



CCWRO Welfare News-2020-12

Coalition of California Welfare Rights Organizations, Inc.
1111 Howe Ave • Suite 635 • Sacramento • CA 95825-8551
Telephone (916) 736 0616 • Fax (916) 736-2645

December 29, 2020



CalSAWS Hourly Allotments Don't Make Sense

CalSAWS has allotted 8,611 development hours to automate ABAWDS determination when the State is not even running an ABAWDS program thanks to a federal waiver. (See CalSAWS System Change Request CA-207637/CIV-103743.)

Before the pandemic hit, California spent millions gearing up to protect households from the racist, cruel, and unnecessary effects of ABAWDS. ABAWDS would have limited food stamp benefits for able bodied adults to three months in any 36-month time period, unless the head of the household could meet one limited exception or worked 20-hours a week and making minimum wage.

About 6 counties implemented the ABAWDS rule, but when unemployment rates began to skyrocket, California requested a federal waiver that should delay ABAWDS implementation for several years. Despite this, CalSAWS has assigned 8,611 hours to automate the ABAWDS determination process over other urgent priorities that would help rather than harm Californians.

To add insult to injury, during the 11-13-2020 CalSAWS briefing of Legislative staff, CalSAWS leadership suggested that because they have limited hours to build the CalSAWS system, the Legislature should not pass new laws

(cont'd on page 2)

What DMV Could Teach County Welfare Departments

By Daphne Macklin

As a Californian there is one agency that all of us know to approach with fear and dread: the Department of Motor Vehicles, the DMV.

Earlier this week I had to visit the DMV in person, as there were no online options available for the services I needed. The Broadway DMV customer service office is usually a mob scene, but when I approached the parking lot had only a few cars and the usual crowd pouring out the door was quite sparse. In fact, there were more DMV employees milling around the doors than customers. A sign directed me to the door for people without appointments.

The young woman wearing her mask asked what I needed to do and then she advised that I was being given a 3:00 p.m. appointment. It was 11:30 a.m. I explained that I was taking the bus, so perhaps some accommodation could be made for a senior citizen using public transportation.

The no-contact lockdown modality imposed in March 2020 has been revised by a great many public-facing government agencies since June 2020. For the county welfare department that provides essential supports to the poor, the elderly, the disabled and families with young children, to still be "closed until further notice" without any flexibility for those without online or phone access is unacceptable.

(cont'd on page 3)

(cont'd from page 1 - Hourly Allotments)

improving the lives of Californian safety net beneficiaries experiencing deep poverty. CalSAWS gets 24,000 hours a month to make changes unrelated to migrating CalWIN and C-IV functions into the new statewide welfare program. Why not use the available hours wisely and not wastefully?

In addition, CalSAWS has allotted 524 hours to change the CalWORKs income disregard from \$500 to \$550 on forms. The CalSAWS system change request states that pursuant to ACL 19-76, CalWORKs income deduction of \$500 will be increased to \$550 effective June of 2021. Such a simple change should not require 524 hours. There are 37 forms where the word “\$500” has to be deleted and the word “\$550” has to be inserted, meaning that CalSAWS estimates it will take 14.5 hours to change the amount on each form and test whether the changes work—a staggeringly inefficient use of taxpayer dollars.

Counties Cite False Need for Automation to Justify Delay in Implementing the Repeal of the 24-month Clock

The CalWORKs 24-month clock became law on June 27, 2012 with the implementation of SB 1041. ACL 12-67 states:

“SB 1041 eliminated the WTW core and non-core hourly requirements and established a 24-month period in which aided adult clients will be able to participate in the CalWORKs WTW activities that are consistent with the clients’ assessments. Additionally, the number of hours clients are required to participate in WTW has been aligned with the federal hourly requirements, which reduces the weekly participation requirements for single-parent families. The increased flexibility resulting from the elimination of the core and non-core hourly requirements during the 24-month period is intended to support clients’ opportunities to reach self-sufficiency.”

The implementation of the 24-month time clock did not require automation. It was implemented through ACL 12-67 effective 1-1-13.

The 24-month clock was always confusing to both workers and WTW participants. Studies revealed the 24-month clock never really did what it was designed to do – give participants options. In fact, WTW workers came to the capitol and testified that

giving participants 24-month clock options would prevent them from meeting federal work participation rates.

On June 29 of 2020, AB 79, Chapter 11 did away with the 24-month clock and provided that WTW participants can participate in core or non-core activities for 60 months. AB 79 states that the repeal of the 24-month clock goes into effect “...on May 1, 2022, or when the department notifies the Legislature that the State-wide Automated Welfare System can perform the necessary automation to implement...” the repeal.

The legislature did not say that CDSS and CalSAWS have to do automation even if it is not necessary. That would be wasteful and abuse of taxpayer dollars. The Legislature specified that the automation must be “necessary.” Spending tax dollars on automation that is not necessary would be a terrible use of taxpayer dollars.

Is automation really necessary to implement the repeal of the 24-month clock that many counties operating the CW2.0 are already doing? The legislature did not say that CDSS and CalSAWS have to do automation even if it is not necessary. That would be wasteful and abuse of taxpayer dollars. The Legislature specified that the automation must be “necessary.” Spending tax dollars on automation that is not necessary would be a terrible use of taxpayer dollars.

For a few years, many counties have operated their WTW program as CalWORKs 2.0, which ignored the 24-month clock for core or non-core activities. Yet now that the 24-month clock has been repealed, counties are alleging that they need “automation” to do what they are already doing in most counties of California. The 24-month clock went into effect in 2012 without automation, so why can’t the 24-month clock go away without automation?

The solution is very simple—WTW workers should no longer require participants to do “core” activities after 24-months. Nevertheless, CalSAWS is asking for about \$3 million to issue a memo to this effect.

The \$3 million is needed, according to a cost

(cont'd from page 1- DMV v. CWD)

I was then directed to a very short, socially distanced line managed by several DMV employees. Before I could enter the main room, I was asked a series of recent health related questions and scanned with an infrared thermometer. "Ok, you're fine. Put on this sticker." In less than 30 seconds I was admitted to the usually full waiting room. I was directed to a small room with some computer terminals and allowed to fill out some forms. The computers must have been monitored because once my forms were done, an employee greeted me with a slip of paper with my customer number. A janitor immediately came to my vacated computer terminal and began to sanitize the area.

I spoke with a polite young man behind a plexiglass screen. Instead of reviewing my responses on paper, I was directed to use a small computer screen. I pushed a few buttons, paid my fee and was done. The interaction was more than five minutes only because the worker had to discuss something about my case with a supervisor, socially distant of course. Both workers were wearing masks.

California's county welfare departments should implement similar strategies. There was nothing at the DMV or the Post Office that would have been beyond a county office to adopt to allow in-person services. Plexiglass barriers and customer compliance with mask wearing rules are common at small businesses and grocery stores now. If the issue is ventilation, almost all of the Sacramento DHA facilities have large parking lots that could accommodate tent-based services.

An appointment system would also improve the process. CWD's and Sacramento's DHA could set standards for in-person service with medical pre-screenings, regular business hours as required by law. The no-contact lockdown modality imposed in March 2020 has been revised by a great many public-facing government agencies since June 2020. For the county welfare department that provides essential supports to the poor, the elderly, the disabled and families with young children, to still be "closed until further notice" without any flexibility for those without online or phone access is unacceptable.

Pandemic-EBT: P-EBT 2.0

By Daphne Macklin

When California and the nation's schools closed in March 2020, millions of school children lost access to free and reduced school-based nutrition and meal programs. In its application to the US Department of Agriculture Food and Nutrition Services (FNS), California officials stated that they expected to serve a little less than 4 million school aged children through the implementation of the P-EBT 1.0 program.¹ This was the approximate number of children (elementary and high school students) participating in school-based feeding programs for breakfasts, lunches, after school snacks and at some schools, nutritious foods for the weekends. For some schools, special rules allowed all children registered to receive free meals regardless of income.

In the immediate aftermath of COVID-19 school closures, school district staff improvised bag lunch pick-ups as a way to get food to hungry kids and help families who faced job losses, limited public transportation options and budgets where food costs were just one more thing in the gap between lost income and enough money to pay for food and rent and utilities.

Emergency supplemental payments to CalFresh households helped existing CalFresh households, but the closure of most county welfare department offices created obstacles for new applicants.

Congress promptly approved a new USDA Food and Nutrition Service (FNS) program, Pandemic-EBT, as a benefit for school children who qualified for and had been receiving free school lunch and other nutrition benefits. California's P-EBT program was quickly approved but the rollout was about as smooth as Rocky Road ice cream. The basic problem was simple: school-based nutrition programs are operated by the California Department of Education (CDE). The P-EBT program however was managed by the California Department of Social Services (CDSS).

(Cont'd on page 4)

¹ <https://www.cbpp.org/sites/default/files/atoms/files/9-14-20fa-stateprofile-ca.pdf>

(Cont'd from page 3-P-EBT)

Eventually, per published reports, California was able to provide P-EBT lump sum benefits of about \$360 through P-EBT 1.0. The initial program's primary problems included

- A simplified on-line application process that was available in only three languages (English, Spanish and Chinese).
- An automatic card issuance plan that originally issued one card per household that was changed to one card per eligible child.
- Tight application deadlines with little in the way of readily accessible telephone information resources. The deadlines were eventually modified.

By August 2020, however, when many children were scheduled to return to school, most districts remained closed due to COVID-19 or were considering and debating alternatives to remote learning.

P-EBT 1.5 was implemented to provide additional food benefits for children who were still attending school and had previously received P-EBT supplemental benefits for August and September 2020. Unfortunately, these benefits were not scheduled for payment until November 2020 with the final set of payments of these benefits expected as late as January 2021.

Congress has authorized funding for P-EBT to cover the 2020-2021 school year (SY 2020-2021) which features some improvements to the basic program. P-EBT 2.0 benefits are available to any child who was eligible for free or reduced-price meals during the 2019-2020 school year. The key program differences are as follows:

- 100% of administrative costs will be paid by the federal government.
- Benefits will be paid monthly based on whether a school district was closed for regular in-person instruction or whether children were attending school in-person on a full or part-time basis.

California has not yet submitted its P-EBT 2.0 proposed plan to the USDA FNS, so the timing for the actual issuance of benefits remains uncertain.

For the present, P-EBT recipient and eligible households should consider the following to assure eligibility for benefits under the new program:

- **Keep any previously issued P-EBT cards.**
- **Document each child's actual school attendance and on-line participation.**
- **Promptly report any changes of address or enrollment at a different school.**

The best advice for any parent or caretaker of a school aged child is to be alert for information from CDSS and their local school district about P-EBT payments and changes.

CCWRO would like to hear from any parent or caretaker who is having problems with P-EBT for the school-aged children in their care. E-mail D. Macklin at tlk2014dlm@gmail.com

Sacramento County Medically Distressed CalWORKs Recipient Denied Benefits by County Indifference

As the COVID-19 pandemic hit a new peak in November 2020, Sacramento County Department of Human Assistance (DHA) terminated the TANF Cash Aid, CalFresh and Medi-Cal benefits that B017652 received for her son and herself. According to Sacramento's DHA, B017652 failed to provide the county with certain documents needed to complete her October 2020 benefits redetermination process.

As a result of a series of strokes, B017652 is medically fragile and is also severely vision impaired. She had informed DHA staff about her medical impairments during the October 2020 re-evaluation. After the evaluation, DHA informed her that she had to provide DHA with certain documents. DHA directed her to bring the redetermination documents to a DHA office so the documents could be placed in an office drop box, as DHA offices remain closed to the public.

Because of her medical conditions, including her vision impairment, B017652 could not physically comply with DHA's requests that she physically leave her home. She asked her daughter to help get the documents to DHA. The daughter had a positive Covid-19 test and was in quarantine but did attempt to call DHA about the medical issues.

When DHA did not receive the requested paperwork, DHA sent a regular English language Notice of Action (NOA) that B017652 could not read as a result of her visual impairments. She had explained her accommodation needs to DHA staff, but DHA failed to provide the ADA required accommodation.

B017652's adult daughter attempted to contact DHA on her mother's behalf with only limited success. The daughter, on behalf of her disabled mother then contacted CCWRO. DHA reviewed the matter only after CCWRO's intervention and restore B017652's benefits on an expedited emergency basis in December 2020.

While CCWRO understands the necessity of protecting the health of county workers, the needs of safety net beneficiaries—the most vulnerable Californians—must be given equal priority. So far, many California counties have not met their obligation to provide equitable access to all beneficiaries and ensure needed accommodations for disability, age, and illness. The pandemic is no excuse for the abject failure to administer state welfare programs in a fair, accessible manner—in fact, the unique pressures and impacts of the pandemic make equity and access more important than ever. Counties must do better, and CCWRO will continue to hold county programs accountable when their processes fall short.

This case is just one example of a multitude of similar cases that have occurred and continue to occur throughout California. County welfare departments with limited staff (many of whom are working at home or otherwise off-site) are operating with significantly reduced client access. In some critical instances, these agencies are failing to provide timely and adequate services and benefits to needy, disabled and elderly households and families. The inability to reach a live welfare staff person

is resulting in the unnecessary loss of desperately needed benefits.

While CCWRO understands the necessity of protecting the health of county workers, the needs of safety net beneficiaries—the most vulnerable Californians—must be given equal priority. So far, many California counties have not met their obligation to provide equitable access to all beneficiaries and ensure needed accommodations for disability, age, and illness. The pandemic is no excuse for the abject failure to administer state welfare programs in a fair, accessible manner—in fact, the unique pressures and impacts of the pandemic make equity and access more important than ever. Counties must do better, and CCWRO will continue to hold county programs accountable when their processes fall short.