

CCWRO New Welfare News

Coalition of California Welfare Rights Organizations, Inc.

1901 Alhambra Blvd. Sacramento, CA 95816

Telephone (916) 736-0616 • (916) 712-0071 (Cell) • (916) 736-2645 (Fax) • www.ccwro.org

July 12, 2010
Issue # 2010-17

In Brief

- Riverside County IHSS officials are contemplating making providers ineligible for IHSS employment if they refuse to sign their Social Security card, according to **Rea Bell** of Riverside. Fortunately, **Marshall Browne** of CDSS informed Riverside County that the card is still valid even if it is not signed. There is nothing in federal or state law that provides the SSN Card is invalid without a signature.

- **Mahsa Patton**, former an analyst for the CalWORKs Eligibility Bureau is now a Unit Manager. Her unit has two analysts, **Beverly Brown** and **Matthew Devereux**.

- **Conrad Trinidad** of Los Angeles County asked CDSS to confirm that there is no time period for entry in the US for the legal non-citizen to qualify for CAPI. **Marshall Browne** of DSS responded promptly that "... MPP 49-010.141 says there is no period of residence requirement." However, §49-010.24 states they must be in the US for 30 days to be found eligible.

- **Elizabeth Locano** of San Diego County informed CDSS that San Diego County is planning to implement an Extended Hours Pilot in two of their East Region Family Resource Centers. The centers will be open from 7 am to 7 pm. Services in these offices will include; accepting food stamps, Medi-Cal and CalWORKs applications, adding a person to a program providing orientation, fingerprinting, making address changes, accepting verification and QR7s and providing EBT & BIC cards. Applications will be accepted from 7 am to 6:30 pm and same-day interviews will be conducted for applications submitted before 4:45 pm. CCWRO hopes other counties will emulate this feature of the San Diego Program.

- The Food Stamp Quality Control Error Report for the last quarter of 2009 revealed that of 110 errors committed, 86 errors were made by the county welfare departments. The major reasons for errors were policies were incorrectly applied and reported information was not processed by the county. There were only 24 client errors. Thus 78% of the errors were caused by the county welfare department, while only 22% were client errors.

STATE LAW REQUIRES SINGLE PARENTS WITH CHILDREN UNDER THE AGE OF 6 TO WORK 32 HOURS A WEEK WHEN FEDERAL LAW REQUIRES ONLY 20 HOURS A WEEK. A BARRIER TO COUNTIES MEETING THEIR TANF WORK PARTICIPATION RATES

Monterey County was asked to identify factors that affected their ability to meet the federal work participation rates. Monterey County answered:

"Federal and State regulations differ, such as with a single parent household with children under the age of six (6). The Federal regulations state that a person with a child under age six (6) needs to participate 20-hours a week in order to meet the Federal work participation rate. State regulations require that this same individual participate 32-hours a week. State regulations require that counties attempt to engage these individuals to the 32-hours a week requirement. If the customer cannot or will not participate beyond 20-hours a week to meet the State 32-hours requirement, the State then requires counties to sanction the individual. Counties then sanction individuals meeting Federal participation requirement of 20-hours a week, this process provides the customer with no incentive to continue to work or participate 20-hours a week; thereby negatively impacting our Federal WPR.

Many sanctioned customers have multiple barriers and are difficult to engage in the WtW program. They are not forthcoming with information related to Learning Disabilities, Drugs & Alcohol, and/or Mental Health issues."

CCWRO has heard from parents who once they admit to having these problems are visited by CPS and many lose their kids to the State.

County Client Abuse Report

CHILDCARE UNLAWFULLY DENIED. STATE HEARING DECISION INCONCLUSIVE. Ms. 20063004 of Fresno County is working. From August 3, 2009 through March 3 2010 she did not received childcare. She had a hearing decision issued on October 29, 2009 stating that Fresno County shall pay

child care retroactive back to August 3, 2009. Her child care provider was the mother of the absent parent. The child care was being provided in the house of the mother of the absent parent. When the child care provider completed the forms, she accidentally wrote that she was providing the care at the house of the claimant where the absent parent lives. When the claimant was told that child care was being denied because the father of the child was living with her, she and the child care provider met with the county and explained that this was an error. The father lives with the provider and not the claimant. Fresno County would have none of this. Child care denied - period. She had to file another hearing and this time the Administrative Law Judge, ruled "Fresno County shall, as otherwise eligible, grant the claimant childcare benefits for the period August 3, 2009 through March 5, 2010 for those times when childcare was needed in order for the claimant to participate in approved WtW activity." Does this mean Ms. 20063004 will finally receive childcare? Not really. The judge's order left a lot of loopholes for Fresno County to continue to deny childcare to this victim. They could ask if child care was really needed or is it an approved activity? We can only imagine what other creative ways Fresno County could deny childcare to persons who are eligible. Meanwhile the cost of a state hearing is an estimated \$2,500 per hearing.

FAIR HEARING DECISION UNCLEAR – Mr. 20047367 received a notice of action stating that Sacramento County will reduce his benefits from \$808 a month to \$699 because he was not attending CWEX. He had enrolled in a local community college and was participating in a CWEX activity. The county still scheduled him for a CWEX orientation even though he was already participating in a CWEX activity. At orientation he informed the county CWEX worker that he was already doing his CWEX hours, but the CWEX county worker insisted that he must sign a CWEX agreement and do his hours with the county and not the community college. He refused to do so. He was sanctioned. He requested a

CCWRO is an IOLTA funded support center serving IOLTA legal services programs in California. Types of Services Offered: **Litigation, Co-Counseling, Fair Hearing, Representation, Consultation, Informational Services, Research Services, In-Depth Consultation and Welfare Training.** Programs Covered: CalWORKs, Welfare to Work (WtW), Food Stamps, Medi Cal, General Assistance & Refugee/Immigrant Eligibility. Refugee/Immigrant Eligibility. All Rights Reserved. **Contributors: Kevin Aslanian, Grace Galligher, Steve Goldberg and Diane Aslanian**

state hearing where the county stipulated that the college-based CWEX was adequate. The decision directs Los Angeles County to reinstate the claimants' benefits. Why should Los Angeles County fix the mess of Sacramento County?

MENDOCINO COUNTY UNLAWFUL DENIAL OF TRANSPORTATION UPHELD BY DSS. Mr. 20028465 is working as an IHSS provider. Part of his job is to take the IHSS recipient to the doctor. Mendocino County refused to pay for the welfare-to-work transportation costs directly related to transporting the HIS client to and from the doctors office. Mendocino County claimed that transportation costs for employment is limited to and from the location of employment. ALJ #293 relied on an underground rule embodied in ACL-03-15 states: "The goal in providing necessary transportation services is to assist CalWORKs participants in commuting to and from Welfare-To-Work (WTW) activities or employment. There are various transportation services available to participants. Therefore, it is important that counties evaluate each participant's transportation needs to ensure they are receiving the transportation services necessary to successfully participate in approved WTW activities and employment."

In this decision the ALJ #293 points to the first paragraph and completely ignores the last paragraph. Moreover, the ALJ totally disregards MPP §42-750.11 which states:

"Necessary supportive services shall be available to every participant in order to participate in the program activity to which he or she is assigned or to accept or retain employment. If necessary supportive services are not available, the individual shall have good cause for not participating under Section 42-713.21."

The last paragraph of the ACL and § 42-713.21 make it crystal clear that the purpose of transportation is to help people work. In this case, this victim's job is to take his employer, the IHSS recipient, to the doctor. If he does not do that, the employer would fire the recipient and find someone who would take the employer to the doctor. This is contrary to the intent of the WtW program – get people to work. On the other hand, maybe the real intent of the program is to deny people their benefits. This victim did not get any relief from the State Department of Social Services that upheld Mendocino County's unlawful practice that only transportation to and from work could be paid.

New Maximum Basic Standard of Adequate Care (MBSAC)

Payment Standards July 1, 2010 to June 30, 2011

Assistance Unit Size	Region 1	Region 2
1	\$548	\$520
2	899	854
3	1114	1058
4	1322	1258
5	1509	1435
6	1696	1614
7	1864	1770
8	2030	1932
9	2202	2088
10	2390	2273
	Add \$20 for each extra person	Add \$20 for each extra person