

Date of Hearing: July 15, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

SB 290 (Smallwood-Cuevas) – As Introduced February 6, 2025

SENATE VOTE: 38-0

SUBJECT: CalWORKs

SUMMARY: Repeals vaccine requirements for California Work Opportunity and Responsibility to Kids (CalWORKs) recipients on July 1, 2026, or when the California Department of Social Services (CDSS) notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation. Specifically, **this bill**, removes the CalWORKs immunization penalty by deleting provisions of current law that, as specified:

- 1) Require all CalWORKs applicants and recipients, within 30 to 45 days depending on the circumstances, with an additional 30 days when good cause is determined to exist, to provide documentation that all children in the assistance unit who are not required to be enrolled in school have received all age-appropriate immunizations unless: it has been medically determined that an immunization for a child is not appropriate, or the applicant or recipient has filed an affidavit with the county welfare department attesting that the immunizations are contrary to their beliefs; and,
- 2) Require, at the time of application and at the next redetermination of eligibility for aid, for the notice advising recipients of their obligation to secure immunizations, to contain a statement that the applicant or recipient may file an affidavit claiming that the immunizations are contrary to the applicant's or recipient's beliefs.

EXISTING LAW:

- 1) Establishes the CalWORKs program to provide cash assistance and other social services for low-income families through the federal Temporary Assistance for Needy Families (TANF) program. Under CalWORKs, each county provides assistance through a combination of state, county, and federal TANF funds. (Welfare and Institutions Code [WIC] § 11200 *et seq.*)
- 2) Establishes the maximum aid for qualifying families. (WIC § 11450)
- 3) Requires all children in a CalWORKs assistance unit for whom school attendance is compulsory to be required to attend school, as specified. (WIC § 11253.5)
- 4) Requires CalWORKs applicants and recipients to provide documentation showing that all children in the assistance unit who are not required to be enrolled in school have received all age-appropriate immunizations within 30 to 45 days, as specified. Provides exemptions in cases where it has been determined that immunizations are not medically appropriate, or when an affidavit attesting that immunizations are contrary to the applicant's or recipient's beliefs has been filed with the county welfare department. (WIC 11265.8)
- 5) Prohibits an aid payment for any adult in the assistance unit if the required documentation of immunization is not provided within the specified time period. (WIC § 11265.8)

- 6) Establishes qualifying welfare-to-work activities to include employment, on-the-job training, community service, adult basic education, and other specified activities, and requires a specified number of weekly hours of welfare-to-work participation to remain eligible for aid. (WIC § 11322.6)
- 7) Provides that a recipient is eligible to participate in family stabilization if the county determines that the recipient's family is experiencing an identified situation or crisis that is destabilizing the family and would interfere with participation in welfare-to-work activities and services. A situation or a crisis that is destabilizing the family may include, but shall not be limited to:
 - a) Homelessness or imminent risk of homelessness;
 - b) A lack of safety due to domestic violence; or,
 - c) Untreated or undertreated behavioral needs, including mental health or substance use disorder-related needs. (WIC § 11325.24)
- 8) Directs the Department of Public Health, in consultation with the Department of Education, to adopt and enforce regulations to carry out the stated legislative intent to fully immunize appropriate age groups against certain childhood diseases, including diphtheria, measles, mumps, and others, as specified. Allows for certain medical exemptions to immunization requirements, provided specified documentation is supplied. (Health and Safety Code Section 120325 *et seq.*)

FISCAL EFFECT: According to the Senate Committee on Appropriations on April 21, 2025, the CDSS estimates the following:

- No fiscal impact to state operations.
- Ongoing General Fund costs, ranging from \$7 million to \$10 million, resulting from increasing the cash aid grants for families who currently have an immunization penalty.
- One-time costs in 2026-27, ranging from \$1 million to \$2 million, and approximately \$50,000 to \$60,000 ongoing thereafter for automation (General Fund).

COMMENTS:

Background: *CalWORKs Eligibility and Program Requirements.* CalWORKs is the state's primary cash assistance program. More specifically, CalWORKs implements the federal TANF program, which is a federal block grant with the objective of providing income and support to families with children. CalWORKs provides eligible low-income families with cash grants and supportive services and resources, such as subsidized child care, employment training, mental health counseling, and housing assistance.

To qualify for CalWORKs, families generally must earn less than about 80% of the federal poverty level. In 2024-25, the administration estimates the average CalWORKs grant amount to be \$1,001 per month across all family sizes and income levels. Only families with children generally qualify for CalWORKs. Further, to qualify, recipients are required to participate in welfare-to-work programs unless exempt.

CalWORKs is administered at the county level; it is funded largely through the federal TANF block grant and state maintenance-of-effort contributions. The federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (P.L. 104-193) adopted the TANF program. TANF provides block grants (to be supplemented by state maintenance-of-effort funds) to states to design their own welfare programs that meet federal requirements, including the establishment of work requirements and imposition of a lifetime limit of no more than five years on receipt of TANF benefits. Among many other provisions, PRWORA authorized states to create individual responsibility plans for program participants, whereby states could opt to establish a number of obligations related to receipt of TANF benefits, including requiring school attendance, health screenings, and immunizations.

CalWORKs Immunization Requirements. As such, AB 1542 (Ducheny), Chapter 270, Statutes of 1997, adopted a requirement that that all applicants for, and recipients of, CalWORKs benefits provide documentation that any children in the assistance unit under the age of 6 not required to be enrolled in school have received all age-appropriate immunizations. Applicants and recipients can secure an exemption from this requirement if they file an affidavit with the county stating that immunizations are against their beliefs, or if they supply documentation stating that it has been medically determined that immunizations are inappropriate. Counties are required to give individuals applying for or receiving CalWORKs aid a notice regarding their obligation to provide proof of immunization; these individuals must also be provided information on, among other things, the relevant childhood immunization schedules and how to obtain immunizations using Medi-Cal or through a county public health clinic or other available sources.

Adults applying for CalWORKs must supply the required proof of immunization within 30 days of approval for Medi-Cal, unless they are already receiving Medi-Cal – in those instances, they have 45 days to submit documentation. Parents and caretaker relatives who are already receiving CalWORKs have 45 days after redetermination of CalWORKs eligibility to submit immunization documentation. An additional 30 days may be granted if the county finds that good cause exists for a CalWORKs applicant or recipient failing to submit verification in the timeframe allowed. If a parent or caretaker relative does not submit the required documentation by the specified deadline, their needs will not be considered in determining the family's grant amount until such documentation is supplied.

According to CalWORKs immunization rules, if a recipient does not submit proof of immunization for all children under 6 years of age in the assistance unit, their cash aid will be lowered by an amount equal to the share of the cash aid for the parent or caretaker relative. Once proof is submitted, the share of cash aid will be restored for the parent/caretaker relative.

This bill would remove proof of immunization as a program requirement to receive CalWORKs, but will still require applicants, at the time of application and redetermination, to be given notice advising of their obligation to secure the required age-appropriate immunizations. The notice will no longer include a statement that the applicant or recipient may file an affidavit claiming that the immunizations are contrary to their belief.

Author's Statement: According to the Author, "California's CalWORKs program serves as a crucial safety net for families experiencing financial hardship by ensuring that children and their caregivers receive essential support to meet basic needs. Unfortunately, under existing law, aid eligibility requires a parent or caretaker to provide immunization documentation, which many low-income families do not have, and if not produced harms the very children whose health is the focus of the immunization requirement, by cutting the family's CalWORKs aid. [This bill]

seeks to remove this barrier to ensure that families in need are not penalized for administrative challenges unrelated to their economic struggles. [This bill] does not eliminate immunization requirements for children entering school or childcare settings. Instead, it shifts the focus from penalization to education, ensuring that CalWORKs recipients are fully informed of existing immunization mandates for school-aged children. Families seeking aid through CalWORKs are often facing multiple intersecting challenges, including housing instability, food insecurity, and limited access to healthcare. Rather than compounding these difficulties with restrictive and bureaucratic eligibility conditions, [this bill] provides a more compassionate, effective, and equitable approach to supporting California's most vulnerable families.”

Equity Implications: According to the Legislative Analyst's Office, on June 16, 2025, in 2023, approximately 64% of families living in poverty were headed by women, compared to 50% of all families in California. Hispanic families made up about 59% of those in poverty. Regionally, the highest concentrations of families in poverty were found in Los Angeles County (28%) and the San Joaquin Valley (20%).

Families experiencing poverty often face barriers to obtaining medical appointments, documentation of medical appointments, and then providing the documentation to county workers. The administrative burden of turning in such documentation may result in barriers to receive aid. *This bill* may alleviate such burdens.

Policy Considerations: Current law requires that applicants for initial and redetermination of eligibility for CalWORKs receive a notice including the Recommended Childhood Immunization Schedule, United States, and the Recommended Immunization Schedule for Children Not Immunized on Schedule in the First Year of Life, as appropriate, approved by the Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians. However, on June 9, 2025, the entire advisory committee was dismissed, replaced with eight new members, and staff dedicated to immunization at the Centers for Disease Control have been significantly reduced. This change has prompted concern from the American Medical Association (AMA) and doctors. The AMA issued the following statement:

“For generations, the Advisory Committee on Immunization Practices (ACIP) has been a trusted national source of science-and data-driven advice and guidance on the use of vaccines to prevent and control disease. Physicians, parents, community leaders and public health officials rely on them for clinical guidance, public health information, and knowledge. Today’s action to remove the 17 sitting members of ACIP undermines that trust and upends a transparent process that has saved countless lives. With an ongoing measles outbreak and routine child vaccination rates declining, this move will further fuel the spread of vaccine-preventable illnesses.”

Should this bill move forward, the Author may wish to remove the requirement to share information from ACIP.

Proposed Committee Amendments: In order to address the above policy considerations, the Committee proposes the author take the following amendments:

SEC. 2. Section 11265.8 is added to the Welfare and Institutions Code, to read:

11265.8. (a) At the time of application and at the next redetermination of eligibility for aid under this chapter, all applicants and recipients shall be given notice advising them of their obligation

to secure the immunizations required in Chapter 1 (commencing with Section 120325) of Chapter 1 of Part 2 of Division 105 of the Health and Safety Code. The notice shall also contain **both of the following:**

~~(1) The Recommended Childhood Immunization Schedule, United States, and the Recommended Immunization Schedule for Children Not Immunized on Schedule in the First Year of Life, as appropriate, approved by the Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians.~~

~~(2)~~ A description of how to obtain the immunizations through a fee-for-service provider that accepts Medi-Cal, a Medi-Cal managed care plan, a county public health clinic, or any other source that may be available in the county as appropriate.

RELATED AND PRIOR LEGISLATION:

AB 283 (Chu) of 2019, would have revised the requirements regarding mandatory school attendance, eliminate the personal belief exemption for immunization within CalWORKs, delete the requirement that the needs of all parents or caretaker relatives in the assistance unit shall not be considered in determining the amount of the monthly grant if immunization documentation is not provided and, instead permit \$50 per month to be withheld from the monthly grant until the required immunization documentation is provided, regardless of the size of the family. *AB 283 was vetoed by Governor Newsom.*

AB 376 (Lopez) of 2015, would have required CalWORKs applicants or recipients provide immunization records only if the county obtains a report from the California Immunization Registry but is unable to verify that the immunizations have been performed. *AB 376 was vetoed by Governor Brown.*

REGISTERED SUPPORT / OPPOSITION:

Support

Coalition of California Welfare Rights Organizations (Co-Sponsor)
 GRACE Institute - End Child Poverty in CA (Co-Sponsor)
 Western Center on Law & Poverty (Co-Sponsor)
 California Coalition of California Welfare Rights Advocates
 California Partnership to End Domestic Violence
 California State Council of Service Employees International Union (SEIU California)
 California Women's Law Center
 Child Care Providers United (CCPU)
 County Welfare Directors Association of California
 End Poverty in California (EPIC)
 Parent Voices CA

Opposition

None on file.

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