

AMENDED IN SENATE MAY 17, 2019

AMENDED IN SENATE APRIL 2, 2019

SENATE BILL

No. 285

Introduced by Senator Wiener
(Coauthor: Senator Dodd)
(Coauthor: Assembly Member Wicks)

February 13, 2019

An act to amend Section 10823.1 of, and to add Sections ~~10618.4, 18900.3, 18900.3~~ and 18900.4 to, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 285, as amended, Wiener. Public social services.

Existing law requires the Office of Systems Integration to implement a statewide automated welfare system for specified public assistance programs. Existing law declares the intent of the Legislature that representatives from the State Department of Social Services, the State Department of Health Care Services, the Office of Systems Integration, the Interim Statewide Automated Welfare System (SAWS) consortia, and counties meet with advocates, clients, and other stakeholders at least quarterly to review the development status of the California Statewide Automated Welfare System (CalSAWS) project and to engage with stakeholders to discuss current and planned functionality changes, among other topics.

This bill would additionally require those entities to discuss and determine whether the public-facing elements of CalSAWS may allow users to initiate applications for other health and human services benefits serving low-income Californians, including, but not limited to, the California Special Supplemental Nutrition Program for Women,

Infants, and Children (WIC), and other programs that are in substantial use, as specified, in order to minimize the burdens of the overall enrollment processes for eligible individuals and households to receive health and human services benefits.

Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law requires the State Department of Social Services, in conjunction with the State Department of Public Health and appropriate stakeholders, to develop and submit to the Legislature a community outreach and education campaign to help families learn about, and apply for, CalFresh.

This bill would require the State Department of Social Services to oversee a state and local accountability partnership to increase CalFresh participation and retention, to foster continuous quality improvement in the administration of the CalFresh program, and establish specified statewide goals for CalFresh participation and improvement. The bill would require the department to take specified actions to support counties in increasing and retaining CalFresh participants so that counties can achieve the statewide participation goals, including, among others, maintaining a dynamic and publicly available CalFresh data dashboard. The bill would require county human services agencies to work with the department to increase CalFresh participation and retention rates and identify the most effective actions to increase access to, and participation in, CalFresh. The bill would encourage counties to implement cost-effective actions that can be implemented within existing resources or at the expense of the county, but would prohibit counties from being required to implement specific improvements that require additional funds unless the state provides the county with those additional funds. By imposing new requirements on counties, this bill would impose a state-mandated local program.

Existing law requires each county welfare department, to the extent permitted by federal law, to exempt a household from complying with face-to-face interview requirements for the purpose of determining eligibility at initial application and recertification.

This bill would, to the extent permitted by federal law, give an individual the option to apply and recertify for CalFresh in person, by mail, online, or by telephone, permit an individual to complete the interview requirement by telephone or face-to-face, permit an individual

to complete the entire application process for CalFresh enrollment or recertification by telephone, and require the application to process to satisfy specified criteria, including simple, user-friendly language and instructions. By imposing new duties on counties, this bill would impose a state-mandated local program.

~~This bill would also require the department, to the extent permitted under federal law, to design and implement a universal application interface to be used to initiate application for benefits under CalFresh and other specified social services programs.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) Inadequate nutrition and food insecurity threatens the health
4 of 3.7 million low-income adults and over 2 million children in
5 California, leading to adverse health outcomes among children,
6 and increased risk of chronic disease, including diabetes and
7 cardiovascular diseases, yet nearly 2 million eligible Californians
8 are not receiving CalFresh nutrition benefits.

9 (2) The average CalFresh benefit in California is \$136 per person
10 per month. If the state enrolled these 2 million eligible Californians
11 into CalFresh, it would draw up to \$3.5 billion in federal food
12 benefits to the state annually, which would also significantly help
13 farmers, grocers, and the local economy.

14 (3) Due to the implementation of the federal Affordable Care
15 Act, Medi-Cal has expanded to provide health coverage to one in
16 three Californians, and one in two children, with a statewide
17 coverage rate of 95 percent of those eligible participating.

18 (4) While working poor Californians struggle with increased
19 costs of housing and basic needs that outpaced growth in wages,

1 California ranks third to last in the nation at connecting working
2 poor households to CalFresh.

3 (5) While California’s population is aging, with a growing
4 number of seniors experiencing hunger and poverty, California
5 ranks last in the nation at connecting seniors to CalFresh, failing
6 to reach nearly four in five eligible, low-income seniors, despite
7 recent policy changes to simplify enrollment processes and medical
8 deductions for seniors.

9 (6) CalFresh has undergone several significant changes over
10 the past several years, including all of the following:

11 (A) Reduced barriers to enrollment by removing asset test and
12 finger imaging requirements.

13 (B) Increased guidance to make online and phone applications
14 more widely available so that residents can apply for benefits
15 without visiting an office, similar to Medi-Cal.

16 (C) Interdepartmental collaboration to improve horizontal
17 integration among social service programs, including CalFresh,
18 Medi-Cal, CalWORKS, and *the* California Special Supplemental
19 Nutrition Program for Women, Infants, and Children (WIC
20 Program).

21 (D) Reversal of the longstanding Supplemental Security Income
22 (SSI) “cashout” policy, which provides a pivotal opportunity to
23 establish CalFresh eligibility for 500,000 seniors and disabled
24 Californians receiving SSI benefits.

25 (7) Given these changes in CalFresh and the need to connect
26 health and nutrition, particularly for newly eligible SSI recipients,
27 the time is right to improve CalFresh entry points, better align
28 Medi-Cal and CalFresh enrollment, and set statewide goals for
29 CalFresh participation outcomes.

30 (b) It is the intent of the Legislature to maximize the impact of
31 federal safety net funding to reduce poverty, fight hunger, and
32 improve health by enrolling all eligible, low-income Californians
33 into CalFresh, and to initiate a universal application interface to
34 statewide human services programs concurrent with consolidation
35 of the Statewide Automated Welfare System (SAWS) in order to
36 provide streamlined access to benefits under ~~the~~ CalFresh,
37 Medi-Cal, CalWORKS, and the *California* Special Supplemental
38 Nutrition Program for Women, Infants, and Children ~~(WIC)~~
39 ~~programs~~. (*WIC*).

1 ~~SEC. 2. Section 10618.4 is added to the Welfare and~~
2 ~~Institutions Code, to read:~~

3 ~~10618.4. (a) The department, in consultation with the Health~~
4 ~~and Human Services Agency, county welfare agencies, and relevant~~
5 ~~stakeholders, shall design and, to the extent permitted under federal~~
6 ~~law, implement a universal application interface to be used to~~
7 ~~initiate applications for benefits under the programs identified in~~
8 ~~paragraph (1) of subdivision (a) of Section 10823, any program~~
9 ~~established under Article 2 (commencing with Section 123275)~~
10 ~~of Chapter 1 of Part 2 of Division 106 of the Health and Safety~~
11 ~~Code, and any other programs in substantial use as determined by~~
12 ~~the California Health and Human Services Agency.~~

13 ~~(b) The universal application interface for social services~~
14 ~~programs described in subdivision (a) shall utilize user-centered~~
15 ~~design to minimize the burdens of the overall enrollment processes~~
16 ~~for eligible individuals and households to apply, receive, and retain~~
17 ~~benefits.~~

18 ~~(c) In order to support consumer access, shared services, and~~
19 ~~interoperability between programs, the universal application~~
20 ~~interface shall be ready for implementation by January 1, 2023.~~

21 *SEC. 2. Section 10823.1 of the Welfare and Institutions Code*
22 *is amended to read:*

23 10823.1. (a) It is the intent of the Legislature that
24 representatives from the State Department of Social Services, the
25 State Department of Health Care Services, the Office of Systems
26 Integration, the SAWS consortia, and the counties meet with
27 advocates, clients, and other stakeholders no less than quarterly
28 to review the development status of the California Automated
29 Consortium Eligibility System (CalACES) and the California
30 Statewide Automated Welfare System (CalSAWS) projects.

31 (b) Meeting agendas shall be established based on input from
32 all parties, who may indicate their priorities for discussion.

33 (c) The State Department of Social Services, the State
34 Department of Health Care Services, the Office of Systems
35 Integration, and the SAWS consortia shall engage with stakeholders
36 to discuss current and planned functionality changes, system
37 demonstrations of public portals and mobile applications, and
38 advocates' identification of areas of concern, especially with the
39 design of public-facing elements and other areas that directly
40 impact clients. *These entities shall also discuss and determine*

1 *whether the public-facing elements of CalSAWS may allow users*
2 *to initiate applications for other health and human services benefits*
3 *servicing low-income Californians, including, but not limited to, the*
4 *California Special Supplemental Nutrition Program for Women,*
5 *Infants, and Children (WIC), and other programs that are in*
6 *substantial use, as determined by the California Health and Human*
7 *Services Agency, in order to minimize the burdens of the overall*
8 *enrollment processes for eligible individuals and households to*
9 *receive health and human services benefits.*

10 (d) These meetings shall commence in the summer of 2018 and
11 shall continue at least quarterly through development,
12 implementation, and maintenance.

13 SEC. 3. Section 18900.3 is added to the Welfare and
14 Institutions Code, to read:

15 18900.3. (a) To ensure that eligible Californians have
16 universally excellent access to CalFresh, the State Department of
17 Social Services shall oversee a state and local accountability
18 partnership with county human services agencies and other
19 stakeholders to increase CalFresh participation and retention
20 statewide, and to foster continuous quality improvement in
21 CalFresh program administration.

22 (b) In order to provide universally excellent access to CalFresh,
23 the department shall establish the following statewide goals for
24 CalFresh participation and improvement:

25 (1) By January 1, 2021, the department shall aim to have at least
26 75 percent of households eligible for CalFresh under Section
27 18900.5 enrolled in CalFresh, with the goal of no county having
28 less than 65 percent of eligible households enrolled.

29 (2) By July 1, 2022, the department shall aim to have at least
30 85 percent of all households eligible for CalFresh under Section
31 18901 enrolled in CalFresh, with the goal of no county having less
32 than 75 percent of eligible households enrolled.

33 (3) By July 1, 2024, the department shall aim to have at least
34 95 percent of all households eligible for CalFresh under Section
35 18901 enrolled in CalFresh, with the goal of no county having less
36 than 85 percent of eligible households enrolled.

37 (c) For the purpose of evaluating progress towards the
38 participation goals identified in subdivision (b), the department,
39 in consultation with counties and other stakeholders, shall utilize
40 the rate of Medi-Cal participating households deemed likely

1 eligible for CalFresh that are participating in CalFresh as a proxy
2 metric for the participation rate in order to facilitate near-term
3 evaluation in meeting participation goals. The department shall
4 calculate this proxy metric by September 1, 2020.

5 (d) (1) County human services agencies shall work with the
6 department to increase CalFresh participation and retention rates
7 within the county, as necessary to meet statewide goals identified
8 in subdivision (b), and to set county-specific goals for increased
9 participation and retention. These continuous improvement efforts
10 shall incorporate community stakeholder feedback and take into
11 account community efforts, occurring outside of, and in partnership
12 with, the county human services agency, to increase outreach,
13 enrollment, and retention, as well as improvements identified
14 within the agency.

15 (2) (A) The department and counties shall work with community
16 partners and stakeholders to identify the most effective actions
17 that can be implemented to increase access and participation in
18 CalFresh, consistent with state and federal law. These actions may
19 include, but are not limited to, flexible interview scheduling,
20 electronic signature by telephone, maximized use of electronic
21 verification and verification standards that adhere to federally
22 allowable minimum requirements of documentation, minimization
23 of procedural denials, simplified and streamlined enrollment of
24 any individual receiving Medi-Cal or CalWORKs, and other
25 actions identified as effective.

26 (B) Counties are encouraged to implement cost-effective actions
27 that can be implemented within existing resources, or at the
28 expense of the county or through public-private partnerships, but
29 shall not be required to implement specific improvements identified
30 pursuant to subparagraph (A) that require additional funds unless
31 the state provides those additional funds, which may be
32 appropriated in the annual Budget Act.

33 (e) In order to support counties and their community partners
34 in increasing and retaining CalFresh participants so that counties
35 can achieve the statewide goals identified in subdivision (b), the
36 department shall do all of the following:

37 (1) Provide counties with timely, accurately translated materials
38 that are reviewed for understandability with native language
39 speakers to ensure limited-English-proficient language households
40 have the required access in every community.

1 (2) Conduct ongoing user-experience testing of CalFresh
2 application, recertification, and reporting mechanisms with program
3 participants, applicants, application assisters, and counties in order
4 to reduce barriers to participation.

5 (3) Participate in all elements of the Elderly Simplified
6 Application Project, a demonstration project, operated by the
7 United States Department of Agriculture Food and Nutrition
8 Service and develop a user-centered application for seniors that
9 minimizes the burdens of the overall enrollment process.

10 (4) Maintain a dynamic, publicly available CalFresh data
11 dashboard that presents data showing change, activity, or progress
12 over time, and that allows for data extraction for further analysis.
13 If appropriate, the department may utilize existing technology for
14 this purpose. In order to support continuous improvement, and to
15 inform the Legislature and the public about CalFresh enrollment,
16 benefit retention, customer service, and performance, the data
17 management tool shall include statewide and county-specific data.
18 The data shall include, but is not limited to, all of the following:

19 (A) Data regarding multiprogram enrollment, including, but not
20 limited to, dual eligibility and dual participation among CalFresh
21 and Medi-Cal recipients.

22 (B) Data regarding CalFresh applications received through
23 multiple channels, including, but not limited to, applications
24 received in-person, online, and by telephone.

25 (C) Data regarding CalFresh application and recertification
26 outcomes, including, but not limited to, disposition, processing
27 times, and procedural denials.

28 (D) Data regarding CalFresh reapplication, which may include,
29 but is not limited to, rate of return within 30, 60, and 90 days.

30 (E) Data regarding results of ongoing user-experience testing
31 with CalFresh program participants and applicants, as available.

32 (F) Metrics that allow an analysis by county, census tract,
33 primary language, race, ethnicity, sex, age, sexual orientation,
34 gender identity, and disability status, to the extent that the data is
35 collected and is statistically reliable, and that the stratification of
36 data does not breach confidentiality.

37 (G) Additional data identified by the department, counties, or
38 stakeholders as necessary to advance the goals established pursuant
39 to subdivision (b).

1 (5) Provide oversight and technical assistance to counties with
2 regard to the process of continuous improvement described in this
3 section.

4 SEC. 4. Section 18900.4 is added to the Welfare and
5 Institutions Code, to read:

6 18900.4. (a) To the extent permitted under federal law, an
7 individual shall have the option to apply and recertify for CalFresh
8 in person, by mail, online, or by telephone, regardless of their
9 address or lack of a permanent address.

10 (b) To the extent permitted under federal law, an individual may
11 complete the interview required for determining eligibility,
12 including the required client signature, at initial application and
13 recertification by telephone or face to face, regardless of their
14 address or lack of a permanent address. Unless an individual's
15 preference is a face-to-face interview, phone interviews shall be
16 prioritized.

17 (c) To the extent permitted under federal law, an individual shall
18 have the option to complete the entire application process for
19 CalFresh enrollment or recertification by telephone, regardless of
20 their address or lack of a permanent address.

21 (d) To the extent permitted under federal law, the application
22 process shall satisfy both of the following criteria:

23 (1) Include simple, user-friendly language and instructions that
24 incorporate user testing with CalFresh applicants, participants, and
25 application assisters.

26 (2) Require the eligibility, enrollment, and retention system to
27 offer an applicant or recipient assistance with their application,
28 required reporting, or recertification for the CalFresh program in
29 person, over the telephone, and online, and in a manner that is
30 accessible to individuals with disabilities and those who have
31 limited English proficiency.

32 SEC. 5. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.

O