

CCWRO Welfare News

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In Brief...

• **SAWS 1** - Minutes of the January 9, 2014 meeting of the California Welfare Directors Association (CWDA) Medi-Cal Committee reflects that the Solano County representative asserted that the new SAWS1 does not have a place for the applicant to write in the social security number (SSN) or the birthdate. **FACT:** The new SAWS 1 does have a space for SSN. There is no place for the applicant's birthdate. Is there a legal requirement for the date of birth to be on the SAWS1?

• **DSS continues to withhold DFA 296X reports** - Minutes of the January 9, 2014 CWDA CalFresh Committee show that DSS updated the group on the DFA 296X report for the quarter ending June 2013. DSS said that the report forms for the third and fourth quarter use a different format and will be available on January 20, 2014. (Cont'd. pg.2)

FARM BILL

The 2014 Farm Bill of 2014, Public Law 113-79, will authorize the food stamp program for 5 years. The bill cuts about \$8 billion over a 10-year period. There are many punitive provisions in the bill designed to demean food stamp recipients by enacting alleged anti-fraud provisions when the real fraud at Wall Street goes unchecked. One such cut is the elimination of the Low Income Home Energy Assistance Program (LIHEAP) payments when the consumer did not incur utility payments. (Section 4007 - Standard utility allowances (SUA) based on the receipt of energy assistance payments In Conference Report 113-333 in Congressional Record H1269-1425.) The final resolution is that LIHEAP payments above \$10 would trigger a SUA deduction. (Section 4003)

TABLE # 1 Month	Amount of CalFresh Benefits Issued	Number of Households Receiving CalFresh Benefits	Average Amount of CalFresh Benefits Issued Per Household
July, 2012	\$609,760,244.81	1,843,341,000	\$330.79
August, 2012	\$614,545,679.03	1,860,414,000	\$330.33
Sept., 2012	\$613,450,671.59	1,865,844,000	\$328.78
Oct., 2012	\$622,629,034.75	1,887,860,000	\$329.81
Nov., 2012	\$617,936,794.60	1,883,965,000	\$328.00
Dec., 2012	\$621,268,047.67	1,892,630,000	\$328.26
January, 2013	\$642,102,018.40	1,919,085,000	\$334.59
February, 2013	\$640,714,871.89	1,906,946,000	\$335.99
March, 2013	\$648,264,624.18	1,930,552,000	\$335.79
April, 2013	\$643,737,602.85	1,926,913,000	\$334.08
May, 2013	\$645,093,271.37	1,931,074,000	\$334.06
June, 2013	\$642,192,269.44	1,930,773,000	\$332.61
July, 2013	\$646,222,485.23	1,942,832,000	\$332.62
August, 2013	\$648,100,017.31	1,950,031,000	\$332.35
Sept., 2013	\$647,568,879.00	1,922,812,000	\$336.78
Oct., 2013	\$659,937,818.00	1,945,520,000	\$339.21
Nov., 2013	\$615,819,332.00	1,950,657,000	\$315.70

How Would the LIHEAP Change Impact California? – Negligible for California. The LIHEAP automatic utility deduction took effect in California on July 1, 2103 through AB 6 sponsored by California Food Policy Advocates (CFPA). CFPA asserted that Heat & Eat would increase benefits by \$20 a month for each household. In comparing the CDSS DFA 256 monthly reports from July 2012, to the most recent data, as detailed in **Table # 1** reveal that an average household benefit increase did not occur. Since LIHEAP did not increase the monthly CalFresh benefits in July 2013, we expect that the elimination of a SUA deduction for "Heat & Eat" will not have a major impact.

However DSS estimates that as many as 300,000 families who have net incomes below the federal poverty line (FPL) may have reduced benefits as a result of this change in federal law.

In summary we will not have to be fighting for food stamps for the next five (5) years.

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In direct violation of Welfare and Institutions Code Section 18913, DSS withheld the first and second quarter reports from the public. Moreover, it is now February and there is nothing available to the public for the entire year of 2013.

• **Can MAGI Medi-Cal be denied for failing to provide verification of an application for UIB or SDI?** The answer provided to the CWDA Medi-Cal Committee is that ACA verification requirements are less restrictive. “Counties can accept an attestation that they have applied without proof. There is no adverse action if the client does not provide proof of application for proof of unconditional income. Do not ask for it and do not take negative action. At this time CalHEERs has not interfaced with CalWIN, C-IV and LEADER. Until the interface is achieved counties shall not take any negative action on Medi-Cal cases.”

• **As of January 1, 2014 Covered California received 73,000 paper applications.** All paper applications must be entered into the computer by Covered California staff. The households with complete applications received benefits January 1, 2014. Those households whose applications were not complete will receive benefits February 1, 2014.

• **DSS will have “data dash board” information (county and state) that will be available to the public on the DSS webpage.** DSS will not put any county data on the dashboard until the county has reviewed the data that the county submitted to the DSS. The dashboard will provide county specific data food stamps also known as SNAP or CalFresh. This will provide useful “county approved information” that counties can use for planning and self-assessment.

• **WPR & lunch hours** - DSS has informed counties that they can count lunch hours as a TANF activity time if participants multi-tasked by eating lunch and work at the activity at the same time. Source: Email from Donald Hamilton DPSS of Los Angeles County to Vandy Wongsavanh DSS, dated November 20, 2013.

• **Child care money not spent** - Unlawful Policy - San Benito County states that “We had a Deputy Director who stated that clients could not have their child care paid if they submitted their reimbursement forms and/or verifications four or more months after care was provided.”

This is why child care money is not being spent by counties. In 2012-2013, San Benito County received a Stage 1 allocation of \$755,146 and only used 587,660. San Benito County failed to use 22% of its total child care allocation by having this policy. Statewide the numbers are more puzzling. See [Table #2](#).

TABLE # 2

Fiscal Year	Child Care Allocation	Amount of Child Allocation Not Spent by Counties
2011-2012	\$432,203,000	\$125,048,422
2012-2013	\$432,203,000	\$143,427,591

• **Napa County violates application processing timelines** - A CalFresh application was filed in July 2013 but Napa County did not issue benefits until November 17, 2013. This is about a 120-day delay in issuing benefits to the food insecure.

• **Napa County underpays food stamps** - In a DSS letter to Napa County dated October 14, 2013, DSS states: “The CF budget has not been updated since September 2012. The EW failed to process the shelter verification submitted by the HH on February 22, 2013, and did not update the budget to include shelter cost.” The letter does not say when this error was discovered or how long the household remained underpaid.

• **Another Napa Violation** - In another case a self-employed person was not allowed the 40% deductions for self-employed. It appears that C-IV knows that the income is self-employment, but does not know to allow the 40%.

• **Marin County denies applications for CalFresh through the use of a “verbal withdrawal”**. The applicant is told by the county that he/she is not eligible for CalFresh and should withdraw the application. Federal regulation 273.29(c)(6) states:

“Withdrawing application. The household may voluntarily withdraw its application at any time prior to the determination of eligibility. The State agency shall document in the case file the reason for withdrawal, if any was stated by the household, and that contact was made with the household to confirm the withdrawal. The household shall be advised of its right to re-apply at any time subsequent to a withdrawal.”

In September 15, 2003 the federal government cited California for being in violation of this regulation. DSS issued an ACIN I-48-03, but that did not do the trick. Counties just can’t resist imposing their will upon the food insecure seeking assistance. Often applicants are told to withdraw the application when they are actually eligible for benefits.

• **Sacramento County denied application for nonexistent income** - Sacramento County Welfare Director **Paul Lake** was informed on November 5, 2013 that a CalFresh household of one was terminated from food stamps because the household’s CalWORKs benefits of \$1,200 exceeded the gross income limits. There was no evidence that this person was getting CalWORKs. We are not aware of any assistance unit of one getting \$1,200 a month from CalWORKS.

• **San Joaquin County wrongful denies of on-line application** - San Joaquin County Welfare Director **Joseph Cheli** received a letter from DSS dated November 13, 2013 regarding an unlawful denial of an on-line application. The victim applied on June 10, 2013. A phone interview was completed on June 10, 2013. The letter does not state whether or not the household was eligible for expedited service. Why? Given the over 50% expedited service denial rate one would think that DSS would look at the expedited service issuance also. On June 20, 2013, the household provided the requested verification to the county. On July 5, 2013 the application was denied for allegedly not completing “... the application process and the Agency has not received the requested documents for the CalFresh application.” The requested verification was received June 20, 2013. Maybe the computer was not told about

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it? The San Joaquin County "Action Plan" to make sure this does not happen again is that San Joaquin County has graciously agreed to "...remind workers of denial frames and failure to provide issue." How comforting. What a plan.

• **Tuolumne County closes a food stamp case for no QR-7 that was received by the county** - On November 12, 2013, **Ann Connolly**, Director of Tuolumne County received a letter from DSS regarding Ms. 507107. Ms. 507107 turned in her QR-7 that she received in the beginning of on July 12, 2013. On July 12, 2013 at 10:01 am Tuolumne County issued a notice of action stopping Ms. 507107's food stamp benefits. Ms. 507107 actually called the county on July 19, 2013 and informed the county that she had submitted her QR-7. The county noted the call in the case record, but did not stop the termination of food stamp benefits – the apparent purpose of the Tuolumne County Food Stamp program. Tuolumne County objected to the error in that they stated that food stamp recipients are required to get the QR-7 in by the 11th day of the month. It appears that Tuolumne County is willfully, and with the concurrence of DSS, violating MPP §6-504.621 which reads:

QR) If the certification period ends in the QR Submit Month, the QR 7 shall be mailed to the household at the normal mailing time or along with the notice of action informing them of the expiration of their certification period. Return of both the QR 7 and the application is required to complete the recertification.

(a) The QR 7 shall be submitted and completed as specified in Section 63-508.66.

(b) The application form shall be submitted to the CWD no later than the time of the interview.

(c) If the household has not previously filed a complete QR 7, the household may submit it at the interview. In no event shall the reapplication be considered timely if a complete QR 7 is submitted after the 11th of the last month of the certification period.

TABLE # 3

Date of Action	County Action
July 5, 2013	Applied for CalFresh via SAWS1
July 8, 2013 10:45 am	Scheduled for intake interview
July 8, 2013 11:15 am	Case comment states client no show
July 8, 2013 1:09 pm	Phone interview completed. Both expedited service & regular CalFresh approved. And issued
July 9, 2013	Notice of Missed Appointment issued stating "You were scheduled for an interview July 8, 2013, but you did not keep this appointment. You must complete your interview with us by August 4, 2013.
August 5, 2013	CalWIN discontinued the newly approved case.

• **A Fresno County "approved" case stopped by he CalWIN computer** - On November 19, 2013 **Sandy Moore** of Fresno County was notified by DSS of a county error in the case of 508010. See **Table #3** as to how CalWIN handled this case and how many other cases have been closed after benefits have been approved. It boggles the mind that after the benefits have been approved CalWIN would terminate the case. There is no reason to believe that CalWIN will be fixed to not erroneously allow approved cases to be terminated for missing an intake appointment that was not missed.

• **Sacramento County denies application for verification that the county never asked for** - On November 27, 2013 **Mr. Paul Lake**, County welfare director of Sacramento County received a letter from concerning a county CalFresh error in terminating benefits of Ms. 508065 for failure to provide verification when no verification was requested or due from Ms. 508065. **Table # 4** shows the sequence of this county error.

TABLE # 4

Date of Action	County Action
August 15, 2013 5:07 pm	Case comment that recertification interview took place 8-14-13.
August 15, 2013 5:07 pm	Completed QR7 was received and no change was reported.
August 15, 2013	Notice of Action mailed to Ms. 508065 that the recertification was completed and the new certification period was from September 1, 2013 through August 31, 2014.
August 15, 2013 9:30 pm	CalWIN decides to terminate the case for failure to provide verification.
August 16 2013	CalWIN issues a NOA terminating CalFresh benefits for verification never requested by the county.

• **Santa Clara County closes food stamp case for no QR-7 that was received by the county** - On October 14, 2014 **Bruce Wagstaff**, Agency Director for Santa Clara County welfare department received a letter from DSS about RN506061. On June 17, 2013, the county received the QR 7 from RN506061 as evidenced by the date stamp on the QR-7. On June 22, 2013, Santa Clara County's CalWIN system issued a notice of action (NOA) terminating the case for allegedly not receiving the QR-7. The benefits stopped based on an invalid NOA, causing RN506061 to endure even greater food insecurity. Yet, the county continued to get paid for sending out erroneous NOAs that were false.