



# CCWRO Welfare News

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## In Brief

- After counties establish a CalWORKs overpayment in a two parent assistance unit, the counties demand that each parent repay the full amount of the overpayment. This happens even if the parents are together or separated. What happens if both parents pay the full amount? CCWRO received information that in many cases the county just keeps the money from both parents and does not admit the double payment.

- CDSS CalFresh Division has a secret Yahoo listserve, now it is a google group listserve for DSS and county staff. For some reason DSS CalFresh division has excluded CalFresh advocates from this listserve.

- California received a \$6.4 million bonus for California's participation improvements for various projects. CDSS will use some of that money for eICT county training. Why not use some of that money to get food to CalWORKs families who live on fixed incomes equal to 31% of the federal poverty level, who endure severe poverty and food insecurity, especially the last week of each month? In 2014-2015 counties failed to spend \$129 million allocated for CalFresh County Administration.

- Since July of 2015, there have been no WtW 25 reports posted on the DSS webpage. DSS has revised the WtW 25 reports and the new version will be used effective July 2017. So does that mean that counties are not submitting a WtW 25 and 25A each month? If "yes" where are the reports?

- According to the CWDA Medical Care Committee, "Per U.S.C. 42§1396(w) and W&IC§14013.5, the Department of Health Care Services (DHCS) must implement an Asset Verification Program (AVP) for Aged, Blind and Disabled Medi-Cal individuals. The AVP would be an electronic service that would verify individuals' opened and closed liquid accounts for the last 5 years at all financial institutions, not just the ones that the individual claims. AVP would be used at application, renewal, and reported changes.

DHCS is looking to do a pilot program of 3,000 cases for the entire state from October-December, 2016. Counties may volunteer to participate in the pilot program. DHCS is hoping for a late 2017/early 2018 for full implementation of this program." DHCS will be initiating a pilot program, but counties will be responsible for AVP once the program is fully implemented.

Each individual will need to authorize this and DHCS is looking at whether a separate authorization is needed or the application alone is sufficient.

## EBT Update

- California recently signed a new contract with Fidelity Information Systems (FIS), to put CalWORKs and food stamps (also known as SNAP/CalFresh) on EBT cards held by beneficiaries of these programs.

The Office of System Integration (OSI) informed counties (no advocate involvement) that counties would be involved in the program in the following ways:

1. Administrative application design and testing;
2. Call center script and navigation development;
3. Client training video development;
4. Establishing workgroups with counties to organize and monitor the transition effort;

The transition from Xerox (current EBT vendor) to FIS (new EBT vendor) will have in four (4) stages:

Stage One (1) counties – Los Angeles, Merced, Riverside, Sacramento, San Diego and San Joaquin Counties.

Stage Two (2) counties – Alameda, Contra Costa, Fresno, Kern, Monterey, Orange, Plumas, San Bernardino, San Francisco, Stanislaus and Ventura.

Stage Three (3) counties- Butte, El Dorado, Humboldt, Imperial, Kings, Lake, Madera, Mendocino, Placer, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Solano, Sonoma, Tulare, Yolo and Yuba.

Stage Four (4) – All remaining counties.

## IEVS Counties Caused Overpayments- Recipients end up in jail for welfare fraud

Electronic IEVS – According to CWDA publication, “...CDSS provided an update on the automation process that will replace the paper and will be able to provide response electronically. It is anticipated the number of reports to process will triple when electronic reports and reports from the National Directory of New Hires are sent to counties.”

Each month counties receive 353,252 hits from the IEVS system. Each month counties process about 283,955. That is 69,297 that are not processed – causing a backlog of IEVS hits – that, in some cases, means an overpayment caused by the refusal of the DSS and counties to do their jobs - prevent overpayments. As of the end of June of 2016, there were 725, 826 cases waiting for county reviews.

So just imagine what happens when the number of IEVS and New Hire abstracts start coming in at over one million a month and the counties are only able to process about 283, 955 a month. The current backlog of 725,826 cases can become over 2.2 million and more.

How many State and County officials would be charged with a felony for causing millions of dollars of overpayment? **None.**

How many public benefits beneficiaries will be charged and possibly get jail time for overpayments caused by the state and the county? **Many.**

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## County CAPI Administrators Meet

California Department of Social Services Adult Programs Division. **CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI)** Quarterly Statewide CAPI Meeting

August 22, 2016 10:00 a.m. – 4:00 p.m.

Facilitator: **Kären Dickerson**, Chief, CDSS CalWORKs Employment and Eligibility Branch

### AGENDA

**10:00 – 10:30** Welcome and Introductions

**Kim Rutledge**, Chief, CDSS Adult Programs, Policy and Quality Assurance Branch

**10:30 – 11:00** SAWS2 Revision Workgroup Update

**Shawn Dorris**, Program Policy Manager, CDSS CalWORKs Eligibility Bureau

**11:00 – 11:30** County Language Access Requirements

**Marcella Ruiz**, Chief, CDSS Immigration and Civil Rights Branch, Welfare to Work Division

**11:30-12:30** Revised CAPI Indigence Exception Determination Form (SOC 813), **Aron Smith**, Cash Programs Manager CDSS Adult Programs Division

**12:30-1:30** Lunch

**1:30-2:00** Food Assistance Programs Available to Immigrants **Alexis Fernández**, Policy Section Chief, CDSS CalFresh Branch

**2:00-2:30** CalWORKs Eligibility in Households with a CAPI Recipient, **Shawn Dorris**, Program Policy Manager, CDSS CalWORKs Eligibility Bureau

**2:30-3:00** CAPI Disability Determinations

**Carol Morgan**, Chief, Training, Quality and Special Projects Section, CDSS Disability Determination Service Division

**3:00-4:00** Sharing of County Best Practices and Concerns

### 8-22-16 CAPI DSS meeting attendees

- Caroline Bui, CalWIN - WCDS – Business Systems Analyst
- Lorrie Smith, HPE C4:
- Dennis Kong, North State CAPI Consortium/Sacramento County:
- Elvia Leyva, Program Specialist – CAPI and Tribal TANF
- Fern James, Eligibility Supervisor
- Alameda: Robert Garcia
- Contra Costa: Magdalene Gabel
- El Dorado: Darla Ray, Timalynn Jaynes
- Fresno: Tammie Allison, Brandi Reid, Pam Adanalian
- Humboldt: Angela Saveliff
- Kern: Angela Garcia
- Kings: John Aldous
- Los Angeles: Alma Calvelo
- Marin: Jannet Mercado
- Mariposa: Ruth Poole
- Mendocino: Mary Zigler
- Merced: Michele Hernandez
- Nevada: Jane Leedy
- Napa: Diane Garcia, Deirdre Wright, Melissa Guerrero, Violeta González de Briseño
- Orange: Heather Doan, Silviu Ardeleanu
- Riverside: Eva Krottmayer
- San Benito: Susan Petree
- San Bernardino: Cassandra Gonzalez
- San Diego: David Hopkins
- San Francisco: Yelena Bilyak
- San Luis Obispo: Kat Lauterback
- Santa Clara: Columba Atienza
- Solano: Gary Roche
- Stanislaus: Margaret McKain
- Tehama: Melissa Hefley
- Tulare: Arselia Mena
- Ventura: Leticia Ortega

## DSS Wants to Promulgate an Underground Rule to Unlawfully Stop CAPI Benefits for Non-Citizens

DSS Adults Services Division is in the process of developing a redetermination process that would terminate CAPI benefits from the aged, disabled and blind non-citizens of California in violation of DSS State Regulation MPP §49-070.5. DSS is proposing a policy whereby the county would mail a request for sponsor verification directly to the sponsor and if the county does not get a response from the sponsor, CAPI will be stopped. In fact, it appears that most counties are already using this policy even as DSS is asking counties if this policy is what they are doing today?

MPP§49-070.5 states that the CAPI beneficiary is the one responsible for obtaining documents from his or her sponsor for the county.

“MPP§ 49-070.5 Verification of Sponsor Information .51. The non-citizen is responsible for obtaining the sponsor’s cooperation in developing and documenting the information needed to determine the sponsor’s income and resources, the information needed to make an indigence exception determination, or any other information from the sponsor needed to apply the deeming rules described in this sub-chapter.”

Email from Aron Smith, Staff Services Manager I, Cash Assistance and Special Project Unit, Program Integrity & Cash Assistance Bureau, Policy & Quality Assurance Branch, Adult Programs Division, California Department of Social Services to Francisco Javier Wong, Jr., LA county GR & CAPI Section, Los Angeles County DPSS.

“We are working on developing a formal policy regarding sending of Form SOC 860 (Sponsor’s Statement of Facts and Resources) to CAPI sponsors as part of the annual redetermination process. Tentatively, we propose the following:

- Two months prior to the due date for the redetermination (i.e., ten months from the previous determination), send the following by regular U.S. Mail:
- To the CAPI recipient: Redetermination packet, including the SOC 860.
- To the sponsor (at most current address on record): SOC 860 with a form letter (to be created by the state).
- By regulation, the client is responsible for obtaining necessary information from the immigrant. However, by the county also sending the SOC 860 directly to the sponsor, the process is not delayed by the client’s in-

ability to contact the sponsor. Also, the sponsor may find the communication to be more “official” when received from the county.

- If the county does not receive the completed SOC 860 from the sponsor within 15 days and the letter is not returned to the county by the Post Office:

- Send a second request to the sponsor.

- Wait another 15 days. If completed SOC 860 is not returned to the county, terminate CAPI eligibility (send NOA).

- If the letter is returned by the Post Office with a forwarding address, send the letter out to the new address and give the sponsor 15 days to respond.

- If no response, send a second request to the sponsor. If 15 days elapse and still no response, terminate CAPI eligibility (send NOA).

- If the letter is returned by the Post Office as undeliverable, complete Form G-845 and forward to USCIS. When USCIS provides the county with the sponsor’s correct address:

- Resend SOC 860 to sponsor’s correct address.

- If no response after 15 days, send a second request to the sponsor.

- If 15 more days elapse and no response, terminate CAPI eligibility (send NOA).

- In the very rare situation in which a letter sent to the sponsor’s address provided by USCIS is returned from the post office as undeliverable, and the CAPI recipient has no information regarding the sponsor’s whereabouts, follow instructions listed in MPP §49-037.462(b).

My question to you are: Is this fairly close to the procedure you are following now? Do you anticipate any difficulties following this procedure? Any concerns?

Please let me know as soon as possible as we are hoping to release an ACIN on this subject next month.”

The lawful policy would be to give the CAPI beneficiary an opportunity to secure the sponsor information, after the county is unable to get it, before terminating CAPI benefits.