

ASSEMBLY BILL

No. 1298

Introduced by Assembly Member Evans

February 22, 2005

An act to add Section 12693.756 to the Insurance Code, to amend Section 18905.1 of, and to add Sections 11155.6 and 14005.41 to, the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1298, as introduced, Evans. Health and human services.

Existing law creates various programs to provide health care services to persons who have limited incomes and meet various eligibility requirements. These programs include the Healthy Families Program administered by the Managed Risk Medical Insurance Board, and the Medi-Cal program administered by the State Department of Health Services.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program and other social services programs, under which each county provides cash assistance and other benefits to qualified low-income families and individuals.

Existing law provides for the federal Food Stamp Program, under which each county distributes food stamps provided by the federal government to eligible households.

Existing law provides that the department shall not impose any additional requirements for verification of eligibility for expedited service under the Food Stamp Program other than those minimum requirements that exist under federal law.

This bill would specify that the verification of property and assets may be satisfied by a sworn declaration by the applicant or recipient,

and would with respect to the Food Stamp Program provide that to the extent that requirement is inconsistent with federal law, the State Department of Social Services shall apply for a waiver from the United States Department of Agriculture.

The imposition of this additional duty on counties would create a state-mandated local program.

This bill would require the California Health and Human Services Agency to convene a workgroup by October 1, 2005, to consider options that will make, to the greatest extent possible, the application and eligibility factors in certain programs transparent to the public and uniform statewide, and to report no later than April 1, 2007, to the appropriate committees of the Legislature for the establishment of aligned policies and procedures in specified programs.

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

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

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Over the past 10 years the welfare system has undergone a
- 4 major transformation with the focus on a more comprehensive set
- 5 of programs and services designed to promote employment and
- 6 to support low-wage workers instead of primarily providing
- 7 benefits to low-income nonworking families.
- 8 (b) The families that now participate in core benefit programs
- 9 such as CalWORKs, Medi-Cal, Healthy Families, food stamps,
- 10 and child support services are a diverse population that include
- 11 many working families.

1 (c) Families and individuals face a set of uncoordinated
2 requirements when they participate in more than one program
3 and these requirements make it difficult for families already
4 struggling to coordinate work, and family obligations to
5 participate in these programs.

6 (d) There are significant opportunities to streamline and
7 integrate program rules and many states have already taken
8 advantage of these opportunities.

9 (e) The California Performance Review recognized that the
10 eligibility processes for CalWORKs, Medi-Cal, and food stamps
11 are often inefficient, costly, slow, and inconvenient for the
12 customer.

13 (f) There are multiple technologies used by the state and the
14 counties for eligibility processing. Many of these systems do not
15 have effective interfaces with one another and do not use the
16 latest technologies, including Web-based technologies.

17 (g) Conforming program eligibility and procedural rules where
18 possible can ease the administrative burdens on state and local
19 governments, improve accuracy in eligibility determinations,
20 reduce confusion of participating families and allow more time
21 and resources to be devoted to reducing reliance on public
22 assistance.

23 (h) It is the intent of the Legislature to direct the development
24 of a simple transparent system that ensures applicants and
25 recipients have ready local access to eligibility and case workers
26 and maximizes technological advances and program
27 simplification.

28 (i) It is the further intent of the Legislature to conform,
29 streamline, and simplify eligibility in ways which do not restrict
30 eligibility or reduce benefits.

31 SEC. 2. Section 12693.756 is added to the Insurance Code, to
32 read:

33 12693.756. The verification of real property and assets for
34 purposes of this chapter may be satisfied by a sworn statement by
35 the applicant or recipient.

36 SEC. 3. Section 11155.6 is added to the Welfare and
37 Institutions Code, to read:

38 11155.6. The verification of real property and other assets
39 under this article may be satisfied by a sworn statement by the
40 applicant or recipient.

1 SEC. 4. Section 14005.41 is added to the Welfare and
2 Institutions Code, to read:

3 14005.41. The verification of property resources for purposes
4 of determining eligibility under this chapter may be satisfied in
5 the same manner as provided in Section 11155.6.

6 SEC. 5. Section 18905.1 of the Welfare and Institutions Code
7 is amended to read:

8 18905.1. (a) The department shall not impose any additional
9 requirements for verification of eligibility for expedited service
10 other than those minimum requirements that exist under federal
11 law.

12 (b) *The verification of real property and other assets may be*
13 *satisfied in the same manner as provided in Section 11155.6. To*
14 *the extent this subdivision is inconsistent with federal law, the*
15 *department shall apply for a waiver from the United States*
16 *Department of Agriculture.*

17 SEC. 6. (a) By October 1, 2005, the California Health and
18 Human Services Agency shall convene a workgroup comprised
19 of representative of the State Department of Social Services, the
20 State Department of Health Services, the Department of Child
21 Support Services, the Managed Risk Medical Insurance Board,
22 and any other state departments or agencies the California Health
23 and Human Services Agency deems necessary, the County
24 Welfare Directors Association, the California State Association
25 of Counties, the chairpersons of the Assembly Human Services,
26 Health, and Budget Committees, or their designees, the
27 chairpersons of the Senate Human Services, Health, and Budget
28 Committees, or their designees, and representatives of California
29 tribes, and interested advocacy organizations that represent
30 applicants and recipients of CalWORKs, Medi-Cal, food stamps,
31 Healthy Families, and child support services benefits. By no later
32 than April 1, 2007, the workgroup shall make recommendations
33 to the Legislature for the establishment of aligned policies and
34 procedures in the CalWORKs, Medi-Cal, food stamps, Healthy
35 Families, and child support programs.

36 (b) In developing the recommendations required in
37 subdivision (a), the workgroup shall consider options that will
38 make, to the greatest extent possible, the application and
39 eligibility factors transparent to the public and uniform statewide.
40 The workgroup shall consider the following:

- 1 (1) Using a single application for multiple programs.
- 2 (2) Using mail-in, electronic, or provider submission of
- 3 applications.
- 4 (3) Using a single and simple set of verification requirements.
- 5 (4) Using presumptive eligibility for all applicants.
- 6 (5) Using a single employee to determine eligibility for
- 7 multiple programs provided eligibility functions be performed by
- 8 state and county employees.
- 9 (6) Using an aligned application processing timeframe.
- 10 (7) Using a single eligibility review to cover all program areas.
- 11 (8) Using a uniform reporting methodology for reporting
- 12 changed circumstances or updating eligibility information.
- 13 (9) Using a self-certification process for the resource tests
- 14 among programs.
- 15 (10) Using simplified program requirements.
- 16 (11) Aligning definitions of countable income among
- 17 programs.
- 18 (12) Aligning definitions of countable resources among
- 19 programs.
- 20 (13) Aligning household composition rules among programs.
- 21 (14) Maximizing the use of technology and Internet-based
- 22 application systems without restricting access to the public
- 23 through multiple points of entry.
- 24 (15) Reducing paperwork for applicants, recipients, and state
- 25 and county employees.
- 26 (16) Improving customer service for the public.
- 27 (17) Reducing program administrative costs.
- 28 (18) Determining the need for one or more federal waivers.
- 29 (19) Developing uniform performance and outcome measures
- 30 across multiple programs.
- 31 SEC. 7. If the Commission on State Mandates determines that
- 32 this act contains costs mandated by the state, reimbursement to
- 33 local agencies and school districts for those costs shall be made
- 34 pursuant to Part 7 (commencing with Section 17500) of Division
- 35 4 of Title 2 of the Government Code.
- 36 SEC. 8. This act is an urgency statute necessary for the
- 37 immediate preservation of the public peace, health, or safety
- 38 within the meaning of Article IV of the Constitution and shall go
- 39 into immediate effect. The facts constituting the necessity are:

- 1 In order to timely implement this act during the 2005 calendar
- 2 year, it is necessary that this act take effect immediately.

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