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IN BRIEF

- California's SSI recipients did not get their January 1, 2020 1.6% COLA this year because California's county-operated computer systems was able to get the job done. As a result, at least a million SSI recipients who desperately needed the additional income to keep up with inflation did not receive the 2020 federal passthrough COLA. County computer system operators hope to have the COLA by March 1, 2020 but they are silent as to whether the COLA will be retroactive to January 1st.

- The 2021 Federal Budget confirms that only 21.4% of all TANF funds are used to provide cash assistance to America's needy families. Since the federal FY 2021 budget cuts about 1.5 billion from TANF funding, advocates will need to watch where California decides to make TANF cuts.

- The SNAP 2021 budget proposes to cut \$180 billion from the SNAP program over a 10-year period. In addition to a reduction of SNAP benefits States will be receiving bonuses for increasing overpayment collections.

- On November 18, 2019, San Mateo County asked CDSS whether or not the county must comply with a CAPI hearing decision. San Mateo County asserts that the hearing decision is inconsistent with a presentation made by CDSS at a CAPI meeting. The ALJ ordered the county to exclude HUD and CalFresh benefits in making an Indigency Exception determination.

On November 18, 2019, CDSS responded stating that *"...the county is required to comply with all ALJ rulings, regardless whether they may contradict any guidance that we have provided."*

- A Child Care services beneficiary asked for a review of the termination of a Stage 3 benefits by the RCOE program for failure to provide information. The review decision confirmed the Stage 3 termination of benefits.

The beneficiary then asked for a California Department of Education (CDE) hearing to challenge the termination. CDE's decision ruled that the Stage 3 termination was improper and State 3 Child Care benefits shall continue.

- The CWDA CalFresh Policy Committee estimates that 85% of the CalFresh ABAWDS beneficiaries will be exempt from working and 15% would have to meet the 20-hour work requirement.

- During 2020, FNS will visit San Francisco and Los Angeles to conduct the federal Management Evaluation of California SNAP program. The top errors that FNS will look for are the counties not using the CW 2200, SAR 7 phone number and Expedited Service.

- CalSAWS is getting funding for 8,000 hours for each of the three (3) consortias. Last year we asked CalSAWS how are they using the 24,000 hours and we are still to hear back. They have indicated that they really have no idea how those hours are being used - how much is being used to program General Assistance and Geberal Relief and how much is used for non-General Assistance.

- California has been conned into the CalSAWS project that will fail and it is waste of millions of dollars. There is a federal agency known as 18F that was born after the failed Affordable Care Act webpage failed. This new office was created by the Obama Administration that has survived the Trump Holocaust. It is the Federal General Services Department Technology Transformation Service. They have a wonderful handbook and [Waldo Jaquith testified](#) before the Michigan Legislature revealing some amazing facts. Some of the key points made was that a software should be funded for \$10 million or less; procurement should be less than \$2 million; all work should be done focusing on the "user centered development"; agile software development and modular contracting; vendors should produce deliverables every two weeks and planning for years is a recipe for failure. [There is also a helpful handbook published by 18F.](#)



Statewide Webinars or Conference Calls Between of State and County Welfare Officials Exclude Advocates

- **CDSS Child Care Bureau** is conducting monthly webinars for counties: Webinars scheduled for SB 80, 12-month continuous child care services implementation, will be held on 1/5/20; 2/19/20; 3/18/20; 4/15/20; 5/20/20 and 6/17/20. The webinars will be conducted from 2 pm to 3:30 pm. In order to participate in the webinar, counties have to register. Advocates have not received invitations for registration.
- **The State verification HUB** is being built by OSI in cooperation with DSS, DHCS. According to County Welfare Directors Association (CWDA) “December was the first meeting between CDSS, DHCS, CalSAWS & Counties.” The people that the HUB would affect, the beneficiaries of the various social service programs and their representatives were expressly excluded from this first December meeting. Advocates were not informed of this meeting. CDSS is planning to hold further meetings with counties and have so far expressly excluded advocates from the process. CDSS promises sometime in the future, when most of the decisions are made about the HUB, to include advocates and tell advocates what has been decided. Advocates will have no idea why these decisions were made, what were the alternatives, options and considerations.
- **CDSS Fraud Bureau** has monthly meetings with county IEVS staff to discuss issues relative to processing IEVS hits. These issues relative to terminating 100% of aid for families that often end up homeless in California with their children. These are issues that affect CalWORKs and CalFresh beneficiaries, but representatives of the beneficiaries are locked out.

So much for transparency.

SB 80 Implementation May Be Delayed Because of CalSAWS Failure to Program New Provisions

While SB 80 made several positive changes in the CalWORKs program to combat poverty and homelessness, SB 80 also include language that delays the implementation of these new policies. The Legislature allows CDSS to delay implementation of the SB 80 provisions if CalSAWS is not able to perform the necessary automation.

See Chart #1 below for language enacted in SB 80 last year.

Chart #1

Statute	Legislative Language
§11257- \$10,000 limits for Cal WORKs	(c) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.
11265.3. – CalWORKs IRT	(j) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.
11265.47 – CalWORKs IRT	(g) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.
11323.3 – Informing applicants about child care	(g) This section shall become operative on January 1, 2021, or the date that automation changes occur, as required for implementation of this section, in the Statewide Automated Welfare System, whichever date is later.
11450- Homeless Assistance consecutive to cumulative	(m) This section shall become operative on January 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.
11451.5 – Earned Income Disregards	(d) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.
11555- Car exemption - \$25,000	(e) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.
11004(g)- OP treatment	(i)(2) This paragraph shall be operative when the Statewide Automated Welfare System (SAWS) is able to produce a report identifying overpayments to which this paragraph applies. Except in cases involving overpayments due to fraud or an investigation into suspected fraud, if the individual responsible for the overpayment has not received aid under Chapter 2 (commencing with Section 11200) for 36 consecutive months or longer, the county shall deem an overpayment uncollectible and discharge, in accordance with existing discharge procedures, an overpayment received under that chapter.

(SB80 cont'd from page 3)

The legislative provisions of SB 80 ignore the needs of CalWORKs applicants and beneficiaries. After June 1, 2020, CalWORKs applicants can still be denied CalWORKs if they have between \$2,250 and \$10,000 in liquid resources solely because CDSS has not certified that CalSAWS automation can perform that operation. Similarly, after June 1, 2020, a CalWORKs beneficiary with a car worth between \$9,501 and \$25,001 can be denied because CDSS has not certified that CalSAWS automation can perform that operation. Without these legislative provisions, the counties would be required to comply with the SB 80 changes by performing manual workarounds.

Why should a homeless family with an infant have to continue sleeping in their car after using only 3 days of their 16-day temporary homeless assistance within the 16-day period, especially since SB 80 repealed the ill-conceived “use it or lose it” 16 consecutive day rule in CalWORKs homeless assistance?

On November 26, 2019, advocates expressed their concerns about barriers to prompt implementation of the SB 80 changes benefiting CalWORKs beneficiaries. On December 18, 2019, Frank Mecca, Executive Director of the California Welfare Directors Association, representing counties, responded.

The counties admit that advocates were never consulted in this matter by stating that there were a “...series of discussions between CWDA, SAWS, the Administration, and Legislative budget staff to evaluate which changes requires automation, to identify the dates by which complete policy guidance was needed, and to target the implementation dates to when automation was available.”

The major problem is the criteria by which CWDA, SAWS, the Administration and Legislative staff determine whether or not automation was necessary. There is no record in SB 80 analysis how the alleged determination was made that automation is necessary.

Chart #2 is an analysis of the CalWORKs changes in SB 80 and whether or not they need to be delayed. We asked CDSS and CWDA for an explanation why these changes cannot be implemented without automation and have received no explanation. Why can't the counties do a manual workaround to ensure that the most impoverished families in California benefit from enacted legislation?

Chart #2

Statute	Legislative Language	Automation imperative?	Will ACL do?	Workaround Necessary
§11257- \$10,000 limits for Cal WORKs	(j) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.	No	Yes	Not Necessary
	(c) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.	No	Yes	Not Necessary
11265.3. – CalWORKs IRT	(g) This section shall become operative on January 1, 2021, or the date that automation changes occur, as required for implementation of this section, in the Statewide Automated Welfare System, whichever date is later.	No	Yes	Not Necessary
	(j) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.	No	Yes	Not Necessary
11265.47 – CalWORKs IRT	(d) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.	No	Yes	Not Necessary
	(g) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.	No	Yes	Not Necessary
11323.3 – Informing applicants about child care	(g) This section shall become operative on January 1, 2021, or the date that automation changes occur, as required for implementation of this section, in the Statewide Automated Welfare System, whichever date is later.	No	Yes	Not Necessary

Five Bills Address Lead Testing for Young Medi-Cal Children

On February 14, 2020, legislators submitted five bills to the California State Assembly and California State Senate. These bills address the findings of the California State Auditor's damning report on state agencies' noncompliance with federal Medicaid law requiring blood lead screening for all Medi-Cal recipient children at ages 12 - and 24 - months. The proposed legislation enacts several of the State Auditor's recommendations to improve California's abysmal testing rate for federally mandated blood lead screenings. California's current testing rate is 36.1% of eligible children, lower than the testing rates of Mississippi, Alabama and Louisiana. Pennsylvania has the highest reported level of testing at a reported 80% of eligible children tested. One of the bills, AB 2279, would adopt New York State's standards for blood testing standards. New York State has a testing rate just above the national average of 44.9%. See State Auditor's Report, Figure 9, <https://www.auditor.ca.gov/reports/2019-105/chapters.html>.

AB 2276 (Reyes) – This requires the California Department of Health Care Services to ensure that Medi-Cal recipient children receive blood lead screening tests at 12 and 24 months of age. It also requires DHCS to ensure providers give blood lead screening tests to any child 2 to 6 years of age, inclusive, if there is no record of any previous test for that child. DHCS must:

- (1) annually report its progress on providing blood lead screening tests for all Medi-Cal covered children on its website;
- (2) establish a case management monitoring system, and require health care providers to test Medi-Cal beneficiaries who are children;
- (3) notify parents, guardians and caretakers of Medi-Cal recipient children and the child's health care provider when a child has missed a required blood lead screening test;

(4) require Medi-Cal managed care plans meet specified standards of care for blood lead testing as part of a statewide goal of providing such testing for all Medi-Cal eligible children.

AB 2277 (Salas) – This bill requires that any Medi-Cal managed care health plan contracting with DHCS include an agreement in the plan's executed contract:

- (1) to identify every child enrollee who does not have a record of blood lead screening;
- (2) to remind the responsible health care provider of the need to perform those tests on the identified child; and
- (3) to notify parents, guardians or others responsible for the child that about the missing screening test as part of an annual notification about preventive medical services.

AB 2278 (Quirk) – This bill requires laboratories that perform blood lead screening test analyses to report the name of the health plan paying for each individual's test to DHCS.

AB 2279 (Garcia) – This bill:

- (1) adds specific risk factors to the regulatory standard of care that apply when a child is at risk of lead poisoning, including a list of items currently codified in New York State Law. These factors include a child's recent immigration status, residency or visits to a foreign country.
- (2) requires DHCS to develop regulations consistent with the proposed statutory requirements by January 1, 2021.
- (3) requires DHCS update its funding formulas for local agencies that contract with DHCS and its sister agencies to provide lead poisoning prevention services.

SB 1008 (Leyva) This bill requires DHCS to create and establish an on-line registry that would allow the public to know the status of lead inspections and lead abatement for properties throughout the state.