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# SENATE COMMITTEE ON SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Mark Leno, Chair  
2015 - 2016 Regular

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<b>Bill No:</b>	AB 1603	<b>Hearing Date:</b>	June 13, 2016
<b>Author:</b>	Committee on Budget		
<b>Version:</b>	June 13, 2016 As amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Theresa Pena		

**Subject:** Public Social Services

**Summary:** Provides for statutory changes necessary to enact human services-related provisions of the Budget Act of 2016.

**Background:** As part of the 2016-17 budget package, Assembly Bill 1603 makes statutory changes to implement the budget act.

**Proposed Law:** AB 1603 makes the following statutory changes to implement the 2016-17 budget.

*CalWORKs.* This bill includes provisions pertaining to the CalWORKs program, including:

*Maximum Family Grant Repeal and Maximum Aid Payment Increase.* Currently, a child born into a family receiving CalWORKs does not receive a benefit. This policy is called the "Maximum Family Grant" or "MFG" rule. This bill repeals the MFG rule by using funds from the "Child Poverty Subaccount" and the General Fund. The subaccount was created in 2013 along with changes to the 1991 realignment law and grows naturally each year, and is intended to automatically increase CalWORKs grants. Over the next several years, the subaccount is expected to continue to grow, so it will be used as a source to fund the repeal of the MFG and the cost of an additional grant increase in CalWORKs over a multi-year period, diminishing General Fund support until the costs are fully covered by the subaccount.

Specifically, the language:

- Increases the maximum aid payments starting July 1, 2016 by 1.43 percent.
- Allocates moneys deposited into the subaccount for costs associated with the repeal of the MFG
- Specifies that if there are not enough funds in the subaccount, the remaining cost for that fiscal year will be covered by General Fund.

*Bringing Families Home:* This bill establishes the Bringing Families Home Program, subject to an appropriation in the annual Budget Act. This program requires the Department of Social Services to award program funds to counties for the purpose of providing housing-related supports to eligible families experiencing homelessness.

Specifically, the language:

- Defines eligible family to mean any individual or family that receives child welfare services, is homeless, voluntarily agrees to participate in the program, and has either been determined appropriate for reunification of a child to a biological parent or guardian or a child or children in the family are, or are at risk of foster care placement, and it is determined that safe and stable housing for the family will prevent the need for the child's or children's removal.
- Declares the intent of the Legislature that housing-related assistance utilize evidence-based models, including rapid rehousing and supportive housing.
- Specifies that housing-related supports include an assessment of each family's housing needs, and a plan to assist them in meeting those needs, housing navigation or search assistance, housing-related financial assistance, and housing stabilization services.
- Specifies that the department shall award program funds to counties according to criteria developed by the department, in consultation with the County Welfare Directors Association, the Corporation for Supportive Housing, and Housing California.
- Counties that receive state funds under this program will match that funding on a dollar-by-dollar basis.

*Homeless Assistance Program (HAP):* Currently, the HAP provides a once-in-a-lifetime payment to CalWORKs recipients to meet the reasonable costs of obtaining permanent housing, and/or temporary shelter while seeking permanent housing. This bill would repeal the once-in-a-lifetime ban and instead allow a family to receive HAP assistance once in a 12 month period.

*Expanded Subsidized Employment.* There are currently two CalWORKs subsidized employment programs: the AB 98 program which was established in 2012; and, the Expanded Subsidized Employment program which was enacted in 2013. This bill streamlines the two CalWORKs subsidized employment programs to reduce the administrative burden and to help maximize utilization of the programs.

*Temporary Assistance Program (TAP).* AB 1808 (Committee on Budget and Fiscal Review), Chapter 75, Statutes of 2006 required DSS to establish a voluntary TAP with state-only funds providing cash aid and other benefits to certain current and future CalWORKs recipients who are exempt from state work participation requirements. The TAP program was intended to increase the federal Temporary Assistance for Needy Families (TANF) work participation rate (WPR). Implementation was suspended due to obstacles associated with the federal child support distribution rules, and concerns that these issues would result in a potential negative effect on TAP

recipients. Implementation of the TAP has been repeatedly postponed; the current implementation date is October 1, 2016, as established in SB 855 (Committee on Budget and Fiscal Review) Chapter 29, Committee on Budget, Statutes of 2014. Additionally, DSS has adopted an alternate move-out strategy for removing safety net and long-term sanctioned cases from being included in the determination of the state's TANF WPR calculation. This bill adds language to render the TAP inoperative beginning June 30, 2016.

*Workforce Innovation and Opportunity Act (WIOA) Career Pathways.* This bill clarifies that a recipient of the CalWORKs program who is making satisfactory progress in a career pathway program established in accordance with the WIOA is in compliance with the hourly participation requirements of the CalWORKs program under specified conditions. An approved WIOA career pathway results in industry-recognized credentials or degrees in occupations recognized as high demand by workforce development boards.

*County Sharing Ratio Alignment.* This bill amends and repeals sections of current law to align the county sharing ratio for specified populations with current practice.

*CalFresh.* This bill includes provisions pertaining to the CalFresh program, including:

*Cooperative Agreements.* In order to align the Nutrition Education and Obesity Prevention Grant Program with federal oversight agency expectations, the bill specifies the program as a "cooperative agreement", defined in current law, between the Department of Social Services, a local government, a state government, or a nonprofit organization that conducts CalFresh or Supplemental Nutrition Assistance Program outreach.

*Maximum Recertification Periods:* This bill requires that all CalFresh households be assigned certification periods that are the maximum number of months allowable under federal law.

*Child Welfare Services.* This bill includes provisions pertaining to Child Welfare Services, including:

*Approved Relative Caregiver (ARC) Program:* Effective January 1, 2015, counties, who opt-in to the ARC Program, must pay an approved relative caregiver a per child, per month rate, in return for the care and supervision of a federally-ineligible Aid to Families with Dependent Children-Foster Care (AFDC-FC) child placed with the relative caregiver, equal to the base rate paid to foster care providers for a federally-eligible AFDC-FC child. This bill makes several changes to the program.

Specifically, the language:

- Clarifies that children participating in the ARC Program should receive a \$50 child support disregard.

- Clarifies that a relative who has been approved under the resource family approval process and who is federally ineligible for AFDC-FC is authorized to receive a CalWORKs grant and a supplement amount equal to the resource family basic amount paid to children who are federally eligible for AFDC-FC.
- Allows non-federally eligible foster youth placed with relative caregivers under the jurisdiction of the tribal court receive a foster care basic rate amount equal to payments made to federally-eligible relative caregivers in tribes that possess a Title IV-E Agreement with the state.

*Infant Supplement:* When a teen parent foster child is placed with his or her non-dependent infant or child in a foster home, the Infant Supplement Payment rate is equal to the basic rate for the placement type and the age of the teen parent's infant or child. This bill increases the supplement by an additional monthly amount of \$489.

*Uncodified CCR rates.* This bill includes language that will have the Department of Social Services and the Department of Health Care Services update the budget committees on the implementation of the Continuum of Care Reform, including updates on:

- Specialty mental health services provided to foster children in short-term residential treatment centers, by foster family agencies, and by resource families.
- The roles to be performed by county mental health plans, Medi-Cal managed care plans, and the fee-for-service system to coordinate mental health services.
- Fiscal information related to mental health services.

The bill also requires the Department of Social Services to convene stakeholders and legislative staff no later than July 1, 2016 to discuss the proposed foster care rates and rate structure. The department will report to the budget committees no later than August 10, 2016 on the results of these discussions. If proposed rates change, the department must provide updated projected costs no later than January 10, 2017.

*Child Welfare Digital Services Oversight.* This bill includes provisions pertaining to the Child Welfare Digital Services information technology project that codifies the new Agile approach to Child Welfare automation by requiring the following:

- The Department of Social Services, Office of Systems Integration and County Welfare Directors Association to jointly seek resources to enable the necessary level of engagement by counties in the Agile development and maintenance process.
- Counties have a voting seat on all governance bodies.
- Existing CWS/CMS operations functionality be maintained and not decommissioned until the full statewide implementation of the CWS-NS in all counties.

- The continuation of existing monthly updates to the Legislature and stakeholders on efforts to develop and implement CWS-NS and regularly scheduled quarterly forums offered to provide project updates to stakeholders and legislative staff.

*Unaccompanied Undocumented Minors (UUM).* This bill clarifies the intent of SB 873 (Committee on Budget and Fiscal Review) Chapter 685, Statutes of 2014, and AB 900 (Levine) Chapter 694, Statutes of 2015, both relating to the UUM program, which provides legal services funding for unaccompanied undocumented minors.

The Legislature enacted California Code of Civil Procedure Section 155 through Senate Bill 873 to strengthen protections for immigrant children by making it clear that all California courts have jurisdiction to make Special Immigrant Juvenile Status (“SIJS”) findings. Under federal law, a child or youth under the age of 21 must present a state court order with the SIJS findings in order to apply for SIJS immigration relief with the federal government. The Legislature’s intent in enacting SB 873 was to ensure these children have access to the courts and SIJS findings so they can petition the federal government for SIJS immigration relief.

AB 900 built on SB 873 to allow immigrant youth ages 18 to 20 to obtain guardianship orders under the California Probate Code and to then seek SIJS factual findings pursuant to Section 155 of the California Code of Civil Procedure. With AB 900, the Legislature ensured that immigrant youth ages 18 to 20 can receive the same protections available to youth who are under the age of 18.

Specifically, language in this bill clarifies:

- That the SIJS findings can be made at any point in the proceedings.
- That the prerequisites for SIJS findings are the same across superior court divisions.
- That the perceived motivations of the child/juvenile in seeking classification as a special immigrant juvenile shall not be included or referred to in the findings under this section.
- That it is in the best interest of the child for a superior court to issue the SIJS factual findings if requested and supported by evidence.

*Supplemental Security Income/State Supplementary Program for the Aged, Blind, and Disabled (SSI/SSP).* This bill includes provisions pertaining to the SSI/SSP program, including:

*SSI Advocacy:* This bill establishes the Housing and Disability Income Advocacy Program under the Department of Social Services, subject to an appropriation in the annual Budget Act. This program provides state grant funds to participating counties for the provision of outreach, case management, and advocacy services to assist clients who are homeless or at risk of becoming homeless to obtain disability benefits.

Specifically, the language:

- Provides that a county receiving state funds shall match that funding on a dollar-for-dollar basis.
- Provides that a participating county shall provide, or contract for, outreach, active case management, and advocacy services related to the SSI/SSP program, the federal Social Security Disability Insurance (SSDI) program, the Cash Assistance Program for Immigrants, and Veterans benefits provided under federal law.
- Counties shall give highest priority to individuals who are chronically homeless or rely the most heavily on state- and county-funded services, and other populations targeted include general assistance or general relief applicants or recipients who are homeless or at risk of homelessness

*SSP COLA:* This bill increases the SSP portion of the SSI/SSP grants by 2.76 percent beginning January 1, 2017.

*In-Home Supportive Services (IHSS).* This bill includes provisions pertaining to the IHSS program, including:

*IHSS Seven Percent Restoration.* This bill reflects a shift in funding for the restoration of the seven-percent across-the-board IHSS service hours reduction. The language specifies that the restoration will remain in effect until the Managed Care Organization tax expires pursuant to current law.

**Fiscal Effect:** The funding related to the changes in this bill is contained in the 2016-17 budget. In addition, the bill would appropriate \$30 million General Fund, effective January 1, 2017, for the Approved Relative Caregiver Program.

**Support:** None on file.

**Opposed:** None on file.

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