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## CCWRO New Welfare News 2024-05

### County Welfare Department Client Abuse Report

**Alameda County does not issue Aid Paid Pending within the timelines required by law** - Mr. 97117, a Medi-Cal beneficiary living in Alameda County, received a Notice of Action (NOA) dated 5-4-24 stating that effective 5-14-24 his IHSS will stop because his “whereabouts is unknown”. The County did not issue a Notice of Action stopping Medi-Cal, so the Medi-Cal benefits continued. On 5-7-24 he requested a state hearing. MPP § 22-073.1 requires the county to authorize aid paid pending within five working days. The pertinent section of MPP § 22-073.1 reads:

*“MPP 22-073 .1 Upon receipt of a request for hearing or notice from the Department that a recipient has filed a request for a state hearing, the county shall provide aid pending the state hearing in accordance with Section 22-072, when entitlement exists.*

*.11 Such payment shall be released for electronic benefit transfer, or either placed in the U.S. Mail or available for hand-delivery to the recipient (if agreed to by the county and recipient) within five working days of the receipt of the hearing request by the appropriate agency as specified in Section 22-004, or by the date the regular scheduled aid payment would otherwise have been paid to the recipient, whichever is later.”*

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### CalSAWS Blues

-CalSAWS testimony presented to the State Assembly Budget Sub.#2 reveals that only 10% of CalSAWS budget was for migration in the past. In previous years, CalSAWS outgoing Director John Boule, testified, not under oath, that because of migration, CalSAWS could not implement programmatic changes to improve the lives of public social services beneficiaries.

In fact, since 2019, CalSAWS consistently told legislative budget and policy staff that CalSAWS was overwhelmed with “migration”, precluding CalSAWS from doing many automations needed to improve the lives of CalWORKs, CalFresh, Medi-Cal, CAPI and homeless persons of California. Those representations turned out to be untrue – a typical CalSAWS phenomenon. CalSAWS constantly brags about how great they are doing. In truth, CalSAWS has been and continues to be a nightmare for California’s public social services applicants, beneficiaries and many county workers. Here is what workers say: “The new system, CalSAWS, is a computer application being used by staff to issue benefits to people receiving public assistance. The transition was a complete disaster as the training was very ineffective. All the workers with Fresno County DSS were not adequately trained on how to use the new system.”

-**NO SAR 3 in CalSAWS** – State law provides that when a CalWORKs or CalFresh case has income that exceeds the Income Reporting Threshold (IRT), the beneficiary is required to report within 10 days. If

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**(Client Abuse, cont'd)**

When the advocate called Alameda County on 5-24-24 pointing out MPP 22-073.11, the appeals representative said that she would contact the compliance section.

**LA County's unlawful action results in food insecurity**-Mr. LA27277 was homeless and hungry. He had no income, so he applied for Unemployment Insurance benefits. Mr. LA27277 received a UI check on 3-1-24 but on 3-2-24 he received a Notice of Action stating that he was ineligible for UI so he would receive no further UI benefits. Mr. LA27277 then applied for CalFresh on-line on 3-2-24. As part of the application, he uploaded the UIB notice of ineligibility. LADPSS issued \$23 in CalFresh benefits in March and \$23 in April. The county told him that he needed to apply for unemployment benefits. LADPSS falsely anticipated UI income that was not actually available. LADPSS says it never received the UIB notice. He has endured hunger in March, April and May of 2024. This is unconscionable.

**San Francisco County Terminates IHSS – Stated, you did not tell us your new address** - Mr. 0097117 of San Francisco County received a Notice of Action terminating his IHSS benefits for failure to report a new address. He never moved. The notice terminating his IHSS was mailed to the address that the county alleges he is no longer living.

**Defective CalSAWS terminates benefits without a 10-day advance notice - a violation of due process of law** - Ms. B6TK44 of Sacramento County received a NOA, dated 03-26-24, terminating the family's CalWORKs and CalFresh benefits effective 02-28-24. Is CalSAWS programmed to allow termination of CalWORKs and CalFresh benefits without a 10-day advanced notice as required by due process of law? Isn't that a violation of due process of law?

**Defective CMISP IHSS system terminates benefits without a 10-day advance notice - a violation of due process of law** - Sacramento County

reduced IHSS hours effective 05-01-24 with a Notice of Action dated 04-24-24. Is CMIPS programmed to allow termination of IHSS benefits without a 10-day advance notice as required by due process of law?

**Placer County places a CalWORKs family on a waiting list when they were eligible as former CalWORKs beneficiaries** - Ms. 1B250D8 of Placer County received CalWORKs in San Mateo County until 10-23. She had been receiving cash aid from San Mateo County effective 5-6-23. She then moved her family to Placer County. In March 2024, she requested child care. The County placed her on the Stage 3 waiting list rather than issuing Stage 1 child care benefits as a former CalWORKs recipient. How many other families are placed on a Stage 3 waiting list who are eligible for Stage 1 and 2?

**CalSAWS Blues (Cont'd from page 1)**

a beneficiary goes to CalSAWS inefficient BenefitsCal system and try to report income over the IRT on a SAR 3, there is no SAR 3 available. There is a pop-up window that allows a limited report that fails to allow the individual to make a complete report to the County. To make matters worse, the individual is prevented from making a more complete report since the pop-up window cannot be amended or modified. Moreover, the beneficiary gets no confirmation that the County received notice of the report of income exceeding the IRT. This opens the beneficiary up to allegations of overpayments, over issuances and potentially fraud accusations. But then what do you expect from a system that is "county-centered" and not "person-centered".

-Families are sentenced to homelessness as a direct result of applications being denied for procedural reasons. One such situation arises when the applicant submits supporting verification on the BenefitsCal (BC) portal which disappears in the network and is never received by the worker and the worker consequently denies the application for failure to provide verification.

(cont'd. on pg3)

## CalSAWS Blues (Cont'd from page 2)

- Public benefits applicants are losing CalFresh benefits by not being able to file a same day application for CalFresh in violation of federal law. The reason: the County Call Centers condemn thousands of families to food insecurity by not allowing them to apply and receive CalFresh expedited service and CalWORKs Immediate Need within the statutory timelines. Federal law mandates per 7 CFR §273.2(c)(iii) the *right to same-day filing*. *Each household has the right to file an application form on the same day it contacts the SNAP office during office hours.*

-Call centers do not allow applicants to file the same day. Often, applicants are on hold for hours, then the call drops. Other times, someone answers the call and says, "I will transfer you" and then the call drops. The private sector, knowing that calls may be dropped, will ask for the contact number before attempting to transfer the call. In that way, if the call is dropped, the business will contact the caller.

-CDSS suggested that CalSAWS improve the scheduling of the CalFresh Expedited services for the food insecure which CalSAWS rejected. During these conversations, CalSAWS expressly excluded the CalFresh beneficiary advocacy community from the CalSAWS secret meetings. The CalSAWS is clearly a "county-centered" operation which CDSS can no longer control in violation of Welfare and Institutions Code § 10600 which provides:

*"It is hereby declared that provision for public social services in this code is a matter of statewide concern. The department is hereby designated as the single state agency with full power to supervise every phase of the administration of public social services, except health care services and medical assistance, for which grants-in-aid are received from the United States government or made by the state in order to secure full compliance with the applicable provisions of state and federal laws".*

During the January 10, 2024, CalSAWS CalWORKs/CalFresh Committee meeting, the group discussed the CDSS CalFresh Division CalSAWS Enhancement Request (CER) CA-269077 initiated on October 9, 2023. This CER pertained to automating appointments for compliance with expedited service timeframes by automatically scheduling the intake interview appointment that also considers

and meets Expedited Service timeframes upon application registration in CalSAWS. If the application is ES eligible then the interview is automated within 3 days of the application date. If not ES eligible, then the interview is scheduled within 10 days of the application date."

This year, a CalSAWS Enhancement Request (CER) was put forth to satisfy 7 CFR 273.2(e) and MPP 63-300.4 and streamlines service experience across all counties by CDSS as the state single state agency administering the SNAP program in California. This CDSS single state agency proposal was rejected by the counties. If the Committee would have approved this proposal, it would have gone to the CalSAWS Control Board Committee, another committee operating in the dark for "county approval". The counties voted "no" to have equitable appointments for households who are food insecure. Is this a surprise? No. There is no public record of this vote

-In 2019 CalSAWS was funded to provide on-line application for immigrants to secure CAPI benefits and Homeless benefits to homeless families which has yet to see the light of day. What happened to the funding that BenefitsCal received for CAPI and Homeless Assistance Program applications? What did CalSAWS do with this allocation?

- CalSAWS, intentionally excluding advocates from challenging their planned programming, unlawfully programmed the CalSAWS system to provide the SAR-7 on the beginning of the report month in blatant violation of state law. The law requires that the SAR 7 form be available before the first of the month. WIC§11265.1(c)(2) provides:

*"(2) Counties shall provide a semiannual report form to recipients at the end of the fifth month of the semiannual reporting period, and recipients shall return the completed semiannual report form with required verification to the county by the 11th day of the sixth month of the semiannual reporting period."*

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