

CCWRO Weekly New Welfare News - #2002-21

June 6, 2002

HEADLINES

- **IN BRIEF**
- **DSS News - IEVS DPA 482 reports**
- **STATISTIC OF THE WEEK - See attachment**
- **CWD Victim of the Week-**

IN BRIEF - Commentary

State Budget- Impoverished families and their children may be victimized again in the California budget fight. The budget takes over \$500 million of TANF money, which should be used for CalWORKs recipients, and gives it to counties to run foster care and CPS systems. Most of the foster care kids are former CalWORKs recipients who have been taken away from their parents by county welfare department's because their parents did not have enough money to provide for their needs. Now, each kid in the CPS system costs over \$1,500 a month, while the average cost of a CalWORK's child is about \$150.

The AFDC cost of living adjustment (COLA), now called CalWORKs COLA, was signed into law by Ronald Reagan. Now his Republican supporters make all kinds of political hay out of the meager COLA that the poor families get.

It is indeed a cowardly act to go after poor families and children while millions and millions of their TANF dollars are being used for other programs having nothing to do with CalWORKs recipients.

•• County Refuses to Obey Hearing Decision--DSS Supports This County's Unlawful Action -

On 10/16/01, Los Angeles County e-mailed DSS stating that an ALJ issued a decision ordering the county to restore food stamp benefits back to 1996. The county refers to 63-802.141, which states, "that when the judicial action is a review of a state hearing, benefits shall be restored for a period of not more than 12 months prior to the date of the state hearing..." L. Ventura of LA County DPSS asserts, "Based on this information, the County should only restore benefits for the 12 months prior to the state hearing, correct. Please respond ASAP."

DSS Response from Sandra Pierce is; "Absolutely correct. This has not changed."

CCWRO Commentary: "Judicial Action" is not a "state hearing". It appears that Sandra Pierce and DPSS cannot tell the difference between judiciary and the administrative branches of the government.

•• Treatment of Work Study Income Beyond Academic Year

Linda Parks of Shasta County asked DSS; "We have some college students who are receiving CalWORKs Work Study that continues beyond the academic year. How do we treat that income when the academic year is over?"

DSS Answer: Rosemary Akhidenor of DSS responded; "Based on your scenario, you should continue to treat that income the same way you have always done."

•• Treatment of Self-Employment for CalWORKs and Food Stamps

Gaylin Bower of Merced County e-mailed DSS the following: "The Food Stamp Program is adopting the same rules that currently apply to cash aid regarding Self-Employment Expenses. My question is: If an individual selects 40% for cash aid, may the select Actual for F/S? Is it mandatory that both programs select the same option?" (NOTE: This is an exact copy of the e-mail we received under the Public Records Act. There is no typo here.)

DSS Rosemary Akhidenor responded to the e-mail on 11/2/01 @ 4:35PM as follows:

"Yes, the Food Stamp Program is adopting the same rules that currently apply to CalWORKs cash aid, regarding self-employment expenses, but to some degree - what you do in food stamps on the most part does not have any bearing on cash aid. Therefore, to answer your question, the client has an option to choose either the actual costs of producing self-employment income or a standard deduction of gross earned income in food stamps (MPP 63-503.413).

•• Food Stamp Dependent Care Age Limit - Up to 18 years Old

On 10/19/02, Vicky O'Brien of Sacramento County e-mailed DSS asking; "Is the age limit for child care in the FS program 18 years? MPP 63-502.34 doesn't specify an age limit."

On 11/2/01, Rosemary Akhidenor of DSS e-mailed the following message: "Per FNS, there is no maximum age for a child in the Food Stamp Program. Final federal rules published on October 17, 1996 changed the term "child care" to "dependent care". You may allow the child care payments for an 18-year old child, if the costs for the care of the child was necessary for a household member to accept or continue employment, etc. as specified in MPP 63-502.34..."

STATE WELFARE NEWS -

In response to a Public Records Act Request, DSS has given us the IEVS reports for October-December of 2001.

Income and Eligibility Verification System is designed to show income and resources that have not been reported to the State. The system relies on the CalWOPKs or Food Stamp recipients' social security number. The computer compares the income reported by the employer and the income reported to the welfare department by the same social security number. If there is a discrepancy, then the state prints an "abstract" which reveals the amount of income reported on the CW-7 and the income reported by the employer.

This is a revised report that DSS has asked counties to submit pursuant to ACL01-80 - Income And Eligibility Verification System (IEVS) Management Report [DPA 482 (10/01)] <http://www.dss.cahwnet.gov/getinfo/acl01/pdf/01-80.pdf>

A group of counties, who are allegedly supervised by DSS, refused to submit these reports. The counties who refused to be accountable and respect the rules established by DSS are Contra Costa, Del Norte, Lake, Los Angeles, Mariposa, Nevada, Sacramento and Sierra.

Fortunately not all counties were so arrogant. 50 counties managed to submit their reports. The reports reveal that 79% of the IEVS abstracts found no discrepancies. Thus, many abstracts have no discrepancies, yet have to be processed. We also noticed that a number of counties are backlogged. This means they have reports showing earned income, but are doing nothing to stop the overpayments.

We rated the performance of the counties by looking at how many abstracts they received during the quarter and what percentage of those abstracts were processed. Leading the pack was Lassen County. During October through December of 2001, Lassen County received 266 abstracts and they processed none. Maybe the EIVS worker was on strike, but still got a paycheck. Following Lassen County was Tuolumne County. This county received 72 abstracts from October through December of 2001, processed 5 abstracts and on 1/1/02 had 83 abstracts to process. At this rate they will never catch up.

Plumas County managed to process 11% of their abstracts. Plumas County from October through December of 2001 received 57 abstracts, processed 6 of them and on 1/1/02 had 453 abstracts waiting for action. Only 83% of the abstracts processed by Plumas County had discrepancies.

Monterey County processed only 26% of their abstracts received from October through December of 2001. They received 1,273 and processed only 337 abstracts.

San Joaquin County, which is a large county, processed 33% of their abstracts during October through December of 2001. This county received 2093 abstracts and processed 692 abstracts. At the beginning of 2002, they had 4,676 abstracts waiting to be processed. At

this rate, if San Joaquin County receives no new abstracts, they will need over 6 months to catch. Meanwhile people are being overpaid. Is DSS doing anything about it?

RESULTS OF THE IEVS PROCESS: The reports reveal that number of abstracts revealing discrepancies. Statewide 79% of the abstracts revealed no discrepancies. San Bernardino showed 86% of the cases had discrepancies, Alameda showed 74% had discrepancies, while at the other end Tulare, Sutter, San Luis Obispo and Santa Cruz Counties showed 2% discrepancies, Butte, Tehama and Kern Counties showed 3% discrepancies, Stanislaus and Merced showed 5% discrepancies.

San Bernardino County's close neighboring counties Riverside and San Diego showed only 12% discrepancies.

Alameda County's closed neighbors San Mateo had 19% discrepancies and Santa Clara County had 13% discrepancies. Why. Something does not add up here.

STATISTIC OF THE WEEK -

See attachment to this e-mail. The attachment shows a county-by-county number of IEVS abstracts that each county received during the quarter of October through December of 2001. The table shows the number of abstracts processed during that same period; the number of abstracts that had no discrepancies, and the number of abstracts that remained at the end of the quarter. *This attachment should be opened on a Microsoft Excel file for maximum benefits.*

COUNTY WELFARE DEPARTMENT VICTIM OF THE WEEK-

In October of 1992, San Bernardino County overpaid Ms. M.E., \$753. The County collected all aid for October 1992 through a child support court order in 1994. However, the County started to collect the \$753 again from Ms. M.E. This is called, "double dipping."

Ms. M.E. did not understand how the County of San Bernardino would blatantly commit such highway robbery. She filed for a fair hearing. The County's position was to pay back the absent parent, rather than Ms. M.E.; but they introduced no evidence showing they had paid back the absent parent with interest moneys the county claims they should not have collected. In a hearing decision #2002002268 San Bernardino County was ordered to pay back the over collected \$753 to Ms. M.E.

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