

1 [Administrative Code - County Adult Assistance Programs]

2

3 **Ordinance amending the Administrative Code to: 1) streamline the statutory authority**
 4 **for the City’s indigent aid programs by eliminating redundancies and moving the**
 5 **authority for all programs under one renumbered Article; 2) create the Family General**
 6 **Relief program, to provide aid under limited circumstances to indigent households with**
 7 **minors who are ineligible for state aid; 3) authorize the Department of Human Services**
 8 **to create an intensive employment services program; 4) remove the authority to**
 9 **impose recoupments to collect overpayments resulting from agency error; 5) expand**
 10 **the types of identification that are acceptable as proof of identity; 6) repeal the**
 11 **requirement that applicants transfer to the City any interests in real property; 7)**
 12 **conform to changes in state law governing time limits applied to receipt of benefits**
 13 **under the CalWORKs program; 8) delete outdated provisions that no longer reflect**
 14 **current operation of the General Assistance program; and 9) reduce the time during**
 15 **which records must be retained from five to three years.**

16 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 17 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 18 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 19 **Board amendment additions** are in double-underlined Arial font.
 20 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 21 **Asterisks (* * * *)** indicate the omission of unchanged Code
 22 subsections or parts of tables.

20

21 Be it ordained by the People of the City and County of San Francisco:

22

23 Section 1. Background and Findings

24 (a) The Department of Human Services (“DHS”) administers the County Adult
 25 Assistance Programs (CAAP) for the City and County of San Francisco (“City”), which

1 provides financial assistance and social services to indigent adults. Currently, CAAP includes
2 four separate programs (the General Assistance Program, Personal Assistance Employment
3 Services (PAES) Program, Cash Assistance Linked to Medi-Cal (CALM) Program, and
4 Supplemental Security Income Pending (SSIP) Program), codified in four different Articles of
5 Chapter 20 of the Administrative Code.

6 (b) This ordinance moves the statutory authority for the PAES, CALM, and SSIP
7 Programs to Article VII of Chapter 20 of the Administrative Code and will allow greater
8 alignment between the County Adult Assistance Programs.

9 (c) This ordinance creates a fifth CAAP Program, Family General Relief, which will
10 provide aid to indigent families with minors where the minors are ineligible for state assistance
11 for specified reasons.

12 (d) This ordinance aligns the CAAP Programs with changes in the state CalWORKs
13 program, eliminates outdated provisions that are no longer reflective of current program
14 operations, and will enable DHS to provide a more accessible and streamlined application
15 process.

16 (e) This ordinance will allow DHS to target intensive employment services more
17 effectively, resulting in a better use of City resources and improved outcomes for program
18 recipients.

19 (f) Locating the statutory authority for the City's public benefit programs in a single
20 Article will eliminate redundancies in the Administrative Code, simplify program administration,
21 make it easier for members of the public to understand the programs, and make it easier for
22 clients to access and maintain benefits.

23
24 Section 2. Article VII of Section 20 of the Administrative Code is hereby amended by:

25 (a) deleting Sections 20.55.3, 20.56.1, 20.56.3, 20.56.4, 20.56.7, 20.56.16, 20.57.2, 20.57.4,

1 20.57.5, 20.57.6, 20.57.7, 20.58.1, 20.59.7, 20.59.9, 20.60.10, 20.60.11, 20.60.14, (b)
2 revising existing Sections 20.55, 20.55.1, 20.55.2, 20.55.4, 20.55.5, 20.56, 20.56.2, 20.56.5,
3 20.56.6, 20.56.8, 20.56.9, 20.56.10, 20.56.11, 20.56.12, 20.56.13, 20.56.14, 20.56.15,
4 20.56.17, 20.56.18, 20.57, 20.57.1, 20.57.3, 20.57.6A, 20.58, 20.58.2, 20.58.4, 20.58.5,
5 20.58.6, 20.59, 20.59.1, 20.59.2, 20.59.3, 20.59.4, 20.59.6, 20.59.8, 20.59.10, 20.59.11,
6 20.59.12, 20.59.13, 20.59.14, 20.59.15, 20.59.16, 20.60, 20.60.1, 20.60.2, 20.60.3, 20.60.4,
7 20.60.5, 20.60.6, 20.60.7, 20.60.8, 20.60.9, 20.60.12, 20.60.13, (c) renumbering those
8 sections being revised, to encompass newly numbered Sections 20.7-1 through 20.7-58,
9 including (d) adding new Sections 20.7-7, 20.7-27, 20.7-57, and 20.7-58, to read as follows:

10
11 **ARTICLE VII: ~~GENERAL ASSISTANCE~~ COUNTY ADULT ASSISTANCE PROGRAMS**

12
13 **SEC. ~~20.55-1~~ 20.55-1. TITLE.**

14 This Article VII shall be known as the "*General Assistance County Adult Assistance*
15 *Program*" of the City and County of San Francisco."

16
17 **SEC. ~~20.55-17-2~~ 20.55-17-2. AUTHORITY AND MANDATE.**

18 *(a) The County Adult Assistance Programs consist of the General Assistance Program, the*
19 *Personal Assisted Employment Services (PAES) Program, the Cash Assistance Linked to Medi-Cal*
20 *(CALM) Program, the Supplemental Security Income Pending (SSIP) Program, and the Family*
21 *General Relief Program.*

22 *(a)(b) This The General Assistance program is established pursuant to Chapter 1, Part 5,*
23 *of the California Welfare and Institutions Code Division 9, Part 5, Chapter 1 of the State of*
24 *California, commencing with Section 17000.*

1 ~~(b)~~(c) Any amendments to the above authority, adopted subsequent to the effective
2 date of this Article VII, shall not invalidate any provisions of this Article. Any amendments to
3 the Welfare and Institutions Code that may be inconsistent with ~~this~~ the administration of the
4 General Assistance Program, as set forth in this Article, shall govern.

5 ~~(e)~~(d) The provisions of this Article VII shall govern in relation to all other ordinances of
6 the City and County of San Francisco and rules and regulations pursuant thereto. In the event
7 of any inconsistency or conflict between the provisions of this Article and other provisions of
8 the Administrative Code, the most specific shall prevail.

9 ~~(e)~~ The PAES, CALM, SSIP, and Family General Relief Programs, as set forth in this
10 Article VII, are not established pursuant to Chapter 1, Part 5, Division 9 of the California Welfare and
11 Institutions Code and may be amended or terminated by the Board of Supervisors at any time, for any
12 reason. In the event that PAES, CALM, SSIP, and/or Family General Relief are terminated, all
13 Applicants for and participants in those programs shall be transitioned to the General Assistance
14 Program without need to reapply, in accordance with the rules and regulations of that program.

15
16 **SEC. 20.55.27-3. DEFINITIONS.**

17 For the purposes of this ordinance:

18 ~~(a)~~ — ~~The term "A~~applicant" is a person who is in the process of applying for benefits
19 under the ~~General~~ County Adult Assistance Programs.

20 "CalFresh" means the food assistance program as defined in Chapter 10 (commencing with
21 Section 18900) of Part 6 of Division 9 of the California Welfare and Institutions Code, or any
22 successor program.

23 ~~(b)~~ — ~~The term "CALM"~~ means the Cash Assistance Linked to Medi-Cal Program as
24 set forth ~~under in this~~ Article VII~~X~~ of this Chapter.

1 ~~(c)~~ *The term "CalWORKs" means the California Work Opportunity and Responsibility*
2 *to Kids as defined in Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the*
3 *California Welfare and Institutions Code or any successor program.*

4 ~~"CAPI" means the Cash Assistance Program for Immigrants as defined in Chapter 10.3~~
5 ~~(commencing with Section 18937) of Part 6 of Division 9 of the California Welfare and Institutions~~
6 ~~Code or any successor program.~~

7 ~~"City" means the City and County of San Francisco.~~

8 ~~(d)~~ *The term "dDecrease" means any reduction in a rRecipient's current cash grant*
9 *amount, excluding the supplemental rent payment.*

10 ~~(e)~~ *The term "dDenial" means a determination, based on a General County Adult*
11 *Assistance Programs application, that the aApplicant is not eligible for aid.*

12 ~~(f)~~ *The term "Department" means the Department of Human Services of the City*
13 *and County of San Francisco.*

14 ~~(g)~~ *The term "dDiscontinuance" means the termination of a person's entitlement to*
15 *aid.*

16 ~~(h)~~ *The term "EDD" means the State Employment Development Department.*

17 ~~(i)~~ *The term "eElectronic benefit transfer" means a method of transferring benefits*
18 *through a centralized computer system so that an aApplicant/participant may obtain his or her*
19 *benefits at facilities such as automated teller machines (ATM) and point-of-sale (POS)*
20 *terminals using an access device such as a magnetic stripe plastic card. "Electronic benefit*
21 *transfer" includes direct deposits.*

22 ~~(j)~~ *The term "Executive Director" means the Executive Director of the Department of*
23 *Human Services of the City and County of San Francisco.*

24 ~~(k)~~ *The term "FSET" means Food Stamps Employment and Training.*

25 ~~(l)~~ *The term "GATES" means General Assistance Training and Employment Services.*

1 ~~(m) The word "may" means the provision is permissive.~~

2 ~~(n) The term "MIA" means Medically Indigent Adult or Medically Needy Individual, as~~
3 ~~defined in Welfare and Institutions Code Section 14005.7.~~

4 ~~(o) "MNO" means "Medically Needy Only" benefits under the Medi-Cal program as defined~~
5 ~~in Welfare and Institutions Code Section 14000 et seq.~~

6 ~~(p) "PAES" means the Personal Assisted Employment Services Program as set forth~~
7 ~~under this Article VIII of this Chapter.~~

8 ~~(q) The term "rRecipient" is a person who is receiving General Assistance assistance~~
9 ~~under this Article VII.~~

10 ~~(r) The term "rRecoupment" means the collection of past overpayments under the~~
11 ~~General Assistance Program by deducting by making deductions from current grants, not more than~~
12 ~~10 percent of the current grant amount absent an administrative determination of Recipient fraud and~~
13 ~~not more than 40 percent with an administrative determination of Recipient fraud and an~~
14 ~~administrative evaluation of the rRecipient's current ability to make repayments.~~

15 ~~(s) "Resident of a state or private institution" shall mean that the aApplicant/rRecipient~~
16 ~~is staying in a facility that provides housing and three meals a day.~~

17 ~~(t) The word "shall" means the provision is mandatory.~~

18 ~~(u) The term "SSI/SSP" means Supplemental Security Income/State Supplementary~~
19 ~~Program for Aged, Blind, and Disabled Californians as defined in California Welfare and~~
20 ~~Institutions Code Section 12000, et seq.~~

21 ~~(v) "SSIP" means the Supplemental Security Income Pending Program as set forth~~
22 ~~under this Article VII of this Chapter.~~

23 ~~"State" means the State of California.~~

24 ~~(w) "Supplemental rent payment" means a payment of an applicant/recipient's verified rent~~
25 ~~where such rent exceeds the maximum monthly grant for which an individual is eligible.~~

1 ~~(x) The term~~ "TANF" means Temporary Assistance to Needy Families as defined in
2 Part A (commencing with Section 601) of Subchapter 4 of Chapter 7 of Title 42 of the United
3 States Code.

4 ~~(y) The term "w~~Withholding" means the retention of aid payments.
5

6 ~~SEC. 20.55.3. USAGE OF PRONOUN.~~

7 ~~———— The use of the masculine pronoun shall refer to male or female.~~
8

9 **SEC. 20.55.47-4. PURPOSES AND PRINCIPLES.**

10 (a) This Article VII is enacted to establish rules and requirements for the
11 administration of aid to the indigent and dependent poor of the City ~~and County of San Francisco~~
12 and to adopt standards and conditions for such aid.

13 (b) The purpose of General Assistance is to provide short-term financial or in-kind
14 assistance and other services to indigent residents of the City and County who are unable to
15 support themselves and have exhausted their own means of support; and are not residents of
16 state or private institutions. General Assistance is intended to enable and encourage persons
17 aided to:

- 18 (1) Find employment if employable;
19 (2) Receive support from other federal or State sources; and ~~to~~
20 (3) Reduce or eliminate the conditions that have led to indigency and
21 dependency.

22 ~~(c) The purposes of the PAES Program are: (1) to provide quality evaluation of vocational~~
23 ~~experience, qualifications, strengths, and needs; and (2) to provide the participant with the supportive~~
24 ~~services and activities necessary to assist the participant in obtaining paid employment.~~
25

1 (d) The purpose of the CALM Program is to provide cash payments to those individuals who
2 have been determined to be eligible for Medi-Cal, the State health care program, as set forth in
3 California Welfare and Institutions Code Sections 14000 et seq., on the basis of being aged, blind, or
4 disabled, and who meet specific financial criteria, but who are not eligible for federal or State support.

5 (e) The purpose of the SSIP Program is to provide cash payments to those individuals with
6 medical verification of a permanent disabling condition pending their application for federal disability
7 benefits.

8 (f) The purpose of the Family General Relief Program is to provide assistance to indigent
9 families with minor children who are ineligible for CalWORKs as a result of the application of the
10 Maximum Family Grant rule and/or the income deeming rule for sponsored noncitizens.

11 ~~(c) The responsibilities of the recipients under this program include the following:~~

12 ~~—— (1) All applicants and/or recipients are to attend the introductory General Assistance~~
13 ~~orientation program, unless medically unable to do so;~~

14 ~~—— (2) All employable applicants and/or recipients shall also attend the General~~
15 ~~Assistance evaluation program, unless medically unable to do so.~~

16 ~~—— (3) Employable recipients are required, as determined by the Department of Human~~
17 ~~Services, to seek employment, to participate in Department-approved job counseling, vocational~~
18 ~~rehabilitation, drug or alcohol treatment programs; and to perform such volunteer or other work~~
19 ~~assignments as are made available through the Department; and~~

20 ~~—— (4) Unemployable recipients are required to seek other means of federal or State~~
21 ~~support, where available, including, but not limited to, support available under State and federal~~
22 ~~programs such as SSI/SSP, and to seek treatment where available to alleviate those conditions leading~~
23 ~~to their dependency.~~

24 (d)(g) Assistance is to be administered in a manner which is consistent with and will
25 help achieve basic General Assistance Program purposes and which respects individual

1 privacy and personal dignity. The following policies and principles govern the public social
2 services:

3 (1) ~~General~~ Assistance is to be administered promptly and humanely, without
4 discrimination on account of race, sex, sexual orientation, religion, or political affiliation.

5 (2) ~~General~~ Assistance is to be so administered as to encourage self-respect,
6 self-reliance, and the desire to be a goodproductive citizen, ~~useful to society~~.

7 (3) ~~General~~ Assistance is to be administered with courtesy, consideration, and
8 respect, and without attempting to elicit any unnecessary information.

9 (4) Duties should be performed in such a manner as to secure for every
10 ~~a~~ Applicant or ~~r~~ Recipient the amount of aid to which he or she is entitled under the law.

11 (5) Duties should be performed in a manner that usefully assists all employable
12 ~~r~~ Recipients in seeking employment and all unemployable ~~r~~ Recipients in obtaining other
13 appropriate public benefits.

14 (6) There is to be no question, inquiry, or recommendation relating to the
15 political or religious opinions or affiliations of any ~~a~~ Applicant or ~~r~~ Recipient.

16 (7) ~~General~~ Assistance is to be administered in the most cost-effective manner
17 possible.

18
19 **SEC. 20.55.57-5. POLICY AND ADMINISTRATION.**

20 (a) The Board of Supervisors has authority for establishing the policies under which
21 the ~~General Assistance~~ County Adult Assistance Programs ~~is~~ are administered, and any change or
22 exceptions, except as otherwise provided, may be made only upon its authorization.

23 (b) The Department ~~of Human Services~~ shall administer the County Adult Assistance
24 Programs. ~~all public aid and relief in the City and County to indigent persons of said City and County.~~
25 ~~Said aid and relief shall be administered in accordance with standards of aid and care for such persons~~

1 ~~as adopted herein by the Board of Supervisors.~~ The Executive Director ~~of the Department of Human~~
2 ~~Services~~ shall establish rules and regulations for the proper administration of the ~~General~~
3 ~~County Adult~~ Assistance Programs.

4 (c) In actual emergencies, the Executive Director ~~of the Department of Human Services~~
5 may make exceptions to policies pending action by the Board of Supervisors. Such action
6 shall be reported to the Board of Supervisors within five working days.

7
8 **~~SEC. 20.55.6. SEVERABILITY.~~**

9 ~~(a) If any section, subsection, paragraph, sentence, clause or phrase of this Article, or any~~
10 ~~part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of~~
11 ~~competent jurisdiction, or other competent agency, such decision shall not affect the validity or~~
12 ~~effectiveness of the remaining portions of this Article or any part thereof. The Board of Supervisors~~
13 ~~hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or~~
14 ~~phrase thereof, irrespective of the fact that any one or more sections, subsections, paragraphs,~~
15 ~~sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.~~

16 ~~(b) If the application of any provision or provisions of this Article to any person, class of~~
17 ~~persons, property or circumstances is found to be unconstitutional or invalid or ineffective in whole or~~
18 ~~in part by any court of competent jurisdiction, or other competent agency, the effect of such decision~~
19 ~~shall be limited to the person, class of persons, property or circumstances immediately involved in the~~
20 ~~controversy, and the application of any such provision to other persons, properties and circumstances~~
21 ~~shall not be affected.~~

22 ~~(c) This Section shall apply to this Article as it now exists and as it may exist in the future,~~
23 ~~including all modifications thereof and additions and amendments thereto.~~

24
25 **~~SEC. 20.567-6. ELIGIBILITY FOR AID; INDIGENT ADULT DEFINED.~~**

1 (a) Aid, services, or both shall be granted under the provisions of this Article VII and
2 subject to the regulations of the Department to individuals and to families, as that term is defined
3 in (1) any indigent person 18 years of age or over, (2) or any person under the age of 18 who is legally
4 married or who has been divorced, but not one whose marriage has been annulled or (3) to family as
5 set forth in Section 20.577-21 of this Article. However, applicants who are receiving assistance
6 under PAES, CALM or SSIP shall not be granted aid or services under this Article.

7 (b) Eligibility for General Assistance. Applicants and Recipients shall be eligible for
8 benefits under the General Assistance Program if they meet the eligibility standards set forth in this
9 Article VII, and any rules or regulations promulgated thereunder.

10 (c) Eligibility for the PAES Program. Applicants and Recipients shall be eligible for
11 benefits under the PAES Program if they meet the eligibility standards set forth in this Article VII, and
12 any rules or regulations promulgated thereunder, and:

13 (1) Have been determined to be employable based on the Department's assessment
14 of their physical and mental health, and their ability to perform work;

15 (2) Meet the residency requirement set forth in Section 20.7-11; and

16 (3) Agree to fulfill the job readiness activities required of PAES participants as set
17 forth in Sections 20.7-26 and 20.7-27.

18 (d) Eligibility for the CALM Program. Applicants and Recipients shall be eligible for
19 benefits under the CALM Program if they meet the eligibility standards set forth in this Article VII, and
20 any rules or regulations promulgated thereunder, and:

21 (1) Submit to the Department a complete Medi-Cal application; and

22 (2) Are determined to be eligible for Medi-Cal benefits for the aged, blind, or
23 disabled, based upon State eligibility criteria.

24 (e) Eligibility for the SSIP Program. Applicants and Recipients shall be eligible for benefits
25 under the SSIP Program if they meet the eligibility standards set forth in this Article VII, and any rules

1 or regulations promulgated thereunder, and have a permanent disability, as determined by the
2 Department.

3 (f) Eligibility for the Family General Relief Program. Applicants and Recipients shall be
4 eligible for benefits under the Family General Relief Program if:

5 (1) There is a minor in the Applicant household;

6 (2) The Applicant household has demonstrated that it would be eligible for
7 CalWORKs cash assistance, but for application of the Maximum Family Grant rule, as set forth in
8 California Welfare and Institutions Code Section 11450.04(a), and/or the deeming rule for sponsored
9 noncitizens, as set forth in California Welfare and Institutions Code Section 11008.135, as such
10 sections may be amended from time to time; and

11 (3) The Applicant household has no other source of income.

12 (g) Eligibility criteria applicable to all Applicants and Recipients of the General Assistance,
13 PAES, CALM, and SSIP Programs.

14 (1) Unemployment due to a bona fide strike, lockout, or other labor dispute in and of
15 itself shall have no effect on eligibility for assistance under this Article VII, provided the Applicant or
16 Recipient meets all other eligibility requirements and actively seeks and accepts offers of employment.

17 (2) Initial aid payments shall be conditional upon attendance at Department
18 orientation programs.

19 (3) All Applicants shall seek other means of federal or State support, where
20 available, including, but not limited to, support available under State and federal programs such as
21 SSI/SSP, CalWORKs, CAPI, Medi-Cal, Supplemental Security Income, Social Security, Unemployment
22 Insurance, CalFresh or any successor program administered under the Supplemental Nutrition
23 Assistance Program.

24 (4) Residents of a state or private institution shall be ineligible for assistance under
25 this Article VII, per California Welfare and Institutions Code Section 17000.

1 (5) An individual serving a sanction for fraud under any of the County Adult
2 Assistance Programs set forth in this Article VII is ineligible to receive benefits under any of the other
3 County Adult Assistance Programs until that sanction period is completed.

4
5 **SEC. 20.7-7 ADMINISTRATION OF FAMILY GENERAL RELIEF PROGRAM;**
6 **MAXIMUM GRANT AMOUNT; PROMULGATION OF PROGRAM RULES**

7 (a) The Department of Human Services shall administer the Family General Relief
8 Program.

9 (b) For each eligible individual or for each eligible family of two or more persons who
10 qualify for aid under the Family General Relief program, the maximum monthly amount of aid to which
11 such Recipients are entitled shall be equal to the maximum monthly grant to which a household of the
12 same size is eligible under the CalWORKs program. For purposes of this subsection (b), household
13 size shall be determined based on the number of minors who are eligible for Family General Relief.

14 (c) The Department of Human Services shall promulgate regulations for the administration
15 of the Family General Relief Program. The regulations shall be aimed at meeting the needs of
16 households with minors and shall promote the efficient administration the program. The regulations
17 shall establish procedures for determining eligibility for Family General Relief, processing
18 applications, recertifications, sanctions, discontinuances, notices and administrative appeals, and such
19 other procedures as the Director determines would serve the interest of the program.

20
21 **SEC. 20.56.1. PRORATION OF SALARY OF FULL-TIME CERTIFIED EMPLOYEE OF**
22 **SCHOOL DISTRICT, UNIVERSITIES, COMMUNITY COLLEGES OVER A TWELVE-MONTH**
23 **PERIOD.**

1 *The salary of a full-time certified employee of a school district, private school, community*
2 *college, or university shall be prorated over a 12-month period for the purpose of determining*
3 *eligibility for aid under this Article.*

4
5 **SEC. 20.56.27-8. PRORATION OF INCOME OVER CONTRACT PERIOD.**

6 The income of any person under a contract of employment *on an annual basis* who
7 works and receives income from such contract *in fewer than 12 months* shall be prorated over
8 the period of the contract for the purposes of this Article VII.

9
10 ~~**SEC. 20.56.3. PROPRIETOR OF BUSINESS INELIGIBLE.**~~

11 ~~*Proprietors of businesses who employ other workers are ineligible for aid under this Article.*~~

12
13 ~~**SEC. 20.56.4. PRORATION OF INCOME OF SELF-EMPLOYED AND FREELANCE**~~
14 ~~**WORKER OVER A TWELVE-MONTH PERIOD.**~~

15 ~~*The income of any self-employed person or freelance worker shall be prorated over a 12-month*~~
16 ~~*period for the purpose of determining eligibility for aid under this Article.*~~

17
18 **SEC. 20.56.57-9. REBUTTABLE PRESUMPTION OF INELIGIBILITY – STUDENTS.**

19 Status as a full-time student shall create a rebuttable presumption that such person is
20 unavailable for, or unable to accept, offers of employment. The presumption may be rebutted
21 by satisfactory evidence *being* presented to the Department *of Human Services* of the student's
22 opportunity, availability, and intent to seek employment on a full-time basis.

23
24 **SEC. 20.7.1056.6. REBUTTABLE PRESUMPTION OF INELIGIBILITY – CURRENT**
25 **INCOME OR EXPENSES.**

1 Verified paid income or expenses during a current month of eligibility and/or application
2 which exceed the otherwise eligible ~~an~~Applicant/~~the~~Recipient's total monthly income and/or
3 assets shall create a rebuttable presumption of ineligibility for aid.

4
5 **~~SEC. 20.56.7. LABOR DISPUTE — EFFECT OF.~~**

6 ~~Unemployment due to a bona fide strike, lockout or other labor dispute in and of itself shall~~
7 ~~have no effect on eligibility, provided the applicant:~~

8 ~~(a) Meets all other eligibility requirements;~~

9 ~~(b) Registers for employment with EDD;~~

10 ~~(c) Actively seeks and accepts offers of employment.~~

11
12 **SEC. 20.7-1156.8. RESIDENCY REQUIREMENT.**

13 (a) Residency in the City ~~and County of San Francisco~~ for 15 continuous days, prior to
14 the time of application, is a requirement of eligibility for General Assistance, the CALM
15 Program, and the SSIP Program. Residency in the City for 30 continuous days, prior to the time of
16 application, is a requirement of eligibility for the PAES Program. No aid shall be paid until such
17 residency is verified, ~~except as provided in Section 20.57.4.~~ Residency in the City ~~and County of~~
18 ~~San Francisco~~ is established by physical presence and intent to reside in the City ~~and County of~~
19 ~~San Francisco~~ which is satisfactorily substantiated by the ~~an~~Applicant or ~~the~~Recipient. An Applicant
20 who may not lawfully reside in the City shall not meet the residency requirement and shall not be
21 eligible for aid under this Article VII.

22 (b) Eligibility for ~~General Assistance~~ assistance under this Article VII will terminate
23 immediately upon abandonment of residency in the City ~~and County of San Francisco~~.

24
25 **SEC. 20.7-1256.9. ALLOWABLE REAL PROPERTY.**

1 ~~(a) The applicant shall transfer or grant to the City and County of San Francisco any interest~~
2 ~~which the applicant has in any real property as security for the monies expended for aid. This provision~~
3 ~~is subject to the limitations set forth in Welfare and Institutions Code Section 17000, et seq.~~

4 (b) An ~~a~~Applicant or ~~r~~Recipient of ~~General Assistance~~ assistance under this Article VII may
5 retain real property used as his or her home, provided that the ~~a~~Applicant 's or ~~r~~Recipient's net
6 monthly housing expense does not exceed the otherwise eligible ~~a~~Applicant /~~r~~Recipient's total
7 monthly income and/or assets.

8
9 **SEC. 20.7-1356.10. ALLOWABLE PERSONAL PROPERTY.**

10 No aid under this Article VII shall be granted or paid for any person who has not
11 exhausted all assets and resources available to such person, ~~except for those personal~~
12 ~~properties listed below:~~ provided, however, that the following properties and assets shall be considered
13 “exempt” and shall not be counted in determining eligibility:

14 (a) Cash assets, savings and/or checking accounts, the total of which does not
15 exceed the maximum property reserve permitted under the Medi-Cal program, as set forth in Section
16 50420 of Title 22 of the California Code of Regulations, or any successor regulations~~the current~~
17 ~~monthly maximum grant available to a single individual under Section 20.57(a) of this Article. Any~~
18 ~~combination of these assets that exceeds the monthly maximum grant available to a single individual~~
19 ~~under Section 20.57(a) of this Article shall be offset against the recipient's grant on a dollar-for-dollar~~
20 ~~basis. If the applicant is transitioning from PAES, SSIP or CALM and has been participating in the~~
21 ~~Earned Income and Asset Disregard Program within the three months prior to application for General~~
22 ~~Assistance, such applicant may retain a total of up to \$2,000 in savings. If the applicant is transitioning~~
23 ~~from SSI to General Assistance, the applicant may retain a total of up to \$2,000 in savings.;~~

24 (b) Personal effects, exclusive of luxury jewelry;

25 (c) Household furnishings;

1 (d) Tools, trade equipment, and fixtures used in the individual's regular trade or
2 work;

3 (e) Insurance policies or funds placed in trust for the provision of interment or for
4 funeral expenses to the extent of not more than ~~\$600~~\$1,500 per family;

5 (f) An interment plot for use by members of the ~~a~~Applicant's or ~~#~~Recipient's family;

6 (g) A vehicle with a cash value ~~of less than \$4,650 that does not exceed the maximum~~
7 equity value of a vehicle permitted under the CalWORKs program, as set forth in California Welfare
8 and Institutions Code section 11155(c), or any successor statute; and

9 (h) Life insurance policies with a combined face value of up to \$1,500.

10
11 **SEC. 20.7-1456.11. EXEMPT INCOME OR RESOURCES.**

12 For the purpose of this Article VII, the following types of income and resources shall not be
13 considered available to the Applicant or Recipient in determining eligibility:

14 (a) ~~Personal property, income or resources shall not include i~~Income from relocation
15 payments to individuals receiving aid under this Article VII being displaced by a
16 redevelopment agency or any successor agency;

17 ~~(b) Retirement benefits may be retained upon determination by the Executive Director or his~~
18 ~~or her designee that the applicant or recipient will be reemployed in the near future and that such~~
19 ~~employment is contingent upon the retirement fund not being withdrawn.~~

20 ~~(e)(b)~~ SSI/SSP benefits and resources of a member of the General Assistance family
21 Applicant's or Recipient's household shall not be considered as income or resources available to the
22 applicant or recipient;

23 ~~(d)(c)~~ Any verified grants or loans made to a ~~#~~Recipient or to an ~~a~~Applicant in the month
24 of application, or one month immediately prior to application for the purpose of enabling that
25 ~~#~~Recipient or ~~a~~Applicant to pay his or her rent, or for the purpose of payment of first and last

1 month's rent and any lawful rental deposit, ~~shall not be considered income or resources available~~
2 ~~to that rRecipient or aApplicant.;~~

3 (e)(d) Income tax refunds, including the State and federal Earned Income Tax Credit
4 (EITC), issued to the aApplicant or ~~rRecipient~~ ~~shall not be considered as income or resources~~
5 ~~available to the aApplicant or rRecipient.;~~

6 (f)(e) Payments made to the aApplicant or ~~rRecipient~~ under the Foster Care, Adoption
7 Assistance, or KinGAP Programs; ~~or FSET/GATES programs shall not be considered as income or~~
8 ~~resources available to the applicant or recipient.~~

9 (f) Payments made to an Applicant or Recipient as a result of participation in job readiness
10 or training programs, exclusive of wages earned through subsidized employment;

11 (g) The portion of any student grants or loans that is paid directly to the educational
12 institution for tuition, ~~and/or~~ fees, and/or books.; and

13 (h) Payments made to the Applicant or Recipient as part of a locally-funded work incentive
14 program.

15
16 **SEC. 20.7-1556.12. REIMBURSEMENT AGREEMENT.**

17 Each aApplicant or ~~rRecipient~~ shall sign an Interim Assistance Reimbursement
18 Agreement to authorize Department reimbursement of assistance under this Article VII from
19 retroactive SSI/SSP benefits, in the event that the aApplicant/rRecipient is subsequently awarded
20 SSI/SSP.

21
22 **SEC. 20.7-1656.13. PHOTO IDENTIFICATION.**

23 (a) Each Applicant shall present a verifiable social security number.
24
25

1 ~~(a)(b)~~ Each ~~a~~Applicant shall present proof of identity ~~and a verifiable social security~~
2 ~~number~~. Except as otherwise provided in ~~S~~subsection ~~(c)~~ only the following photo identification
3 shall be accepted:

4 (1) California Department of Motor Vehicles Driver's License or a valid
5 driver's license from another state;

6 (2) ~~California Department of Motor Vehicles~~ A valid U.S. state Identification Card;

7 (3) Current United States Passport provided that such Passport contains a
8 photo taken of ~~a~~Applicant ~~/r~~Recipient when he or she was at least 18 years of age; or

9 (4) Current Immigration and Naturalization identification, provided that such
10 identification contains a photo which was taken of the ~~a~~Applicant/~~r~~Recipient when he or she
11 was at least 18 years of age and was taken within 10 years prior to the date of application of
12 ~~a~~Applicant/~~r~~Recipient.

13 ~~(b)(c)~~ In the event that an ~~a~~Applicant cannot produce a ~~California Department of Motor~~
14 ~~Vehicles~~ valid photo identification card as specified in subsection (b), the Department may assist
15 ~~a~~Applicants and ~~r~~Recipients once in obtaining California Department of Motor Vehicles photo
16 identification. Failure to cooperate in obtaining a Department of Motor Vehicles identification
17 or other permanently acceptable identification as determined by the Executive Director, after
18 90 days on aid under any County-funded indigent assistance program, shall be grounds for
19 discontinuing aid. Recipients discontinued on these grounds are not eligible to receive aid
20 under any County-funded indigent assistance program until they have valid identification
21 pursuant to Department Regulations.

22 ~~(c)~~ ~~In addition, the Department may require applicants and recipients to obtain and present~~
23 ~~Department-issued identification.~~

1 **SEC. 20.7-1756.14. FINGER-IMAGING~~PRINT~~ AND PHOTO-IMAGING**
2 **INFORMATION.**

3 For the purpose of preventing multiple aid payments to the same person, the
4 Department may require that ~~a~~Applicants and ~~r~~Recipients provide finger~~prints~~ images as a
5 condition of eligibility or continuing eligibility, subject to such procedures and regulations as
6 the Department may adopt. Failure to cooperate with the finger~~print~~ imaging procedures
7 provides grounds for denial or discontinuance of aid.

8 Such finger~~prints~~ images are subject to all applicable State and federal laws and
9 regulations regarding the confidentiality of information of ~~a~~Applicants for, or ~~r~~Recipients of,
10 public benefits.

11
12 **SEC. 20.7-1856.15. EXEMPTION FOR TERMINAL ILLNESS.**

13 Terminally ill ~~a~~Applicants with medical verification that such ~~a~~Applicant has a remaining
14 life expectancy of six months or less are exempt from:

15 (a) Providing documentation of legal status in the United States;

16 (b) The provisions of Section 20.7-1356.10~~(h)~~(g) regarding the cash value of a
17 vehicle, provided that the ~~a~~Applicant can demonstrate that such vehicle is necessary to
18 transport the ~~a~~Applicant to and from medical treatment, and that he or she is physically ~~and~~and/or
19 mentally unable to use public transportation;

20 (c) The provisions of Section 20.7-1656.13 regarding the requirement to obtain and
21 present any photo identification.

22 Such ~~a~~Applicants shall meet all other eligibility requirements.

23 There shall be no time limit to the duration of eligibility for ~~General Assistance~~ the
24 exemptions authorized under this ~~provision~~, Section 20.7-18, provided, however, that eligibility for
25 these exemptions shall be redetermined regularly by the Department. A Recipient whose assistance is

1 terminated and who reapplies for assistance will need to provide new medical verification of a
2 remaining life expectancy of no more than six months upon reapplication, as set forth in Department
3 regulations.

4 The Department ~~of Human Services~~ shall maintain records of the number of individuals
5 granted aid under this provision, and ~~shall~~ may provide a report of that number to the Mayor
6 and the Human Services Commission, as requested ~~annually~~.

7
8 **~~SEC. 20.56.16. INELIGIBILITY OF INDIVIDUALS CONVICTED OF A FELONY~~**
9 **~~INVOLVING THE POSSESSION, USE OR DISTRIBUTION OF A CONTROLLED SUBSTANCE.~~**

10 ~~—An individual who is a member of an assistance unit receiving aid under Chapter 2~~
11 ~~(commencing with Section 11200) of Part 3 of the California Welfare and Institutions Code~~
12 ~~(CalWORKs), shall not be eligible for General Assistance under this Article if the individual has been~~
13 ~~convicted in a State or federal court, after the effective date of this ordinance, including any plea of~~
14 ~~guilty or nolo contendere, of any offense classified as a felony and that has an element of the~~
15 ~~possession, use, or distribution of a controlled substance, defined in Section 102(6) of the Controlled~~
16 ~~Substance Act (21 U.S.C. Sec. 802(6)).~~

17
18 **SEC. 20.7-1956.17. INELIGIBILITY OF FLEEING FELONS.**

19 (a) An individual shall not be eligible for ~~General Aa~~ assistance under this Article VII if
20 he or she is either:

21 (1) Fleeing to avoid prosecution, or custody and confinement after conviction,
22 under the laws of the place from which the individual is fleeing, for a crime or an attempt to
23 commit a crime that is a felony under the laws of the place from which the individual is fleeing,
24 or which, in the case of the state of New Jersey, is a high misdemeanor under the laws of that
25 state.

1 (2) Violating a condition of probation or parole imposed under federal law or
2 the law of any state.

3 (b) Subdivision (a) shall not apply with respect to conduct of an individual for any
4 month beginning after the President of the United States grants a pardon with respect to the
5 conduct.

6
7 **SEC. 20.7-2056.18. INELIGIBILITY OF INDIVIDUALS WHO HAVE REACHED THE**
8 **~~SIXTY-MONTH~~ TIME LIMIT FOR RECEIPT OF ~~TANF~~/CALWORKS AID UNDER STATE**
9 **LAW.**

10 (a) Any individual who is not eligible for aid under Chapter 2 (commencing with
11 Section 11200) of Part 3 of Division 9 of the California Welfare and Institutions Code as a
12 result of the ~~60 month~~ lifetime limitation on adult assistance specified in ~~Subdivision (b)~~ of Section
13 11454 of the Welfare and Institutions Code shall not be eligible for ~~General A~~ assistance under
14 this ~~Section~~ Article VII until all of the children of the individual on whose behalf aid was
15 received, whether or not currently living in the home with the individual, are 18 years of age or
16 older.

17 (b) Any individual who is receiving aid under Chapter 2 (commencing with Section
18 11200) of Part 3 of Division 9 of the California Welfare and Institutions Code on behalf of an
19 eligible child, but who is either ineligible for aid or whose needs are not otherwise taken into
20 account in determining the amount of aid to the family pursuant to Section 11450 of the
21 California Welfare and Institutions Code due to the imposition of a sanction or penalty, shall
22 not be eligible for aid or assistance under this Article VII.

23 (c) This Section 20.7-20 shall not apply to any health care benefits provided under
24 this Article VII.

MAXIMUM SSIP GRANT AMOUNT

| | | |
|----|--|-----------------|
| 1 | | |
| 2 | <u>Single Individual</u> | <u>\$ 395</u> |
| 3 | <u>Number of Eligible Persons in Same Family</u> | |
| 4 | <u>2 Persons</u> | <u>\$ 649</u> |
| 5 | <u>3 Persons</u> | <u>\$ 804</u> |
| 6 | <u>4 Persons</u> | <u>\$ 955</u> |
| 7 | <u>5 Persons</u> | <u>\$ 1,089</u> |
| 8 | <u>6 Persons</u> | <u>\$ 1,223</u> |
| 9 | <u>7 Persons</u> | <u>\$ 1,343</u> |
| 10 | <u>8 Persons</u> | <u>\$ 1,464</u> |
| 11 | <u>9 Persons</u> | <u>\$ 1,586</u> |
| 12 | <u>10 Persons</u> | <u>\$ 1,723</u> |

13 (e) In the case of more than 10 persons in a family budget unit, an additional \$14
14 each month shall be paid for each additional person in the family budget unit. For the purpose
15 of this ~~Sub~~section (e), a family is defined as an ~~eligible~~ aApplicant/~~r~~Recipient and his or her
16 spouse or "domestic partner," as defined under Section 62.2 of the ~~San Francisco~~
17 Administrative Code, and/or any of the ~~a~~Applicant/~~r~~Recipient's children who are under age 18,
18 living with, and applying for assistance under this Article VII~~General Assistance~~ with, such
19 ~~a~~Applicant/~~r~~Recipient, ~~provided that such child(ren) was (were) never eligible for cash assistance~~
20 ~~under TANF/CalWORKs~~. For family budget units in which members receive cash payments
21 from more than one federal, State, or County assistance program, except for SSI/SSP, ~~the~~
22 ~~total aid payment shall consist of the sum of each individual's proportionate share of the aid payment~~
23 ~~for a family budget unit of the same size within each program for which each member is eligible. the~~
24 ~~maximum grant amount shall be reduced dollar-for-dollar by the amount of such cash assistance.~~

1 ~~Any individual or family receiving aid pursuant to this subsection shall continue to receive the~~
2 ~~maximum monthly grant for which they were eligible prior to any reduction in the maximum monthly~~
3 ~~grant structure enacted by the Board of Supervisors, until that eligible individual or family has applied~~
4 ~~for and been denied, or has refused to apply for, assistance under the PAES, CALM, or SSIP Programs.~~

5 (f) The Maximum Grant Amounts listed in subsections 20.7-21(a) - (e) shall be increased by
6 any percentage cost of living increase to the Maximum Aid Payment, and according to the same
7 schedule, if such an increase is implemented by the State in the TANF/CalWORKs program. The
8 automatic adjustment provisions of this subsection (f) were suspended for fiscal year 1997 – 98.
9 Adjustments for subsequent fiscal years made pursuant to this subsection shall not include any
10 adjustments for any fiscal year in which the cost of living adjustments were suspended.

11 ~~(b) — With respect to all applicants, initial aid payments shall be conditional upon completion~~
12 ~~of the Department orientation program. In addition, with respect to each employable recipient,~~
13 ~~continuing aid shall be conditioned, at the option of the Department, upon either completion of 20~~
14 ~~verifiable job applications per month and/or participation in a Department approved job counseling,~~
15 ~~vocational rehabilitation, drug or alcohol treatment or work assignment program. Verifiable job~~
16 ~~applications or job searches within the meaning of this Section, Section 20.58(e), and Section~~
17 ~~20.58.2(b)(5) of this Article, shall include, but not be limited to: (1) sending applications, resumes and~~
18 ~~cover letters to apply for available positions for which the recipient meets the minimum qualifications,~~
19 ~~with copies of these documents and the telephone number of the prospective employer provided to the~~
20 ~~Department of Human Services so they can be verified; and (2) participation by a union member in~~
21 ~~union hiring hall programs that make use of telephone job searches for currently available positions.~~

22 ~~In addition, with respect to each unemployable recipient, continuing aid shall be conditioned~~
23 ~~upon application for, and pursuit of, SSI/SSP benefits, if eligible, and participation in a Department~~
24 ~~approved rehabilitation program. Aid may be withheld, reduced, or discontinued for failure to meet~~
25 ~~these requirements.~~

1 (e)(g) The Maximum ~~General Assistance~~ Grant for which an individual or family is eligible
2 may include transportation assistance (e.g. railway tokens or passes) ~~Municipal Railway tokens~~, in
3 which event the cost of the ~~Municipal Railway tokens to the Department of Human Services~~
4 transportation assistance shall not be deducted from the Maximum ~~General Assistance~~ Grant
5 Amounts listed above to arrive at the Maximum Cash ~~General Assistance~~ Grant Amount which
6 may be issued by means of in-kind assistance, vouchers, checks, two-party checks, or
7 electronic benefit transfers. The ~~Municipal Railway tokens~~ transportation assistance shall be for
8 the sole use of the ~~Recipient~~.

9 ~~—(d) The Maximum General Assistance Grant Amounts listed in Section 20.57(a) of this~~
10 ~~ordinance shall be increased by any annual percentage cost of living increase to the Maximum Aid~~
11 ~~Payment, and according to the same schedule, if such an increase is implemented by the State of~~
12 ~~California in the TANF/CalWORKs program.~~

13 (e)(h) The maximum monthly amount of aid for which an ~~a~~Applicant is eligible shall
14 be the Maximum ~~General Assistance~~ Grant Amount for which an individual or family is eligible,
15 prorated as of the ~~eligibility determination date~~date of application, minus any nonexempt assets
16 and/or nonexempt personal property available to the ~~a~~Applicant during that calendar month,
17 and minus the value of any prorated in-kind housing, utilities, and/or meals available or
18 provided to the ~~a~~Applicant. ~~Rent, retroactive to the first of the month in which eligibility was~~
19 ~~determined, may be authorized to prevent eviction from existing housing.~~ Applicants who anticipate
20 receiving first-time income from other sources during the month of their application for ~~General~~
21 ~~A~~ssistance under this Article VII, shall receive the prorated maximum monthly grant amount
22 for which they are eligible until the verified date of anticipated receipt of such other income.

23 (f)(i) The maximum monthly amount of aid for which a ~~Recipient~~ is eligible shall be
24 the Maximum ~~General Assistance~~ Grant Amount to which he or she is eligible, ~~or the amount~~
25 ~~determined pursuant to Subsection (b)~~ minus any cash received from sources other than ~~General~~

1 the County Adult Assistance Programs which is or will be available to the ~~the~~ Recipient during the
2 month for which aid is paid unless otherwise exempt, minus the fair market value of any
3 nonexempt personal property which is or will be available to the ~~the~~ Recipient during the month
4 for which aid is paid, and minus the value of any in-kind housing, utilities and/or meals
5 available or provided to the ~~the~~ Recipient.

6 ~~—(g) No grant shall be issued for less than \$5.~~

7 ~~(h)(j)~~ To promote the transition of General County Adult Assistance Programs
8 ~~Recipients~~ to gainful employment, the Executive Director ~~of the Department of Human Services~~
9 may establish an Earned Income and Asset Disregard Program Policy for the ~~the~~ Recipients who
10 are employed. The Earned Income and Asset Disregard Program Policy shall provide for
11 disregarding a certain amount of gross income which a ~~the~~ Recipient earns as wages and
12 savings derived therefrom when determining a ~~the~~ Recipient's General County Adult Assistance
13 Program eligibility and grant amount. ~~The total amount of gross income disregarded shall not~~
14 ~~exceed the sum of the following amounts: (1) all of the first \$200 of recipient gross wage earnings; (2)~~
15 ~~two thirds of the next \$150 of recipient gross wage earnings; (3) one half of the next \$150 of recipient~~
16 ~~gross wage earnings; (4) one third of the next \$150 of recipient gross wage earnings; and (5) one fifth~~
17 ~~of the next \$150 of recipient gross wage earnings. All recipient gross wage earnings above \$800 shall~~
18 ~~be offset on a dollar for dollar basis against the grant amount to which a recipient would otherwise be~~
19 ~~entitled. In addition, for recipients participating in this program up to \$2,000 of recipient savings~~
20 ~~derived from the recipient's gross wage earnings shall be disregarded during the recipient's~~
21 ~~participation in this program and for up to three months thereafter. Also, if as a result of retrospective~~
22 ~~budgeting a recipient's total currently available financial resources in a month including his or her~~
23 ~~adjusted General Assistance grant, wages, and savings are less than the maximum General Assistance~~
24 ~~grant amount, the recipient shall be eligible for a grant supplement in the form of a rental expense~~
25 ~~voucher for unpaid rent in that month and up to \$50 in cash so that the recipient's currently available~~

1 ~~financial resources may total up to the maximum General Assistance grant amount. This grant~~
2 ~~supplement is available a maximum of three times per year for program participants and is not~~
3 ~~available to recipients who quit a job without good cause.~~

4
5 ~~¶~~Recipient gross wage earnings are defined for purposes of this Section 20.7-21 as any
6 income received by the ~~¶~~Recipient as payment for a ~~¶~~Recipient's labor. This Section
7 supersedes the provisions of ~~Subsection 20.55.2(¶)~~, Section 20.7-1056.6, Subsections 20.7-
8 1356.10 (a) and (b), Subsections 20.7-2157 (e) and (f)-(h) and (i), and Subsections 20.7-3859.10
9 (d);and (e) and (f) when determining ~~¶~~Recipient eligibility and when calculating the maximum
10 monthly amount of aid for program participants. All other ~~¶~~Recipient income and assets shall
11 continue to be offset on a dollar-for-dollar basis when calculating the grant amount to which a
12 ~~¶~~Recipient is otherwise eligible. For ~~¶~~Recipients subject to the Earned Income and Asset Disregard
13 Policy~~participating in this program~~, ~~General Assistance~~ eligibility for assistance under this Article VII
14 shall be determined on a monthly basis and a ~~¶~~Recipient's grant amount shall be adjusted for
15 gross wage earnings on the basis of retrospective budgeting in the month following the
16 ~~¶~~Recipient's receipt of wage income. Verified expenses which exceed the total sum of a
17 participant's grant, wages, and savings in any given month create a rebuttable presumption of
18 ineligibility for aid.

19 ~~(i) The automatic adjustment provisions of Subsection (d) are hereby suspended for fiscal year~~
20 ~~1997-98. Adjustments for subsequent fiscal years made pursuant to this Section shall not include any~~
21 ~~adjustments for any fiscal year in which the cost of living was suspended.~~

22 (k) Changes in grant amounts shall be made when a Recipient becomes eligible for aid in a
23 different amount because of altered circumstances.

24 (l) A change in aid shall be made effective with the next regular pay date following
25 knowledge by the worker of circumstances warranting a change in grant amount.

1
2 **SEC. 20.7-2257.1. HOUSING.**

3 (a) "Housing" shall include, but not be limited to,~~mean~~ single occupancy residential
4 hotels, master lease rooms, transitional housing, supportive housing programs, ~~or~~ residential
5 ~~substance abuse and mental health~~ treatment facilities, shelter.

6 (b) There shall be no reduction in the amount of ~~General A~~ assistance for which an
7 ~~a~~Applicant or ~~r~~Recipient is eligible because he or she shares housing with others who are not
8 members of the ~~a~~Applicant's family as defined in Section 20.7-2157(~~a~~)(e). All ~~a~~Applicants and
9 ~~r~~Recipients shall be required to present a verifiable rent receipt. If the ~~a~~Applicant or ~~r~~Recipient
10 is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner
11 or prime lessee may provide evidence of the ~~a~~Applicant's or ~~r~~Recipient's place of residence
12 and monthly share of housing costs.

13 (c) When an ~~a~~Applicant or ~~r~~Recipient obtains rent-free housing, such housing shall
14 be valued according to the Income-in-Kind Values Chart set forth in Title 22 of the California
15 Code of Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market
16 value. The value of the rent-free housing, which is presumed to include utilities, as determined
17 under the Income-in-Kind Chart, shall be deducted from the maximum monthly grant amount.
18 If the ~~a~~Applicant or ~~r~~Recipient receives rent-free housing, but pays for utilities, the ~~a~~Applicant
19 or ~~r~~Recipient must present a verifiable bill for utilities at that address, and a verifiable receipt
20 for payment of any portion of that utility bill.

21 (d) Verified payments made directly to a housing provider or landlord on behalf of an
22 ~~a~~Applicant or ~~r~~Recipient for the entire amount of the rent and/or utilities, or rent-free housing,
23 or housing received in exchange for work, shall be assigned an in-kind value as specified by
24 the Income-in-Kind Chart, and that value shall be deducted from the maximum monthly grant
25 for which that ~~a~~Applicant or ~~r~~Recipient is eligible.

1 (e) Housing, utilities, and/or meals provided to ~~a~~Applicants and ~~r~~Recipients who are
2 unable to provide a verifiable rent receipt, or verifiable documentation of shared housing, or
3 verifiable documentation of rent-free housing shall be valued as in-kind housing, utilities
4 and/or meals as specified by the Income-In-kind Chart, and that value shall be deducted from
5 the maximum monthly grant for which that ~~a~~Applicant or ~~r~~Recipient is eligible.

6 (f) Nothing in this Section 20.7-22 shall be construed as requiring an otherwise
7 eligible ~~a~~Applicant or ~~r~~Recipient to accept housing in a facility which is either the subject of a
8 pending nuisance abatement proceeding before a duly authorized agency or department of
9 the City ~~and County~~ or before a court of competent jurisdiction, or which theretofore has been
10 found to be a public nuisance pursuant to any provision of ~~any San Francisco~~ the Municipal
11 Code by a duly authorized agency or department of the City ~~and County~~ or by a court of
12 competent jurisdiction and which nuisance has not been abated.

13
14 ~~**SEC. 20.57.2. ALTERNATIVE PAYMENT METHODS; DIRECT PAYMENTS TO ROOM**~~
15 ~~**AND BOARD FACILITIES PERMITTED.**~~

16 ~~*In addition to the emergency aid provisions of this Article, payment for room, food expense, or*~~
17 ~~*both, up to the \$345 per month, may at the recipient's option, be paid directly to any board and/or care*~~
18 ~~*facility should the recipient or applicant choose to reside, take his or her meals or have full room and*~~
19 ~~*board privileges at such facilities. The Executive Director may initiate such a program or payment*~~
20 ~~*arrangement, on either a pilot or continuing basis, by putting into effect the appropriate regulations.*~~

21
22 **SEC. 20.7-2357.3. BASIC NEEDS; PERSONAL NEEDS.**

23 Personal needs are provided for in the grant standard. No additional allowance for
24 personal needs shall be authorized.

1 **~~SEC. 20.57.4. SPECIAL ALLOWANCES; TRANSPORTATION OUT OF THE CITY.~~**

2 ~~(a) — The Department of Human Services may provide transportation and maintenance en~~
3 ~~route to a place out of the City and County where the applicant or recipient will be cared for or his or~~
4 ~~her interests best served, provided the applicant or recipient, but for fully meeting the residency~~
5 ~~requirement, is otherwise eligible and voluntarily enters into a signed contractual agreement regarding~~
6 ~~such transportation with the City and County of San Francisco. Said agreement shall contain a~~
7 ~~repayment provision permitting recoupment of the amount expended in providing such transportation~~
8 ~~at a rate not to exceed 10 percent of each grant amount should the person provided transportation~~
9 ~~thereafter be provided General Assistance in San Francisco.~~

10 ~~(b) — Transportation under this Section shall be provided by the least expensive means~~
11 ~~available.~~

12
13 **~~SEC. 20.57.5. SPECIAL ALLOWANCES; MEDICAL CARE.~~**

14 ~~To the extent permitted by federal and State law all General Assistance applicants and~~
15 ~~recipients shall be provided medical benefits through the MIA and MNO programs.~~

16
17 **~~SEC. 20.57.6. SPECIAL ALLOWANCES; BEQUEST FUNDS.~~**

18 ~~Bequest Funds may be available to General Assistance applicants or recipients. Application for~~
19 ~~such funds may be made to the Human Services Commission.~~

20
21 **SEC. 20.7-2457.6A. - SPECIAL ALLOWANCES; INCOME-IN-KIND VALUE EXCEEDS**
22 **MONTHLY MAXIMUM GRANT.**

23 A special allowance of up to \$59.00 per month shall be made available to any
24 ~~¶~~Recipient when the income-in-kind value of housing, and/or utilities, and/or meals provided to
25 that ~~¶~~Recipient exceeds the maximum monthly grant for which that ~~¶~~Recipient is eligible. If

1 such income-in-kind value does not exceed the maximum monthly grant for which that
2 ~~#~~Recipient is eligible, but allows for less than \$59.00 cash per month, that ~~#~~Recipient shall
3 receive an amount that, when added to the maximum monthly grant for which that ~~#~~Recipient
4 is eligible, equals \$59.00 cash per month. This ~~s~~Section 20.7-24 shall not affect the collection of
5 overpayments due to fraud, ~~or~~ negligent failure to report facts, ~~or administrative error~~ as set
6 forth in this Article VII.

7
8 **~~SEC. 20.57.7. EMPLOYER WAGE SUBSIDY—GENERAL ASSISTANCE PROGRAM.~~**

9 ~~(a)——Findings. The Board of Supervisors in adopting this ordinance finds that providing the~~
10 ~~authority for the Department of Human Services to establish a wage subsidy program as defined herein~~
11 ~~will promote the permanent employment of General Assistance recipients.~~

12 ~~(b)——Employer Wage Subsidy. For the purposes of this Section, "employer wage subsidy"~~
13 ~~means a payment from revenues appropriated for General Assistance to an employer for each General~~
14 ~~Assistance (GA) recipient who becomes employed through this program and is employed for at least 26~~
15 ~~weeks and earns a minimum of \$800 per month in gross wage earnings,~~

16 ~~(c)——Wage Subsidy Schedule. A wage subsidy payment shall only be issued to an employer by~~
17 ~~the Department of Human Services upon receipt of documentation of gross wage earnings paid to a~~
18 ~~participant of the program by the employer for the first 26 weeks of employment, except when the~~
19 ~~payment of a wage subsidy in two installments is approved by the Executive Director. A wage subsidy~~
20 ~~payment issued to an employer in two installments shall only be issued by the Department of Human~~
21 ~~Services upon receipt of documentation of gross wage earnings paid to the participant by the employer~~
22 ~~for 13 consecutive weeks of employment and the second payment shall only be issued upon receipt of~~
23 ~~documentation of gross wage earnings paid to the same participant by the employer for an additional~~
24 ~~13 consecutive weeks of employment.~~

1 (d) — ~~Amount of Subsidy. The employer wage subsidy shall not exceed an amount that is 14~~
2 ~~percent of the participant's monthly gross wage earnings and shall not exceed in any month the~~
3 ~~maximum amount of a General Assistance grant for which the participant would otherwise be eligible.~~
4 ~~A wage subsidy shall not be paid to an employer for more than the first 26 weeks of employment.~~
5 ~~Participant "gross wage earnings" are defined for purposes of this Section as income received by the~~
6 ~~participant as payment for the participant's labor.~~

7 (e) — ~~Authority. The Department of Human Services may utilize an employer wage subsidy to~~
8 ~~encourage employers to hire qualified General Assistance (GA) recipients as full time employees. The~~
9 ~~Department shall make reasonable efforts to coordinate with community agencies that provide job~~
10 ~~search services to implement these provisions.~~

11 (f) — ~~Program Administration. Prior to the Department's implementation of this authority, the~~
12 ~~Executive Director shall establish procedures and regulations for the proper administration of this~~
13 ~~authority. The regulations shall include a prohibition against the payment of a subsidy under this~~
14 ~~program for placing General Assistance (GA) recipients in positions in which they would be replacing~~
15 ~~striking employees.~~

16 (g) — ~~Report. The Executive Director of the Department of Human Services shall report to the~~
17 ~~Board of Supervisors about the results of the Department's implementation of the program one year~~
18 ~~from the effective date of this ordinance.~~

19
20 **SEC. 20.7-2558. CONTINUING ELIGIBILITY.**

21 (a) Persons who meet the requirements for eligibility for ~~General Assistance~~ under
22 this Article VII are entitled to payments of aid pursuant to this ~~ordinance~~ Article. Recipients are
23 required to comply with all applicable provisions of this ~~ordinance~~ Article and the regulations
24 promulgated thereunder. Recipients who fail to comply with applicable provisions of this Article VII
25 and the regulations promulgated thereunder may have their aid withheld and/or decreased and/or

1 discontinued as set forth in California Welfare and Institutions Code Section 17001.5, or any successor
2 statute, and Department regulations.

3 (b) No withholding, decrease, or discontinuance of aid shall occur unless the person
4 to be affected has been advised of the possibility of such action by means of a Notice of
5 Proposed Action and has been afforded the opportunity for a hearing to dispute the proposed
6 action. When proposing to withhold, discontinue, or reduce assistance, the Department shall comply
7 with California Welfare and Institutions Code section 17001.5, or any successor statute.

8 (c) ~~Should an applicant and/or recipient fail to attend any day of a scheduled work~~
9 ~~assignment program, without excuse presented to the Department within three work days or, subject to~~
10 ~~the discretion of the Executive Director within 15 days, the aid or the application for aid shall be~~
11 ~~denied/discontinued, provided the applicant and/or recipient shall have an opportunity to contest the~~
12 ~~basis for such denial/discontinuance at an expedited hearing. If an applicant and/or recipient fails~~
13 ~~within the reporting period to complete 30 percent of the required job searches and/or 30 percent of the~~
14 ~~required attendance or participation in Department approved job counseling, vocational~~
15 ~~rehabilitation, or drug or alcohol treatment programs required during a payment period if 30 percent of~~
16 ~~the required job searches fail to contain essential information for verification or prove~~
17 ~~unverifiable shall be discontinued, provided the applicant and/or recipient shall have an opportunity to~~
18 ~~contest the basis for such discontinuance at an expedited hearing.~~

19 (c) In the case of discontinuance of a Recipient participating in the General Assistance or
20 PAES program, the Recipient shall be unable to reapply for assistance under this Article VII for a
21 period of at least 30 days from the effective date of discontinuance, provided that the Department has
22 afforded the Recipient due process when making its decision.

23 (d) All Recipients shall periodically recertify eligibility, as required by the Department.
24
25

1 **~~SEC. 20.58.1. FAILURE TO SATISFY REQUIREMENTS FOR CONTINUING~~**

2 **~~ELIGIBILITY.~~**

3 ~~Recipients who fail to comply with applicable provisions of this Article VII and the regulations~~
4 ~~promulgated thereunder may have their aid withheld and/or decreased and/or discontinued as set forth~~
5 ~~in California Welfare and Institutions Code Section 17001.5, or any successor statute, and Department~~
6 ~~regulations.~~

7 ~~In the case of discontinuance of a recipient, the recipient shall be unable to reapply for a period~~
8 ~~of at least thirty days from the effective date of discontinuance, provided that the Department affords~~
9 ~~the Recipient all due process to which the recipient is entitled under statutory and other law.~~

10
11 **~~SEC. 20.7-2658.2. CLASSIFICATION AS EMPLOYABLE OR UNEMPLOYABLE WORK~~**
12 **~~REQUIREMENTS AND EXEMPTIONS.~~**

13 (a) Recipients shall be classified by the Department as either employable or
14 unemployable based on the Department's assessment of their physical and mental health and their
15 ability to perform work. ~~Recipients are presumed to be employable unless they are physically or~~
16 ~~mentally disabled. In addition, there shall be a rebuttable presumption that recipients are employable if~~
17 ~~denied SSI/SSP as a result of an SSI/SSP administrative hearing decision. This presumption may be~~
18 ~~rebutted by satisfactory evidence being presented to the Executive Director pursuant to Department~~
19 ~~regulations that the recipient is disabled for a period less than 12 months or, in the Department's~~
20 ~~determination, the recipient is unable to seek or obtain employment. Denial of SSI/SSP in and of itself~~
21 ~~shall not be grounds for denial of General Assistance. However, if the applicant/ recipient has failed to~~
22 ~~pursue his or her SSI/SSP application without good cause, such recipient shall be denied/discontinued~~
23 ~~from General Assistance.~~

24 (b) Employable ~~applicants and/or~~ Recipients shall:

1 ~~(1) Have registered for employment with the California State Employment~~
2 ~~Development Department;~~

3 ~~(2)(1) Be available for employment;~~

4 ~~(3)(2) Accept available employment unless refusal is based on good cause;~~

5 ~~(4)(3) Attend the General Assistance Program Orientation and Evaluation~~
6 ~~sessions, if assigned to workfare activities; and~~

7 ~~(4) Participate in mandatory job readiness activities, as required by the Department.~~

8 ~~For the purpose of this subsection (b)(4), job readiness activities include but are not limited to pre-~~
9 ~~employment activities, workfare, alternative workfare, light duty community service, and participation~~
10 ~~in programs relating to domestic violence, substance abuse, or behavioral health. All mandatory job~~
11 ~~readiness activities must be assigned or approved by the Department.~~

12 ~~(5) — Submit 20 verifiable job searches for each month they are on aid to be submitted~~
13 ~~as required by Department regulation;~~

14 ~~(6) — Cooperate with and carry out any specific job counseling, job training~~
15 ~~vocational rehabilitation or drug or alcohol treatment plans developed by San Francisco Department~~
16 ~~of Human Services, California State Department of Rehabilitation or others, and approved by San~~
17 ~~Francisco Department of Human Services;~~

18 ~~(7) — Perform such volunteer or other work assignments as are made available by the~~
19 ~~Department of Human Services; and~~

20 ~~(8) — Participate in work experience assignments as required by the Department of~~
21 ~~Human Services.~~

22 ~~(c) — Unemployable applicants and/or recipients shall:~~

23 ~~(1) — Attend the General Assistance Program Orientation;~~

24 ~~(2) — Enter into and cooperate in appropriate treatment and therapy programs~~
25 ~~designed to reduce, eliminate, or compensate for the disabling condition;~~

1 ~~—— (3) — Apply for SSI/SSP if a disabling condition is likely to exist or has existed for a~~
2 ~~year or longer, authorize Department of Human Services reimbursement of General Assistance from~~
3 ~~retroactive SSI/SSP benefits, and pursue and comply with the procedures under the State SSI/SSP~~
4 ~~program for successful qualification for benefits under that program;~~

5 ~~—— (4) — Apply for and pursue a claim for any other appropriate benefit program available~~
6 ~~to the applicant or recipient and pursue and comply with the procedures for successful qualification~~
7 ~~under such benefit program.~~

8 ~~(d)(c) The following Individuals under 18 years of age, unless emancipated, are exempt~~
9 ~~from the mandatory job readiness requirements of this Article set forth in subsection (b)(4):~~

10 ~~(1) Persons who are 60 years of age or older;~~

11 ~~(2) Recipients of assistance under the CALM and SSIP programs;~~

12 ~~(3) Minors, unless they are emancipated; and~~

13 ~~(4) Employable Recipients of assistance under the General Assistance and PAES~~
14 ~~Programs who have a temporary disabling condition that has been verified by the Department or a~~
15 ~~licensed medical provider; provided, however, that this exemption shall no longer apply once the~~
16 ~~condition ceases to be disabling.~~

17
18 **SEC. 20.7-27. INTENSIVE EMPLOYMENT SERVICES PROGRAM.**

19 The Department may develop and operate an Intensive Employment Services Program designed
20 to connect employable Recipients to job opportunities. Participation in the Intensive Employment
21 Services Program shall be limited to Recipients of assistance under the PAES program. PAES
22 participants who are complying with the requirements of the Intensive Employment Services Program
23 may be exempt from the mandatory job readiness activity requirements set forth in Subsection 20.7-26
24 (b)(4) of this Article VII, upon entering into an employment activity agreement established by the

1 Department. Failure to comply with the agreement will result in the re-imposition of mandatory job
2 readiness activities as set forth in Section 20.7-26(b)(4).

3
4 **SEC. 20.7-~~28~~58.4. TERMINATION OF EMPLOYMENT.**

5 An Applicant who has terminated employment without good cause within 45 days of
6 the submission of an application of for aid may be denied aid. If an Applicant is denied aid on
7 this basis, the Applicant may request a fair hearing and a determination will be made as to
8 whether or not good cause existed for the Applicant's decision to terminate his or her
9 employment.

10
11 **SEC. 20.7-~~29~~58.5. GOOD CAUSE.**

12 For purposes of this Article VII, where an Applicant/~~Recipient~~ is required to show
13 "good cause" for not meeting one of his/her obligations or duties under this Article, good
14 cause may be shown by evidence of any of the following: (a1) verified hospitalization; (b2)
15 verified illness; (c3) verified incarceration; (d4) verified disability; or other good cause
16 satisfactorily demonstrated to the Executive Director.

17 "Good cause" shall not exist where the Applicant or Recipient willfully failed or refused to
18 comply with program requirements, or where the Applicant or Recipient engaged in no fewer than
19 three separate acts of negligent failure to comply with program requirements.

20
21 **SEC. 20.7-~~30~~58.6. USE OF MINIMUM ~~COMPENSATION~~ HOURLY WAGE RATE TO**
22 **CALCULATE MAXIMUM NUMBER OF HOURS OF SERVICE.**

23 Where the Department requires that an Applicant or ~~Recipient~~ engage in work
24 activity, which would be considered "employment" under the Fair Labor Standards Act (29
25 U.S.C. §§ 201 et. seq.) and any applicable U.S. Department of Labor Guidelines, to become

1 eligible or maintain eligibility for aid under this Article VII, the maximum number of hours of
2 work assignments that the Department may require shall be calculated by dividing the
3 Maximum Monthly Assistance Grant to which a ~~r~~Recipient is eligible under Section 20.57-21 of
4 this ~~Chapter Article~~ divided by the Minimum ~~Compensation~~ Wage Ordinance hourly wage rate
5 established under Section ~~12P.3(b)(3)~~ 12R.4 of the Administrative Code. To the extent permitted
6 by law, the value of transportation assistance and other in-kind benefits provided to the Recipient may
7 be added to the Maximum Monthly Assistance Grant for purposes of calculating the maximum number
8 of hours of work assignments.

9
10 **SEC. 20.7-3159. EMERGENCY AID PAYMENTS.**

11 ~~(a) — Emergency Assistance.~~ Emergency assistance ~~of up to two weeks~~ shall be provided
12 in the form of in-kind aid, ~~vouchers, warrants, or electronic benefit transfers~~ during the period in
13 which an Applicant's eligibility is being determined. ~~During this period of emergency assistance, the~~
14 ~~Department of Human Services shall investigate the facts material to the determination of eligibility for~~
15 ~~the General Assistance Program. If good cause exists that said investigation cannot be completed~~
16 ~~within two weeks, emergency assistance may be extended for another two weeks.~~

17 ~~The Executive Director of the Department of Human Services is authorized to contract with~~
18 ~~social service agencies for the provision of emergency assistance outside normal working hours.~~

19 ~~(b) — Normal Payment Periods.~~ ~~The normal payment period may be either every two weeks,~~
20 ~~semimonthly, or monthly. There is no limit to the number of normal payment periods during which a~~
21 ~~recipient may receive aid.~~

22 ~~(c) — Supplemental Rent Payments.~~ ~~applicants or recipients whose verified monthly rent~~
23 ~~exceeds the maximum monthly grant for which they are eligible may elect to have rental payments~~
24 ~~made in the form of a two-party check payable to the aApplicant/ rRecipient and the housing provider~~
25 ~~for the entire amount of the rent not to exceed the applicable monthly amount listed below.~~

*MAXIMUM SUPPLEMENTAL
MONTHLY RENT PAYMENT AMOUNT*

| | |
|--|---------------|
| <i>Single Individual applicant/ recipient</i> | <i>\$345</i> |
| <i>Number of Eligible Persons in Same Family</i> | |
| <i>2 Persons</i> | <i>\$ 567</i> |
| <i>3 Persons</i> | <i>703</i> |
| <i>4 Persons</i> | <i>834</i> |
| <i>5 Persons</i> | <i>952</i> |
| <i>6 Persons</i> | <i>1,070</i> |
| <i>7 Persons</i> | <i>1,175</i> |
| <i>8 Persons</i> | <i>1,281</i> |
| <i>9 Persons</i> | <i>1,388</i> |
| <i>10 Persons</i> | <i>1,508</i> |

In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall be paid for each additional person in the family budget unit.

The "housing provider" must be the owner of the property, or the owner's designated management agent, on which the applicant/ recipient resides, or a nonprofit community organization that either directly, or through agreements with property owners, provides housing. Supplemental rent payments shall not be considered "personal needs" for purposes of Section 20.57.3 of this Article. In addition, the termination of supplemental rent payments shall be subject to the notice provisions of Section 20.60. However, the applicant/ recipient may waive such notice, or any portion of the 10 calendar day notice period to allow for a change in aid payment.

SEC. 20.7-3259.1. AID PAYMENTS; IN GENERAL.

1 ~~General Assistance~~ Aid payments made under this Article VII may be provided in the form
2 of in-kind benefits, in-kind orders, vouchers, checks, electronic benefit transfers, or warrants.

3
4 **SEC. 20.7-3359.2. AID PAYMENTS; MANDATORY DIRECT RENT PAYMENT**
5 **PROGRAM.**

6 The Department may require those ~~Applicants~~ and ~~Recipients~~ who have not secured
7 their own housing to participate in a mandatory direct rent payment program. Under such a
8 program, notwithstanding Section 20.7-3559.4(b), the Department may pay housing costs for
9 an ~~Applicant~~ or ~~Recipient~~ directly to the housing provider, or to a third party, with whom the
10 Department may contract, on behalf of the housing provider. Such direct rent payment shall
11 be deducted from the maximum ~~General Assistance~~ grant amount, as specified in this Article
12 VII, for which an ~~Applicant~~ or ~~Recipient~~ is eligible. The Department shall adopt regulations to
13 provide a mechanism for payment to the ~~Applicant~~ or ~~Recipient~~ of the balance of any grant
14 amount to which he or she is entitled, and may adopt additional regulations as necessary to
15 implement this program.

16 For purposes of this Section 20.7-33, the Department may adopt regulations to define
17 "housing" which would qualify for this program to include, but not be limited to, public and
18 private rental housing, supportive housing managed by community organizations or public
19 agencies, transitional housing, or other means of accommodation as determined appropriate
20 by the Executive Director, and which conforms to applicable health, building, and safety
21 codes.

22 Refusal to accept placement in housing provided under this program, subject to the
23 provisions of Section 20.7-2257.1(b) of this Article VII, constitutes grounds for denial or
24 discontinuance of aid.

1 **SEC. 20.7-~~3459~~.3. AID PAYMENTS; IN-KIND AID.**

2 Assistance in the form of in-kind benefits, in-kind orders, electronic benefit transfers, or
3 emergency checks shall be used:

4 (a) As aid payments.

5 (b) For ~~Applicants~~ and ~~Recipients~~ who declare themselves to be homeless.

6 Applicants and ~~Recipients~~ are required to provide a verifiable rent receipt, or verifiable
7 documentation of shared housing, or verifiable documentation of rent-free housing. Self-
8 declared homeless applicants and ~~Recipients~~ shall receive in-kind benefits for housing,
9 utilities, and meals. If in-kind benefits are not available, such ~~Applicants~~ and ~~Recipients~~ shall
10 receive the cash assistance equivalent to the income-in-kind value of housing, utilities, and/or
11 meals, whichever is not available, if otherwise eligible for these amounts. Failure to comply
12 with the rules of a housing program that results in ejection from that housing program will be
13 considered failure to satisfy the requirements for continuing eligibility for aid and will result in
14 discontinuance from the ~~General~~ County Adult Assistance Program~~s~~, subject to the notice and
15 hearing provisions of this Article VII.

16 (c) For Eligible persons awaiting transportation arrangements, provided that aid
17 shall not exceed one week.

18 (d) For Eligible homeless persons awaiting admission into a hospital or institution.

19 (e) For Persons who have demonstrated inability to handle cash payments for
20 necessities of life.

21
22 **SEC. 20.7-~~3559~~.4. AID PAYMENTS; TO WHOM PAID AND DELIVERED.**

23 (a) Aid payments may be mailed directly to the ~~Recipients~~ or substitute payee. The
24 Department ~~of Human Services~~ may require that aid payments be picked up at a designated
25 location. Aid payments shall not be mailed to a post office box, a mail receiving agency, or ~~to~~

1 an address outside of San Francisco, except upon approval of the Executive Director ~~of the~~
2 ~~Department.~~

3 (b) Aid payments may be made payable only to the ~~the~~ Recipient or his designated co-
4 payee and ~~the~~ Recipient jointly.

5 (c) No aid shall be paid or delivered unless the ~~the~~ Recipient is physically present and
6 lawfully residing in the City ~~and County of San Francisco.~~

7
8 **~~SEC. 20.59.5. AID PAYMENTS; INITIAL PAYMENT.~~**

9 ~~The initial payment made to a recipient shall be in the form of in-kind benefits, in-kind orders,~~
10 ~~vouchers, checks, two-party checks, electronic benefit transfers, or warrants.~~

11
12 **~~SEC. 20.7-3659.6. AID PAYMENTS; ADMINISTRATIVE DISCONTINUANCE.~~**

13 Aid shall be discontinued without timely notice under any of the following circumstances:

14 (a) Verified ~~the~~ death of ~~the~~ Recipient.

15 (b) Abandonment of residency in San Francisco, as declared by ~~the~~ ~~the~~ Recipient.

16 (c) Recipient requests that his or her aid be discontinued.

17
18 **~~SEC. 20.59.7. AID PAYMENTS; CHANGES IN GENERAL ASSISTANCE GRANTS.~~**

19 (a) ~~Changes in grant shall be made when a recipient of General Assistance becomes eligible~~
20 ~~for aid in a different amount because of altered circumstances.~~

21 (b) ~~A change in aid shall be made effective with the next regular pay date following~~
22 ~~knowledge by the worker of circumstances warranting a change in grant.~~

23
24 **~~SEC. 20.7-3759.8. AID PAYMENTS; LOST, FORGED OR STOLEN WARRANTS;~~**
25 **LOSS OR THEFT OF WARRANT PROCEEDS.**

1 (a) ___ Lost, forged, or stolen warrants may be replaced only in accordance with
2 specific procedures adopted by the Department.

3 (b) ___ If a warrant has been cashed and the money lost or stolen, no replacement of the
4 warrant or issuance of orders shall be permitted.

5
6 ~~SEC. 20.59.9. AID PAYMENTS; LOSS OR THEFT OF WARRANT PROCEEDS.~~

7 ~~If a warrant has been cashed and the money lost or stolen, no replacement of the warrant or~~
8 ~~issuance of orders shall be permitted.~~

9
10 **SEC. 20.7-~~3859.10~~. FAIR ADMINISTRATION; DISCLOSURES; OVERPAYMENT.**

11 The Department shall administer this program fairly to the end that all eligible persons
12 who apply for assistance shall receive aid promptly, with due consideration for the needs of
13 the ~~α~~Applicant/~~τ~~Recipient and the safeguard of public funds.

14 (a) Any ~~α~~Applicant for, or ~~τ~~Recipient or payee of, aid under this Article VII shall be
15 informed as to the provisions of eligibility and his or her responsibility for reporting facts
16 material to a correct determination of eligibility, continuing eligibility and grant.

17 (b) Any ~~α~~Applicant for, or ~~τ~~Recipient or payee of, aid under this Article VII shall be
18 responsible for reporting accurately and completely all facts required of him or her pursuant to
19 ~~§~~subdivision (a) and for reporting promptly any changes of those facts.

20 (c) Any person who makes full and complete disclosure of those facts as explained
21 to him or her pursuant to ~~Subdivision~~ subsection (a) is entitled to rely upon the aid granted as
22 being accurate, and the warrant he or she receives as correctly reflecting the grant award
23 except as provided in ~~Subdivisions~~ subsections (d), and (e), ~~(f)~~.

24 ~~(d) — Overpayment due to administrative error or negligent failure to report facts required by~~
25 ~~this Article or department regulations may be recouped accordance with the provisions of Section~~

1 ~~20.55.2(r) governing recoupment in the absence of recipient fraud, until collected in full, following~~
2 ~~discovery of overpayment.~~

3 (e)(d) Overpayment due to false statement or representation or by impersonation or
4 other fraudulent device or by intentional failure to report facts required by this Article VII or
5 ~~Department regulations (“Fraud”)~~ shall be recouped by deducting from current grants not more
6 than 40% with an administrative determination of Recipient Fraud and an administrative evaluation of
7 the Recipient's current ability to pay housing costs~~in accordance with the provisions of Section~~
8 ~~20.55.2(r) governing recoupment upon an administrative determination of Recipient fraud,~~ until
9 collected in full, following discovery of overpayment.

10 (f)(e) Overpayment due to false statement or representation or by impersonation or
11 other fraudulent device or by intentional failure to report facts as required by this Article or
12 department regulations (“Fraud”) shall result in immediate discontinuance of aid subject to
13 fair hearing procedures in ~~Article VII of this Chapter~~ Section 207-45 of this Article VII. The case
14 shall be referred to the Special Investigation Unit of the Department ~~of Human Services~~. Any aid
15 granted under such circumstances shall be offset against any future aid ~~as set forth in Section~~
16 ~~20.55.2(r),~~ by deducting from current grants not more than 40% with an administrative determination
17 of Recipient Fraud and an administrative evaluation of the Recipient's current ability to pay housing
18 costs.

19
20 **SEC. 20.7-3959.11. QUALITY CONTROL PROGRAM; REQUIREMENTS.**

21 (a) ~~The~~ Department ~~of Human Services~~ shall conduct a thorough and reliable program
22 of quality control with respect to the administration of ~~General Assistance~~ under this Article VII.

23 (b) The quality control program shall include, but not be limited to:
24
25

1 (1) The selection and full field review of a random, representative sample of
2 ~~General Assistance~~ cases drawn from all active ~~General~~ County Adult Assistance Programs
3 cases.

4 (2) The identification and analysis of administrative errors and discrepancies
5 contained in the sample and the actual and projected fiscal impact thereof.

6 (3) The development and implementation of measures to correct or alleviate
7 the errors and discrepancies.

8
9 **SEC. 20.7-~~4059.12~~. QUALITY CONTROL PROGRAM; REPORTS.**

10 (a) ~~The~~ Department ~~of Human Services shall~~ may report quality control findings
11 ~~semiannually~~ to the Human Services Commission. ~~The semiannual report shall encompass the~~
12 ~~months January through June and be delivered no later than July 31st, and the months July through~~
13 ~~December and be delivered no later than January 31st of the following year.~~

14 (b) The ~~semiannual~~ report ~~shall~~ may contain, but not be limited to:

15 (1) The number of cases in the sample by month and year to date.

16 (2) The number of cases found ineligible, overpaid, or underpaid for the
17 month and year to date.

18 (3) The actual and projected total fiscal impact resulting from ineligibility and
19 overpayments for the month and year to date.

20 (4) The corrective actions proposed and the schedule of implementation for
21 corrective actions.

22 (5) The status of previous corrective actions and any other information
23 requested by the Board of Supervisors.

24
25 **SEC. 20.7-~~4159.13~~. RECORDS; MAINTENANCE OF.**

1 The Department shall maintain a case record for every ~~#~~Recipient. The Department
2 shall also maintain a record on those ~~#~~Applicants whose requests for assistance were
3 denied; such record shall include name and address of ~~#~~Applicant and the reason(s) for
4 denials.

5
6 **SEC. 20.7-~~4259.14~~. RECORDS; CONFIDENTIALITY.**

7 All ~~General~~ County Adult Assistance Programs records shall be confidential and shall not
8 be opened to examination or inspection except by the Grand Jury of the County or by a board
9 or an officer of the State or the County charged with the administration, supervision, or
10 direction of the ~~General~~ County Adult Assistance Program, or upon written waiver by the
11 ~~#~~Applicant or ~~#~~Recipient.

12
13 **SEC. 20.7-~~4359.15~~. RECORDS; DESTRUCTION OF.**

14 Except as otherwise provided in Section 20.31, all inactive case records that are over
15 ~~five-three~~ years old may be destroyed. All records pertaining to denial of initial eligibility may be
16 destroyed after five years.

17
18 **SEC. 20.7-~~4459.16~~. FRAUD IN OBTAINING AID.**

19 Whenever any person has, by means of false statement or representation or by
20 impersonation or other fraudulent device, or by intentional failure to report facts required by
21 this Article VII or ~~#~~Department regulations, obtained aid under this Article, the matter shall be
22 referred to the District Attorney's office for appropriate action.

23 Further, upon the first discontinuance of aid within a ~~twenty-four~~ 24-month period due to
24 false statement or representation or by impersonation or other fraudulent device, or by
25

1 intentional failure to report facts required by the Article or department regulations, an
2 ~~an~~Applicant or ~~a~~Recipient shall be unable to reapply for aid for a period of ~~thirty~~ 30 days.

3 Upon the second such discontinuance within a ~~twenty-four~~ 24-month period, the
4 ~~an~~Applicant or ~~a~~Recipient shall be unable to reapply for aid for a period of ~~sixty~~ 60 days.

5 Upon the third, or additional, such discontinuance within a ~~twenty-four~~ 24-month period,
6 the ~~an~~Applicant or ~~a~~Recipient shall be unable to reapply for aid for a period of ~~ninety~~ 90 days.

7
8 **SEC. 20.7-~~4560~~. HEARING; OPPORTUNITY.**

9 An ~~an~~Applicant for or ~~a~~Recipient of ~~General Assistance~~ under this Article VII dissatisfied
10 with any actions of the Department relating to withholding, decrease, denial, discontinuance,
11 and/or recoupment of overpayment of aid shall be accorded a fair hearing upon filing a timely
12 request with the Department.

13
14 **SEC. 20.7-~~4660.1~~. NOTICE OF PROPOSED ACTION.**

15 The Department shall issue a Notice of Proposed Action whenever it intends to
16 withhold, decrease, or impose denial, discontinuance, and/or recoupment of overpayment of
17 aid. In all cases, except where an initial denial is involved ~~or as provided in Section 20.58(e)~~, this
18 notice shall be hand delivered or mailed at least 10 calendar days prior to the proposed
19 action.

20 In those cases where an expedited hearing is provided for, notice shall be delivered or
21 mailed at least five calendar days prior to the proposed action. Such notice shall include all
22 alleged acts in the record known to the Department at the time upon which such action can be
23 based under Department regulations. The notice shall describe with reasonable particularity
24 the act or acts which form the basis for the proposed action.

1 **SEC. 20.7-4760.2. REQUEST FOR HEARING.**

2 A claimant or an authorized representative may request a fair hearing verbally or in
3 writing. This request may be made in written form, or by filling out a Request for Fair Hearing form,
4 available at the General Assistance office, or orally as specified by the Executive Director in
5 Department regulations. It The request shall be made within seven calendar days of the date of
6 hand-delivery or 10 calendar days from the date of mailing of the Notice of Proposed Action,
7 or within three work days of the effective date of the action. If no written request for a hearing
8 is either delivered to the Department ~~of Human Services~~ or postmarked within that period and no
9 verbal request is made within that period, no hearing shall be granted except in cases of verified
10 hospitalization, verified illness, verified incarceration, verified disability, or other good cause
11 satisfactorily shown to the Executive Director.

12
13 **SEC. 20.7-4860.3. AID PAID PENDING.**

14 If a ~~Recipient~~ or an authorized representative makes a timely request for a hearing, aid
15 shall be continued pending the ~~Applicant's~~ receipt of the hearing decision, ~~except as provided~~
16 ~~in Section 20.58(c).~~ A decision shall be deemed to have been received by the ~~Recipient~~ when
17 either it is hand-delivered to the ~~Recipient~~ or three days after the decision has been mailed to
18 the ~~Recipient~~.

19
20 **SEC. 20.7-4960.4. HEARING; NOTICE OF HEARING; WHEN HELD.**

21 (a) After a hearing has been requested, a time and place for the hearing shall be
22 established. Timely notice shall be given to the ~~Applicant~~ or ~~Recipient~~ indicating the day,
23 date, time, and place of the hearing. In no event shall a hearing date be scheduled for a time
24 less than five days after the Department's receipt of a request, unless the ~~Applicant~~ makes a
25 knowing and intelligent waiver of his or her right to a record review.

1 (b) Where an ~~a~~Applicant for ~~General A~~assistance under this Article VII is denied aid, a
2 hearing shall be calendared within seven days.

3 (c) All hearings shall be held within 15 calendar days of the request therefor.
4

5 **SEC. 20.7-~~5060.5~~. IMPARTIAL HEARING OFFICER.**

6 The Executive Director shall designate as an impartial hearing officer a person who is
7 not involved in the administration of the ~~General~~County Adult Assistance Program~~s~~.
8

9 **SEC. 20.7-~~5160.6~~. HEARING; HEARING RIGHTS.**

10 The ~~a~~Applicant or ~~r~~Recipient shall be advised in the Notice of Proposed Action of
11 ~~a~~Applicant's or ~~r~~Recipient 's rights to counsel or other representative, to review pertinent
12 records and regulations at least five working days prior to the hearing, to present testimony
13 and documentary evidence, to cross-examine all witnesses, to have the proceedings tape-
14 recorded, and to have a translator provided for the hearing if the ~~a~~Applicant or ~~r~~Recipient is
15 not proficient in English.
16

17 **SEC. 20.7-~~5260.7~~. INFORMALITY, EVIDENCE, APPEARANCE, AND COUNSEL.**

18 The hearing shall be conducted in an impartial and informal manner. All evidence shall
19 be submitted under oath or affirmation. The hearing officer is not bound by the rules of
20 evidence or procedures applicable to judicial proceedings. The ~~a~~Applicant/~~r~~Recipient shall
21 attend the hearing in person and may be represented by counsel or a representative. While
22 the ~~a~~Applicant/~~r~~Recipient may or may not be represented by counsel or a representative, the
23 ~~client~~ Applicant/Recipient must appear in order for the hearing to be held. However, where the
24 ~~a~~Applicant/~~r~~Recipient establishes good cause for nonattendance prior to the hearing ~~under~~
25 ~~Section 20.60.9~~, counsel or a representative may appear on behalf of the ~~a~~Applicant/~~r~~Recipient.

1
2 **SEC. 20.7-~~5360~~.8. HEARING DECISION.**

3 The hearing officer shall:

4 (a) Render a written decision within seven calendar days of the hearing indicating
5 factual findings and grounds for the decision. Such decision shall be based solely upon
6 evidence presented at the hearing and specifically state the facts upon which it was based,
7 the authority relied upon, and any other reasons for the decision.

8 (b) Render the decision to the ~~A~~Applicant or ~~R~~Recipient, where possible, immediately
9 upon conclusion of the hearing and furnishing him or her a copy at that time. The decision
10 must set forth with reasonable particularity the basis for the decision.

11 (c) Mail the decision to the ~~A~~Applicant or ~~R~~Recipient if an immediate decision cannot
12 be rendered.

13
14 **SEC. 20.7-~~5460~~.9. HEARING; FINALITY; EFFECT OF NONAPPEARANCE.**

15 (a) The result of all hearings are considered final and there is no further right of
16 administrative appeal.

17 (b) When the ~~A~~Applicant/~~R~~Recipient does not appear for the scheduled hearing, it is
18 presumed that the ~~A~~Applicant/~~R~~Recipient ceases to contest the decision. ~~The withholding,~~
19 ~~decrease, denial, discontinuance, and/or recoupment of overpayments of aid will, therefore, be effected~~
20 ~~and the county's proposed action will go into effect.~~ The ~~A~~Applicant or ~~R~~Recipient may, for good
21 cause shown, make a written request, or oral request as specified in the Executive Director's
22 Regulations, for a second hearing within 15 days of the scheduled date for the first hearing.

23 Such request must specify the good cause for nonattendance at the first hearing. This
24 provision is satisfied by evidence of any of the following: (1) Verified hospitalization; (2)

1 verified illness; (3) verified incarceration; or (4) verified disability, or other good cause
2 satisfactorily shown to the Executive Director.

3
4 **~~SEC. 20.60.10. OPERATIVE DATE.~~**

5 *No reduction in the GA grant level will be operative until the Executive Director of the*
6 *Department of Human Services certifies to the Clerk of the Board of Supervisors that the PAES, SSIP*
7 *and CALM programs have commenced. All other provisions shall be operative on the effective date of*
8 *this ordinance.*

9
10 **~~SEC. 20.60.11. TERMINATION OF DISCRETIONARY COUNTY FUNDED PROGRAMS.~~**

11 *In the event that the PAES or/and CALM or/and SSIP program(s) is(are) terminated by action*
12 *of the Board of Supervisors, the Maximum General Assistance Grant Amount as set forth in this Article*
13 *shall be adjustable to \$345 per month per individual with corresponding adjustments for family budget*
14 *units.*

15
16 **SEC. 20.7-5560.12. FUNDING.**

17 A baseline appropriation for housing and related services provided as in-kind aid shall
18 be established using the City and County of San Francisco FY 2002-2003 Annual
19 Appropriation Ordinance and any supplemental appropriations for the amount of cash aid
20 payments to ~~a~~Applicants and ~~r~~Recipients who declare themselves to be homeless. In
21 subsequent fiscal years, this baseline amount shall be appropriated to the Department *of*
22 *Human Services* to fund housing and related services for homeless adults without dependents.
23 This funding may be used to support, but shall not be limited to, some or all of the following:
24 hotel master lease programs, permanent supportive housing, improvements of conditions in
25 existing shelters, expansion of shelter capacity, mental health and substance abuse

1 treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee services,
2 case management and meals for the homeless population through direct services and/or
3 contracts. Nothing in this section is intended to conflict with Article IX of the San Francisco
4 City Charter.

5
6 **SEC. ~~20.60.137-56~~. EVALUATION.**

7 The provision of in-kind aid is to be evaluated by the Office of the Controller *of the City*
8 *and County of San Francisco* every three years for program effectiveness and cost efficiency.

9
10 **~~SEC. 20.60.14. OPERATIVE DATE OF AMENDMENTS.~~**

11 *The provisions of this amendment, Sections 20.59.3(b); 20.57.1(a), (b), (c), (e); 20.57.6A;*
12 *20.60.12; and 20.60.13 shall become operative on or before July 1, 2003.*

13
14 **SEC. 20.7-57. SEVERABILITY.**

15 *If any section, subsection, sentence, clause, phrase, or word of this Article VII, or any*
16 *application thereof to any person or circumstance, is held to be invalid or unconstitutional by a*
17 *decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining*
18 *portions or applications of the Article. The Board of Supervisors hereby declares that it would have*
19 *passed this Article and each and every section, subsection, sentence, clause, phrase, and word not*
20 *declared invalid or unconstitutional without regard to whether any other portion of this Article or*
21 *application thereof would be subsequently declared invalid or unconstitutional.*

22
23 **SEC. 20.7-58. PROMOTION OF THE GENERAL WELFARE.**

24 *In enacting and implementing this Article VII, the City is assuming an undertaking only to*
25 *promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an*

1 obligation for breach of which it is liable in money damages to any person who claims that such breach
2 proximately caused injury.

3
4 Section 3. Chapter 20 of the Administrative Code is amended by repealing Article IX,
5 Sections 20.70 - 20.96, in its entirety.

6
7 **~~SEC. 20.70. TITLE.~~**

8 ~~This Article shall be known as "Personal Assisted Employment Services Program" (PAES).~~

9
10 **~~SEC. 20.71. PURPOSE.~~**

11 ~~The purposes of this program are: (1) to provide quality evaluation of vocational experience,~~
12 ~~qualifications, strengths and needs; and (2) to provide the participant with the supportive services and~~
13 ~~activities necessary to assist her/him in obtaining paid employment.~~

14
15 **~~SEC. 20.72. DEFINITIONS.~~**

16 ~~For the purposes of this Article:~~

17 ~~(a) "Applicant" means a person who is in the process of applying for assistance under this~~
18 ~~Article.~~

19 ~~(b) "Assistance" means services and/or cash payments.~~

20 ~~(c) "CALM" means the Cash Assistance Linked to Medi-Cal Program as set forth under Article~~
21 ~~X of this Chapter.~~

22 ~~(d) "CalWORKs" means the California Work Opportunity and Responsibility to Kids as~~
23 ~~defined in Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and~~
24 ~~Institutions Code or any successor program.~~

1 ~~(e) "Decrease" means any reduction in a participant's current cash stipend amount under this~~
2 ~~Article.~~

3 ~~(f) "Denial" means a determination, based on a PAES application, that the applicant is not~~
4 ~~eligible for PAES.~~

5 ~~(g) "Department" means the Department of Human Services.~~

6 ~~(h) "Discontinuance" means the termination of a person's assistance.~~

7 ~~(i) "Electronic benefit transfer" means a method of transferring benefits through a centralized~~
8 ~~computer system so that an applicant/participant may obtain her/his benefits at facilities such as~~
9 ~~automated teller machines (ATM) and point-of-sale (POS) terminals using an access device such as a~~
10 ~~magnetic stripe plastic card. "Electronic benefit transfer" includes direct deposits.~~

11 ~~(j) "Executive Director" means the Executive Director of the Department of Human Services.~~

12 ~~(k) "Family budget unit" means an eligible applicant/participant and her/his spouse or~~
13 ~~"domestic partner," as defined under Section 62.2 of the San Francisco Administrative Code, and/or~~
14 ~~any of the applicant/participant's children who are under age 18, living with, and applying for PAES~~
15 ~~with, such applicant/participant, provided that such child(ren) was (were) never eligible for~~
16 ~~TANF/CalWORKs.~~

17 ~~(l) "General Assistance" means the General Assistance Program as set forth under Article VII~~
18 ~~of this Chapter of the San Francisco Administrative Code (S.F. Adm. C. §§ 20.55, et seq.).~~

19 ~~(m) "Job search" shall include, but is not limited to, (1) sending applications, resumes, and~~
20 ~~cover letters to apply for available positions for which the participant meets the minimum~~
21 ~~qualifications, with copies of these documents and the telephone number of the prospective employer~~
22 ~~provided to the Department of Human Services so they can be verified; and (2) participation by a union~~
23 ~~member in union hiring hall programs that make use of telephone job searches for currently available~~
24 ~~positions.~~

25 ~~(n) The word "may" means the provision is permissive.~~

1 ~~(o) "Medi-Cal" means the Medi-Cal Program as set forth in California Welfare and~~
2 ~~Institutions Code Sections 14000 et seq.~~

3 ~~(p) "Participant" means a person who is receiving assistance under this Article.~~

4 ~~(q) "Recoupment" means the collection of past overpayments under the PAES Program by~~
5 ~~deducting from current payments not more than 10 percent of the current stipend amount absent an~~
6 ~~administrative determination of participant fraud and not more than 40 percent with an administrative~~
7 ~~determination of participant fraud and an administrative evaluation of the participant's current ability~~
8 ~~to make repayments.~~

9 ~~(r) "Residing in an institution" shall mean that the applicant/recipient is staying in a facility~~
10 ~~that provides housing and three meals a day.~~

11 ~~(s) The word "shall" means the provision is mandatory.~~

12 ~~(t) "SSA" means the Social Security Administration.~~

13 ~~(u) "SSI" means Supplemental Security Income.~~

14 ~~(v) "SSIP" means the Supplemental Security Income Pending Program as set forth under~~
15 ~~Article XI of this Chapter.~~

16 ~~(w) "State" means the State of California.~~

17 ~~(x) "SSI/SSP" means Supplemental Security Income/State Supplementary Program for the~~
18 ~~Aged, Blind, and Disabled as defined in the Welfare and Institutions Code Section 12000, et seq.~~

19 ~~(y) "TANF" means Temporary Assistance to Needy Families as defined in Part A (commencing~~
20 ~~with Section 601) of Subchapter 4 of Chapter 7 of Title 42 of the United States Code.~~

21 ~~(z) The word "withholding" means the retention of stipends.~~

22
23 **~~SEC. 20.73. PRINCIPLES.~~**

24 ~~Assistance is to be administered in a manner which is consistent with the purposes of this~~
25 ~~program and which respects individual privacy and personal dignity.~~

1 ~~(a) PAES is to be administered promptly and humanely, without discrimination on account of~~
2 ~~race, sex, sexual orientation, religion or political affiliation.~~

3 ~~(b) PAES is to administered so as to encourage self-respect, self-reliance and the desire to be~~
4 ~~a good citizen, useful to the community.~~

5 ~~(c) PAES is to be administered with courtesy, consideration and respect and without~~
6 ~~attempting to elicit any unnecessary information.~~

7 ~~(d) Duties should be performed in such a manner as to secure for every applicant or~~
8 ~~participant the assistance to which s/he is eligible.~~

9 ~~(e) There is to be no question, inquiry or recommendation relating to the political or religious~~
10 ~~opinions or affiliations of any applicant or participant.~~

11 ~~(f) PAES is to be administered in the most cost-effective manner possible.~~

12
13 **~~SEC. 20.74. ADMINISTRATION.~~**

14 ~~(a) This program shall be administered by the Department of Human Services. The Executive~~
15 ~~Director shall establish rules and regulations for the proper administration of this Article.~~

16 ~~(b) In actual emergencies, the Executive Director of the Department of Human Services may~~
17 ~~make exceptions to this Article pending action by the Board of Supervisors. Such emergency exceptions~~
18 ~~shall be reported to the Board of Supervisors within five working days.~~

19
20 **~~SEC. 20.75. ELIGIBILITY.~~**

21 ~~(a) The services necessary to assist a participant in obtaining paid employment, and a cash~~
22 ~~stipend shall be available to indigent San Francisco adult residents who make a commitment to develop~~
23 ~~and carry out a PAES Plan.~~

24 ~~(b) Individuals serving a sanction under the General Assistance Program are not eligible to~~
25 ~~participate in PAES until that sanction period is completed, and any receipt of General Assistance~~

1 ~~benefits has been terminated. Additionally, an individual serving a sanction for fraud under any~~
2 ~~County-funded indigent assistance program under this Chapter is ineligible to receive PAES until that~~
3 ~~sanction period is completed.~~

4 ~~(c) All applicants/participants, and all members of the family budget unit, are required to~~
5 ~~apply for, and pursue receipt of payment(s) from any and all federal, State, and/or private means of~~
6 ~~assistance for which they may be eligible as directed by the Department. This includes, but is not~~
7 ~~limited to: (1) Unemployment Insurance Benefits; (2) Worker's Compensation Insurance; (3) SSI; (4)~~
8 ~~retirement benefits, (5) any other insurance or disability payments. Failure to apply for, and pursue~~
9 ~~receipt of, any such assistance to which an applicant/participant, or any member of the family budget~~
10 ~~unit, may be eligible shall be considered to be a failure to meet continuing eligibility requirements of~~
11 ~~this Article.~~

12 ~~(d) Individuals residing in an institution are not eligible to receive assistance under this~~
13 ~~Article.~~

14 ~~(e) Applicants may be required to attend group orientation session(s), and failure to do so~~
15 ~~shall be grounds for denial of assistance.~~

16
17 **~~SEC. 20.75.1. RESIDENCY REQUIREMENT.~~**

18 ~~(a) Verified residency in the City and County of San Francisco for 30 continuous days, prior to~~
19 ~~the time of application, is a requirement of eligibility for PAES. Residency in the City and County of~~
20 ~~San Francisco is established by physical presence and intent to reside in the City and County of San~~
21 ~~Francisco, which is satisfactorily substantiated by the applicant or participant.~~

22 ~~(b) Eligibility for PAES will terminate immediately upon abandonment of residency in the City~~
23 ~~and County San Francisco.~~

1 ~~**SEC. 20.75.2. PRORATION OF SALARY OF FULL-TIME CERTIFIED EMPLOYEE OF**~~
2 ~~**SCHOOL DISTRICT, UNIVERSITIES, COMMUNITY COLLEGES OVER A TWELVE-MONTH**~~
3 ~~**PERIOD.**~~

4 ~~*The salary of a full-time certified employee of a school district, private school, community*~~
5 ~~*college, or university shall be prorated over a 12-month period for the purpose of determining*~~
6 ~~*eligibility for assistance under this Article.*~~

7
8 ~~**SEC. 20.75.3. PRORATION OF INCOME OVER CONTRACT PERIOD.**~~

9 ~~*The income of any person under a contract of employment on an annual basis who works and*~~
10 ~~*receives income from such contract in fewer than 12 months, but more than eight months, shall be*~~
11 ~~*prorated over the period of the contract for the purposes of this Article.*~~

12
13 ~~**SEC. 20.75.4. PRORATION OF INCOME OF SELF-EMPLOYED AND FREELANCE**~~
14 ~~**WORKER OVER A TWELVE-MONTH PERIOD.**~~

15 ~~*The income of any self-employed person or freelance worker shall be prorated over a 12-month*~~
16 ~~*period for the purpose of determining eligibility for assistance under this Article.*~~

17
18
19 ~~**SEC. 20.75.5. PROPRIETOR OF BUSINESS INELIGIBLE.**~~

20 ~~*Proprietors of businesses who employ other workers are ineligible for assistance under this*~~
21 ~~*Article.*~~

22
23 ~~**SEC. 20.75.6. REBUTTABLE PRESUMPTION OF INELIGIBILITY—STUDENTS.**~~

24 ~~*Status as a student shall create a rebuttable presumption that such person is unavailable for, or*~~
25 ~~*unable to enter into, a PAES Participant Agreement and a PAES Plan in order to obtain paid*~~

1 *employment within the time limits specified in this Article. This presumption may be rebutted by*
2 *entering into a PAES Participant Agreement and/or a PAES Plan, in which the applicant/participant*
3 *agrees to a course of study that: (1) will lead to paid employment within the time limits specified in this*
4 *Article; and (2) does not prevent the applicant/participant from complying with the other components*
5 *of the PAES Agreement and/or PAES Plan according to the specified time frame(s).*

6
7 **~~SEC. 20.75.7. REBUTTABLE PRESUMPTION OF INELIGIBILITY—CURRENT~~**
8 **~~INCOME OR EXPENSES.~~**

9 *Verified paid income or expenses which exceed the otherwise eligible applicant/recipient's total*
10 *monthly income and/or assets during month of application or a current month of eligibility shall create*
11 *a rebuttable presumption of ineligibility for a PAES stipend.*

12
13 **~~SEC. 20.75.8. ALLOWABLE REAL PROPERTY.~~**

14 *(a) The applicant shall transfer or grant to the City and County of San Francisco any interest*
15 *which the applicant has in any real property as security for the funds expended for PAES.*

16 *(b) An applicant or participant of PAES may retain real property used as her/his home,*
17 *provided that the applicant's or participant's net monthly housing expense does not exceed the*
18 *otherwise eligible applicant/participant's total monthly income and/or assets.*

19
20 **~~SEC. 20.75.9. ALLOWABLE PERSONAL PROPERTY.~~**

21 *No assistance under this Article shall be expended for any person who has not exhausted all*
22 *assets and resources available to such person, except for those personal properties listed below:*

23 *(a) Cash assets, savings and/or checking accounts, the total of which does not exceed the*
24 *current monthly maximum stipend available to a single individual under this Article. Any combination*
25 *of these assets that exceeds the monthly maximum stipend available to a single individual under this*

1 ~~Article shall be offset against the participant's stipend on a dollar-for-dollar basis. If the applicant is~~
2 ~~transitioning from the General Assistance Program, SSIP or CALM and has been participating in the~~
3 ~~Earned Income and Asset Disregard Program within the three months prior to application for PAES,~~
4 ~~such applicant may retain a total of up to \$2,000 in savings. If the applicant is transitioning from SSI to~~
5 ~~PAES, the applicant may retain a total of up to \$2,000 in savings;~~

6 ~~(b) Personal effects, exclusive of luxury jewelry;~~

7 ~~(c) Household furnishings;~~

8 ~~(d) Tools, trade equipment and fixtures used in the individual's regular trade or work;~~

9 ~~(e) Insurance policies or funds placed in trust for the provision of interment or for funeral~~
10 ~~expenses to the extent of not more than \$600 per family;~~

11 ~~(f) An interment plot for use by members of the applicant's or participant's family;~~

12 ~~(g) A vehicle with cash value of less than \$4,650.~~

13
14 **~~SEC. 20.75.10. EXEMPT INCOME OR RESOURCES.~~**

15 ~~For the purpose of this Article:~~

16 ~~(a) Personal property, income or resources shall not include income from relocation payments~~
17 ~~to participant's receiving assistance under this Article being displaced by a redevelopment agency.~~

18 ~~(b) Retirement benefits may be retained upon determination by the Executive Director or~~
19 ~~her/his designee that the applicant or participant will be reemployed in the near future and that such~~
20 ~~employment is contingent upon the retirement fund not being withdrawn.~~

21 ~~(c) Any verified loans made to a participant, or to an applicant in the month of application, or~~
22 ~~one month immediately prior to application, for the purpose of enabling that participant or applicant to~~
23 ~~pay her/his rent, or for the purpose of payment of first and last month's rent and any lawful rental~~
24 ~~deposit, shall not be considered income or resources available to that participant or applicant.~~

1 ~~—(d) Income tax refunds, including the Earned Income Tax Credit (EITC), issued to the~~
2 ~~applicant or participant shall not be considered as income or resources available to the applicant or~~
3 ~~participant.~~

4 ~~(e) Payments made to the applicant or participant under the Foster Care or FSET/GATES~~
5 ~~programs shall not be considered as income or resources available to the applicant or participant.~~

6 ~~(f) SSI/SSP benefits and resources of a member of the PAES family shall not be considered as~~
7 ~~income or resources available to the applicant or recipient.~~

8 ~~(g) The portion of any student grants or loans that is paid directly to the educational~~
9 ~~institution for tuition, and/or fees, and/or books.~~

10
11 ~~**SEC. 20.75.11. EXEMPTION FOR TERMINAL ILLNESS.**~~

12 ~~Terminally ill applicants with medical verification that such applicant has a remaining life~~
13 ~~expectancy of six months or less are exempt from:~~

14 ~~(a) Providing documentation of legal status in the United States;~~

15 ~~(b) The provisions of this Article regarding the cash value of a vehicle, provided that the~~
16 ~~applicant can demonstrate that such vehicle is necessary to transport the applicant to and from medical~~
17 ~~treatment, and that he or she is physically and/or mentally unable to use public transportation;~~

18 ~~(c) The provisions of this Article regarding the requirement to obtain and present any photo~~
19 ~~identification.~~

20 ~~Such applicants shall meet all other eligibility requirements.~~

21 ~~There shall be no time limit to the duration of eligibility for PAES authorized under this Section.~~

22
23 ~~**SEC. 20.75.12. INELIGIBILITY OF INDIVIDUALS WHO ARE MEMBERS OF A**~~
24 ~~**CALWORKS ASSISTANCE UNIT.**~~

1 ~~(a) Any individual who is a member of an assistance unit receiving aid under Chapter 2~~
2 ~~(commencing with Section 11200) of Part 3 of the California Welfare and Institutions Code~~
3 ~~(CalWORKs), shall not be eligible for PAES under this Article if the individual has been determined~~
4 ~~ineligible for CalWORKs pursuant to Welfare and Institutions Code Section 11251.3.~~

5 ~~(b) Any individual who is not eligible for aid under CalWORKs pursuant to Welfare and~~
6 ~~Institutions Code Section 11454(b) shall not be eligible for PAES until all of the children of the~~
7 ~~individual on whose behalf aid was received, and who live in the home with the individual, are 18 years~~
8 ~~of age or older.~~

9 ~~(c) Any individual who is receiving aid under CalWORKs on behalf of an eligible child, but~~
10 ~~who is either ineligible for aid or whose needs are not otherwise taken into account in determining the~~
11 ~~amount of aid to the family pursuant to Section 11450 of the Welfare and Institutions Code due to the~~
12 ~~imposition of a sanction or penalty, shall not be eligible for aid or assistance under this part.~~

13 ~~(d) The Executive Director, in her/his sole discretion may grant an exception to this Section.~~

14
15 ~~**SEC. 20.75.13. INELIGIBILITY OF FLEEING FELONS.**~~

16 ~~(a) An individual shall not be eligible for PAES if he or she is: Fleeing to avoid prosecution, or~~
17 ~~custody and confinement after conviction, under the laws of the place from which the individual is~~
18 ~~fleeing, for a crime or an attempt to commit a crime that is a felony under the laws of the place from~~
19 ~~which the individual is fleeing, or which, in the case of the State of New Jersey, is a high misdemeanor~~
20 ~~under the laws of that state.~~

21 ~~(b) Subdivision (a) shall not apply with respect to conduct of an individual for any month~~
22 ~~beginning after the President of the United States grants a pardon with respect to the conduct.~~

23
24 ~~**SEC. 20.75.14. PHOTO IDENTIFICATION.**~~

1 ~~(a) Each applicant shall present proof of identity and a verifiable social security number. Only~~
2 ~~the following photo identification shall be accepted:~~

3 ~~(1) California Department of Motor Vehicles Driver's License;~~

4 ~~(2) California Department of Motor Vehicles Identification Card;~~

5 ~~(3) Current United States Passport provided that such Passport contains a photo taken of~~
6 ~~applicant/participant when s/he was at least 18 years of age;~~

7 ~~(4) Current Immigration and Naturalization identification, provided that such identification~~
8 ~~contains a photo which was taken of the applicant/participant when s/he was at least 18 years of age~~
9 ~~and was taken within 10 years prior to the date of application of the applicant/participant.~~

10 ~~(b) In addition, the Department may require applicants and participants to obtain and present~~
11 ~~Department issued identification.~~

12
13 ~~**SEC. 20.75.15. FINGERPRINT INFORMATION.**~~

14 ~~All applicants for, and participants in, PAES shall be fingerprinted at the Department or at a~~
15 ~~Department approved facility in accordance with procedures established by the Executive Director.~~
16 ~~These records shall be used exclusively to prevent multiple payments under this Article or any other~~
17 ~~federal, State or County assistance program. The Executive Director is authorized to create, by~~
18 ~~regulation, exemptions from this requirement based on physical or mental disability. The refusal of an~~
19 ~~applicant or participant to comply with the fingerprint procedures shall be grounds for denial of, or~~
20 ~~discontinuance from, PAES.~~

21 ~~Fingerprints gathered under this Section are subject to all applicable federal and State laws~~
22 ~~governing the confidentiality of information regarding applicants for, or participants of, public~~
23 ~~benefits.~~

24
25 ~~**SEC. 20.75.16. REIMBURSEMENT AGREEMENT.**~~

1 *All applicants for PAES shall sign an Interim Assistance Reimbursement Agreement, in the*
2 *event that the applicant/participant is subsequently awarded SSI.*

3
4 ***SEC. 20.75.17. LABOR DISPUTE.***

5 *Unemployment due to a bona fide strike, lockout, or other labor dispute shall not affect*
6 *eligibility provided that the applicant meets all other eligibility requirements.*

7
8 ***SEC. 20.76. PAES STIPENDS.***

9 *(a) For each eligible individual or for each eligible family budget unit of two or more persons*
10 *who qualify for stipends under this Article, the maximum monthly stipend amount which participants*
11 *shall receive is listed below.*

12 ***MAXIMUM PAES STIPEND AMOUNT***

13 *Single Individual Applicant/Recipient* ————— *\$ 395*

14 *Number of Eligible Persons in Same Family*

15 *2 Persons* ————— *\$ 649*

16 *3 Persons* ————— *804*

17 *4 Persons* ————— *955*

18 *5 Persons* ————— *1,089*

19 *6 Persons* ————— *1,223*

20 *7 Persons* ————— *1,343*

21 *8 Persons* ————— *1,464*

22 *9 Persons* ————— *1,586*

23 *10 Persons* ————— *1,723*

1 ~~In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall~~
2 ~~be paid for each additional person in the family budget unit. For Family Budget Units in which~~
3 ~~members receive cash payments from more than one federal, State or County assistance program,~~
4 ~~except for SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate~~
5 ~~share of the aid payment for a family budget unit of the same size within each program for which each~~
6 ~~member is eligible.~~

7 ~~(b) The maximum monthly PAES stipend for which an applicant is eligible shall be the~~
8 ~~maximum monthly PAES stipend prorated as of the eligibility determination date, minus any nonexempt~~
9 ~~cash available to the applicant during that calendar month, minus the fair market value of any~~
10 ~~nonexempt personal property available to the applicant during that calendar month, and minus the~~
11 ~~value of any prorated in-kind housing, utilities and/or meals available or provided to the applicant. A~~
12 ~~rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized~~
13 ~~to prevent eviction from existing housing.~~

14 ~~(c) The maximum monthly PAES stipend for which a participant is eligible shall be the~~
15 ~~maximum PAES stipend minus any nonexempt cash received from sources other than PAES which is~~
16 ~~available to the participant during the month for which the stipend is paid, minus the fair market value~~
17 ~~of any nonexempt personal property which is, or will be, available to the participant during the month~~
18 ~~for which the stipend is paid, and minus the value of any in-kind housing, utilities and/or meals~~
19 ~~available or provided to the participant.~~

20 ~~(d) No PAES stipend shall be issued for less than \$5.00.~~

21 ~~(e) PAES assistance and stipends may be provided in the form of vouchers, checks, two-party~~
22 ~~checks, warrants, electronic benefit transfers, in-kind benefits, and/or through third party contracts.~~

23 ~~(f) PAES stipends may be made payable only to the participant or, upon the participant's~~
24 ~~written authorization, to the participant and a designated co-payee, or to a representative payee.~~

1 ~~(g) PAES stipends may be mailed directly to the participant or to the designated representative~~
2 ~~payee. PAES stipends may be made by electronic benefits transfer. PAES stipends may be picked up at~~
3 ~~a location designated by the Department. PAES stipends shall not be mailed to a post office box, a mail~~
4 ~~receiving service, or to an address outside the City and County of San Francisco, except upon specific~~
5 ~~authorization of the Executive Director.~~

6 ~~(h) The Maximum PAES Stipend Amounts listed in Section 20.76(a) of this Article shall be~~
7 ~~increased by any annual percentage cost of living increase to the Maximum Aid Payment, and~~
8 ~~according to the same schedule, if such an increase is implemented by the State of California in the~~
9 ~~TANF/CalWORKs program.~~

10 ~~(i) Participants may be provided with assistance, as specified in Subsection (e) above, to help~~
11 ~~pay, in full or in part, ancillary work-related expenses.~~

12 ~~(j) Applicants and recipients are required to provide a verifiable rent receipt, or verifiable~~
13 ~~documentation of shared housing, or verifiable documentation of rent free housing. Self-declared~~
14 ~~homeless applicants and recipients shall receive in-kind benefits for housing, utilities and meals. If in-~~
15 ~~kind benefits are not available, such applicants and recipients shall receive the income-in-kind value of~~
16 ~~housing, utilities, and/or meals, whichever is not available, if otherwise eligible for these amounts.~~
17 ~~Failure to comply with the rules of a housing program that results in ejection from that housing~~
18 ~~program will be considered failure to satisfy the requirements for continuing eligibility for aid and will~~
19 ~~result in discontinuance from PAES, subject to the notice and hearing provisions of this Article.~~

20 ~~(k) A special allowance of up to \$59.00 per month shall be made available to any recipient~~
21 ~~when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient~~
22 ~~exceeds the maximum monthly stipend for which that recipient is eligible. If such income-in-kind value~~
23 ~~does not exceed the maximum monthly stipend for which that recipient is eligible, but allows for less~~
24 ~~than \$59.00 cash per month, that recipient shall receive an amount that, when added to the maximum~~
25 ~~monthly stipend for which that recipient is eligible, equals \$59.00 cash per month. This section shall~~

1 ~~not affect the collection of overpayments due to fraud, negligent failure to report facts or administrative~~
2 ~~error as set forth in this Article.~~

3
4 **~~SEC. 20.76.1. MUNICIPAL RAILWAY FAST PASS.~~**

5 ~~Participants may be provided a Municipal Railway Fast Pass, Municipal Railway tokens, or~~
6 ~~other transportation assistance when such transportation is necessary to assist the participant in~~
7 ~~complying with the requirements of this Article. Such assistance shall be in addition to any stipend to~~
8 ~~which a participant is eligible.~~

9
10 **~~SEC. 20.76.2. EARNED INCOME DISREGARD.~~**

11 ~~(a) The Executive Director of the Department of Human Services may establish an Earned~~
12 ~~Income and Asset Disregard Program for participants who are employed. The Earned Income and~~
13 ~~Asset Disregard Program shall provide for disregarding a certain amount of gross income that a~~
14 ~~participant earns as wages and savings derived therefrom when determining a participant's PAES~~
15 ~~eligibility and stipend amount.~~

16 ~~(b) The total amount of gross income disregarded shall not exceed the sum of the following~~
17 ~~amounts: (1) all of the first \$200 of participant gross wage earnings; (2) two-thirds of the next \$150 of~~
18 ~~participant gross wage earnings; (3) one-half of the next \$150 of participant gross wage earnings; (4)~~
19 ~~one-third of the next \$150 of participant gross wage earnings; and (5) one-fifth of the next \$150 of~~
20 ~~participant gross wage earnings. All participant gross wage earnings above \$800 shall be offset on a~~
21 ~~dollar for dollar basis against the stipend amount to which a participant would otherwise be entitled.~~

22 ~~(c) In addition, for participants in this program, up to \$2,000 of participant savings derived~~
23 ~~from the participant's gross wage earnings shall be disregarded during the individual participant's~~
24 ~~participation in this program and for up to three months thereafter.~~

1 ~~(d) If, as a result of retrospective budgeting, a participant's total currently available financial~~
2 ~~resources in a month including her/his adjusted PAES stipend, wages, and savings are less than the~~
3 ~~maximum PAES stipend amount, the participant shall be eligible for a stipend supplement in the form~~
4 ~~of a rental expense voucher for unpaid rent in that month and up to \$50 in cash so that the participant's~~
5 ~~currently available financial resources may total up to the maximum PAES stipend amount. This~~
6 ~~stipend supplement is available a maximum of three times per year for program participants and is not~~
7 ~~available to participants who quit a job without good cause.~~

8 ~~(e) Participant gross wage earnings are defined for purposes of this Section as any income~~
9 ~~received by the participant as payment for a participant's labor. All other participant income and~~
10 ~~assets shall continue to be offset on a dollar-for-dollar basis when calculating the stipend amount to~~
11 ~~which a participant is otherwise eligible. For individuals participating in this program, the PAES~~
12 ~~stipend amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the~~
13 ~~month following the participant's receipt of wage income. Verified expenses that exceed the total sum of~~
14 ~~a participant's stipend, wages, and savings in any given month create a rebuttable presumption of~~
15 ~~ineligibility for assistance.~~

16
17 **~~SEC. 20.76.3. HOUSING.~~**

18 ~~(a) "Housing" shall include, but not be limited to, single-occupancy residential hotels, master~~
19 ~~lease rooms, transitional housing, supportive housing programs, residential treatment facilities,~~
20 ~~shelter.~~

21 ~~(b) There shall be no reduction in the PAES stipend for which an applicant/participant is~~
22 ~~eligible because s/he shares housing with others who are not members of the applicant's/participant's~~
23 ~~family budget unit as defined under this Article. All applicants/participants shall be required to present~~
24 ~~a verifiable rent receipt. If the applicant/participant is not the owner or prime lessee of the premises, a~~
25

1 ~~verifiable rent receipt signed by the owner or prime lessee may provide evidence of the~~
2 ~~applicant's/participant's place of residence and monthly share of housing costs.~~

3 ~~(c) When an applicant/participant obtains rent-free housing, such housing shall be valued~~
4 ~~according to Income-in-Kind Values Chart set forth under Title 22 of the California Code of~~
5 ~~Regulations, Section 50511 (the Income-in-Kind Chart"), rather than at fair market value. The value of~~
6 ~~the rent-free housing, which is presumed to include utilities, as determined under the Income-in-Kind~~
7 ~~Chart, shall be deducted from the maximum monthly stipend amount. If the applicant or recipient~~
8 ~~receives rent-free housing, but pays for utilities, the applicant or recipient must present a verifiable bill~~
9 ~~for utilities at that address, and a verifiable receipt for payment of any portion of that utility bill.~~

10 ~~(d) Verified payments made directly to a housing provider on behalf of an~~
11 ~~applicant/participant for the entire amount of the rent and/or utilities, or rent-free housing, or housing~~
12 ~~received in exchange for work, shall be assigned an in-kind value as specified by the Income-in-Kind~~
13 ~~Chart and that value shall be deducted from the maximum monthly stipend for which that~~
14 ~~applicant/participant is eligible.~~

15 ~~(e) Housing and/or meals provided to applicants and recipients who are unable to provide a~~
16 ~~verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of~~
17 ~~rent-free housing shall be valued as in-kind housing, utilities and/or meals as specified by the Income-~~
18 ~~In-kind Chart, and that value shall be deducted from the maximum monthly stipend for which that~~
19 ~~applicant or recipient is eligible.~~

20 ~~(f) Nothing in this Section shall be construed as requiring an otherwise eligible~~
21 ~~applicant/participant to accept housing in a facility which is either the subject of a pending nuisance~~
22 ~~abatement proceeding before a duly authorized agency or department of the City and County or before~~
23 ~~a court of competent jurisdiction, or which theretofore has been found to be a public nuisance pursuant~~
24 ~~to any provision of any San Francisco Municipal Code by a duly authorized agency or department of~~
25 ~~the City and County or by a court of competent jurisdiction and which nuisance has not been abated.~~

1
2 **~~SEC. 20.76.4. ALTERNATIVE PAYMENT METHODS; DIRECT PAYMENTS TO ROOM~~**
3 **~~AND BOARD FACILITIES PERMITTED.~~**

4 ~~In addition to the emergency aid provisions of this Article, payment for room, food expense, or~~
5 ~~both, up to the maximum PAES stipend amount, may at the applicant's/participant's option, be paid~~
6 ~~directly to any board and/or care facility should the applicant/participant choose to reside, take her/his~~
7 ~~meals or have full room and board privileges at such facilities. The Executive Director may initiate~~
8 ~~such a program or payment arrangement, on either a pilot or continuing basis, by putting into effect the~~
9 ~~appropriate regulations.~~

10
11 **~~SEC. 20.76.5. SPECIAL ALLOWANCES; TRANSPORTATION OUT OF THE CITY.~~**

12 ~~(a) The Department of Human Services may provide transportation and maintenance en route~~
13 ~~to a place out of the City and County where the applicant/participant will be cared for or her/his~~
14 ~~interests best served, provided the applicant/participant, but for fully meeting the residency~~
15 ~~requirement, is otherwise eligible and voluntarily enters into a signed contractual agreement regarding~~
16 ~~such transportation with the City and County of San Francisco. Said agreement shall contain a~~
17 ~~repayment provision permitting recoupment of the amount expended in providing such transportation~~
18 ~~at a rate not to exceed 10 percent of each stipend amount should the person provided transportation~~
19 ~~thereafter reapply and become eligible for PAES.~~

20 ~~(b) Transportation under this Section shall be provided by the least expensive means available.~~

21
22 **~~SEC. 20.76.6. EMPLOYER WAGE SUBSIDY—PAES PROGRAM.~~**

23 ~~(a) Findings. The Board of Supervisors in adopting this ordinance finds that providing the~~
24 ~~authority for the Department of Human Services to establish a wage subsidy program as defined herein~~
25 ~~will promote the permanent employment of PAES participants.~~

1 ~~(b) Employer Wage Subsidy For the purposes of this Section, "employer wage subsidy" means~~
2 ~~a payment from revenues appropriated for a PAES participant to an employer for a PAES participant~~
3 ~~who becomes employed through this program and is employed for at least 26 weeks and earns a~~
4 ~~minimum of \$800 per month in gross wage earnings.~~

5 ~~(c) Wage Subsidy Schedule. A wage subsidy payment shall only be issued to an employer by the~~
6 ~~Department of Human Services upon receipt of documentation of gross wage earnings paid to a~~
7 ~~participant of the program by the employer for the first 26 weeks of employment, except when the~~
8 ~~payment of a wage subsidy in two installments is approved by the Executive Director. A wage subsidy~~
9 ~~payment issued to an employer in two installments shall only be issued by the Department of Human~~
10 ~~Services upon receipt of documentation of gross wage earnings paid to the participant by the employer~~
11 ~~for 13 consecutive weeks of employment and the second payment shall only be issued upon receipt of~~
12 ~~documentation of gross wage earnings paid to the same participant by the employer for an additional~~
13 ~~13 consecutive weeks of employment.~~

14 ~~(d) Amount of Subsidy. The employer wage subsidy shall not exceed an amount that is 14~~
15 ~~percent of the participant's monthly gross wage earnings and shall not exceed in any month the~~
16 ~~maximum amount of a PAES stipend for which the participant would otherwise be eligible. A wage~~
17 ~~subsidy shall not be paid to an employer for more than the first 26 weeks of employment. Participant~~
18 ~~"gross wage earnings" are defined for purposes of this Section as income received by the participant as~~
19 ~~payment for the participant's labor.~~

20 ~~(e) Authority. The Department of Human Services may utilize an employer wage subsidy to~~
21 ~~encourage employers to hire qualified PAES participants as full-time employees. The Department shall~~
22 ~~make reasonable efforts to coordinate with community agencies that provide job search services to~~
23 ~~implement these provisions.~~

24 ~~(f) Program Administration. Prior to the Department's implementation of this authority, the~~
25 ~~Executive Director shall establish procedures and regulations for the proper administration of this~~

1 *authority. The regulations shall include a prohibition against the payment of a subsidy under this*
2 *program for placing PAES participants in positions in which they would be replacing striking*
3 *employees.*

4 *(g) Report. The Executive Director of the Department of Human Services shall report to the*
5 *Human Services Commission about the results of the Department's implementation of the program one*
6 *year from the effective date of this ordinance, and annually thereafter.*

7
8 ***SEC. 20.77. CONTINUING ELIGIBILITY.***

9 *(a) Persons who meet the requirements for eligibility for PAES shall receive cash stipends*
10 *pursuant to this Article IX. Participants are required to comply with all applicable provisions of this*
11 *Article and the regulations promulgated thereunder. Participants who fail to comply with applicable*
12 *provisions of this Article and the regulations promulgated thereunder without good cause may have*
13 *their aid withheld and/or decreased and/or discontinued as set forth in California Welfare and*
14 *Institutions Code Section 17001.5, or any successor statute, and Department regulations.*

15 *(b) No withholding, decrease, or discontinuance of aid shall occur unless the person to be*
16 *affected has been advised of the possibility of such action by means of a Notice of Proposed Action and*
17 *has been afforded the opportunity for a hearing to dispute the proposed action.*

18
19 ***SEC. 20.77.1. PARTICIPANT AGREEMENT.***

20 *(a) Participants in PAES must enter into a written Participant Agreement which outlines the*
21 *first phase of PAES activities with which the participant must comply. Such activities may include, but*
22 *are not limited to: (1) supported work experience; and/or (2) job search; and/or (3) group sessions or*
23 *activities; and/or (4) any other appropriate activity, as determined by the Department, that leads to*
24 *preparation of the PAES Plan; and (5) keeping an appointment to establish a PAES Plan upon the*
25 *notification of the date and time of such an appointment. The maximum number of hours of activities,*

1 *which would be considered "employment" under the Fair Labor Standards Act (29 U.S.C. §§ 201 et.*
2 *seq.) and any applicable U.S. Department of Labor Guidelines, that the Department may require shall*
3 *be the same amount as for General Assistance recipients, as calculated for General Assistance*
4 *recipients under Section 20.58.6 of this Chapter.*

5 *(b) Participants who provide verification of a temporary physical or mental condition which*
6 *prevents them from complying with the Participant Agreement as specified above may: (1) be*
7 *temporarily exempted from those requirements, or (2) be required to participate in any appropriate*
8 *activity that is likely to remedy the temporary physical or mental condition and lead to preparation of*
9 *the PAES Plan.*

10 *(c) Failure to comply with the Participant Agreement shall be considered failure to meet*
11 *continuing eligibility requirements. Such failure shall result in discontinuance from PAES, subject to*
12 *the notice and administrative hearing provisions of this Article, and the imposition of a 60 day*
13 *sanction. Failure to comply with the Participant Agreement is not subject to the Conciliation For PAES*
14 *Plan Noncompliance provisions of this Article.*

15
16 ***SEC. 20.77.2. PAES PLAN.***

17 *(a) On the date set in the Participant Agreement, participants in PAES must enter into a*
18 *written PAES Plan that sets forth the activities and services that will assist the participant in obtaining*
19 *paid employment. This plan shall be signed by the participant and the Department.*

20 *(b) This plan will include an evaluation of the participant's: (1) education; (2) employment*
21 *history; (3) employment skills; (4) employment goals; (5) barriers to achieving those goals; (6) services*
22 *necessary to remove those barriers; (7) participant tasks necessary to remove those barriers; and (8)*
23 *the time frame in which services will be provided, and participant tasks will be completed. The*
24 *activities set forth in the PAES plan may be performed concurrently or sequentially, as determined*
25 *within the context of the plan.*

1 ~~(c) Compliance with all components of the PAES Plan, absent a determination of good cause~~
2 ~~for failure to so comply, is mandatory in order to continue to receive PAES services and the stipend.~~
3 ~~Such failure shall result in discontinuance from PAES, subject to the notice, conciliation, and~~
4 ~~administrative hearing provisions of this Article, and the imposition of a 90-day sanction.~~

5
6 ~~**SEC. 20.77.3. SANCTIONS.**~~

7 ~~(a) Failure to meet continuing eligibility requirements, absent a showing of good cause, other~~
8 ~~than compliance with the PAES Plan, shall result in the imposition of a 60-day sanction.~~

9 ~~(b) Failure to comply with all the components of the PAES Plan shall result in the imposition~~
10 ~~of a 90-day sanction.~~

11 ~~(c) Time spent serving PAES sanctions shall not apply in computing the time limit for PAES~~
12 ~~services specified in this Article.~~

13
14 ~~**SEC. 20.77.4. CONCILIATION FOR PAES PLAN NONCOMPLIANCE.**~~

15 ~~(a) Thirty calendar days prior to the imposition of a sanction for failure, without good cause,~~
16 ~~to comply with any of the elements of the PAES plan, the Department shall issue a notice of PAES Plan~~
17 ~~Noncompliance.~~

18 ~~(b) This notice shall inform the participant of: (1) the alleged instance(s), including date(s), of~~
19 ~~noncompliance with specific reference to the component(s) of the plan; (2) the date that the sanction~~
20 ~~will be imposed; and (3) shall instruct the participant to attend an appointment with the Department~~
21 ~~within 20 mail delivery days of the notice, or to contact the Department by telephone within 20 mail~~
22 ~~delivery days.~~

23 ~~(c) In order to avoid imposition of the sanction, the participant must either: (1) demonstrate~~
24 ~~good cause for failure(s) to comply with any component(s) of the PAES plan; or (2) agree to a~~
25 ~~conciliation plan to correct the specific compliance failure(s).~~

1 ~~(d) Failure by the participant to respond to (1) the Notice of Noncompliance, or (2)~~
2 ~~demonstrate good cause, or (3) agree to a conciliation plan shall result in discontinuance from PAES,~~
3 ~~and the imposition of a sanction. Such a discontinuance is subject to the notice and hearing provisions~~
4 ~~of this Article.~~

5
6 **~~SEC. 20.77.5. GOOD CAUSE.~~**

7 ~~For purposes of this Article, where a participant is required to show "good cause" for not~~
8 ~~meeting one of her/his obligations or duties under this Article, good cause may be shown by evidence of~~
9 ~~any of the following: (1) verified hospitalization; (2) verified illness; (3) verified incarceration; (4)~~
10 ~~verified disability; or other good cause satisfactorily demonstrated to the Executive Director.~~

11
12 **~~SEC. 20.78. TIMING OF PAES STIPENDS.~~**

13 ~~(a) Emergency Assistance. The Department may provide emergency assistance. The Executive~~
14 ~~Director of the Department of Human Services is authorized to contract with social service agencies~~
15 ~~for the provision of emergency assistance.~~

16 ~~(b) Normal Payment Periods. The Executive Director is authorized to establish normal~~
17 ~~payment periods of either twice monthly or once monthly.~~

18
19 **~~SEC. 20.79. TIME LIMITS.~~**

20 ~~(a) This program shall be limited to 27 months total lifetime of services. A participant may~~
21 ~~continue to receive an additional six months of services if the Executive Director determines that~~
22 ~~specific activities would be likely to lead to employment. However, there shall be no time limit as to~~
23 ~~receipt of the maximum monthly stipend for which a participant is eligible as long as that participant~~
24 ~~continues to meet all PAES program requirements.~~

1 ~~(b) If at any time during the implementation of a participant's PAES Plan, the identified~~
2 ~~services necessary to remove the barriers to achieving employment goals are not available through no~~
3 ~~fault of the participant, the 27-month time limit, as set forth in Subsection (a) above, will be stayed for~~
4 ~~the same amount of time such services are not available.~~

5
6 ~~**SEC. 20.80. IMMEDIATE TERMINATION OF ELIGIBILITY.**~~

7 ~~Occurrence of the following events shall result in the immediate termination of eligibility for~~
8 ~~assistance under this Article: (1) receipt of SSI payments; (2) death of the participant; (3)~~
9 ~~applicant/participant request; (4) abandonment of County residency; or (5) institutionalization.~~
10 ~~Discontinuance of assistance due to the death of the participant, or at the request of the~~
11 ~~applicant/participant is subject to the notice provisions of Section 20.85(a); however, such~~
12 ~~discontinuances do not require 10-calendar day prior notice as specified in Section 20.85(b). All other~~
13 ~~discontinuances under this Section do require 10-calendar day prior notice as specified in Section~~
14 ~~20.85(b).~~

15
16 ~~**SEC. 20.81. CHANGES IN PAES STIPENDS.**~~

17 ~~(a) Changes in stipends shall be made when a PAES participant becomes eligible for a stipend~~
18 ~~in a different amount because of altered circumstances.~~

19 ~~(b) A change in stipend shall be made effective with the next regular pay date following~~
20 ~~knowledge by the worker of circumstances warranting a change in stipend, in conformance with the~~
21 ~~notice and hearing requirements of this Article.~~

22
23 ~~**SEC. 20.82. LOST, FORGED OR STOLEN WARRANTS AND LOST OR STOLEN**~~
24 ~~**WARRANT PROCEEDS.**~~

1 ~~(a) Lost, forged, or stolen warrants may be replaced only in accordance with specific~~
2 ~~procedures adopted by the Department.~~

3 ~~(b) If a warrant has been cashed by the participant and the money lost or stolen, no~~
4 ~~replacement of the warrant or issuance of orders shall be permitted.~~

5
6 **~~SEC. 20.83. INELIGIBILITY FOR GENERAL ASSISTANCE, CALM, SSIP OR OTHER~~**
7 **~~COUNTY FUNDED ASSISTANCE.~~**

8 ~~Participants of PAES are not eligible for General Assistance, CALM, SSIP or any other County-~~
9 ~~funded cash assistance programs.~~

10
11 **~~SEC. 20.84. FAIR ADMINISTRATION; DISCLOSURES; OVERPAYMENT.~~**

12 ~~The Department shall administer this program fairly to the end that all eligible persons who~~
13 ~~apply for assistance shall receive stipends promptly, with due consideration for the needs of the~~
14 ~~applicant/participant and the safeguard of public funds.~~

15 ~~(a) Any applicant for, or participant or payee of, stipends under this Article shall be informed~~
16 ~~as to the provisions of eligibility and his or her responsibility for reporting facts material to a correct~~
17 ~~determination of eligibility, continuing eligibility and stipend amount.~~

18 ~~(b) Any applicant for, or participant or payee of, stipends under this Article shall be~~
19 ~~responsible for reporting accurately and completely all facts required of him or her pursuant to~~
20 ~~Subdivision (a) and for reporting promptly any changes of those facts.~~

21 ~~(c) Any person who makes full and complete disclosure of those facts as explained to him or~~
22 ~~her pursuant to Subdivision (a) is entitled to rely upon the stipend paid as being accurate, and the~~
23 ~~warrant he or she receives as correctly reflecting the stipend award except as provided in Subdivisions~~
24 ~~(d), (e), (f).~~

1 ~~(d) Overpayment due to administrative error or negligent failure to report facts required by~~
2 ~~this Article or Department regulations may be recouped in accordance with the provisions of Section~~
3 ~~20.72(q) governing recoupment in the absence of participant fraud, until collected in full, following~~
4 ~~discovery of overpayment.~~

5 ~~(e) Overpayment due to false statement or representation or by impersonation or other~~
6 ~~fraudulent device or by intentional failure to report facts required by this Article or department~~
7 ~~regulations shall be recouped in accordance with the provisions of Section 20.72(q) governing~~
8 ~~recoupment upon an administrative determination of participant fraud, until collected in full, following~~
9 ~~discovery of overpayment.~~

10 ~~(f) Overpayment due to false statement or representation or by impersonation or other~~
11 ~~fraudulent device or by intentional failure to report facts as required by this Article or department~~
12 ~~regulations shall result in immediate discontinuance of the PAES stipend subject to the administrative~~
13 ~~hearing procedures under this Article. The case shall be referred to the Special Investigation Unit of~~
14 ~~the Department of Human Services. Any stipends paid under such circumstances shall be offset against~~
15 ~~any future stipends as set forth in Section 20.72(q).~~

16
17 **~~SEC. 20.85. NOTICE OF PROPOSED ACTION.~~**

18 ~~(a) The Department shall issue a Notice of Proposed Action whenever it intends to deny,~~
19 ~~withhold, decrease or discontinue PAES stipends. That notice shall state with reasonable particularity~~
20 ~~the legal and factual basis for the proposed action.~~

21 ~~(b) Proposed Notices of Action regarding withholding, reduction, or discontinuance from~~
22 ~~PAES shall be hand-delivered or mailed at least 10 calendar days prior to the effective date of the~~
23 ~~proposed action.~~

24
25 **~~SEC. 20.86. HEARINGS.~~**

1 ~~(a) An applicant for, or a participant of PAES, may challenge any denial, withholding,~~
2 ~~decrease or discontinuance by requesting an administrative hearing.~~

3 ~~(b) A request for an administrative hearing must be made to the Department within seven~~
4 ~~calendar days of the date of hand delivery of, or 10 calendar days from the date of mailing of the~~
5 ~~Notice of Proposed Action, or within three work days of the effective date of the action. Hearing~~
6 ~~requests that are not made in accordance with the time requirements shall be denied unless the~~
7 ~~applicant or participant can establish good cause for failure to make a timely request.~~

8
9 ~~**SEC. 20.86.1. HEARING; NOTICE OF HEARING; WHEN HELD.**~~

10 ~~(a) After a hearing has been requested, a time and place for the hearing shall be established.~~
11 ~~Notice shall be given to the applicant or participant indicating the day, date, time, and place of the~~
12 ~~hearing. In no event shall a hearing date be scheduled for a time less than five days after the~~
13 ~~Department's receipt of a request, unless the applicant makes a knowing and intelligent waiver of his or~~
14 ~~her right to a record review.~~

15 ~~(b) Where an applicant for PAES is denied aid, a hearing shall be calendared within seven~~
16 ~~days of the date of the hearing request.~~

17 ~~(c) All hearings shall be held within 30 calendar days of the request therefor.~~

18
19 ~~**SEC. 20.86.2. STIPEND PAID PENDING.**~~

20 ~~A PAES participant who makes a timely request for an administrative hearing shall continue to~~
21 ~~receive her/his stipend pending the hearing decision.~~

22
23 ~~**SEC. 20.86.3. IMPARTIAL HEARING OFFICER.**~~

24 ~~The Executive Director shall designate as an impartial hearing officer a person who is not~~
25 ~~involved in the administration of the PAES Program.~~

1
2 **~~SEC. 20.86.4. HEARING; HEARING RIGHTS.~~**

3 *The applicant or participant shall be advised in the Notice of Proposed Action of applicant's or*
4 *participant's rights to counsel or other representative, to review pertinent records and regulations at*
5 *least five working days prior to the hearing, to present testimony and documentary evidence, to cross-*
6 *examine all witnesses, to have the proceedings tape-recorded, and to have a translator provided for the*
7 *hearing if the applicant or participant is not proficient in English.*

8
9 **~~SEC. 20.86.5. INFORMALITY, EVIDENCE, APPEARANCE AND COUNSEL.~~**

10 *The hearing shall be conducted in an impartial and informal manner. All evidence shall be*
11 *submitted under oath or affirmation. The hearing officer is not bound by the rules of evidence or*
12 *procedures applicable to judicial proceedings. The applicant/participant shall attend the hearing in*
13 *person and may be represented by counsel or a representative. While the applicant/participant may or*
14 *may not be represented by counsel or a representative, the client must appear in order for the hearing*
15 *to be held. However, where the applicant/participant establishes good cause for nonattendance prior to*
16 *the hearing under Section 20.77.5, counsel or a representative may appear on behalf of the*
17 *applicant/participant.*

18
19 **~~SEC. 20.86.6. HEARING DECISION.~~**

20 *The hearing officer shall render a written decision within seven calendar days of the hearing*
21 *indicating factual findings and grounds for the decision. Such decision shall be based solely upon*
22 *evidence presented at the hearing and specifically state the facts upon which it was based, the authority*
23 *relied upon and any other reasons for the decision. Such decision shall be mailed to the applicant or*
24 *participant.*

1 **~~SEC. 20.86.7. HEARING; FINALITY; EFFECT OF NONAPPEARANCE.~~**

2 ~~(a) The result of all hearings are considered final and there is no further right of~~
3 ~~administrative appeal.~~

4 ~~(b) When the applicant/participant does not appear for the scheduled hearing, it is presumed~~
5 ~~that the applicant/participant ceases to contest the decision. The withholding, decrease, denial,~~
6 ~~discontinuance, and/or recoupment of overpayments of aid will, therefore, be effected. The applicant or~~
7 ~~participant may, for good cause shown, make a written request, or oral request as specified in the~~
8 ~~Executive Director's regulations, for a second hearing within 15 days of the scheduled date for the first~~
9 ~~hearing.~~

10 ~~Such request must specify the good cause for nonattendance at the first hearing. This provision~~
11 ~~is satisfied by evidence of any of the following: (1) verified hospitalization; (2) verified illness; (3)~~
12 ~~verified incarceration; (4) verified disability or (5) other good cause satisfactorily shown to the~~
13 ~~Executive Director.~~

14
15 **~~SEC. 20.87. FRAUD IN OBTAINING STIPENDS.~~**

16 ~~Whenever any person has, by means of false statement or representation or by impersonation or~~
17 ~~other fraudulent device, or by intentional failure to report facts required by this Article or Department~~
18 ~~regulations, obtained stipends under this Article, the matter shall be referred to the District Attorney's~~
19 ~~office for appropriate action.~~

20 ~~Further, upon the first discontinuance of stipend payments within a 24 month period due to~~
21 ~~false statement or representation or by impersonation or other fraudulent device, or by intentional~~
22 ~~failure to report facts required by the Article or Department regulations, an applicant or participant~~
23 ~~shall be ineligible for stipends for a period of 90 days.~~

24 ~~Upon the second such discontinuance within a 24 month period, the applicant or participant~~
25 ~~shall be ineligible for stipends for a period of 120 days.~~

1 ~~Upon the third, or additional, such discontinuance within a 24 month period, the applicant or~~
2 ~~participant shall be ineligible for stipends for a period of 150 days.~~

3
4 ~~**SEC. 20.88. RECORDS; CONFIDENTIALITY.**~~

5 ~~All PAES records shall be confidential and shall not be opened to examination or inspection~~
6 ~~except upon written waiver by the applicant/participant.~~

7
8 ~~**SEC. 20.89. RECORDS; DESTRUCTION OF.**~~

9 ~~All inactive case records that are over five years old may be destroyed. All records involving~~
10 ~~closed PAES cases may be destroyed after five years.~~

11
12 ~~**SEC. 20.90. AUTHORITY TO TERMINATE THE PROGRAM.**~~

13 ~~The Board of Supervisors of the City and County of San Francisco has complete discretion and~~
14 ~~authority to terminate PAES at any time, for any reason. In the event that PAES is terminated, all PAES~~
15 ~~applicants and participants shall be eligible to apply for General Assistance, SSIP, or CALM,~~
16 ~~whichever is applicable, in accordance with the rules and regulations of those programs.~~

17
18 ~~**SEC. 20.91. SEVERABILITY.**~~

19 ~~If any part or provision of this Article, or the application thereof to any person or circumstance,~~
20 ~~is held invalid, the remainder of this Article, including the application of such part or provision to other~~
21 ~~persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To~~
22 ~~this end, provisions of this Article are severable.~~

23
24 ~~**SEC. 20.92. LIMITED TO PROMOTION OF GENERAL WELFARE.**~~

1 *In undertaking the adoption and enforcement of this ordinance, the City and County of San*
2 *Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it*
3 *imposing on its officers and employees, an obligation for breach of which it is liable in money damages*
4 *to any person who claims that such breach proximately caused injury.*

5
6 ***SEC. 20.93. OPERATIVE DATE.***

7 *This Article is to become effective no sooner than June 1, 1998.*

8
9 ***SEC. 20.94. FUNDING.***

10 *A baseline appropriation for housing and related services provided as in-kind aid shall be*
11 *established using the City and County of San Francisco FY 2002-2003 Annual Appropriation*
12 *Ordinance and any supplemental appropriations for the amount of cash aid payments to applicants and*
13 *recipients who declare themselves to be homeless. In subsequent fiscal years, this baseline amount*
14 *shall be appropriated to the Department of Human Services to fund housing and related services for*
15 *homeless adults without dependents. This funding may be used to support, but shall not be limited to,*
16 *some or all of the following: hotel master lease programs, permanent supportive housing,*
17 *improvements of conditions in existing shelters, expansion of shelter capacity, mental health and*
18 *substance abuse treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee*
19 *services, case management and meals for the homeless population through direct services and/or*
20 *contracts.*

21
22 ***SEC. 20.95. EVALUATION.***

23 *The provision of in-kind aid is to be evaluated by the Office of the Controller of the City and*
24 *County of San Francisco every three years for program effectiveness and cost efficiency.*

1 **~~SEC. 20.96. OPERATIVE DATE OF AMENDMENTS.~~**

2 ~~The provisions of this amendment, Sections 20.76 (b), (c), (j), (k), 20.76.3(a), (b), (c), (e); 20.94;~~
3 ~~and 20.95 shall become operative on or before July 1, 2003.~~

4
5 Section 4. Chapter 20 of the Administrative Code is amended by repealing Article X,
6 Sections 20.100 - 20.127, in its entirety.

7
8 **~~SEC. 20.100. TITLE.~~**

9 ~~This Article shall be known as the "Cash Assistance Linked to Medi-Cal" or "CALM."~~

10
11 **~~SEC. 20.101. PURPOSE AND INTENT.~~**

12 ~~The purpose of this program is to provide cash payments to those individuals, and their spouses~~
13 ~~and minor children, who have been determined to be eligible for Medi-Cal, the State health care~~
14 ~~program as set forth in California Welfare and Institutions Code Sections 14,000 et seq., on the basis of~~
15 ~~being aged, blind or disabled, and who meet specific financial criteria, but who are not eligible for~~
16 ~~federal disability payments from the Social Security Administration (SSI benefits), and/or State~~
17 ~~supplemental disability payments (SSP).~~

18 ~~It is the intent of the Board of Supervisors of the City and County of San Francisco (City) that~~
19 ~~only individuals who receive Medi-Cal, because they have been determined to be aged, or disabled by~~
20 ~~the federal and/or State government authorities under the Disability Evaluation Determination (DED)~~
21 ~~guidelines, Title II or Title XVI of the Social Security Act, 42 U.S.C. Section 301, et seq., or successor~~
22 ~~federal and/or State law shall receive a cash supplement under this Article.~~

23
24 **~~SEC. 20.102. DEFINITIONS.~~**

25 ~~For purposes of this Article:~~

1 ~~(a) "Applicant" means a person who is in the process of applying for benefits under this~~
2 ~~Article.~~

3 ~~(b) "Assistance" means services and/or cash payments.~~

4 ~~(c) "CalWORKs" means the California Work Opportunity and Responsibility to Kids as~~
5 ~~defined Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and~~
6 ~~Institutions Code or any successor program.~~

7 ~~(d) "Decrease" means any reduction in a recipient's current cash payment amount under this~~
8 ~~Article.~~

9 ~~(e) "Denial" means a determination, based on a CALM application, that the applicant is not~~
10 ~~eligible for CALM.~~

11 ~~(f) "Department" means the Department of Human Services.~~

12 ~~(g) "Discontinuance" means the termination of a recipient's assistance.~~

13 ~~(h) "Electronic benefit transfer" means a method of transferring benefits through a centralized~~
14 ~~computer system so that an applicant/recipient may obtain her/his benefits at facilities such as~~
15 ~~automated teller machines (ATM) and point-of-sale (POS) terminals using an access device such as a~~
16 ~~magnetic stripe plastic card. "Electronic benefit transfer" includes direct deposits.~~

17 ~~(i) "Eligible for Medi-Cal" means that an applicant/recipient is a current Medi-Cal beneficiary~~
18 ~~for reasons of being aged or disabled.~~

19 ~~(j) "Executive Director" means the Executive Director of the Department of Human Services.~~

20 ~~(k) "Family budget unit" means a Medi-Cal Family Budget Unit as defined in Title 22 of the~~
21 ~~California Code of Regulations, Sections 50371 et seq.~~

22 ~~(l) "General Assistance" means the General Assistance Program as set forth under Article VII~~
23 ~~of this Chapter of the San Francisco Administrative Code (S.F. Adm. C. §§ 20.55, et seq.).~~

24 ~~(m) The word "may" means the provision is permissive.~~

25

1 ~~(n) "Medi-Cal" means the Medi-Cal Program as set forth in California Welfare and~~
2 ~~Institutions Code Sections 14000 et seq.~~

3 ~~(o) "PAES" means the Personal Assisted Employment Services Program as set forth under~~
4 ~~Article IX of this Chapter.~~

5 ~~(p) "Recipient" means a person who is receiving assistance under this program.~~

6 ~~(q) "Recoupment" means the collection of past overpayments under the CALM Program by~~
7 ~~deducting from current payments not more than 10 percent of the current payment amount absent an~~
8 ~~administrative determination of recipient fraud and not more than 40 percent with an administrative~~
9 ~~determination of recipient fraud and an administrative evaluation of the recipient's current ability to~~
10 ~~make repayments.~~

11 ~~(r) "Residing in an institution" shall mean that the applicant/recipient is staying in a facility~~
12 ~~that provides housing and three meals a day.~~

13 ~~(s) The word "shall" means the provision is mandatory.~~

14 ~~(t) "SSA" means the Social Security Administration.~~

15 ~~(u) "SSI" means Supplemental Security Income.~~

16 ~~(v) "SSIP" means the Supplemental Security Income Pending Program as set forth under~~
17 ~~Article XI of this Chapter.~~

18 ~~(w) "State" means the State of California.~~

19 ~~(x) "SSI/SSP" means Supplemental Security Income/State Supplementary Program for the~~
20 ~~Aged, Blind, and Disabled as defined in the Welfare and Institutions Code Section 12000, et seq.~~

21 ~~(y) "TANF" means Temporary Assistance to Needy Families as defined in Part A (commencing~~
22 ~~with Section 601) of Subchapter 4 of Chapter 7 of Title 42 of the United States Code.~~

23 ~~(z) The word "withholding" means the retention of payments.~~

24
25 ~~**SEC. 20.103. PRINCIPLES.**~~

1 Assistance is to be administered in a manner which is consistent with the purposes of this
2 program and which respects individual privacy and personal dignity:

3 (a) CALM is to be administered promptly and humanely, without discrimination on account of
4 race, sex, sexual orientation, religion or political affiliation.

5 (b) CALM is to be administered so as to encourage self-respect, self-reliance and the desire to be
6 a good citizen, useful to the community.

7 (c) CALM is to be administered with courtesy, consideration and respect and without
8 attempting to elicit any unnecessary information.

9 (d) Duties should be performed in such a manner as to secure for every applicant or recipient
10 the assistance to which s/he is eligible.

11 (e) There is to be no question, inquiry or recommendation relating to the political or religious
12 opinions or affiliations of any applicant or recipient.

13 (f) CALM is to be administered in the most cost-effective manner possible.

14
15 **SEC. 20.104. ADMINISTRATION.**

16 (a) This program shall be administered by the Department of Human Services. The Executive
17 Director shall establish the rules and regulations, consistent with this Article, for the proper
18 administration of CALM.

19 (b) In actual emergencies, the Executive Director of the Department of Human Services may
20 make exceptions to this Article pending action by the Board of Supervisors. Such action shall be
21 reported to the Board of Supervisors within five working days.

22
23 **SEC. 20.105. ELIGIBILITY.**

24 (a) In order to be eligible to receive CALM, an applicant must submit, to the Department, a
25 complete Medi-Cal application, as required by State law. Upon determination that the applicant is

1 *eligible for Medi-Cal benefits for the aged, blind or disabled, based upon State eligibility criteria, the*
2 *applicant, and her/his spouse, and/or minor children, will be eligible for CALM.*

3 *(b) An individual serving a sanction for fraud under any County-funded indigent assistance*
4 *program under this Chapter is ineligible to receive CALM until that sanction period is completed.*

5 *(c) All applicants/recipients, and all members of the family budget unit are required to apply*
6 *for, and pursue receipt of payment(s) from any and all federal, State, and/or private means of*
7 *assistance for which they may be eligible as directed by the Department. This includes, but is not*
8 *limited to: (1) Unemployment Insurance Benefits; (2) Worker's Compensation Insurance; (3) SSI; (4)*
9 *retirement benefits, and (5) any other insurance or disability payments. Failure to apply for, and*
10 *pursue receipt of, any such assistance to which an applicant/recipient, or any member of the family*
11 *budget unit, may be eligible shall be considered to be a failure to meet continuing eligibility*
12 *requirements of this Article.*

13 *(d) Individuals residing in an institution are not eligible to receive assistance under this*
14 *Article.*

15 *(e) Applicants may be required to attend group orientation session(s), and failure to do so*
16 *shall be grounds for denial of assistance.*

17
18 ***SEC. 20.105.1. RESIDENCY.***

19 *(a) Applicants for CALM must reside in the City and County of San Francisco for 15*
20 *continuous days prior to the date of application for CALM payments. Residence in the City and County*
21 *of San Francisco is established by physical presence and intent to reside, which is satisfactorily*
22 *demonstrated by the applicant.*

23 *(b) Eligibility for CALM will terminate immediately upon abandonment of residency in the*
24 *City and County of San Francisco.*

1 ~~**SEC. 20.105.2. LABOR DISPUTE.**~~

2 ~~Unemployment due to a bona fide strike, lockout, or other labor dispute shall not affect~~
3 ~~eligibility provided that the applicant meets all other eligibility requirements.~~

4
5 ~~**SEC. 20.105.3 REBUTTABLE PRESUMPTION OF INELIGIBILITY—CURRENT**~~
6 ~~**INCOME OR EXPENSES.**~~

7 ~~Verified paid income, or expenses which exceed the otherwise eligible applicant/recipient's total~~
8 ~~monthly income and/or assets, during month of application or a current month of eligibility shall create~~
9 ~~a rebuttable presumption of ineligibility for CALM.~~

10
11 ~~**SEC. 20.105.4. ALLOWABLE REAL PROPERTY.**~~

12 ~~(a) The applicant shall transfer or grant to the City and County of San Francisco any interest~~
13 ~~which the applicant has in any real property as security for the funds expended for assistance.~~

14 ~~(b) An applicant or recipient of CALM may retain real property used as her/his home,~~
15 ~~provided that the applicant's or recipient's net monthly housing expense does not exceed the otherwise~~
16 ~~eligible applicant/recipient's total monthly income and/or assets.~~

17
18 ~~**SEC. 20.105.5. ALLOWABLE PERSONAL PROPERTY.**~~

19 ~~No payments under this Article shall be made to any person who has not exhausted all assets~~
20 ~~and resources available to such person, except for cash assets, savings and/or checking accounts, the~~
21 ~~total of which does not exceed the current monthly Medi-Cal maximum assets amount for the family~~
22 ~~budget unit.~~

23
24 ~~**SEC. 20.105.6. EXEMPT INCOME OR RESOURCES.**~~

25 ~~For the purpose of this Article:~~

1 ~~(a) Personal property, income or resources shall not include income from relocation payments~~
2 ~~to individuals receiving assistance under this Article being displaced by a redevelopment agency.~~

3 ~~(b) Retirement benefits may be retained upon determination by the Executive Director or his~~
4 ~~or her designee that the applicant or recipient will be reemployed in the near future and that such~~
5 ~~employment is contingent upon the retirement fund not being withdrawn.~~

6 ~~(c) Any verified loans made to a recipient, or to an applicant in the month of application, or~~
7 ~~one month immediately prior to application, for the purpose of enabling that recipient or applicant to~~
8 ~~pay his or her rent, or for the purpose of payment of first and last month's rent and any lawful rental~~
9 ~~deposit, shall not be considered income or resources available to that recipient or applicant.~~

10 ~~(d) Income tax refunds, including the Earned Income Tax Credit (EITC), issued to the~~
11 ~~applicant or recipient shall not be considered as income or resources available to the applicant or~~
12 ~~recipient.~~

13 ~~(e) Payments made to the applicant or recipient under the Foster Care or FSET/GATES~~
14 ~~programs shall not be considered as income or resources available to the applicant or recipient.~~

15 ~~(f) SSI/SSP benefits and resources of a member of the CALM family shall not be considered as~~
16 ~~income or resources available to the applicant or recipient.~~

17 ~~(g) The portion of any student grants or loans that is paid directly to the educational~~
18 ~~institution for tuition, and/or fees, and/or books.~~

19
20 ~~**SEC. 20.105.7. EXEMPTION FOR TERMINAL ILLNESS.**~~

21 ~~Terminally ill applicants with medical verification that such applicant has a remaining life~~
22 ~~expectancy of six months or less are exempt from:~~

23 ~~(a) Providing documentation of legal status in the United States;~~
24
25

1 (b) ~~The provisions of this Article regarding the cash value of a vehicle, provided that the~~
2 ~~applicant can demonstrate that such vehicle is necessary to transport the applicant to and from medical~~
3 ~~treatment, and that he or she is physically and/or mentally unable to use public transportation;~~

4 (c) ~~The provisions of this Article regarding the requirement to obtain and present any photo~~
5 ~~identification.~~

6 ~~Such applicants shall meet all other eligibility requirements.~~

7 ~~There shall be no time limit to the duration of eligibility for CALM authorized under this~~
8 ~~Section.~~

9
10 ~~**SEC. 20.105.8. INELIGIBILITY OF INDIVIDUALS WHO ARE MEMBERS OF A**~~
11 ~~**CALWORKS ASSISTANCE UNIT.**~~

12 (a) ~~Any individual who is a member of an assistance unit receiving aid under Chapter 2~~
13 ~~(commencing with Section 11200) of Part 3 of the California Welfare and Institutions Code~~
14 ~~(CalWORKs), shall not be eligible for CALM under this Article if the individual has been determined~~
15 ~~ineligible for CalWORKs pursuant to Welfare and Institutions Code Section 11251.3.~~

16 (b) ~~Any individual who is not eligible for aid under CalWORKs pursuant to Welfare and~~
17 ~~Institutions Code Section 11454(b) shall not be eligible for CALM until all of the children of the~~
18 ~~individual on whose behalf aid was received, and who live in the home with the individual, are 18 years~~
19 ~~of age or older.~~

20 (c) ~~Any individual who is receiving aid under CalWORKs on behalf of an eligible child, but~~
21 ~~who is either ineligible for aid or whose needs are not otherwise taken into account in determining the~~
22 ~~amount of aid to the family pursuant to Section 11450 of the Welfare and Institutions Code due to the~~
23 ~~imposition of a sanction or penalty, shall not be eligible for aid or assistance under this part.~~

24 (d) ~~The Executive Director, in her/his sole discretion may grant an exception to this Section.~~
25

1 **~~SEC. 20.105.9. INELIGIBILITY OF FLEEING FELONS.~~**

2 ~~(a) An individual shall not be eligible for CALM if he or she is:~~

3 ~~Fleeing to avoid prosecution, or custody and confinement after conviction, under the laws of the~~
4 ~~place from which the individual is fleeing, for a crime or an attempt to commit a crime that is a felony~~
5 ~~under the laws of the place from which the individual is fleeing, or which, in the case of the State of~~
6 ~~New Jersey, is a high misdemeanor under the laws of that state.~~

7 ~~(b) Subdivision (a) shall not apply with respect to conduct of an individual for any month~~
8 ~~beginning after the President of the United States grants a pardon with respect to the conduct.~~

9
10 **~~SEC. 20.105.10. PHOTO IDENTIFICATION.~~**

11 ~~(a) Each applicant shall present proof of identity and a verifiable social security number. The~~
12 ~~following forms of photo identification shall be accepted:~~

13 ~~(1) California Department of Motor Vehieles Driver's License;~~

14 ~~(2) California Department of Motor Vehieles Identification Card;~~

15 ~~(3) Current United States Passport provided that such Passport contains a photo taken of~~
16 ~~applicant/recipient when s/he was at least 18 years of age;~~

17 ~~(4) Current Immigration and Naturalization identification, provided that such identification~~
18 ~~contains a photo which was taken of the applicant/recipient when s/he was at least 18 years of age and~~
19 ~~was taken within 10 years prior to the date of application of the applicant/recipient;~~

20 ~~(5) Other forms of identification which are acceptable under Medi-Cal regulations.~~

21 ~~(b) In addition, the Department may require applicants and recipients to obtain and present~~
22 ~~Department issued identification.~~

23
24 **~~SEC. 20.105.11. FINGERPRINT INFORMATION.~~**

1 All applicants for, and recipients of, CALM shall be fingerprinted at the Department or at a
2 Department approved facility in accordance with procedures established by the Executive Director.
3 These records shall be used exclusively to prevent multiple payments under this Article or any other
4 federal, State or County assistance program. The Executive Director is authorized to create, by
5 regulation, exemptions from this requirement based on physical or mental disability. The refusal of an
6 applicant or recipient to comply with the fingerprint procedures shall be grounds for denial of, or
7 discontinuance from, CALM.

8 Fingerprints gathered under this Section are subject to all applicable federal and State laws
9 governing the confidentiality of information regarding applicants for, or recipients of, public benefits.

10
11 **~~SEC. 20.105.12. REIMBURSEMENT AGREEMENT.~~**

12 All applicants for CALM shall sign an Interim Assistance Reimbursement Agreement, in the
13 event that the applicant/recipient is subsequently awarded SSI.

14
15 **~~SEC. 20.106. CALM PAYMENTS.~~**

16 (a) For each eligible individual or for each eligible family budget unit of two or more persons
17 who qualify for assistance under the CALM Program, the maximum monthly payment amount which
18 recipients shall receive is listed below.

19
20 **~~MAXIMUM CALM PAYMENT AMOUNT~~**

| | | |
|----|--|-------------------|
| 21 | Single Individual Applicant/Recipient | \$ 395 |
| 22 | Number of Eligible Persons in Same Family | |
| 23 | 2 Persons | \$ 649 |
| 24 | 3 Persons | 804 |
| 25 | 4 Persons | 955 |

| | | |
|---|-----------------------|------------------|
| 1 | 5 Persons | 1,089 |
| 2 | 6 Persons | 1,223 |
| 3 | 7 Persons | 1,343 |
| 4 | 8 Persons | 1,464 |
| 5 | 9 Persons | 1,586 |
| 6 | 10 Persons | 1,723 |

7 ~~In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall~~
8 ~~be paid for each additional person in the family budget unit. For family budget units in which members~~
9 ~~receive cash payments from more than one federal, State or County assistance program, except for~~
10 ~~SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate share of the~~
11 ~~aid payment for a family budget unit of the same size within each program to which each member is~~
12 ~~eligible.~~

13 ~~(b) The maximum monthly CALM payment for which an applicant is eligible shall be the~~
14 ~~maximum monthly CALM payment prorated as of the eligibility determination date, minus any~~
15 ~~nonexempt cash available to the applicant during that calendar month, minus the fair market value of~~
16 ~~any nonexempt personal property available to the applicant during that calendar month, and minus the~~
17 ~~value of any prorated in-kind housing, utilities and/or meals available or provided to the applicant. A~~
18 ~~rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized~~
19 ~~to prevent eviction from existing housing.~~

20 ~~(c) The maximum monthly CALM payment for which a recipient is eligible shall be the~~
21 ~~maximum CALM payment minus any nonexempt cash received from sources other than CALM which is~~
22 ~~available to the recipient during the month for which assistance is paid, minus the fair market value of~~
23 ~~any nonexempt personal property which is, or will be, available to the recipient during the month for~~
24 ~~which assistance is paid, and minus the value of any in-kind housing, utilities and/or meals available or~~
25 ~~provided to the applicant.~~

1 ~~(d) No CALM payment shall be issued for less than \$5.00.~~

2 ~~(e) CALM may be provided in the form of vouchers, checks, two party checks, warrants,~~
3 ~~electronic benefit transfers, in-kind benefits, and/or through third party contracts.~~

4 ~~(f) CALM payments may be made payable only to the recipient or, upon the recipient's written~~
5 ~~authorization, to the recipient and a designated co-payee, or to a representative payee.~~

6 ~~(g) CALM payments may be mailed directly to the recipient or to the designated representative~~
7 ~~payee. CALM payments may be made by electronic benefit transfer. CALM payments may be picked up~~
8 ~~at a location designated by the Department. CALM payments shall not be mailed to a post office box, a~~
9 ~~mail receiving service, or to an address outside the City and County of San Francisco, except upon~~
10 ~~specific authorization of the Executive Director.~~

11 ~~(h) The Maximum CALM Payment Amounts listed in Section 20.106(a) of this Article shall be~~
12 ~~increased by any annual percentage cost of living increase to the Maximum Aid Payment, and~~
13 ~~according to the same schedule, if such an increase is implemented by the State of California in the~~
14 ~~TANF/CalWORKs program.~~

15 ~~(i) Applicants and recipients are required to provide a verifiable rent receipt, or verifiable~~
16 ~~documentation of shared housing, or verifiable documentation of rent free housing. Self-declared~~
17 ~~homeless applicants and recipients shall receive in-kind benefits for housing, which includes utilities~~
18 ~~and meals. If in-kind benefits are not available, such applicants and recipients shall receive the~~
19 ~~income-in-kind value of housing, utilities, and/or meals, whichever is not available, if otherwise eligible~~
20 ~~for these amounts. Failure to comply with the rules of a housing program that results in ejection from~~
21 ~~that housing program will be considered failure to satisfy the requirements for continuing eligibility for~~
22 ~~aid and will result in discontinuance from CALM, subject to the notice and hearing provisions of this~~
23 ~~Article.~~

24 ~~(j) A special allowance of up to \$59.00 per month shall be made available to any recipient~~
25 ~~when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient~~

1 exceeds the maximum monthly payment for which that recipient is eligible. If such income in-kind value
2 does not exceed the maximum monthly payment for which that recipient is eligible, but allows for less
3 than \$59.00 cash per month, that recipient shall receive an amount that, when added to the maximum
4 monthly payment for which that recipient is eligible, equals \$59.00 cash per month. This section shall
5 not affect the collection of overpayments due to fraud, negligent failure to report facts or administrative
6 error as set forth in this Article.

7
8 **~~SEC. 20.106.1. EARNED INCOME DISREGARD.~~**

9 ~~(a) The Executive Director of the Department of Human Services may establish an Earned~~
10 ~~Income and Asset Disregard Program for recipients who are employed. The Earned Income and Asset~~
11 ~~Disregard Program shall provide for disregarding a certain amount of gross income which a recipient~~
12 ~~earns as wages and savings derived therefrom when determining a recipient's CALM eligibility and~~
13 ~~grant amount.~~

14 ~~(b) The total amount of gross income disregarded shall not exceed the sum of the following~~
15 ~~amounts: (1) all of the first \$200 of recipient gross wage earnings; (2) two-thirds of the next \$150 of~~
16 ~~recipient gross wage earnings; (3) one-half of the next \$150 of recipient gross wage earnings; (4) one-~~
17 ~~third of the next \$150 of recipient gross wage earnings; and (5) one-fifth of the next \$150 of recipient~~
18 ~~gross wage earnings. All recipient gross wage earnings above \$800 shall be offset on a dollar-for-~~
19 ~~dollar basis against the grant amount to which a recipient would otherwise be entitled.~~

20 ~~(c) In addition, for recipients in this program, up to \$2,000 of recipient savings derived from~~
21 ~~the recipient's gross wage earnings shall be disregarded during the individual recipient's participation~~
22 ~~in this program and for up to three months thereafter.~~

23 ~~(d) If, as a result of retrospective budgeting, a recipient's total currently available financial~~
24 ~~resources in a month including her/his adjusted CALM grant, wages, and savings are less than the~~
25 ~~maximum CALM grant, the recipient shall be eligible for a grant supplement in the form of a rental~~

1 ~~expense voucher for unpaid rent in that month and up to \$50 in cash so that the recipient's currently~~
2 ~~available financial resources may total up to the maximum CALM grant amount. This grant supplement~~
3 ~~is available a maximum of three times per year for program recipients and is not available to recipients~~
4 ~~who quit a job without good cause.~~

5 ~~(e) Recipient gross wage earnings are defined for purposes of this Section as any income~~
6 ~~received by the recipient as payment for a recipient's labor. All other recipient income and assets shall~~
7 ~~continue to be offset on a dollar-for-dollar basis when calculating the grant amount to which a~~
8 ~~recipient is otherwise eligible. For individuals participating in this program, the CALM grant amount~~
9 ~~shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month~~
10 ~~following the recipient's receipt of wage income. Verified expenses which exceed the total sum of a~~
11 ~~recipient's grant, wages, and savings in any given month create a rebuttable presumption of~~
12 ~~ineligibility for assistance.~~

13
14 **~~SEC. 20.106.2. HOUSING.~~**

15 ~~(a) "Housing" shall include, but not be limited to, single occupancy residential hotels, master~~
16 ~~lease rooms, transitional housing, supportive housing programs, residential treatment facilities,~~
17 ~~shelter.~~

18 ~~(b) There shall be no reduction in the CALM payment for which an applicant/recipient is~~
19 ~~eligible because she/he shares housing with others who are not members of the applicant's family~~
20 ~~budget unit as defined under this Article. All applicants/recipients shall be required to present a~~
21 ~~verifiable rent receipt. If the applicant/recipient is not the owner or prime lessee of the premises, a~~
22 ~~verifiable rent receipt signed by the owner or prime lessee may provide evidence of the~~
23 ~~applicant's/recipient's place of residence and monthly share of housing costs.~~

24 ~~(c) When an applicant obtains rent free housing, such housing shall be valued according to~~
25 ~~Value of Income in Kind Chart set forth under Title 22 of the California Code of Regulations, Section~~

1 50511 (the "Income in Kind Chart"), rather than at fair market value. The value of the rent-free
2 housing, which is presumed to include utilities, as determined under the Income in Kind Chart, shall be
3 deducted from the maximum monthly payment amount. If the applicant or recipient receives rent-free
4 housing, but pays for utilities, the applicant or recipient must present a verifiable bill for utilities at that
5 address, and a verifiable receipt for payment of any portion of that utility bill.

6 (d) ~~Verified payments made directly to a housing provider on behalf of an applicant or~~
7 ~~recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing received in~~
8 ~~exchange for work, shall be assigned an in-kind value as specified by the Income in Kind Chart and~~
9 ~~that value shall be deducted from the maximum monthly payment for which that applicant or recipient~~
10 ~~is eligible.~~

11 (e) ~~Housing and/or meals provided to applicants and recipients who are unable to provide a~~
12 ~~verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of~~
13 ~~rent-free housing shall be valued as in-kind housing, utilities and/or meals as specified by the Income-~~
14 ~~In-Kind Chart, and that value shall be deducted from the maximum monthly grant for which that~~
15 ~~applicant or recipient is eligible.~~

16 (f) ~~Nothing in this Section shall be construed as requiring an otherwise eligible applicant or~~
17 ~~recipient to accept housing in a facility which is either the subject of a pending nuisance abatement~~
18 ~~proceeding before a duly authorized agency or department of the City and County or before a court of~~
19 ~~competent jurisdiction, or which theretofore has been found to be a public nuisance pursuant to any~~
20 ~~provision of any San Francisco Municipal Code by a duly authorized agency or department of the City~~
21 ~~and County or by a court of competent jurisdiction and which nuisance has not been abated.~~

22
23 **~~SEC. 20.106.3. ALTERNATIVE PAYMENT METHODS; DIRECT PAYMENTS TO ROOM~~**
24 **~~AND BOARD FACILITIES PERMITTED.~~**

1 *In addition to the emergency aid provisions of this Article, payment for room, food expense, or*
2 *both, up to the CALM Grant Amount, may at the applicant's/recipient's option, be paid directly to any*
3 *board and/or care facility should the applicant/recipient choose to reside, take her/his meals or have*
4 *full room and board privileges at such facilities. The Executive Director may initiate such a program or*
5 *payment arrangement, on either a pilot or continuing basis, by putting into effect the appropriate*
6 *regulations.*

7
8 **~~SEC. 20.106.4. SPECIAL ALLOWANCES; TRANSPORTATION OUT OF THE CITY.~~**

9 *(a) The Department of Human Services may provide transportation and maintenance en route*
10 *to a place out of the City and County where the applicant/recipient will be cared for or her/his interests*
11 *best served, provided the applicant/recipient, but for fully meeting the residency requirement, is*
12 *otherwise eligible and voluntarily enters into a signed contractual agreement regarding such*
13 *transportation with the City and County of San Francisco. Said agreement shall contain a repayment*
14 *provision permitting recoupment of the amount expended in providing such transportation at a rate not*
15 *to exceed 10 percent of each payment amount should the person provided transportation thereafter*
16 *reapply and become eligible for CALM.*

17 *(b) Transportation under this Section shall be provided by the least expensive means available.*

18
19 **~~SEC. 20.107. CONTINUING ELIGIBILITY.~~**

20 *(a) Persons who meet the requirements for eligibility for CALM shall receive cash payments*
21 *pursuant to this Article X. Recipients are required to comply with all applicable provisions of this*
22 *Article and the regulations promulgated thereunder. Recipients who fail to comply with applicable*
23 *provisions of this Article and the regulations promulgated thereunder may have their assistance*
24 *withheld and/or decreased and/or discontinued as set forth in California Welfare and Institutions Code*
25 *Section 17001.5, or any successor statute, and Department regulations.*

1 ~~(b) No withholding, decrease, or discontinuance of assistance shall occur unless the person to~~
2 ~~be affected has been advised of the possibility of such action by means of a Notice of Proposed Action~~
3 ~~and has been afforded the opportunity for a hearing to dispute the proposed action.~~

4
5 ~~**SEC. 20.107.1. COMPLIANCE WITH MEDI-CAL REGULATIONS.**~~

6 ~~Continuing eligibility for CALM shall be dependent upon continuing eligibility for Medi-Cal~~
7 ~~benefits for the aged or disabled. All recipients of CALM payments must comply with all applicable~~
8 ~~Medi-Cal regulations. Termination of Medi-Cal eligibility terminates eligibility for CALM. Any~~
9 ~~individual who is no longer eligible for CALM may apply for General Assistance, PAES, SSIP or any~~
10 ~~other federal, State or County funded cash assistance program in accordance with the rules and~~
11 ~~regulations of that program.~~

12
13 ~~**SEC. 20.108. TIMING OF CALM PAYMENTS.**~~

14 ~~(a) Emergency Assistance. The Department may provide emergency assistance. The Executive~~
15 ~~Director of the Department of Human Services is authorized to contract with social service agencies~~
16 ~~for the provision of emergency assistance.~~

17 ~~(b) Normal Payment Periods. The Executive Director is authorized to establish normal~~
18 ~~payment periods of either twice monthly or once monthly.~~

19
20 ~~**SEC. 20.109. TIME LIMITS.**~~

21 ~~There shall be no time limit to the receipt of CALM payments.~~

22
23 ~~**SEC. 20.110. IMMEDIATE TERMINATION OF ELIGIBILITY.**~~

24 ~~Occurrence of the following events shall result in the immediate termination of eligibility for~~
25 ~~assistance under this Article: (1) receipt of SSI payments; (2) death of the recipient; (3)~~

1 *applicant/recipient request; (4) abandonment of County residency; (5) institutionalization; or (6)*
2 *termination of Medi-Cal eligibility. Discontinuance of assistance due to the death of the recipient, or at*
3 *the request of the applicant/recipient is subject to the notice provisions of Section 20.115(a); however,*
4 *such discontinuances do not require 10 calendar day prior notice as specified in Section 20.115(b). All*
5 *other discontinuances under this Section do require 10 calendar day prior notice as specified in Section*
6 *20.115(b).*

7
8 ***SEC. 20.111. CHANGES IN CALM PAYMENTS.***

9 *(a) Changes in cash payments shall be made when a CALM recipient becomes eligible for a*
10 *payment in a different amount because of altered circumstances.*

11 *(b) A change in payment shall be made effective with the next regular pay date following*
12 *knowledge by the worker of circumstances warranting a change in payment, in conformance with the*
13 *notice and hearing requirements of this Article.*

14
15 ***SEC. 20.112. LOST, FORGED OR STOLEN WARRANTS AND LOST OR STOLEN***
16 ***WARRANT PROCEEDS.***

17 *(a) Lost, forged, or stolen warrants may be replaced only in accordance with specific*
18 *procedures adopted by the Department.*

19 *(b) If a warrant has been cashed by the recipient and the money lost or stolen, no replacement*
20 *of the warrant or issuance of orders shall be permitted.*

21
22 ***SEC. 20.113. INELIGIBILITY FOR GENERAL ASSISTANCE, PAES, SSIP OR OTHER***
23 ***COUNTY-FUNDED ASSISTANCE.***

24 *Recipients of CALM payments are not eligible for General Assistance, PAES, SSIP or any other*
25 *County funded cash assistance programs.*

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~~SEC. 20.114. DISCONTINUANCE FROM THE MEDI-CAL PROGRAM.~~

~~If a CALM recipient who has been discontinued from Medi-Cal decides to appeal that action, and continues to receive Medi-Cal benefits pending that appeal, that individual shall also continue to receive CALM payments pending the final administrative decision regarding discontinuance of Medi-Cal benefits. If the discontinuance from Medi-Cal is upheld, the Department may not collect any CALM payments pending, unless ineligibility for Medi-Cal is due to fraud.~~

~~SEC. 20.115. NOTICE OF PROPOSED ACTION.~~

~~(a) The Department shall issue a Notice of Proposed Action whenever it intends to deny, withhold, decrease or discontinue CALM payments. That notice shall state with reasonable particularity the legal and factual basis for the proposed action.~~

~~(b) Proposed Notices of Action regarding withholding, reduction, or discontinuance from CALM shall be hand-delivered or mailed at least 10 calendar days prior to the effective date of the proposed action.~~

~~SEC. 20.116. HEARINGS.~~

~~(a) An applicant for, or a recipient of, may challenge any denial, withholding, decrease or discontinuance by requesting an administrative hearing.~~

~~(b) A request for an administrative hearing must be made to the Department within seven calendar days of the date of hand delivery, or 10 calendar days of the date of mailing of the Proposed Notice of Action, or within three work days of the effective date of the action. Hearing requests that are not made in accordance with the time requirements shall be denied unless the applicant or recipient can establish good cause for failure to make a timely request.~~

1 **~~SEC. 20.116.1. HEARING; NOTICE OF HEARING; WHEN HELD.~~**

2 ~~(a) After a hearing has been requested, a time and place for the hearing shall be established.~~
3 ~~Notice shall be given to the applicant or recipient indicating the day, date, time, and place of the~~
4 ~~hearing. In no event shall a hearing date be scheduled for a time less than five days after the~~
5 ~~Department's receipt of a request, unless the applicant makes a knowing and intelligent waiver of his or~~
6 ~~her right to a record review.~~

7 ~~(b) Where an applicant for CALM is denied assistance, a hearing shall be calendared within~~
8 ~~seven days of the date of the hearing request.~~

9 ~~(c) All hearings shall be held within 30 calendar days of the request therefor.~~

10
11 **~~SEC. 20.116.2. CALM PAYMENTS PENDING.~~**

12 ~~A CALM recipient who makes a timely request for an administrative hearing shall receive~~
13 ~~CALM payments pending the appeal decision.~~

14
15 **~~SEC. 20.116.3. IMPARTIAL HEARING OFFICER.~~**

16 ~~The Executive Director shall designate as an impartial hearing officer a person who is not~~
17 ~~involved in the administration of the CALM Program.~~

18
19 **~~SEC. 20.116.4. HEARING; HEARING RIGHTS.~~**

20 ~~The applicant or recipient shall be advised in the Notice of Proposed Action of applicant's or~~
21 ~~recipient's rights to counsel or other representative, to review pertinent records and regulations at least~~
22 ~~five working days prior to the hearing, to present testimony and documentary evidence, to cross-~~
23 ~~examine all witnesses, to have the proceedings tape-recorded, and to have a translator provided for the~~
24 ~~hearing if the applicant or recipient is not proficient in English.~~

1 **~~SEC. 20.116.5. INFORMALITY, EVIDENCE, APPEARANCE AND COUNSEL.~~**

2 *The hearing shall be conducted in an impartial and informal manner. All evidence shall be*
3 *submitted under oath or affirmation. The hearing officer is not bound by the rules of evidence or*
4 *procedures applicable to judicial proceedings. The applicant/recipient shall attend the hearing in*
5 *person and may be represented by counsel or a representative. While the applicant/recipient may or*
6 *may not be represented by counsel or a representative, the client must appear in order for the hearing*
7 *to be held. However, where the applicant/recipient establishes good cause for nonattendance prior to*
8 *the hearing under Section 20.116.7, counsel or a representative may appear on behalf of the*
9 *applicant/recipient.*

10
11 **~~SEC. 20.116.6. HEARING DECISION.~~**

12 *The hearing officer shall render a written decision within seven calendar days of the hearing*
13 *indicating factual findings and grounds for the decision. Such decision shall be based solely upon*
14 *evidence presented at the hearing and specifically state the facts upon which it was based, the authority*
15 *relied upon and any other reasons for the decision. Such decision shall be mailed to the applicant or*
16 *recipient.*

17
18 **~~SEC. 20.116.7. HEARING; FINALITY; EFFECT OF NONAPPEARANCE.~~**

19 *(a) The result of all hearings are considered final and there is no further right of*
20 *administrative appeal.*

21 *(b) When the applicant/recipient does not appear for the scheduled hearing, it is presumed that*
22 *the applicant/recipient ceases to contest the decision. The withholding, decrease, denial,*
23 *discontinuance, and/or recoupment of overpayments of assistance will, therefore, be effected. The*
24 *applicant or recipient may, for good cause shown, make a written request, or oral request as specified*
25

1 ~~in the Executive Director's regulations, for a second hearing within 15 days of the scheduled date for~~
2 ~~the first hearing.~~

3 ~~Such request must specify the good cause for nonattendance at the first hearing. This provision~~
4 ~~is satisfied by evidence of any of the following: (1) verified hospitalization; (2) verified illness; (3)~~
5 ~~incarceration; (4) verified disability or (5) other good cause satisfactorily shown to the Executive~~
6 ~~Director.~~

7
8 **~~SEC. 20.117. FAIR ADMINISTRATION; DISCLOSURES; OVERPAYMENTS.~~**

9 ~~The Department shall administer this program fairly to the end that all eligible persons who~~
10 ~~apply for assistance shall receive CALM promptly, with due consideration for the needs of the~~
11 ~~applicant/recipient and the safeguard of public funds. Overpayments of Medi-Cal shall be computed~~
12 ~~and collected in accordance with federal and State law and regulations regarding overpayments of~~
13 ~~Medi-Cal benefits.~~

14 ~~(a) Any applicant for, or recipient or payee of, assistance under this Article shall be informed~~
15 ~~as to the provisions of eligibility and his or her responsibility for reporting facts material to a correct~~
16 ~~determination of eligibility, continuing eligibility and payment amount.~~

17 ~~(b) Any applicant for, or recipient or payee of, assistance under this Article shall be~~
18 ~~responsible for reporting accurately and completely all facts required of him or her pursuant to~~
19 ~~Subdivision (a) and for reporting promptly any changes of those facts.~~

20 ~~(c) Any person who makes full and complete disclosure of those facts as explained to him or~~
21 ~~her pursuant to Subdivision (a) is entitled to rely upon the payment amount as being accurate, and the~~
22 ~~warrant he or she receives as correctly reflecting the payment amount except as provided in~~
23 ~~Subdivisions (d), (e), (f).~~

24 ~~(d) Overpayment due to administrative error or negligent failure to report facts required by~~
25 ~~this Article or department regulations may be recouped in accordance with the provisions of Section~~

1 ~~20.102(q) governing recoupment in the absence of recipient fraud, until collected in full, following~~
2 ~~discovery of overpayment.~~

3 ~~(e) Overpayment due to false statement or representation or by impersonation or other~~
4 ~~fraudulent device or by intentional failure to report facts required by this Article or department~~
5 ~~regulations shall be recouped in accordance with the provisions of Section 20.102(q) governing~~
6 ~~recoupment upon an administrative determination of recipient fraud, until collected in full, following~~
7 ~~discovery of overpayment.~~

8 ~~(f) Overpayment due to false statement or representation or by impersonation or other~~
9 ~~fraudulent device or by intentional failure to report facts as required by this Article or Department~~
10 ~~regulations shall result in immediate discontinuance of assistance subject to the administrative hearing~~
11 ~~procedures in this Article. The case shall be referred to the Special Investigation Unit of the~~
12 ~~Department of Human Services. Any payments made under such circumstances shall be offset against~~
13 ~~any future payments as set forth in Section 20.102(q).~~

14
15 **~~SEC. 20.118. FRAUD IN OBTAINING PAYMENTS.~~**

16 ~~(a) The federal and State laws and regulations regarding "fraud" in the Medi-Cal program~~
17 ~~shall apply to receipt of Medi-Cal under this Article.~~

18 ~~(b) With respect to fraud in obtaining CALM payments under this Article, whenever any~~
19 ~~person has, by means of false statement or representation or by impersonation or other fraudulent~~
20 ~~device, or by intentional failure to report facts required by this Article or Department regulations,~~
21 ~~obtained payments under this Article, the matter shall be referred to the District Attorney's office for~~
22 ~~appropriate action.~~

23 ~~Further, upon the first discontinuance of assistance within a 24 month period due to false~~
24 ~~statement or representation or by impersonation or other fraudulent device, or by intentional failure to~~
25

1 *report facts required by the Article or Department regulations, an applicant or recipient shall be*
2 *ineligible for assistance for a period of 30 days.*

3 *Upon the second such discontinuance within a 24 month period, the applicant or recipient shall*
4 *be ineligible for assistance for a period of 60 days.*

5 *Upon the third, or additional, such discontinuance within a 24 month period, the applicant or*
6 *recipient shall be ineligible for assistance for a period of 90 days.*

7
8 ***SEC. 20.119. RECORDS; CONFIDENTIALITY.***

9 *All CALM records shall be confidential. The Department shall allow disclosure of such records*
10 *only to the extent that Medi-Cal records may be released pursuant to applicable federal and State*
11 *Medi-Cal laws and regulations.*

12
13 ***SEC. 20.120. RECORDS; DESTRUCTION OF.***

14 *Destruction of records shall be governed by the applicable procedures under the Medi-Cal*
15 *program.*

16
17 ***SEC. 20.121. AUTHORITY TO TERMINATE THE PROGRAM.***

18 *The Board of Supervisors of the City and County of San Francisco has complete discretion and*
19 *authority to terminate CALM at any time, for any reason. In the event that CALM is terminated, all*
20 *CALM applicants and recipients shall be eligible to apply for General Assistance, PAES or SSIP,*
21 *whichever is applicable, in accordance with the rules and regulations of those programs.*

22
23 ***SEC. 20.122. SEVERABILITY.***

24 *If any part or provision of this Article, or the application thereof to any person or circumstance,*
25 *is held invalid, the remainder of this Article, including the application of such part or provision to other*

1 *persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To*
2 *this end, provisions of this Article are severable.*

3
4 ***SEC. 20.123. LIMITED TO PROMOTION OF GENERAL WELFARE.***

5 *In undertaking the adoption and enforcement of this ordinance, the City and County of San*
6 *Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it*
7 *imposing on its officers and employees, an obligation for breach of which it is liable in money damages*
8 *to any person who claims that such breach proximately caused injury.*

9
10 ***SEC. 20.124. OPERATIVE DATE.***

11 *This Article is to become effective no sooner than June 1, 1998.*

12
13 ***SEC. 20.125. FUNDING.***

14 *A baseline appropriation for housing and related services provided as in-kind aid shall be*
15 *established using the City and County of San Francisco FY 2002-2003 Annual Appropriation*
16 *Ordinance and any supplemental appropriations for the amount of cash aid payments to applicants and*
17 *recipients who declare themselves to be homeless. In subsequent fiscal years, this baseline amount*
18 *shall be appropriated to the Department of Human Services to fund housing and related services for*
19 *homeless adults without A baseline budget for the CALM Program shall be established using the City*
20 *and County of San Francisco FY 2002-2003 final appropriation. In subsequent fiscal years, this*
21 *baseline amount shall be appropriated to the Department of Human Services to fund housing and*
22 *related services for homeless adults without dependents. This funding may be used to support, but shall*
23 *not be limited to, some or all of the following: hotel master lease programs, permanent supportive*
24 *housing, improvements of conditions in existing shelters, expansion of shelter capacity, mental health*
25 *and substance abuse treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee*

1 ~~services, case management, and meals for the homeless population through direct services and/or~~
2 ~~contracts.~~

3
4 **~~SEC. 20.126. EVALUATION.~~**

5 ~~The provision of in-kind aid is to be evaluated by the Office of the Controller of the City and~~
6 ~~County of San Francisco every three years for program effectiveness and cost efficiency.~~

7
8 **~~SEC. 20.127. OPERATIVE DATE OF AMENDMENTS.~~**

9 ~~The provisions of this amendment, Sections 20.106(b), (c), (i), (j); 20.106.2(a), (b), (c), (e);~~
10 ~~20.125; and 20.126 shall become operative on or before July 1, 2003.~~

11
12 Section 5. Chapter 20 of the Administrative Code is amended by repealing Article XI,
13 Sections 20.200 - 20.228, in its entirety.

14
15 **~~SEC. 20.200. TITLE.~~**

16 ~~This Article shall be known as the "Supplemental Security Income Pending" or "SSIP."~~

17
18 **~~SEC. 20.201. PURPOSE AND INTENT.~~**

19 ~~The purpose of this program is to provide cash payments to those individuals with medical~~
20 ~~verification of a disabling condition that either has lasted, or is likely to last, 12 months in duration, as~~
21 ~~well as individuals with verified psychological incapacity to understand regulations and/or~~
22 ~~instructions. Such individuals will receive cash payments under this Article if they (a) apply for, (b)~~
23 ~~have applied for, or (c) have been determined eligible for, and in compliance with, SSA regulations, but~~
24 ~~have not yet received their first federal disability payment from the Social Security Administration (SSI~~
25 ~~benefits), and/or State supplemental disability payments (SSP).~~

1 *It is the intent of the Board, that individuals who are eligible for participation in SSIP may*
2 *choose, instead, to apply to the General Assistance Program, PAES or CALM in conformance with the*
3 *provisions governing such programs under Articles VII, IX and X of this Chapter. However, individuals*
4 *may not receive SSIP and General Assistance, PAES or CALM at the same time.*

5
6 ***SEC. 20.202. DEFINITIONS.***

7 *For purposes of this Article:*

8 ~~*(a) "Applicant" means a person who is in the process of applying for assistance under this*~~
9 ~~*Article.*~~

10 ~~*(b) "Assistance" means services and/or cash payments.*~~

11 ~~*(c) "CALM" means the Cash Assistance Linked to Medi-Cal Program as set forth under Article*~~
12 ~~*X of this Chapter.*~~

13 ~~*(d) "CalWORKs" means the California Work Opportunity and Responsibility to Kids as*~~
14 ~~*defined in Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and*~~
15 ~~*Institutions Code or any successor program.*~~

16 ~~*(e) "Decrease" means any reduction in a recipient's current cash payment amount under this*~~
17 ~~*Article.*~~

18 ~~*(f) "Denial" means a determination, based on an SSIP application, that the applicant is not*~~
19 ~~*eligible for SSIP.*~~

20 ~~*(g) "Department" means the Department of Human Services.*~~

21 ~~*(h) "Discontinuance" means the termination of a person's assistance.*~~

22 ~~*(i) "Electronic benefit transfer" means a method of transferring benefits through a centralized*~~
23 ~~*computer system so that an applicant/recipient may obtain her/his benefits at facilities such as*~~
24 ~~*automated teller machines (ATM) and point-of-sale (POS) terminals using an access device such as a*~~
25 ~~*magnetic stripe plastic card. "Electronic benefit transfer" includes direct deposits.*~~

1 ~~(j) "Executive Director" means the Executive Director of the Department of Human Services.~~

2 ~~(k) "Family budget unit" means an eligible applicant/recipient and her/his spouse or "domestic~~
3 ~~partner," as defined under Section 62.2 of the San Francisco Administrative Code, and/or any of the~~
4 ~~applicant/recipient's children who are under age 18, living with, and applying for SSIP with, such~~
5 ~~applicant/recipient, provided that such child(ren) was (were) never eligible for TANF/CalWORKs.~~

6 ~~(l) "General Assistance" means the General Assistance Program as set forth under Article VII~~
7 ~~of this Chapter of the San Francisco Administrative Code (S.F. Adm. C. §§ 20.55, et seq.).~~

8 ~~(m) The word "may" means the provision is permissive,~~

9 ~~(n) "Medi-Cal" means the Medi-Cal Program as set forth in California Welfare and~~
10 ~~Institutions Code Sections 14000 et seq.~~

11 ~~(o) "PAES" means the Personal Assisted Employment Services Program as set forth under~~
12 ~~Article IX of this Chapter.~~

13 ~~(p) "Recipient" means a person who is receiving assistance under this Article.~~

14 ~~(q) "Recoupment" means the collection of past overpayments under the SSIP Program by~~
15 ~~deducting from current payments not more than 10 percent of the current payment amount absent an~~
16 ~~administrative determination of recipient fraud and not more than 40 percent with an administrative~~
17 ~~determination of recipient fraud and an administrative evaluation of the recipient's current ability to~~
18 ~~make repayments.~~

19 ~~(r) "Residing in an institution" shall mean that the applicant/recipient is staying in a facility~~
20 ~~that provides housing and three meals a day.~~

21 ~~(s) The word "shall" means the provision is mandatory.~~

22 ~~(t) "SSA" means the Social Security Administration.~~

23 ~~(u) "SSI" means Supplemental Security Income.~~

24 ~~(v) "State" means the State of California.~~

25

1 ~~(w) "SSI/SSP" means the Supplemental Security Income/State Supplementary Program for the~~
2 ~~Aged, Blind, and Disabled as defined in the Welfare and Institutions Code Section 12000, et seq.~~

3 ~~(x) "TANF" means Temporary Assistance to Needy Families as defined in Part A (commencing~~
4 ~~with section 601) of Subchapter 4 of Chapter 7 of Title 42 of the United States Code.~~

5 ~~(y) The word "withholding" means the retention of payments.~~

6
7 **~~SEC. 20.203. PRINCIPLES.~~**

8 ~~Assistance is to be administered in a manner which is consistent with the purposes of this~~
9 ~~program and which respects individual privacy and personal dignity:~~

10 ~~(a) SSIP is to be administered promptly and humanely, without discrimination on account of~~
11 ~~race, sex, sexual orientation, religion or political affiliation.~~

12 ~~(b) SSIP is to be so administered as to encourage self-respect, self-reliance and the desire to~~
13 ~~be a good citizen, useful to the community.~~

14 ~~(c) SSIP is to be administered with courtesy, consideration and respect and without attempting~~
15 ~~to elicit any unnecessary information.~~

16 ~~(d) Duties should be performed in such a manner as to secure for every applicant or recipient~~
17 ~~the assistance to which he or she is eligible.~~

18 ~~(e) There is to be no question, inquiry or recommendation relating to the political or religious~~
19 ~~opinions or affiliations of any applicant or recipient.~~

20 ~~(f) SSIP is to be administered in the most cost-effective manner possible.~~

21
22 **~~SEC. 20.204. ADMINISTRATION.~~**

23 ~~(a) SSIP shall be administered by the Department of Human Services.~~

24 ~~(b) The Executive Director shall establish the rules and regulations, consistent with this~~
25 ~~Article, for the proper administration of SSIP.~~

1 ~~(c) In actual emergencies, the Executive Director of the Department of Human Services may~~
2 ~~make exceptions to this Article pending action by the Board of Supervisors. Such emergency exceptions~~
3 ~~shall be reported to the Board of Supervisors within five working days.~~

4
5 **~~SEC. 20.205. ELIGIBILITY.~~**

6 ~~(a) In order to be eligible to receive SSIP, an applicant must have medical verification of a~~
7 ~~disabling condition that either has lasted, or is likely to last, 12 months in duration and/or verified~~
8 ~~psychological incapacity to understand regulations and/or instructions.~~

9 ~~(b) In addition, applicants must: (1) apply for; (2) have applied for; or (3) have been~~
10 ~~determined eligible for, and in compliance with, SSA regulations, but have not yet received their first~~
11 ~~federal disability payment from the Social Security Administration (SSI benefits), and/or State~~
12 ~~supplemental disability payments (SSP). The applicant must submit, to the Department, proof of their~~
13 ~~application for SSI benefits, and their determination of eligibility. Upon determination that the~~
14 ~~applicant is in the process of applying for, or is eligible for, and will ultimately receive, SSI benefits,~~
15 ~~based upon federal eligibility criteria, the applicant will be eligible for SSIP until such applicant~~
16 ~~receives SSI benefits.~~

17 ~~(c) All applicants/recipients, and all members of their family budget unit, are required to apply~~
18 ~~for, and pursue receipt of payment(s) from any and all federal, State, and/or private means of~~
19 ~~assistance for which they may be eligible as directed by the Department. This includes, but is not~~
20 ~~limited to: (1) Unemployment Insurance Benefits; (2) Worker's Compensation Insurance; (3) SSI; (4)~~
21 ~~retirement benefits, (5) any other insurance or disability payments. Failure to apply for, and pursue~~
22 ~~receipt of, any such assistance to which an applicant/recipient, and all members of their family budget~~
23 ~~unit, may be eligible shall be considered to be a failure to meet continuing eligibility requirements of~~
24 ~~this Article.~~

1 ~~(d) Individuals residing in an institution are not eligible to receive assistance under this~~
2 ~~Article.~~

3 ~~(e) Applicants may be required to attend group orientation session(s), and failure to do so~~
4 ~~shall be grounds for denial of assistance.~~

5 ~~(f) Applicants who are eligible for CALM are not eligible to receive SSIP payments.~~

6 ~~(g) Applicants serving a sanction for fraud under any County funded indigent assistance~~
7 ~~program under this Chapter are ineligible to receive SSIP until that sanction period is completed.~~

8 ~~(h) Receipt of SSI payments renders the applicant/recipient ineligible for further SSIP~~
9 ~~payments under this Article.~~

10
11 ~~**SEC. 20.205.1. RESIDENCY REQUIREMENT.**~~

12 ~~(a) An applicant/recipient of SSIP must reside in the City and County of San Francisco for 15~~
13 ~~continuous days prior to the time of application for SSIP benefits. Residency in the City and County of~~
14 ~~San Francisco is established by physical presence and intent to reside in the City and County of San~~
15 ~~Francisco, which is satisfactorily substantiated by the applicant.~~

16 ~~(b) Eligibility for SSIP will terminate immediately upon abandonment of residency in the City~~
17 ~~and County of San Francisco.~~

18
19 ~~**SEC. 20.205.2. APPLICATION FOR SSI.**~~

20 ~~(a) All applicants for SSIP must apply to the SSA for SSI but have not yet received SSI~~
21 ~~benefits.~~

22 ~~(b) If an applicant has been discontinued from, or determined to be ineligible for, SSI by the~~
23 ~~SSA, based upon requirements other than failure to establish a disability within the meaning of SSA~~
24 ~~regulations, that applicant shall not be eligible for SSIP. However, such applicant may be eligible for~~
25 ~~assistance under the PAES, CALM or General Assistance Program.~~

1 ~~(c) SSIP applicants and/or recipients shall:~~

2 ~~(1) Apply for SSI/SSP if a disabling condition is likely to exist or has existed for a year or~~
3 ~~longer, authorize Department of Human Services reimbursement of SSIP payments from retroactive~~
4 ~~SSI/SSP benefits, and pursue and comply with the procedures under the SSI/SSP Program for~~
5 ~~successful qualification for benefits under that program; and~~

6 ~~(2) Apply for and pursue a claim for any other appropriate benefit program available to the~~
7 ~~applicant or recipient and pursue and comply with the procedures for successful qualification under~~
8 ~~such benefit program.~~

9
10 ~~**SEC. 20.205.3. PRORATION OF SALARY OF FULL-TIME CERTIFIED EMPLOYEE OF**~~
11 ~~**SCHOOL DISTRICT, UNIVERSITIES, COMMUNITY COLLEGES OVER A TWELVE-MONTH**~~
12 ~~**PERIOD.**~~

13 ~~The salary of a full-time certified employee of a school district, private school, community~~
14 ~~college, or university shall be prorated over a 12-month period for the purpose of determining~~
15 ~~eligibility for payments under this Article.~~

16
17 ~~**SEC. 20.205.4. PRORATION OF INCOME OVER CONTRACT PERIOD.**~~

18 ~~The income of any person under a contract of employment on an annual basis who works and~~
19 ~~receives income from such contract in fewer than 12 months, but more than eight months, shall be~~
20 ~~prorated over the period of the contract for the purposes of this Article.~~

21
22 ~~**SEC. 20.205.5. PRORATION OF INCOME OF SELF-EMPLOYED AND FREELANCE**~~
23 ~~**WORKER OVER A TWELVE-MONTH PERIOD.**~~

24 ~~The income of any self-employed person or freelance worker shall be prorated over a 12-month~~
25 ~~period for the purpose of determining eligibility for payments under this Article.~~

1
2 **~~SEC. 20.205.6. PROPRIETOR OF BUSINESS INELIGIBLE.~~**

3 ~~Proprietors of businesses who employ other workers are ineligible for payments under this~~
4 ~~Article.~~

5
6 **~~SEC. 20.205.7. REBUTTABLE PRESUMPTION OF INELIGIBILITY – CURRENT~~**
7 **~~INCOME OR EXPENSES.~~**

8 ~~Verified paid income or expenses which exceed the otherwise eligible applicant/recipient's total~~
9 ~~monthly income and/or assets during month of application or a current month of eligibility shall create~~
10 ~~a rebuttable presumption of ineligibility for SSIP payments.~~

11
12 **~~SEC. 20.205.8. ALLOWABLE REAL PROPERTY.~~**

13 ~~(a) The applicant shall transfer or grant to the City and County of San Francisco any interest~~
14 ~~which the applicant has in any real property as security for the funds expended for SSIP.~~

15 ~~(b) An applicant or recipient of SSIP may retain real property used as her/his home, provided~~
16 ~~that the applicant's or recipient's net monthly housing expense does not exceed the otherwise eligible~~
17 ~~applicant/recipient's total monthly income and/or assets.~~

18
19 **~~SEC. 20.205.9. ALLOWABLE PERSONAL PROPERTY.~~**

20 ~~No payments under this Article shall be made for any person who has not exhausted all assets~~
21 ~~and resources available to such person, except for those personal properties listed below:~~

22 ~~(a) Cash assets, savings and/or checking accounts, the total of which does not exceed the~~
23 ~~current monthly maximum payment available to a single individual under this Article. Any combination~~
24 ~~of these assets that exceeds the monthly maximum payment available to a single individual under this~~
25 ~~Article shall be offset against the recipient's payment on a dollar for dollar basis. If the applicant is~~

1 *transitioning from the General Assistance Program, PAES or CALM and has been participating in the*
2 *Earned Income and Asset Disregard Program within the three months prior to application for SSIP,*
3 *such applicant may retain a total of up to \$2,000 in savings;*

4 *(b) Personal effects, exclusive of luxury jewelry;*

5 *(c) Household furnishings;*

6 *(d) Tools, trade equipment and fixtures used in the individual's regular trade or work;*

7 *(e) Insurance policies or funds placed in trust for the provision of interment or for funeral*
8 *expenses to the extent of not more than \$600 per family;*

9 *(f) An interment plot for use by members of the applicant's or recipient's family;*

10 *(g) A vehicle with cash value of less than \$4,650.*

11
12 ***SEC. 20.205.10. EXEMPT INCOME OR RESOURCES.***

13 *For the purpose of this Article:*

14 *(a) Personal property, income or resources shall not include income from relocation payments*
15 *to individuals receiving payments under this Article being displaced by a redevelopment agency.*

16 *(b) Retirement benefits may be retained upon determination by the Executive Director or*
17 *her/his designee that the applicant or recipient will be reemployed in the near future and that such*
18 *employment is contingent upon the retirement fund not being withdrawn.*

19 *(c) Any verified loans made to a recipient or to an applicant in the month of application, or*
20 *one month immediately prior to application, for the purpose of enabling that recipient or applicant to*
21 *pay her/his rent, or for the purpose of payment of first and last month's rent and any lawful rental*
22 *deposit, shall not be considered income or resources available to that recipient or applicant.*

23 *(d) Income tax refunds, including the Earned Income Tax Credit (EITC), issued to the*
24 *applicant or recipient shall not be considered as income or resources available to the applicant or*
25 *recipient.*

1 ~~(e) Payments made to the applicant or recipient under the Foster Care or FSET/GATES~~
2 ~~programs shall not be considered as income or resources available to the applicant or recipient.~~

3 ~~(f) SSI/SSP benefits and resources of a member of the SSIP family shall not be considered as~~
4 ~~income or resources available to the applicant or recipient.~~

5 ~~(g) The portion of any student grants or loans that is paid directly to the educational~~
6 ~~institution for tuition, and/or fees, and/or books.~~

7
8 ~~**SEC. 20.205.11. EXEMPTION FOR TERMINAL ILLNESS.**~~

9 ~~Terminally ill applicants with medical verification that such applicant has a remaining life~~
10 ~~expectancy of six months or less are exempt from:~~

11 ~~(a) Providing documentation of legal status in the United States;~~

12 ~~(b) The provisions of this Article regarding the cash value of a vehicle, provided that the~~
13 ~~applicant can demonstrate that such vehicle is necessary to transport the applicant to and from medical~~
14 ~~treatment, and that he or she is physically and/or mentally unable to use public transportation;~~

15 ~~(c) The provisions of this Article regarding the requirement to obtain and present any photo~~
16 ~~identification.~~

17 ~~Such applicants shall meet all other eligibility requirements.~~

18 ~~There shall be no time limit to the duration of eligibility for SSIP authorized under this Section.~~

19
20 ~~**SEC. 20.205.12. INELIGIBILITY OF INDIVIDUALS WHO ARE MEMBERS OF A**~~
21 ~~**CALWORKS ASSISTANCE UNIT.**~~

22 ~~(a) Any individual who is a member of an assistance unit receiving aid under Chapter 2~~
23 ~~(commencing with Section 11200) of Part 3 of the California Welfare and Institutions Code~~
24 ~~(CalWORKs), shall not be eligible for SSIP under this Article if the individual has been determined~~
25 ~~ineligible for CalWORKs pursuant to Welfare and Institutions Code Section 11251.3.~~

1 ~~(b) Any individual who is not eligible for aid under CalWORKs pursuant to Welfare and~~
2 ~~Institutions Code Section 11454(b) shall not be eligible for SSIP until all of the children of the~~
3 ~~individual on whose behalf aid was received, and who live in the home with the individual, are 18 years~~
4 ~~of age or older.~~

5 ~~(c) Any individual who is receiving aid under CalWORKs on behalf of an eligible child, but~~
6 ~~who is either ineligible for aid or whose needs are not otherwise taken into account in determining the~~
7 ~~amount of aid to the family pursuant to Section 11450 of the Welfare and Institutions Code due to the~~
8 ~~imposition of a sanction or penalty, shall not be eligible for aid or assistance under this part.~~

9 ~~(d) The Executive Director, in her/his sole discretion may grant an exception to this Section.~~

10
11 ~~**SEC. 20.205.13. INELIGIBILITY OF FLEEING FELONS.**~~

12 ~~(a) An individual shall not be eligible for SSIP if he or she is:~~

13 ~~Fleeing to avoid prosecution, or custody and confinement after conviction, under the laws of the~~
14 ~~place from which the individual is fleeing, for a crime or an attempt to commit a crime that is a felony~~
15 ~~under the laws of the place from which the individual is fleeing, or which, in the case of the State of~~
16 ~~New Jersey, is a high misdemeanor under the laws of that state.~~

17 ~~(b) Subdivision (a) shall not apply with respect to conduct of an individual for any month~~
18 ~~beginning after the President of the United States grants a pardon with respect to the conduct.~~

19
20 ~~**SEC. 20.205.14. PHOTO IDENTIFICATION.**~~

21 ~~(a) Each applicant shall present proof of identity and a verifiable social security number. Only~~
22 ~~the following photo identification shall be accepted:~~

23 ~~(1) California Department of Motor Vehicles Driver's License;~~

24 ~~(2) California Department of Motor Vehicles Identification Card;~~

1 ~~(3) Current United States Passport provided that such Passport contains a photo taken of the~~
2 ~~applicant/recipient when s/he was at least 18 years of age;~~

3 ~~(4) Current Immigration and Naturalization identification, provided that such identification~~
4 ~~contains a photo which was taken of the applicant/recipient when s/he was at least 18 years of age and~~
5 ~~was taken within 10 years prior to the date of application of the applicant/recipient.~~

6 ~~(b) In addition, the Department may require applicants and recipients to obtain and present~~
7 ~~Department-issued identification.~~

8
9 ~~**SEC. 20.205.15. FINGERPRINT INFORMATION.**~~

10 ~~All applicants for, and recipients of, SSIP shall be fingerprinted at the Department or at a~~
11 ~~Department approved facility in accordance with procedures established by the Executive Director.~~
12 ~~These records shall be used exclusively to prevent multiple payments under this Article or any other~~
13 ~~federal, State or County assistance program. The Executive Director is authorized to create, by~~
14 ~~regulation, exemptions from this requirement based on physical or mental disability. The refusal of an~~
15 ~~applicant or recipient to comply with the fingerprint procedures shall be grounds for denial of, or~~
16 ~~discontinuance from, SSIP.~~

17 ~~Fingerprints gathered under this Section are subject to all applicable federal and State laws~~
18 ~~governing the confidentiality of information regarding applicants for, or recipients of, public benefits.~~

19
20 ~~**SEC. 20.205.16. REIMBURSEMENT AGREEMENT.**~~

21 ~~All applicants for SSIP shall sign an Interim Assistance Reimbursement Agreement, in the event~~
22 ~~that the applicant/recipient is subsequently awarded SSI.~~

23
24 ~~**SEC. 20.205.17. LABOR DISPUTE.**~~

1 ~~receive cash payments from more than one federal, State or County assistance program, except for~~
2 ~~SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate share of the~~
3 ~~aid payment for a family budget unit of the same size within each program for which each member is~~
4 ~~eligible.~~

5 ~~(b) The maximum monthly SSIP payment for which an applicant is eligible shall be the~~
6 ~~maximum monthly SSIP payment prorated as of the eligibility determination date, minus any~~
7 ~~nonexempt cash available to the applicant during that calendar month, minus the fair market value of~~
8 ~~any nonexempt personal property available to the applicant during that calendar month, and minus the~~
9 ~~value of any prorated in-kind housing, utilities and/or meals available or provided to the applicant. A~~
10 ~~rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized~~
11 ~~to prevent eviction from existing housing.~~

12 ~~(c) The maximum monthly SSIP payment for which a recipient is eligible shall be the maximum~~
13 ~~SSIP payment minus any nonexempt cash received from sources other than SSIP which is available to~~
14 ~~the recipient during the month for which the SSIP payment is paid, minus the fair market value of any~~
15 ~~nonexempt personal property which is, or will be, available to the recipient during the month for which~~
16 ~~the SSIP payment is paid, and minus the value of any in-kind housing, utilities and/or meals available~~
17 ~~or provided to the recipient.~~

18 ~~(d) No SSIP payment shall be issued for less than \$5.00.~~

19 ~~(e) SSIP may be provided in the form of vouchers, checks, two party checks, warrants,~~
20 ~~electronic benefit transfers, in-kind benefits, and/or through third party contracts.~~

21 ~~(f) SSIP payments may be made payable only to the recipient or, upon the recipient's written~~
22 ~~authorization, to the recipient and a designated co-payee, or to a representative payee.~~

23 ~~(g) SSIP payments may be mailed directly to the recipient or to the designated representative~~
24 ~~payee. SSIP payments may be made by electronic benefit transfer. SSIP payments may be picked up at a~~
25 ~~location designated by the Department. SSIP payments shall not be mailed to a post office box, a mail~~

1 ~~receiving service, or to an address outside the City and County of San Francisco, except upon specific~~
2 ~~authorization of the Executive Director.~~

3 ~~(h) The Maximum SSIP Payment Amounts listed in Section 20.206(a) of this Article shall be~~
4 ~~increased by any annual percentage cost of living increase to the Maximum Aid Payment, and~~
5 ~~according to the same schedule, if such an increase is implemented by the State of California in the~~
6 ~~TANF/CalWORKs Program.~~

7 ~~(i) Applicants and recipients are required to provide a verifiable rent receipt, or verifiable~~
8 ~~documentation of shared housing or verifiable documentation of rent-free housing. Self-declared~~
9 ~~homeless applicants and recipients shall receive in-kind benefits for housing, utilities and meals. If in-~~
10 ~~kind benefits are not available, such applicants and recipients shall receive the income-in-kind value of~~
11 ~~housing, utilities, and/or meals; whichever is not available, if otherwise eligible for these amounts.~~
12 ~~Failure to comply with the rules of a housing program that results in ejection from that housing~~
13 ~~program will be considered failure to satisfy the requirements for continuing eligibility for aid and will~~
14 ~~result in discontinuance from SSIP, subject to the notice and hearing provisions of this Article.~~

15 ~~(j) A special allowance of up to \$59.00 per month shall be made available to any recipient~~
16 ~~when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient~~
17 ~~exceeds the maximum monthly payment for which that recipient is eligible. If such income-in-kind value~~
18 ~~does not exceed the maximum monthly payment for which that recipient is eligible, but allows for less~~
19 ~~than \$59.00 cash per month, that recipient shall receive an amount that, when added to the maximum~~
20 ~~monthly payment for which that recipient is eligible, equals \$59.00 cash per month. This section shall~~
21 ~~not affect the collection of overpayments due to fraud, negligent failure to report facts or administrative~~
22 ~~error as set forth in this Article.~~

23
24 ~~**SEC. 20.206.1. MUNICIPAL RAILWAY TOKENS.**~~
25

1 *Applicants/recipients may be provided Municipal Railway tokens, or other transportation*
2 *assistance. Such assistance shall be in addition to any SSIP payment to which an applicant/recipient is*
3 *eligible.*

4
5 **~~SEC. 20.206.2. EARNED INCOME DISREGARD.~~**

6 *(a) The Executive Director of the Department of Human Services may establish an Earned*
7 *Income and Asset Disregard Program for applicants/recipients who are employed. The Earned Income*
8 *and Asset Disregard Program shall provide for disregarding a certain amount of gross income which*
9 *an applicant/recipient earns as wages and savings derived therefrom when determining an*
10 *applicant/recipient's SSIP eligibility and payment amount.*

11 *(b) The total amount of gross income disregarded shall not exceed the sum of the following*
12 *amounts: (1) all of the first \$200 of recipient gross wage earnings; (2) two-thirds of the next \$150 of*
13 *recipient gross wage earnings; (3) one-half of the next \$150 of recipient gross wage earnings; (4) one-*
14 *third of the next \$150 of recipient gross wage earnings; and (5) one-fifth of the next \$150 of recipient*
15 *gross wage earnings. All recipient gross wage earnings above \$800 shall be offset on a dollar-for-*
16 *dollar basis against the payment amount to which an applicant/recipient would otherwise be entitled.*

17 *(c) In addition, for applicant/recipients in this program up to \$2,000 of applicant/recipient*
18 *savings derived from the applicant/recipient's gross wage earnings shall be disregarded during the*
19 *applicant/recipient's participation in this program and for up to three months thereafter.*

20 *(d) If, as a result of retrospective budgeting, an applicant/recipient's total currently available*
21 *financial resources in a month including her/his adjusted SSIP payment, wages, and savings are less*
22 *than the maximum SSIP payment amount, the applicant/recipient shall be eligible for a payment*
23 *supplement in the form of a rental expense voucher for unpaid rent in that month and up to \$50 in cash*
24 *so that the applicant/recipient's currently available financial resources may total up to the maximum*
25 *SSIP payment amount. This payment supplement is available a maximum of three times per year for*

1 ~~program applicants/recipients and is not available to applicants/recipients who quit a job without good~~
2 ~~cause.~~

3 ~~(e) Applicant/recipient gross wage earnings are defined for purposes of this Section as any~~
4 ~~income received by the applicant/recipient as payment for an applicant/recipient's labor. All other~~
5 ~~applicant/recipient income and assets shall continue to be offset on a dollar-for-dollar basis when~~
6 ~~calculating the payment amount to which an applicant/recipient is otherwise eligible. For recipients~~
7 ~~participating in this program, SSIP eligibility shall be determined on a monthly basis and an~~
8 ~~applicant/recipient's payment amount shall be adjusted for gross wage earnings on the basis of~~
9 ~~retrospective budgeting in the month following the applicant/recipient's receipt of wage income.~~
10 ~~Verified expenses which exceed the total sum of an applicant/recipient's payment, wages, and savings~~
11 ~~in any given month create a rebuttable presumption of ineligibility for assistance.~~

12
13 **~~SEC. 20.206.3. HOUSING.~~**

14 ~~(a) "Housing" shall include, but not be limited to, single occupancy residential hotels, master~~
15 ~~lease rooms, transitional housing, supportive housing programs, residential treatment facilities,~~
16 ~~shelter.~~

17 ~~(b) There shall be no reduction in the SSIP payment for which an applicant or recipient is~~
18 ~~eligible because she/he shares housing with others who are not members of the applicant's/recipient's~~
19 ~~family budget unit. All applicants/recipients shall be required to present a verifiable rent receipt. If the~~
20 ~~applicant/recipient is not the owner or prime lessee of the premises, a verifiable rent receipt signed by~~
21 ~~the owner or prime lessee may provide evidence of the applicant's/recipient's place of residence and~~
22 ~~share of monthly housing costs.~~

23 ~~(c) When an applicant/recipient obtains rent-free housing, such housing shall be valued~~
24 ~~according to the Income-in-Kind Values Chart set forth under Title 22 of the California Code of~~
25 ~~Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The value~~

1 ~~of the rent-free housing, which is presumed to include utilities, as determined under the Income-in-Kind~~
2 ~~Chart, shall be deducted from the maximum monthly payment amount. If the applicant or recipient~~
3 ~~receives rent-free housing, but pays for utilities, the applicant or recipient must present a verifiable bill~~
4 ~~for utilities at that address, and a verifiable receipt for payment of any portion of that utility bill.~~

5 ~~(d) Verified payments made directly to a housing provider on behalf of an applicant or~~
6 ~~recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing received in~~
7 ~~exchange for work, shall be assigned an in-kind value as specified by the Income-in-Kind Chart and~~
8 ~~that value shall be deducted from the maximum monthly payment for which that applicant or recipient~~
9 ~~is eligible.~~

10 ~~(e) Housing and/or meals provided to applicants and recipients who are unable to provide a~~
11 ~~verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of~~
12 ~~rent-free housing shall be valued as in-kind housing, utilities and/or meals as specified by the Income-~~
13 ~~In-Kind Chart, and that value shall be deducted from the maximum monthly stipend for which that~~
14 ~~applicant or recipient is eligible.~~

15 ~~(f) Nothing in this Section shall be construed as requiring an otherwise eligible applicant or~~
16 ~~recipient to accept housing in a facility which is either the subject of a pending nuisance abatement~~
17 ~~proceeding before a duly authorized agency or department of the City and County or before a court of~~
18 ~~competent jurisdiction, or which theretofore has been found to be a public nuisance pursuant to any~~
19 ~~provision of any San Francisco Municipal Code by a duly authorized agency or department of the City~~
20 ~~and County or by a court of competent jurisdiction and which nuisance has not been abated.~~

21
22 ~~**SEC. 20.206.4. ALTERNATIVE PAYMENT METHODS; DIRECT PAYMENTS TO ROOM**~~
23 ~~**AND BOARD FACILITIES PERMITTED.**~~

24 ~~In addition to the emergency assistance provisions of this Article, payment for room, food~~
25 ~~expense, or both, up to the maximum SSIP payment amount, may at the recipient's option, be paid~~

1 *directly to any board and/or care facility should the recipient or applicant choose to reside, take*
2 *her/his meals or have full room and board privileges at such facilities. The Executive Director may*
3 *initiate such a program or payment arrangement, on either a pilot or continuing basis, by putting into*
4 *effect the appropriate regulations.*

5
6 ***SEC. 20.206.5. SPECIAL ALLOWANCES; TRANSPORTATION OUT OF THE CITY.***

7 *(a) The Department of Human Services may provide transportation and maintenance en route*
8 *to a place out of the City and County where the applicant/recipient will be cared for or her/his interests*
9 *best served, provided the applicant/recipient, but for fully meeting the residency requirement, is*
10 *otherwise eligible and voluntarily enters into a signed contractual agreement regarding such*
11 *transportation with the City and County of San Francisco. Said agreement shall contain a repayment*
12 *provision permitting recoupment of the amount expended in providing such transportation at a rate not*
13 *to exceed 10 percent of each payment amount should the person provided transportation thereafter*
14 *reapply and become eligible for SSIP.*

15 *(b) Transportation under this Section shall be provided by the least expensive means available.*
16

17 ***SEC. 20.207. CONTINUING ELIGIBILITY.***

18 *(a) Persons who meet the requirements for eligibility for SSIP shall receive cash payments*
19 *pursuant to this Article XI. Recipients are required to comply with all applicable provisions of this*
20 *Article and the regulations promulgated thereunder. Recipients who fail to comply with applicable*
21 *provisions of this Article and the regulations promulgated thereunder may have their SSIP payment*
22 *withheld and/or decreased and/or discontinued as set forth in California Welfare and Institutions Code*
23 *Section 17001.5, or any successor statute, and Department regulations.*
24
25

1 ~~(b) No withholding, decrease, or discontinuance of SSIP payments shall occur unless the~~
2 ~~person to be affected has been advised of the possibility of such action by means of a Notice of~~
3 ~~Proposed Action and has been afforded the opportunity for a hearing to dispute the proposed action.~~

4 ~~(c) The Department may require applicants/recipients to attend substance abuse or other~~
5 ~~medical treatment programs as part of their continuing eligibility requirements.~~

6
7 **~~SEC. 20.208. GOOD CAUSE.~~**

8 ~~For purposes of this Article, where an applicant/recipient is required to show "good cause" for~~
9 ~~not meeting one of his/her obligations or duties under this Article, good cause may be shown by~~
10 ~~evidence of any of the following: (1) verified hospitalization; (2) verified illness; (3) verified~~
11 ~~incarceration; (4) verified disability; or other good cause satisfactorily demonstrated to the Executive~~
12 ~~Director.~~

13
14 **~~SEC. 20.209. TIMING OF SSIP PAYMENTS.~~**

15 ~~(a) Emergency Assistance. The Department may provide emergency assistance. The Executive~~
16 ~~Director of the Department of Human Services is authorized to contract with social service agencies~~
17 ~~for the provision of emergency assistance.~~

18 ~~(b) Normal Payment Periods. The Executive Director is authorized to establish normal~~
19 ~~payment periods of either twice monthly or once monthly.~~

20
21 **~~SEC. 20.210. TIME LIMITS.~~**

22 ~~This program shall not be time limited.~~

23
24 **~~SEC. 20.211. IMMEDIATE TERMINATION OF ELIGIBILITY.~~**

1 ~~Occurrence of the following events shall result in the immediate termination of eligibility for~~
2 ~~assistance under this Article: (1) receipt of SSI payments; (2) death of the recipient; (3)~~
3 ~~applicant/recipient request; (4) abandonment of County residency; or (5) institutionalization.~~
4 ~~Discontinuance of assistance due to the death of the recipient, or at the request of the~~
5 ~~applicant/recipient is subject to the notice provisions of Section 20.215(a); however, such~~
6 ~~discontinuances do not require 10 calendar day prior notice as specified in Section 20.215(b). All other~~
7 ~~discontinuances under this Section do require 10 calendar day prior notice as specified in Section~~
8 ~~20.215(b).~~

9
10 ~~**SEC. 20.212. CHANGES IN SSIP PAYMENTS.**~~

11 ~~(a) Changes in cash payments shall be made when an SSIP applicant/recipient becomes~~
12 ~~eligible for a payment in a different amount because of altered circumstances.~~

13 ~~(b) A change in payment shall be made effective with the next regular pay date following~~
14 ~~knowledge by the worker of circumstances warranting a change in payment, in conformance with the~~
15 ~~notice and hearing requirements of this Article.~~

16
17 ~~**SEC. 20.213. LOST, FORGED OR STOLEN WARRANTS AND LOST OR STOLEN**~~
18 ~~**WARRANT PROCEEDS.**(a) Lost, forged, or stolen warrants may be replaced only in accordance~~
19 ~~with specific procedures adopted by the Department.~~

20 ~~(b) If a warrant has been cashed by the recipient and the money lost or stolen, no replacement~~
21 ~~of the warrant or issuance of orders shall be permitted.~~

22
23 ~~**SEC. 20.214. INELIGIBILITY FOR GENERAL ASSISTANCE, PAES, CALM OR OTHER**~~
24 ~~**COUNTY FUNDED ASSISTANCE.**~~

1 ~~Recipients of SSIP payments are not eligible for General Assistance, PAES, CALM or any other~~
2 ~~County-funded cash assistance programs.~~

3
4 **~~SEC. 20.215. NOTICE OF PROPOSED ACTION.~~**

5 ~~(a) The Department shall issue a Notice of Proposed Action whenever it intends to deny,~~
6 ~~withhold, decrease or discontinue SSIP payments. That notice shall state with reasonable particularity~~
7 ~~the legal and factual basis for the proposed action.~~

8 ~~(b) Proposed Notices of Action regarding withholding, reduction, or discontinuance from SSIP~~
9 ~~shall be hand-delivered or mailed at least 10-calendar days prior to the effective date of the proposed~~
10 ~~action.~~

11
12 **~~SEC. 20.216. HEARINGS.~~**

13 ~~(a) An applicant for, or a recipient of, SSIP may challenge any denial, withholding, decrease~~
14 ~~or discontinuance by requesting an administrative hearing.~~

15 ~~(b) A request for an administrative hearing must be made to the Department within seven~~
16 ~~calendar days of the date of hand delivery of, or 10-calendar days of the date of mailing of the~~
17 ~~Proposed Notice of Action, or within three work days of the effective date of the action. Hearing~~
18 ~~requests that are not made in accordance with the time requirements shall be denied unless the~~
19 ~~applicant or recipient can establish good cause for failure to make a timely request.~~

20
21 **~~SEC. 20.216.1. HEARING; NOTICE OF HEARING; WHEN HELD.~~**

22 ~~(a) After a hearing has been requested, a time and place for the hearing shall be established.~~
23 ~~Notice shall be given to the applicant or recipient indicating the day, date, time, and place of the~~
24 ~~hearing. In no event shall a hearing date be scheduled for a time less than five days after the~~
25

1 ~~Department's receipt of a request, unless the applicant makes a knowing and intelligent waiver of his or~~
2 ~~her right to a record review.~~

3 ~~(b) Where an applicant for SSIP is denied assistance, a hearing shall be calendared within~~
4 ~~seven days of the date of the hearing request.~~

5 ~~(c) All hearings shall be held within 30 calendar days of the request therefor.~~

6
7 **~~SEC. 20.216.2. IMPARTIAL HEARING OFFICER.~~**

8 ~~The Executive Director shall designate as an impartial hearing officer a person who is not~~
9 ~~involved in the administration of the SSIP Program.~~

10
11 **~~SEC. 20.216.3. HEARING; HEARING RIGHTS.~~**

12 ~~The applicant or recipient shall be advised in the Notice of Proposed Action of applicant's or~~
13 ~~recipient's rights to counsel or other representative, to review pertinent records and regulations at least~~
14 ~~five working days prior to the hearing, to present testimony and documentary evidence, to cross-~~
15 ~~examine all witnesses, to have the proceedings tape-recorded, and to have a translator provided for the~~
16 ~~hearing if the applicant or recipient is not proficient in English.~~

17
18 **~~SEC. 20.216.4. INFORMALITY, EVIDENCE, APPEARANCE AND COUNSEL.~~**

19 ~~The hearing shall be conducted in an impartial and informal manner. All evidence shall be~~
20 ~~submitted under oath or affirmation. The hearing officer is not bound by the rules of evidence or~~
21 ~~procedures applicable to judicial proceedings. The applicant/recipient shall attend the hearing in~~
22 ~~person and may be represented by counsel or a representative. While the applicant/recipient may or~~
23 ~~may not be represented by counsel, or a representative, the client must appear in order for the hearing~~
24 ~~to be held. However, where the applicant/recipient establishes good cause for nonattendance prior to~~
25

1 ~~the hearing under Section 20.216.6, counsel or a representative may appear on behalf of the~~
2 ~~applicant/recipient.~~

3
4 **~~SEC. 20.216.5. HEARING DECISION.~~**

5 ~~The hearing officer shall render a written decision within seven calendar days of the hearing~~
6 ~~indicating factual findings and grounds for the decision. Such decision shall be based solely upon~~
7 ~~evidence presented at the hearing and specifically state the facts upon which it was based, the authority~~
8 ~~relied upon and any other reasons for the decision. Such decision shall be mailed to the applicant or~~
9 ~~recipient.~~

10
11 **~~SEC. 20.216.6. HEARING; FINALITY; EFFECT OF NONAPPEARANCE.~~**

12 ~~(a) The result of all hearings are considered final and there is no further right of~~
13 ~~administrative appeal.~~

14 ~~(b) When the applicant/recipient does not appear for the scheduled hearing, it is presumed that~~
15 ~~the applicant/recipient ceases to contest the decision. The withholding, decrease, denial,~~
16 ~~discontinuance, and/or recoupment of overpayments of SSIP will, therefore, be affected. The applicant~~
17 ~~or recipient may, for good cause shown, make a written request, or oral request as specified in the~~
18 ~~Executive Director's regulations, for a second hearing within 15 days of the scheduled date for the first~~
19 ~~hearing.~~

20 ~~Such request must specify the good cause for nonattendance at the first hearing. This provision~~
21 ~~is satisfied by evidence of any of the following: (1) verified hospitalization; (2) verified illness; (3)~~
22 ~~incarceration; (4) verified disability or (5) other good cause satisfactorily shown to the Executive~~
23 ~~Director.~~

24
25 **~~SEC. 20.217. SSIP PAYMENTS PENDING.~~**

1 ~~A SSIP recipient who makes a timely request for an administrative hearing shall continue to~~
2 ~~receive SSIP payments pending the hearing decision.~~

3
4 **~~SEC. 20.218. FAIR ADMINISTRATION; DISCLOSURES; OVERPAYMENTS.~~**

5 ~~The Department shall administer this program fairly to the end that all eligible persons who~~
6 ~~apply for assistance shall receive SSIP promptly, with due consideration for the needs of the~~
7 ~~applicant/recipient and the safeguard of public funds.~~

8 ~~(a) Any applicant for, or recipient or payee of, payments under this Article shall be informed~~
9 ~~as to the provisions of eligibility and her/his responsibility for reporting facts material to a correct~~
10 ~~determination of eligibility, continuing eligibility and payment amount.~~

11 ~~(b) Any applicant for, or recipient or payee of, payments under this Article shall be responsible~~
12 ~~for reporting accurately and completely all facts required of her/him pursuant to Subdivision (a) and~~
13 ~~for reporting promptly any changes of those facts.~~

14 ~~(c) Any person who makes full and complete disclosure of those facts as explained to her/him~~
15 ~~pursuant to Subdivision (a) is entitled to rely upon the payment amount as being accurate, and the~~
16 ~~warrant he or she receives as correctly reflecting the payment amount except as provided in~~
17 ~~Subdivisions (d), (e), (f).~~

18 ~~(d) Overpayment due to administrative error or negligent failure to report facts required by~~
19 ~~this Article or Department regulations may be recouped in accordance with the provisions of Section~~
20 ~~20.202(q) governing recoupment in the absence of recipient fraud, until collected in full, following~~
21 ~~discovery of overpayment.~~

22 ~~(e) Overpayment due to false statement or representation or by impersonation or other~~
23 ~~fraudulent device or by intentional failure to report facts required by this Article or Department~~
24 ~~regulations shall be recouped in accordance with the provisions of Section 20.202(q) governing~~
25

1 ~~recoupment upon an administrative determination of recipient fraud, until collected in full, following~~
2 ~~discovery of overpayment.~~

3 ~~(f) Overpayment due to false statement or representation or by impersonation or other~~
4 ~~fraudulent device or by intentional failure to report facts as required by this Article or Department~~
5 ~~regulations shall result in immediate discontinuance of payments subject to administrative hearing~~
6 ~~procedures in this Article. The case shall be referred to the Special Investigation Unit of the~~
7 ~~Department of Human Services. Any payments made under such circumstances shall be offset against~~
8 ~~any future payments as set forth in Section 20.202(q).~~

9
10 **~~SEC. 20.219. FRAUD IN OBTAINING PAYMENTS.~~**

11 ~~Whenever any person has, by means of false statement or representation or by impersonation or~~
12 ~~other fraudulent device, or by intentional failure to report facts required by this Article or Department~~
13 ~~regulations, obtained payments under this Article, the matter shall be referred to the District Attorney's~~
14 ~~office for appropriate action.~~

15 ~~Further, upon the first discontinuance of payments within a 24 month period due to false~~
16 ~~statement or representation or by impersonation or other fraudulent device, or by intentional failure to~~
17 ~~report facts required by the Article or Department regulations, an applicant or recipient shall be~~
18 ~~ineligible for payments for a period of 30 days.~~

19 ~~Upon the second such discontinuance within a 24 month period, the applicant or recipient shall~~
20 ~~be ineligible for payments for a period of 60 days.~~

21 ~~Upon the third, or additional, such discontinuance within a 24 month period, the applicant or~~
22 ~~recipient shall be ineligible for payments for a period of 90 days.~~

23
24 **~~SEC. 20.220. RECORDS; CONFIDENTIALITY.~~**

1 ~~All SSIP records shall be confidential and shall not be opened to examination or inspection~~
2 ~~except by the Grand Jury of the County or by a board or an officer of the State or the County charged~~
3 ~~with the administration, supervision or direction of the SSIP Program, or upon written waiver by the~~
4 ~~applicant or recipient.~~

5
6 **~~SEC. 20.221. RECORDS; DESTRUCTION OF.~~**

7 ~~All inactive case records that are over five years old may be destroyed. All records involving~~
8 ~~closed SSIP cases may be destroyed after five years.~~

9
10 **~~SEC. 20.222. AUTHORITY TO TERMINATE THE PROGRAM.~~**

11 ~~The Board of Supervisors of the City and County of San Francisco has complete discretion and~~
12 ~~authority to terminate SSIP at any time, for any reason. In the event that SSIP is terminated, all SSIP~~
13 ~~applicants and recipients shall be eligible to apply for General Assistance, PAES OR CALM, whichever~~
14 ~~is applicable, in accordance with the rules and regulations of those programs.~~

15
16 **~~SEC. 20.223. SEVERABILITY.~~**

17 ~~If any part or provision of this Article, or the application thereof to any person or circumstance,~~
18 ~~is held invalid, the remainder of this Article, including the application of such part or provision to other~~
19 ~~persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To~~
20 ~~this end, provisions of this Article are severable.~~

21
22 **~~SEC. 20.224. LIMITED TO PROMOTION OF GENERAL WELFARE.~~**

23 ~~In undertaking the adoption and enforcement of this ordinance, the City and County of San~~
24 ~~Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it~~

1 *imposing on its officers and employees, an obligation for breach of which it is liable in money damages*
2 *to any person who claims that such breach proximately caused injury.*

3
4 ***SEC. 20.225. OPERATIVE DATE.***

5 *This Article is to become effective no sooner than June 1, 1998.*

6
7 ***SEC. 20.226. FUNDING.***

8 *A baseline appropriation for housing and related services provided as in-kind aid shall be*
9 *established using the City and County of San Francisco FY 2002-2003 Annual Appropriation*
10 *Ordinance and any supplemental appropriations for the amount of cash aid payments to applicants and*
11 *recipients who declare themselves to be homeless. In subsequent fiscal years, this baseline amount*
12 *shall be appropriated to the Department of Human Services to fund housing and related services for*
13 *homeless adults without dependents. This funding may be used to support, but shall not be limited to,*
14 *some or all of the following: hotel master lease programs, permanent supportive housing,*
15 *improvements of conditions in existing shelters, expansion of shelter capacity, mental health and*
16 *substance abuse treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee*
17 *services, case management, and meals for the homeless population through direct services and/or*
18 *contracts.*

19
20 ***SEC. 20.227. EVALUATION.***

21 *The provision of in-kind aid is to be evaluated by the Office of the Controller of the City and*
22 *County of San Francisco every three years for program effectiveness and cost efficiency.*

23
24 ***SEC. 20.228. OPERATIVE DATE OF AMENDMENT.***

1 ~~The provisions of this amendment, Sections 20.206(b),(c),(i),(j), 20.206.3(a),(b),(c),(e); 20.226;~~
2 ~~and 20.227 shall become operative on or before July 1, 2003.~~

3
4 Section 6. Effective Date. This ordinance shall become effective 30 days after
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
7 of Supervisors overrides the Mayor's veto of the ordinance.

8
9 Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
10 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
11 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
12 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
13 additions, and Board amendment deletions in accordance with the "Note" that appears under
14 the official title of the ordinance.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: _____
19 Anne Pearson
20 Deputy City Attorney

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22
23
24
25
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