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County Welfare Department Abuse Report

-Mr. 1BCD417 is a working CalWORKs beneficiary in Sacramento County. This working CalWORKs beneficiary received transportation reimbursements in 2023, but Sacramento County stopped issuing CalWORKs for failure to submit a monthly report of the hours worked January 2024. There is no state law or regulation that make the availability of WtW transportation supportive services dependent upon a monthly report. In fact, monthly reporting died back in 2003. But that does not stop many counties from unlawfully requiring working CalWORKs beneficiaries to make monthly reports as a condition of getting some support services.

-Ms. L0654D8 of Los Angeles County is a CalWORKs beneficiary attending community college. On 2-8-24 she requested CalWORKs homeless assistance “rental assistance” to avoid eviction. Over 48 days after the application, as of 3-28-24, the Homeless Assistance request is still pending even though the law says that the county must act on this request within 1 working day. She has been served with an unlawful detainer action and is facing homelessness. In addition to that, Ms. L0654D8 has been a victim of electronic theft in that her cash aid benefits were skimmed in March of 2024. She completed the EBT 2259 report and submitted it to the Rancho Park office. Even though ACL 18-148 provides that the benefits must be replaced within 10 days; 18 days later there has been no replacement.

-Ms. B1C9C21 is a hungry college student in LA County whose CalFresh recertification is scheduled for 2/24. She had the CalFresh annual renewal

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Welfare-to-Work Sanctions on the Rise

A recent review of the Welfare-to-Work statistical reports reveals that WtW sanctions are on the rise. We ask, who do these sanctions help? Not the families who lose precious resources and are tossed deeper into poverty. These sanctions only help the counties’ bottom line. See TABLE #1 below

TABLE #1

WtW 25 25A	Unduplicated Participants	Sanctions	%
22-Jul	69,520	17,456	25%
22-Aug	74,116	17,705	24%
22-Sep	77,110	18,073	23%
22-Oct	79,719	18,288	23%
22-Nov	80,602	18,694	23%
22-Dec	81,447	19,182	24%
23-Jan	81,992	20,220	25%
23-Feb	82,610	20,423	25%
23-Mar	81,735	21,498	26%
23-Apr	80,004	20,154	25%
23-May	80,868	20,752	26%
23-Jun	78,078	21,858	28%
23-Jul	70,848	22,123	31%
23-Aug	75,096	23,122	31%
23-Sep	64,832	20,692	32%

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County Welfare Department Abuse Report
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interview on 2-14-24. She told the county that she worked in December but was no longer working. The county demanded proof that she was no longer working. They also demanded verification of her student exempt income. She uploaded the requested verification on 2-14-24 on BenefitsCal. Yet, the county did not receive the documents.

Her CalFresh benefits did not arrive in March. She called the LADPSS call center and was on hold for 3 hours. No resolution. She called again on Monday and was on hold for 3 hours- again no resolution. She called again on Tuesday and was on hold for 3 hours- again no resolution. She called again on Wednesday and was on hold for 3 hours- again no resolution - still food insecure.

Now she continues to be food insecure not because the case has not been processed, but because the case is waiting for the "supervisor approval". LA County "supervisor approval" is causing food insecurity in Los Angeles County - the only county in the state that does this to CalFresh beneficiaries.

-Ms. L20CEF1 is hungry in Los Angeles. Why is she hungry? Why isn't she getting CalFresh? She did a telephone renewal interview during the first week of January. The county then mailed a large packet of paperwork to complete that emulated all the questions and answers during the telephone recertification interview. She was instructed to deliver that packet to the local welfare office. When she arrived at the local welfare office, the security guard instructed her to drop it in the "drop box". She was not provided with a receipt showing she delivered the packet to the county welfare office even though counties are required by law to do so.

"Welfare and Institutions Code § 11023.5 (a) Any applicant or recipient of benefits under the Aid to Families with Dependent Children, CalFresh, and Medi-Cal programs, who delivers a document which has been requested by the county welfare department shall, upon the applicant's or recipient's request, be provided with a written receipt indicating that the county welfare department has received the document. A notice which explains an applicant's and recipient's right to receipts upon request shall be prominently posted by the county welfare department at the location where the document is to be delivered. The receipt shall be issued at the time the document is delivered.

(1) A county which maintains a system of logging hand delivered documents is exempt from the requirements of this subdivision.

(2) County welfare departments which provide receipts for all hand delivered documents without a request by an applicant or recipient shall be exempt from the notice posting requirement.

(b) The county welfare department shall only provide receipts for documents which have been delivered in person to a county welfare department employee other than the applicant's or recipient's regularly assigned caseworker and to the location in which or through which the caseworker conducts his or her business. Only one receipt is required for monthly income reports and their supporting documents which are hand delivered. Monthly income reports and other requested documents which have been mailed shall not be subject to the requirements of this section.

(c) In consultation with the County Welfare Directors Association and the Coalition of California Welfare Rights Organizations, the department shall develop the notice which informs applicants and recipients of the right to receipts for hand delivered documents and shall develop minimum guidelines for county receipt forms.

(d) As used in this section, "applicant or recipient" means an applicant or recipient of benefits under the Aid to Families with Dependent Children, CalFresh, and Medi-Cal programs."

Why is Los Angeles County Department of Public Social Services (LADPSS) violating state law? The other major question is why LADPSS mails packets to beneficiaries requesting information that is already in the casefile. Paper applications are not required to be completed and returned if the required information has been received electronically through the telephone interview process.

LADPSS and many other counties are wasting millions of dollars, hurting the environment, and forcing CalWORKs beneficiaries who live in deep poverty to use gasoline or public transportation to turn in unneeded papers to the county, not to mention, valuable time. When will this stop?

CalWORKs Working WtW Participants Fleeced by Counties

Welfare & Institutions Code § 11323.2 states: “(a) Necessary supportive services shall be offered and available to every participant to enable them to participate in a program activity or to accept or maintain employment.”

Historically, less than 50% of the unduplicated participants have been paid for transportation. When a CalWORKs family applies, they are informed of the many requirements they must meet and services they are entitled to. Buried among this information is the fact that they are entitled to transportation aid. It has been available if the family could just get to it. For most county workers who request transportation reimbursements, they obtain a form, fill it out, give it to a person in the office who processes travel claims, and the claim is paid. But for the working CalWORKs beneficiary there still is no “travel claim”. Some do request transportation, but the county still refuses to pay. One county welfare director told us that if they pay transportation, it will mean less money for the county bureaucracy. TABLE #2, last column shows the number of working CalWORKs WtW participants not getting transportation payments.

TABLE #2

	Number of individuals (Unduplicated)	Unsubsidized employment	Self Employment	Subsidized private sector employment	Subsidized public sector employment	Total Working Participants	Transp. Received	Working WtW participants not getting transportation
July, 2023	70,848	28,218	5,338	304	674	34,534	23,195	11,339
August, 2023	75,096	28,596	5,351	313	729	34,989	25,840	9,149

Source: CDSS WtW 25 and 25A reports

Why do county welfare departments continue to put their own budgets over the needs of the recipients they are tasked with serving? Welfare departments must re-adjust their perspective and truly center the families they serve. As the failure to deliver timely homeless aid, the increase in sanctions and the lack of transportation and other services show, counties and county workers are not focusing on helping families access all available resources, but instead focused on terminating or reducing services to needy families. This is a dereliction of duty and a dire disservice to the families they are funded to serve.

CalFresh Over Issuance In Brief

On April 12, 2024, CCWRO is hosting the training: Understanding CalWORKs and CalFresh Overpayments ([Register for Training Here](#)) This piece is intended as an introduction to the ins and outs of CalFresh (California's version of SNAP Food Stamps) over issuance rules including waivers and benefit recovery processes. For more information see the LSNC Website <https://calfresh.guide/overissued-because-of-an-agency-administrative-error/>.

CalFresh over issuances (known as an "OI") rules were significantly revised in 2019 with the adoption of SB 490 (Hurtado). Because of the COVID-19 public health emergency, SNAP program rules and benefits were changed to increase access during the pandemic. COVID program expansions including PEBT (for pre-school, elementary and high school aged children) and the expanded monthly supplemental allotments of SNAP benefits did get more money into the hands of more people during an extended episode of food insecurity, roughly March 2020 to June 2023. However, the unwinding of emergency-related food and nutrition supplement programs are now pushing some CalFresh households back to the edges of food insecurity.

Another area of concern are changes in the state-wide computerized public benefits now administered through the CalSAWS system which is now operational in all 58 counties. Many counties reported challenges with the transfers of individual case information through CALSAWS including the reappearance of old and inaccurate information such as old information on marital status, household composition, residence addresses, bank accounts, car registration and old employment information.

Solutions: As most counties have reopened to face-to-face meetings with clients, consider scheduling an appointment with county staff to review and correct any case CalFresh file information.

What to do if you are assessed a CalFresh over issuance (OI)?

Respond immediately to any claim of an over issuance or notice to terminate CalFresh benefits. If the Notice of Action (NOA) states the OI is the result of what the County is alleging *is an intentional program violation or IPV*, follow these instructions carefully:

-- Consult with an attorney or professional advocate

working under an attorney as soon as possible.

-- Do not discuss your CalFresh issues with any person other than attorney who has been hired/retained to represent you;

-- Do not attempt to resolve the matter alone or without the advice or assistance of a professional. An IPV may result in criminal charges being filed against you.

The other types of CalFresh OI's are (a) client errors also known as "inadvertent client error" and (b) county errors also known as "administrative error". This link is to a summary of error reporting from 2019.

<https://www.cdss.ca.gov/Portals/9/CalFreshResourceCenter/Operations/QC/CFAActiveErrorRate09-18.pdf?ver=2019-02-12-220253-750>.

It is worth noting that the reported county error rates on this chart range from levels of a little less than 5% to a nearly 8% level. Individual county reporting rates varied more widely and were not always identified by county.

A number of legislative changes to CalFresh over issuances and recoveries were included in SB 490 (Hurtado) although the impact of these changes was most likely impacted by the COVID public health emergency. CDSS has issued some guidance which will be discussed in more detail in a latter posting.

The key points are as follows:

-- Administrative error CalFresh OI's may only be recovered if the amount of the OI exceeds \$400.00 based on cost effectiveness of recovery research. *NB There is an argument for raising this to \$1000.00 for a household where there is an SSI recipient as the Social Security Administration has \$1000.00 tolerance waiver rule.*

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- There are limitations on OI recovery for continuing CalFresh households of as little as \$10.00 per month for recovery.

-- Per the [Lomeli settlement](#) CalFresh recover may only run for 36 months.

Conclusions: While this is not a comprehensive assessment of CalFresh over issuance recovery processes, it does identify some of the areas where over issuance recovery is limited or may be waived. For a fuller exploration of these issues please register for Understanding CalWORKs and CalFresh Overpayments [here](#)

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