

Date of Hearing: June 28, 2022

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Lisa Calderon, Chair

SB 1083 (Skinner) – As Amended June 8, 2022

SENATE VOTE: 39-0

SUBJECT: CalWORKs: pregnancy and homeless assistance

SUMMARY: Makes various changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) homeless assistance (HA) program, including expanding the number of days that a family can receive temporary shelter assistance, extending CalWORKs HA to families at risk of homelessness and facing eviction, removing HA program benefit limits for families that include a pregnant person, and allowing a family who is receiving CalWORKs HA benefits to remain eligible for HA following termination of CalWORKs participation due to receiving income above the eligibility threshold. Specifically, **this bill:**

- 1) Deletes the provision that CalWORKs aid be paid to a pregnant person who is 18 years of age or younger only when the Cal-Learn program is operative.
- 2) Requires a county human services agency to refer all recipients of CalWORKs aid who are pregnant to perinatal home visiting services administered by the county public health department, county human services agency, or applicable county home visiting provider.
- 3) Extends CalWORKs HA to families that are in danger of becoming homeless.
- 4) Provides that CalWORKs temporary HA must be granted on the date of application and permanent HA must be determined immediately upon notification to the county human services agency by an assistance unit that they are homeless, pending verification. Further provides that an assistance unit be deemed eligible for permanent homeless assistance if they are granted temporary homeless assistance.
- 5) Expands the criteria to determine whether a family is considered homeless to include if the family has received any notice that could lead to an eviction, regardless of the circumstances cited in the eviction notice.
- 6) Increases the maximum days a family is eligible for temporary shelter assistance from 16 days in a 12-month period to 40 days in a 12-month period.
- 7) Increases the maximum days of temporary HA from two periods of 16 days to two periods of 40 days, within the applicant's lifetime, in the case of domestic violence.
- 8) Requires a county to provide a caseworker to assist with securing permanent housing if that county chooses to require a recipient of HA to participate in a homeless avoidance case plan.
- 9) Prohibits a family that includes a pregnant person and is eligible for temporary and permanent homeless assistance from being subject to the maximum benefit limits, conditioned on verification of pregnancy.

- 10) Allows a county human services agency to provide additional days of temporary homeless assistance, for an indeterminate period, to a family that includes a pregnant person, if the pregnant person or family would be without any shelter if the assistance ended. Further, requires the county human services agency to pursue and utilize all housing and homeless prevention services available in the county before making the determination that the additional days of temporary homeless assistance are necessary.
- 11) Provides that if a person who is eligible for temporary homeless assistance due to their pregnant status experiences the end of the pregnancy, their eligibility for this assistance shall not be terminated until the end of the seventh month after the pregnancy is ended.
- 12) Provides that any period of time in which an individual receives temporary or permanent homeless assistance for which they are not also receiving a monthly grant shall not be counted against the CalWORKs time limit.
- 13) Provides that a family receiving CalWORKs HA shall remain eligible for CalWORKs HA following termination of their participation in the CalWORKs program due to reporting income that makes the family ineligible for aid, provided that they would otherwise, if not for being determined over-income, be eligible for the assistance and are working with the county housing navigator caseworker to secure permanent housing.
- 14) Specifies that payments to providers for temporary shelter and permanent housing and utilities shall be made on behalf of families requesting these payments except when an alternative payment methodology is deemed by the county human services agency to be more appropriate or more easily expedited.

EXISTING LAW:

- 1) Establishes in federal law the “Temporary Assistance for Needy Families” (TANF) program, which provides block grants to states to develop and implement their own state welfare-to-work (WTW) programs designed to provide cash assistance and other supports and services to low-income families. (42 United States Code Section [USC] 601 et seq.)
- 2) Establishes the state's TANF program, the CalWORKs program. CalWORKs provides cash assistance and other supports and services to low-income families and is administered by the counties. (Welfare and Institutions Code Section [WIC] 11200 et seq.)
- 3) Requires CalWORKs aid to be paid to a pregnant person for the month in which the birth is anticipated and for the six-month period immediately prior to the month in which the birth is anticipated, in the amount that would otherwise be paid to one person, as specified, and requires verification of pregnancy as a condition for this aid. (WIC 11450(b)(2)(A))
- 4) Requires a county human services agency to refer all pregnant recipients of CalWORKs aid to a local provider of the California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). (WIC 11450(c)(1))
- 5) Makes available an allowance for nonrecurring special needs for a homeless family seeking shelter when the family is eligible for CalWORKs aid. (WIC 11450(f)(3)(A))

- 6) Defines a family to be considered homeless, for the purpose of eligibility for CalWORKs HA, when the family lacks a fixed and regular nighttime residence, among other criteria. Additionally defines a family to be considered homeless if the family has received a notice to pay rent or quit. (WIC 11450(f)(3)(B))
- 7) Makes a nonrecurring special needs benefit of \$85 per day to families up to four members for the costs of temporary shelter, and \$15 per day for each additional family member, up to \$145. Allows county human services agencies to increase the daily amount available for temporary shelter as necessary to secure the additional bed space needed by the family. (WIC 11450(f)(4)(A)(i))
- 8) Requires the temporary shelter benefit to be granted or denied on the same day upon the family's application for HA, and requires benefits to be available for a period of three working days, during which period the family provides a sworn statement that they are homeless. (WIC 11450(f)(4)(A)(ii))
- 9) Requires the three-day temporary shelter assistance to be extended for a period of time that, when added to the initial benefits provided, does not exceed 16 calendar days. Requires this extension of benefits to be provided in increments of one week, and to be based upon: searching for permanent housing, which must be documented on a housing search form; good cause; or other circumstances defined by California Department of Social Services (CDSS). (WIC 11450(f)(4)(A)(iii))
- 10) Allows a county to waive the three-day limit and provide increments of more than one week for a family that becomes homeless as a direct and primary result of a state or federally declared disaster. (WIC 11450(f)(4)(iv))
- 11) Limits eligibility for temporary shelter assistance and permanent HA to 16 calendar days of temporary assistance and one payment of permanent assistance every 12 months, with certain exceptions, and requires that a person who applies for these benefits be informed of this time limit. Allows for exceptions to these limits in the case of domestic violence, illness, natural catastrophe, and state or federally declared disaster (WIC 11450(f)(4)(E)(i))
- 12) Allows a county to require that a recipient of HA who qualifies for benefits for a second time in a 24-month period participate in a homelessness avoidance case plan as a condition of eligibility for HA benefits. (WIC 11450(f)(4)(E)(iii))
- 13) In the case of domestic abuse, provides for expanded HA benefits in the form of two 16-day periods of temporary shelter assistance within the applicant's lifetime. Requires the second 16-day period of temporary shelter assistance to continue to be available when the applicant becomes a CalWORKs recipient during the first 16-day period (WIC 11450(f)(4)(I)(ii))

FISCAL EFFECT: According to the Senate Appropriations Committee on April 25, 2022, staff notes unknown, significant ongoing costs (hundreds of millions, General Fund) for the following:

- 1) *Automation.* \$600,000 - \$2 million (General Fund) for impacts to the CalSAWS and CalWIN system. The CalSAWS, which is currently in flight, would consolidate four SAWS systems (CalWIN, C-IV Project, LRS Project, and CalACES), into a single automated, integrated eligibility and case management system by 2023.

- 2) *CDSS*. Staff estimates around high-hundreds of thousands (General Fund) for state operations costs to hire limited-term staff for regulation promulgation, and permanent staff to manage coordination with automation needs and provide county oversight and management.
- 3) *Counties*. Staff estimates the remaining fiscal impact (hundreds of millions, General Fund) would be through local assistance to counties for workload to process more applications; track the 5-month period once CalWORKs eligibility is terminated due to being over income; track 40 cumulative calendar temporary shelter assistance days across a 12-month period (or 80 cumulative calendar days across a lifetime for expanded temporary HA for CalWORKs applicants fleeing domestic abuse/40 cumulative calendar days per qualifying disaster for eligible families who are homeless due to disaster); and track benefits for families that include a pregnant person that are exempt from the benefits caps. Staff notes that under the bill's language, expanding eligibility for five-months following termination of CalWORKs benefits, may also require counties to provide housing-related case management and housing navigation assistance to secure permanent housing.

COMMENTS:

California Work Opportunity and Responsibility to Kids: The CalWORKs program, which implements the federal TANF program, provides eligible low-income families with cash grants and supportive services aimed at helping them to secure education, training, and employment. CDSS is charged with program supervision at the state level, and counties administer the caseloads at the local level. CalWORKs is funded largely through the federal TANF block grant and state maintenance-of-effort contributions. Families participating in CalWORKs have access to a range of services that can include childcare and services aimed at addressing mental health needs, substance use disorders, experiences of domestic violence, and learning disabilities, among other issues. Unless deemed exempt or otherwise not required to participate per CalWORKs rules, parents are required to develop and participate in a WTW plan. CalWORKs-approved WTW activities can include public or private sector subsidized or unsubsidized employment; on-the-job training; community service; secondary school, adult basic education and vocational education and training when the education is needed for the recipient to become employed; specific mental health, substance abuse, or domestic violence services if they are necessary to obtain or retain employment; and a number of other activities necessary to assist a recipient in obtaining unsubsidized employment.

In 2021-22, the maximum monthly grant for a family of three on CalWORKs (one parent and two children), if the family has no other income and lives in a high cost-of-living county, is \$925. The same family living in a lower cost-of-living county would be eligible for up to \$878 per month. However, the average monthly cash grant for the family is estimated to be \$717. Many families earn some income, or live in a lower cost-of-living county, and do not qualify for the maximum grant amount. About 398,400 families are projected to receive CalWORKs benefits in Fiscal Year 2022-23.

CalWORKs Homeless Assistance Program: During one night in 2019 there were over 8,000 homeless families and over 13,000 homeless children in California. The short- and long-term effects of homelessness on children are well-documented. Studies have shown that housing instability and experiencing homelessness can contribute to physical, cognitive, and developmental issues; higher rates of mental, emotional, and behavioral impairments; lowered academic achievement; increases in stress and depression; and, overall poor mental health. For families, homelessness is a pervasive, multifaceted problem that can be a barrier to self-sufficiency and affect health and economic opportunities.

There is no statewide data available on homeless CalWORKs families; however, in fiscal year 2019-20, 52,258 families received temporary homeless assistance and 5,961 families received permanent homeless assistance, for a total of 58,219 families served through CalWORKs Homeless Assistance. The Homeless Assistance Programs was established to help CalWORKs families meet the reasonable costs of securing housing. The program serves eligible CalWORKs recipients or apparently eligible CalWORKs applicants, who are homeless or at risk of homelessness. A CalWORKs family is considered homeless for purposes of receiving homeless assistance if the family:

- 1) Lacks a fixed and regular nighttime residence;
- 2) Has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations;
- 3) Is residing in a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or,
- 4) Has received a notice to pay rent or quit. The family is required to demonstrate that the eviction is the result of a verified financial hardship as a result of extraordinary circumstances beyond their control, and not other lease or rental violations, and that the family is experiencing a financial crisis that may result in homelessness if preventive assistance is not provided.

The CalWORKs Homeless Assistance Program offers two types of assistance: temporary shelter assistance and permanent housing assistance. Both temporary and permanent homeless assistance payments are limited to once every 12 months with the exceptions of homelessness due to domestic violence, uninhabitability of the former residence caused by sudden or unusual circumstances, or a medically verified physical or mental illness.

Temporary shelter assistance helps families pay the costs of temporary shelter and is available to families for up to 16 calendar days within a 12-month period. Temporary shelter assistance for a family of up to four people is set at \$85 per day, plus \$15 a day for each additional family member. The maximum amount of temporary shelter assistance any family can receive is \$145 per day. Temporary homeless benefits are granted or denied the same day as a family's application for homeless assistance and, if granted, the benefits are made available for up to three working days. After homelessness has been verified, the three-day limit can be extended, in one-week increments, up to a total of 16 calendar days of assistance. The extension(s) are based on documentation of a housing search.

Permanent housing assistance helps families secure or maintain permanent housing and helps families avoid eviction. Permanent housing assistance can be received once every 12 months and can be used to pay security deposits and last month's rent or 2 months arrearages to prevent eviction.

A family is eligible for temporary and permanent homeless assistance if the homelessness is a direct result of domestic violence by a spouse, partner, or roommate. The homelessness assistance payments based on these circumstances are limited to two periods of up to 16 cumulative calendar days of temporary assistance and two payments of permanent assistance. A CalWORKs applicant who is fleeing their abuser is deemed to be homeless and eligible for temporary homeless assistance; benefits granted under these circumstances are made available in increments of 16 days.

Need for this bill: Increasing cost of living and the need to streamline administrative processes for the homeless assistance program have prompted changes to the Homeless Assistance Program in

recent years. This bill modifies several requirements for obtaining and extending homeless assistance in order to make program assistance more attainable to low-income families facing homelessness including: increasing the number of days that a temporary HA recipient can receive benefits from 16 days to 40 days, simplifying eviction criteria to determine whether a family is considered homeless, removing the maximum benefit levels for a family that includes a pregnant person, continuing HA benefits for seven months if a person's pregnancy ends, and allowing a family who is receiving HA benefits to remain eligible for HA even if they are no longer eligible for CalWORKs due to exceeding income limits.

According to the author, "Among California's large unhoused population, there is an alarming and rising number of families with children. While state funding to expand permanent housing for our unhoused has greatly increased, the transition to a new permanent home can take many months.

"By expediting access to temporary hotel vouchers for unhoused families and pregnant people and lengthening the time period a hotel voucher can be used, [this bill] will help children stay in school, help parents maintain employment and prevent unhoused families from falling through the cracks."

PRIOR AND RELATED BILLS:

AB 2230 (Gipson) of 2022, would require distribution of a family's 16-day CalWORKs HA benefit in a one-time payment. AB 2230 is set to be heard by the Senate Appropriations Committee on June 27, 2022.

SB 1065 (Hertzberg), Chapter 152, Statutes of 2020, made several changes to the Homeless Assistance Program including, but not limited to, requiring the temporary shelter assistance to be granted or denied the same day as the family's application and removes the eligibility requirement for families to have less than \$100 cash on hand.

SB 80 (Committee on Budget and Fiscal Review), Chapter 27, Statutes of 2019, allowed the use of temporary housing assistance for up to 16 cumulative days, instead of consecutive days, and one payment of permanent housing assistance, in a 12-month period.

AB 1811 (Committee on Budget), Chapter 35, Statutes of 2018, increased, as of January 1, 2019, the daily rate for CalWORKs temporary homeless assistance from \$65 a day to \$85 a day for a family with up to four members, and increased the daily maximum from \$125 to \$145.

AB 557 (Rubio), Chapter 691, Statutes of 2017, authorized, as of July 1, 2018, applicants for and recipients of CalWORKs benefits who have experienced domestic violence to be eligible for CalWORKs homeless assistance and good-cause exemptions from school participation and immunization requirements under specified circumstances.

AB 1603 (Committee on Budget), Chapter 25, Statutes of 2016, permitted CalWORKs families receiving a temporary or permanent benefit under the homeless assistance program to, as of January 1, 2017, receive this benefit once every 12 months, versus once in a lifetime.

AB 2631 (Santiago) of 2016, would have removed the once-in-a-lifetime limit on CalWORKs homeless assistance benefits and extended from 16 days per lifetime to 30 days, per year, the permissible length of time for receipt of temporary shelter assistance. AB 2631 was held on the Assembly Appropriations Committee suspense file.

AB 702 (Maienschein) of 2015, would have deleted the requirement that CalWORKs temporary shelter assistance be provided for 16 consecutively days and instead allowed a family to receive temporary shelter assistance for a total of 16 calendar days to be used at any time they were both homeless and receiving CalWORKs aid. AB 702 was held on the Senate Appropriations Committee suspense file.

AB 264 (Maienschein) of 2014, would have deleted the requirement that CalWORKs temporary shelter assistance be provided for 16 consecutive days and instead allowed a family to receive temporary shelter assistance for a total of 16 calendar days to be used at any time they were both homeless and receiving CalWORKs aid. AB 264 was held on the Senate Appropriations Committee suspense file.

REGISTERED SUPPORT / OPPOSITION:

Support

Black Women for Wellness Action Project (Co-Sponsor)
Coalition of California Welfare Rights Organizations (Co-Sponsor)
Access Reproductive Justice
Alpha Kappa Alpha Sorority, Inc, Mu Lambda Omega Chapter
BreastfeedLA
California Alliance of Child and Family Services
California Black Health Network
California Catholic Conference
California Nurse Midwives Association (CNMA)
California Preterm Birth Initiative
California Reinvestment Coalition
California WIC Association
Causes to Care About
Children Now
Consumer Watchdog
Courage California
First 5 Alameda County
First 5 Association of California
Maternal and Child Health Access
NARAL Pro-Choice California
National Association of Social Workers, California Chapter
Nurse - Family Partnership
Planned Parenthood Affiliates of California
South Asian Network
The Praxis Project

Opposition

None on file

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