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# CCWRO Welfare News - 2018-04

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## Food Nutrition Services Monitors LADPSS & CDSS CalFresh Administration - It is an Appalling Mess

On March 20, 2018, the USDA FNS Western Region Office released the most recent FNS monitoring of the Los Angeles County SNAP/CalFresh program. Below are portions of the results from the monitoring. Contrary to LADPSS' philosophy, (to your right in blue) the administration of CalFresh is neither enhancing the quality of life nor making a positive contribution to the community.

**Los Angeles County Not Informing Applicant and Recipients Of Their Rights and Responsibilities** – "In FFY 2017 and FFY 2018, FNS found deficiencies in both the certification and recertification processes. During observations of both processes, eligibility workers were not consistently providing simplified reporting requirements or clients' rights and responsibilities to applicants and recipients. . .".

### **PRACTICE POINTER FOR LEGAL SERVICES AND PUBLIC DEFENDERS:**

When the county alleges in a hearing or court that an overpayment or fraud case exist and alleges that they informed the applicant or recipient of their rights and responsibilities and your client disagrees, this report supports your client.

**LADPSS Improperly Uses State Form CW 2200** – "In both processes, workers were improperly using the notice for required verification as an appointment letter and to request items that were not required for the processing of SNAP benefits. . .".

**LADPSS Intentionally Not Conducting Interviews** – "In the recertification process, workers contacted clients multiple times during the recertification renewal period instead of conducting a

*The philosophy of the Los Angeles County Department of Public Social Services (LADPSS) is that: "We believe that we can help the people we serve to enhance the quality of their lives, provide for themselves and their families, and make a positive contribution to the community . . .".*  
**LADPSS**

single interview while they initially had the client on the phone. . .".

**Certification Interviews Scheduled when Worker is not Available** - "Recertification phone appointments were often scheduled for a worker during a time when the worker was unavailable, and many clients were not contacted at their scheduled appointment time. . .".

**Scheduling Appointments Without a Notice** – "Lastly, notices continue to be a problem." In conducting case reviews, FNS found "that some clients did not receive any notice, while others were sent notices with incorrect information. . .".

**FNS Recommended That CDSS Conduct a ME Report on Each LADPSS District Office** – "The CDSS ME team reviews counties based on the project area regulations at §275.5(b)(1) which require State agencies to conduct a review once every year for large project areas, once every two

*Cash-Out- Continued from page 1*

years for medium project areas, and once every three years for small project areas, unless an alternate schedule is approved by FNS.

Currently, Los Angeles is one large project area and CDSS reviews only two LADPSS offices per year. Of LADPSS' 32 offices, 9 offices have caseloads in excess of 25,000 and 22 offices have caseloads that range from 5,000-25,000 cases.

Regulations at 275.5(b)(3) state that FNS may require the State agency to conduct additional on-site reviews when a serious problem is detected in a project area which could result in a substantial dollar or service loss.

Given the results of the FNS review, the current active error rate and CAPER, FNS recommends that CDSS review each Los Angeles County office as a "project area" or propose another method of reviewing some of the larger Los Angeles county offices more frequently."



## Victims of the LADPSS CalFresh Program Identified by the FNS Monitoring Report

**Case Number XXXJV12 – Application denied for being a no-show.** No Notice of Missed Interview (NOMI) Mailed to the applicant – LADPSS used the CW2200 as an appointment letter. No Notice of Missed Interview (NOMI) sent to HH after missed interview scheduled for 08/03/2017.

**Case Number XXX0C51 – Application denied for no show – no NOMI issued** – no ES evaluations Applicant signed both SAWS1 and the CF 285. LADPSS used the incorrect date by which the interview must be completed since it did not reflect the 30th day. No ES screening or narration. Reason code does not match denial reason, LADPSS used the CW2200 as an appointment letter (requesting verifications with no interview), and an incorrect NOA was issued.

**Case Number XXX9169 – Application denied for no reason- no ES evaluation** - Applicant signed both SAWS 1 and the CF 285. LADPSS did not do an ES screening or narration. The applicant's need for emergency food was ignored. No CW2200 provided to HH requesting verification. Case denied after the 30th day. No verification/documentation on file to support denial.

**Case Number XXXHR12 - No Expedited Service screening or narration.** – LADPSS ignored the need for emergency food. No appointment letter was sent to the applicant; documentation supports client missed appointment, No NOMI issued, CW2200 used as an appointment letter, CW2200 requesting verifications with no interview, Reason code does not match case records, Case denied after 30 days.  
**XXX6109 – LADPSS denied the CalFresh application because**

the applicant did not complete comply with SFIS – the fingerprint requirement was eliminated in 2011.

**Case Number XXXRN38 – Application denied for failure to provide verification – LADPSS denied the CalFresh application for failing to provide verification that LADPSS never requested..**

**XXXSB70 – LADPSS denied a CalFresh application because the applicant has not been a Los Angeles County Resident for more than 15 days.** The 15-day residency requirement is a General Assistance/General Relief rule and not a CalFresh requirement. Sometimes LADPSS does not know the difference between GA and CalFresh.

**XXXXF07- CalFresh applicant asked for CalWORKs verification** - CalFresh was marked on the CW 2200, but items only needed for CalWORKs.

**XXXMF11 – LADPSS requested verification of an SSN already on file.**

**XXX5168 – Application Denied with no Verification.** -Application denied for failure to provide self-employment income verification. No documentation in the case file that the worker attempted to call client on scheduled interview date. No CW2200 was sent to HH requesting self-employment income information.

**XXXD258 - Application denied for failure to keep an appointment** - No documentation in the case record that the worker attempted to call client on scheduled interview date. No documentation to support issuance of a NOMI.

**XXXFX68 – Application denied for being over income-** Unable to locate workers income computation and cannot verify that. HH is over income. No income verification on file. No case comments regarding workers computation of income. Use of Social Security income is incorrect (MEDs has a different amount and no updated award letter to determine where worker came up with the \$580.00 used in budget)

**XXX4437 – CalFresh discontinued for failure to provide verification of income** -The NA960Y did not specify the exact income needed. Verbiage unclear as to which month of income required. LADPSS sent the incorrect NOA to client, X NOA 9/12/2017 and Y NOA mailed 09/20/17 (HH should not have received Y NOA after X NOA was mailed)

**XXX1T92 - Applicant signed both SAWS1 and CF285** stating that he worked an average of 16 hours a week. LADPSS did not request any proof to support LADPSS' allegation that client is an ineligible student and did not request income information to prove client does not meet employment exemption. LADPSS made no comments about asking questions concerning possible exemptions.

**XXXHR12 – Application denied for no show. LADPSS did not send an appointment letter and failed to make an emergency food need determination as shown by the lack of an ES screening or narration.** After the applicant "missed the appointment" LADPSS did not send a NOMI. LADPSS sent the CW2200 as the appointment letter which requests verification without providing an interview date. Reason code does not match case records. Case denied after 30 days.

## Additional FNS Results and LADPSS Corrective Actions

FNS Finding	LADPSS Required Corrective Action
<p><b>FNS Finding (Identified by CDSS):</b> LADPSS is not protecting client confidentiality. The lobby of the Glendale office had a client sign-up sheet with individual names and case numbers. Workers in this office were also observed walking away from their computer screens without securing them with a locked screen.</p>	<p>The sign-up log was immediately removed by office staff. LADPSS must ensure local offices are aware of client confidentiality procedures and protection of Personally Identifiable Information (PII).</p>
<p><b>FNS Finding (Identified by CDSS):</b> Bilingual workers are not always available, and the language line is not being utilized. Spanish speaking clients were waiting longer to see a Spanish speaking worker and the language line was not offered as an alternative to the wait.</p>	<p>LADPSS is required to provide bilingual staff or interpreters. Workers should offer the language line as an alternative to longer wait times for a language worker.</p>
<p><b>Required Corrective Action:</b> Coverage of the Simplified Reporting (SR) requirements and Semi-Annual Report (SAR 7) is inconsistent.</p> <p><b>PRACTICE NOTE:</b> This finding is proof that the county is not informing applicants of their SAR 7 reporting responsibilities, especially for welfare fraud cases.</p>	<p>Workers must advise households of SR requirements at initial certification, recertification, and when switched from another client reporting system to SR during the interview.</p>
<p><b>FNS Finding (Identified by CDSS):</b> At the time of the review, applications submitted through Your Benefits Now (YBN) were worked nine days from the date of submission. Walk-in applications were processed same day. LADPSS must act promptly on all applications regardless of the method of submission.</p>	<p><b>FNS Required Corrective Action:</b> LADPSS must ensure all applications are processed promptly regardless of the method of application submission.</p>
<p><b>FNS Finding (Identified by CDSS):</b> Workers are not restoring CalFresh benefits when a complete SAR 7 is received after the extended filing date but before the end of the issuance month. California's policy is to restore household benefits if the benefits were terminated for failure to file a complete SAR 7 if the household submits the SAR 7 before the end of the issuance month.</p> <p>Households are made to reapply instead of having their benefits restored.</p>	<p><b>FNS Required Corrective Action -</b> LADPSS must ensure that workers restore CalFresh benefits when a complete SAR 7 is received after extended filing date but before the end of the issuance month.</p>
<p><b>FNS Finding (Identified by CDSS):</b> Clients are given a Notice of Missed Interview (NOMI) when they did not miss their scheduled appointment. They are given a NOMI when the worker does not call them for their interview, or when the worker does call at the scheduled time but does not conduct the interview. This happens when a worker calls at the scheduled appointment time to remind the household that LADPSS has not received the recertification application and is unable to conduct the interview without it. The NOMI should only be given to those households who have missed their scheduled interview.</p>	<p><b>FNS Required Corrective Action:</b> LADPSS must remind workers of proper recertification procedures, including proper use of the NOMI.</p> <p><b>CCWRO COMMENT:</b> This has been a long-time problem in Los Angeles – workers never calling the applicant or recipient and then having the audacity to allege that the applicant or recipient misbehaved.</p>

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<p><b>FNS Finding (Identified by CDSS):</b> LADPSS has three separate applications for SNAP. The SAWS 2 Plus is used when an individual applies for multiple programs, the SAWS 1 is a simplified application, and the DFA 285 is a CalFresh-only application. If an applicant submits the SAWS 1, they are also given the DFA 285 to complete and sign.</p>	<p><b>FNS Required Corrective Action:</b> LADPSS must ensure that workers only require individuals to sign one application to apply for CalFresh. LADPSS may want to consider reducing the number of applications by combining the applications or reduce the number applications.</p>
<p><b>FNS Finding:</b> Clients were denied due to failing to complete "SFIS", the CalWORKs fingerprint requirement.</p> <p><b>CCWRO COMMENT:</b> This is not limited to Los Angeles County. Many other counties do the same thing- deny CalFresh application for failing to complete SFIS when SFIS was eliminated for CalFresh in 2011.</p> <p>The SAWS system was programmed to deny CalFresh when a person does not complete the SFIS.</p>	<p><b>Detail:</b> California does not have a fingerprint policy for CalFresh. Applicants must not be denied CalFresh for failing to complete a CalWORKs requirement. "The State agency cannot, as a condition of eligibility, impose additional application or application processing requirements."</p> <p><b>FNS Required Corrective Action:</b> LADPSS must ensure that workers are not denying or discontinuing individuals for failing to complete the fingerprint requirement.</p>
<p><b>FNS Finding (Identified by CDSS):</b> Worker required individual to provide a copy of their Social Security card. The Social Security number had already been provided and the individual was informed that their case would be terminated if it was not received.</p>	<p><b>Detail:</b> "The State agency shall require that a household participating or applying for participation in SNAP provide the State agency with the social security number (SSN) of each household member or apply for one before certification."</p> <p><b>FNS Required Corrective Action:</b> LADPSS must ensure that workers are aware of the correct procedures for providing and verifying social security numbers.</p>
<p><b>FNS Observation:</b> Clients were called up to three times during their recertification renewal period. In some instances, workers would call a client to remind them that they had an upcoming recertification interview. When it came time for the interview appointment, if the worker had not received the paperwork, they would still call the client to remind them that they need to submit an paperwork. However, they would not conduct the interview. Once received, the client would get a third phone call from the worker to conduct the interview.</p> <p><b>CCWRO COMMENT:</b> Churning is a major issue for California and this reveals that Los Angeles is a major source of California's churning problem.</p>	<p><b>FNS Suggestion:</b> LADPSS should consider revising the recertification procedure using a "one and done" concept. Workers should use any opportunity during the renewal period in which they have the client on the phone to conduct the interview. LADPSS may want to consider an interactive interview in which the worker obtains the information from the client over the phone and either uses a telephonic signature or sends the client the application to sign.</p> <p>Another alternative could be to utilize YBN for submission of the application while the worker is on the phone with the client.</p>
<p><b>FNS Observation #2:</b> LADPSS workers still use the traditional caseload model. They are responsible for handling their own cases. If a worker has a scheduled recertification phone appointment, and they happen to get a drop-in client at the same time, the in-office client is given priority over the phone appointment. The worker will see the person that is in the office, while the person with the phone appointment is not contacted during their scheduled appointment time and is often not rescheduled for their appointment.</p>	<p><b>FNS Suggestion #2:</b> LADPSS should consider moving to a task-based caseload model with a "pull" method. All appointments, walk-in or over the phone, would be entered as a task. This would allow workers access to all cases and would also allow LADPSS to utilize all available workers at any given time. If a phone appointment is scheduled, and a walk-in comes in at the same time, whichever worker was available to "pull" the next case would end up helping the "next" client, in office or over the phone.</p>
<p><b>FNS Observation #3:</b> LADPSS now accepts CalFresh applications over the phone at their Customer Service Center. The application is then handed over to the local offices for the interview.</p> <p><b>CCWRO COMMENT:</b> LADPSS should accept the application at the Call-Center and do the interview at the same time to achieve efficiencies rather than being wasteful.</p>	<p><b>FNS Suggestion #3:</b> FNS is pleased that LADPSS has expanded call center functions. FNS recommends that the call center conduct the interview while they already have the individual on the phone to take the application. This would further allow for a "one and done" process and would allow the individual to complete their application process the same day.</p>

**FNS Observation #4:** LADPSS supervisors are required to do 100 percent case reviews and approvals on all of their workers. Los Angeles County has both a high error rate and a high Case and Procedural Error Rate (CAPER). Even with supervisors having to approve 100 percent of the cases, LADPSS continues to have errors.

**CCWRO COMMENT:** 100% supervisory review of applications is a wasteful policy that LADPSS has had for too long and applications that should be approved are put on hold until the supervisor gets to the case, which the law says that the case shall be approved promptly and not until the supervisor gets to it while the household endures food insecurity.

**FNS Suggestion #4:** LADPSS should consider having supervisors conduct case reviews using a more targeted approach. Reviews focused on specific error prone cases and/or elements may be a better approach to identifying errors. Also, to maintain the integrity and the consistency of the review process, LADPSS should have another third-level review of the cases reviewed by the supervisors.

## State Management Evaluation Findings

**CDSS/FNS Finding # 1** - According to December 2017 data provided by Los Angeles County, Los Angeles has 32 district offices. Of those 32 offices, 9 have a caseload size of more than 25,000 and 22 have a caseload size ranging 5,000-25,000. Currently with the individual counties being the designated project areas, all of LA is considered to be one large project area, and two LA offices are reviewed per year. Los Angeles County's CalFresh active error rate year- to-date in **FFY (October 2016 - April 2017)** is 11.92 %. **The cumulative rates for Los Angeles County through March 2017 and February 2017 were 11.55% and 12.22%, respectively. These rates hover around nearly double the overall state active error rate reported by California.**

**FNS Required Corrective Action #1:** Given that Los Angeles County is the largest county in the State, and there are several at risk areas including a high error rate, we recommended that CDSS review each Los Angeles County office as a "project area" or propose another method of reviewing some of the larger Los Angeles county offices more frequently.

**CCWRO COMMENT:** We support this recommendation.

**CDSS/FNS Observation:** The CDSS ME team does not use a notice of action review tool when reviewing notices.

**FNS Suggestion:** FNS recommends that the CDSS ME team develop a standardized tool to use when reviewing notices. Doing so will ensure consistency of the review of notices and help ensure that all regulatory requirements are met. CDSS can also refer to the FNS Local Program Access Review and State Program Access Review guides for notice of action review tools.

**CDSS/FNS Observation:** The CDSS ME team does not interview local advocates.

**FNS Suggestion:** FNS recommends that the CDSS ME team incorporate local advocate interviews as part of their ME review. Doing so will help the ME team identify areas of concern expressed by the local advocate community.

**CDSS/FNS Observation:** The CDSS team conducts a very thorough case review. However, the sample size for the case review is very small and may not identify larger systemic issues.

**FNS Suggestion:** The CDSS ME team may want to consider using data analytics to help identify larger trends or systemic issues.



**FY 2016 Los Angeles County Local Program Access Review- LADPSS/CDSS/FNS Finding:** 273.2(e) (1)  
 Interviews: Information provided to applicants during the interview is not consistent. Some eligibility workers read entire Rights & Responsibilities statements; some are very thorough with explaining SAR 7 requirements, EBT usage, etc., while others do not. "The interviewer must advise households of their rights and responsibilities during the interview, including the appropriate application processing standard and the households' responsibility to report changes."

During the FY 2018 LPAR and ME Shadow Review, FNS found that this continues to be a problem.

(Identified by CDSS during the FFY 2018 Review): The coverage of the Rights and Responsibilities was inconsistent during the interviews. Some workers covered part of the material and others had the client sign without reviewing the material.

**FNS Required Corrective Action:** Workers must advise households of their Rights and Responsibilities (R&R) during the interview. In order to ensure consistency of the information being provided, LADPSS may want to consider developing an R&R script for workers to follow. If a script has already been developed and is available for workers, LADPSS should provide refresher training on covering the R&R.

**PRACTICE POINTER:** This is evidence that LADPSS is not meeting its responsibility to inform applicants and recipients of their rights, thus, IPV's in Los Angeles County invalid as this report is evidence that often LADPSS does not inform applicants and recipients of their reporting responsibilities. This is also a defense against welfare fraud charges in Los Angeles County.

**LADPSS/CDSS/FNS Finding:** 273.10(g) During a review of recertification cases, FNS discovered 28.5% of recertifications are not being processed timely. The State agency shall provide households that have filed an application by the 15th of the last month of their certification period with either a notice of eligibility or a notice of denial by the end of the current certification period if the household has complied with all recertification requirements. During the FFY 2018 LPAR and ME Shadow Review, FNS found that this continues to be a problem.

(Identified by CDSS): Recertifications were not processed timely. (Refer to Appendix A)

**Detail:** "The length of time a State agency has to deliver benefits is calculated from the date the application is filed in the SNAP office designated by the State agency to accept the household's application, except when a resident of a public institution is jointly applying for SSI and SNAP benefits prior to his/her release from an institution in accordance with §273.11(i)."

**FNS Required Corrective Action:** LADPSS must ensure that workers are processing recertifications timely.

**FY 2017 Los Angeles County Case and Procedural Error Rate Review**

**LADPSS/CDSS/FNS Finding:** The Notice of Required Verification (CW 2200) did not contain the following minimum requirements, or was not provided as follows:

The notice is not provided in the appropriate language. A Spanish language recipient was given an English notice of action with Spanish language handwritten on the notice.

The notice did not contain examples of the types of verification that may be provided.

The notice did not contain the time period for which the verification was being requested.

The notice is not clear and is not easy to read or follow. Notices should be written in clear and simple language.

Some notices did indicate the program for which the verifications were being requested. It was not clear if the verification being requested was for SNAP, Medi-Cal, or CalWORKs.

Some notices did not indicate what verifications were required and did not list the verification that the client needed to provide.

Some notices did not explain the type of required verification. For example, the worker indicated that the verification needed was "vital statistic", there was no further explanation given about what vital statistic information was being requested, or an example of the verification.

Some notices did not contain the time period for which the verification was being requested.

Some notices did not indicate for whom the verification was being requested.

Notices were not clear on the submission options for verifications.

Some verification notices were inappropriately being used as appointment notices.

During the FFY 2018 LPAR and ME Shadow Review, FNS found continuing problems with this notice.

**Background:** Federal regulation requires that the State agency shall "provide each household at the time of application for certification and recertification with a notice that informs the household of the verification requirements the household must meet as part of the application process. The notice shall also inform the household of the State agency's responsibility to assist the household in obtaining required verification provided the household

**FNS Required Corrective Action:** LADPSS shall revise the Notice of Required Verification (CW 2200) to contain the minimum notice requirements.

**CCWRO COMMENT:** The CW 2200 is a CDSS mandatory form. There is no authority for LADPSS to modify the CW 2200, yet LADPSS unlawfully altered the CW2200.

**LADPSS/CDSS/FNS Finding: VALIDATION NOT PROVIDED WITH CORRECTIVE ACTION RESPONSE** - The Notice of Expiration (NOE) does not contain a notice to the household that they are responsible for rescheduling a missed interview.

**Background:** Federal regulation requires that the NOE must contain "a notice to the household that they are responsible for rescheduling missed interview."

**FNS Required Corrective Action #3:** LADPSS shall revise the NOE to contain the required information.

**CCWRO COMMENT:** This has resulted in unlawfully terminating recipients without providing them federally required notice of expiration of the certification period.

**LADPSS/CDSS/FNS Finding:** Upon review of cases, FNS discovered that in some cases, clients were not contacted for their scheduled recertification interview. The case was either terminated for failure to complete the recertification, or there were notes in the case that were documented by the call center that the participant had called because they were never contacted.

The State of California has the Waiver of Face-to-Face Interview and Los Angeles County conducts telephone interviews for recertification.

During the FFY 2018 LPAR and ME Shadow Review, FNS found that this continues to be a problem. Additionally, clients are often scheduled on a worker’s scheduled day off.

If a worker has a client that drops in to the office in person and while they simultaneously have a phone appointment with another client, the client in the office is given priority over the scheduled phone appointment and the client with the phone appointment is not called or rescheduled.

Some workers also do not call clients during their scheduled appointment time when an application has not been received.

**Background:** “As part of the recertification process, the State agency must conduct a face-to-face interview with a member of the household or its authorized representative at least once every 12 months for households certified for 12 months or less. The provisions of §273.2(e) also apply to interviews for recertification. The State agency may choose not to interview the household at interim recertifications within the 12-month period. The requirement for a face- to-face interview once every 12 months may be waived in accordance with §273.2(e)(2).”

**LADPSS/CDSS/FNS Finding:** The application for recertification must include in prominent and boldface lettering and in understandable terms a statement that the information provided by the applicant in connection with the application will be subject to verification by Federal, State, or local officials to determine if the information is factual; that if any information is incorrect, SNAP may be denied, and the applicant may be subject to criminal prosecution for knowingly providing incorrect information. LADPSS’ application for recertification does not provide the statement lettering in “prominent and boldface.”

**Background:** Prominent means noticeable or conspicuous, or large and projecting; significant. Type must be bold.

**FNS Required Corrective Action:** LADPSS must provide refresher training for staff regarding contacting households and the procedures for telephone interviews at recertification.

LADPSS must also ensure that clients are contacted at their scheduled appointment time and interviews are conducted within sufficient time to allow the household at least 10 days after the interview to provide required verification before the certification period expires.

LADPSS may want to consider reviewing current recertification procedures to allow an interview to be conducted without the application. Taking advantage of completing the interview at every opportunity during the recertification due period when the client is on the phone may help to reduce churn.

**FNS Required Corrective Action:** This is a State-issued application form. CDSS must revise the application to include the above statement in “prominent and boldface” lettering as required.

**CCWRO COMMENT:** CDSS should collect information required by federal law.

<p><b>LADPSS/CDSS/FNS Finding:</b> The application for recertification must include in prominent and boldface lettering and understandable terms a description of the civil and criminal provisions and penalties for violations of the Food and Nutrition Act of 2008 as amended (formerly the Food Stamp Act). Section 273.2(b)(1)(ii).</p> <p>The statement is provided, however the lettering is not "prominent and boldface"</p> <p><b>Background:</b> Prominent means noticeable or conspicuous, or large and projecting; significant. Type must be bold.</p>	<p><b>FNS Required Corrective Action:</b> This is a State-issued application form. CDSS must revise the application to include the above statement in "prominent and boldface" lettering as required.</p> <p><b>CCWRO COMMENT:</b> This is a CDSS issue, not a LADPSS issue. CDSS should revise the forms to make sure that applicants and recipients are informed that the county can find out about unreported income through reports they get from the federal government based on the SSN of the applicant or recipient.</p>
<p><b>LADPSS/CDSS/FNS Finding:</b> The application for recertification must include in prominent and boldface lettering a statement regarding the fines for members of the household who break any of the rules on purpose can be barred from SNAP for one year to permanently, fined up to \$250,000, imprisoned up to 20 years or both.</p> <p>LADPSS' statement does not provide the lettering in "prominent and boldface" language.</p> <p><b>Background:</b> Prominent means noticeable or conspicuous, or large and projecting; significant. Type must be bold.</p>	<p><b>FNS Required Corrective Action:</b> This is a State-issued application form. CDSS must revise the application to include the above statement in "prominent and boldface" lettering as required.</p>
<p><b>LADPSS/CDSS/FNS Finding:</b> The application for recertification must include in prominent and boldface lettering a statement that any member of the household that intentionally breaks the rules may not get SNAP for one year for the first offense, two years for the second offense, and permanently for the third offense.</p> <p>LADPSS' statement as provided, does not have the lettering in "prominent and boldface."</p> <p><b>Background:</b> Prominent means noticeable or conspicuous, or large and projecting; significant. Type must be bold.</p>	<p><b>FNS Required Corrective Action:</b> This is a State-issued application form. CDSS must revise the application to include the above statement in "prominent and boldface" lettering as required.</p>
<p><b>LADPSS/CDSS/FNS Finding:</b> The application for recertification must include in prominent and boldface lettering a statement that if a court of law finds an individual guilty of using or receiving benefits in a transaction involving the sale of a controlled substance, they will not be eligible for benefits for two years for the first offense, and permanently for the second offense.</p> <p>LADPSS' statement as provided, does not have the lettering in "prominent and boldface."</p> <p><b>Background:</b> Prominent means noticeable or conspicuous, or large and projecting; significant. Type must be bold.</p>	<p><b>FNS Required Corrective Action:</b> This is a State-issued application form. CDSS must revise the application to include the above statement in "prominent and boldface" lettering as required.</p>

**LADPSS/CDSS/FNS Finding:** The application for recertification must include in prominent and boldface lettering a statement that if a court of law finds an individual guilty of having used or received benefits in a transaction involving the sale of firearms, ammunition, or explosives, they will be permanently ineligible to participate in the program upon the first occasion of such violation.

LADPSS' statement as provided, does not have the lettering in "prominent and boldface."

**Background:** Prominent means noticeable or conspicuous, or large and projecting; significant. Type must be bold.

**FNS Required Corrective Action:** This is a State-issued application form. CDSS must revise the application to include the above statement in "prominent and boldface" lettering as required.

**LADPSS/CDSS/FNS Finding:** The application for recertification must include in prominent and boldface lettering a statement that if an individual is found to have made a fraudulent statement or representation with respect to the identity or place of residence in order to receive multiple SNAP benefits simultaneously, they will be ineligible to participate in the program for a period of 10 years.

LADPSS' statement as provided, does not have the lettering in "prominent and boldface."

**Background:** Prominent means noticeable or conspicuous, or large and projecting; significant. Type must be bold.

**FNS Required Corrective Action:** This is a State-issued application form. CDSS must revise the application to include the above statement in "prominent and boldface" lettering as required.

**LADPSS/CDSS/FNS Finding:** The application for recertification must include the nondiscrimination statement as prescribed by the Federal Code of Regulation.

The nondiscrimination statement provided on the CF 37 application does not include the exact verbiage as prescribed and is missing required information.

**Background:** The following nondiscrimination statement must be on the application:

“The U.S Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual’s income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) or at any USDA office, or call (866) 632- 9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish or call the State Information/Hotline Numbers found online at [http://www.fns.usda.gov/snap/contact\\_info/hotlines.htm](http://www.fns.usda.gov/snap/contact_info/hotlines.htm)  
USDA is an equal opportunity provider and employer.

**FNS Required Corrective Action:** This is a State issued application form. CDSS must revise the application to include the nondiscrimination statement and information as prescribed.

**LADPSS/CDSS/FNS Finding:** The application for recertification must obtain racial and ethnic data on participating households. The application form must clearly indicate that the information is voluntary, that it will not affect the eligibility or the level of benefits, and that the reason for the information is to assure that program benefits are distributed without regard to race, color, or national origin.

The State must develop alternative means of collecting the ethnic and racial data on households, such as by observation during the interview, when the information is not provided voluntarily by the household on the application.

**Background:** “The State agency must obtain racial and ethnic data on participating households in the manner specified by FNS. The application form must clearly indicate that the information is voluntary, that it will not affect the eligibility or the level of benefits, and that the reason for the information is to assure that program benefits are distributed without regard to race, color, or national origin. The State agency must develop alternative means of collecting the ethnic and racial data on households, such as by observation during the interview, when the information is not provided voluntarily by the household on the application form.”

**FNS Required Corrective Action:** This is a State-issued application form. CDSS must revise the application to include information to obtain racial and ethnic data on participating households.

**LADPSS/CDSS/FNS Finding: VALIDATION NOT PROVIDED WITH CORRECTIVE ACTION RESPONSE.**

While reviewing cases, FNS found that recipients were being asked to provide verifications that are not required for CalFresh benefits.

The verification notice did not indicate the time period for the requested verifications and requested verifications necessary for programs other than for CalFresh.

**Background:** The State agency shall provide each household at the time of application for certification and recertification with a notice that informs the household of the verification requirements the household must meet as part of the application process.

The notice shall also inform the household of the State agency’s responsibility to assist the household in obtaining required verification provided the household is cooperating with the State agency as specified in (d)(1) of this section.

The notice shall be written in clear and simple language and shall meet the bilingual requirements designated in §272.4(b) of this chapter.

At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period of time the documents should cover.

**FNS Required Corrective Action:** LADPSS must ensure that eligibility workers are accurately informed about the verification requirements for CalFresh.

**CCWRO COMMENT:** This is also a statewide problem in that many counties violate the law by requesting unnecessary verification to discourage food insecure households from completing the application process.

**LADPSS/CDSS/FNS Finding:** Of the twenty denied cases that FNS reviewed, three used the incorrect notice of action, and six were not denied without any notice of action. Additionally, one was in pending status for an October 2016 recertification that was over the income limit and should have been denied and issued a denial notice.

FNS noted during the FFY 2018 LPAR and ME Shadow Review that cases were denied or terminated without a notice of action. Advocates also expressed a concern that clients were not being properly noticed. (Refer to Appendix A)

**Background:** Federal regulation requires "Prior to any action to reduce or terminate a household's benefits within the certification period, the State agency shall, provide the household timely and adequate advance notice before the adverse action is taken."

**FNS Required Corrective Action:** LADPSS must ensure that individuals are provided timely and adequate advance notice before an adverse action is taken.