
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

SB 882 (Wiener) - CalFresh

Version: May 13, 2020

Urgency: No

Hearing Date: June 9, 2020

Policy Vote: HUMAN S. 7 - 0

Mandate: Yes

Consultant: Samantha Lui

Bill Summary: Senate Bill 882 would require the Department of Social Services (CDSS) to participate in a federal demonstration project program, and would require specified CalFresh program flexibilities, in order to increase client access and retention.

Fiscal Impact: According to the Office of Systems Integration, one-time \$1 million. The fund source may be 50 federal fund/35 General Fund/15 county funds; or 50 federal fund/50 General Fund. Although costs are estimated to be one-time, as these initiatives will not need ongoing maintenance, the funding many need to be allocated in out-years depending on the timing for automation implementation.

Staff notes limited-term, indeterminate cost pressures (high tens of thousands, General Fund) for CDSS to redirect existing staff resources to develop and administer the application form and to apply for federal waivers.

Background: According to the Senate Health Committee analysis:

CalFresh is California's version of federal SNAP and provides monthly food benefits to qualified low-income individuals and families to assist with the purchase of the food. These benefits, which are 100 percent federally funded, are issued monthly on an individual's Electronic Benefit Transfer (EBT) card. The CDSS administers the program on the state-level, and county welfare departments determine applicant eligibility and conduct redeterminations annually on the local-level.

In order to be eligible for CalFresh, monthly gross income must be at or below 200 percent of federal poverty level (FPL) (\$3,556 for a household of three). In January 2020, the average CalFresh household received about \$300, and the average CalFresh benefit per person was about \$123.

Due to the COVID-19 pandemic, on March 4, 2020, the Governor declared a State of Emergency, and subsequently issued Executive Order N-33-20, which established a statewide stay at home order for non-essential workers. Since March 19, 2020, almost 4 million Californians submitted initial unemployment claims, and CalFresh applications increased from about 39,000 in March 2019 to 96,000 in March 2020. In response, CDSS moved to create program flexibility within CalFresh and other public assistance programs, so newly eligible persons could quickly receive benefits and individuals/households, who were already receiving benefits, could receive them uninterrupted (while county offices were closed or operating under reduced hours).

An example of one program change was the federal waiver of telephone signature requirements, which had been allowable under provisions of the 2008 Farm Bill. Under this waiver, applicants may verbally attest to the information provided on the application,

and county welfare offices may document the attestation in the case record. This waiver may only be applied at initial application when an application is submitted over the phone or when a paper application is submitted without a signature. CDSS has also implemented a number of other emergency policy changes, such as suspending redetermination for the months of March through May 2020, and until the end of May 2020.

SAWS is the automated eligibility and case management system used by all 58 county welfare offices in order to administer CalWORKs, CalFresh, Medi-Cal, Foster Care, Refugee Assistance, County Medical Services Program, and General Assistance/General Relief to children, families and individuals. The SAWS “consortia” is made up of C-IV, LRS and CalWORKs Information Network (CalWIN). In December 2016, the federal government issued a requirement for SAWS to be a single system by 2023 in order to continue receiving federal funds.

The Elderly Simplified Application Project (ESAP) is a federal demonstration project intended to increase SNAP participation and streamline enrollment among households composed solely of low-income elderly (60 years of age or older) or members with a disability with no earned income. California first began participating in ESAP in 2017, and received several following waivers:

- Waive the recertification interview requirement for elderly or households with an individual with a disability with no earned income;
- Make use of data matching to reduce client-provided verifications for elderly or disabled households with no earned income; and
- Extended the certification period to 36 months for elderly or disabled households with no earned income.

Since implementation, about 500,000 households have been certified under ESAP. California has not adopted a simplified application form, which is an option under ESAP. California’s ESAP waiver expires on December 31, 2021, and any changes to ESAP would a waiver amendment.

Proposed Law: The bill requires the CDSS to participate in all elements of the ESAP, including developing a CalFresh user-centered application for seniors that minimizes the burdens of the overall enrollment process, and waiving the semiannual reporting requirement under CalFresh. The bill also would include the following provisions:

- Requires an individual, to the extent permitted under federal law, to have the option to apply, report, and recertify for CalFresh in person, by mail, online, or by telephone, and to have the option to complete the interview and the required client signature by telephone.
- Authorizes a county to implement any method of telephonic signature or electronic signature, in compliance with state and federal program requirements, supported by county business practices and available technology.
- Requires the CDSS to work with specified stakeholders to develop and execute a plan of support for counties that have not already implemented a telephone-

based application and renewal process, and to provide technical assistance and resources.

- States the application process, to the extent permitted under federal law, satisfies both of the following criteria: includes user-friendly language and incorporates user-testing and requires the eligibility, enrollment, and retention system to offer an applicant or recipient assistance with their application, required reporting, or recertification for the CalFresh program in person, over the telephone, and online, and in a manner that is accessible to individuals with disabilities and those who have limited English proficiency.
- Requires counties that currently use the Consortium IV (C-IV) or LEADER Replacement System (LRS) (SAWS) to comply on or before January 1, 2022, and counties currently using the Welfare Client Data System (WCDS) of SAWS to comply with this section beginning on or before January 1, 2023.
- Provides that reimbursement is required to local agencies if the Commission on State Mandates determines the bill contains state-mandated costs.

Related Legislation:

- AB 2413 (Ting, 2020) requires each county welfare department, no later than January 1, 2022, to utilize text messages for certain applicants and beneficiaries of CalFresh; streamlines certain aspects of the reporting process; and, requires counties, no later than July 1, 2021, to implement certain interview scheduling techniques in addition to providing written notice, among other changes. This bill is on the Assembly Floor.
- SB 285 (Wiener, 2019) would have, among other provisions, required an individual to have the option to apply, report and recertify for CalFresh in person, by mail, online or by telephone, and to complete the interview and the required client signature by telephone, by specified dates. This bill was held in the Assembly Appropriations Committee.

Staff Comments: Staff notes the bill's telephonic and electronic signature features are projected to be included as part of the CalSAWS migration.

On May 24, 2020, the Senate Budget Subcommittee 3 approved several actions for CalFresh, including: Approving the Governor's proposal for CalFresh application assistance (\$5 million), as well as funding a workload budget for increased support for CalWORKs and CalFresh program improvement; and approved the May Revision request for \$1.2 million in reimbursement authority for the Department of Rehabilitation to conduct outreach and application assistance for newly-eligible individuals as a result of the SSI cash-out policy.

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