



IN BRIEF

✓ Are Both Parents Required to Work 55 Hours to be Eligible for Child Care?

On 4/19/04 Imperial County asked DSS "Do we have to apply the 55-hour rule or not? If so, when?" Federal law provides that in order to get child care for both parents, then they have to work more than 55 hours a week. However, California is using state child care money to cover 2-parent child care payments.

DSS responded that "Two parent families shall receive CalWORKs child care if they are otherwise eligible, even if they do not meet the 55-hour rule (MPP§47-220.4"

✓ Parental Choice of Child Care. On 1/12/04 Tulare County asked DSS whether or not the county can pay a provider for providing child care to participants at a site office.

DSS responded that "Parental choice may be an issue if the county requires their use. MPP § 47-301.2 allows clients to choose licensed or license-exempt child care.

✓ SAWS 1 to be completed by applicant.

At the August 5, 2004 California Welfare Directors Association (CWDA) meeting there was a discussion of who can complete the SAWS 1 Immediate Need portion of the SAWS 1. The minutes of the meeting correctly state "The immediate need portion of the SAWS 1 must be completed by the applicant. The county cannot complete the form and have the applicant initial the response to those question." We believe that many counties are completing the form and not allowing the applicant to complete the form. This practice has to stop.

The Bush Administration Misleads Again

The Bush Administration stated on August 23, 2004 that caseloads in the TANF program fell in 2003. In the press release the Administration alleges that this means that American families are leaving welfare and getting jobs, thus improving the lives of families. Copy of the release can be obtained at: <http://www.hhs.gov/news/press/2004.html>.

The Center on Budget Policies and Priorities (CBPP) published a report showing that based upon the U.S. Census reports this is incorrect.

FACTS:

- The employment rate among single mothers fell from 73 percent in 2000 to 69.8 percent in 2003 — a larger decline than among other parents or the population overall.
- The unemployment rate among single mothers rose from 9.5 percent to 10.2 percent. Source: CBPP Report.

Actually the reduction of the TANF caseloads show that more families in need are being denied.

In This Issue

- In Brief
- Bush Administration Misleads Again
- Statistical Analysis -Homeless Assistance
- CWD Victim of the Week
- Governor Proposes Changing the Bureaucracy

In 2000 52% of eligible families received TANF were receiving TANF benefits. In 2001 only 48% of the families eligible for TANF.

This decline is primarily caused by "Full Family Sanctions" and "Time-Limits" enacted by Republicans and Democrats during 1996 and signed by Bill Clinton.

Full family sanction means the entire family-babies and newborns, are terminated from aid for months and months. Often their food stamps are also taken away from them. Most sanctions are a result of lack of child care and transportation, thus, most of the sanctions are unlawful.

Statistic of the Week

We have been complaining that DSS has not published CalWORKs Homeless Assistance reports since June of 2002. This month reports from June of 2002 to June of 2004 were finally published.

The rules for homeless assistance program (HAP) are very straightforward.

If a family is homeless and qualifies for homeless assistance, then they can get temporary assistance on the date of the application. It would be unlawful to say come back tomorrow.

The other piece of HAP is permanent homeless assistance (PHA). When a family has a permanent place, they must apply for permanent HA. This application for PHA has to be acted on the date of application, but no later than the next working day.

The new reports show how many cases were carried forward from the previous month. The report reveals some fascinating trends. **State-wide at the end of May 31, 2004, there were 3,048 cases that were not acted upon. Dur-**

ing the month of June 2004, the counties received 5,975 cases. During the month of May, 2004, the counties accepted 5,759 cases. **That means that 52% of the cases statewide filed in May of 2004 were not acted upon by the end of month of May, 2004.**

Table #1 reveals the top 15 counties not processing HA applications timely.

Los Angeles County received 2,448 HA application during May and carried over 2,515 applications. In other words they carried over 63 more applications to June than they received in May.

Marin County received 7 applications in May, carried over 120 applications and only received 15 applications in June. It appears that families are waiting for months and months in Marin County.

Glen County received 3 applications in May, carried over 106 applications to June. Poor Glen County homeless families.

These numbers show that there is something wrong with the homeless assistance administration in California and it is crying for a solution.

CWD VICTIM OF THE WEEK

Ms. L.S.'s daughter of Sacramento County was working while in school. She was 17 and her income was excluded.

She stopped working in July. The county was informed that her daughter is no longer working. On August 3, 2004, a notice of action (NOA) was mailed stating that the family would receive \$555 food stamps for a family of 7.

On August 12, 2004, Mr. L.K received another NOA stating that the family's food stamps will be \$398 for September. This NOA reflected

TABLE #1	HAP Requests During May, 2004	HAP Requests Not Acted Upon During May, 2004	HAP Requests During June, 2004
Statewide	5,759	3,048	5,975
Los Angeles	2,448	2,515	2,573
Marin	7	120	15
Glenn	3	106	17
Siskiyou	6	78	14
Mendocino	27	54	36
Sacramento	170	38	181
Inyo	2	37	0
Sutter	10	26	10
Stanislaus	50	21	70
Solano	82	18	54
Alameda	63	10	67
San Fran.	4	8	14
Lake	21	5	9
Santa Barb.	17	3	18
Ventura	23	3	31

alleged income of the daughter who became 18 in August, but was not working in August.

In August she had no income, yet the county counted the July income for September, but she was 17 in July and the July income was excluded. Another county error.

The regulation regarding treatment of income for children under and above 18 are below:

MPP § 63-502 (i)

The earned income (as defined in Section 63-502.13) of children who are members of the household, who are elementary or secondary school students at least half time, and who have not attained their 18th birthday. Income of a student who attains their 18th birthday during the certification period, shall be excluded until the month following the month in which the student turned 18. If the student becomes 18 during an application month, the income is excluded in the month of application and counted in the following month except as specified in Section 63-507(a)(4)(A).

Governor Proposes Changing the Bureaucracy

Last month Governor Schwarzenegger released a thick document proposing a host of changes in running the State Government that would save \$6 billion of five years.

On August 20, 2004, The California Performance Review Commission held a public hearing in San Diego to address the health and welfare proposals.

CCWRO was invited to testify on the "advocates panel" which included Mike Herald of Western Center on Law and Poverty, Marilyn Holle of Protection and Advocacy; Peter Mendoza of Council on Developmental Disabilities; Carole Shauffer of the Youth Law Center and Lucien Wulsin of Insure the Uninsured Project.

There were many subjects to cover and each person on the panel had five (5) minutes.

The highlights of the proposal relative to welfare were the following proposals:

Transform Eligibility Process. The report correctly states "Medi-Cal, CalWORKs and Food Stamp eligibility processing performed by California counties is inefficient, costly, does not give good service and is inaccurate. Medi-Cal, CalWORKs, and Food Stamp eligibility processing should be centralized and consolidated at the state level to improve services and save a total of \$4 billion, including \$1.5 billion in State General Funds over the next five years."

The proposal suggests using public and pri-

vate entities to provide eligibility processing. This can be dangerous if the private entity is not accountable.

CCWRO testified in support of State Administration in lieu of the current wasteful 58 county system with 18 different computer systems, 58 different manuals and memo, 58 different accounting systems, 58 different union contracts, etc.

The proposal suggests that applications for aid can be done by the computer, which would eliminate lot of the procedural barriers that current applicants experience.

Elimination of the \$50 disregard. Another proposal is to eliminate the \$50 child support disregard. CCWRO opposed this mean-spirited proposal. CalWORKs parents are currently receiving a fixed income at 1989 level. The \$50 child support disregard does not do much to bring these families into the 21st century.

The noncustodial parents who are paying child support that goes entirely to the government except for the \$50 are also taxpayers. They pay taxes which is used to pay for CalWORKs. After paying taxes that pays for CalWORKs they are asked to pay child support to cover the CalWORKs received by their children that they have already paid for in the form of taxes. This is double taxation. At least the children whose parents are paying the taxes to cover CalWORKs and then child support should realize some benefit from the child support payments. Child support payments for CalWORKs children should benefit the children and not the government. Maybe the program of collecting money from noncustodial parents whose children are on CalWORKs should be called "government support payments", which is honestly reflects what is happening with the money collected from the noncustodial parents.

Government Reshuffling- The proposal would eliminate the State Department of Child Support and place it back in DSS. In Home Supportive Services (IHSS) would be placed in the Department of Health Services.

The State would also take over the Medically Indigent Program IHSS while counties would be responsible for Child Welfare Services and Mental Health.

The report provides that there would be a workgroup set up to work out the realignment proposal.

For more information about this report go to: <http://report.cpr.ca.gov/cprprt/issrec/hhs/index.htm>

**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, and Research Services, in depth Consultation.

Programs Covered: CalWORKs, Welfare to Work (WtW), Food Stamps, Medi-Cal. General Assistance and Refugee Immigration Problems

