

In Brief

● **State Hearings Digest News** - State law requires that DSS publish a state hearing digest. Our sources inform us that DSS is working on a process to publish all hearing decisions on the DSS internet web page. It is hoped that this information will be available to the public sometime in September, 2005.

● **L.A. County finds high rent equals fraud** - On March 21, 2005, Frances Godoy of LADPPS asked DSS "What state regulation can be quoted that limits participant's rent/mortgage payments to less than 80% of MAP on a regular CalWORKs case and if it is over that amount, where does it state that the case warrants a fraud referral?"

On 3/23/05 Rosie Avena of DSS responded that "There is no regulation which states that if the rent amount is over 80% of the MAP level that it warrants a fraud referral..." **CCWRO Comment:** Revise the MAP

● **Treatment of Paid Family Leave Income** On January 3, 2005, Sylvia Valencia of Los Angeles County DPSS asked how is Paid Family Leave payments treated and suggested that it should be treated as non-earned income that is deducted from the MAP dollar for dollar.

DSS Response: On 1/6/05 DSS responded that the Paid Family Leave is administered by the State Disability section of EDD, thus, pursuant to MPP 44-111.23 the \$225 disregard applies as it is considered disability income.

4 **Treatment of Child Income under 18 attending college-** On 1/12/05, Lori Lady of Tulare County asked DSS, "We have a child that graduated school at 16 and is now attending college full time. He works for IHSS for 102 hours a month. There might be a period of time where he wasn't a full time student. If he wasn't a full time stu-

dent, would his income be non exempt during this time frame? What if a child isn't going to school full time but working 102 hours, is it exempt?"







DSS Response: "School attendance is defined as attendance in a school, college, university, or in a course of vocational or technical training designed to fit the child for gainful employment. MPP 44-111.222. An individual who is 16, 17 or 18 years of age and is enrolled or planning to enrol in a postsecondary education, vocational, or technical school training program, it is exempt from welfare-to-work participation MPP 42-712.422."

● **In-Kind Income-Homeowner's Association Fee (HOA fee)** - Charlotte Rutkowska of Orange County asked DSS if the CalWORKs recipient is paying the HOA fee and somebody not a member of the assistance unit is paying the mortgage payment, is HOA fees considered "housing costs" for the purposes of in-kind income.

DSS Response: "HOA fees are not part of the housing need. The CalWORKs regulations do not give an allowance for rent, mortgage (unless it is partial item of need) or HOA fee. The free housing is in-kind income based on the amount listed in MPP 44-115.311(a)"

CCWRO COMMENT: This is an underground regulation. Failure to pay the HOA fee can result in foreclosure, thus, it is a housing cost.

● **SSA and Children** - The latest data available from 2002 U.S. Census Bureau show that 5.3 million children live with families receiving SSA benefits. The data also reveals that over one million children under 18 years of age overcame poverty by receiving social security benefits.

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-  State Capital Update
-  SB 539-**BAD** Child Care Bill
-  County Client Abuse Report
-  Statistical Analysis- WtW Sanctions

Publisher: CCWRO. **Reporters:** Kevin Aslanian and Grace Galligher. **Contributors:** Steve Goldberg and Diane Aslanian.



WASHINGTON REPORT

✓ The House and Senate Republicans conferees have reached an agreement on the Fiscal Year (FY) 2006 spending plan. The plan, over a five (5) period, will increase the deficit by \$168 billion taking \$173 billion away from entitlements for the poor and domestic discretionary programs and increasing spending for defense and international aid by \$198.7 billion and \$106.2 billion in tax cuts mostly for the rich.

✓ At an April 29, 2005 press conference House Ways and Means Committee chairman announced that he would propose social security benefit reductions and tax cuts in the same bill. In a 5/6/05 publication Robert Greenstein of the Center on Budget and Policy Priorities wondered if the House Social Security bill become a vehicle for budget-busting tax cuts.

✓ Congress is busy with judges and fundraising. TANF has not been scheduled for consideration yet.



State Capitol Update

The Governor's revised budget was considered by the Assembly Health and Human Services Subcommittee and the Senate Health and Human Services Subcommittee during May of 2005.

● Counties did not spend \$50 million in 2004-2005. Counties proposed that this money be carried forward to spend in 2005-2006. Counties could have proposed to use this money to give CalWORKs families with needy children a COLA, but failed to do so. Both the Senate and the Assembly rolled forward into the budget year 2005-2006 \$50 million unspent money of 2004-2005.

● May revised budget proposed a new Pay for Performance program to give counties another \$30 million on top of what they are already getting. The Senate and the Assembly also adopted the county welfare directors' language requiring that the state work with counties to develop standards for getting the money and allowing counties to spend 25% of the money on families up to 200% of the poverty level. It is unclear as to how the 75% can be spent. But if history is a lesson, in the past, county welfare directors used this windfall money to fund their pet projects that had nothing to do with meeting the basic survival needs of poor families. Another \$30 million handed to welfare bureaucrats while CalWORKs families with children live on the same benefits levels of 1990.

● The Governor's child care reforms, including the proposal to time limit Stage 3 was rejected. Stage 3 is child care program for low-income families with children and former CalWORKs recipients who are no longer on CalWORKs;

● The Governor's proposal to roll back state participation in IHSS wages to the minimum wage was rejected;

A conference committee was appointed.

Senate Budget Conferees are: Senators Wesley Chesbro (Senate Budget Committee Chair), Denise Ducheny (Senate Budget Subcommittee No. 3 Chair), and Dennis Hollingsworth (Senate Budget Committee Vice-Chair).

The Assembly Budget Conferees are: Assembly Members John Laird (Assembly Budget Committee Chair), Judy Chu (Assembly Appropriations Committee Chair), and Rick Keene (Assembly Budget Committee Vice-Chair).

The only major issue for the conference was the SSP and CalWORKs COLA. The senate fully funded the COLAs, but the Assembly did not. The handwriting was on the wall when Speaker Fabian Nunez revealed an alternative budget that did not fund the SSP or CalWORKs COLAs.

On June 10 the 2005-2006 budget conference

committee voted to suspend the CalWORKs COLA for 2005-2006 and 2006-2007. This is a devastating blow to poor families of California.

**SB 539- Asburn (R)
Bad bill moved to the Assembly.**

SB 539, is another vicious attack on welfare families, this time coming from the child care industry.

SB 539 would require all child care providers to be trustlined, which means that the potential child care provider must have their past criminal record checked out. The child care industry gets paid every time they do a trustline. The process takes from one to two months. SB 538 proposes that child care payments will begin from the date that the provider's trustline was cleared. Currently, many exempt providers are not trustlined. If SB 539 becomes law, many families will not be able to secure child care in order to accept employment because the process of clearing their providers would take too long. For example; a mother has accepted a job which begins tomorrow. Her sister has agreed to provide child care for her four year old. Because this provider must wait up to two months to be trustlined, the mother has to turn down the job offer due to no child care. This bill is sponsored by the education and child care industry and it is so far opposed only by the Child Care Center and CCWRO.

ACTION NEEDED: We need letters of OPPOSITION to this ill conceived bill. Please complete the information below and e-mail or mail or fax to 916-736-2645 it to us.

I/we OPPOSE SB 539
Name _____
Organization _____
Address _____
City _____ ZIP _____

*County Client Abuse
Report*

● - **VICTIM #1** - Ms. S.V. and her two children, ages 3 and 6, were receiving CalWORKs from Siskiyou County. On 5/6/05, due to a tragedy in her family, her family moved to Yolo County.

On 5/9/05 she made a long distance phone call to Siskiyou County informing them that she had moved to Yolo County. She gave her worker, Roger Conroy, her Yolo County address. She also asked Mr. Conroy if she could have Medi-Cal cards for her family. On 5/18/05 Mr. Conroy mailed the Medi-Cal cards to her Yolo County address.

On 5/23/05, she appeared at the Yolo County welfare office to report that she was now living in Yolo County. Yolo County scheduled her for an intercounty appointment in June of 2005.

On 5/27/05 she received a notice of action from Siskiyou County Welfare Worker Roger Conroy alleging that because he did not know where she was living, he was terminating the benefits for the S.V. family - whereabouts unknown.

Since getting this notice Ms. S.V. has left four messages for Mr. Conroy, but Mr. Conroy has not returned her repeated calls.

On 6/2/05 she talked to Ms. Jennings, another county welfare worker, who stated that Ms. S.V. was lying in that she never told the county that she had moved to Yolo County.

It appears the county is lying because the notice of action she received in late May was addressed to the Yolo County address that Ms. S.V. gave to Mr. Conroy.

● - **VICTIM #2** - Ms. M. of Los Angeles County received a notice of action on May 26, 2005 stating that effective July 1, 2005, she would be sanctioned because she failed to keep her May 14, 2005 appointment with the GAIN office. Los Angeles County call their Welfare to Work program GAIN. Los Angeles County is a very efficient GAIN sanction machine. According to county statistical reports during February of 2005, Los Angeles County had 27,886 unduplicated participants and they sanctioned 22,190 - an eighty percent sanction rate. How

are they able to achieve this high sanction rate? Just look at what happened to Ms. M. who was scheduled for a GAIN appointment on May 14, 2005 - a Saturday. When she went there the county was closed. She told the county that she was scheduled for the wrong day but they still initiated the sanction which is the primary purpose of the GAIN program.

● - **VICTIM #3** - Mr. A. of Sacramento applied for welfare and had a face-to-face interview on 5/16/05. On 6/6/05 Mr. A. received a notice of action stating that his family's application had been denied because he and his wife failed to keep their 5/16/05 face-to-face appointment.

form at it's usual rate - 48% of the unduplicated WtW participants were sanctioned in February of 2005, while a meager 3% found jobs that resulted in termination of CalWORKs benefits.

Los Angeles County has about 1,000 GAIN workers. This means it took about 6 workers to find on GAIN participant a job that yielded enough income to terminate CalWORKs. On the other hand each worker was bale to sanction 22 participant.

Los Angeles County had 27.889 persons who participated in the WtW program during February of 2005. According to the WtW 25 and WtW 25A reports published on the internet, Los Angeles County was successful in sanctioning 22,193 unduplicated participants. The purpose of the WtW program is to assist participants to become self-sufficient. Los Angeles County reported that during February of 2005 they were able to get 171 participants a job that resulted in termination of CalWORKs benefits. Los Angeles County has about 1,000 GAIN workers. This means it took about 6 workers to find on GAIN participant a job that yielded enough income to terminate CalWORKs. On the other hand each worker was bale to sanction 22 participant.

Statistic of the week

February 2005 WtW Sanction Report

The WtW sanction machine continues to per-

Another high sanction county is **Fresno**, leading the way with a whopping 95% sanction rate. The data show that during February of 2005 Fresno County had 5,635 unduplicated participants and during the same month they sanctioned 5,345 participants.

Several counties failed to meet their reporting requirements. Counties continuously talk about "responsibility", but many do not prac-

tice what they preach. During December of 2004, 15,015 families lost their benefits and had a horrible Christmas because they allegedly did not submit their income reports. Placer County terminated 54 families, San Benito County terminated 21 families and San Bernardino County terminated 808 families. Yet these same counties refused to submit mandated WtW25 and WtW25A reports to the State of California. These counties continued to get money from the State of California even though they failed to file a state mandated reports.

Table "A" below show the percentage of unduplicated participants who were sanctioned in each county based on the DSS reports WtW 25 and WtW 25 A during February of 2005.

These reports are based upon individual reports received by the State Department of Social Services every month.

Table "B" reveals the highest sanction rates in California.

ADVOCACY TIPS: Whenever you see a person whose grant has been reduced due to a sanction, no matter how long, always file for a fair hearing. There is a good chance that the notice of action imposing the sanction is defective, thus, the 90 day limit for a fair hearing does not apply. Often the county will settle the case. If the case cannot be resolved in a fair hearing, then it can be litigated. CCWRO is working on sanction litigation.

TABLE "A"

February, 2005 Percentage of Sanctions County-By- County

Alameda	32.87%	Placer	No Rprt
Alpine	0.00%	Plumas	73.91%
Amador	97.62%	Riverside	40.32%
Butte	17.27%	Sacramento	3.24%
Calaveras	50.00%	San Benito	No Rprt
Colusa	80.00%	San Bern.	No Rprt
Contra Costa	34.26%	San Diego	62.39%
Del Norte	12.97%	San Fran.	21.97%
El Dorado	20.86%	San Joaquin	32.29%
Fresno	94.85%	San Luis Ob.	73.35%
Glenn	48.94%	San Mateo	37.98%
Humboldt	47.72%	Santa Barbara	42.00%
Imperial	2.56%	Santa Clara	25.33%
Inyo	37.84%	Santa Cruz	33.28%
Kern	37.73%	Shasta	62.82%
Kings	37.79%	Sierra	5.26%
Lake	31.59%	Siskiyou	33.51%
Lassen	35.51%	Solano	20.38%
Los Angeles	79.58%	Sonoma	71.54%
Madera	30.99%	Stanislaus	44.79%
Marin	49.35%	Sutter	25.43%
Mariposa	28.99%	Tehama	50.13%
Mendocino	34.96%	Trinity	15.00%
Merced	44.18%	Tulare	46.62%
Modoc	2.33%	Tuolumne	12.04%
Mono	11.11%	Ventura	19.28%
Monterey	52.80%	Yolo	44.05%
Napa	60.68%	Yuba	13.46%
Nevada	28.28%	Statewide	48.19%
Orange	21.90%		

TABLE "B"

February, 2005 Percentage of Sanctions Sorted County-By- County

Statewide	48.19%	Siskiyou	33.51%
1 Amador	97.62%	Santa Cruz	33.28%
2 Fresno	94.85%	Alameda	32.87%
3 Colusa	80.00%	San Joaquin	32.29%
4 Los Angeles	79.58%	Lake	31.59%
5 Plumas	73.91%	Madera	30.99%
6 San Luis Obispo	73.35%	Mariposa	28.99%
7 Sonoma	71.54%	Nevada	28.28%
8 Shasta	62.82%	Sutter	25.43%
9 San Diego	62.39%	Santa Clara	25.33%
10 Napa	60.68%	San Francisco	21.97%
Monterey	52.80%	Orange	21.90%
Tehama	50.13%	El Dorado	20.86%
Calaveras	50.00%	Solano	20.38%
Marin	49.35%	Ventura	19.28%
Glenn	48.94%	Butte	17.27%
Humboldt	47.72%	Trinity	15.00%
Tulare	46.62%	Yuba	13.46%
Stanislaus	44.79%	Del Norte	12.97%
Merced	44.18%	Tuolumne	12.04%
Yolo	44.05%	Mono	11.11%
Santa Barbara	42.00%	Sierra	5.26%
Riverside	40.32%	Sacramento	3.24%
San Mateo	37.98%	Imperial	2.56%
Inyo	37.84%	Modoc	2.33%
Kings	37.79%	Alpine	0.00%
Kern	37.73%	Placer	No Rprt
Lassen	35.51%	San Benito	No Rprt
Mendocino	34.96%	San Bernardino	No Rprt
Contra Costa	34.26%		