

CCWRO Welfare News

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WtW TRANSPORTATION SERVICES UNLAWFULLY DENIED IN LOS ANGELES COUNTY TO 47% OF UNDUPLICATED PARTICIPANTS

During July 2011, 47% of the unduplicated participants in Los Angeles County did not receive transportation. Source: WtW 25 reports.

We determined the percentage of unduplicated participants receiving transportation by dividing the number of participants receiving transportation by the number of unduplicated participants.

This is a very disturbing picture. It is hard to imagine people in Los Angeles County not needing transportation, but 47% is outrageous. This is like saying that over 47% of DPSS employees fail to submit travel claims when they are entitled to a travel reimbursement.

The reason for this problem is Los Angeles County policies governing the issuance of transportation supportive services consistent with the ill-conceived "county flexibility" policy. These policies are reflected in DPSS regulations, Section 1220. <http://www.ladpss.org/dpss/gain/handbook/pdf/Chapter1220.pdf>

In Section 1221, the second bullet states, "transportation may be paid". It then states, "Generally payments are made in advance so that participants need not use their personal funds". The message is very clear, the words "may" and "generally" mean that if a participant is using his or her personal funds and needs transportation, the county does not have to pay it in advance.

This sentence should read:

"State regulations mandate that transportation payments shall be made in advance so that the participant need not use personal funds to pay for these services."

Given the fact that welfare recipients are living on fixed incomes equal to what they received in 1984, transportation payments should always be made in advance unless the participant states that they do not need advance transportation. Often children go hungry because participants are using their limited money to cover their transportation expenses while waiting for a reimbursement. Welfare recipients do not have the luxury of living on a credit card while waiting for reimbursements.

Chapter 1200, Section 1222 - Interestingly, the word "advance" does not appear in this section designed to inform participants of their rights. Participants are unaware the county MUST provide them advance transportation and ancillary services so that participants need not use their personal funds.

DPSS has no form for participants to request transportation or advance transportation and ancillary services. At a minimum, DPSS should provide a form for participants to request advance payments for transportation and ancillary services to avoid being sanctioned. The rule is that the participant must go to or call the welfare office to request transportation, which is burdensome given the lack of access to workers. DPSS employees request travel reimbursements by simply getting a claim form and submitting it for payment. WtW/GAIN participants could be given claim forms with pre-stamped envelopes when they attend orientation, during GAIN sanction Home Visit Outreach interviews, upon enrollment into any program activity, or at the three-month employment re-verification.

The three-month employment re-verification problem explains why most employed CalWORKs participants in Los Angeles County do not get transportation. Working participants cannot go to the three-month employment re-verification interview but their work hours are counted for the Federal Work Participation purposes. Their income is used to reduce their meager CalWORKs benefits, but as far as GAIN is concerned they no longer work and are not entitled to supportive services because they did not show up for the three-month re-verification interview because they were working.

Determining Availability, Accessibility and the Two-Hour Round Trip Rule. §§ 1222.111 and 1222.221

The two-hour rule to get payment for mileage in lieu of bus fare does not instruct staff that they must include the time that it takes for the participant to walk to the bus stop

Percentage of Unduplicated WtW Participants Receiving Transportation Supportive Services

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|---------------|-----|
| Statewide | 50% |
| Tulare | 8% |
| Ventura | 11% |
| San Luis Ob. | 13% |
| Lake | 16% |
| San Mateo | 16% |
| Napa | 17% |
| Siskiyou | 20% |
| Santa Barbara | 26% |
| Orange | 26% |
| Contra Costa | 27% |
| Alameda | 27% |
| Placer | 28% |
| Tehama | 29% |
| Stanislaus | 31% |
| Shasta | 34% |
| Yolo | 34% |
| Sacramento | 36% |
| Fresno | 37% |
| Mendocino | 37% |
| Imperial | 39% |
| San Benito | 41% |
| Merced | 42% |
| Santa Cruz | 43% |
| San Francisco | 44% |
| San Diego | 49% |
| Butte | 50% |
| Sonoma | 50% |
| Solano | 51% |
| Los Angeles | 53% |

Source: DSS WtW 25 and 25A reports

from his or her house and from the bus stop to the activity. That time is included in the two-hour determination. Thus, the county must contact the participant to determine how long it takes to get to the location where the participant resides to the bus stop and from the bus stop to the location of the activity. This determination should be made in Sections 1222.111 and 1222.221. Making this determination is not reflected in Sections 1222.111 and 1222.221.

Verification of Residence to Get Mileage - Another reason that many participants are not paid transportation or underpaid is because GAIN requires verification of the residence of the participant as a condition of receiving mileage. This verification is in the eligibility file, but Section 1222.444 for some reason wants the same documentation to be in the GAIN file from the participant and not the from the eligibility worker.

In fact, ".444(a) states: "participants are required to provide verification of residence address to be eligible for mileage as specified above." There is nothing in the Welfare and Institutions Code or the state regulations that make the proof of residence a condition to receive private vehicle transportation. **We would recommend that Section .444 be deleted as an unlawful requirement that puts DPSS in the position being liable for legal action.**

Three-Month Cap on Transportation for All Practical Purposes - The major reason why Los Angeles County has over 65% of unduplicated participants not getting transportation is because transportation is generally authorized for three months. Section 1222.62 states that transportation is only authorized for three months and five months for SIPs. It does not state what happens after three months. Is this a DPSS cap on transportation? Sure sounds like it in light of the fact that there is no provision for reauthorization of transportation.

DPSS Urging Participants to Find Another Job When Mileage is High - Section §1200.811D urges DPSS staff to tell people with high travel costs to find another job. This is perplexing to say the least. There is an 11% unemployment rate in California. Telling a person to find another job close to their home is counter-productive.

The flowchart chart at §1223.1 does not mention "advance pay". The same is true for mileage for all practical purposes. There was nothing to:

1. Determine if the participant has a car;
2. Determine how long it takes to walk from their house to the bus stop;
3. Determine, based on Section 1222.26, if the round trip to work and back would take longer than two hours.

Conclusion - If DPSS wants to make sure that participants are receiving the supportive services they are entitled to, they should remove the barriers that they have erected preventing WtW/GAIN participants from receiving supportive services. During July 2011, **47%** of the participants were DENIED supportive services. That should raise a big red flag for DPSS and DSS. On the other hand, if the purpose of these regulations is to erect barriers between participants and the support services they were lawfully entitled to, then these regulations are doing a fine job in achieving that goal.

Client Abuse Report

- Ms. E.R says believes CalWIN lied to her. She applied for food stamps on-line on or about 9/6/11 in **San Diego County** and requested expedited service food stamps. After three days she hoped that her and the other three people living with her would have some food to eat as they were promised on-line. They soon discovered that they were misled.

She called San Diego County just about every day for twenty days. The computer kept saying that they were processing her application. She filed for an expedited hearing using the CCWRO Expedited Hearing form at: http://ccwro.org/index.php?option=com_docman&Itemid=70

The rules for expedited hearings can also be found at: http://ccwro.org/index.php?option=com_docman&Itemid=173

Expedited hearings are scheduled within 10 working days from the date of the hearing request and the decision is issued within five (5) working days from the date of the hearing.

- Kevin Shepard of Venice Welfare Rights reports that the **Los Angeles County Rancho Park office** refused to accept an application from a person trying to apply for Food Stamps. Ms. CG was informed by the Rancho Park welfare officials that Los Angeles County does not accept CalFresh applications from SSI recipients. Mr. Shepard has tried, without success, to find the law or regulation that states SSI recipients cannot apply for Food Stamps. Los Angeles County apparently cannot distinguish between the right to apply for benefits and being eligible for benefits.

- Mr. E.G. received CalFresh with his girlfriend in **Los Angeles County**. In December, they broke up and he moved out of the home. In January 2011, E.G. reported the change to DPSS and asked for CalFresh benefits for himself. After a month, when he did not see money on his EBT card. He contacted DPSS again and was told that he needed to formally apply for food stamps.

On February 23, 2011 he submitted his application for food stamps when he was homeless. He was denied expedited service food stamps because his ex-girlfriend was still getting food stamps for him.

Again and again he visited his DPSS office to ask for food stamps. DPSS repeatedly told him that they have not yet decided. After going to Neighborhood Legal Services he got food stamps effective May 11, 2011.

To date Mr. E.G has yet to get the food stamps for February, March, April and May 1 through the 10th.