



In Brief

✓ **One strike and out for CalWORKs teens.** In a policy interpretation requested by Tuolumne County on 11/30/04 the county asked CDSS whether teens 16,17 and 18 years old who are referred to WtW for not attending school and were previously sanctioned will be subject to WtW sanctions if such teen returned to school before he/she was 18. CDSS's answer was that previously sanctioned teens are subject to sanctions even if they now attending school.

✓ **Los Angeles County ASC GAIN contractor employees complain to CDSS.** In a 10/1/04 letter to CDSS a concerned employee of ACS, a for-profit Los Angeles County GAIN contractor providing WtW services to Los Angeles WtW recipients, complains that they have lost 35 of their GAIN workers since May of 2004, but ACS has refused to hire additional staff. It appears that private industry has the same staff hiring problems that government does. The letter states that ACS has failed to process transportation and ancillary claims in a timely manner as required by their contract. The ACS staff was later informed that the reason the company is not hiring additional staff is to show a profit. The concerned employee states; "To workers it has become clear that showing profit is the company's number one priority and not the participants who are the reason for the contract."

✓ **Bush 2006 budget wants to take 60 billion from Medicaid.** George Bush's new budget calls for 60 billion in cuts from the Medicaid program to pay for the tax cuts for his wealthy contributors.

✓ **CalWIN Computer System Problems.** CalWIN is a new computer system that is going to replace the current EDS system in about 15 counties in California. The first county to start CalWIN is Placer County followed by Sacramento County. Counties are beginning to operate this system although

many of the system users are not be properly trained to operate the system. Recently, Sacramento County tried a mock run of the new CalWIN system. With CCWRO's participation, it was evident that employees need more time to work out the kinks in the system such as the intake process where, in the mock session, exceeded normal time limits to complete one intake.

RETROACTIVE CURING OF WtW SANCTIONS FOR STUDENTS

On 11/2/04, Jim Tomasulo of Orange County asked DSS how far back the county could go in reviewing WtW plan for SIPs, and potentially others, who reached their 18-month time limit and were sanctioned in lieu of accepting a community service assignment. "We have school advocates here encouraging students to call and ask for reinstatement back to December 1, 2003."

DSS RESPONSE : DSS responded that "...Counties have discretion in determining the number of months back they go, if at all, when reviewing cases for this category of sanctioned individuals (for example, individuals who were sanctioned because, at the end of the 18 or 24-month time clock, they chose to continue in their self-initiated program (SIP) instead of participating in community service. If the county does choose to contact individuals about ending their sanction, to ensure the uniform treatment, it must develop written policies and procedures, in accordance with MPP 11-501.3 (see ACL 00-08)..."

In This Issue

- ➡ **In Brief**
- ➡ **Retroaction Curing of WtW Sanctions for Students**
- ➡ **TANF Reauthorization Update - Democracy for TANF Recipients?**
- ➡ **Statistical Analysis, CalWORKs Discontinuances**

ADVOCACY NOTE: It appears that the county does have discretion in determining the number of months back they go, which is back to December 1, 2003. Sanctioned students should request retroactive curing of the sanction as the county has the discretion to do so. If the county refuses to do so, then the student should file for a fair hearing. Persons needing assistance in this matter can contact CCWRO. Copies of this policy interpretation are available from CCWRO's policy interpretation library.

TANF Reauthorization Update



On day one of the 109th Congress, Republican Congresswoman Deborah Pryce, Ohio introduced HR 240, the 2005 TANF reauthorization bill. H.R. 240 is similar to H.R. 4, which was the Bush-Republican

TANF reauthorization bill for 2004

A statement from Chairman Wally Herger (R-CA) of the Human Resources subcommittee of the Committee on Ways and Means was posted on the Ways and Means Committee webpage. See: <http://waysandmeans.house.gov/>

On February 2, 2005 Chairman Herger announced that the Subcommittee will hold hearings of people chosen by the Committee chair - autocratic democracy in action in the United States Congress - and it will not be open to the public for testimony. This means that if you drive to Washington D.C. because you want your views on TANF known to Congress, you will not be allowed to speak.

In order to get to testify you must have had to fax a request to Allison Giles at 202-225-2610 asking to be allowed to testify.

Of course if you are selected to testify, there are some other barriers you would have to overcome. First you must prepare a statement that has to be submitted to the committee be-

fore the hearing.

The subcommittee hearing announcement states that persons who are selected to testify are "...required to submit 200 copies, along with an IBM compatible 3.5-inch diskette in WordPerfect or MS Word format, of their prepared statement for review by Members prior to the hearing. Testimony should arrive at the Subcommittee office, B-317 Rayburn House

Why can't people just appear and testify before Congress like TANF recipients can do in many State Legislatures?

Office Building, no later than 1:00 p.m. on Tuesday, February 8, 2005.

The 200 copies can be delivered to the Subcommittee staff in one of two ways: (1) Government agency employees can deliver their copies to B-317 Rayburn House Office Building in an open and searchable box, but must carry with them their respective government issued identification to show the U.S. Capitol Police, or (2) for non-government officials, the copies must be sent to the new Congressional Courier Acceptance Site at the location of 2nd and D Streets, N.E., at least 48 hours prior to the hearing date. Please ensure that you have the address of the Subcommittee, B-317 Rayburn House Office Building, on your package, and contact the staff of the Subcommittee at (202) 225-1025 of its impending arrival. Due to new House mailing procedures, please avoid using mail couriers such as the U.S. Postal Service, UPS, and FedEx. When a couriered item arrives at this facility, it will be opened, screened, and then delivered to the Subcommittee office, within one of the following two time frames: (1) expected or confirmed deliveries will be delivered in approximately 2 to 3 hours, and (2) unexpected items, or items not approved by the Subcommittee office, will be delivered the morning of the next business day. The U.S. Capitol Police will refuse all non-governmental courier deliveries to all House Office Buildings."

Thus, there are many barriers that TANF re-

cipients will have to overcome before they can participate in the alleged "democracy" practiced by the Republican House of Representatives.

With the TANF grants being far below the poverty levels, TANF participants cannot afford to pay for 200 copies of their testimony. That would mean the kids not eating for several days.

Then the copies have to get to the subcommittee. If you are going to mail the 200 copies of the testimony, then you will have to have it in the mail by February 6, 2005. The announcement came out on 2/2/05 and by time you find out from Allison Giles that you have been a lucky one selected to testify before the committee, you will not be able to testify because you cannot do all of the other things that are required to practice democracy in America.

Why can't people just appear and testify before Congress like TANF recipients can do in many State Legislatures?

Senate Republican sources say that they want to move the TANF bill before the 2006 Budget Resolution.

Senator Rick Santorum (R-PA) introduced a welfare reform bill on January 24, 2005 called the Family and Community Protection Act of 2005 (S. 6): <http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.00006>:

This is not necessarily the bill the Finance Committee would consider, but Senator Santorum has been a strong advocate for moving TANF reauthorization as soon as possible and he was standing behind George Bush during the inaugural speech calling for Democracy everywhere else.

The authorization for TANF was due to expire in 2002; Congress has extended the program eight times. The most recent extension will expire at the end of March, 2005.

The march on the poor by Bush and the Republicans in Congress has started. Poor chil-

dren are the targets of the 109th Congress. Stay tune for more bad news from Washington D.C.

COUNTIES ASK FOR DELAY IN IMPLEMENTING SB 1104

On October 26, 2004, the California Welfare Directors Association (CWDA) mailed a letter to CDSS asking that the implementation of SB 1104 be delayed insofar as it requires that

It appears CWDA believes that laws that require the expenditure of money do not have to be carried out.

WtW cases have new contracts that reflect the changes in SB 1104.

CWDA lobbyists, paid in part with TANF funds, participated in the process when SB 1104 was enacted. When the regulations were promulgated, they were still not happy with the product of their involvement.

In the letter to DSS CWDA asked DSS to delay the statutory implementation of certain provisions of SB 1104. It appears that CWDA believes that the Schwarzenegger administration has the authority to overrule duly enacted laws by the State legislature. Finally CWDA alleges that the State Budget did not provide additional funding for implementing the law. It appears CWDA believes that laws that require the expenditure of money do not have to be carried out.

On December 30, 2004, DSS responded that the State Budget gave counties an augmentation of \$50 million and that counties had carry-over funds from 2003-2004 of \$140 million.

Statistic of the Week

In this issue we look at the CA 253 CW - CalWORKs Report on Reasons for Discontinuances of Cash Grant. This monthly report includes data on the number of CalWORKs

entitled to. CDSS has refused to obtain county reports regarding the compliance with the TFS requirements. Over 65% of CalWORKs terminations are a result of nonreceipt of the monthly or quarterly reports and a category called "recipient initiative".

MPP §26-218.11(6) defines "recipient initiative" that are terminated due to failure to comply with procedural requirements.

The next two major reasons are increased earnings and no eligible children.

The discontinuance due to monthly/quarterly reports was the leading reason for discontinuing CalWORKs case at 38%.

The top 10 counties discontinuing CalWORKs recipients for failure to submit a CW7/QR7 were:

Napa	59%
Santa Clara	59%
Santa Cruz	54%
Alameda	53%
San Joaquin	51%
San Francisco	49%
Orange	47%
Mendocino	46%
Siskiyou	45%
Sacramento	45%

The other hand there are counties that have show terminations of 22% and less.

Plumas	22%
Solano	21%
San Bern	20%
Modoc	19%
Mono	12%
Riverside	12%
Ventura	10%
Inyo	6%
Alpine	0%
Sierra	0%

The table on page 5 shows the number of CalWORKs cases discontinued in each county, the number of cases that were discontinued due to no CW7/QR7 and the percentage of cases discontinued due to no CW7/QR7.

CalWORKs cases Discontinued 9/04

Total Cases Discontinued	35786	Percentage of Cases Discontinued
No Eligible Child	3362	9.39%
No Deprivation	129	0.36%
Excess Resources	153	0.43%
Earnings Increased	3922	10.96%
Unearned Income Increased	481	1.34%
Support from person inside home	113	0.32%
Support from person outside home	30	0.08%
Whereabouts Unknown	1837	5.13%
Disc.Recipients Initiative	9787	27.35%
CW 7/QR 7	13731	38.37%

cases discontinued from the cash grant program for Two Parent Families, Zero Parent Families, All Other Families, TANF Timed-Out Cases, and Safety Net Cases. The report includes reasons for discontinuance of these cases, and data on the movement of cases within the specific family segments in the CalWORKs program.

During September of 2004, 35,786 families were terminated from CalWORKs. All of those families were eligible for Transitional Food Stamp benefits.

This report does not show how many of the 35,786 received Transitional Food Stamps (TFS). CCWRO estimates that at least 50% of the families terminated from CalWORKs did not receive the TFS benefits that they were

CCWRO estimates that at least 50% of the families terminated from CalWORKS did not receive the TFS benefits that they were entitled to. CDSS has refused to obtain county reports regarding the compliance with the TFS requirements.

County	Total Cases Disc. 9/04	Number of Cases Terminated Due to no CW7/ QR7	Percentage of Cases Terminated Due to no CW7/ QR7	County	Total Cases Disc. 9/04	Number of Cases Terminated Due to no CW7/ QR7	Percentage of Cases Terminated Due to no CW7/ QR7
Statewide	35,786	13,731	38.37%	Nevada	62	19	30.65%
Alameda	1,122	600	53.48%	Orange	1,684	795	47.21%
Alpine	2	0	0.00%	Placer	158	36	22.78%
Amador	42	15	35.71%	Plumas	9	2	22.22%
Butte	308	130	42.21%	Riverside	813	100	12.30%
Calaveras	37	13	35.14%	Sacramento	3,155	1,406	44.56%
Colusa	31	9	29.03%	San Benito	74	31	41.89%
Contra Costa	907	379	41.79%	San Bern	1,753	354	20.19%
Del Norte	59	15	25.42%	San Diego	1,840	646	35.11%
El Dorado	121	53	43.80%	San Fran	499	246	49.30%
Fresno	1,880	559	29.73%	San Joaquin	1,212	624	51.49%
Glenn	60	19	31.67%	San Luis	195	62	31.79%
Humboldt	160	55	34.38%	San Mateo	284	101	35.56%
Imperial	264	79	29.92%	Santa Barb	404	145	35.89%
Inyo	16	1	6.25%	Santa Clara	1,379	810	58.74%
Kern	1,487	409	27.51%	Santa Cruz	172	93	54.07%
Kings	182	58	31.87%	Shasta	344	144	41.86%
Lake	176	56	31.82%	Sierra	2	0	0.00%
Lassen	49	12	24.49%	Siskiyou	92	41	44.57%
Los Angeles	9,588	3,908	40.76%	Solano	441	94	21.32%
Madera	292	98	33.56%	Sonoma	276	109	39.49%
Marin	85	26	30.59%	Stanislaus	544	167	30.70%
Mariposa	30	10	33.33%	Sutter	108	36	33.33%
Mendocino	142	66	46.48%	Tehama	129	40	31.01%
Merced	380	96	25.26%	Trinity	16	4	25.00%
Modoc	26	5	19.23%	Tulare	1,170	516	44.10%
Mono	8	1	12.50%	Tuolumne	63	23	36.51%
Monterey	460	194	42.17%	Ventura	483	49	10.14%
Napa	49	29	59.18%	Yolo	192	71	36.98%
				Yuba	270	72	26.67%

SOURCE: STATE DEPARTMENT OF SOCIAL SERVICES CA 253 REPORTS SEPTEMBER, 2004

WHAT TO DO WHEN THE COUNTY PRACTICES UNLAWFUL TERMINATIONS OF CalWORKs DUE TO NO QR-7?

Many counties do not follow the regulations requiring that the county contact the recipient before they initiate the termination of CalWORKs benefits. See **MPP 40-181.22 b**.

“When a CA 7 has not been received at the CWD after the notice of discontinuance has been sent, the CWD shall attempt to make a personal contact with the recipient either by telephone or in a face-to-face meeting. During the personal contact the CWD shall remind the recipient that a complete CA 7 must be received by the CWD no later than the first working day of the payment month.”

c. The CWD shall document in the case file how and when the contact was attempted or made.”

In many cases the county never makes a contact with the recipient and there is no documentation in the casefile that the worker tried to make a contact with the recipient before proposing to terminate benefits.