



In Brief

✓ **Stage 1 Child Care Cannot be Stopped for Failure to Pay Family Fees** - Ventura County asked DSS if they could terminate Stage 1 child care to a family for failure to pay the "family fees", which is a fee the family pays the child care provider. DSS responded on 10/22/04 that Ventura County cannot terminate Stage 1 child care for failure to pay the "family fee". See MPP 47.220.

✓ **CDSS States that Alcoholic Parent in the House Has to Watch Child** - On November 24, 2004, Imperial County asked DSS whether or not they could pay child care for a participant whose husband is an alcoholic and not able and available to provide child care for her children. On 12/2/04 CDSS responded that as long as there is a husband in the house, then the spouse is not eligible for child care.

✓ **Rand Corporation to Study WtW Sanctions** - One of the trailer bills last year requires DSS to examine its sanction policies and report to the budget committee on April 1, 2005. CDSS has contracted with RAND to do a survey. RAND has been talking to county staff of Los Angeles, Orange, Sacramento, San Diego, San Joaquin and Santa Clara. RAND has mailed out a questionnaire to all 58 counties to gather information for this survey. The final report should be available 4/1/05.

✓ **Riverside County Not Able to Collect Overpayments Legally**. On October 10, 2004 Riverside County posed the following question to CDSS:

"Client has an overpayment. Riverside is on C4 system and cannot adjust her grant because of computer glitches. Since her grant cannot be adjusted to accommodate the overpayment, Riverside wants her to pay back overpayment in cash." CDSS responded that the "... County cannot force

recipient to pay in cash."

✓ **School Attendance Penalty and Inter County Transfer**. On 11/4/04 Riverside County asked CDSS whether or not the school attendance penalty crosses county lines when the family transfers from one county to another. Charlotte Doisy of CDSS responded the next day that "The school penalty is not transferred. School attendance at the new school must be verified in accordance with MPP §40-105.5."

✓ **Negative Actions During Annual Redetermination v. QR**. On 10/28/04 a county asked whether or not the county can take negative action as a result of a annual redetermination (RD) that has negative consequences? CDSS responded that "CWDs are encouraged to align the RD process with the FS recertification and the QR 7 data month. However, if the RD process date is established outside the QR data month, the county shall act mid-quarter on all information to increase, decrease, or discontinue cash aid as appropriate (MPP §40-181.217)"

✓ **CalWIN implementation**. A number of counties are planning to implement the new computer system known as CalWIN. Some of the counties have been planning to have a moratorium on complying with the CalWORKs Immediate Need and Food Stamp Expedited Service statutes and regulation. Watch and see what your county is doing.

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State Capital News

The State Legislature is in full session. As the new legislative session starts, new committee assignments are unveiled. Membership for Committees having jurisdiction over welfare matters have been published.

Senate Human Services Committee

D-Simitian (Chair), (916) 445-6747
 R-Maldonado (Vice-Chair) (916) 445-5843
 R-Aanestad, (916) 445-3353
 D-Alarcon, (916) 445-7928
 D-Alquist, (916) 445-9740
 D-Chesbro (916) 445-3375
 D-Florez. (916) 445-4641

Consultants: Jack Hailey and Sue North.
 Assistant: Joy Traylor. Phone:
 (916)445-8741. Room 2195

Health and Human Services Subcommittee of the Assembly Budget Committee

D-Hector De La Torre, Chair(916) 319-2050
 R-Dave Cogdil (916) 319-2025
 D-Loni Hancock (916) 319-2014
 R- Rick Keene (916) 319-2003
 D-Gene Mullin (916) 319-201

Staff: Christian Griffith (916) 319-2099
 Room 6026 - christian.griffith@asm.ca.gov

Assembly Human Services Committee

D- Noreen Evans, Chair (916) 319-2007
 R- Ray Haynes, Vice Chair(916) 319-2066
 D- Joe Nation (916) 319-2006
 D- Juan Arambula (916) 319-2031
 D- Joe Coto (916) 319-2023
 R-Todd Spitzer Rep-71 (916) 319-2071
 D- Karen Bass (916) 319-2047

2005-2006 State Budget News

The 2005-2006 State budget launched another attack on California's poor women with children. On January 12, 2005, the State legislative analyst released her preliminary analysis of the Governor's budget. A more comprehensive analysis will be forthcoming in February.

While the budget denies COLA to CalWORKs families with children and proposes to reduce the benefits by 6.5%, the proposed budget includes a 3.39% COLA for education at the cost of \$1.65 billion.

The Governor has always supported education, however, his budget discriminates against poor kids by singling out CalWORKs for the biggest slash. See Figure #1 for more details.

General Fund Spending by Major Program Area

(Dollars in Millions)

	2004-2005 Estimated	Proposed for 2005-2006 Amount	% of Change
Education			
K-12 Prop- 98	\$30,992	\$33,117	6.9%
CCC Prop. 98	3,036	3,321	9.4
UC/CSU	5,212	5,413	3.9
Health & Welfare			
Medi-Cal	\$11,965	\$12,948	8.2%
CalWORKs	2,146	1,940	-9.6
SSI/SSP	3,444	3,523	2.3
Other	7,988	8,297	3.9
Corrections			
	\$5,389	\$7,014	1.2%

BUDGET ACTIONS: At this time the California Legislative leaders are planning to have budget hearings throughout the state. It is important that welfare recipients and their advocates appear at these hearings and question the morality of denying COLA and cutting benefits for welfare parents and their kids who are now barely surviving on fixed incomes at 1990 levels.

A Look At CAPI California Cash Assistance for Immigrants (CAPI)

In 1998, led by then House Speaker Antonio Villaraigosa, the State Legislature enacted AB 2779. This bill contained Welfare and Institution Code Section 18937, et.seq. which established the CAPI program.

This section was enacted over the objections of the state welfare bureaucracy, thus, statistical information is kept by the Department of Social Services to keep on eye on the program.

This week we are looking at the CA 1037 reports which can be viewed at the CDSS web page: http://www.dss.cahwnet.gov/research/CA1037-Cas_433.htm

We looked at the latest report - November, 2004. The data shows that at the beginning of November 1, 2004, counties had 2,817 applications that had not been acted upon.

November 2004 Data	Apps from 10/04	Apps Received in11/04	Apps from 10/04	Apps from 10/04		Apps from 10/04	Apps from 10/04	Apps from 10/04	Apps from 10/04
STATEWIDE	2,817	781	788	22%		28%	511	65%	2,844
Alameda	159	41	62	31%		19%	45	73%	140
Butte	2	0	2	100%		0%	2	100%	1
Contra Costa	28	17	14	31%		21%	9	64%	31
Fresno	24	12	18	50%		44%	9	50%	18
Imperial	3	2	4	80%		0%	4	100%	1
Kern	2	0	1	50%		0%	1	100%	1
Kings	0	1	0	0%			0		1
Lake	1	0	0	0%			0		1
Los Angeles	1,747	383	317	15%		30%	221	70%	1,813
Marin	4	1	1	20%		0%	1	100%	4
Merced	4	0	1	25%		0%	1	100%	3
Mono	0	1	1	100%		100%	0	0%	0
Napa	5	0	0	0%			0		5
Orange	181	78	85	33%		14%	61	72%	178
Placer	4	1	1	20%		0%	1	100%	5
Riverside	11	1	9	75%		33%	5	56%	3
Sacramento	185	55	63	26%		35%	37	59%	186
San Benito	1	0	1	100%		100%	0	0%	0
San Bernar.	This county simply refused to submit a state required report								
San Diego	49	13	17	27%		35%	9	53%	45
San Fran.	37	33	35	50%		34%	16	46%	35
San Joaquin	33	9	9	21%		22%	3	33%	41
San Luis Ob.	1	0	0	0%			0		1
San Mateo	62	20	25	30%		12%	19	76%	57
Santa Clara	210	69	91	33%		30%	53	58%	193
Solano	17	7	9	38%		33%	5	56%	15
Sonoma	3	1	2	50%		0%	1	50%	2
Stanislaus	13	5	6	33%		33%	3	50%	12
Sutter	2	1	0	0%			0		3
Tulare	0	5	5	100%		60%	1	20%	0
Ventura	9	21	4	13%		75%	0	0%	26
Yolo	11	4	5	33%		20%	4	80%	14
Yuba	1	0	0	0%			0		1

During the month of November only 788 applications were acted upon statewide. During the same month counties received 815 applications.

Clearly counties are getting more applications each month than they are able to process.

At the end of the month counties had 2,844 cases that had not been acted upon.

One of the reasons that counties can get away with only processing 22% of the cases during the month needing processing is that there are no deadlines for processing CAPI applications. Those who oppose regulations and support county "flexibility" should understand that there are human consequences when giving counties flexibility - people suffer due to county abuse of discretion.

At the end of November, 2004 there were 2844 applications remaining to be processed. Counties are processing about 700-800 cases a month. At this rate it takes over four (4) months to process an application statewide.

Meanwhile the elderly, disabled and blind suffer because of the State of California's refusal to do their job- provide CAPI benefits to those entitled to such benefits.

During November, 2004, about 28% of the applications for CAPI were approved, while a whopping 65% were denied. This is a high denial rate.

The highest caseload is in Los Angeles County. This county approved 30 of the application while denying 70%.

The five (5) major counties with CAPI cases are Los Angeles, Santa Clara, Orange, Sacramento and Alameda Counties. The Table on page 3 provides more details based upon the 11/04 CA 1037 published by CDSS

SENIORS, THE BLIND AND DISABLED NEED LEGISLATION:

There is a need for legislation that provides CAPI applications be processed in 30 days and 60 days for disability cases.

CWD VICTIM REPORT



Ms. C.W. had an infant four (4) months old when she applied for CalWORKs and Immediate Need (IN) in Ventura County on Monday, November 1, 2004. During the screening process she was told that she needed to apply for a social security number for the baby and she needed to produce the birth certificate for the baby before anything could be done on her case. She told the county worker that the child was born in Orange County and she did not have the resources to get there. The worker was adamant - no birth certificate - no welfare. The county told her to come back on November 4, 2004. Ventura County refused to schedule her for an IN interview on November 2, 2004 as required by law. This is a violation of MPP § 40-129.41 which states:

"If the applicant indicates on the initial application or the Immediate Need Payment Request (CA 4, 9/90) that the family has an emergency situation as defined in MPP 40-129.13, the county shall conduct an Immediate Need interview no later than the next working day following the date the Immediate Need request is received."

She was not given a notice of action denying her IN on November 1, 2004. Another violation of MPP 40-129.531 which states:

"The Immediate Need payment request shall be denied and the applicant notified in writing in accordance with MPP 22-001a.(1). Where noti-

fication is hand-delivered, a new Immediate Need Payment Request (CA 4, 9/90) shall also be given to the applicant."

Ms. C.W. rescheduled the 11/4/04 appointment for 11/9/04 because she did not have the birth certificate demanded by Ventura County. She was able to get a ride to Orange County from a relative to wanted money for the ride and had to borrow \$18 to pay for the birth certificate.

The county never told her that they would have paid for her third party fees in accordance with MPP §40-126.32.

On November 9th Ms. C.W gave the county the birth certificate and proof of application for a social security number for her newborn. On November 9, 2004 she received a \$200 IN payment.

She told the county she broke up with the father of the child in October, 2004. She also told them that she was looking for work, however, the only time she could look for work was when the father could babysit.

Father spending time with baby--fireworks erupted. How dare the father visit the baby. So a welfare fraud investigation was launched. The case was referred to the Ventura County District Attorney's (DA) office. Father visiting and watching baby, something has got to be fishy here.

The DA investigator came to her house and found no clothing belonging to the absent parent and no absent parent living there. The DA investigator then went to the absent parent's workplace to interview him. The absent parent told the DA investigator that he does not live with Ms. C.W.

The DA investigator also visited Ms. C.W. pastor to find out if the pastor really loaned money to Ms. C.W. to pay for the rent. The absent parent attends the same church that Ms. C.W. does. *Now that looks real fishy. How can two people who are separated be going to the same church?*

Finally, the pastor told the investigator that the absent parent and C.W. had talked to him about marital counseling during July and August. The DA investigator recommended that the case be denied because it was an intact family. The county admits that he does not live with her, but they do go to the same church and they have talked about reconciliation, thus it must be an intact family.

During middle of December Ms. C.W. received a denial because the absent parent was not absent. *This was a nice Christmas present from Ventura County - application denied.*

Ventura County, broke another welfare law in this case. MPP §40-129.91 provides:

"When an Immediate Need payment has been issued, the county shall verify the applicant's eligibility for aid within 15 working days from the date of receipt of the Immediate Need payment request."

The IN was requested on 11/1/04 and by law the county was supposed to act on the application no later than November 22, 2004, not mid December of 2004.

This victim has filed for a fair hearing. Stay tune.