

CCWRO Weekly New Welfare News - #2002-14

April 15, 2002

HEADLINES

-- IN BRIEF

-- APRIL, 2002 DSS TELEPHONE LIST FOR BUREAU CHIEF AND ABOVE

-- CCWRO PRACTICE TIP - SPONSORED ALIEN CAN RECEIVE CALWORK IF INDIGENT

-- DSS NEWS

-- FEDERAL ISSUES - TANF & FOOD STAMP REAUTHORIZATION

-- STATISTICS OF THE WEEK

IN BRIEF

-- Does Income Received During the Month that has been exhausted make the family ineligible for Immediate Need?

Rosie Reed of LADPPS asked about an applicant seeking Immediate Need. The applicant "...had income of \$800 that was exhausted by the date of application." Is this family eligible for CalWORKs Immediate Need?

DSS ANSWER: Yes.

-- SSA Income Being Paid to someone else cannot be used as income

There is an assistance unit (AU) of a brother and a 17 year old child who is getting \$121 in SSA benefits. The payments are going to grandma who does not live with the AU. Can this income be counted against the AU of the 17 year old his brother.

DSS ANSWER: MPP 44-101 states that the income "...must, in fact be currently available..." and 44-102 states that the income is to be counted in the month received. Under the circumstances ...outlined, the income cannot be considered as neither received nor available to the recipient."

-- Exempt from WtW and Working CalWORKs recipients are eligible for Child Care.

Gail Taylor of Siskiyou County asked DSS "...if a cash aided client is exempt from WtW activities (due to health reasons) but they choose to work, are they entitled to subsidize child care?

DSS ANSWER: "...cash aid client who is exempt from WtW activities due to health reasons, but who chooses to work anyway - yes, thus client does qualify for CalWORKs child care subsidy."

-- 2001 Directory of County Welfare Fraud Investigative Staff is available through e-mail form DSS. This directory can be obtained from Jenny Roberts at : Jenny.Roberts@dss.ca.gov

-- APRIL, 2002 DSS TELEPHONE LIST FOR BUREAU CHIEF AND ABOVE

-- CCWRO PRACTICE TIP - SPONSORED ALIEN CAN RECEIVE CALWORK IF INDIGENT

A sponsored aliens are subject to the deeming of income rule with a few exceptions, including the indigency exception. See Section 43.119.22 et.seq.

"43-119.22 All the income and resources of the sponsor who is not receiving CalWORKs, SSI or other public cash assistance payments (such as General Assistance) and the income and resources of the sponsor's spouse who lives with him/her and who is not receiving such public assistance payments shall be deemed to be the income and resources of the sponsored noncitizen. See Section 44-133.7 for the determination of the amount of this income, and Section 42-205.5 for the determination of the amount of resources. The following are exceptions to the deeming provisions:

43-119.221 If a determination is made by the county that a sponsored noncitizen would go hungry and homeless without aid, the sponsored noncitizen is determined to be indigent.

43-119.221(c) When a sponsored noncitizen is unable to provide the necessary information regarding their sponsor and the county can not establish contact with the sponsor and it is determined the sponsored noncitizen would go hungry and homeless without aid, the sponsored noncitizen is ruled indigent."

Thus sponsored aliens who will be homeless and foodless without public assistance are deemed to be indigent and shall be eligible for CalWORKs.

If you have a sponsored alien issue, call Kevin at CCWRO.

DSS NEWS

NEW DSS PROPOSED REGUALTIONS

RELEASE OF CALWORKS AND FOOD STAMP CASE INFORMATION TO LAW ENFORCEMENT OFFICIALS; DATE CORRECTION FOR FOOD STAMP INTENTIONAL PROGRAM VIOLATION PENALTIES ORD# 0701-14

The public comment period for this package will close on May 23, 2002 at 5:00p.m.

NONCITIZEN ELIGIBILITY CERTIFICATION PROVISION AMENDMENTS ORD# 0102-02

The public comment period for this package will close on May 23, 2002 at 5:00p.m.

http://www.dss.cahwnet.gov/ord/CDSSPropos_366.htm

DSS New All County Letter

ACL 02-31 (April 2, 2002)

Participation Requirements For Two-Parent Assistance Units (AU)

This ACL explains that the county cannot suggest or allow the WtW participant to do more unpaid labor hours than those required by the regulations §42-711.421 which explains how many hours a family can be forced to work without pay after their 18/24 month period has expired. It appears that some counties are forcing parents to work more than the hours allowed under these regulations to get more free labor for the county.

http://www.dss.cahwnet.gov/lettersnotices/2002AllCou_584.htm

FEDERAL ISSUES - TANF & FOOD STAMP REAUTHORIZATION

On April 11, 2002 at 3:00 P.M. the subcommittee on human resources Committee on Ways & Means held a hearing on TANF reauthorization. The committee hearings are basically staged presentations of persons invited by the Committee staff. The citizenry of the United States of America is prohibited from participating in this process as a member of an alleged Free Country. Unlike the State Legislative process where any person can testify on a bill, in Congress you have to have connections to testify.

The names and copies of their testimony is available at:

<http://waysandmeans.house.gov/humres/107cong/hr-14wit.htm>

-- Rep. Howard P. "Buck" McKeon (R-CA), chairman of a House subcommittee with jurisdiction over federal welfare programs, today formally introduced the *Working Toward Independence Act* (H.R. 4092), which reauthorizes the 1996 welfare reform law. The bill represents President George W. Bush's welfare reform proposal, which would increase work requirements under the Temporary Assistance for Needy Families (TANF) program and make changes to the Child Care and Development Block Grant (CCDBG) program.

The bill would require recipients to be engaged in work activities for 40 hours a week, 16 of which could be spent in constructive activities such as education or job training. Consistent with a House Ways & Means Committee companion bill, the measure would allow welfare recipients to spend part of those 16 hours with their children - in activities such as boys-and-girls programs, Scouting, or educational programs.

-- Senate Finance Committee Holds TANF hearings on April 10, 2002, at 9:30 a.m. in 215 Dirksen Senate Office Building regarding TANF reauthorization. The committee witnesses were:

The Honorable John Engler, Governor, East Lansing, MI
The Honorable Howard Dean, Governor, Montpelier, VT
Lawrence Mead, Professor, New York University, New York City, NY
Arlene McNamee, Executive Director, Catholic Social Services, Fall River, MA
Cynthia Fagnoni, Director, Education, Workforce and Income Security, U.S. General Accounting Office, Washington, DC
Steve Savner, Senior Staff Attorney, Workforce Development and Welfare Reform, Center for Law and Social Policy, Washington, D.C.
Wendy Ardagna, Director of Government and Community Relations, Save-A-Lot, Ltd., Lindenhurst, IL

-Food Stamp Update-

Farm Bill Status - **"The Farm Security Act" -HR 2646**

SATURDAY, APRIL 13, 2002

Conference Committee Members will reconvene Tuesday, April 16 at 1pm Eastern Time in the House Longworth Building, Room 1300

STATISTICS OF THE WEEK

DSS just released a publication CalWORKs Characteristics Survey -Federal Fiscal Year 2002

A copy of this 181 page report can be downloaded at:

<http://www.dss.cahwnet.gov/research/res/pdf/CalWKsCharFFY2000.pdf>

The report reveals that about 85% of the CalWORKs cases have no car. Without a car the chances of becoming self-sufficient is a major barrier that policy makers should address.

The number of CalWORKs families working in California has been going up since Federal Fiscal Year (FFY) 1998

1998- 38.2%

1999 - 41.4%

2000 - 49.7 %

CCWRO SERVICES AVAILABLE TO LEGAL SERVICES PROGRAMS & WELFARE RECIPIENTS REFERRED TO US BY LEGAL SERVICES PROGRAMS

Types of Services Offered:

Litigation, Fair Hearing Representation, Fair Hearing Consultation, Informational Services, Research Services, In depth Consultation.

Programs Covered

CalWORKs, Welfare to Work (WtW), Food Stamps, Medi-Cal and Refugee Immigration Problems

Coalition of California Welfare Rights Organizations, Inc.

1901 Alhambra Blvd

Sacramento, CA 95816

Tel. 916-736-0616

After 6 PM - 916-387-8341

Message/cell number 916-712-0071

FAX 916-736-2645

e-mail address: ccwro@aol.com