

# CCWRO Welfare News

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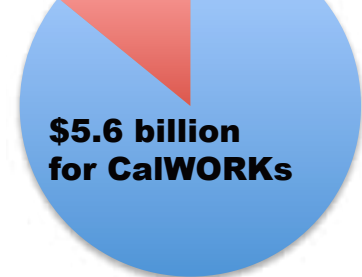
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## 2014-2015 State Budget Steals \$1.1 Billion from CalWORKs Children

### The Bad

The 2014-2015 state budget stole \$1.1 billion from CalWORKs children and families. The federal government gives California \$3.7 billion to operate the TANF program known as CalWORKs. The state must match \$3 billion to get \$3.7 billion in federal dollars. For 2014-2015, California will use less than \$5.6 billion for the CalWORKs program. Meanwhile, CalWORKs grants are at the same level they were in 1988.

**\$1.1 billion stolen from CalWORKs**



**\$5.6 billion for CalWORKs**

### The Good

1. A 5% grant increase effective 4/1/15;
2. No longer deny CalWORKs CalFresh and General Assistance to persons who were convicted of certain drug crimes;
3. State funding of the LIEAP's \$20 annual payment assures that all CalFresh (food stamp) recipients receive the Standard Utility Allowance deduction. This helps 320,000 households at a cost of \$10.5 million;
4. A \$20 million allocation for county homeless assistance programs;
5. A \$30 million allocation for foster care payments to non-parent relatives who are not federally eligible for foster care, provided the children have been placed with the relative by child protective services (CPS). These non-parent relatives who were not federally eligible for foster care due to income levels, were receiving \$300 a month; they will now receive about \$800 a month.

**LESSON - Therefore, if you are a poor non-parent relative with one child receiving \$515 a month, you are required to do workfare for the CalWORKs check. If that same nonparent places the same child/children with CPS, counties will most likely place the child/children back with the same nonparent relative giving them \$800 a month per child with no workfare requirement. The reason the child will be placed back with the non-parent relative because to keep a child in foster care costs on the average \$2,500 a month.**

**AB 1359 YIELDS  
\$20 MILLION FOR HOUSEHOLDS  
IN IMMEDIATE NEED FOR  
FOOD ASSISTANCE**

AB 1359, authored by Assemblywoman Nancy Skinner of Berkeley and sponsored by Western Center on Law & Poverty, was gutted and amended during the last days of the 2012 session. The bill was signed by the Governor as Chapter 468, Statutes of 2012, on September 23, 2012 because the Food and Nutrition Service (FNS) had put California on notice that the state was in violation of federal law. This was a bill that the administration needed to come into compliance with federal law.

Prior to AB 1359's passage, counties refused to make a determination of Cal-Fresh Expedited Service (CF-ES) in all applications, violating federal law for two decades. Often, counties only considered CF-ES if the county determined that they were actually eligible for CF-ES. Under AB 1359 all applicants must be reviewed for CF-ES.

**TABLE #1** shows a county-by-county increase/decrease of the issuance of CF-ES from first quarter 2013 compared to first quarter 2014.

Thank you, Assembly Member Nancy Skinner.

**TABLE # 1**

| Counties         | AB 1359 increase/decrease in CF-ES benefits for first quarter 2014 compared to first quarter 2013 | Counties        | AB 1359 increase/decrease in CF-ES benefits for first quarter 2014 compared to first quarter 2013 |
|------------------|---|-----------------|---|
| <b>Statewide</b> | <b>\$20,503,858.52</b>  | Orange          | \$1,079,644.08  |
| Alameda          | \$1,339,520.40  | Placer          | \$(21,832.32)   |
| Alpine           | \$(3,041.12)  | Plumas          | \$24,697.48   |
| Amador           | \$16,145.16   | Riverside       | \$1,385,270.00  |
| Butte            | \$189,166.96  | Sacramento      | \$393,858.24  |
| Calaveras        | \$17,184.32   | San Benito      | \$41,085.00   |
| Colusa           | \$7,875.04  | San Bernardino  | \$1,685,633.72  |
| Contra Costa     | \$335,067.68  | San Diego       | \$1,456,656.64  |
| Del Norte        | \$17,582.72   | San Francisco   | \$65,277.84   |
| El Dorado        | \$77,077.12   | San Joaquin     | \$720,048.24  |
| Fresno           | \$330,864.56  | San Luis Obispo | \$94,739.52   |
| Glenn            | \$16,141.84   | San Mateo       | \$271,024.88  |
| Humboldt         | \$81,755.00   | Santa Barbara   | \$94,178.44   |
| Imperial         | \$121,475.48  | Santa Clara     | \$206,935.60  |
| Inyo             | \$27,808.32   | Santa Cruz      | \$36,490.12   |
| Kern             | \$870,620.20  | Shasta          | \$221,842.40  |
| Kings            | \$220,780.00  | Sierra          | \$2,715.76  |
| Lake             | \$75,032.00   | Siskiyou        | \$5,298.72  |
| Lassen           | \$26,287.76   | Solano          | \$184,721.48  |
| Los Angeles      | \$3,543,980.48  | Sonoma          | \$120,084.40  |
| Madera           | \$238,654.88  | Stanislaus      | \$278,059.96  |
| Marin            | \$100,596.00  | Sutter          | \$74,617.00   |
| Mariposa         | \$13,612.00   | Tehama          | \$42,562.40   |
| Mendocino        | \$78,624.24   | Trinity         | \$20,637.12   |
| Merced           | \$164,622.20  | Tulare          | \$637,440.00  |
| Modoc            | \$8,505.84  | Tuolumne        | \$36,287.60   |
| Mono             | \$30,477.60   | Ventura         | \$483,093.20  |
| Monterey         | \$306,621.92  | Yolo            | \$186,676.96  |
| Napa             | \$82,269.60   | Yuba            | \$97,910.12   |
| Nevada           | \$37,250.40   |                 |   |

## County Welfare Department Victim Report

**Stanislaus County failed to process Income and Eligibility Verification System (IEVS) Reports timely** - On 7/29/13 Kathy Harwell, Stanislaus County Welfare Director, was informed by CDSS that a review of the County's Income and Eligibility Verification System (IEVS) found that 52% of the cases were not processed within the 45 days processing requirement by federal and state regulations.

**Kern County refused to obey the US Constitution by denying applications without a Notice of Action** - On 1/24/14, Kern county received a CalFresh application from Ms. 502012. On the same day, the county sent an appointment notice to Ms. 502012 for a 2/3/14 appointment in which she missed. On 2/4/14 Kern County issued a notice of missed appointment stating that Ms. 502012 had until 3/4/14 to complete the interview. The county never mailed Ms. 502012 a notice of action denying her application.

**Los Angeles DPSS unlawfully denied family Cal Fresh benefits on Christmas** - On 12/26/13, Los Angeles County stopped CalFresh benefits for Mr. 512017 for failure to provide proof of citizenship. The denial reason code was 415-105 – a frequent unlawful denial code used by Los Angeles DPSS to inflict food insecurity upon impoverished households residing in Los Angeles County. Los Angeles DPSS had already “J-verified” Mr. 512017 in the MEDS system and IEVS system which lists his name, date of birth and social security number as verified. Per ACIN I-45-11 “if citizenship has been verified via MEDS, then the verification of citizenship requirement in the CalFresh is considered to be met.” Eventhough citizenship was verified, this household had a foodless Christmas.

**Santa Clara County puts 10 year old autistic child at risk** - On 8/1/13 Santa Clara County denied protective supervision to Mr. 2013 255-198. The medical evidence showed that Mr. 2013 255-198 met the legal criteria for receiving protective supervision, but the social worker testified that the case was denied because it was a close call. Luckily this victims' parents asked for a state hearing and the so-

cial worker's anti-social behavior was reversed.

**Los Angeles County wastes tax dollars to recoup \$122 overpayment.** Los Angeles County issued a notice of action to Ms. 2013 252 020 because of an \$122 county agency error. Ms. 2013 252 020 did not think she should be liable for the overpayment caused by the county and asked for a state hearing. The county appeared at the hearing to defend the \$122 county-caused overpayment. Taxpayers spent over \$2,000 to defend a \$122 Los Angeles County error overpayment.

**Los Angeles County unlawfully denied IHSS protective supervision to a victim of Alzheimer's disease.** On 11/18/13, Los Angeles County DPSS issued a notice of action denying protective supervision to Ms. 2013 239 108 who had medical verification that she suffered from Alzheimer's disease. Her doctor stated, “she requires 24 hour supervision for her safety.” Another doctor stated that Ms. 2013 239 108 “has severe impairment of memory and judgment.” This doctor also diagnosed Ms. 2013 239 108 with Alzheimer's disease and stated that “...she requires supervision 24/hr for safety.” Los Angeles County DPSS social workers decided they knew better than two licensed California doctors and denied protective supervision, which should be considered elderly abuse. Fortunately, Ms. 2013 239 108's family member took this to a state hearing which did not uphold the unlawful denial of IHSS protective supervision to Ms. 2013 239 108.

**Los Angeles County's unlawfully reduced benefits for impoverished family and failed to assist the family in getting needed verification.** Mr. 2013 282 003 had his meager CalWORKs fixed income reduced because he allegedly did not provide verification that his child was attending school and did not provide other information. However, Mr. 2013 282 003 had a receipt from Los Angeles County DPSS showing that the county received report cards, school attendance records, vehicle registration and bank statements. Mr. 2013 282 003 was unable to get a signature from the school officials, thus, he authorized the county to get that information for him.

The county refused to assist this victim in securing verification of school attendance notwithstanding MPP §40-107 that clearly mandates that the county assist applicants and recipients to obtain documenta-

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tion that the applicant or recipient is unable to do so. Administrative Law Judge, Laura Korson sustained Los Angeles County's DPSS unlawful action.

**Los Angeles County denies application for non submission of verification previously submitted** - Ms. 2013 289 048 received a notice of action (NOA) in August terminating her CalFresh benefits effective 8/31/14. Another NOA terminated CalWORKs and Medi-Cal benefits effective 10/31/13 for failure to provide verification of income for October of 2012 and, failure to provide verification that she applied for unemployment insurance benefits in October of 2012; 2012 is not a typo.

The matter appeared for a state hearing before Judge Lisa Halko. At the hearing Ms. 2013 289 048 testified under oath that she had provided this information to the county. The county agreed to a stipulation to rescind the NOAs discontinuing benefits for CalFresh benefits effective 8/31/14, CalWORKs and Medi-Cal benefits effective 10/31/13, and reinstate all benefits. How sad that Ms. 2013 289 048 had to ask for a state hearing at the cost of over \$2,000 just to get Los Angeles County DPSS to correct their horrible mistake of terminating benefits in late 2013 for allegedly failure to provide verification in October 2012, some 10-12 months in the past.

**Los Angeles County terminated cash aid for failure to provide verification that the recipient was no longer eligible for unemployment benefits (UIB)** - Ms. 2013 338 314 was receiving CalWORKs benefits that were stopped on 9/1/13 because she was unable to provide documentation that her UIB benefits had stopped. According to ACIN I-50-09, "Before the CWD requires an applicant or recipient to apply for UIB, the CWD shall review the EDD on-line, real-time UIB claims database for wage and claims information via the Income and Eligibility Verification System. If the CWD does not have access to the internet, the CWD may request an abstract of the wage and claim information, via form DE 8720. Please see ACIN I-27-07 for additional details on the process to access the EDD data to make this determination."

In fact, since 1995 it has been the state's policy that the county shall verify UIB. Senate Bill 520,

also known as Chapter 544, Statutes of 1995 provides that SB 520 "... would give the State Department of Social Services and county welfare departments access to computer information maintained in the files of the Employment Development Department in order to determine whether public social services applicants or recipients may be eligible for unemployment insurance or disability insurance benefits.

The bill would permit a county, if it determines that a public social services applicant or recipient is eligible for unemployment insurance or disability insurance benefits, to require that the person make an application for these benefits."

However, for the past 20 years Los Angeles County has continuously and unlawfully terrorized the working poor by denying them public benefits to which they are lawfully entitled by unlawfully requiring impoverished applicants to provide verification that the county has or should have.

During the state hearing of Ms. 2013 338 314 the Los Angeles County representative stated under oath that they could not get the required information from the IEVS system as attempts to do so indicated that the information was confidential.

Fortunately, Ms. 2013 338 314 testified under oath that she had made numerous calls to the UIB office without success in order to get the verification that the county was demanding, information that she did not have. Thus, AIJ Brian Dahlstedt found that Ms. 2013 338 314 had made a good faith effort to get the verification and restored her benefits.