



CCWRO Welfare News 2017-08 - 10-15-17

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In Brief

● **California SNAP Beneficiary Exercising the Constitutional Right to Travel, Goes Hungry After Losing EBT Card in Washington State** - While visiting Washington State, a SNAP/CalFresh beneficiary lost her EBT card. Fresno County contended that the lost card could not be replaced by sending it to an address other than the address in CalWIN's casefile. The beneficiary complained to the FNS Regional Office that Fresno County unlawfully deprived her of using her CalFresh benefits to eat. Federal law is very clear – a SNAP beneficiary has the right to use their SNAP benefits anywhere in the United State of America. SEE 7 CFR § 274.8(b)(10) "Interoperability. State agencies must adopt uniform standards to facilitate interoperability and the form of an EBT card to be redeemed in any State."

● **Butte County Tries to Deny Benefits to Eligible Needy Families** - On 5-22-17, Butte County asked DSS whether it could deny CalWORKs (CW) benefits for what they call "separation of convenience." The applicant parent has five kids, two with the absent parent who provides diapers and clothing for his children. Butte County actually had the audacity to ask the CW applicant why they were not living together.

On 6-2-17 DSS responded that "Separation of convenience does not apply to this particular case. The children have absent parent deprivation. MPP § 41-401.14 states a child is considered deprived of parental support or care if a parent is continually absent from the home where the child is living..."

● **CalWIN Asserts That DSS Fails To Provide Adequate Guidance For Tracking ABAWDs** - At the May 15, 2017 DSS meeting with counties, CalWIN had requested three items regarding tracking ABAWDs that needed follow-up: "1. Kim McCoy and Alexis Fernandez were not exactly clear on the CDSS owner of the STAT 47. We need to know from CDSS who this individual is and that they are included in our communication. If needed, we need to make sure that individual is aware of all our prior clarifications and work

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Poverty is not an accident. Like slavery and apartheid, it is man-made and can be removed by the actions of human beings.

-Nelson Mandela



California Status of CalFresh Expedited Service - Dismal

According to USDA, California's food insecurity rate for 2016 was 12.5%. The former food stamp program, now called CalFresh in California and SNAP nationally, is the primary antidote against food insecurity. One of the prominent antidotes for food insecurity is the Expedited Service provisions of the SNAP program requiring the issuance of food benefits within 3 days for Californians enduring from food insecurity. In 2012, California enacted a statute, authored by Assembly Member Nancy Skinner and sponsored by Western Center on Law & Poverty to restate what federal law has required for many decades in the food stamp program – all applicants shall be screened for CalFresh Expedited Service that can only have two (2) different outcomes: (a) CalFresh expedited services is denied; (b) CalFresh expedited services is granted.

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THE LAW - 18914 "... (b) Pursuant to the federal requirements of Section 273.2(i)(2) of Title 7 of the Code of Federal Regulations, the county human services agency shall screen all CalFresh applications for entitlement to expedited service.

(c) The State Department of Social Services shall develop and implement for expedited issuance a uniform procedure for verifying information required of an applicant. (Amended (as amended by Stats. 2011, Ch. 227, Sec. 88) by Stats. 2012, Ch. 468, Sec. 1. Effective January 1, 2013.)"

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by counties.

2. Alexis mentioned that CDSS believed that there were errors in the FED calculation (or at least some ambiguity in the formula applied to STAT 47 data). Alexis reported that she awaits clarification from FED. We need to know the progress and if any new information is known. All of our efforts are predicated on the information provided by CDSS, and if there is any change/clarification, we will need to evaluate for impact to our STAT 47 coding.

3. Kim (McCoy-Wade) acknowledged that direct communication with counties through established ACL/ACIN has not been followed since original ACL 14-91 was issued in January 2015. Kim (McCoy-Wade) agreed to draft any clarifications and communication provided to SAWS and counties into an update to ACL 14-91. We would like an update on progress and time line for this item.”

It looks like DSS and counties have been working on a process to track ABAWDS which has excluded advocates. Given that the ABAWDS rule will be going live soon, it is troubling that DSS and the CalWIN counties don't know the number for the ABAWDS population.

CalFresh Expedited (Cont'd from page 1)

CCWRO reviewed California's compliance with this statute and federal law. Our findings reveal that California, through its 58 counties, are committing widespread violations of Federal regulation 7 CFR §273.2(i)(2) and California Welfare & Institutions Code §18914.

During June 2017, out of 138,202 applications received by the 58 California counties, a whopping 24% of those applications, were not screened for expedited service. For impoverished families with children it is worse. 87% of the public assistance applications were not screened for extreme food insecurity by the 58 counties.

Table # 1 reveals counties with the lowest ES rates among CalWORKs applicants with children for expedited services as required by Federal regulation 7 CFR §273.2(i)(2) and California Welfare & Institutions Code §18914.

Table # 1 **CalWORKs Applicants Not Screened for CalFresh Expedited Services**

	CalWORKs Applications	Found Eligible for EAS	Found NOT Eligible for ES	Not Screened for ES	% Not Screened for ES
Statewide	33,267	2,860	1,535	28,872	87%
Yolo	178	2	0	176	99%
Solano	388	8	3	377	97%
Placer	169	2	3	164	97%
Ventura	641	13	9	619	97%
Tulare	929	14	21	894	96%
Contra Costa	635	15	10	610	96%
Fresno	1,363	26	35	1,302	96%
San Diego	2,703	61	70	2,572	95%
Santa Clara	661	15	19	627	95%
San Mateo	266	7	8	251	94%
Santa Barbara	292	14	3	275	94%
Monterey	417	16	10	391	94%
Madera	189	7	6	176	93%
Stanislaus	821	36	28	757	92%
Merced	471	30	11	430	91%
Kern	1,642	101	73	1,468	89%
San Bernardino	3,120	245	111	2,764	89%
Riverside	2,498	212	85	2,201	88%

We also looked at all CalFresh applications, county-by-county, to see if this phenomenon of not being screened is limited to CalWORKs applicants who are categorically eligible for CalFresh or is there widespread violations of large California counties?

The “County” violation of §18914 was not as horrendous as they were for CalWORKs. However one (1) in four (4) applicants who could have been food insecure were not screened for Expedited Service by a majority of California's large counties.

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When a CalFresh recipient breaks the CalFresh laws, welfare fraud investigators scream about fraud. When a county breaks the law that results in adults and children going hungry – it is treated with indifference by state and county CalFresh administrators.

TABLE # 2 reveals specific large counties breaking federal and state law and causing major food insecurity in their counties.

Table # 2

County	Percentage of All CalFresh Applicants Not Screened for CF-ES
Statewide	24%
San Diego	64%
Santa Clara	64%
Santa Barbara	57%
Contra Costa	55%
Sacramento	53%
Santa Cruz	49%
Tulare	48%
San Francisco	46%
Solano	44%
Yolo	40%
Placer	39%
Ventura	39%
Napa	37%
San Mateo	36%
Monterey	34%
Orange	30%

What's Next?

1. DSS needs to start acting like a single state agency requesting corrective action plans from counties violating federal and state law for a three-month period;
2. If counties do not obey the law within three months, DSS should propose penalties that are comparable to penalties that counties impose upon CalFresh applicants and recipients who do not comply with many of the federal and state reporting laws .

We need to STOP having a double standard of compliance with the law.

CCWRO FACTS

FACT: In October, 2017, 1.3 million SSI recipients lost \$124 million in food stamps.

Annually, there is a \$1.5 billion loss of federal money for California's food insecure SSI recipients.

Thousands of SSI recipients endured food insecurity while the holiday cupboards of those who could have made food stamps available to them were well stocked.

This mean-spirited policy could easily change, if the will to do it, was there.

FACT: California's CalWORKs children endure the highest federal supplemental poverty rates in the nation.

In 2017-2018 only 69% of the available CalWORKs funds are appropriated for CalWORKs. That means \$2.3 billion dollars that could and should be used for poor families is not.

Moreover, today CalWORKs grant levels are the same as they were in 1998, 28 years ago. This is "State Government Child Abuse".