

File No. 190001

Committee Item No. 2

Board Item No. 35

### COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Feb. 25, 2019

Board of Supervisors Meeting

Date 3/5/2019

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Memorandum of Understanding (MOU)            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 - Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

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Completed by: Victor Young Date Feb. 21, 2019

Completed by: VY Date 2/25/18

1 [Administrative Code - County Adult Assistance Programs]

2  
3 **Ordinance amending the Administrative Code to expand eligibility for assistance under**  
4 **the Personal Assistance Employment Services (PAES) Program, the Cash Assistance**  
5 **Linked to Medi-Cal (CALM) Program, and the Supplemental Security Income Pending**  
6 **(SSIP) Program, to adults who are ineligible for assistance under the CalWORKs**  
7 **Program due to the lifetime limit on the receipt of assistance, and whose children are**  
8 **no longer minors, or are no longer under the care and control of the adult.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
12 **Board amendment additions** are in double-underlined Arial font.  
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
14 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
15 subsections or parts of tables.

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

17 Section 1. Article VII of Chapter 20 of the Administrative Code is hereby amended by  
18 revising Section 20.7-20, to read as follows:

19 **SEC. 20.7-20. INELIGIBILITY OF INDIVIDUALS WHO HAVE REACHED THE TIME**  
20 **LIMIT FOR RECEIPT OF CALWORKS AID UNDER STATE LAW.**

21 (a) Any individual who is not eligible for aid under Chapter 2 (commencing with  
22 Section 11200) of Part 3 of Division 9 of the California Welfare and Institutions Code as a  
23 result of the lifetime limitation on adult assistance specified in Section 11454 of the Welfare  
24 and Institutions Code shall not be eligible for assistance under ~~this Article VII~~ the General

25

1 Assistance Program until all of the children of the individual on whose behalf aid was received,  
2 whether or not currently living in the home with the individual, are 18 years of age or older.

3 (b) Any individual who is not eligible for aid under Chapter 2 (commencing with Section  
4 11200) of Part 3 of Division 9 of the California Welfare and Institutions Code as a result of the lifetime  
5 limitation on adult assistance specified in Section 11454 of the Welfare and Institutions Code shall not  
6 be eligible for assistance under the PAES Program, the CALM Program, or the SSIP Program, unless  
7 all of the children of the individual on whose behalf aid was received are 18 years of age or older, or  
8 unless the minor children of the individual on whose behalf aid was received are not currently under  
9 the care and control of the individual.

10 (bc) Any individual who is receiving aid under Chapter 2 (commencing with Section  
11 11200) of Part 3 of Division 9 of the California Welfare and Institutions Code on behalf of an  
12 eligible child, but who is either ineligible for aid or whose needs are not otherwise taken into  
13 account in determining the amount of aid to the family pursuant to Section 11450 of the  
14 California Welfare and Institutions Code due to the imposition of a sanction or penalty, shall  
15 not be eligible for aid or assistance under this Article VII.

16 (ed) This Section 20.7-20 shall not apply to any health care benefits provided under  
17 this Article VII.

18  
19 Section 2. Effective Date. This ordinance shall become effective 30 days after  
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
22 of Supervisors overrides the Mayor's veto of the ordinance.

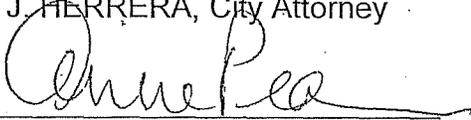
23  
24 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
25 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
3 additions, and Board amendment deletions in accordance with the "Note" that appears under  
4 the official title of the ordinance.

5  
6 Section 4. No Conflict with Federal or State Law. Nothing in this ordinance shall be  
7 interpreted or applied so as to create any requirement, power, or duty in conflict with any  
8 federal or state law.

9  
10 APPROVED AS TO FORM:  
11 DENNIS J. HERRERA, City Attorney

12 By:

  
13 ANNE PEARSON  
14 Deputy City Attorney

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**LEGISLATIVE DIGEST**

[Administrative Code - County Adult Assistance Programs]

**Ordinance amending the Administrative Code to expand eligibility for assistance under the Personal Assistance Employment Services (PAES) Program, the Cash Assistance Linked to Medi-Cal (CALM) Program, and the Supplemental Security Income Pending (SSIP) Program, to adults who are ineligible for assistance under the CalWORKs Program due to the lifetime limit on the receipt of assistance, and whose children are no longer minors, or are no longer under the care and control of the adult.**

Existing Law

Chapter 1 of Part 5 of Division 9 of the California Welfare and Institutions Code imposes a duty on every county and every city and county to provide support to low-income persons who have no other source of income. San Francisco complies with this duty through the establishment and administration of the General Assistance Program. (Article VII of Chapter 20 of the S.F. Admin. Code.) San Francisco also operates additional programs designed to provide assistance to people in need: the Personal Assisted Employment Services (PAES) Program, the Cash Assistance Linked to Medi-Cal (CALM) Program, and the Supplemental Security Income Pending (SSIP) Program. These programs are not established pursuant to Chapter 1 of Part 5 of Division 9 of the California Welfare and Institutions Code, and may be amended or terminated by the Board of Supervisors at any time.

The CalWORKs program is a federally-funded program that provides income support to low-income families with children. State law imposes a time limit on participation in the CalWORKs Program. Specifically, a parent or caretaker relative is not eligible to participate in CalWORKs if he or she has received aid under that program for a cumulative total of 48 months. (Cal. Welf. & Inst. Code § 11454.) State law further provides that a person who is ineligible to participate in CalWORKs because of the 48-month time limit, is also ineligible to participate in a county's General Assistance Program. (Cal. Welf. and Inst. Code § 17021.)

Currently, Section 20.7-20 of the San Francisco Administrative Code provides that an individual who is ineligible to participate in the CalWORKs program as a result of the 48-month limit in participation is also ineligible for aid under all of the County's aid programs, including the General Assistance Program, the PAES Program, the CALM Program, the CALM Program, and the SSIP Program.

Amendments to Current Law

The proposed ordinance would amend the Administrative Code to provide that an individual who is ineligible for CalWORKs as a result of the 48-month time limit is ineligible for aid under

the county's General Assistance Program until all of the individual's children on whose behalf aid was received are 18 years or older, but may receive aid under the PAES Program, the CALM Program, or the SSIP Program provided that all of the children of the individual on whose behalf aid was received are 18 years of age or older, or the minor children of the individual on whose behalf aid was received are not currently under the care and control of the individual.

### Background Information

The County Adult Assistance Programs (CAAP) consist of the following programs:

- The General Assistance Program, which provides short-term financial or in-kind assistance and other services to indigent residents of the City and County who are not residents of state or private institutions, and who are unable to support themselves and have exhausted their own means of support.
- The Personal Assisted Employment Services (PAES) Program, which provides an employment assessment and supportive services and activities necessary to help qualifying participants obtain paid employment.
- The Cash Assistance Linked to Medi-Cal (CALM) Program, which provides cash payments to those individuals who have been determined to be eligible for Medi-Cal on the basis of being aged, blind, or disabled, and who meet specific financial criteria, but who are not eligible for federal or State support.
- The Supplemental Security Income Pending (SSIP) Program, which provides cash payments to those individuals with medical verification of a permanent disabling condition, pending their application for federal disability benefits.

In 2016, the Board of Supervisors enacted legislation amending the Administrative Code to consolidate administration of the CAAP programs. At that time, the City applied the ban on participation by persons who had reached their 48-month time limit to all of the CAAP programs, even though state law requires that it be applied only to General Assistance.

As a result, adults who have reached their time limit for CalWORKs and no longer have minors in their care find themselves ineligible for any type of assistance. Under the proposed ordinance, persons who reach their 48-month CalWORKs time limit and whose children are no longer under their care would be eligible to continue to receive aid through the PAES, CALM, and SSIP Programs, provided that they otherwise meet the eligibility requirements for one of those programs.

**City and County of San Francisco**



*London Breed, Mayor*

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BOARD OF SUPERVISORS  
SAN FRANCISCO

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BY *[Signature]*

December 11, 2018

**Human Services Agency**

Department of Human Services  
Department of Aging and Adult Services  
Office of Early Care and Education

*Trent Rhorer, Executive Director*

Ms. Angela Calvillo  
Clerk of the Board  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102 – 4689

**Re: Technical Administration Code Correction to the County Adult Assistance Programs**

Dear Ms. Calvillo:

Attached please find one original red-lined original and one copy of a proposed ordinance for submission to the Board of Supervisors to make a technical correction to the City and County of San Francisco’s County Adult Assistance Programs (CAAP).

Over the past year, we have seen several cases of CalWORKs recipients who have had their children removed by the child welfare system and are seeking assistance under San Francisco’s County Adult Assistance Programs; however, these individuals are determined ineligible due limitations in the current CAAP ordinance.

In 2016, the Board of Supervisors enacted legislation amending the Administrative Code to consolidate administration of the four related CAAP programs. At that time, the City applied the ban on participation by persons who had reached their CalWORKs 48-month time limit to all of the CAAP programs, even though state law requires that it be applied only to General Assistance.

As a result, adults who have reached their time limit for CalWORKs and no longer have minors in their care find themselves ineligible for any type of assistance. Under the proposed ordinance, persons who reach their 48-month CalWORKs time limit and whose children are no longer under their care would be eligible to continue to receive aid through the following CAAP sub-programs: Personal Assisted Employment Services, Cash Assistance Linked to Medi-Cal, and Supplemental Security Income Pending, provided that they otherwise meet the eligibility requirements for one of those programs.

The following person may be contacted regarding this matter: Susie Smith, Human Services Agency Deputy Director, Policy and Planning; (415) 557-6348; [susie.smith@sfgov.org](mailto:susie.smith@sfgov.org)

Due to the urgency of these indigent individuals who would be assisted by this ordinance change, I respectfully request that this item be calendared as soon as possible.

Sincerely,

Trent Rhorer  
Executive Director

