

CCWRO Welfare News

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IN BRIEF

FAMILY STABILIZATION APPLIES TO SANCTIONED CalWORKs RECIPIENTS - At the September 12, 2013 meeting, the CWDA CalWORKs Policy Committee discussed the newly passed Family Stabilization language in AB 74. The committee agreed that persons eligible for these services are families who are required to participate in a WtW activity, including sanctioned families.

LOS ANGELES COUNTY BREACHES PRIVACY OF 200 FAMILIES - On July 10, 2013, Los Angeles County Department of Public Social Services (DPSS) committed a "privacy breach" by making unauthorized disclosure of MEDS information in 200 cases. The disclosed information included full names, sex, date of birth, social security numbers, income, bank account and other IEVS and MEDS information. The federal government was informed on July 11, 2013. The summary of the report from DHCS Office of HIPPA Compliance states:

"It was reported by LA County that an individual who is not affiliated with LA County was in possession of approximately 100 "State of California Department of Health Care Services Income and Eligibility Abstracts (IEVS). Based on the available information it is believed that this individual obtained the IEVS abstracts from a COLA-DPSS employee. The cause of this incident is still under investigation. Additional investigation is pending to determine the role, and the exact names of the COLA-DPSS employees who may be possibly involved."

The report also reveals that DHCS immediately reported this incident to SSA on 7/15/13. SSA # PII 13673.

CALAVERAS COUNTY REFUSES TO OBEY STATE LAW AND CAUSES OVERPAYMENTS - During July 2013, CDSS revealed that Calaveras County failed to stop overpayments known to the county. CDSS reviewed 26 cases of potential overpayment information in the possession of Calaveras County of which 6 cases were processed timely. That is a 73% violation of the law mandating that the overpayment reports be processed within 45 days to avoid future overpayments. See MPP §20-006.421. CDSS also found that Calaveras County is sitting on 1,075 cases with potential overpayments as far back as January of 2010.

SANTA CRUZ COUNTY REFUSES TO OBEY STATE LAW AND CAUSES OVERPAYMENTS - During July 2013, CDSS revealed that Santa Cruz County failed to stop overpayments known to the county. CDSS reviewed 40 cases of potential overpayment information in the possession of Santa Cruz County of which 11 cases were processed timely. That is a 73% violation of the law mandating that the overpayment reports be processed within 45 days to avoid future overpayments. See MPP §20-006.421. CDSS also found that Santa Cruz County has a "...backlog, the size of which has yet to be determined, of unprocessed Payment Verification System (PVS) Match reports in CalWIN"

STANISLAUS COUNTY REFUSES TO OBEY STATE LAW AND CAUSES OVERPAYMENTS - During July 2013, CDSS revealed that Stanislaus failed to stop overpayments known to the county. CDSS reviewed 40 cases of potential overpayment information in the possession of Stanislaus County of which 19 cases were processed timely. That is a 52% violation of the law mandating that the overpayment reports be processed within 45 days to avoid future overpayments. See MPP §20-006.421. CDSS also found that Stanislaus County is sitting on 2,224 cases with potential overpayments as far back as November 2006.

VENTURA COUNTY REFUSES TO OBEY STATE LAW AND CAUSES OVERPAYMENTS - During July 2013, CDSS revealed that Ventura County failed to stop overpayments known to the county. CDSS reviewed 38 cases of potential overpayment information in the possession of Ventura County of which only 10 cases were processed timely. That is a 74% violation of the law mandating that the overpayment reports be processed within 45 days to avoid future overpayments. See MPP §20-006.421.

COUNTIES PROMULGATE UNDERGROUND RULE DURING CLOSED DOOR MEETING

At the September 12, 2013 closed door meeting, counties promulgated a new underground rule relating to the exemption of a parent or other relative who has primary responsibility for personally providing care to one child from birth to 23 months as codified in Welfare and Institutions Code § 11320.3(b)(6)(A)(iv). This section provides:

"The following individuals shall not be required to participate for so long as the condition continues to exist: Effective January 1, 2013, the parent or other relative has primary responsibility for personally providing care to one child from birth to 23 months, inclusive. The exemption provided for under this clause shall be available in addition to any other exemption provided for under this subparagraph. An individual may be exempt only once under this clause."

The counties declared this exemption to be a once-in-a-lifetime exemption regardless of the number of months actually used. Counties ruled that the "exemption cannot be repeated, even when there is a break in-aid, including Sanctions and Discontinuances and the child is still under 23 months of age. In a two-parent assistance unit, the parent who has never been granted the exemption, may receive it. Some attendees of the meeting may have thought that it only applied to recipients and not applicants.

CDSS, which is the single state agency, has failed to address this issue head on triggering the promulgation of an underground rule by the CDSS' agents. There is nothing in this statute that states "once-in-a-life" exemption. If the Legislature wanted to impose a once-in-lifetime exemption, they

would have done so just as the Legislature limited homeless assistance to once-in-a-lifetime. In this case what the Legislature said is that the young child exemption would only apply when a recipient requests the exemption once.

When that parent is terminated from CalWORKs, and he or she reapplies, the county must determine if there are any exemptions that apply to the applicant before the applicant is found to be a mandatory participant – that includes the “young child exemption”.

**FINAL REPORT FOR THE
CalWORKS 2012-2013 ACTUAL
USAGE OF STATE AND FEDERAL
FUNDING ALLOCATION BY
COUNTY WELFARE DEPARTMENTS**

During 2012-2013 California counties were allocated \$2.5 billion to operate California’s welfare system.

Counties had to return in excess of \$374 million to the State since the funds were not used to provide services.

Counties receive a single allocation for administrative and services costs of the public social services safety net.

Counties are accorded total flexibility of how to spend the money. The consumers of the program have no voice in how the money is spent. See Chart #1 for specifics.

**Monthly & Annual Cost for
Per WtW Participant**

The Governor’s budget revealed that the average CalWORKs family received about \$463 a month in CalWORKs. The Governor’s budget does not provide any information as to the actual cost for requiring the same family to participate in Welfare-to-Work.

How Much CalWORKs Money is Used for WtW Compared Payments to Impoverished Families of California with Needy Children?

The Governor’s budget also revealed that it costs California about \$403,622 per child per month for childcare services. The budget allocated \$1068,022 million for WtW, that include money for mental health and substance abuse treatment. This means that counties spent about \$1671 a month on each WtW participant or \$20,052 annually for WtW services while only spending \$463 per month or \$5,556 annually for CalWORKs benefits.

Chart # 2 - The Monthly and Annual Costs for Employment Services (WtW) v. Family Assistance Payments (CalWORKs)

	Monthly costs	Annual Costs
WtW Costs	\$1,671	\$20,052
CalWORKs Grant Costs	\$ 463	\$ 5,556

CHART #1	County Single Allocation	County Single Allocation Not Spent
Items		
Employment Services	\$786,272,000	\$70,480,998
Food Stamps/CalFresh	\$532,628,000	\$76,743,910
CalWORKs Eligibility	\$617,598,000	\$49,847,126
WtW Mental Health	\$ 76,907,508	\$15,698,024
WtW Substance Abuse	\$ 50,656,492	\$15,052,907
Stage 1 & 2 Childcare	\$432,203,000	\$143,427,591
CalLearn	\$ 23,830,000	\$ 3,089,826
Total	\$2,520,095,000	\$374,340,382