



In This Issue

- IN BRIEF
- DSS USING UNDERGROUND RULES
- NEW WtW SANCTION REPORT
- COUNTY VICTIM OF THE WEEK

In Brief

The County Welfare Directors Association (CWDA) states in their October 10, 2003 meeting minutes that "...we will need to start applying SB 87 to refugee cases...". SB 87 provides for a process to assure that persons cannot be eligible for Medi-Cal any other way before the benefits are terminated. Yes, counties have been unlawfully terminating Medi-Cal benefits to refugees and getting away with depriving refugees of medical assistance in violation of the State law. How long has this been going on? For years. SB 87 became effective July 1, 2001.

DSS has promulgated an illegal regulation (MPP 44-352.113) that allows counties to charge a person with an overpayment for a month that the county has collected child support repaying the aid. This is a violation of the Federal Child Support Law.

This regulation was promulgated without ever going through the public hearing process for comment. At the end of the process it was dumped in the regulation package in response to nonexistent testimony - which means it was promulgated through a LIE.

DSS is circulating proposed regulations to implement transitional food stamps for persons who stop getting cash aid.

DSS Has a New Underground Rule - Denying Supportive Services to the Working Poor

On June 4, 2003 DSS issued a underground rule stating that WtW participants who are self-employed are not eligible for supportive services other than for commuting back and forth to the employment location.

This policy is inconsistent with the statute and state regulations which in essence provide that supportive services shall be provided so participant can obtain and retain employment. There is nothing in the regulations which state that transportation supportive services is only available "...to commute to and from her/his place of work." This policy statement has been communicated to numerous counties - and it is ILLEGAL because it violates state law and it is a violation of the California Administrative Procedures Act (APA) as it is an underground rule.

Persons who know victims of this unlawful policy should contact Grace Galligher of CCWRO at 916-736-0616.

Sanctions Is What Welfare to Work Is All About

CalWORKs was enacted in 1998. Millions were given to welfare bureaucrats to administer a program that would require a sec-

ond- time pregnant woman to participate as soon as her baby was born. Because of the Republican “family cap” also known as the maximum family grant (MFG) rule, no cash aid would be granted for her baby. The Democrats in the State Legislature at that time also voted for the MFG.

CCWRO predicted that forcing all to participate in WtW would mean more families would be sanctioned lose 25% or more of their grant each month. We were right. Today 43% of the WtW unduplicated participants are sanctioned in California.

The California Welfare Directors Association were the primary proponent of total participation in WtW. The reason is simple - more money.

Statewide Sanctions 43.09%

Merced	131.69%
Trinity	112.50%
Fresno	111.23%
Napa	107.77%
Plumas	103.57%
Colusa	94.59%
San Joaquin	78.91%
Tulare	73.53%
Tehama	63.64%
Kern	63.03%
Siskiyou	60.00%
Los Angeles	58.98%
Calaveras	58.59%
San Diego	55.89%
Alameda	55.67%
Sutter	53.46%
Monterey	53.28%
Humboldt	53.06%
Lake	52.53%

The reason that Merced, Trinity and Fresno County have over 100% sanctions is because

they have sanctioned more people than they have reported unduplicated participants. It has been about 20 years and counties still do not know how to report their activities for which they receive millions and millions of dollars.

But one thing is sure, 19 counties have a sanction rate above 50%.

One would think that aggressive sanctioning would mean a successful welfare to work program.

OBTAINING EMPLOYMENT THAT RESULTS IN TERMINATION OF CASH AID DURING 8/03

Merced	2%
Trinity	9%
Fresno	6%
Napa	11%
Plumas	0%
Colusa	8%
San Joaquin	2%
Tulare	17%
Tehama	2%
Kern	2%
Siskiyou	14%
Los Angeles	3%
Calaveras	4%
San Diego	9%
Alameda	3%
Sutter	1%
Monterey	4%
Humboldt	2%
Lake	3%

Yes, the only claim to fame for counties in the welfare to nowhere program, also known as welfare to work - are sanctions.

The success in getting participants employment that resulted in self-sufficiency is 4% statewide, while the sanction rate is 43%.

That's a **1000%** higher sanction rate compared to getting participants employment that results in self-sufficiency

WHAT ABOUT TRANSPORTATION? Also during the month of August 2003, about 54% of the unduplicated participants did not receive transportation supportive services.

Special mention should be made of counties that just did not pay anyone transportation. For example, according to their own reports, Siskiyou County, has 175 unduplicated participants, but paid transportation for 0 (zero) persons. Also, Alpine and Colusa County paid no transportation. Colusa County reported 27 unduplicated participants during August of 2003; but they were able to sanction 32 WtW participants and provided 0 (zero) transportation. Could it be the lack of transportation had something to do with the high sanction rate of Colusa County?

Some other counties that do not like paying transportation are Napa at 4%; Imperial at 11%; San Joaquin at 13%, Stanislaus at 15%, Shasta at 16%, San Mateo at 19%. San Bernardino and Riverside Counties did not pay transportation to over 70% of its participants. Specifically, Riverside failed to pay transportation to 26% of its participants and San Bernardino County failed to pay for 72% of its participants. **(SOURCE: DSS WtW 25 & 25A reports)**

We can assure you that the welfare to work bureaucrats working for these counties always get their travel claims paid on time and in full.

County Victim of the Week

On May 29, 2002, San Diego County mailed a notice to Ms. 2002114321 alleging that she had \$9,075.56 overpayment in stage one child care.

Luckily, Ms. 2002114321 contacted Jennifer Welker at Legal Aid Society of San Diego County for representation at a fair hearing.

The County admitted that they screwed up, which was the sole reason for the overpayment. The children of Ms. 2002114321 were placed in a Montessori School rather than in day care by the San Diego County Stage One contractor, the YMCA.

Even though the County knew that Ms. 2002114321 was in no way, shape or form responsible for the overpayment, they still tried to go after her.

At the hearing, the claimant, through her attorney, raised the Equitable Estoppel defense and received a 25-page alternated decision finding that the County of San Diego should be estopped from asking for the alleged overpayment because justice required that equitable estoppel be applied, prohibiting the County from recouping the entire overpayment at issue.

CCWRO SERVICES FOR LEGAL SERVICES PROGRAMS

Types of Services Offered: Litigation, Fair Hearing Representation, Consultation, Informational Services, Research Services & In-Depth Consultation.

Programs Covered: CalWORKs, Welfare to Work (WtW), Food Stamps, Medi Cal, General Assistance & Refugee/Immigrant Eligibility