

CCWRO Welfare News

Coalition of California Welfare Rights Organizations, Inc. 1901 Alhambra Blvd. Sacramento, CA 95816
• Telephone (916) 736-0616 • Cell (916) 712-0071 Fax (916) 736-2645

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IN BRIEF

● **Child Support hearing** required by Family Code Section 17800 have not been conducted since June 1, 2009. Until 6/2009 DSS had a contract to conduct hearings, as of 7/1 the Department of Child Support Services is contracting with Office of Administrative Hearings to conduct the hearings. At this time the contract with OAH has not been finalized and there is a large backlog of hearings.

● **AB 643**, authored by Assemblywoman Nancy Skinner, requires that Food Stamp recipients moving from one county to another would have their Food Stamp case transferred without re-applying for Food Stamps, just like CalWORKs, Medi-Cal, IHSS, WtW, has passed the Assembly and the Senate Human Services Committee. This would benefit about 90,000 people.

● **State Hearing Postponement Policy** - According to DSS when the county requests a postponement or the postponement is because of the county, that postponement does count towards the one postponement that claimants get without good cause.

● **LATEST WELFARE BUDGET NEWS** - Budget Conference Committee Bill failed in assembly 48-29. The Bill also failed passage in State Senate 22 to 16. Both Houses are meeting to re-consider the Budget Conference Committee Bill. Democratic Senators Correa and Yee and Democratic Assembly member Swanson vote against the Bill - Republican Assembly member Mr. Adams and Senator Maldonado Abstain.

County Welfare Department Client Abuse Report

WtW Costs Welfare Recipient his Job - Job Club is a "job killer" for some in Sacramento County. The Legislature is proposing to suspend looking at the county participation rates, but Mr. E. S., who had a job last week is NOT working this week - compliments of Job Club. He told Andy, from Job Club, that he had a part-time job which he started last Wednesday. Andy told E.S. that he called his worker, Mr. **Steven Blake-man**, who advised Job Club Andy to tell the client that he is not working 35 hours, thus, not meeting the participation rates, and needed to do Job Club. Mr. E. S. OBEYED the welfare department. He was let go last week after missing a shift at an ACTUAL job because he feared a sanction from missing Job Club. But he is going to Job Club. That should be a big relief - not being disobedient to the welfare department at the cost of a real a job.

San Diego County Appears to Commit Child Care Fraud - San Diego County issued a notice of action to Ms. 9091096-504 that she is eligible for 3.99 hours of child care a week. She knew this was wrong. She filed for a state hearing. A hearing was scheduled. She went to the hearing. During the hearing the county admitted that she was entitled to 4.99 hours and not 3.99 hours. It is unclear why the county did not agree to a conditional withdrawal before the victim had to spend money from her fixed income that is at about 40% of the poverty level to come to the hearing only to be told that the county is wrong. If Ms. 9091096-504 had claimed 5 hours when she needed 4, the San Diego County and the District Attorney would be screaming FRAAAU-UUUD.

Fresno County Violates Civil Rights and Wrongfully Demands Money Back. - Mr. 65152-285 filed for a state hearing because Fresno County asserted that he and his wife were overpaid \$200 for ancillary services in the Welfare-to-Work (WTW) program in September 2007.

On December 26, 2008, the county issued two WTW Supportive Services overpayment Final Notices informing him and his wife that (1) they was previously informed of the overpayments on June 13, and (2) since they did not pay and were no longer in the WTW program, they must repay the amount owed or contact the county to make a repayment plan within 10 days.

The Claimant requested a hearing March 6, 2009, stating that he did not understand the \$200 WTW overpayment.

At the hearing, Fresno County tried to get the hearing dismissed because the claimant filed for the state hearing after 90 days of getting the NOA. This attempt by the County to wrongfully try to get \$200 from the claimant was not sustained by the judge because the county had used an inadequate notice of action.

The \$200 ancillary services needed because he found a job and needed clothing for it. The worker issued him a \$200 check and he mailed the receipt to the worker. He said he worked from 6:30 am to 4:30 p.m. and could not take time off from work to hand-deliver the receipts to the worker.

He also said that he thought the \$200 was for food stamps, but when he found out that it was for the clothing, he asked for a hearing right away.

The ALJ found that the claimant did not have an overpayment. There was no evidence from Fresno County showing that he did not use the money for clothing.