

In Brief

✓ **Notice of Proposed Rule-making for SSI Ticket to Work** - In the September 30, 2006 Federal Register, page number 57222, the Social Security Administration has published new proposed regulations making changes in the SSI Ticket to Work program.

✓ **HHS to Survey State Improper Child Care Payment Policy**- The federal department of Health and Human Services is asking states to "voluntarily" provide HHS information on how they define improper child care payments in their states. This information will later be available on the HHS Administration for Children and Families (ACF).

✓ **United States Conference of Catholic Bishops receives \$194,000 in addition to the \$1,000,000,000 they received in 2003** - Catholic Bishops received \$1,000,000,000 from HHS during September of 2003, according the Federal Register dated September 21, 2005, page 55403. On 9/21/05 HHS announced that they have handed over another \$194,000 to the Catholic bishops for "Refugee Family Enrichment" program.

✓ **TANF extended to 12/31/05**- Public Law 109-68, extends the current TANF program until 12/31/05, but it also includes some positive provisions making additional TANF funds available to states to help victims of the hurricane Katrina.

✓ **Make Poverty History**- This year in Yerevan, Armenia, one of the poorest cities on the planet, a banner stating "MAKE POVERTY HISTORY" was displayed in the center of town. Everyday, 30,000 children die on this planet because of poverty. For more information check out www.make-povertyhistory.com.

✓ **Some U.S. poverty facts**- There are 300,000 homeless persons in the United States of America, the richest country on earth (for the rich). Every 44 seconds a baby is born in poverty; every minute a baby is born without health insurance. (Source: Children's Defense Fund)

✓ **No Child Care to Cure Sanction**- In a 7/1/05 policy interpretation, DSS analyst Caroline Prod informed Imperial County that they could not pay child care for a WtW participant who had been in sanction for over 24 months and was willing to sign a WtW 32 and participate in a WtW activity. This policy interpretation was approved by Dorette Pierce of the DSS employment bureau.

The policy interp states " .. if the client complies with the activity plan and the sanction is lifted, then the client would be eligible for Stage One Child Care services as a current recipient of CalWORKs cash aid." Of course, without child care the participant cannot cure the sanction, thus the sanction remains forever.

✓ **Congress to cut poor programs to increase cuts for the rich**- This month the Senate is considering legislation that would cut \$35 billion from medicaid, food stamps and other social services program and to reduce taxes for the rich by \$60.

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California Welfare Computer Systems

Billion Dollar Lemons

Since 1970's, over 1 billion dollars has been used to computerize the California welfare system and the system is in disarray.

Every new system is built from scratch rather than taking an existing platform that performs well and converting it to a welfare system, like Turbo Tax or Quicken. Using an existing platform would mean that computer companies would make less money. Most of the state and county welfare staffers who must work with these faulty computer systems are basically illiterate when it comes to programming problems. Counties do not retain independent consultants who know the computer language and lingo. LEADER and CalWIN are just two of the "lemon" computer programs populating the welfare system in California.

There are now four computer systems in operation in California. In addition, there is a separate system for child support called CASES and a Medi-Cal system called MEDS. None of these systems are capable of talking to each other. The four welfare systems are:

1. ISAWS
2. LOS ANGELES LEADER
3. C-4
4. CALWIN

ISAWS

ISAWS, (Integrated Statewide Automated Welfare System) which was supposed to be California's flagship welfare computer system, is being phased out after spending millions of dollars. ISAWS-using counties will have to

either convert to the C-4 system or to the CalWIN system.

At this time there are 35 counties who are in ISAWS, they are; Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Modoc, Mono, Monterey, Napa, Nevada, Plumas, San Benito, San Joaquin, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity and Yuba. These 35 counties have about 6500 workstations/computers and cover 13% of the California caseload.

The ISAWS computers are 6 years old and are becoming very hard to maintain. Replacement parts are hard to find. This is a Windows NT system and maintenance support ended 12/31/04. The state was able to get one more year of maintenance support for this antiquated system.

Thirty six counties have decided to use the C-IV system and have rejected the CalWIN system. The State plans to migrate from ISAWS to C-IV November, 2008.

LEADER

This system is only used by one county-- Los Angeles. This system has been and continues to be a nightmare for both beneficiaries and welfare workers. When a problem is fixed on LEADER, the fix creates another problem. This is another lemon that was sold to the county and state welfare officials.

LEADER provides services to 39% of the California caseload and it has 11,000 workstations.

LEADER is now outdated and Los Angeles County is working on getting an updated system. The options for Los Angeles County is to upgrade the LEADER, replace it with a C-4 system or CalWIN.

C-IV

C-IV is another computer system that was built from scratch. We have no information about this system, other than it is also problematic. C-IV covers 12% of the California caseload and has 6,407 workstations/computers. C-IV is currently operating in Riverside, San Bernardino, Merced and Stanislaus counties.

As of now, C-IV is not able to create federal and state required reports that a competent computer system should be able to produce.

CalWIN -- aka "CalHELL"

CalWIN is a lemon that many legal services providers have been struggling with since the beginning of 2005. While legal services advocates struggle with CalWIN it does not effect their basic survival, however, CalWIN has been devastating for thousands of families who suffer from hunger, homelessness and destitution. CalWIN is currently implemented in 18 counties and covers 39% of California's welfare caseload.

CalWIN, when operational in all 18 counties will have 28,000 workstations. The counties that are going to be operating CalWIN are Alameda, Contra Cost, Fresno, Orange, Placer, Sacramento, San Diego, San Francisco, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Tulare, Ventura and Yolo. To date, Contra Costa, Placer, Sacramento, Santa Clara, Santa Cruz, Solano, Sonoma and Yolo have implemented CalWIN.

The next counties on line are:

November, 2005 -	San Francisco
December, 2005-	Alameda
January, 2006	Tulare
February, 2006	Orange
March, 2006	Santa Barbara
April, 2006	Ventura
May, 2006	San Luis Obispo
June, 2006	San Diego
July, 2006	Fresno

Sanctions Workgroup Meeting

9/22/05

DSS-Invited Attendees:

Albright, Kelly, Program Analyst – DSS, Employment Bureau
 Allen, Teri, Section Chief – DSS, Employment Bureau
 Ansell, Phil - Los Angeles CWD
 Arias, Yolanda - LAFLA
 Aslanian, Kevin - CCWRO
 Berger, Jodie - LSNC
 Bill DeVore, Bill, Manager I, DSS, Employment Bureau
 Bono, Michael – Los Angeles CWD
 Buchanan, Nick, Department of Finance
 Caigle, Karen, Branch Chief – Employment & Eligibility
 de la Ossa-Ramirez, Jennifer Riverside CWD
 Dodson, Anastasia, Consultant, Senate Appropriations Committee
 Eubanks, Matt, DSS Estimates Branch
 Francis, Diana - San Diego CWD;
 Garcia, Gabriel, Program Analyst – DSS, Employment Bureau
 Herald, Mike - WCL&P
 Hinckley, Cynthia - Riverside CWD,
 Hornbeck, Julie - Fresno CWD,
 Huerta, Julianna, Principal Consultant – Assembly Republican Fiscal Office
 King, Audrey, Program Analyst – DSS Employment Bureau
 McCarty, Sara, Principal Consultant, Senate Health & Human Services Committee
 McCloskely, Marilyn - Attorney, DSS Legal Affairs
 McKeever, Casey - Principal Consultant, Assembly Human Services Committee,
 Meiss, Kate, NLS
 Merk, Gloria, Deputy Director, DSS Administrative Division
 Metsker, Charr Lee, Deputy Director – DSS WtW Division
 Price, Susan, Fresno CWD
 Salley-Gray, Julie , Analyst - LAO
 Senderling Cathy, CWDA
 Usaha, Nu, WCL&P
 Webb-Curtis, Chris, Bureau Chief – DSS, Employment Bureau
 Weiss, Steven, BALA

DSS explained that the RAND study, which was due April 1, 2005, has yet to be produced.

DSS provided a list of 12 recommendations reflecting the recommendations made by the preliminary sanction report of RAND.

The advocates stated that they would like to add some issues to the list. There were over 10 issues added to the DSS list of issues.

1. REQUIRE ORIENTATION/APPRaisal AS CONDITION OF ELIGIBILITY TO ENSURE INDIVIDUALS ARE INFORMED OF THEIR RIGHTS AND RESPONSIBILITIES. (RAND PROPOSAL)

This proposal would terminate benefits to the whole family for failure to attend orientation. There was no support for this proposal from the attendants of the meeting.

2. PROVIDE INFORMATION ABOUT WORK, PROGRAM REQUIREMENTS, AND SUPPORTIVE SERVICES WHEN INDIVIDUALS FIRST BECOME ELIGIBLE OR BEFORE ORIENTATION. (LOS ANGELES DPSS SUGGESTION).

The group agreed that this is a current statutory and regulatory requirement.

3. PROGRAM COMPUTERS TO AUTOMATICALLY SEND THE NA 840 WHEN AN INDIVIDUAL NON PARTICIPATES. THIS WILL HELP ADDRESS WORKERS GIVING MULTIPLE SECOND CHANCES. (RAND PROPOSAL)

This proposal assumes that workers give a person a second chance when the CWD finds that a person had good cause for failure to participate and reschedules participation. Otherwise the participant is sanctioned. Computers are already programmed to issue a NA 840.

Advocates pointed out that many counties are not adhering to the sanction procedures set forth in ACL 03-59.

4. FOSTER BETTER COORDINATION BETWEEN ELIGIBILITY AND EMPLOYMENT DIVISIONS. (LOS ANGELES);

The problem here is that the eligibility staff and WtW staff are separated and this causes major problems for the participant community. There are some counties, such as Sacra-

mento County that does not have a separate staff, and it works well for participants.

Los Angeles County did a pilot program where WtW staff co-located with eligibility staff and this enhanced participation rates and increased curing of sanctions. However, Los Angeles County found it expensive to co-locate staff in the same building.

A suggestion was made by advocates that eligibility staff be designated as the persons who can process the sanction-curing procedure. This will increase participation and remove a major barrier that participants have in curing their sanctions.

5. REQUIRE MORE STAFF TRAINING IN SANCTION PROCEDURES. (WPRP)

This proposal was supported by attendants. It was also agreed that this proposal should be part of the Los Angeles County proposal for DSS evaluation of county sanction processes.

Short-term Barriers (good cause)

6. ASSESS NEED FOR CHILD CARE/TRANSPORTATION FOR SINGLE PARENTS WITH SMALL CHILDREN AT ORIENTATION. (LOS ANGELES).

County is required to do this, but it is not done correctly. About 50% of the WtW participants do not get transportation. Advocates suggested that counties be required to **verify** that the individual has supportive services before being required to participate.

7. IDENTIFY BARRIERS TO COMPLIANCE AMONG INDIVIDUALS WHO ARE ABLE TO COMPLETE ORIENTATION BUT NOT ABLE TO PARTICIPATE IN PROGRAM ACTIVITIES. (LOS ANGELES)

The group supported the idea of assessing the individual for exemptions, including individual barriers and structural assessment.

Long-term Barriers (exemption)

8. REQUIRE WTW CASEWORKERS TO MEET WITH SANCTIONED INDIVIDUALS AT THE ANNUAL IN-PERSON REDETERMINATION MEETING. (RAND)

This recommendation basically means that during annual redetermination the eligibility worker shall offer to cure the sanction.

Los Angeles County stated that they mail out a monthly letter to persons in sanction informing them that they can cure their sanction. Counties admitted that the biggest problem with curing sanctions is the fact that the eligibility and WtW staff are in separate parts of the county and are not co-located.

Advocates suggested that the Quarter Report be revised to include a question whether or not the CalWORKs recipient wishes to cure the sanction. A affirmative response should trigger the curing process from the date that the QR 7 is signed.

9. REQUIRE HOME VISITS FOR SANCTIONED INDIVIDUALS WHO DON'T CURE AFTER THE MINIMUM SANCTION PERIOD HAS PASSED. (RAND)

This was determined to be a costly proposal and advocates do not support home visits unless the recipient agrees to the homie visit.

Willfull Non-Compliance

10. ELIMINATE NONCOMPLIANCE PLAN FOR INDIVIDUALS WHO DO NOT HAVE GOOD CAUSE. (RAND)

There was no support for this suggestion. This suggestion would increase sanctions and not enhance participation.

11. REPLACE CURRENT 20/30 DAY NOA WITH A 10-DAY NOA. (RAND)

There was no support for shortening the sanction period. Advocates proposed that the sanction process be broken into two (2) parts: (1) good cause determination; and (2) imposition of a sanction to be done in a 30 day period.

12. ALLOW EVIDENCE OF SECOND CHANCES TO SUBSTITUTE FOR A COMPLIANCE PLAN. (RAND)

This proposal had no support and it was similar to the proposal of #3.

13. INCREASE THE AMOUNT OF SANCTION. (RAND/SAN DIEGO)

The group felt that there is no evidence that increasing the sanction would enhance participation.

14. Click the 60-month time clock while sanctioned. (RAND)

The group agreed that stopping the clock would not be the factor that triggers participation. It would also deny persons the opportunities that WtW has to offer once the participant agrees to participate.

15. MORE STRICTLY ENFORCE CURRENT SANCTIONS [IMPUTE THE TRUE VALUE OF HOUSING, WORK WITH SUBSIDIZED HOUSING PROGRAMS, AND/OR MORE STRICTLY IMPLEMENT VENDOR/VOUCHER PAYMENTS AFTER SECOND INSTANCE OF SANCTION]. (RAND/SAN DIEGO).

The group discussed this issue and agreed that food stamp and Section 8 benefits are not increased when a sanction is imposed and welfare benefits are decreased.

16. VENDOR/VOUCHER PORTION OF THE SANCTION SYSTEM IS NOT BEING UTILIZED. (RAND)

The participants concluded that vendor payments are being used in accordance with the law. Counties have discussed the viability of sanctions and have concluded that it is not effective means of encouraging participation. In fact some like the vendor payments, because it relieves the individual of paying her/his bills and makes the county do that work. It is also expensive.

17. COUNTIES NOT COMPLYING WITH ACL 03-59. DSS SHOULD INCORPORATE THIS ACL IN REGULATIONS AND ALSO ISSUE AN ACL STATING THAT A

SANCTION CAN ONLY BE IMPOSED OF THE COUNTY HAS COMPLIED WITH EACH AND EVERY PROVISION OF ACL 03-59. (ADVOCATES)

The RAND study found that many counties, including Los Angeles County, are not complying with ACL 03-59. Counties did not oppose this recommendation.

18. SIMPLIFICATION OF WtW SANCTION PROCESS FORMS. (ADVOCATES)

Advocates pointed out that because all issues have been boxed into one notice, it has become confusing and individuals getting this notice are often sanctioned as a result of this confusion.

19. BEFORE SANCTIONING FOR FAILURE TO SIGN A CONTRACT, THE PARTICIPANT SHOULD BE REFERRED TO THIRD PARTY ASSESSMENT. (ADVOCATES)

Los Angeles County said that if the county proceeds with an individual assessment it should be able to identify these issues.

20. PARTIAL SANCTION FOR PARTIAL PARTICIPATION. THIS PROPOSAL PROVIDES THAT IF THE PARTICIPANT IS MEETING 50% OF THE PARTICIPATION HOURS, THEN THEY SHOULD HAVE A 50% SANCTION RATHER THAN A 100%. (ADVOCATES)

Julie Sally-Gray of the Legislative Analyst Office suggested that earnings in itself is an incentive. Advocates pointed out that earnings reduce CalWORKs, Food Stamp and Section 8 benefits. San Diego county said that this would raise workload issues. Computers were supposed to make things easier, but it has resulted in making it difficult to implement simple changes. Any change requires a computer reprogramming, which costs money and time.

20. REWARDS FOR PARTICIPATION IN LIEU OF PUNISHMENT. POSITIVE INCENTIVES IN LIEU OF NEGATIVE INCENTIVES. THE CURRENT SYSTEM RELIES TOTALLY ON NEGATIVE SANCTIONS. IN THE BUSINESS AND MOST INSTITUTIONS EMPLOY "POSITIVE" MEANS TO GET EMPLOYEES AND PERSONS TO PERFORM.

(ADVOCATES)

DSS asked if that doesn't erase the punishment. CWDA representative Cathy Sanderling She has been thinking of the proposal as earning the sanction money back; didn't get their full portion; not getting more than what would have gotten if participated. Karen Gagle of DSS said that the participating and non participating person get equal amount of money over period of time, but other persons didn't participate the full time. Los Angeles County representative Phil Ansel pointed out that the sanctioned persons don't get as many services. Another suggestion was that if a sanctioned person gets a job, then the money withheld due to the sanction could be used as a bonus and given to the participant.

21. FAILURE TO MAKE SATISFACTORY PROGRESS IS NOT NOW A SANCTIONABLE ACTION. ADVOCATES PROPOSED THAT IN LIEU OF SANCTIONING THE PERSON WHO IS TRYING TO PARTICIPATE, SIMPLY REASSIGN THE PERSON TO A MORE SUITABLE ACTIVITY. (ADVOCATES)

There were no objections to this proposal.

22. ELIMINATE DURATIONAL SANCTIONS.

Sanctioned persons are counted as a participant when the federal government computes the participation rates. Thus, it is advantageous for the state to have a person participating rather than being sanctioned. If a person is in his or her second or third sanction, which are three months and six month durational sanctions, the person is told to wait until the sixth month is up before he or she can participate.

*County Welfare Department
Client Abuse Report*

Ms. S.H. of Los Angeles County, is homeless. On October 3, 2005, she secured an offer of permanent housing and submits the verification to the Los Angeles Southwest Family district office. The worker who accepted the

verification is worker Young. On October 5, 2005, she was informed that the county could not issue her homeless assistance because the county had lost the verification. She was told to obtain another verification. Meanwhile, her and her child spent another night on the streets of Los Angeles County.

On 10/7/05 Ms.S.H. again provided DPSS with proof of an offer of housing. However, the county refused to act on her information and sent her back to the streets of Los Angeles. But Los Angeles County had more tricks up their sleeve.

On October 12, 2005, Los Angeles County informed Ms. S.H. that her application for permanent homeless assistance was denied because, according to the county computer, the address she had provided the county was a vacant lot. Ms. S.H. had the manager of a 200 apartment complex fax a letter to the CWD informing them that she had a valid offer of permanent housing. Los Angeles County, then called the manager, without a release of information, in violation of the California confidentiality law and asked the landlord how much was the monthly rent. The landlord stated that the monthly rent was \$800 a month, but Ms. S.H. would be paying \$450 a month. Los Angeles County had discovered an inconsistency, however, the county staff never asked the manager why Ms. S.H. was paying \$450 a month rather than \$800 a month which would have clarified the discrepancy. The homeless assistance worker never bothered to see that Ms. S.H. was previously living with her grandmother who paid part of the rent.

Sacramento County client, Ms. L.S. received 23 pages of notices from the county.

9/29/05 NOA- Cash aid is increasing from \$403 to \$516;

9/27/05 County has approved underpayment of \$677;

9/27/05 Cash aid is increasing from \$403 to \$516;

QR-2 form in Russian with English language

stating that her IRT is \$3,076;

9/27/05 Cash aid is increasing from \$403 to \$516;

9/27/05 Cash aid is increasing from \$403 to \$516;

9/27/05 - Effective 11/1/05, your Food Stamp benefits are changed from \$552 to \$522 each month. The notice contains no budget and no explanation of why the food stamps went down.

9/27/05 Cash aid is increasing from \$403 to \$516;

DFA 377.7E in Russian with the blanks completed in English. This is a violation of MPP § 21-115.2 which states:

"Forms and other written materials required for the provision of aid and serve ices shall be available to the applicant/recipient in the individual's primary language when such forms and other written material are provided by CDSS. When such forms and other written material contain spaces (other than "for agency use only") in which the CWD is to insert information, this inserted information shall also be in the individual's primary language."

This notice tells Ms. L.S. in English that she had a \$157 overissuance and could agree to pay it back. She received:

DFA 377.7E for another \$157;

DFA 377.7E for another \$216;

DFA 377.7E for another \$216; All of these DFA 377.7E were in Russian with English insertions in blatant violation of MPP 21-115.2.

Sacramento County client Ms. N.V. was on SSI and after 7 years her SSI was stopped and she applied for CAPI.

On 9/24/05 she received a notice of action stating "You are not eligible for full Medi-Cal benefits; however, effective 03/01/2005, you will be eligible for RESTRICTED Medi-Cal benefits that will allow you to receive emergency medical and pregnancy-related services.

On 9/24/05 Ms. L.V received another notice of action stating "As of 08/01/2005, you are eligible to receive all the services covered by the Medi-Cal Program rather than the services restricted to treatment of an emergency medical condition of pregnancy related care.

On 9/24/05 she also received a NOA stating: "Your application for Medi-Cal benefits has been approved. As of 09/01/2005, you are entitled too receive Medi-Cal benefits.

On 9/15/05 Ms. L.V received another NOA stating: We have determined that you are not eligible for the SLMB program.

On 9/15/05 she received a notice of action stating "You are not eligible for full Medi-Cal benefits; however, effective 03/01/2005, you will be eligible for RESTRICTED Medi-Cal benefits that will allow you to receive emergency medical and pregnancy-related services.

Both of these clients have no idea what is in store for October 1, 2005. These kinds of contradictory notices are common in CalWIN counties.

Since the start of CalWIN, fair hearings have increased in Sacramento given all of these confusing and conflicting notices of action. Many clients call their workers. Generally it is hard to find a worker to talk to, but when one does, generally the workers tell clients too ignore the NOA - "it's just a computer mistake". Soon clients in CalWIN counties think that all notices are "computer errors".

For example, a letter asking a person to participate in the WtW program can actually be a computer error, so why go to the appointment?

Sacramento County, client Ms. F.P. has an infant and is receiving food stamps. Her food stamps were due on 10/6/05. 10/6/05 came and there were no food stamps on her EBT card. She called her worker five times that day and no return call. She called five to ten times each day and no return call. Finally on 10/12/05 her worker, Ed Vasques, called back and promised to look into it and get back to her the same day. At the end of 10/12/05 she never heard from her worker, her baby is still hungry compliments of the county welfare system.

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