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CCWRO New Welfare News 2023-05^{IN}

In Brief

- The Department of Health Care Services has completed the review of data for July-September 2022 of newly eligible cases due to the increase of new Medi-Cal no asset limit. The data revealed that there will be 5,200 new eligible cases state-wide. The total elimination of the asset test is scheduled to be implemented 1-1-24.
- At a 3-9-23 meeting Charisa Migelino informed counties that CDSS is seeking a rule change regarding minor IHSS recipients that allows the provider to be any one the parents choose. Who makes that choice today? The county? The minor child?
- Federal law allows states to grant domestic violence waivers. California has been out of compliance with the domestic violence laws and has failed to adopt “DV sensitive” protocols to date. While the national average is 0.6% California is at 0.1 %. Red state Missouri is 1.8%, New York is 1.3% and the leader of the pack is Pennsylvania at 5.9%. Even red state West Virginia is exceeding the federal average at 0.7%.
- Jason Wiensz of Humboldt County asked “A customer turned in an EBT 2259/2259A for electronic theft of CalFresh benefits. She listed a total amount of \$1,416.00 stolen in two transactions that took place over two days. The first transaction occurred prior to her receiving her January benefits and the second occurred after she had received her January benefits. Is she still entitled to just the maximum of one month’s benefits to be replaced?”

CDSS responded “In the scenario presented above, the two transactions were reported at the same time on one EBT 2259 form. This sequence of transactions would be considered one countable replacement and the household would be eligible to receive a replacement for one month’s allotment.”

Per ACL 21-133, benefits that are skimmed/scammed in a series of smaller transactions within a short period of time can constitute as one countable replacement. A countable replacement refers to each overall skimming/scamming sequence reported by a recipient, regardless of the number of specific transactions that were involved.”

- On May 9, 2023, Senator Kristen Gillbrand introduced SB1488 that was referred to the Committee on Agriculture. SB1488 will amend the Food and Nutrition Act of 2008 to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the supplemental nutrition assistance program, and for other purposes.

Introducing CCWRO Litigation Attorney, Andrés Holguin-Flores.

On May 22, 2023, CCWRO welcomed new litigation attorney Andrés Holguin-Flores. Andrés joined CCWRO after five years as a staff attorney at the Mexican American Legal Defense and Educational Fund (MALDEF) where he led national class action lawsuits challenging employment discrimination and civil rights violations of immigrants, Deferred Action for Childhood Arrival (DACA) recipients, and Latinos.

Mr. Holguin-Flores graduated from the University of California, Santa Barbara with dual undergraduate degrees in Sociology and Chicana and Chicano Studies. He earned his J.D. at Southwestern Law School. As a law student, he was active in leadership positions on campus, including Southwestern’s Public Interest Law Committee, and his law clerk experiences included clerking for the Immigration Law Clinic at Southwestern, serving as a judicial extern to the Honorable Terry J. Hatter, Jr. of the U.S. Central District Court for the District of California, and externships with Inner City Law Center, MALDEF, and the ACLU of Southern California.

Upon law school graduation, Andrés clerked for the Honorable Terry J. Hatter, Jr., and the Honorable Harry Pregerson of the U.S. Court of Appeals for the Ninth Circuit. After completing his postgraduate clerkships, Andrés went on to begin his work in impact litigation and immigrant rights’ policy advocacy with MALDEF handling all phases of civil rights litigation including investigation, discovery, depositions, settlement, and appeals in the representation of individuals throughout the United States.

CCWRO is excited to add Andres to our team; his skill and experience will be a sure help in the fight to better the lives California’s public benefits recipients. –

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Remembering Gloria Molina by Daphne Macklin

My first real job out of law school was as a legislative advocate for California's ACLU affiliates at the State Capitol in the very early 1980's. A lot of things were changing. Not only was there an increase in the size of the Legislature's legislative Black caucus but there was also the burgeoning of the Legislative Latino Caucus. Even more intriguing was the gender shifting as more women got themselves elected to the California State Assembly and the State Senate.



Now, in the not-so-distant past, there were so few women in the state Senate that they shared a key to a small bathroom just off the Senate floor reserved for the ladies. That would change and a proper lounge was eventually constructed, named for Sen. Rose Ann Vuich, the first holder of that special bathroom key.

This in memoriam essay is my response to news of the death on May 14, 2023, of the Hon. Gloria Molina. Molina was the first Latina elected to the California State Assembly. In her long political career, she would also be the first Latina elected to the Los Angeles City Council and the Los Angeles County Board of Supervisors, which now consists of five women. Assembly Member Molina's office was some place I could go to during my time as an ACLU legislative advocate, to check in and chill for a bit.

Sacramento is different in 2023 than it was in 1987. I was struck by how different in 2020 while participating in a meeting at the office of Assemblymember Eloise Gomez Reyes.

Not only was I not the only female professional in the room but I was also not the only person of color. I shared this observation with others at the meeting. Most of them were young enough to have been my kids or my college or workshop students. Were the 80's really that long ago?

The other story that deserves to be shared is how Assembly Member Molina was supported by what was known as the Sacramento Womens' Campaign Fund, one of the precursors to what is now known as Emily's List. Assemblymember Molina explained at a lunch meeting of the WCF how she with friends and colleagues, sister Latina activists, had an intense heart to heart meeting to consider who had a background that would survive the expected vicious personal attacks that were part of running for office.

Molina was selected to run for the Assembly seat which she won in 1982. She would serve for five years through 1987 shift her political career to the Los Angeles City Council and the Los Angeles County Board of Supervisors. She left a legacy of Latina leadership in California government that still serves many people in many parts of California as a community. Gloria Molina was one of those women and legislative staff who broke through a series of glass ceilings and who deserve to be recognized and remembered.

CCWRO extends our condolences to Ms. Molina's family and friends.

See [Gloria Molina, trailblazing LA politician, dies after battle with cancer, family says](#) BY JOSH DUBOSE - 05/15/23 1:54 PM ET

State Irrational Admin Funding for Counties

The Refugee Cash Assistance (RCA) Program is 100% funded with federal funds. The California Legislature blindly authorize funds for county administration of the RCA program.

Each year the administration publishes budget information in the [DSS Local Assistance Estimate](#). These pages explain how CDSS developed the budget to fund the county operation of various public social services programs, including the RCA program. **TABLE #1** below reveals the monthly admin cost for each RCA case per state fiscal year.

From SFY 2010 through SFY 2013 the admin cost was \$90 per case. In SFY 2014 it jumped to \$103, a 13% increase. Why? No one knows. No administration explained why it went up. It just happens.

The next year, SFY 2015 went down to \$85 a month, a 18% decrease. Why? No one knows. It just happens.

In SFY 2016 the RCA per case admin cost jumped to \$128 per case – a 34% increase. No explanation. It just happens.

In 2019 the RCA per case allocation to counties jumped 55% while the COLA for that year was 3.72% - it doubled from \$115 per case admin cost to \$235 admin cost per case. Why the jump? Who knows? It may have been a miracle. Things happen.

In SFY 2020 it jumped another whopping 19% while the CNI was only 2.11%. Why? Who knows?

In 2021 it went down by 17% from \$275 down to \$227. For 2023 it plummeted to \$139 per case – a 39% decrease. Why? Inflation is up. Who knows? It just happens.

TABLE #1 RCA admin cost per state fiscal year.

SFY 2010	\$ 90	0%	0%
State Fiscal Year	Per RCA Admin Cost	Difference	CNI percent change
SFY 2010	\$ 90	0%	1.92%
SFY 2011	\$ 90	0%	2.98%
SFY 2012	\$ 90	0%	2.65%
SFY2013	\$ 90	0%	2.17%
SFY 2014	\$ 103	13%	2.56%
SFY 2015	\$ 85	-18%	2.76%
SFY 2016	\$ 128	34%	3.84%
SFY 2017	\$ 115	-10%	3.96%
SFY 2018	\$ 115	0%	4.15%
SFY2019	\$ 235	55%	3.72%
SFY 2020	\$ 280	19%	2.11%
SFY 2021	\$ 275	-2%	6.63%
SFY 2022	\$ 227	-17%	9.19%
SFY 2023	\$ 139	-39%	

Post COVID-The Wind Down

The federal COVID 19 Public Health Emergency declared in early March 2020 was announced to have formally ended in May 2023. What is critical for families and individuals who have received specialized COVID-19 benefits or who participate in programs that adjusted their operational rules because of the pandemic, is that three things are happening, all at the same time.

First, in some instances programs will continue operating with no specific actions that need to be taken by program participants or program operators.

Second, some program modifications have already ended, and the program has reverted to its form prior to March 2020.

Third, some program modifications have become permanent or will revert to pre-March 2020 standards on a rolling schedule through the rest of 2023.

What follows are examples of these three consequences, key programs impacted and what program participants and beneficiaries may do to lessen any negative impacts to their households.

KEY PROGRAMS impacted by the end of the PHE.

CalFresh and food access programs: The monthly CalFresh Emergency Allotment program ended in May 2023. Recipient households should consider doing a new recertification of their household's eligibility for CalFresh benefits. Focus on changes in household size; household income, housing expenses especially energy and utility costs; medical expenses if you are over 60 or have a disability; dependent and childcare costs.

CalFresh rules for college and trade school students are shifting resulting in the end of some exemptions for adult students. This information is available in English, Spanish, Vietnamese, Cantonese, Armenian and some other languages at <https://www.cdss.ca.gov/calfreshcovid19#:~:text=IMPORTANT!,the%20Cal-Fresh%20COVID%2D19%20flexibilities>.

Pre-school, elementary and high school students who are part of CalFresh households or who were eligible for free or reduced-price school meals as of September 2019 should have received Pandemic EBT (P-EBT) benefits which were provided as a replacement for access to school-based feeding programs. P-EBT in California was administered through the State Department of Social Services. All funds must be expended (disbursed) by September 30, 2023. Information about accessing unreceived funds will be discussed in the June Newsletter.

Health Care Programs. As of March 2020, the federal government directed states not to discontinue Medi-Caid coverage for the duration of the PHE. This in effect allowed households to continue receiving Medi-Caid coverage even though they had not participated in a recertification or may have been financially ineligible for coverage. This program modification protected older workers, persons with pending disability claims and children. Congress directed states to create plans for unwinding Medi-Caid eligibility in December 2022.

With this head start, the California Department of Health Care Services (DHCS) has initiated an aggressive public information/education campaign using all media platforms informing Medi-Caid recipients about the rewind process. This effort is welcome and will en-

courage prompt response to recertification requests which are especially needed considering staffing issues at county welfare offices (discussed) above. The state has created a Tool Kit to keep Medi-Cal beneficiaries covered if not by Medi-Cal, then some other health care resource including Covered California. See <https://www.cdss.ca.gov/calfreshcovid19#:~:text=IMPORTANT!,the%20CalFresh%20COVID%2D19%20flexibilities>.

Nota Bene: General considerations. COVID 19 has not been eradicated. You can still get sick. People are still dying. You should continue to take all health-related safety precautions:

- wash your hands frequently including using hand sanitizers
- cover your mouth if you are sneezing or coughing
- if you are feeling sick and especially if you are feverish, stay home and avoid contact with other people until you have seen a qualified medical care provider, taken a COVID test and been advised that you do not have COVID or that you are not sick and contagious.
- carry a disposable mask as there are some environments, for example medical offices, that may require you to use these types of barrier protections.

Availability and accessibility issues. While most public agencies and offices are now open, all may not be providing the same level of accessibility as existed prior to the PHE. Also, many public agencies lost staff during COVID 19 because of retirements and shifts in workloads and scheduling. Patience is greatly appreciated as your case worker may not only be new to you, but also to the agency staff, program being administered, or service being provided. Agencies statewide are reporting staff reductions and vacancies that can only be replaced by recruiting, hiring, and training qualified new employees.

Keep us posted. CCWRO would like to know about your experiences with the unwind of food and health care services that were enhanced or otherwise adjusted to benefit program participants during the COVID-19 crisis. E-mail us with your comments at: daphne.macklin@ccwro.org