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## **IN BRIEF**

**County Statistical Reporting** - At an August 14, 2003 County Welfare Director Association meeting, counties were reminded that the WtW 25 and CW 115 reports should be accurate. The WtW 25 are the CalWORKs workfare program reports and the CW 115 are the child care reports.

Often, CWDA representatives have publicly stated that the information in these reports are not accurate. Now counties are being told that DSS is using these reports to allocate funding to counties, thus, they should be accurate if they want to get the right amount of money. Off course, this also means that counties may be submitting false reports to get more money and DSS never verifies the information contained in these reports. These reports are completed by "county revenue enhancers" who know every trick in the book to download more federal and state money.

**Food Stamp Error Rate** - DSS and counties have been meeting with FNS trying to get FNS to hold the state harmless for the error rate while counties switch from monthly reporting to quarterly reporting. Quarterly Reporting (QR) was only passed because it reduces the error rate by 75%. With monthly reporting there were 12 chances a year for an error to occur. With QR it goes down to 4 chances a year. The request was denied by FNS.

**Food Stamp Error Rate Down** - The Cumulative State Food Stamp error rate through March, 2003 was 7.49%. This may yield DSS a \$10 million bonus. Off course, none of the bonus money will go to the people who brought the error rate down - the food stamp recipients of California.

**2001 Food Stamp Sanction In Litigation** - When DSS got hit with a sanction for having a high error rate, they did not pay up like Food Stamp recipients who pay with sanctions--first an NOA then the sanction goes into effect unless one requests a fair hearing. If one does not win the hearing, then the sanction goes into effect within a couple of months. Less than 5% file for a hearing. It is late 2003 and the State still has not paid their \$138 million sanction (which was reduced to \$114 million) to the federal government. They are still working on the discovery of the sanction hearing. If only such due process could be afforded to the recipients of Food Stamps..."equal justice".

**Secret Webpage for Counties by DSS** - DSS is developing a "secure" webpage for counties that will have up to date questions and answers regarding QR. So far there are 169 questions that have been posed to DSS with more coming. The public will not have access to these policy issuances. What is there to hide? Maria Hernandez of DSS assures us that all answers will be available on the internet in the ACIN or ACL format. They need the secure webpage to get questions from counties. What is wrong with regulations e-mail?

**SFIS Update**- The Statewide Fingerprint Identification System (SFIS) has found a small number of individuals who have applied for aid in more than one county, DSS still loves this system because they allege it deters fraud. How does DSS know that SFIS deters fraud? It is their bureaucratic intuition.

## DSS News

### ACIN I-58-03- Transitional Food Stamps

This ACIN puts counties on notice that AB 1752 signed by the Governor on August 9, 2003, requires the Transitional Food Stamp Benefits program go into effect on January 1, 2004. The statute, W&IC§18901.6 was actually effective on August 9, 2003. Section 43 of AB 1752 states very clearly:

“SEC. 43. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make necessary statutory changes to implement the Budget Act of 2003 at the earliest possible time, it is necessary that this act take effect immediately.”

“Immediately” does not mean January 1, 2003. AB 1752 also suspended the 2003-2004 COLA for families. Why does that provision go into effect right away, while another provisions in the same bill take its sweet time?

What about all the Food Stamps that households lost because this section did not take effect on August 9, 2003? How will these victims be made whole?

### ACL 03-41- 2003 Regional Market Rate Ceilings and Emergency Regulations

The regional market rates have been reduced from 93% to 85% due to 2003-2004 budget action.

The ACL contains emergency regulations promulgated by State Department of Education implementing this Budget Cut. This cut takes effect on December 1, 2003 or prior thereto.

### Supportive Services Overpayment-

Inyo County has asked DSS whether or not the county can recover supportive services overpayments.

DSS responded that the county can recover the overpayments pursuant to 42-751.2, provided that such recovery does not interfere with the program participation. This means that if there is an overpayment, it can be recovered from transportation supportive services, provided the lack of transportation services will not interfere with the participants' participation in WtW.

**RULE:** The county cannot recover an overpayment which will interfere with the participants ability to participate in a WtW activity and can only be recovered from a supportive services payment and not from the CalWORKs grant.

### Retroactive Payments Informing Notice-

On 3/26/03 San Mateo County Child Care Manager Lorna Strachan asked DSS if San Mateo County can modify the CCP 7. DSS responded the same day stating “According to All County Letter 0-3-10, counties have the flexibility to develop their own informing notice to meet their specific needs as long as the notice includes the information contained in the sample form. Prior CDSS approval on the form is not required.”

**CCWRO Observation:** Pretty bad. The county could do whatever they want to do with zero accountability. CDSS could care less if the county informing notice that is illegal. What you don't know doesn't hurt is the CDSS model.

### DSS Proposed Regulations

DSS has published proposes regulations regarding: **1.** ABAWD, Food Stamp Voluntary Quit, and FSET Emergency Regulations ORD# 1202-28; and **2.** CalWORKS/Food Stamps Intercept Program ORD# 0203-04. **Comments are due by September 17, 2003** For more information go to:[http://www.dss.cahwnet.gov/ord/PublicHear\\_675.htm](http://www.dss.cahwnet.gov/ord/PublicHear_675.htm)

**You can file your comments by e-mail also.**

## Welfare Legislation passed

**AB 1402, by Lois Wolk**, chairperson of the Assembly Human Services Committee passed the Assembly on August 28, 2003. AB 1402 makes the following changes in law:

1. This bill makes some technical changes in the way reported changes are treated.
2. AB 1402 would also require DSS to report to relevant policy and fiscal committees of the Legislature in April 2005 regarding the effects of the mid-quarter reporting requirement on program efficiency and integrity of implementation. The report is to be based on data collected by CWDA and select counties, with DSS to determine, in consultation with CWDA, data collection needs. AB 1402 completely ignores the consumer community from this report. In fact, the legal services community representing the recipient community was intentionally excluded from this process. The report will also be based upon the county data, which is very suspect as we all know about how often counties manipulate data that produces conclusion not supported by the evidence.
3. Finally this bill allows DSS to implement quarterly reporting based on All County Letters and not duly promulgated regulations until July 1, 2004.

**AB 231, by Steinberg** - This bill was the fingerprinting abolition bill. The State Auditor General reported that this system is costing millions of dollars and saving nothing, but CDSS still loves to fingerprint welfare recipients.

The final version of AB 231 dropped the provisions that would have saved millions of dollars by repealing the fingerprint provision.

The bill would exempt one car and make some other technical changes.

**ACTION: People are urged to write letters to Gray David asking him to sign AB 231.**

## Senate Finance Committee Passed a TANF Reauthorization Bill

On September 10, 2003, at 10:00 a.m. in 215 Dirksen Senate Office Building the U.S. Senate Finance Committee meet to consider a substitute to H.R. 4, (the House of Representatives TANF reauthorization bill) to reauthorize the TANF program.

The Senate Finance Committee, on a partisan vote, with all Republicans voting "yes" and all Democrats voting "no", the Senate Finance Committee passed a bill called the Family Opportunity Act of 2003 - the Senate TANF reauthorization bill.

**NEXT STOP:** The bill will go to the floor for a hearing. It is very doubtful that the bill will be heard on the Senate Floor in September. TANF expires September 30, 2003. Thus, it is very likely that there will be another continuing resolution to allow the Senate Bill to be considered on the floor and go to conference. The Senate Bill contains the following major provisions:

### -- Work Participation Rates:

- Requires States to increase participation rates to 70% by FY 2008 as in HR 4;
- States are allowed to use extra credits towards the participation rates, such as using hours exceeding the 34 required hours towards overall participation rates; giving states extra credits for people who leave TANF for jobs with higher wages; etc.

### -- Work Hours:

- Single parents with kids under 6, including single parents of newborn babies, will be forced to work 24 hours a week.

- Single parents with kids over 4 will be required to work 34 hours a week;
- Two-parent families must work 39 hours a week.

**-- What Counts as Work?**

- The Senate Bill does not coincide with the limitations of what counts as work in HR 4. In addition, the Senate Bill allows for some secondary education to count as work for 12 months for only 10% of the caseload.

**-- Barriers to Work and Sanction Protections:**

- The Senate Bill requires States to conduct “pre-sanction reviews” before reducing benefits.

**-- More Child Care Money**

- The Senate Bill adds another billion for a five year period for child care.

**-- Superwaivers**

- The bill gives up to 10 states- waivers of federal laws and regulations for the TANF, Social Services Block Grant and Child Care Development Fund programs.

HR 4 allows for the waivers to included the Food Stamp program; the Workforce Reinvestment Act program; homelessness and housing programs and adult education programs.

**--Marriage Promotion/Fatherhood Proposals**

- There will be \$200 million a year given to states with a 50% match to promote marriage. It is not clear if this is any marriage or only marriage between a male and female.

**-- Transportation**

- The bill provides \$25 million per year to provide TANF recipients with cars needed to become self-sufficient.

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(WtW),  
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General Assistance &  
Refugee/Immigrant  
Eligibility**