



New Welfare NEWS Bulletin

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In This Issue

- In Brief
- California Reporting System
- State Budget Information – LAO Report Analysis
- County Welfare Department Victim Report

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CCWRO In Brief Reports

✓ Child Care Best Practices Survey –

While talking about Child Care Fraud the County Welfare Directors Association has done a county survey of Best County Practices during October of 2006. To date the results of this survey has not been made available to DSS or the public.

✓ AP-19 Citizenship Verification

form – DHS is working on a new form to implement the federal citizenship verification regulations called AP-19. This form has been shared with county representative, but the advocacy community has been left out of the loop.

✓ Los Angeles Sanction Study and

Child Care – A Los Angeles County Sanction study shows that most sanctions were caused due to lack of child care. This confirms CCWRO concerns that many parents are forced to participate in the WtW activity without any proof of having lawful child care arrangements. A welfare mom told us that the welfare workers refuse to verify that the participant have child care before

they are required to participate for fear of reduced sanction rate or not caring about child safety. She may very well be right.

✓ Child Care Best Practices Stanislaus County –

Stanislaus County gives parents who are being sanctioned for failure to participate due to lack of child care 30 days to find child care or be sanctioned. What happens if they don't find child care? It seems like the county meets it's primary goal – sanction.

✓ Child Care Best Practices Contra Costa County –

Contra Costa County would not sanction a person for lack of child care – “It would be considered a good cause exemption.” What a County – following the law.

✓ San Bernardino County Giving Incentives to Reengage –

San Bernardino County has launched a new program that would give WtW sanctioned participants and safety net families Arch Card, the Target cards, the Stater Bros. Card if the reengage in the WtW

program. It is good that they are using “positive reinforcement in lieu of negative reinforcements.

✓ **Sharon’s Blog Reveals News about the San Bernardino County Welfare Director** – Linda Haugan, Vice President for Program of CWDA was mentioned in the blog on September 22, 2006. Sharon works for the San Bernardino County Welfare Office and her blog criticizes the CWD. On 9/22/06 she said “ Some of you have asked if I fear retaliation from the county. I know the county is going too retaliate. Our Director brags that was hired because she is good at firing people. But as I said they don’t own me 7-24. I will do what I want inside of my own home. For those wanting more news about San Bernardino county visit Sharon’s log at: <http://www.crittercollectibles.com/>

✓ **LEADER BLUES** – The Los Angeles County LEADER computer system that has been around for a long time still suffers and deprives clients of their basic human rights. Some of crazy things that LEADER does is:

- Mail a notice for recertification when recertification was just completed;
- Persons who never applied for food stamps are told that their food stamps will stop;
- Notice of actions (NOA) that say your welfare benefits will change because you income changed. The NOA does not say what the change will be. It’s a mystery that the recipient must figure out.
- Benefits are stopped without a NOA
- Newborns who happen not to be MFG are not added to the assistance unit

(AU);

- In some cases Medi-Cal is stopped because of a new born baby. LEADER does not like newborns for some reason.

• Multiple Medi-Cal NOAs

- People are told that they are 65 years old when they are not;

- People are told that they are 19 when they are not; Maybe LEADER can’t count?

- Deceased persons and deceased unborn are listed on the NOAs;

- LEADER opens more than one case with more than one number. Computer trying to issue multiple benefits when the clients have not filed multiple applications. The LA Fraud folks refuse to prosecute LEADER for “attempted fraud”.

✓ **Mileage Reimbursement up to 48.5¢ a mile**– IRS has increased the mileage reimbursement rate effective January 1, 2007 from 45¢ a mile to 48.5¢ a mile.

✓ **WtW Transportation Out of Control** – The law requires that counties establish mileage reimbursement based upon “regional market rates”. That is the law. In 2006 Yuba county used 45.5¢ a mile as the regional market rate for Yuba County and the neighboring Sutter County came up with 20¢ a mile. Why? It’s call equal protection – if you live on one side of the same street you get 45.5¢ a mile and if you live on the other side of the street – it is 20¢.

RECIPIENT VIEW OF THE LEGISLATIVE ANALYSTS SUGGESTIONS

Recipient's View of the Legislative Analysts Suggestions

The California Legislative Analysts Office have made several suggestions which we now analyze from the Recipient's Perspective. These suggestions may be found in the LAO Report.

Supplemental Security Income (SSI) Colas To Fund Calworks
o more efficiently utilize General Fund resources for cash assistance-
OLAs, we recommend redirecting \$124.4 million of the funds
proposed for the Supplemental Security Income/State Supplementary Program
COLA to provide the California Work Opportunity and Responsibility to Kids
COLA." LAO Report

RECIPIENT IMPACT STATEMENT: This is just plain wrong. This is a "divide and conquer" scheme which encourages the advocates of poor children to fight to the advocates of the elderly and disabled. Instead, the advocates for both groups should unite and fight the Governor.

Alternative Approach to Strengthening the CalWORKs Sanction. LAO recommends the "enactment of legislation (1) requiring a home visit or other in-person contact with each family who is out of compliance for three months or more, and (2) increasing the sanction to 50 percent of a family's grant if the adult refuses to comply with participation requirements."

RECIPIENT IMPACT STATEMENT: There is no evidence that punitive sanctions encourages compliance by CalWORKs participants in welfare to work activities.

The Legislature should consider the best business practices of obtaining desired outcomes from participants – **positive reinforcements**. The Legislature has enacted statutes providing counties "positive reinforcements" to attain desired outcome, such a performance pay and other programs. The same business practice should be embraced for CalWORKs recipients.

The positive reinforcement would be to encourage CalWORKs clients to cure the sanction and to provide them with a \$100 a month in food stamp incentive for curing the sanction for every month they participate until they draw down the

amount of money that the state/county has taken away from them due to the sanction.

**Spend
\$200
Million for
Los Angeles
County to develop
a new
computer
system**

Spending \$200 Million For Los Angeles County To Come Up With A New Computer System. The budget proposes to give Los Angeles County \$200 million so they can develop their own computer system. Los Angeles County can join one of the existing welfare computer systems- C-4 or CalWIN. But Los Angeles County says that neither of these systems is compatible to "Los Angeles County Business Practices".

The Analyst states: "Rather than joining one of the other two recently completed automation consortia, the budget proposes \$200 million for planning activities for replacing the Los Angeles Eligibility, Automated Determination, Evaluation and Reporting (LEADER) computer system with an entirely new system. We recommend that the Department of Social Services and the Health and Human Services Agency's Office of System Integration report at budget hearings on why joining an existing system is not feasible and the costs and benefits of an entirely new system. We further recommend that the Legislature withhold funding for planning activities until a cost-benefit analysis for a new system is provided.

RECIPIENT IMPACT STATEMENT: Los Angeles County should be required to adopt either the C-IV system or the CalWIN system. The Legislature would then be able to reallocate the \$200 million from the new computer system to the CalWORKs COLA for FFY 2007 with money left over to partially pay for the FFY2008 CalWORKs COLA.

Los Angeles County would have to modify their "business practices" to be compatible to one of the existing computer systems

Semi-Annual Reporting for CalWORKs & Food Stamps

SUMMARY: There are two (2) bills on this subject in the Legislature: (1) SB 179 by Senator Ashburn and (2) AB 1060 by Assemblyman Laird.

The quarterly reporting federal waiver will expire on September 30, 2007 and the state needs to either do semi-annual reporting or go back to the old monthly change reporting system. The most effective and efficient way to resolve this problem is to move to semi-annual reporting.

SB 179 - SB 179 would make numerous changes in the reporting system. AB179 requires the overburdened welfare workers who need to focus on meeting the new onerous federal participation rates, to review all kinds of changes, including dealing with a change in income of \$100 or more during a six (6) month period which would not even effect amounts in most cases.

Currently, changes exceeding the so-called IRT, which an amount that would make families ineligible for cash aid, is the primary mandatory reporting category. **This gives workers more time to concentrate on their primary mission – assist CalWORKs participants in achieving self-sufficiency in lieu of shuffling paper.**

AB 179 requires welfare workers to be trained to operate a new reporting system after barely getting the hang of the current one. It would also mean that CalWORKs customers would have to adjust to a new more complex reporting system.

This would be the third reporting system that the

public assistance community would have to adjust to within a five year period.

Finally there is the issue of computers. It can take a year or more before the four (4) different computer systems of California will be reprogrammed to operate the new reporting system with all of the changes proposed in AB 179.

AB 1060 – Laird. This bill would change quarterly reporting to semi-annual reporting. It maintains the current rules that are in the quarterly reporting system to assure easy compliance with the federal law. The bill needs to amended make changes in other statutes referring to quarterly to semi-annually.

CCWRO RECOMMENDATION: Fix the Simplified Food Stamp reporting system by keeping the current system and changing from a three (3) month to a six (6) month reporting period. This would:

- Reduce the food stamp error rate;
- Increase the TANF federal participation rate;
- Reduce administrative costs by only processing two reports a year rather than four (4);
- Save money by not having to train workers again;
- Give workers more time to assist CalWORKs recipients with self-sufficiency.
- Simplify the need for comprehensive computer reprogramming by simply changing from three (3) months to six (6) months reporting period

CalWIN @ <http://en.wikipedia.org/wiki/CalWIN>

CalWIN, the **CalWORKs Information Network**, is an automated information system to automate eligibility determination and case maintenance functions for specific county-administered social services programs in the state of [California](#), including CalWORKs, [Food Stamps](#), Medi-Cal, CAPI (Cash Assistant Program for Immigrants), General Assistance, and [Foster Care](#).

CalWIN was developed by Electronic Data Systems (EDS), which also built, owns, and operates other major health and benefits information systems in the state. Under the CalWIN contract, state and county consortium pay EDS more than \$800 million for the system. EDS is promoting the same technology in several states for proportionally equivalent fees; the Colorado Benefits Management System, now in operation, is one such variation.

CalWIN is a [Windows](#)-based software package radically evolved from its predecessor, the mainframe, 'green screen' style Welfare Case Data System (WCDS), also developed and maintained by EDS. Much WCDS core technology, including legacy COBOL code, was ported into CalWIN, but the latter system is far more complex. While WCDS had about 100 data collection and display screens, CalWIN has over 1,000. Transition from WCDS to CalWIN is complete, having taken place in phases throughout 2005 and 2006 in 18 counties representing 40% of the state's caseload.

Other automated systems used by the 40 non-CalWIN counties are: ISAWS (35 counties representing 13% of the state caseload); C-IV (Consortium IV -- four counties representing 13% of the state caseload); and LEADER [Los Angeles County](#), managing 34% of the state welfare caseload.

CalWIN has been a spectacular failure as has the Colorado Benefits Management System (CBMS) project. The latter has been the subject of extensive investigation by the Colorado Legislature. It still has substantial problems as of March 2007. An extensive discussion of these two projects may be found at <http://briefcase.yahoo.com/mrappeal> in the Daily Recorder folder in the two series "How Not To Buy Software" and "Public Officials and Taxpayer Dollars." Following links included in these newspaper articles will permit you to view county employees complaining at length about CalWIN.

Riverside County VIOLATES Aid Paid Pending Regulations

According to Jean Eiselein, supervisor of Riverside County appeals section and appeals specialist Mr. Koe Riverside County does not issue APP unless the claimant asks for APP. State Law requires aid paid pending be issued within 5 working days if eligible for aid paid pending. Ms. Eiselein stated that Riverside County does not issue aid paid pending because it may be an overpayment. Thus, they only issue aid paid pending if the claimant requests aid paid pending. What do DSS regulations say:

22-072 TIMELY NOTICE - AID PENDING HEARING 22-072

.5 Except as provided in Sections 22-054.1 and 22-072.7, when the claimant files a request for a state hearing prior to the effective date of the Notice of Action, which is subject to Section 22-072.1, aid shall be continued in the amount that the claimant would have been paid if the proposed action were not to be taken, provided the claimant does not voluntarily and knowingly waive aid. This section shall not apply to CalWORKs (Welfare to Work) supportive services payments (see Section 42-750.7). In the Food Stamp Program, benefits shall be continued on the basis authorized immediately prior to the notice of adverse action.

22-073 COUNTY WELFARE AGENCY RESPONSIBILITY PRIOR TO THE 22-073 STATE HEARING

.1 Upon receipt of a request for hearing or notice from the Department that a recipient has filed a request for a state hearing, the county shall provide aid pending the state hearing in accordance with Section 22-072, when entitlement exists.

.11 Such payment shall be either placed in the U.S. Mail or available for hand-delivery to the recipient (if agreed to by the county and recipient) within five working days of the receipt of the hearing request by the appropriate agency as specified in Section 22-004, or the date the regular scheduled aid payment would otherwise have been paid to the recipient, whichever is later.

CWD Client Abuse Report

WtW Participant Sanctioned with bad NOA in Contra Costa County.

On June 17, 2005, Contra Costa County CalWORKs mom received a letter that effective July 1, 2005 she will be sanctioned for failure to participate in the WtW program. She has been a victim of domestic abuse and suffered from severe skin problems and gynecological problems. She filed for a state hearing during August of 2006.

Her claim was denied and the unlawful sanction was sustained. The notice of action dated 6/17/05 was a bad Notice of Action because it was not a 30-day

notice as required by state law and regulations. Judge Alison Mackenzie should have found the NOA to be inadequate and granted this victim a fair hearing.

It also appears that in Contra Costa County it is common for sanctioning WtW participants without a 30-day notice as evidenced by the fact that the county took this bad notice to a state.

WtW Participant Sanction reversed and ordered third-party assessment by San Diego County. San Diego County CalWORKs mom met with her worker and did not agree with the county WtW plan. She wanted to work and go to school. The San Diego welfare workers said that she could either go to school for 32 hours a week or work 32 hours a week. Because she did not comply with the county WtW

plan she was sanctioned. At the hearing she explained that she did not agree the county WtW plan and county just ignored her disagreement and provided no remedy to address her concerns. ALJ Allan Lenefsky ruled that the county sanction cannot be sustained because the county had failed to refer her to a third party assessment as required by MPP §42-711.522(c) (5) .

San Bernardino Imposing sanctions without a 30-day notice of action . A San Bernardino CalWORKs mom was mailed a notice of action on September 7, 2006 imposing a WtW sanction effective October 1, 2006. The sanction was imposed for allegedly failing to participate in the WtW program. The CalWORKs mom filed for a state hearing. At the hearing the CalWORKs mom stated that she did not have transportation and the county admitted that they know she lived in a remote area. The county agreed to rescind the sanction due to lack of transportation, but there was nothing in the hearing decision about the bad notice in that it was not a 30 day notice. There are no sanctions

against San Bernardino for imposing sanctions against impoverished families with needy children in violation of state laws and regulations.

Judge Gregory Martin December 1, 2004 with a April 11, 2006 NOA upholds Fresno County's imposition of a WtW sanction effective. A Fresno CalWORKs mom received a notice of action dated April 11, 2006 stating that Fresno County would be sanctioning her effective December 1, 2004. The victim states that she never got the noncompliance notice and that she had medical problems that prevented her from participating in the WtW program. There was no evidence that Fresno County had given her advance transportation to participate in the WtW program. The county action to impose the sanction effective December 1, 2004 with a notice of action dated April 11, 2006 was upheld by Judge Martin.

Merced County Imposes Sanction for Failure to submit a CA61. A Merced CalWORKs mom has been sanctioned since March of 2001. The poorly written decision does not reveal when the sanction NOA was mailed to the victim. It appears that the sanction was imposed because the victim failed to provide the county with a CW 61, which is a state form to verify that she has a medical problem. In fact the decision states that during July and August of 2005 she tried to cure her sanction, but the county refuse to cure the sanction until she gave the county a CW 61. Judge Jose Banuelos ruled that "It is concluded that the claimant has failed to provide verification of her medical exemption status to the county on the required CW 61 form and that she did not have a "good cause" excuse for her failure to provide such verification until March 7, 2006..." First of all the CW 61

is not a required form. There is nothing in the laws and regulations governing the WtW program that states the WtW participant has to provide a CW 61 or be sanctioned. The decision cited MPP §42-713.1 and denied an exemption.

"42-713.1 A recipient shall be excused from participation in welfare-to-work activities for good cause in accordance with Section 42-713.2, when the CWD determines there is a condition or other circumstance that temporarily prevents, or significantly impairs, the individual's ability to be regularly employed or to participate in welfare-to-work activities."

If a participant cannot verify his or her disability, then they shall be scheduled for participation. If the participant does not participate in the assigned activity, then he or she can be sanctioned. Providing a CW 61 is not an WtW activity and by itself should not be grounds for imposing a sanction.

Kings County imposes sanction without a 30-day notice of action. A Kings County CalWORKs mom was mailed a notice of action dated May 2, 2006 imposing a second instance sanction effective June 1, 2006. Judge Gregory Martin reviewed the notice and sustained Kings County's unlawful action.

Sacramento County Sanctions Exempt AU when single mom with a child under 1 is working 25 hours a

week. This person was sanctioned in July of 2006 because she was working for COSTCO only 25 hours a day. At the time she had two kids. Shamar was born on 4/3/2000 and Daniel was born 3/1/06. She was not on welfare when Shamar was born.

Three months after Daniel was born she was told by her welfare worker that she needs to work 32 hours a week. She got a job at COSTCO working 25 hours a week, but the CWD refused to give her childcare and transportation because she was working less than 32 hours. Although she was meeting the federal participation rates, she was sanctioned. She had to stop working at COSTCO because the county refused to pay for her childcare and transportation.

On 12-4-06 she signed another WtW agreement saying that she is working. Her worker Carmen Frey - S177, has failed to stop the sanction. The sanction was in place January 1, 2007, February 1, 2007 and March 1, 2007. When Ms. Frey was asked why did not sanction has not been stopped she said it was a CalWIN problem. She was asked when will it be fixed? She responded "How many more months needed to get it back on CalWIN." We asked her if she had done a "trouble ticket" and she said "no".