

CCWRO Weekly New Welfare News Bulletin - #2002-25

July 8, 2002

HEADLINES

- IN BRIEF
- DSS News -
- **NEW LITIGATION ALERT** – SEEKING PLAINTIFF IN CHILD SUPPORT FAIR HEARING CASE
- STATISTIC OF THE WEEK -
- TANF REAUTHORIZATION BILLS IN CONGRESS
- NEW FEDERAL REGULATIONS – 6/19/02 Food Stamp Program: Work Provisions
- CWD Victim of the Week-

IN BRIEF - Commentary

On the third of July, 2002, Secretary of State Powel announced that “in consultation with the Secretary of the Treasury and the Attorney General, I hereby determine that Babbar Khalsa International and the International Sikh Youth Federation have committed, or pose a serious risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security.” We wonder how many rogue Child Protective Services workers meet this criterion of posing a serious risk of committing terror against families of poor people of America. But they will never get this recognition, even though they richly deserve it.

STATE BUDGET STATUS – While denying TANF recipients a meager cost-of-living increase, which saves the budget about \$130 million, the California State Budget gives over \$500 million TANF dollars to foster care programs. These foster care programs spend about \$25,000 a year “per child” in foster care. The average CalWORKs recipient costs less than 15% of the \$25,000 spent on one foster child.

There are several other inhumane cuts in the 2002-2003 budget, which are totally unnecessary, given the fact that while the TANF funding has remained the same, the caseload has gone down by 50%. TANF money was used to reward other more influential constituencies, such as community colleges, foster care group homes, who make huge contributions in the state Legislature, and other programs having nothing to do with meeting the day-to-day needs of impoverished families receiving CalWORKs.

STATE WELFARE NEWS

-----Medi-Cal Inter County Transfer (ITC) - Department of Health Services (DHS) is circulating the third draft of an All County Letter (ACL) regarding Medi-Cal ITC. After three (3) drafts the unresolved issues according to California Welfare Directors Association (CWDA) are” (1) when is the case transferred?; (2) when does the county to an annual redetermination?; (3) what happens if CalWORKs is denied?; (4) what is there is a change of address? In June there should be another draft circulating. Stay tuned.

-----**Mail-In Applications** – At a 5/2/02 CWDA meeting counties asked DHS if county workers can write on main-in applications? DHS told counties that then can do so, but it would have to be in different color ink.

-----**Estate Recovery Notice** – At this time Medi-Cal recipients get a half-page yellow notice about recovery twice a year developed by DHS ten (10) years ago. In July, 2002, a new notice will be mailed out. Los Angeles County has requested that the notice be done in all threshold language.

-----**DSS Conceals Public Information from the Public**– At a 5/2/02 meeting of CWDA DSS distributed an ACL/ACIN summary. At this time, DSS is not making this public document public – DSS is claiming that when DSS meets with counties at a CWDA meeting, they are simply meeting with their agents, and not a non-profit organization that lobbies and represents the counties that often is opposed to action taken by DSS.

-----**Food Stamp In-Kind Income Policy** – At a 5/2/02 meeting of CWDA decided that they do not need an “in-kind income” policy because the counties make their own policy. Some use the fair market value to establish “in-kind income” values. Counties will be able to contact Varaneice of the DSS Food Stamp Policy Bureau to get “underground direction” for establishing a “in-kind income” policy.

-----NEW DSS ACLs & ACINs

ACL 02-41 (June 13, 2002) - Annual Food Stamp Program Participants By Ethnic Group Reports [DFA 358F (7/02) And DFA 358S (7/02)]

ACL 02-42 (June 14, 2002) - Use Of The Work Number For Employment Verification In California Work Opportunity And Responsibility To Kids (CalWORKs) Program

ACL 02-44 (June 24, 2002) - Providing California Work Opportunity And Responsibility To Kids (CalWORKs) Welfare-To-Work (WTW) Services To Recipients Who Have Reached The Temporary Assistance To Needy Families (TANF) Time Limit

ACLs can be downloaded at:

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

ACIN I-45-02 (June 26, 2002) - Annual County Food Stamp Program Questionnaire and Review of Hours of Operation, Access, And Awareness Activities – This report shows what offices are available servicing food stamp recipients in California county-by-county.

ACIN I-46-02 (June 28, 2002) - Food Stamp Work Requirement and Sanction Questions and Answers

ACIN I-47-02 (June 28, 2002) - California Work Opportunity And Responsibility To Kids (Calworks) 60-Month Time Limit Procedures For Informing Recipients Of Their Time On Aid –

ACINs can be downloaded at:

http://www.dss.cahwnet.gov/lettersnotices/2002AllCou_581.htm

NEW LITIGATION ALERT – SEEKING PLAINTIFF IN CHILD SUPPORT FAIR HEARING CASE

CCWRO has obtained information that the State Department of Child Support Services is not scheduling child support fair hearings within the statutory 30 day time limits. (See Family Code Section 17801) This is a violation of State law. CCWRO has mailed a letter to the Director of the State Department of Child Support Services informing the Director to rectify the problem, otherwise CCWRO will be forced to seek relief elsewhere.

NEED MORE PLAINTIFFS : If you have a victim of the failure of the State Department of Child Support Services to schedule a fair hearing within 30 days of the fair hearing request, please contact Grace A. Galligher at CCWRO or drop us an e—mail.

NEW CCWRO LITIGATION – Kiselev v. Saenz

CCWRO filed a new CCP 1985 law suit against DSS entitled Kiselev v. Saenz. In this case, the department has adopted an underground rule that a notice of action issued by the county that is not on the state prescribed notice can still be valid, if it was an effective notice. The State regulations provide for Limited English Proficient recipients, the county shall use the state prescribed notice. See MPP 22-071.3) If the county fails to do so, then the notice is inadequate. Notwithstanding this clear regulation, DSS has a underground policy that the notice is not necessarily inadequate, if it was effective. The regulations do not provide such an exception, but then that has never stopped DSS from enacting and carrying out an underground rule.

TANF UPDATE

George Bush is running around the country talking up welfare reform. Every time he opens his mouth, he is spitting out the word “welfare”. It appears that his pollsters have instructed him to say the word “welfare” whenever he gets a chance. Off course, no mention of “corporate welfare. The talk these days is corporate “responsibility” without touching “corporate welfare”. No work requirements for the CEOs getting billions in corporate welfare. No time limits for corporate welfare.

STATISTIC OF THE WEEK – Food Stamp Expedited Services

The DFA 269X quarterly reports show how many food stamp applicants were considered for immediate need Food Stamps and how many were issued such benefits within the federal three day period.

This report can be found at http://www.dss.cahwnet.gov/research/DFA296X-Fo_424.htm

The first quarter of 2002, there were 344,260 applications filed in California. Only 136,252 of those applications were considered for expedited food stamps. 52,195 were found to be entitled to expedited service food stamp benefits. In 39,275 cases the expedited food stamp benefits were issued in 3 days, while 12,920 cases, in blatant violation of the state law, the applicants in dire need of food stamps were issued benefits after three days. There are no consequences for such county welfare department irresponsibility. There are no speeches by anyone holding county welfare directors "responsible" for their unlawful actions. And who are leading violators of the law this time?

The top five awards go to Humboldt at 44%; Tehama at 42%; Los Angeles County at 40%; Stanislaus at 34% and San Joaquin at 33%.

The Second Top Five law violators of California are Ventura at 31%; Nevada at 27.5%; Mono at 25%; Sutter at 23% and Merced at 27%.

County welfare officials unlawfully deny expedited Food Stamp statewide 25% of the cases.

Attached is a Microsoft Excel file the statewide rankings.

COUNTY WELFARE DEPARTMENT VICTIM OF THE WEEK

This Sunday, July 7, 2002, the San Francisco Chronicle had a number of stories about victims of the current mean-spirited welfare deform. In one case, a San Jose woman, with two children, went on welfare, then went to Job Search and found a job at Costco. She started at \$8 an hour and now gets \$13 an hour. She does not qualify for welfare because of her "high" income. Although she is able to pay the rent, since March of 2002, her family has been without any electricity. She just could not afford to pay her PG&E bill. They have been "utilityless" for several months. Another success story of welfare deform.

In another case, an Alameda woman, was attending college when she was ordered by the Alameda County welfare department to stop going to college and start attending job club. They teach folks how to write resumes. She has no phone and no car. One job she lost because she was told to appear at the welfare office to talk to her worker. She told her boss that her welfare worker said she has to go to the welfare office or face the loss of her welfare benefits. The job paid minimum wage and had no medical coverage. She obeyed the welfare worker and lost her job.

There are thousands of victims in California like the Alameda woman. And the torture continues on and on.

CCWRO SERVICES

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. General Assistance 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