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Coalition of California Welfare Rights Organizations, Inc.
1111 Howe Ave • Suite 635 • Sacramento • CA 95825-8551
Telephone (916) 736-0616 • Fax (916) 736-2645

CDSS SUBMITS CALFRESH SKIMMING PLAN TO FOOD NUTRITION SERVICE

CDSS submitted a State Plan for SNAP/CalFresh skimming to FNS that not only makes it difficult for beneficiaries to recover lost benefits but labels some victims of a crime as a potential criminals. This Plan implements the federal Consolidated Appropriations Act of 2023, HR 2617, effective October 1, 2022. The federal law provides federal funds to replace two months of SNAP skimmed benefits twice a year. Currently CDSS replaces skimmed benefits twice a year for one months' benefits each time, even if the victim of the skimming theft crime lost more than one month's worth of benefits.

The CDSS submitted its Plan on February 27 2023, stating that California will claim one month of CalFresh replacements commencing October 1, 2022. CDSS has no plans to claim the second month of skimmed benefits for CalFresh beneficiaries who were victims of the electronic theft crime but were denied for the second month.

CDSS' Plan ensures that the State gets their one month from the federal government but refuses to do the same for the CalFresh beneficiary who had more than one month's CalFresh stolen. The Plan also has a 90-day limit for CalFresh beneficiary victims of electronic theft to claim their second month of being victimized. Why 90 days?

Disturbingly, the Plan would also refer victims who had over \$1000 stolen, or if the contents of the EBT 2259 are deemed questionable by the CWD, for welfare fraud investigation. The plan does not specify what constitutes "questionable" which opens the door for equity issues.

CFAP EXPANSION FOR IMMIGRANTS ARTIFICIALLY DELAYED BY CDSS

The California Food Assistance Program for Immigrants (CFAP) expansion is designed to include all immigrants to simplify the administration of the program. It was enacted into law on June 30, 2022, SB 187, Chapter 50, Statutes of 2022.

The Legislation provided that the CFAP expansion is effective "the date that the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section." This template language is based on the assertions of CalSAWS that automation is necessary for implementation of the CFAP expansion. CFAP expansion actually simplifies the CFAP application by removing the requirement of determining the exact immigration status of the applicant.

On March 8, 2023 CDSS represented to the Legislature that CDSS will hold a meeting with advocates to discuss CFAP expansion. However, this meeting, occurring on March 15, 2023 was limited to a powerpoint presentation that allowed advocates only a few minutes to ask questions. At the beginning of the meeting CDSS made this clear by saying "This is a listening session and not a forum to discuss CDSS's plan to implement the simplification of the CFAP program."

In this issue:

- County Welfare Department Victim Report
- CDSS Submits a CalFresh Skimming Plan to FNS Problematic
- CFAP Expansion for Elderly, Disabled and Blind Immigrants Artificially Delayed by the Governor's Budget
- Long-Term (more than one year) WtW Sanction Update

The Legislature's California's FY 21-22 and 22-23 budgets included \$40 million to extend CFAP benefits to undocumented immigrants aged 55 and over who meet the income requirements as all other individuals receiving CalFresh or CFAP benefits. CDSS publicly represents that the CFAP expansion is necessary to aid approximately 75,000 undocumented immigrants aged 55+ who are food insecure today. Yet, CDSS represents that the Governor's Budget estimates an implementation date of January 1, 2027.

CDSS has given multiple reasons for delaying providing food benefits to 75,000 undocumented immigrants aged 55+ who are hungry today.

Delay Reason #1. – CDSS wants to set up an “Advisory Workgroup Selection”-Why do we need a selection process to identify members of a workgroup. All CFAP expansion does is simplify the program by eliminating the verification of immigrant status. Delaying the expansion requires county workers to continue to verify the immigration status of the applicant. Under CFAP expansion there is no need to verify the immigration status.

Delay Reason # 2. “Advisory Workgroup Kick-off”. Why do we need a workgroup?

Delay Reason #3. “State Plan Submission to FNS” – Why does the state have to ask permission from FNS to operate a state program with state funding? And if California has to tell the federal government, then that would be a simple letter.

Delay Reason # 4. “Policy and Procedure Development” – The policies and procedures for CFAP is already in place. There is no need to develop any new policies for CFAP expansion. CFAP expansion simplifies the program – no longer need to verify immigration status. All other eligibility factors are identical for the current CFAP program and CFAP expansion.

Delay Reason # 5. “The CFAP team is proceeding to issue policy guidance (ACL, CFLs, and State Plan), which include:

- Eligibility and benefit determinations, - Existing

CFAP policies and determinations are identical to CFAP expansion.

- Automation and system design, - CDSS has said publicly that automation and system design is not needed – it exists today.
- Program administration, including notices and forms, and- Existing CFAP forms and notices are identical to CFAP expansion.
- Implementation guidance. – Guidance is already in place for CFAP that will be the same for CFAP expansion,

Delay Reason # 6. Develop Automation + Training - CFAP expansion simplifies the program – no more verification of immigrant status. Why do counties need automation and training to understand - no more verification of immigrant status? Is that so hard to understand?

Delay Reason # 6. Publishing guidance will ensure that instructions for automation are in place well in advance of final implementation - Why do we need guidance for implementation when the only change is – no more verification of immigrant status?

Delay Reason # 7. Policy guidance, notices, and forms - Why do we need guidance for implementation when the only change is – no more verification of immigrant status?

Delay Reason # 8. Statewide Automated Welfare System (SAWS) Automation Technical Group -- CDSS has said publicly that automation and system design is not needed – it exists today.

Delay Reason # 9. Policy webinar training series - Policy guidance, notices, and forms. - Why do we need guidance for implementation when the only change is – no more verification of immigrant status?

None of these reasons appear to justify delaying CFAP expansion, which could easily be in effect today as the only change is – no more verification of immigrant status.

LONG TERM WtW SANCTION UPDATE

Long term Welfare-to-Work sanctions imposed prior to the pandemic still exist today. 25% of the CalWORKs single parent families endure sanctions which were imposed for more than one-year. Counties imposing the most single parent family sanctions are Contra Costa County with 16%; Mendocino County with 13%; Madera, Monterey and Ventura Counties are tied with 11%. The average sanction for 2022-2023 was \$299 a month.

Counties continued to sanction families, even after being urged by CDSS to cure the sanctions during the pandemic, because of fiscal incentives for counties to sanction CalWORKs families. Counties receive \$515 a month to provide WtW services to the long-term sanctioned families, even though the long-term sanctioned families do not receive any WtW services.

The CA 237 CW report (<https://www.cdss.ca.gov/inforesources/research-and-data/cal-works-data-tables/ca-237-cw>) for December 2022 came out this month showing long-term sanctions. Several counties just did not report – Butte, San Benito, San Bernardino, Tehama, and Yolo Counties. There are no consequences for counties not reporting, even though they are required to follow directives from CDSS.

The December report reveals that 8,233 cases have been sanctioned for more than one year. Some counties have more two-parent families being sanctioned than those not being sanctioned. For example:

Contra Costa County has 46 two-parent families being sanctioned for more than a year and fewer than 11 families receiving CalWORKs for all family members.

Imperial County has 57 two-parent families being sanctioned for more than a year and fewer than 11 families receiving Cal-

WORKs for all family members.

Merced County has 87 two-parent families being sanctioned for more than a year and fewer than 11 families receiving CalWORKs for all family members.

San Joaquin County has 149 two-parent families being sanctioned for more than a year and fewer than 11 families receiving CalWORKs for all family members.

Stanislaus County has 44 two-parent families being sanctioned for more than a year and fewer than 11 families receiving CalWORKs for all family members.

County Welfare Department Client Abuse Report

CalSAWS Migration Wreaks Havoc With Client Files Mrs. D and her adult child live in a far northern California County that is known for its rugged, rural beauty. Like many rural communities it is on the wrong side of the digital divide. Mrs. D and her household get some of the advantages attributable to the electronically powered welfare state, but, as always when a computer system is involved, if something can go wrong, it will.

For Mrs. D when her C-IV county did the CalSAWS migration, transfer of major functions from the county local computer system program to the new state-wide system CalSAWS system, there were a series of problems. The C-IV case file became corrupted and did not transfer accurately. The three big ones were:

(a) the household's CDSS AR was listed as a member of Mrs. D's CalFresh household.

(b) the phone number and address of the former spouse with a history of domestic

violence was listed as a contact for the household.

(c) An erroneous CalFresh overissuance from 2012-2015 was assessed against the household in 2022 based on this inaccurate information

These mistakes were discovered by Mrs. D, an involved, concerned, and tenacious client who spent time reviewing their CalFresh file. Upon contacting the county, the errors were corrected promptly and quickly removed from the file. The county plans training on the use of the ACMS system by county staff to avoid future errors experienced by Mrs. D. We hope

CalSAWS Migration has been wreaking havoc with client files for several years now. CalSAWS has been honest about the risks of inadvertent changes to files as part of the mechanical process of migration. With the CalSAWS migration causing unknown effects on recipient data and information, client households should be encouraged to review their files during recertifications, as should county staff, and make any appropriate corrections.

If you have file access issues and want to discuss options and suggestion, E-mail D. Macklin at TLK2014DLM@GMAIL.COM

Sacramento Applicant Fleeing Domestic Violence Forced To Wait Three Weeks For CalWORKs Immediate Aid. On 2/14/23 Ms. SP, mother of three daughters fleeing domestic violence went to the local Sacramento DHA office to apply for the immediate CalWORKs Homeless Assistance. Her and her children should have received this the same day based on her situation as a parent fleeing a domestic violence situation with her children.

However, an eligibility worker at DHA decided that, despite all evidence given and the clear CDSS instruction, **“Applicants and recipients shall be provided opportunities to confidentially self-identify or disclose domestic abuse. Sworn statements by a victim of past or present abuse shall be sufficient to establish abuse unless the county documents in writing an independent and reasonable basis to find the applicant or recipient not credible.”** (Domestic Abuse Training for CalWORKs Staff. <https://www.cdss.ca.gov/inforesources/calworks/domestic->

[abuse-training](#)), Ms. SP and her three daughters wouldn't get a DV waiver, immediate need cash aid or homeless assistance. Instead, Ms. SP was made to wait over three weeks while DHA reviewed the application. Three weeks of homelessness, no resources, no safety or security while fleeing for their lives. Soon after Ms. SP reached out to CCWRO we contacted DHA staff to resolve this situation and Ms. SP's aid was granted the next day, 3/3/23.

Once the issue was presented to them the DHA was quick to grant the aid, but why did Sacramento County DHA make a vulnerable family fleeing abuse wait for this long? Why are claims of domestic violence being disregarded by eligibility workers? Why does it take a third party advocating to cause action to be taken?

The answer in discussions and meetings with the Sacramento County DHA and other state and county welfare agencies has often been low staffing, but we don't see how low staffing causes a fleeing DV victim to be made to wait over three weeks for aid they absolutely qualify for or made DHA refuse to provide emergency DV services.

Two issues are to blame here. First, inadequate training and knowledge reinforcement on services provided, who qualifies for services and the timelines for approval of services is apparent. Second, county welfare agencies need to be reminded they exist to help residents, to better their lives, not to interminably review and deny applications.

This case illustrates why many applicants are never approved for aid despite qualifying. The assumption most county welfare agencies seem to make is that the applicant is lying or misrepresenting themselves, and the applicant must prove to the agency that they aren't. Hence onerous verification requirements, requests for proof closed bank accounts are closed, digging into family members income and the dozens of other indignities and hardships public benefits applicants are forced to go through to prove they are poor. Even in a case like Ms. SP's where the rules and guidance are clear and the approval should have been immediate upon the report of domestic violence, the focus on reviewing and suspicion of applicants make the review interminable and in reality, a slow-motion denial.