



CCWRO New Welfare News

Counties' Procedural Denials Rampant Across State

County practices are another reason why eligible beneficiaries fail to receive their benefits. Counties' failure to comply with their obligations to assist applicants and recipients to obtain necessary documentation frequently result in denial or termination of much needed benefits.

– Sacramento County approved CalWORKs benefits for Mr. 104859827 but thereafter requested a birth certificate and a SSN. When Mr. 104859827 informed the County that he was unable to produce a birth certificate or a SSN. The County terminated his aid instead of taking responsibility to assist Mr. 104859827. This is an example of a procedural denial.

The County failed to comply with the following mandated regulations:

40-105.12 Making available to the county all documents that are in their possession or available to them which are needed to determine eligibility or ineligibility.

40-126.33 Assist the Applicant in Obtaining Evidence

.331 Good Faith Effort The county shall assist the applicant in obtaining evidence of eligibility from a third party when the county has determined that the applicant has made a good faith effort to obtain the evidence and the third party fails or refuses to provide the evidence.

(a) A "good faith effort" means that the applicant has attempted to comply within the limits of his/her resources.

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CalSAWS' Causes Erroneous Denial of Benefits

Examples of CalSAWS' programming malfeasance continue to come to light. One Los Angeles County CalWORKs and CalFresh beneficiary lost all benefits without receiving any notices of action. The Beneficiary found out about the discontinues during a telephone call with the worker and immediately requested a hearing.

According to the LA County's SOP in State Hearing Number 104830542, the CalWORKs and CalFresh benefits were discontinued due to the expiration of the family's parole status on July 2, 2022. The county noted that the county did not send a notice of action informing the claimant that he was ineligible for CalWORKs and CalFresh benefits.

Moreover, Los Angeles County never issued Mr. 104830542 a CW2200 seeking the verification that he allegedly did not provide that resulted in the termination of benefits.

The question becomes why does CalSAWS allow benefits termination if no notice of action issues? With so many hours dedicated to setting up CalSAWS how did a fundamental function of the system fail?

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(Con't from page 2- CalWORKs Denials/Procedural Denials)

Unfortunately, Mr. 104859827's case is not an aberration. According to county data reflected in CDSS' CA237CW and CA255CW during March 2023 counties received 30,949 cases and denied 16,695 cases. That is a 54% denial rate. TABLE 1 below shows the counties whose denial rate exceeded the state average.

TABLE 1- CalWORKs Applications Denied March 2023

County	Applications Received by the county during the month of March 2023	Applications Denied During the month of March 2023	% Denials
Statewide	30949	16695	54%
El Dorado	122	101	83%
Nevada	75	60	80%
Tehama	105	74	70%
Tuolumne	37	26	70%
Yolo	180	125	69%
Riverside	3180	2177	68%
Shasta	296	202	68%
Santa Barbara	327	215	66%
Amador	29	18	62%
Mariposa	21	13	62%
Sonoma	162	98	60%
Sacramento	2390	1443	60%
San Mateo	222	134	60%
Calaveras	47	28	60%
Humboldt	162	95	59%
San Francisco	423	244	58%
Mendocino	85	49	58%
Alameda	885	493	56%
Monterey	481	266	55%
Kern	1627	898	55%
Marin	75	41	55%
Los Angeles	9911	5397	54%

During March 2023 Counties denied a total of 16,693 cases of which 8,870 cases were denied because an eligible and needy family could not meet the county unlawful procedural requirements –a procedural denial rate of 53%.

San Benito County leads the pack at a 96% procedural denial rate. Kern County's is 76%; Contra Costa County's is 76%. Table # 2 reveals the counties who procedural denial rates exceed the state 53% average denial rates.

Table # 2 – CalWORKs Procedural Denials for March of 2023

County	Procedural Denials	% Procedural Denials
Statewide	8870	53%
San Benito	26	96%
Tehama	62	84%
Kern	678	76%
Calaveras	20	71%
Napa	17	71%
Contra Costa	250	71%
Sutter	31	70%
Marin	28	68%
Kings	88	68%
Shasta	131	65%
Humboldt	61	64%
El Dorado	64	63%
Nevada	37	62%
Mendocino	30	61%
Placer	100	61%
Riverside	1327	61%
Yolo	73	58%
Tulare	150	57%
Monterey	146	55%
Santa Clara	117	54%
Los Angeles	2910	54%
Madera	60	53%

College Student Denied Support Services and Sanctioned by Alameda County

Alameda County denied WtW ancillary services to Ms. 104858239, a single mom with severely disabled child receiving SSI benefits. Alameda County issued a notice of action sanctioning her for caring for a severely disabled child. CDSS' Administrative Law Judge upheld the sanction.

Ms. 104858239 wanted to get off welfare through education. She enrolled in a community college located in Alameda County in 2021. On July 30, 2021, she went to the county welfare office to request supportive services that she was entitled to under SB 1232, Chapter 366, statutes of 2020 that states.

The county alleges that they requested class schedule/education plan and proof of enrollment. Alameda County did not use the C W 2200 form to request this verification as required by ACL 14-26.

Alameda County also asked for (1) class schedule/education plan and (2) proof of enrollment. That is a violation of ACL 2175E that states:

“DOCUMENTATION AND VERIFICATION

17. Q: *What documentation is required of the client to qualify for the SB 1232 provisions?*

A: *Enrollment documentation at the educational institution serves as proof that the client is enrolled in publicly funded, postsecondary education and is making satisfactory progress. As such, documentation of enrollment qualifies clients for both the SB 1232 participation provisions of [WIC Section 11322.84](#) and qualifies them to receive advance standard payments pursuant to [WIC Section 11323.21\(a\)](#).*

Acceptable enrollment verification forms must clearly indicate both full-time/part-time status, so the appropriate advance payment is issued, and the number of units enrolled in for the purpose of determining participation hours for part-time students. Acceptable documentation of enrollment may include, but is not limited to, a letter from the institution stating the client is enrolled at the school for the upcoming session, a class schedule for the upcoming session, an email from the institution indicating enrollment for the upcoming session, etc.”

The county never responded to her July 30, 2021, request for ancillary services which resulted in her dropping out of college in September 2021 since she received no support services. Alameda County violated Ms. 1048582 by refusing to issue a notice of action denying her request for ancillary services on July 30, 2021. Had she received a timely and adequate notice of action she could have taken steps to secure the ancillary services she was entitled to receive and had the opportunity to finish her educational program.

Alameda County then mailed a notice of action terminating her CalWORKs benefits for alleged failure to participate in a Job Club without good cause. There was no evidence that the county had provided her with childcare before she was asked to attend job club for her severely disabled child. According to ACL 19-99 sanction cannot be imposed unless there is verification that the family had secured child care that was authorized. See ACL 19-99, Page 7:

Verification of Child Care Prior to Mandating Program Activities

“CWDs must verify that suitable child care has been both authorized and secured before mandating participation in any activities, and before initiating any sanction or non-compliance process. The term “authorized” means that the county has authorized 12 months of Stage One Child Care services for the participant. Child care shall be reimbursed upon approval of the participant’s child care provider in accordance with [MPP 47-260.1](#). The term “secured” means that the participant has found a child care provider who has enrolled their child and that can provide appropriate care during the hours needed by the parent to participate in activities.”

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Alameda County also accuses Ms. 104858239 of not keeping a March 21, 2022 meeting to determine. Good cause without showing that transportation was provided to Ms.104858239. On March 23, 2022 she requested that she be exempt from the WtW program *“from Job Club because she had a severe family crisis and family loss, was dealing with divorce, was unable to pay rent, and experiencing hardship.”*

The Alameda County representative testified under oath that the county did not rescind the sanction – it went into effect and the county never mailed her a notice of action denying her request for exemption.

TABLE #3 - CalWORKs Beneficiaries Participating in an Assigned Work Activity Getting Transportation

County February, 2023	% of Unduplicated Participants Getting Transportation.
Statewide	39%
Butte	8%
Orange	10%
Ventura	12%
San Francisco	12%
Madera	14%
San Diego	15%
Solano	15%
Stanislaus	16%
San Joaquin	16%
Tulare	17%
Merced	19%
Shasta	19%
Santa Barbara	21%
Alameda	26%
Tuolumne	28%
Tehama	29%
Siskiyou	29%
Contra Costa	30%
Mendocino	30%
San Mateo	31%
Humboldt	31%
Kern	35%
Kings	36%
Sutter	38%
Sonoma	38%

Source: WtW 25 & 25A County Reports

Refusal to provide support services has been a long-time phenomenon in California. While 90 to 100% county staff entitled to transportation reimbursement have their travel claims paid, in California for WtW participants over 50% of the unduplicated participants are fleeced their transportation cost money by California County welfare offices. During February 2023 there were a **80,437** unduplicated participants and **only 31,647** participants received transportation. See **TABLE # 3.**

State of CARE Court Planning June 2023

Since our April update (found here: <https://ccwro-homelessnessblog.wordpress.com/>), there has been slow progress. With a handful of exceptions, legal aid has largely declined to provide representation to CARE Court respondents, meaning that the vast majority of respondents in the Cohort One group of counties will be represented by Public Defenders. Some counties, such as San Diego, are still experimenting with a joint representation model that will allow legal aid to provide connections to and representation regarding public benefits, housing, and other civil matters, with public defenders handling in-court appearances and litigation.

The hesitance of legal aid to accept representation has largely been along two axes. First, many organizations have baseline moral and ethical objections to CARE Courts in their entirety, and are declining to provide representation on that basis. Second, it remains unclear at what rate QLSPs will be compensated for their time. As CARE Court cases are a minimum of a twelve-month representative commitment, QLSPs are understandably hesitant to make hiring decisions without assurances that their staff will be compensated appropriately for the many hours these cases will likely need.

Likewise, communication between QLSPs and county staff has similarly cooled – where some cohorts were meeting once every two weeks or more, some counties have gone months without planning sessions. This is unlikely to be due to planning being ahead of schedule. With less than four months to go until the launch of CARE Courts, it remains to be seen whether these systems will be able to connect respondents to the resources they need. In the coming months, CCWRO is shifting its focus to analyzing available housing resources in the cohort one counties, and figuring out whether counties are equipped to handle the influx of high-priority persons needing a wide range of housing interventions.