



# CCWRO News News-2020-07

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## California Pandemic-EBT to leave millions of federal dollars on the table

The deadline for applying for P-EBT has been extended per the CDSS website from June 30, 2020 to July 15, 2020. See CDSS website: [ca.p-ebt.org](http://ca.p-ebt.org).

Applying for and using P-EBT will not be considered a “public charge” issue for immigration purposes.

When schools closed in mid-March 2020, thousands of low-income school children and pre-schoolers no longer had access to their federally subsidized meals. Some districts shifted to “grab and go” services to provide healthy lunches and snacks to children “sheltering in place” with their families. Congress enacted the disaster relief program Pandemic-EBT or P-EBT program to feed these children.

P-EBT provides a one-time payment of \$365 to each child who had received free or low cost meals before the schools closed in March. The P-EBT payment is based on the value of school provided meals to which most eligible children would have received for the time period March 2020 through June 15, 2020, when schools typically closed in California.

California’s federally approved waiver to operate the P-EBT program was granted by the U.S. Department of Agriculture Food and Nutrition Service (USDA/FNS). The waiver designated the California Department of Social Services (CDSS) to oversee the issuance of the P-EBT payments with help from the California Department of Education (CDE). CDSS limited the method for applying for P-EBT to an on-line process. There are no paper applications.

Another, extremely serious complication is that P-EBT information from CDSS is provided in three languages: English, Spanish and Chinese. However, the San Francisco County website provides added explanatory information in Russian, Tagalog (Filipino) and Vietnamese. <https://www.sfhsa.org/services/health-food/groceries-and-meals/pandemic-ebt-p-ebt>

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## AB 1436 extends Covid-19 Emergency Eviction Protections

CCWRO’s most recent Homelessness Project Blog provides additional advice for tenants and advocates and addresses AB 1436, a new bill to protect tenants..

AB 1436, authored by Assembly members Chiu, Bonta, Gonzalez, Santiago, and Wicks, would provide significant relief to tenants after Governor Newsom’s emergency eviction order expires. This bill provides several safeguards for tenants. These include:

-Preventing landlords from applying security deposits or monthly rental payments in satisfaction of any obligations other than a prospective month’s rent (the month ahead), with certain criteria;

-Declaring that a tenant who fails to pay rent during or within 90 days of the COVID-19 state of emergency shall not be considered in default, and no action to recover that rent may be pursued, until 15 months after the state of emergency expires;

-Preventing landlords from adding additional fees, including attorney’s fees and costs, late fees, penalties, and interest, to the rent owed by a tenant during the COVID-19 state of emergency; and,

-Prohibiting landlords from harassing, threatening, or seeking to intimidate tenants for the nonpayment of these rents.

Due to the sheer breadth of protections this bill affords tenants, it is likely to be strongly opposed by lobbyists for landlords and related interests. This bill needs strong support from the Housing community including letters of support to the authors listed above and testimony at any remote hearing that may be conducted.

More information including a sample letter of support for AB 1436 can be found at <https://ccwrohomelessnessblog.wordpress.com/>.

CCWRO is an IOLTA funded support center serving IOLTA legal services programs in California. Types of services offered: Litigation, Co-Counseling, Fair Hearing, Services, In-Depth Consultation

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For children who qualified for free and reduced price meals under the community (school-wide) blanket eligibility program, language access and disability access to P-EBT is critical.

These children often live in families who are unfamiliar with CalFresh or who may not have received a P-EBT card linked to the family's eligibility for Medi-Cal.

The roll-out of the program has been, well, rocky. CDSS mailed P-EBT cards to eligible families in May 2020 to families that received CalFresh, most categories of Medi-Cal or Foster Care benefits.

However not all eligible households automatically received a P-EBT card in the mail by May 20, 2020.

Other families received P-EBT cards loaded with benefits for only one child, when there were two or more eligible children in the same household.

The Legal Aid Foundation of Los Angeles filed a formal discrimination complaint about the P-EBT language and on-line access issues with the California Department of Fair Employment and Housing (DFEH) on June 16, 2020.

California Food Policy Advocates, based in Oakland, California, submitted a letter to State School Superintendent Tony Thurmond of CDE requesting an extension of the original P-EBT application deadline, which was granted. However, the language and computer access issues have not been resolved.

Parents and caretakers of P-EBT eligible children should check to see if any preschoolers who received subsidized meals are eligible for these benefits.

Also, pandemic related waivers have been accepted that make it easier for families that rely on WIC to get healthy nutritious food to their young children. More information is available at Pandemic EBT.

If you are experiencing problems applying for or receiving P-EBT benefits, or you'd like more information, please contact Daphne Macklin at *macklin.daphne@ccwro.org*.

### Many Counties Fail to Issue CalFresh Expedited Services Benefits Timely During COVID-19

The COVID-19 pandemic has exposed severe weakness in the ability of California counties to respond to a major crisis with flexibility and efficiency. With unemployment skyrocketing, it is even more important that families have timely access to CalFresh to mitigate food insecurity. Unfortunately, counties statewide are failing our most vulnerable families and communities.

In June, local food advocates alerted CCWRO to a problem with timely appointment setting and benefits issuance in Sacramento County. Under Welfare & Institutions Code (WIC) §18914(b), if an applicant qualifies for expedited service, they should receive benefits no more than three calendar days after the date of application. But some Expedited Services (ES) applicants in Sacramento waited over thirty days for the county to even contact them with an interview date.

When CCWRO contacted Sacramento County Department of Human Assistance (DHA) for more information, DHA reported that the late issuances resulted from a lack of internet security for employees working at home. However, late issuances of ES have been a significant problem in Sacramento since at least 2019, when the county already issued less than 90% of benefits on time. In other words, the pandemic has only worsened an existing problem.

After CCWRO raised the late issuances with the statewide advocate community, data analysis by the Public Interest Law Project revealed that many counties have failed to meet expectations for CalFresh ES since March 2020.

**To cite the most egregious examples, ten counties, including Los Angeles and Sacramento County, issued less than 52% of ES benefits on time in April. Sacramento County processed only 33% of ES applications on time in April, and 52% of ES benefits were issued more than a week late. Los Angeles County processed 36% of applications on time in April, with 37% of ES benefits issued over a week late. Sonoma County issued a whopping 97.5% of ES benefits late in April, with 91% over a week late.**

After a meeting with advocates, CDSS has promised to look into this problem, but the Department

must also hold counties accountable and move swiftly to find solutions. Statewide, only 68% of Expedited Services benefits were issued on time in April, and reports from the trenches suggest that May and June may show even worse percentages. The below table shows data for the 35 counties with an ES late percentage of 10% or higher in April. *For more information contact erin.simonitch@ccwro.org*

### CDSS Ends Use of Food & Housing Benefits to Deny CAPI Indigence Exception

Public benefits and immigration advocates won a major victory in June when CDSS suddenly reversed their policy on counting food and housing benefits against indigent applicants for CAPI (Cash Assistance Program for Immigrants).

CDSS announced a new policy effective June 24, 2020 that in “all CAPI indigence exception cases, housing subsidies and food stamps should no longer be counted as income...when determining eligibility for indigence exception to sponsor deeming.”

The agency has drafted an ACL notifying counties of this change. The Department said they will revise the SOC 813 (CAPI Indigence Exception Determination) form and amend the Manual of Policies and Procedures §49-037.44 to reflect the new policy. *For more information contact erin.simonitch@ccwro.org*

### Elevated Blood Lead Levels - Consequences, Options and Actions

As of June 25, 2020, the three bills CCWRO is co-sponsoring to improve the rate of Medi-Cal blood lead screenings for 12- and 24-month old children passed out of the California State Assembly and are awaiting action in the California State Senate Health Committee. Letters of support should be sent to that committee for AB 2276, 2277 and 2279 should be sent to that committee as soon as possible. (See below.)

The vital and life altering impacts of screening children for “elevated blood lead

levels” (EBLL) were featured in a recently published study titled “Downstream Consequences of Childhood Lead Poisoning”, Coulton, C. et al, Case Western Reserve University, Center on Urban Poverty and Community Development, June 2020. The study compared two discrete groups of children from the late 1990s and early 2000s who had had at least one medically documented EBLL before age 5. These children were then compared to similar children who had not had an EBLL. Most of the children in the study were African-American residents of Cleveland, Ohio.

A summary discussing the article identified these key findings based on comparisons of medical, school, juvenile court and welfare records. The children with EBLLs were

- 27 percent less likely to be ready for kindergarten;
- up to 30 percent more likely to enter the juvenile justice system;
- 34 percent more likely to be incarcerated as young adults;
- 40 percent more likely to experience some level of homelessness.
- Children with high lead-level tests were also significantly more likely to be charged with crimes considered violent before turning 18, even as reports of violent crimes as a whole declined in Cleveland. See <https://www.ideastream.org/news/lead-exposure-sets-more-cleveland-children-on-a-poisoned-to-prison-path>

The findings confirm information from earlier studies establishing EBLLs have life consequences with both high individual costs as well as high social costs. This is especially true in light of the high costs associated with the criminal justice system. The study’s principal author Claudia Coulton, Ph.D., of Case Western Reserve University stated that the findings of the long term (20 years of data) study indicate that “Prevention is really the only way out. It’s almost always less costly both in human pain and suffering and in the economic sense to prevent [exposure], but it’s often a hard sell.” Contact *macklin.daphne@ccwro.org*.