

CCWRO Welfare News

Coalition of California Welfare Rights Organizations, Inc.
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In Brief

- Today, food stamp applicants can apply for food stamps on-line in 21 states. Many of these States also accept TANF, Medi-Cal and GA applications. The technology leading the State of California does not have on-line application.

- **Frank Mecca** of the California Welfare Directors Association wrote an article published in the Sunday, February 21, 2010 issue of the Sacramento Bee. The article titled My View: Whitman, Poizner deeply distort CalWORKs begins by saying: "Throwing punches at families who receive welfare may be a good way to score cheap political points, but it won't do anything to improve the lives of people in our state." The article goes on to point out that CalWORKs recipients have contributed over \$12 billion to the General Fund. "The false allegations that gubernatorial candidates Meg Whitman and Steve Poizner have made about CalWORKs – California's welfare-to-work program – are not only flat-out wrong, they're deeply disappointing. Californians deserve better from two people who want the job of leading California out of the worst economic crisis in three generations and the worst state budget crisis ever." He also points out the benefits that CalWORKs brings to California in that "What Californians haven't heard from

the candidates is that CalWORKs brings \$3.9 billion in federal funds to the state, boosting our economy with \$7.1 billion in economic output, 137,000 private and public-sector jobs and \$130 million in sales tax revenues."

The rest of the article can be read at: <http://www.sacbee.com/2010/02/21/2550932/whitman-poizner-deeply-distort.html>

- 89% of the proposed July 1, 2010 grants will be spent for housing costs without utilities. According to DSS, the average rent paid by food stamp recipients in California is \$506 a month. Governor **Schwarzenegger** proposes to reduce CalWORKs grants to a maximum average of \$571 a month for a family of three. Thus, the average housing cost without utilities will take up 89% of the grant.

Victim of Child Care Agency Child Action Inc

On January 26, 2010 working mom Ms. D.V. was handed a notice of action (NOA) by her Stage II Sacramento Child Action child care worker, dated January 7, 2010, stating that: "Effective 01/26/2010 your child care services will be terminated because you provided Child Action, Inc. with false or misleading information regarding your employment and income from 2/2008 through 3/2009.

This action is based on: CDE Regulations"

The notice of action did not cite any specific regulation in support of the proposed action. State Child Care regulation §18119(b) states that: "The contractor shall mail or deliver the notice of action to the parents at least fourteen (14) calendar days before the effective date of the intended action..."

The notice of action did not meet any of the due process requirements. It also failed to state that she could continue to receive Stage 1 childcare if she is terminated from Stage 2 childcare. Stage 1 childcare provides for a real hearing under Welfare and Institutions Code §10950 et.seq. and Division 22 of the DSS regulations.

Ms. D.V. requested a hearing. When she went to the hearing she had no idea about the employment or income information that Child Action referred to. When she left the hearing she still had no idea what the false or misleading information was that she was accused of not providing to Child Action.

Hearing Officer, **Julie Sherman** who worked for Child Action, had fat file in front of her of which she referred to now and then and asked questions. Yet, the Hearing Officer refused to allow Ms. D.V. to review the documents that contained the alleged accusations.

Ms. D.V. was also denied the basic right to confront and to cross-examine staff from Child Action who determined that her childcare should be denied. The Hearing Officer stated that Ms. D.V. allegedly submitted false employment/income reports when she completed Child Action forms on 8/6/2009 and 8/4/2008, but refused to show Ms. D.V. a copy of the alleged reports.

Ms. D.V. is trying to become self-sufficient. She has one job as a care provider. She also tried to start a small business. She got a business license and paid rent for two months, June and July of 2008, but never earned any income. She provided Child Action with a copy of her 2008 Income Tax Returns to prove that she had no income.

NOTE: Today we found out that State Department of Education (SDE) has been working on revising their highly deficient state regulations governing Stage 2 and 3 due process hearings. The proposed regulations will soon be filed with the Office of Administrative Law and available for public comment. Child Care stakeholders have already reviewed draft copies of these regulations. We asked SDE for a copy of the regulations, but did not receive an affirmative answer. Thus, CCWRO has submitted a Public Records Act request for copies of the draft regulations that have been shared with non-SDE representatives

COUNTY CLIENT ABUSE REPORT

Food Stamps Application Denied in Sacramento Because Self-employment Income Exceeds Maximum Food Stamp Benefit Level.

Mr. K.T applied for food stamps in Sacramento County. He cleans houses for a San Francisco-based company. The company calls him when they need a house cleaned and then he receives a check. He has no business license.

He had a face-to-face food stamp interview with a welfare worker **Natasha Kokhanyuk** on 2-18-10. He informed Ms. Kokhanyuk that for the month of February he expects to receive about \$600 from cleaning houses, but does not know exactly when he will receive the check in the mail from San Francisco. He was handed a notice of action (NOA) on the same day: "Your household's application for Food Stamps has been denied. Here's why: Your Food Stamps are being denied because your household's income exceeds the maximum level for benefit issuance. DFA 377.1A Food Stamp Denial - Various Reasons"

This sounds like an AFDC/CalWORKs NOA and not a food stamp NOA. Food stamps cannot be denied because income exceeds the maximum food stamp benefit level. How many food stamps applicants in CalWIN are getting this notice? Further, the notice doesn't identify the type and amount of disqualifying income, the maximum benefit level and the number of the HH.

The Sacramento County Food Stamp Office Manager **Laurie Carriker** reviewed the case and stated: "We reviewed this case and appears to be correct and the correct NOA was issued. We used self-employment income averaging. We can recalculate once verification of actual is received."

The notice of action never informed the applicant that if he could provide verification that his self-employment is less than his maximum food stamp benefits, then Sacramento County would reevaluate the case.

County having verification of physical disability for a three (3) year period tries to terminate exemption after a year. Imperial County had a CW-61 form dated 9-18-08 indicating that a welfare-to-work (WtW) recipient has a chronic physical condition that limits her ability to work and that she was receiving ongoing treatment for that condition. The document stated that the condition was expected to last three (3) years. On August 19, 2009, Imperial County issued a notice of action terminating the exemption because she did not provide the county with a new CW-61 after one year. Doctors often charge a fee to WtW participants for completing the CW-61. Counties do not tell recipients that the county is required to pay the fees charged by doctors for completing the CW-61. Thus, participants are forced to use their CalWORKs grant to pay for these forms that are required by counties.

Los Angeles County Refuses to Process Request for Ancillary Services or Offer Advance Pay -

Mr. D.M. is a Los Angeles County WtW program participant. He got a job as a security guard. In order to work, he needed a uniform and a security guard card. The county did not pay for these items. He has had ten (10) different GAIN workers during in three years. At the hearing, Mr. D.M. also said that he had not been paid for transportation, but the judge could not address that issue, as it was not before him. The judge ordered Los Angeles County to pay for the ancillary services that Mr. D.M. requested.