

Introduced by Senator Wiener

(Principal coauthor: Assembly Member Mathis)

(Coauthor: Senator Dodd)

(Coauthors: Assembly Members Bauer-Kahan and Wicks)

January 5, 2021

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

LEGISLATIVE COUNSEL'S DIGEST

SB 107, as introduced, 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. The bill would require the department, on or before January 1, 2023, to develop a CalFresh user-centered application for seniors 60 years of age or older and for people with disabilities who are eligible to be enrolled in 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, 2023, and require the remaining counties to comply with the provisions beginning on or before January 1, 2024. 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.
State-mandated local program: yes.

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

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) Inadequate nutrition and food insecurity threatens the health
- 4 of 3.7 million low-income adults and over 2 million children in
- 5 California, leading to adverse health outcomes among children,
- 6 and increased risk of chronic disease, including diabetes and
- 7 cardiovascular diseases, yet nearly 1.7 million eligible Californians
- 8 are not receiving CalFresh nutrition benefits.

1 (2) The COVID-19 pandemic has greatly increased food
2 insecurity among low-income Californians, and disproportionately
3 impacted Black and Latinx individuals.

4 (3) The average CalFresh benefit in California is \$136 per person
5 per month. If the state enrolled the 2 million eligible, but not
6 participating, Californians into CalFresh, it would draw up to \$2.1
7 billion in federal food benefits to the state annually, which would
8 also significantly help farmers, grocers, and the local economy.

9 (4) While working poor Californians struggle with the economic
10 fallout of the COVID-19 crisis and struggle to meet their basic
11 needs like food and housing, California ranks fourth to last in the
12 nation at connecting working poor households to the federal
13 Supplemental Nutrition Assistance Program (SNAP), known in
14 California as CalFresh.

15 (5) California’s seniors are enduring the most severe health
16 consequences of the pandemic, including experiencing hunger and
17 poverty. Yet, California ranks last in the nation at connecting
18 seniors to SNAP, known in California as CalFresh, despite recent
19 policy changes to simplify enrollment processes and medical
20 deductions for seniors.

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

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

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

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

33 (D) Reversal of the longstanding Supplemental Security Income
34 (SSI) “cashout” policy, which provided a pivotal opportunity to
35 establish CalFresh eligibility for 400,000 seniors and disabled
36 Californians receiving SSI benefits.

37 (7) Given these changes in CalFresh and the need to connect
38 health and nutrition, particularly for seniors and newly eligible
39 SSI recipients, the time is right to improve CalFresh entry points
40 and ensure statewide equitable access by telephone to reduce the

1 burden of applying for benefits and enrolling vulnerable
2 individuals.

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

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

9 18900.3. In order to increase client access and retention within
10 CalFresh, the department shall participate in all elements of the
11 Elderly Simplified Application Project, a demonstration project
12 operated by the United States Department of Agriculture, Food
13 and Nutrition Service. On or before January 1, 2023, the
14 department shall develop a CalFresh user-centered application that
15 minimizes the burdens of the overall enrollment process for seniors
16 60 years of age or older and for people with disabilities who are
17 eligible to be enrolled in the Elderly Simplified Application Project.

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

20 18900.4. (a) To the extent permitted under federal law, an
21 individual shall have the option to apply, report, and recertify for
22 CalFresh in person, by mail, online, or by telephone, and shall
23 have the option to complete the interview and the required client
24 signature by telephone.

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

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

36 (2) The results of this planning effort, including, but not limited
37 to, the resources identified as necessary for counties to implement
38 this section, shall be reported to the Legislature during the 2022–23
39 budget hearings.

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

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

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

12 (e) Counties currently using the Consortium IV (C-IV) or
13 LEADER Replacement System (LRS) of the Statewide Automated
14 Welfare System (SAWS) shall comply with this section beginning
15 on or before January 1, 2023, and counties currently using the
16 Welfare Client Data System (WCDS) of SAWS shall comply with
17 this section beginning on or before January 1, 2024.

18 SEC. 4. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.