

# CCWRO Welfare News

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## **DSS denied food stamps to veteran who presented adequate verification according to welfare law.**

Mr. Conception, a veteran who risked his life fighting for his country, applies for CalFresh. He has no photo ID and has not eaten a decent meal for a week or so. His food stamps were stopped because the county said he did not get his report in, although he mailed it to the county. The county immediately denied the expedited CalFresh application because he had no photo ID even though he gave the county his social security number. The county informed Mr. Jones that the county has 30 days to process his application. This process is in violation of Welfare and Institutions Code § 18905.1 which provides:

*“The department shall not impose any additional requirements for verification of eligibility for expedited service other than those minimum requirements that exist under federal law.”*

While it is true that federal law requires verification of identity to receive CalFresh, there are many ways to verify identity. One way is known as “J” verify. The county enters the veteran’s social security number into the MEDS system. MEDS will verify the identity the same day if he or she has previously received benefits from any county, or will verify the next working day, well before the three-day limit to issue expedited service. But, it seems many California counties are not interested in assisting applicants to qualify for CalFresh. The cultures of both DSS and counties is to deny applications rather than assist to make the applicant eligible for benefits.

DSS gives counties flexibility to send folks like Mr. Conception to the garbage cans of California to

eat. The fact that Mr. Conception, and thousands like him, go hungry should be considered when adopting food stamp policies, however, “county flexibility” outweighs all other considerations.

During the last quarter of 2012 counties made expedited service determinations for 311,089 cases. Of those, 210,076 were denied. That is a 67% denial rate. These are all persons who have stated under penalty of perjury that they have less than \$100 in resources and less than \$150 income.

We would argue that most of these denials were unlawful and mean-spirited. These denials are also in violation of due process of law. Mr. Conception, who served his country, did not even get his due process notice telling him why his expedited service application was denied.

## **What Happens when CDSS Breaks The Law Regarding DFA 296X CalFresh Expedited Service Quarterly Statistical Reports?**

Welfare & Institutions Code §18913 says that DSS shall collect quarterly expedited service data on the number of applications and the disposition of the applications, on a county-by-county basis and shall publish those statistics quarterly. DSS does not comply with this provision. Unlike Mr. Conception, DSS suffers no consequences for non compliance. The 2013 January-March, April-June, and July-September reports, have yet to be posted on line. In fact, DSS admits that posting has been delayed. DSS and counties fail to admit that the delay is a blatant violation of §18913, which does not authorize the department to delay publication because there are discrepancies. The Legislature was fully cognizant of this possibility, but failed to authorize a delay in posting the information that DSS received from counties. In fact, often DSS posts reports that are later corrected for about a 10-year period.

## Table # 1

The July-September 2004 report was corrected on 10/19/07 – three years later. The October-December 2009 report was corrected on 11/4/11 – about 2 years later; a complete list is set forth in Table #1.

DSS has also issued a revised DFA 296X as evidenced by ACL 13-65 published August 12, 2013. This ACL does not effect the January-March, 2013, April-June, 2013, yet even after six (6) months the January-March, 2013, April-June, 2013, reports that have not been published - a direct violation of Welfare and Institutions Code § 18913.

*“The directions for the DFA 296X quarterly statistical report provides basic aggregate data on the number of CalFresh expedited service (ES) requests received and disposed of during the quarter. The posting of reports starting with the January - March report quarter have been delayed due to data discrepancies. The CDSS is currently working to resolve the data discrepancies and once resolved, the CDSS will update and release. Please refer to ACL 13-65 dated August 12, 2013 regarding the “Revised” DFA 296X quarterly report form. The submission of the July - September 2013 and October - December 2013 quarterly reports are due by January 20, 2014.*

*DFA 296X - CalFresh Expedited Service Quarterly Statistical Report can be found at <http://www.dss.cahwnet.gov/research/PG354.htm>”*

Report Month	Updated	File Format
October - December 2012	08/13/13	PDF Excel
July - September 2012	02/11/13	PDF Excel
April - June 2012	02/11/13	PDF Excel
January - March 2012	02/11/13	PDF Excel
October - December 2011	08/07/12	PDF Excel
July - September 2011	01/31/12	PDF Excel
April - June 2011	11/04/11	PDF Excel
January - March 2011	11/04/11	PDF Excel
October - December 2010	11/04/11	PDF Excel
July - September 2010	11/04/11	PDF Excel
April - June 2010	11/04/11	PDF Excel
January - March 2010	11/04/11	PDF Excel
October - December 2009	11/04/11	PDF Excel
July - September 2009	11/04/11	PDF Excel
April - June 2009	12/10/09	PDF Excel
January - March 2009	08/03/09	PDF Excel
October - December 2008	08/03/09	PDF Excel
July - September 2008	05/14/09	PDF Excel
April - June 2008	05/14/09	PDF Excel
January - March 2008	05/14/09	PDF Excel
October - December 2007	09/04/08	PDF Excel
July - September 2007	09/04/08	PDF Excel
April - June 2007	05/14/09	PDF Excel
January - March 2007	04/16/08	PDF Excel
October - December 2006	04/16/08	PDF Excel
July - September 2006	10/19/07	PDF Excel
April - June 2006	10/19/07	PDF Excel
January - March 2006	10/19/07	PDF Excel
October - December 2005	10/19/07	PDF Excel
July - September 2005	10/19/07	PDF Excel
April - June 2005	10/19/07	PDF Excel
January - March 2005	10/19/07	PDF Excel
October - December 2004	10/19/07	PDF Excel
July - September 2004	10/19/07	PDF Excel