS) and CDSS jointly signed a letter to remind the counties that individuals who time out on CalWORKs are eligible for continuing Medi-Cal services under Section 1931 (b) of the Medi-Cal program. The letter was sent to all county CalWORKs program

managers. Ms. Hernandez will work with DHS to have the letter published on CDSS' website.

- Computer Software –Removing Timed-Out CalWORKs Clients From Receiving Medi-Cal Services

The Advocates stated that some of the software that is being used by the counties is arbitrarily removing timed-out CalWORKs clients from receiving Medi-Cal services. The Advocates were asked to name the counties that have these software problems so CDSS could review the counties on a case by case basis. Debbie McFadden explained that CDSS does not have the authority over the software or the computer programming used by the counties. However, Ms. McFadden stated CDSS staff will follow-up and research this issue. This is an open item.

- Immediate Need/County Office Hours

Maria Hernandez stated that a question and answer (Q&A) letter will be distributed to remind counties of immediate need and county office hours procedures. We anticipate the letter will be on the CDSS website by the first week in May 2003.

- Two Parents Required To Attend Application/ Re-determination Interview

Maria Hernandez confirmed that an All County Letter (ACL) will be sent informing counties of the application/interview requirements and procedures. It's anticipated the ACIN will be posted on the CDSS website by the end of March 2003.

- Retroactive Childcare Payment

Lyn Vice requested that a correction be made to the December 5, 2002, minutes regarding Retroactive Childcare Payment. Ms. Vice stated on page three of the minutes that an overly broad statement was made which gives the impression that there was not a retroactive payment policy that was appropriate. The minutes have been corrected and the sentence was deleted from the minutes. Ms. Vice also agreed to send Dora Lopez a copy of the letter that CDSS is addressing to Los Angeles County regarding the childcare payment policy.

Ms. Vice distributed copies of ACL No. 03-10, retroactive payments, which was released on February 27, 2003. The ACL implements the provisions of AB 444 Section 11323.3, regarding retroactive payments.

Emergency regulations are currently being written by CDSS and according to statute will be completed by July 1, 2003. Sujatha Branch will work with Ms. Vice on the emergency regulations and Ms. Branch will represent the Advocates.

Ms. Vice will check into Ms. Branch's inquiry regarding the level of effort required by counties after a client refuses to

sign a childcare availability notice.

- Aid Paid Pending – Child Care

The Advocates stated that counties are requesting that clients submit verification before childcare services are paid. Advocates also stated that this issue typically occurs when there is a sanction notice sent to clients informing them that they are being terminated and their supportive services will end. This is an open item.

- Aid Paid Pending - Supportive Services

CDSS' Legal office is currently reviewing policies regarding aid paid pending for supportive services (transportation and ancillary services). This is an open item.

- Transportation Services

Teri Ellen reported that an ACL on transportation Q&A will be distributed in the next three weeks.

- Ancillary Services

Ms. Ellen stated that a draft Q & A on Ancillary Services ACL will be ready for review by the Advocates in the near future.

- Supportive Services for Refugees

Kate Meiss expressed a concern regarding refugee clients in Los Angeles County being denied supportive services to which they are entitled. CDSS staff will contact Ms. Meiss with information about whom she can contact at the state level regarding her concern.

- Refugee Letter

A request was made by the Advocates to post on CDSS' website the refugee letter dated December 9, 2002, which was distributed to all counties.

Charr Lee Metsker agreed to post the letter on CDSS' website.

- Budget Update

Bruce Wagstaff briefly discussed the Governor's proposed realignment proposal. It was reported that the cost of living adjustment (COLA) was still on the floor of the Senate. Mr. Wagstaff stated that there is a lot of work to do with the State Budget and there will be many realignment issues.

- Quarterly Reporting

Bruce Wagstaff reported that a draft quarterly reporting ACL was written, but the letter was delayed because a waiver was needed by, USDA, Food and Nutrition Services (FNS). Using the Director's authority to waive CalWORKs regulations the ACL was revised and a letter has been sent to FNS requesting approval of the revised quarterly reporting process. Mr. Wagstaff stated that CDSS may be seeking possible legislative authority, so the Director would not need to conduct a CalWORKs regulations waiver. January 2004 is

the estimated start-up date for Quarterly Reporting.

- **Able Bodied Adults Without Dependents (ABAWDS) Waivers** Gordon Scott reported that seven counties are waiting FNS approval for a labor surplus waiver. Mr. Scott stated that only 22 counties were eligible and of those counties four are being processed and four are not interested (Kern, Colusa, Imperial and Sutter). The other counties are pending and will be processed as received. An updated list of the counties approved ABAWD wavier is attached. This item is to be updated and a status copy of this information will be distributed at the next meeting.

- **Implementation of Supplemental Food Stamps** Patrick Sutherland reported on a proposed program that would allow clients leaving CalWORKs to automatically become eligible for five additional months of food stamps. No monthly or quarterly reporting would be required. Also, there is a provision in the program that requires the county to recompute a client's last month's benefits while removing CalWORKs income which would result in a larger food stamp allotment. Cost of implementation of the program has not been determined yet.

The feasibility of quarterly reporting for CalWORKs and semi-annual reporting for food stamps were also discussed.

- **Electronic Benefits Transfer (EBT) Status** Debbie McFadden reported that thirteen counties have implemented EBT for cash and food stamps. Ms. McFadden stated that EBT should change the stigma of using food stamps. It was stated that CDSS is currently working vigorously on a wireless EBT system for clients to purchase food at farmers markets. Ms. McFadden reported that 50 percent of the EBT surcharges are currently free for clients. However, CDSS is working with banks to negotiate the removal of surcharges for clients using their EBT card for ATM cash transactions.

- **EBT Committees** Ms. McFadden reported that there are several committees that have been established to discuss and address EBT issues. The various committees include representatives from the State Treasurer's office, client advocates, Grocers Association and County Welfare Director Association, Consumers Union, Legal Services of Northern California, Legal Aid Foundation of Los Angeles, and the California Reinvestment Center. In addition, there is a statewide client advocates EBT forums that are held quarterly. Kevin Aslanian requested a schedule of the quarterly EBT forums.

- **EBT 1-800 Telephone Number** The Advocates inquired on how much information is provided to the client once they are given their EBT card. For example, if a client is charged twice on a purchase or their EBT balance

is wrong, does the client know what to do? Have the clients been instructed or trained to call and use the EBT 800 # for assistance. Ms. McFadden stated that there are instructional videos and there is a lot of training material available for clients. In addition, the EBT 800# operators that are available speak 11 languages.

- **EBT Card To Be Used In FNS Approved Restaurants** The Advocates stated clients that are approved to use their EBT card to purchase prepared food at FNS authorized restaurants are not able use their EBT card for this purpose. Additionally, this issue also impacts homeless clients that have an EBT card. This is an open item.

- **Income Eligibility Verification System (IEVS) Management Report** The Advocates stated that counties are not completing the IEVS management report. Based on the IEVS quarterly report (482) the advocates concluded that the counties are not identifying and processing overpayments timely. These overpayments are negatively impacting the clients. Teena Arneson reported that the Fraud Bureau is aggressively working with counties to clean-up their IEVS data and the counties are required to submit the IEVS quarterly reports (482). It was stated that there were no formal enforcement authority for counties that fail to report their IEVS data. This is an open item

- **Homeless Assistance** CDSS website statistics on homeless assistance seems to be outdated. Charr Lee Metsker will look into the matter and will discuss findings at the next meeting.

- **Section 8 in Los Angeles County** Kate Meiss reported that Los Angeles County is denying security deposits and last month's rent to Section 8 recipients. Maria Hernandez stated that there is an ACL regarding this issue; and Ms. Hernandez agreed to fax copy to Ms. Meiss.

- **Policy Interpretations** The Advocates expressed an interest in receiving copies of the policy interpretations that CDSS distributes to the counties. Mr. Wagstaff stated that policy interpretations are case specific and suggested that CDSS look into how they are handled by the Department of Health Services. This is an open item.

- **60 Months Time Limits** The Advocates stated that clients are exempt, but county workers are making mistakes and counting their time. Clients need to be notified when exemptions end. Ms. Hernandez stated that there are no requirements to notify clients when their exemption ends but noted that as a result of this concern the Department would consider revising the form providing

the exemption determination (CW 2186B) so that counties could enter the exemption end date, when known. Advocates noted that the determination of when an exemption ends is a potential adverse action which requires a notice of action.

• Learning Disability (LD) Screening

The Advocates stated that counties are not using the LD screening tools and/or are not using the LD screening tools correctly. Additionally, it was stated that clients would have to self-identify as having LD issues to be assessed, and those who did not self-identify would not be assessed. The Department intends to clarify the role of the counties in serving limited English-speaking recipients who may have learning disabilities. Santa Clara County is informing limited English-speaking recipients about learning disabilities with some success.

A summary of the available data on learning disabilities was provided:

Currently, little data is available from the counties on the number of CalWORKs clients who have learning disabilities. Preliminary data from one county shows that approximately six percent of those clients who are screened have a learning disability, which appears to be in line with the percentage

of our caseload that some thought would have learning disabilities (10 percent).

Preliminary data from three counties show that of the 4,231 individuals offered learning disabilities screening, 2,667 (or 63 percent) declined screening and 1,564 (or 37 percent) were referred. Of the 1,564 individuals referred to screening, 1,560 (or 98 percent) were screened and 452 (or 29 percent) of those screened were determined to be potentially learning disabled.

However, with little available data, we are unable to draw any solid conclusions about the learning-disabled population in CalWORKs. Hopefully, as more counties implement their learning disability protocols, and more data becomes available, we will be able to more accurately determine the impact of learning disabilities on our clients and the CalWORKs program.

The next meeting was not scheduled.

Emergency Regulation

EMERGENCY REGULATION ACTION SUBMITTED TO OALON:07/29/03

OAL FILE NO. 03-0729-04E

AGENCY: CALIFORNIA DEPARTMENT OF
SOCIAL SERVICES

TOPIC: ABAWD, Food Stamp Voluntary Quit,
and FSET Emergency Regulations

SECTIONS AFFECTED: MPP, Manual Policies & Procedures
SECTIONS: 63-300-63-505

Unless OAL approves or disapproves the Regulations sooner, the last day for public comment is : 8/4/03

OAL DECISION DUE:8/8/03

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Fair Hearing Representation, Fair
Hearing
Consultation, Informational Services,
and Research Services, in depth Con-
sultation.**

**Programs Covered: CalWORKs, Wel-
fare to Work (WtW), Food Stamps,
Media Cal, General Assistance and
Refugee Immigration**