



# CCWRO Welfare News

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## In Brief

➤ Jodie Berger, Regional Counsel of Legal Services of Northern California (LSNC) leaves LSNC effective November 1, 2014 to be a CDSS Administrative Law Judge doing Covered California hearings. Jodie will be sorely missed. Jodie was a former housing lawyer for Contra Costa Legal Services. She then moved to the Employment Law Center and finally settled at LSNC. She has been a invaluable member of our family.

➤ Riverside County welfare department refuses to accept CalFresh applications on Fridays after 2 p.m. An applicant was given the CalFresh application forms on a Friday afternoon and told to bring them back on Monday. Federal and state law provides that the county must accept the application during regular business hours.

➤ Several counties will be piloting the Work Number Verification Process that can verify income with the applicants' or recipients' social security number. After review, DSS plans for statewide implementation of this system. The State of Oregon already uses this to verify income before asking the applicant or recipient for the verification. Stay tuned for more information on this subject.

➤ For Fiscal Year 2014-2015 counties cannot shift the mental health and substance abuse single allocation money to CalWORKs, but they can shift CalWORKs money to mental health and substance abuse.

➤ For Fiscal Year 2014-2015 counties will have an additional \$70 to \$80 million dollars for CalFresh administration. It would be nice to target this additional money to same day application processing. In 2012-2013, counties failed to use over \$41 million CalFresh administrative dollars.

➤ The On-Line CalWORKs Appraisal Tool (OCAT) pilot started September 15, 2014 and will end October 15<sup>th</sup>. DSS will be making a presentation to counties about the pilot. We hope this presentation will be open the other stakeholders.

➤ The CWDA Self-Sufficiency Committee reported that the \$20 million allocation proposals were due Friday, August 15<sup>th</sup> with the award letters issued by September 5<sup>th</sup>. The letters were sent individually to each county with fiscal instructions.

## Senate Bill No. 1041 Chapter 47, Statutes of 2012 Update

SB 1041 was championed by the Brown Administration that reduces the time limits for CalWORKs Welfare-to-Work (WtW) participation from 48 month to 24 months. Most states, including red states, provide 60 month of TANF. California is one of the few states that can be counted on one hand that has a 24-month time limit. SB 1041 also repealed the exemptions of single parents with children under 3 years of age from participating in Welfare-to-Work activities. Sanctions mean that impoverished families live on a fixed income that is below 30% to 20% of the poverty level which is also defined as "deep poverty".

The provisions of SB 1041 were never discussed at a committee hearing. In addition, the Brown Administration promised that these changes would not increase sanctions. After almost two years, sanctions have increased and the number of participants in the education component has gone down. The table below clearly reveals that the fundamental accomplishment of SB 1041 was to increase sanctions and reduce educational opportunities to CalWORKs.

### August 2012-Before SB 1041 and August 2014-After SB 1041 - Percentage of Change

Number of Unduplicated Participants	7%
WtW Exemptions	-35%
Number of Participants Already Being Sanctioned	30%
Number of Participants Allowed to Participate in Educational Activities	-7%
Number of Self-initiated Program (SIP) participants	-22%

Source: WtW 25 report for August, 2014

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➤ In previous years DSS has issued ACINs listing the mandated forms for intake and renewal. According to the CWDA, DSS has decided not to do this anymore. The intake and renewal mandatory forms will be tracked annually on the County Advisory Team tracking log. **We urge CDSS to put this log on the internet so the public will have access to this information.**

➤ On 8-7-14 DSS informed the CWDA CalWORKs Committee that AB 855 the Family Stabilization (FS) statutory language means that someone on FS can receive housing and other assistance for more than four months. DSS further clarified that a client cannot be sanctioned for not following FS plan; the client would be moved back to regular WTW. When this happens, clients will need to be notified. The state is working on notices and when to send them. FS can stop WTW 24-month clock (by giving good cause, up to 6 months) but doesn't stop CalWORKs 48 month clock." This is a new statewide rule established by CDSS that has statewide application. Will DSS legalize this rule by completing the Administrative Procedures Act?

➤ SB 1041- RAND Study – This is a requirement for DSS to document the effect of the WTW 24-month clock. The state will submit a report to legislature annually. Six focus counties, Fresno, Sacramento, Los Angeles, Riverside, Alameda plus one more county will determine the impact of SB1041. There will be interview and data components. This report is going to try to answer question regarding the effectiveness of the bill.

➤ Per the CWDA CalFresh Committee Meeting minutes, some counties refuse to implement the elderly/disabled interview federal FNS waiver until the consortia automates the process.

➤ According to the CWDA CalFresh Committee minutes, FNS takes the position that DSS should have an agreement with their local SSA department to obtain newborn SSNs. California does not have such an agreement. At this time DSS contends that there is no federal authority to discontinue a case/person for not providing a SSN.

**Our new address:**

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## Medi-Cal Authorized Representative

Department of Health Care Services has been resisting the unfettered right of a Medi-Cal applicant or recipient to appoint any person as the authorized representative. During the 8-7-14 CWDA Medical Care Committee meeting, DHCS announced the following rules which will followed up in a MEDIL:

- ARs can receive any information that the customer can receive, including BIC cards, Notices of Actions, etc.
- Customers may submit any written signed form to appoint an AR. Assume the customer appoints the AR to act fully on behalf of the customer unless certain conditions are listed on the authorization (i.e. – cannot receive BIC or NOAs).
- An AR must be appointed in writing. A customer verbally may appoint an individual to assist him or her during a single contact (i.e. phone call, lobby visit, etc.).
- An AR can be an organization and is not required to be a specific person.
- No time limit or expiration on the appointment of an AR – an authorization is valid until the customer makes a change.

## Medi-Cal Religious Exemption for SSN

According the DHCS a person without a SSN can still receive Medi-Cal if they submit a completed IRS form 4029. The link to the form is <http://www.irs.gov/pub/irs-pdf/f4029.pdf>

DHCS and counties have agreed to the following:

- Individuals can claim a religious exemption from providing an SSN.
- If otherwise eligible, approve benefits without the SSN and allow the individual a reasonable opportunity period to provide verification.
- The individual must provide the IRS form 4029 to verify the religious exemption or must provide an SSN within the reasonable opportunity period.
- If it cannot be provided, benefits are discontinued. This is based on a person/individual level and not case-level.

There is no definition of “reasonable opportunity period” or how that period is determined. Will the county assist the applicant or recipient to secure the IRS form 4029?

# Sacramento County Welfare Department Victim Report

## General Assistance Recipient Getting IHSS Services Found to Be Employable in Sacramento County. -

Mr. 1BCY43 of Sacramento County applied for General Assistance and Medi-Cal. He is disabled and has applied for SSI benefits. On September 29, 2014, he received a notice of action stating that as of September 4, 2014 his employability status has changed to employable because "...review of existing and/or provided documentation supports the presumption that your are employable". The existing documentation includes medical verification that Mr. 1BCY43 is unable to independently perform one or more activities of daily living (e.g., eating, bathing, dressing, using the toilet, walking, etc.). The doctor also certified that "...one or more IHSS service recommended in order to prevent the need for out-of-home care.

## Sacramento County Welfare Department Welfare Fraud Investigators Try to Defraud Disabled Grandma. -

Ms. 1B12T64 of Sacramento County is a grandmother on SSI who chose to take care of her grandkids rather than placing them in foster care at a cost of \$2,500 a month for each child. Her daughter either received general assistance or lives a homeless life without income. The Sacramento County Department of Human Assistance Welfare Fraud investigators



launched a major investigation on Ms. 1B12T64. The welfare fraud investigators suspected that the children's mother was living in the house and was not included in the assistance unit with the children and Ms. 1B12T64, thus, there was an alleged \$31,333 CalWORKs overpayment for the period of November 1999 through November 2012 as well as a \$30,059 CalFresh overpayment. Given the fact that the natural mother of the children, who was allegedly living with the grandma, had no income, then there should have been an underpayment starting with the month that the welfare fraud investigators suspected mom was living with the kids.

## August 2014 California Welfare-to-Work Program Outcomes Report

Number of Unduplicated Participants During August, 2014	122,800	Percentage of Unduplicated Participants Who Entered Employment That Resulted In Termination of CalWORKs During August of 2014	3%
Gross Number of Unduplicated Participants Being Sanctioned During the Month of August of 2014	62,734	Taxpayer Cost Per Unduplicated Participants Who Entered Employment That Resulted In Termination of CalWORKs During August of 2014	\$34,554.82
Number of Participants Sanctioned During March of 2014	11,409	Number of Participants NOT Being Paid Transportation by the County During August, 2014	52,490
Percentage of Gross Unduplicated Participants being Sanctioned During August of 2014	60%	Percentage of Number of Participants NOT Being Paid Transportation by the County During August of 2014	43%
Dollar Loss to CalWORKs Families Due to Sanctions this Month Estimates at \$125 Per Sanction for During August of 2014	\$9.3 million	Estimated Dollar Amount Poor Families Defrauded by Counties Not Receiving Transportation @ \$100 Per Participant During August of 2014	\$5.3 million
Number of Unduplicated Participants Who Entered Employment That Resulted In Termination of CalWORKs During August of 2014	3,567		

Source: CDSS WtW 25 reports