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SB-882 CalFresh. (2019-2020)

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AMENDED IN SENATE MAY 13, 2020

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

SENATE BILL

NO. 882

Introduced by Senator Wiener
(Principal coauthors: Assembly Members Chiu and Mathis)
(Coauthor: Senator Dodd)
(Coauthor: Assembly Member Wicks)

January 23, 2020

An act to add Sections 18900.3 and 18900.4 to the Welfare and Institutions Code, relating to CalFresh.

LEGISLATIVE COUNSEL'S DIGEST

SB 882, as amended, Wiener. CalFresh.

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

This bill would require the State Department of Social Services, in order to increase client access and retention within CalFresh, to participate in the Elderly Simplified Application Project, a demonstration project operated by the United States Department of Agriculture, Food and Nutrition Service. As part of this participation, the bill would require the department to develop a CalFresh user-centered application for seniors that minimizes the burdens of the overall enrollment process and to waive the semiannual reporting requirements under CalFresh for households enrolled under the Elderly Simplified Application Project.

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

This bill would, to the extent permitted by federal law, give an individual the option to apply, report, and recertify for CalFresh in person, by mail, online, or by telephone, and permit an individual to complete the interview requirement and client signature by telephone. The bill would authorize counties to implement any method of

telephonic or electronic signature that is supported by county business practice and technology. The bill would require the department, with the input of stakeholders, to develop and execute a plan of support for counties that have not already implemented a telephone-based application and renewal process and to provide technical assistance and resources. The bill would require the application process to satisfy specified criteria, including simple, user-friendly language and instructions. The bill would require certain counties to comply with these provisions beginning on or before January 1, 2022, and require the remaining counties to comply with the provisions beginning on or before January 1, 2023. By imposing new duties on counties, this bill would impose a state-mandated local program.

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

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

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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

(1) Inadequate nutrition and food insecurity threatens the health of 3.7 million low-income adults and over 2 million children in California, leading to adverse health outcomes among children, and increased risk of chronic disease, including diabetes and cardiovascular diseases, yet nearly 1.7 million eligible Californians are not receiving CalFresh nutrition benefits.

(2) The average CalFresh benefit in California is \$136 per person per month. If the state enrolled these 2 million eligible Californians into CalFresh, it would draw up to \$1.8 billion in federal food benefits to the state annually, which would also significantly help farmers, grocers, and the local economy.

(3) While working poor Californians struggle with increased costs of housing and basic needs that outpaced growth in wages, California ranks third to last in the nation at connecting working poor households to CalFresh.

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

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

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

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

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

(D) Reversal of the longstanding Supplemental Security Income (SSI) "cashout" policy, which provided a pivotal opportunity to establish CalFresh eligibility for 500,000 seniors and disabled Californians receiving SSI benefits.

(6) Given these changes in CalFresh and the need to connect health and nutrition, particularly for seniors and newly eligible SSI recipients, the time is right to improve CalFresh entry points and remove burdensome and unnecessary reporting requirements that may cause households to lose access to CalFresh benefits even though they remain eligible.

(b) It is the intent of the Legislature to maximize the impact of federal safety net funding to reduce poverty, fight hunger, and improve health by simplifying enrollment and maintaining access to CalFresh for all eligible, low-income Californians.

SEC. 2. Section 18900.3 is added to the Welfare and Institutions Code, to read:

18900.3. In order to increase client access and retention within CalFresh, the department shall participate in all elements of the Elderly Simplified Application Project, a demonstration project operated by the United States Department of Agriculture, Food and Nutrition Service, including the following elements:

(a) Developing a CalFresh user-centered application for seniors that minimizes the burdens of the overall enrollment process.

(b) Waiving the semiannual reporting requirement under CalFresh for households enrolled under the Elderly Simplified Application Project.

SEC. 3. Section 18900.4 is added to the Welfare and Institutions Code, to read:

18900.4. (a) To the extent permitted under federal law, an individual shall have the option to apply, report, and recertify for CalFresh in person, by mail, online, or by telephone, and shall have the option to complete the interview and the required client signature by telephone.

(b) Counties may implement any method of telephonic signature or electronic signature, in compliance with state and federal program requirements, that is supported by county business practices and available technology.

(c) (1) The department shall work with counties, representatives of the statewide automated welfare system consortia, ~~representatives of county eligibility workers,~~ *recognized exclusive representatives of eligibility workers,* and advocates for CalFresh participants, to develop and execute a plan of support for counties that have not already implemented a telephone-based application and renewal process, and to provide technical assistance and resources.

(2) The results of this planning effort, including, but not limited to, the resources identified as necessary for counties to implement this section, shall be reported to the Legislature during the 2021–22 budget hearings.

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

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

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

(e) Counties currently using the Consortium IV (C-IV) or LEADER Replacement System (LRS) of the Statewide Automated Welfare System (SAWS) shall comply with this section beginning on or before January 1, 2022, and counties currently using the Welfare Client Data System (WCDS) of SAWS shall comply with this section beginning on or before January 1, 2023.

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