

AMENDED IN SENATE FEBRUARY 18, 2021

SENATE BILL

No. 107

Introduced by Senator Wiener

(Principal coauthor: Assembly Member Mathis)

(Coauthor: Senator Dodd)

(Coauthors: Assembly Members ~~Bauer-Kahan~~ *Bauer-Kahan*, *Chiu*,
Valladares, 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 amended, 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,

1 and increased risk of chronic disease, including diabetes and
2 cardiovascular diseases, yet nearly 1.7 million eligible Californians
3 are not receiving CalFresh nutrition benefits.

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

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

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

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

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

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

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

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

36 (D) Reversal of the longstanding Supplemental Security Income
37 (SSI) “cashout” policy, which ~~provided a pivotal opportunity to~~
38 ~~establish CalFresh eligibility for~~ *has resulted in the enrollment of*
39 *over 400,000 seniors and disabled Californians receiving SSI*
40 *benefits.*

1 (7) Given these changes in CalFresh and the need to connect
2 health and nutrition, particularly for seniors and newly eligible
3 SSI recipients, the time is right to improve CalFresh entry points
4 and ensure statewide equitable access by telephone to reduce the
5 burden of applying for benefits and enrolling vulnerable
6 individuals.

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

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

13 18900.3. In order to increase client access and retention within
14 CalFresh, the department shall participate in all elements of the
15 Elderly Simplified Application Project, a demonstration project
16 operated by the United States Department of Agriculture, Food
17 and Nutrition Service. On or before January 1, 2023, the
18 department shall develop a CalFresh user-centered application that
19 minimizes the burdens of the overall enrollment process for seniors
20 60 years of age or older and for people with disabilities who are
21 eligible to be enrolled in the Elderly Simplified Application Project.

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

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

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

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

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

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

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

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

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

22 SEC. 4. If the Commission on State Mandates determines that
23 this act contains costs mandated by the state, reimbursement to
24 local agencies and school districts for those costs shall be made
25 pursuant to Part 7 (commencing with Section 17500) of Division
26 4 of Title 2 of the Government Code.