



IN BRIEF

DSS and CWD changes - Sylvia Pizzini, CDSS the Deputy Director for Child Welfare Services has resigned effective January 31, 2004. Bruce Wagstaff, who is Deputy Director for Welfare programs is also Deputy Director of Child Welfare Services

Jane Rasmussen, has been appointed as interim Director for Sacramento County Welfare Department. Jane was set to retire, but has decided to work another year.

Melody Brawley has been appointed Director of the Lassen County Welfare Department.

Transitional Food Stamps - Counties have posed 200 questions regarding Transitional Food Stamps that have not been answered by DSS. DSS has no data how many persons are getting these benefits. Advocates believe that there is a great amount of underutilization of this program.

Child Care Sacramento Training Planned - DSS is planning one large "Traing the Trainers" session in Sacramento very soon regarding the Regional Market Rates changes in Child Care.

Alameda County Banks all Continuing Cases - Due to money problems Alameda County now require all continuing cases and recipients who have a change to report to their worker or want to talk to their worker

for any reason to first contact the "Interactive Voice Response" (IVR) system. If this system does not answer the questions, then the recipient will call and get hold of a clerical staff. If the clerical staff cannot answer the question, then the recipient will be allowed to talk to the eligibility worker. Currently only 1/3 of the calls are answered by the eligibility worker.

Alameda County admits that often recipients will get the wrong answer to their questions. Often the system was down. There are several outside vendors involved, thus, the county often does not even know why the system is down.

WtW Participants Cannot Volunteer for more CWEP/WEX hours - Monterey County asked DSS whether or not a WtW participant who was required to participate in CWEP/WEX can agree to participate more than the hours required by ACL 02-31. This ACL states that the number of hours required to participate are the amount of Cash and aid and food stamp benefits divided by the state minimum wage. The DSS answer was "An individual cannot volunteer to participate in unpaid community service or unpaid WEX activities. However, he or she may volunteer to participate in other allowable WtW activities above the 32-35- hour work requirement."

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DSS All County Information Notice 04-04 Q&As regarding WtW Ancillary Services

On January 26, 2004, DSS released ACIN -04-04 regarding WtW ancillary services. This ACIN is a product of several meeting between DSS staff, advocates and county representatives.

Advocates were primarily represented by **Jody Berger** of Legal Services of Northern California, **Usaha Nu** of Western center on Law and Poverty, **Kate Meiss** of Neighborhood Legal Services of Los Angeles County and **Kevin Aslanian** of Coalition of California Welfare Rights Organizations.

The ACIN addresses issues relating to capping of services and costs; school supplies and costs; ADA access; time periods for ancillary services; hours and participation and reimbursement issues.

The highlights of the ACIN are:

Question #1 addresses the problem of counties saying that there is a limit on the cost of the ancillary service. The ACIN clearly provide that the counties cannot impose caps on ancillary service payments. The ACIN provides that the county can establish a secondary review of the cost of services that exceed a county established amount, but that does not mean that the services can be denied solely because of the cost of the service.

Question # 2 addresses the number of times that the county can issue ancillary services payments, including payments for

replacement items. The answer is “there is no limit on how many times ancillary payments can be issued...”

Question #4 addresses the issue of refusal to issue ancillary services because the participant received a paycheck. Some counties have said “use you paycheck to buy the tools you need to keep your job”. The ACIN states “A participant cannot be required to pay out of pocket for ancillary services (see MPP Section 42-750.21)

Question #6 addresses the issue of counties refusing to pay for electives classes selected by participants. The ACIN states:” These costs must be paid by CalWORKs if the electives classes county toward the degree or certificate program that is part of an approved WtW plan, even if they do not count towards the participant’s major or certificate (see ACL No.99-32).”

Question #8 addresses the ADA question. Do counties have to pay for costs for the participants to secure reasonable accommodation in order to participate in his or her WtW activity. The ACIN states: ”Yes. A county is responsible, and must pay, for reasonable accommodations...”

Question #9 addresses the issue whether or not the county has to pay for ancillary services after the 18/24 month period has expired.

The ACIN states that persons who are employed or are participating in unpaid work for

the county are eligible for ancillary services.

Question #11 addresses the issue of how many hours one has to participate in order to be eligible for ancillary services and other supportive services. Some county workers say that if the person is not working the 32/35 hours a week, then they are not eligible for supportive services. This is not true. Question #11 states “There is no minimum number of hours required to receive payments for ancillary expenses...” This is the case for anybody working or meeting the requirements of his or her WtW plan.

Question # 13 addresses the issue of reimbursement of the participants does not have a receipt. The ACIN states that “When receipts or other documentation are not available, a written declaration which includes an explanation of why the expense was necessary and no documentation is available, and signed by the participant under penalty of perjury, shall be acceptable if the CWD has no information to the contrary.”

Issues Covered in the ACIN

1. capping of services and costs;
2. school supplies and costs;
3. ADA access;
4. time periods for ancillary services;
5. hours and participation ; and
6. reimbursement issues.

Statistic of the Week

This week we are looking at the utilization of ABAWDS exemptions by county welfare departments.

ABAWDS stands for Able Bodied Adults Without Dependents.

The 1996 Welfare [D]eform Act signed by the then President Clinton limited Food Stamp benefits to ABAWDS who are not working 20 hours a week to three months during a 3 year period.

The law provided for a waiver of this harsh rule for counties, cities and zip codes that have high unemployment rates.

The law also provides for a certain number of exemptions that are allocated to each state, which then allocates it to counties in California.

These exemptions were designed to mitigate this provision of limiting food stamps to a three month period during every three years.

In California, many counties do not use these exemptions and force the poor ABAWDS in their counties to get food from the food banks or pantries, or simply starve and refuse to use the available exemptions. Counties who do this to poor ABAWDS in California are Alpine, Amador, Calaveras, Colusa, El Dorado, Fresno, Glenn, Imperial, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mendocino, Merced, Mono, Riverside, San Benito San Bernardino, San Diego, San Mateo, Santa Barbara, Santa Clara, Shasta, Sierra, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne and Yuba.

Statewide only 44% of the exemptions are utilized.

ACTION: You should ask your county how many exemptions they have used and why haven't they used all available exemptions? CCWRO would be glad to provide support services in this matter. See TABLE #1 for the percentage of exemption utilized by each county in California.

TABLE #1- Percentage of ABAWDS Exemptions Utilized During 2002-2003

Alpine, Amador, Calaveras,	San Joaquin	1.85%	Yolo	38.31%
Colusa, El Dorado, Fresno,	Orange	2.34%	Inyo	55.56%
Glenn, Imperial, Kern,	Monterey	4.32%	Humboldt	65.23%
Kings, Lake, Lassen, Los	Nevada	5.97%	Santa Cruz	94.59%
Angeles, Madera, Marin,	San Luis Ob.	8.48%	Ventura	108.27%
Mendocino, Merced, Mono,	Mariposa	10.34%	Siskiyou	128.70%
Riverside, San Benito San	Plumas	11.54%	Solano	148.58%
Bernardino, San Diego, San	Contra Costa	12.67%	Placer	177.67%
Mateo, Santa Barbara,	Alameda	16.10%	San Fran	205.77%
Santa Clara, Shasta, Sierra,	Butte	16.56%	Sacramento	688.87%
Sonoma, Stanislaus, Sutter,	Napa£	37.18%	Modoc	8760.00%
Tehama, Trinity, Tulare,	Del Norte	37.50%	Statewide	44.01%
Tuolumne and Yuba 0%.				

County Victims of the Week

Ms. "A" applied for CalWORKs, Food Stamps and Medi-Cal in Sacramento County. She indicated that she needed Immediate Need (IN) on her 1/8/04 application (SAWS 1), but was only given a 1/16/04 appointment.

On 1/16/04 she arrived for her face-to-face interview, turned in all completed forms, finished the face-to-face interview and was fingerprinted. After she completed the fingerprinting she was arrested for some outstanding warrant. The message is clear - the welfare department and the POLICE department are the same.

According to Sacramento County CalWORKs supervisor Lida Clemo, the 1/8/04 application was denied based on Code 244, failure to complete the application process. In the Sacramento application process, fingerprinting is the last step of the interview process. Thus, it must have been an unlawful denial for she completed the process.

She received an NOA stating that the application was denied for not having an eligible child in the home. In fact, she has two daughters, one 17 year old, who is 8 months pregnant and in dire need of

prenatal care. The other daughter is 11 years old.

After she received her unlawful denial, she again tried to apply for IN, CalWORKs and Food Stamps on three occasions; 2/3/04, 2/4/04 and 2/10/04. Each time, the Sacramento Research Street office clerical and eligibility staff did not allow her to apply.

Ms. A contacted an advocate at 4 p.m. on 2/10/04. There was no worker, no supervisor and no program manager available, even though they get paid until 5 p.m.

Finally at 4:40 p.m., the advocate was able to talk to Lida Clemo, who, in a raised voice, could only tell her to "come back and apply again - we take applications".

Ms. A. has tried to apply three (3) times and each time they refused to accept her application which was an illegal action. Lida Clemo never assured Armeida that her application would be accepted. Ms. "A" did not want to be victimized again for the fourth time.

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