

AMENDED IN SENATE JUNE 3, 1997

AMENDED IN SENATE MAY 5, 1997

AMENDED IN SENATE APRIL 7, 1997

SENATE BILL

No. 933

Introduced by Senator Thompson

February 27, 1997

~~An act to add Article 3.5 (commencing with Section 12545) to Chapter 6 of Division 3 of Title 2 of the Government Code, to add Article 4 (commencing with Section 3100) to Chapter 8 of Title 1 of Part 3 of the Penal Code, and to amend Sections 11274, 11320.3, 11320.6, 11321.6, 11322.8, 14132.95, and 17000 of, to add Sections 11155.3, 11155.4, 11268.5, 11325.26, 11479.1, 12305.6, 18925, and 18926 to, to add Article 7.5 (commencing with Section 12330) to Chapter 3 of Part 3 of Division 9 of, to add Chapter 5.05 (commencing with Section 12800) to Part 3 of Division 9 of, to add Part 5.5 (commencing with Section 17650) to Division 9 of, to add and repeal Chapter 3.85 (commencing with Section 10785) of Part 2 of Division 9 of, to repeal Sections 17000.5, 17000.6, 17001, 17001.5, 17001.51, 17001.6, 17001.7, 17001.8, 17001.9, 17002, 17003, 17004, 17005, 17008, and 17020 of, and to repeal Chapter 3 (commencing with Section 17200) of Part 5 of Division 9 of, the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately. *An act relating to human services.*~~

LEGISLATIVE COUNSEL'S DIGEST

SB 933, as amended, M. Thompson. Human services.

Existing law creates various public social services programs.

This bill would make legislative findings and declarations concerning elements that should be included in welfare reform legislation.

~~This bill would establish the Welfare Eligibility Simplification Commission, to be comprised as specified, that would be charged with making recommendations to the Legislature and the Governor, by December 31, 1997, on changes to be made in eligibility rules and application procedures.~~

~~This bill would make the provisions establishing the commission inoperative on July 1, 1998, and would repeal them as of January 1, 1999.~~

~~Existing law provides for the Aid to Families with Dependent Children (AFDC) program, under which each county provides cash assistance and other benefits to qualified low-income families. Each county is required to pay a share of the cost of both aid grant and administrative costs for the AFDC program.~~

~~This bill would make changes in AFDC eligibility standards, including certain changes that would expand the number of persons eligible to receive aid. Since state funds are continuously appropriated to pay a share of the cost of the AFDC program, by increasing the number of persons eligible to receive AFDC benefits, the bill would create an appropriation. In addition, since each county is required to administer the AFDC program, expanding eligibility under the program would impose additional duties upon each county, thereby imposing a state-mandated local program.~~

~~The bill would also modify provisions relating to the use of voucher payments.~~

~~The bill would also require, under specified conditions, noncustodial parents of children receiving AFDC benefits in cases where a child support order is being established to be required to participate in county job search services, thus creating a state-mandated local program.~~

~~Existing law also creates the Greater Avenues for Independence (GAIN) program, under which each county, pursuant to an approved county plan, provides employment and training services to AFDC recipients.~~



~~This bill would increase county GAIN plan flexibility, modify program components, and impose certain requirements upon GAIN participants.~~

~~Existing law requires each county to provide aid and health care benefits to its indigent population not supported by other means.~~

~~This bill would eliminate the county's duty to provide aid, but would create, for this purpose, a State General Assistance Program, to be administered by each county in accordance with regulations developed by the department.~~

~~The bill would contain both aid grant and eligibility provisions.~~

~~Under existing law, a county may include general assistance recipients in its GAIN program.~~

~~This bill would, instead, provide that State General Assistance Program recipients would, subject to the exemptions contained in the GAIN program, be required to participate in that program.~~

~~The bill would, however, make certain modifications to the duty of participation in that program.~~

~~This bill would prohibit certain parolees from being eligible under the State General Assistance Program, but would require the parole authority to be responsible for the subsistence needs of an indigent parolee not eligible for the program.~~

~~The bill would appropriate an amount sufficient to pay for aid grant and administrative costs of the State General Assistance Program.~~

~~Existing law provides for the In-Home Supportive Services (IHSS) program, under which, either through employment by the recipient, or by or through contract by the county, qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. Counties are responsible for the administration of the IHSS program.~~

~~Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. Existing law includes the provision of various benefits;~~



~~including personal care services, under the Medi-Cal program to eligible individuals.~~

~~Existing law also provides for the federal Supplemental Security Income (SSI) program and the State Supplementary Program for the Aged, Blind, and Disabled (SSP), under which, through a combination of federal and state funds, qualified low-income aged, blind, and disabled persons are provided with cash assistance. Persons eligible for SSI/SSP benefits are automatically eligible for the IHSS and Medi-Cal programs.~~

~~The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 makes qualified aliens, as defined, with certain exceptions, and certain children, ineligible for SSI/SSP benefits and also causes these persons to become ineligible for the IHSS program and for personal care services under the Medi-Cal program.~~

~~This bill would specify that persons who are ineligible for IHSS benefits due to the federal law, would be eligible for those benefits but for that federal law, and continue to meet eligibility and disability requirements, shall be eligible for benefits under the IHSS program. Because counties are responsible for administration of the IHSS program and participate in the funding of that program, this bill, by requiring the provision of IHSS benefits to persons otherwise ineligible for IHSS benefits, would result in a state-mandated local program.~~

~~This bill would revise the eligibility requirement for personal care services under the Medi-Cal program to include any other category that would be eligible for the full scope of Medi-Cal benefits without a share of cost or any person eligible under the medicaid program but for the provisions of the federal law.~~

~~Counties are responsible for the administration of the Medi-Cal program through the determination of eligibility for benefits for the Medi-Cal program, and, therefore, by requiring counties to determine the eligibility of those persons for Medi-Cal benefits, this bill would result in a state-mandated local program.~~

~~This bill would also require the State Department of Social Services to establish a cash assistance program for those legal~~



~~immigrants losing SSI/SSP eligibility due to Public Law 104-193, and would appropriate an unspecified amount from the General Fund for implementation of the program.~~

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

~~Under existing federal law, certain persons otherwise eligible for food stamp benefits must meet a specified work requirement in order to retain eligibility, except that a state may seek a waiver of this requirement for a geographic area that has insufficient jobs or that has an unemployment rate that exceeds 10%.~~

~~This bill would require the State Department of Social Services at the request of a county, or permit the department, in the absence of such a request, to seek a waiver, from the United States Department of Agriculture of this work requirement for any geographical area meeting the conditions for which a waiver may be provided.~~

~~Since each county is required to pay for the costs of distributing food stamps, and since through a waiver request made by the department, a county would be required to incur additional administrative costs by distributing food stamps to persons who would otherwise be ineligible for benefits, without its consent, the bill would create a state-mandated local program.~~

~~The bill would also require the State Department of Social Services to establish a state-funded citizenship assistance program, and would appropriate an unspecified amount to cover the costs of implementing the program during the 1997-98 fiscal year.~~

~~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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~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.~~

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

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

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

1 SECTION 1. The Legislature finds and declares all of
2 the following:

3 (a) The enactment of federal welfare reform,
4 pursuant to Public Law 104-193, has provided the state
5 with an unprecedented opportunity to recast the state’s
6 welfare system, and in particular, to dramatically simplify
7 the standards and procedures for determining whether
8 applicants for assistance are eligible.

9 (b) A simplified eligibility process and alignment of
10 eligibility rules between various social and human
11 services programs, thereby allowing county welfare
12 department staff to focus on employment-related
13 activities, is critical to the success of a state
14 welfare-to-work system.

15 (c) An improved public social services system should
16 do all of the following:

17 (1) Foster personal responsibility and self-sufficiency.

18 (2) Ensure children will be cared for.

19 (3) Enable families to build the capacity to care for
20 themselves.

21 (4) Reinforce the message that welfare is temporary
22 assistance, and is intended to help families during
23 emergencies when they are unable to completely support
24 themselves.

25 (5) Include shared responsibility and accountability
26 among all levels of government and nongovernmental
27 sectors.

28 (6) Provide counties with adequate resources and
29 flexibility to operate integrated social services programs
30 in a manner that meets local needs and circumstances.



1 (7) Provide sufficient lead time for planning and
2 reengineering current resources and a phasein period
3 commensurate with available resources.

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**All matter omitted in this version of the
bill appears in the bill as amended in the
Senate, May 5, 1997 (JR 11)**

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