



CCWRO New Welfare News

IN BRIEF

MAXIMUS CAPPING TRANSPORTATION - The Los Angeles County GAIN Maximus office has a policy of issuing students a maximum of \$43 month transportation and \$30 a month after July 1, 2023. According to ACL 03-15: "ACL No. 00-12 and MPP Section 42-750.112 specify that "capping" or limiting supportive services is prohibited. "Capping" means imposing a limit on the amount the county will pay a participant, even though the services are necessary for the individual to participate in WTW activities, and the cost of the services does not exceed the established rate." The LADPSS contractors are in violation of state policy.

ANTICIPATED INCOME CAN BE USED FOR DETERMINING 80% THRESHHOLD FOR PERMANENT HOMELESS ASSISTANCE - Solano County sdotson@solanocounty.com asked CDSS if the county can use anticipated earned income in computing the 80% of the total monthly household income for permanent homeless assistance if the CalWORKs beneficiary is working and the county can anticipate receipt of wages. On November 4, 2022, Ms. Janna King of CDSS responded that the county can use the anticipated income for determining eligibility for permanent homeless assistance. Thank you Ms. King.

RCA/TCVAP APPLICATION BENEFITSCAL SAGA - In a public forum CWDA said that RCA and TCVAP applicants can apply via BenefitsCal. On June 23, 2023, CalSAWS announced that they are now building the functionality of allowing RCA and TCVAP applicants to apply for cash aid. Which one is true?

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County Client Abuse Report

Kern County Victim of the Month

Kern County resident #2308146 is a victim of electronic theft. The crime occurred on May 6, 2023 in Chicago. She reported this crime to the Kern County welfare office in person on May 7, 2023. She completed the forms that the county gave her. Kern County told her that it would take 45 days to replace the stolen CalFresh benefits. The County not only violated Ortega v. Johnson (2020) 57 Cal.App.5th 552 which mandates that the county replace stolen CalFresh benefits within 10 days, but it also violates ACL 23-13 that states:

"Assuming the report was made in a timely manner and upon receipt of a complete EBT 2259, the CWD has 10 business days to issue a benefit replacement following the receipt of a completed EBT 2259. If the cardholder is unable to complete the EBT 2259 and has reported benefit theft to the county, the CWD has the duty to assist with EBT 2259 completion within 10 business days. If the CWD is unable to process the claim within 10 business days of receipt of the EBT 2259, the CWD is required to replace the allegedly stolen benefits. This processing time period applies whether the theft is due to skimming or scamming and applies to the replacement of both food and cash benefits."

Notwithstanding a Court ruling and

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HDAP FUNDS CAN BE USED TO PAY FOR HOUSEHOLD STAPLES OF THE HOMELESS

- Danilo Lozano of Los Angeles DPSS asked CDSS if the county can use HDAP funds to buy the homeless family household staples, such as a microwave, bed, refrigerator, and cookware. On November 2, 2022, Lisa Avron of CDSS responded that ACL 19-104 9 pages 8-10) states that counties can use HDAP funds for “necessary furniture and appliances associated with housing stabilization such as beds, dressers, microwave, refrigerators, when appropriate” Thanks, Ms. Avron.

HSP DUE PROCESS

– Counties have been insisting that the CalWORKS Housing Support Program beneficiaries are not entitled to a notice of action and a state hearing. On November 14, 2022, Brandon Moreno asked CDSS; “I have been trying to research Information regarding the CalWORKs Housing Support Program (HSP) and criteria for overpayments. Would you be able to point me in the right direction for this information?”

On November 28, 2022, Claire White of CDSS responded that if a beneficiary receives HSP benefits to which they are not entitled are subject to overpayment collection and the fraud provisions of the state regulations.

Update - Los Angeles County Electronic Theft of CalWORKS/CalFresh/CAPI/RCA Benefits

For March 2023:

Theft of CalWORKs benefits	\$ 3,545,642
Theft of CalFresh benefits	1,138,461
Theft of CAPI-benefits	106,431
Theft of RCA benefits	30,764
TOTAL theft for March 2023	4,821,298

For April 2023:

Theft of CalWORKs benefits	\$2,956,856
Theft of CalFresh benefits	1,783,58-
Theft of CAPI-benefits	94,171
Theft of RCA benefits	31,934
TOTAL theft for April 2023	3,082,961

Given the fact that Los Angeles County represents 30% of the California state caseload, we estimate that each month there is about \$10 million being electronically stolen from the pockets of CalWORKs, CalFresh CAPI and RCA beneficiaries every month adding up to \$120 million annually.

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a CDSS directive to counties, including Kern County, victims of electronic theft are repeatedly told by Kern County that their benefits will be replaced in 45 days and not 10 days as required by law.

LA County Victim of the Month

- On July 12, 2023, Ms. LC22506 of Los Angeles County applied for CalWORKs using BenefitsCal. When she completed the application, she had marked “Yes” to the following questions: “Is your household’s gross income less than \$150 and cash on hand, checking and savings accounts? Will your food run out in 3 days or less? Do you need help with transportation to get food, clothing, medical care or other emergency item(s)?” She answered “Yes”.

On July 14, 2023, BenefitsCal showed that the case was denied. We then called Los Angeles DPSS customer service center VII who informed us that BenefitsCal was wrong – the case had not been denied – it was pending. What was denied was “Immediate Need”. The Immediate Need denial was reversed and issued on July 17, 2023 – five days late. The county asked her for the car registration of a 2007 Lexis. She uploaded the registration to BenefitsCal, but BenefitsCal had been saying for days that it was waiting to upload. The worker said that she was not able to see the car registration uploaded to BenefitsCal. Whom do you believe BenefitsCal or LADPSS staff?

Sacramento County Victim of the Month

– On June 20, 2023 , Ms. T.M, fleeing from the Ukrainian genocide, applied for Cal-Fresh and RCA. She met each element of the CalFresh expedited service requirement. As of July 17, 2023, she was still food insecure and has no money.

San Bernardino County Victim of the Month

– Ms. 2469650 has been verbally denied supportive services by the Apple Valley Welfare

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To Work (WTW) office since December of 2022. No denial NOA's have been sent to Ms. 2469650, all denials have been verbal. They refuse to pay for classes, books or transportation and refuse to provide a payment of five hundred dollars (\$500) for each semester or three hundred fifty dollars (\$350) for each quarter. Ms. 2469650 reached out to an advocate on July 19, 2023 who immediately called the Apple Valley WTW office to ask what they were basing the denials on. Supervisor Elizabeth Robertson told this struggling mother that no one in her office would accept a verbal authorization to speak to an advocate representative and hung up in violation of MPP § 19-005.22. This showed poor customer service from a supervisor, but also showed an ignorance of the rules and regulation governing the WTW program they themselves supervise.

The verbal denials since December 2022 were because Ms. 2469650 goes to a private nonprofit college, in the past this was the correct decision, however the California Welfare and Institutions Code is updated and rules change as a WTW Supervisor should know, the Welfare and Institutions Code is clear as a bell:

“§11322.84 of the Welfare and Institutions Code(b)
(1) This section applies to both of the following: (A) A recipient attending a publicly funded or nonprofit postsecondary educational institution full time and making satisfactory progress at that institution.
(B) A recipient attending a publicly funded or nonprofit postsecondary educational institution part time and who is meeting the hourly participation rates required by Section 11322.8, based on the number of instructional hours or academic units and the hours of study time required for those instructional hours or academic units”

Ms. 2469650 filed an appeal and contacted the San Bernadino Transitional Assistance Department Director; we are hopeful they understand the failure of the Apple Valley WTW office and Supervisor Robertson in particular to support WTW recipients or understand basic elements of the WTW program they manage.

State Budget UPDATE 2023- 2024

Permanent 10% CalWORKs Increase and 3.6% COLA Effective October 1, 2023-- Existing law requires the 10% CalWORKs grant increase that went into effect October 1, 2022, will stop effective October 1, 2024. SB 210 makes that 10% increase permanent in law. It will also authorize a 3.6% cost of living increase effective October 1, 2023. The 10% will bring over \$350 million to CalWORKs families during 2022-24 and each year thereafter. The 3.6% COLA increase effective October 1, 2023 will bring \$116 million for 2023-2024 and about \$150 million each fiscal year thereafter. That is about half a billion that will go directly to the pockets of CalWORKs families. That is huge.

Summer EBT Administrative Funding – The bill would appropriate funds for the administration of the summer EBT program requirement, for calendar year 2024, a benefit to be provided in an amount equal to \$40, for each eligible child in an eligible household per month during the summer operational period. Under existing federal law, eligible children may include, among others, those who are certified to receive free or reduced-price school breakfast or lunch, as specified.

IHSS parent provider reform - No more “leaving full-time employment” requirement – Under existing law, a parent can be a provider only when the parent leaves full-time employment or is prevented from obtaining full-time employment because no other suitable provider is available or when there is an inability of the provider to provide supportive services.

This budget trailer bill would delete the requirement that the parent can be a provider only when the parent leaves full-time employment or is prevented from obtaining full-time employment be-

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cause no other suitable provider is available or when there is an inability of the provider to provide supportive services. The bill would require that these policy changes to minor provider eligibility guidelines are to take effect 60 days after the department issues policy guidance and, if needed, fiscal guidance through all-county letter or similar written instructions. Below is the statutory language:

W&IC §12300 (e) ~~Where-When~~ supportive services are provided-by a person having the legal duty pursuant to the Family Code to provide-for the care of their child who is the recipient, the a minor, the provider of supportive services shall-receive remuneration be paid only for the-services only when the provider leaves full-time employment or is prevented from obtaining full-time employment because no other suitable provider is available and where the inability of the provider to provide supportive services may result in inappropriate placement or inadequate care. following: These providers shall be paid only for the following:

- (1) Services related to domestic services.
- (2) Personal care services.
- (3) Accompaniment by a provider when needed during necessary travel to health-related appointments or to alternative resource sites.
- (4) Protective supervision only as needed because of the functional limitations of the child.
- (5) Paramedical services.

(f) The policy changes made to minor provider eligibility guidelines in subdivision (e) by the act that added this subdivision shall take effect 60 days after the State Department of Social Services issues policy guidance and, if needed, fiscal guidance through all-county letter or similar written instructions.

California Counties Refuse to File Timely Reports Required by Law

According to Welfare & Institutions Code, Section 10802 “The county director shall, for and in behalf of the board of supervisors, have full charge of the county department and the responsibility for administering and enforcing the provisions of this code pertaining to public social services under the regulations of the department and the State Department of Health Services. He shall abide by all lawful directives of the department and the State Department of Health Services, transmitted through the board of supervisors.

ACLs 18-117E, 16-39E2, 03- 49,14-91, 16-98, 14-64, ACIN I-19-17, I-81-18, I-68-82, these reports are due on the 15th of the next month. That means June of 2023 reports are due July 15, 2023. Some counties just don’t ever submit the report.

San Bernardino County refused to submit a CW 237CW report for the months of October, November, December of 2022. In January of 2023, Butte and San Bernardino Counties refused to submit a report. In February of 2023, Butte and San Bernardino County were joined by Stanislaus County – also refusing to submit a CA237CW report. In March, San Bernardino County and Stanislaus County did not report. In April, not reporting counties numbered 7 – Merced, Orange, San Bernardino, San Joaquin, Trinity and Tulare counties thumb their noses at state law.

In February of 2023 the counties of Inyo, Imperial, Monterey, Siskiyou, Tulare and Yolo refused to file a CF 296 report relative to CalFresh. Yet, when these counties’ CalWORKs or CalFresh beneficiaries fail to submit any of the dozens of onerous verification and reports requested of them, these same counties terminate benefits, sentencing families to food insecurity and housing insecurity.

There are no consequences for counties not complying with lawful directives from the single state agency – CDSS. **TABLE #1** below show the lateness of lawfully mandated county reports.

Report Title	Month of Report Due 7-15-23	Report Due Date	# of Days Late
GR 237: General Relief and Interim Assistance	June 2023	2-23	120 days
CA 1037: Cash Assistance Program for Immigrants (CAPI)	June 2023	2-23	120 days
SOC 808: Overpayments and Collections for the Cash Assistance Program for Immigrants (CAPI)	June 2023	3 rd quarter of 2022	210 days
SOC 242: Adult Protective Services and County Services Block Grant	June 2023	4-23	60 days
CF 18: CalFresh Churn Monthly Report	June 2023	4-23	60 days
CF 296: CalFresh Monthly Caseload	June 2023	2/23	120 days
DFA 256: Food Stamp Program Participation and Benefit Issuances	June 2023	2/23	120 days
STAT 47: Non-Assistance CalFresh Work Registrants	June 2023	3 rd quarter of 2022	210 days
CA 237 CW: Cash Grant Caseload	June 2023	4-23	60 days
CA 253 CW: Cash Grant Discontinuances	June 2023	4-23	60 days
CA 255 CW: Cash Grant Denials	June 2023	4-23	60 days
WTW 25: Welfare-to-Work Activity - All (Other) Families	June 2023	2/23	120 days
WTW 25A: Welfare-to-Work Activity - Two-Parent Families	June 2023	2/23	120 days
CA 237 HA: Homeless Assistance	June 2023	2/23	120 days
FSP 14: Family Stabilization	June 2023	1/23	150 days
CW 115: Child Care - CalWORKs Families	June 2023	4-23	60 days
CW 115A: Child Care - Two-Parent Families	June 2023	4-23	60 days