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CCWRO New Welfare News #2024 #11 and #12

County Welfare Department Victim Report

Los Angeles County Victim of “Supervisor Approval” policy. Ms. B1FD901 applied for CalWORKs and CalFresh on 10-1-24. She was interviewed and her case cleared eligibility determination except for the LADPSS anti-family “supervisory approval” policy. Under this policy all actions on applications must be approved by the supervisor. This survivor of domestic violence as of 10-18-24 had not received any benefits because the case was sitting on Supervisor Blanca Martinez’s desk for approval. That is an 18-day delay in violation of state regulation MPP §40-101.11.

Los Angeles County Welfare Department Victim in danger of being homeless - Ms. B04H901 has an annual redetermination. She had her interview on 12-6-24 and was told by the worker what verification she needed for her CW and CF to continue. They asked for the immunization record of the 4 year old that was previously provided. She uploaded all of the requested verification on 12-9-24. On 12-29-24 she looked at BenefitsCal and it showed that her case had been terminated. She called the county on 12-30-24 when she was informed that the county would look at the submitted verification and get back to her. When? They did not say. Ms. B04H901 is facing homelessness if she does not pay her rent on time because of no CalWORKs benefits.

Placer County Policy for WtW Transportation in Violation of State Law

Placer County has a written policy that limits advance payments to \$35 a month. It is called “Transportation policy” which states:

“Advanced Mileage

The Employment Services Counselor (ESC) may issue mileage payments in advance.

Advances for gasoline shall not exceed \$35.00. After approving advanced mileage, ESC must clearly document and track mileage reimbursements for adjustment on the Ancillary Costs/Adjustment form (P-09).

Advanced mileage payments may be issued via EBT or if not applicable via a Gas card.”

The ACLs that this violates are ACL 04-04, ACL 00-12 and ACL 22-80.

These All County Letters make it clear that counties cannot impose limits on WtW transportation supportive services.

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CalFresh CDSS Policy Interpretation Update

CalSAWS Issues CalFresh Payment in Error

– **PI-24-59**- On July 25, 2024, Ms. Wong of San Joaquin County asked CDSS: “Applicant provides an I-766 card with a C09 category code. A C09 category code is also returned by SAVE. A C09 category code is entered into the Citizenship Screen in CalSAWS and passes and is approved for benefits due to erroneous CalSAWS programming. An individual with an I-766 card and C09 category code is not eligible for CalFresh per the Noncitizen Eligibility Guide attached to ACIN I-102-10. When can the county take a negative action to discontinue the individuals who were erroneously approved?”

Honduras Family Reunification Parolee Eligible for CalFresh – **PI 24-75**- On 9-23-24 Ms. Gerami asked DSS: “Per USCIS, RHN (Honduras Family Reunification Parolee) is a Family Reunification Parolee process which falls under the Humanitarian Parolee category. This population is not automatically granted Employment Authorization. I-94 and SAVE on file indicate Class of Admission (COA): RHN, Arrival/Issue date 8/23/24 until 8/22/27 (3 years) with SAVE classifying as Parolee. The I-94 is a digital print and does not contain the the 212 (d)(5) of INA stamp.

Question:

1. Are non-citizens with RHN COA eligible for CalFresh or CFAP benefits?
2. If eligible, are they eligible under the 212 (d)(5) humanitarian parolee processing guidelines or do they meet a special criteria?

On 10-11-24 CDSS responded: 1. Honduran qualified noncitizens paroled through the family reunification parole process may be eligible for either CFAP or CalFresh benefits, provided they meet eligibility criteria. To be eligible for CalFresh benefits, 7 CFR 273.4(a)(6)(iii) states that aliens paroled into the U.S. under INA Section 212(d)(5) “must be in a qualified status for 5 years before being eligible to receive SNAP benefits.” An individual paroled for one year or more under Section 202(d)(5) who has not been a qualified noncitizen for at least five years may be eligible for CFAP, per ACL 24-27.

Honduran family reunification parolees would be processed as parolees under Section 212(d)(5) of the INA. There are currently no special criteria for this program.

Bank Fees for Returned Check – **PI 24-79** – On 9-27-24 Sacramento County inquires: “I have checked all MPP and ACL and CFR but cannot locate a policy directive on this issue. However, I do not think we can add this fee the OI since this is CF.” On 10-25-24 CDSS responded: “No, the county may not add bank fees to the OI. Per 7 CFR 273.18(a)(1), bank fees do not fall under a claim that CWDs may collect payment for.

Additionally, this is not an allowable cost to be charged to FNS. In Appendix A to Part 277, Title 7 under Standards for Selected Items of Cost, 29C(2), it is stated that any losses arising from uncollectible accounts or other claims, and related costs, are unallowable.”

CDSS Online Application System in Violation of Federal Law

Mr. B0C1487 of Los Angeles County tried to apply for CalFresh and was not allowed to do so because CalSAWS BenefitsCal said that he had an open case, and he should contact the county welfare office. He tried calling the county but was on hold for a long time, which is not uncommon in California, and he was not able to apply the same day.

According to CDSS June 14, 2024 SAWS Cost Estimation Request for Research and Analysis (SCERFRA) 24-519: “BenefitsCal is out of compliance with the CalFresh application – both CalFresh-only application flow (i.e. standard Apply for Benefits flow, SSA application flow) and multi-program application flow (i.e. any combination of CalFresh with other program flows, such as CalWORKs and/or Medi-Cal).”

This SCERFRA was triggered by the February 15, 2024 USDA, FNS SNAP-Online Application Policy Memo that states: “For online applications ... state agencies can encourage but cannot require applicants to complete any additional fields in order to advance through and/or file/submit the application. The online application must include the name, address, and signature fields on one of its initial screens, and questions other than name, address, and signature must be optional.”

The SCEFRA 24-519 continues to say that: “Federal law provides applicants with the right to file a SNAP application providing *only* name, address, and signature. Therefore, state agencies must accept and establish a filing date for any SNAP application that includes a name, address, and signature, even if other questions on the application form are incomplete.

(Cont'd on page 3)

(CDSS, Cont'd from pg 2)

As such, the required fields in BenefitsCal must only reflect:

- ☐ Name
- ☐ Address
- ☐ Signature

All other fields must be optional.

Federal law also requires that the application contain a notification on or near the front page that applicants have the right to file an application with only name, address, and signature. The notification must be in plain and prominent language. For online applications, state agencies may accomplish this by placing the notification on an initial page."

The CDSS SCERFRA 24-519 does not state that the current BenefitsCal does that is in violation of federal law and what must be done to come into compliance with federal law. And it is a lot according CalSAWS. It includes:

1. Changing the flow to bring program selection to the beginning of the application so the rest of the flow can be determined;
2. What county do you live in?
3. What language would you like to complete this application?
4. Are you a person experiencing homelessness?
5. Are you applying for Benefits for yourself?

But wait. Lets see what BenefitsCal really does.

Page 1 - The first page says:

"Where can I apply now? Select your County to see where you can apply for benefits today. Select your County.

Page 2 - After selecting the county, BenefitsCal invited the applicant to another page: "We're glad your here! You can apply for and manage your benefits on BenefitsCal today. [Visit BenefitsCal.com to get started.](#)"

Page 3 - What happens after clicking on [Visit BenefitsCal.com to get started](#). It takes the applicant to another page that includes a box called **"Apply for benefits"** and Learn more about food, cash aid, and health coverage programs"

The same page also has place for Community Organizations to set up an account, manage my benefits, explore support and BenefitsCal resources.

Finally, in the middle of the third page folks are given the space to "apply for benefits", but it does not even mention CalFresh.

Page 4 – When the applicant clicks on "apply for benefits" it takes the person to page 4. Page 4 starts with Fill in and submit your application. But clicking does not get the person to the application. Clicking here takes the applicant to page 5 which says:

"What to expect?"

- ☐ Give yourself 30 - 60 minutes to apply.
- ☐ Fill out as much as you can as that can speed up your application process.
- ☐ Be ready to share about the money you earn and the things you pay for/own.
- ☐ Remember, if you [create an account](#) you can save and come back later to finish.

Page 4 also tells the applicant to upload documents.

Then it asks the applicant to select a county again.

Page 5. Finally on page 5 it states:

"Fill out as much as you can. We'll need at least the details below:

1. Name
2. Where you currently live
3. Date of birth (if applying for cash aid)
4. Signature

After that, you can submit your application at any time."

Page 5 also has a warning that states: "To protect your privacy, your data will be lost after 15 minutes of inactivity. [Create an account now](#) so you can save your progress."

On July 1, 2024 CalSAWS responded that: "After final policy is published it will take about 9 months to implement. Unless specifically noted, CalSAWS cannot commit to an implementation date in this estimate. This estimate does NOT consider existing policy commitments, which are in process or scheduled for a future release. CalSAWS also demanded \$145,139 to fix the BenefitsCal system that they built in violation of federal law and are receiving millions of dollars to do so.

California's BenefitsCal portal that cost taxpayers over \$47 million is still violating federal law.