

AGENDA – PART II OF II

ASSEMBLY BUDGET SUBCOMMITTEE NO. 1 ON HEALTH AND HUMAN SERVICES

ASSEMBLYMEMBER DR. JOAQUIN ARAMBULA, CHAIR

WEDNESDAY, MARCH 17, 2021

12:00 NOON (SPECIAL START TIME) – STATE CAPITOL, ROOM 4202

Due to the regional stay-at-home order and guidance on physical distancing, seating for this hearing will be very limited for the public and for the press. All are encouraged to watch the hearing from its live stream on the Assembly's website at <https://www.assembly.ca.gov/todaysevents>.

We encourage the public to provide written testimony before the hearing. Please send your written testimony to: BudgetSub1@asm.ca.gov. Please note that any written testimony submitted to the committee is considered public comment and may be read into the record or reprinted.

*A moderated telephone line will be available to assist with verbal public comment. After all witnesses on all panels and issues have concluded, and after the conclusion of member questions, the public may provide public comment by calling the following toll-free number:
1-877-692-8957 / Access Code: 131 54 202.*

This Part II Agenda is a Non-Presentation Agenda. In the absence of the Subcommittee moving an issue to the Presentation Agenda (Part I), there will be no panel discussion on these items. Public comment is welcome on any issue in either Part I or Part II.

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There are no panels for the Non-Presentation Items on this Agenda.

Public Comment will be taken after the completion of the five panels in the Presentation Agenda (Part I), which was made public on March 14, 2021, and any subsequent discussion from the Members of the Subcommittee.

Again, Public Comment is welcome on any issue in either Part I or Part II.

NON-PRESENTATION ITEMS

There are no panels for non-presentation items.

OVERVIEW

Information on the Governor’s proposals for particular departments in Human Services for 2021-22 are included in this section. Staff has included questions, requests, and comments to show the direction of thinking or to indicate a possible future recommendation. No actions or votes are being taken on any items in this hearing.

0530 CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY (CHHS)

ISSUE 1: GOVERNOR’S BUDGET CHANGE PROPOSALS AND TRAILER BILL PROPOSALS FOR CHHS

For requests or questions made to the administration in the table below (right-most column), please provide requested information or answers to questions before or by April 15, 2021 to the Subcommittee staff and the appropriate staff at the Legislative Analyst’s Office.

BUDGET CHANGE PROPOSALS

Budget Change Proposal	Description	Questions, Requests, and Comments
Administrative Resources for SB 852 Implementation – \$2.2 M GF one-time, \$184k on-going, 1 permanent position	The California Health and Human Services Agency (CHHS) requests a one-time appropriation of \$2 million General Fund in 2021-22 for consulting resources, with expenditure authority until 2022-23, and position authority for 1 position (\$197,000 General Fund in 2021-22 and \$184,000 General Fund ongoing) to support implementation of the California Affordable Drug Manufacturing Act of 2020 (SB 852, Chapter 207, Statutes of 2020). This budget request is intended to support research and analytical tasks associated with implementation of SB 852.	This issue was heard at the March 8, 2021 Sub. 1 hearing as part of a “Health” agenda. Action on this BCP will ultimately occur on the Health side of Sub. 1.
Center for Data Insights and Innovations – cost-neutral to GF, 18 positions and contract funding being redirected, on-going	This proposal is to establish the Center for Data Insights and Innovation (CDII) within CHHS. The CDII will expand on work accomplished by CHHS, departments and offices to improve the transparency, efficiency, availability, and utilization of data, while also managing the data’s integrity, quality, and strategic use to promote person-centered, data-driven decision making and integrated care and services.	Request to CHHS – provide a description of: (1) specifically how Human Services programs will be improved or impacted by this work, how that will be measured, and on what time basis; and, (2) how the creation of this Office and the movement of the DSS data dashboards affects DSS accountability and the work of the DSS Research, Analytics, and Data Branch.

Budget Change Proposal	Description	Questions, Requests, and Comments
<p>Electronic Visit Verification Phase II – \$24.1 M (\$5.8 M GF) and 20 limited-term positions, all one-time</p>	<p>This multi-departmental proposal requests funding of \$24.1 million (\$5.8 million General Fund) to support resources for 20 limited term resources for the Electronic Visit Verification (EVV) Phase II implementation efforts across multiple departments under CHHS. Includes state and consultant resources for project management, solution development, and project readiness and approval to complete Project Approval Lifecycle (PAL) processes and to start implementing an EVV Phase II solution that complies with federal requirements. Impacted departments within the CHHS include the Department of Developmental Services (DDS), Department of Health Care Services (DHCS), CA Department of Public Health (CDPH), Department of Social Services (DSS) and CA Department of Aging (CDA). These program departments and Office of Systems Integration (OSI) comprise the EVV Phase II integrated project team.</p> <p>The resources are needed to ensure California meets federal EVV requirements for Personal Care Services (PCS) by January 1, 2022 and Home Health Care Services (HHCS) by January 1, 2023, minimizes quarterly Federal Medical Assistance Percentage (FMAP) penalties, and is able to make use of the enhanced federal funding available for EVV Phase II. The EVV Phase II project team received budget approval for temporary help resources equivalent to 21 PYs for FY 2020-21. This request is a continuation of 20 PYs and consultant services approved for 2020-21.</p>	<p>Request to CHHS – (1) provide an update on the number of filled positions and the plan for filling all 20 of the authorized positions, if expected to be incomplete in current year, in 2021-22, (2) explain why this level of FTEs is needed, and why for one year only, versus redirecting positions from other vacancies at the departments for 2021-22 only, and (3) provide updated information about the EVV solution vendor services and on the changes year-over-year for the consultant contracts and the reasons for any changes (or for the same level amount if there is no change).</p>
<p>Equity-Centered Programs – \$8.6 M (\$8.1 M GF) and 11 permanent positions</p>	<p>This proposal requests resources for CHHS and DHCS to implement cross-cutting initiatives that touch various programs and services within CHHS to help reduce the health inequities and disparities exacerbated by the COVID-19 pandemic. CHHS requests \$7.6 million, two (2) limited-term positions for two years, and four (4) permanent positions to implement the following initiatives: (a) the retrospective analysis of the intersection of the COVID-19 pandemic and health disparities and equity; (b) the development of a language access policy; (c) the establishment of an equity dashboard; and (d) the expansion of race and equity training for health and human services state employees. DHCS requests \$1 million and five (5) permanent positions to address the workload related to the Health and Human Services Agency Equity Dashboard.</p>	<p>This issue is discussed in the Part I agenda for March 17, 2021 under Issue 2, where TBL is recommended to accompany this BCP. Additional requests to CHHS – provide a clear, five-year GF/Federal Funds (FF) table with both of the following: (1) requested positions and what component of the BCP they are dedicated to within both CHHS and DHCS; and, (2) the other costs for both CHHS and DHCS, specifying which component is served.</p>
<p>Office of Youth and Community Restoration – \$3.4 M GF and 19 positions on-going</p>	<p>CHHS is requesting 19.0 permanent positions and \$3.4 million GF in 2021-22 (\$3.1 million GF ongoing) to establish and operate the Office of Youth and Community Restoration (OYCR).</p>	<p>This issue is scheduled to be heard at the March 15, 2021 Sub. 5 hearing. Action on this BCP will ultimately occur in Sub. 5.</p>

TRAILER BILL LANGUAGE PROPOSAL

Title	Description	Questions, Requests, and Comments
Center for Data Insights and Innovations	<p>This proposal would abolish the Office of Health Information Integrity and the Office of Patient Advocate, establish the Center for Data Insights and Innovation within the California Health and Human Services Agency, and transfer the duties of the Office of Health Information Integrity and the Office of Patient Advocate to the center. The proposal also requires the center to assume responsibility for administering the State Committee for the Protection of Human Subjects. Would establish the Center for Data Insights and Innovation Fund and, upon appropriation by the Legislature, make moneys in the fund available to the center to accomplish its duties. Would also establish the Health Plan Improvement Trust Fund and, upon appropriation by the Legislature, make the moneys in the fund available to administer various duties relating to monitoring the quality of health care and patient experience.</p>	<p>It appears that the language posted in RN 07415 addresses many of the issues raised by legislative staff in the 2020 cycle, when this TBL was originally proposed by the administration and deferred without prejudice.</p> <p>Akin to the question raised on the BCP, staff is interested in how the Center’s work will impact, influence, and drive Human Services issues and programs within the Agency, and would like to consider statutory changes to capture this. In addition, please share answers provided to the Senate Sub. 3 questions (raised in their February 5, 2021 hearing) with Subcommittee staff and the LAO.</p>

Staff Recommendation: Hold open all CHHS issues, pending action at the May Revision hearings.

4170 CALIFORNIA DEPARTMENT OF AGING (CDA)

ISSUE 2: GOVERNOR'S BUDGET CHANGE PROPOSALS AND TRAILER BILL PROPOSALS FOR CDA

BUDGET CHANGE PROPOSAL

Budget Change Proposal	Description	Questions, Requests, and Comments
Extend and Increase Funding for the Aging & Disability Resource Connection - \$5 M GF (\$4.65 M of which is Local Assistance for grants)	CDA requests a half-year augmentation of \$5 million General Fund in 2021-22 and a half-year augmentation of \$5 million General Fund in 2022-23 to maintain and expand the Aging & Disability Resource Connection (ADRC) Infrastructure Grants Program for a Statewide No Wrong Door (NWD) System subject to suspension on December 31, 2022 to provide older adults, people with disabilities, families, and their caregivers simplified access, navigation, and coordination of the services needed to age well in California. If not suspended, resources are requested to continue at an ongoing full-year funding level of \$10 million General Fund.	Action on this item will be part of a larger discussion on the suspension policy that was included in the 2020 Budget impacting many programs in the Health and Human Services areas.

TRAILER BILL LANGUAGE PROPOSAL

Title	Description	Questions, Requests, and Comments
Delay Aging and Disability Resource Connection Suspension and Senior Nutrition Program Augmentation Suspension	This proposal moves the suspension date pursuant to the larger suspension policy proposed in the Governor's Budget.	Action on this item will be part of a larger discussion on the suspension policy that was included in the 2020 Budget, impacting many programs in the Health and Human Services areas.

Staff Recommendation: Hold open all CDA issues, pending action at the May Revision hearings.

4700 DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT (CSD)

ISSUE 3: GOVERNOR’S BUDGET CHANGE PROPOSALS AND TRAILER BILL PROPOSALS FOR CSD

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TRAILER BILL LANGUAGE PROPOSAL

Budget Change Proposal	Description	Questions, Requests, and Comments
<p>Community Services Block Grant Income Eligibility (CSBG)</p>	<p>Under existing law, income eligibility for CSBG in California must not exceed 100% of the Federal Poverty Level (FPL). Federal law sets CSBG income eligibility at 100% FPL and gives states the authority to increase household income eligibility for CSBG up to 125% of FPL. However, under the 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act, states were given the additional flexibility to increase income eligibility to 200% of FPL for the supplemental funds appropriated under the Act. On August 24, 2020, Governor Newsom signed Executive Order N-75-20 temporarily increasing income eligibility levels for CSBG-funded services in California to 200% FPL. This Executive Order and increase in income eligibility is only in effect for the duration of the State of Emergency that began on March 4, 2020.</p> <p>This proposal would align CSBG income eligibility levels with the federal maximum on an ongoing basis. Aligning CSBG income eligibility levels with the federal maximum will ensure consistent program eligibility requirements for supplemental funds allocated under the CARES Act and the block grant allocations for FFYs 2020 and 2021. Absent this change, the expiration of the State of Emergency and the Executive Order, which temporarily increased CSBG income eligibility levels, would create significant programmatic challenges.</p>	<p>By permanently tying CSBG eligibility in California to the federal maximum allowable level, the change will allow local CSBG agencies to serve more low-income Californians. Aligning CSBG income eligibility at a higher federal maximum allowed will also enable CSBG agencies to provide CSBG funded services and activities more effectively.</p> <p>Absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>

Staff Recommendation: Hold open all CSD issues, pending action at the May Revision hearings.

5175 DEPARTMENT OF CHILD SUPPORT SERVICES (DCSS)

ISSUE 4: GOVERNOR’S BUDGET CHANGE PROPOSALS AND TRAILER BILL PROPOSALS FOR DCSS

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BUDGET CHANGE PROPOSALS

Budget Change Proposal	Description	Questions, Requests, and Comments
Child Support Payment Methodology Study – \$750k (\$255k GF) for 2-year contracts for consulting services	DCSS requests \$750,000 (\$255,000 General Fund) for two fiscal years to contract for consulting services for data analytics and research to provide more efficient services to child support program participants.	This issue is discussed in the Part I agenda for March 17, 2021 under Issue 1. Please see that agenda for discussion of the proposal, questions, and the recommendation on page 34 related to this issue.
Local Child Support Courts and Child Support Funding - \$23.8 M (\$8.1 M GF) on-going	DCSS requests \$23.759 million (\$8.1 million General Fund) in ongoing funding for the Child Support Commissioner and Family Law Facilitator Assembly Bill (AB) 1058 program and for critical program staffing and information technology needs.	This issue is discussed in the Part I agenda for March 17, 2021 under Issue 1. The issue is still pending consideration.

TRAILER BILL LANGUAGE PROPOSALS

Title	Description	Questions, Requests, and Comments
Local Child Support Service Agency (LCSA) E-Signature	This proposal would allow an LCSA without a current ability to electronically file documents with their court to: (1) utilize electronic delivery and electronic signature tools via the State’s electronic signature tool account; and, (2) once documents are returned fully executed, to paper file the electronically signed legal pleadings with their local court. DCSS states that offering technological advancements to case participants involved with the government and courts likely creates increased participation of the parties and timelier establishment or modification of parentage, child support orders, medical insurance, and other supplemental support for the children of California. It would also offer consistency in statewide practices so the recipients of services in every county in California benefit from more efficient processes. Additionally, case participants could avoid having to leave their residence to sign, mail, or submit in-person these types of documents, which has become increasingly important during the COVID-19 pandemic.	This issue is discussed in the Part I agenda for March 17, 2021 under Issue 1. While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.

Title	Description	Questions, Requests, and Comments
Performance Incentives	Current law provides that the 10 counties with the best performance standards shall receive an additional 5% of the state's share of those counties' collections that are used to reduce or repay aid that is paid under the California Work Opportunity and Responsibility to Kids (CalWORKs) program. Current law requires these additional funds received by a county to be used for specified child support-related activities and suspends the payment of this additional 5% for the 2002–03 to 2020–21 fiscal years, inclusive. This proposal would extend the suspension of the additional 5% payments through the 2021–22 and 2022–23 fiscal years.	This issue is discussed in the Part I agenda for March 17, 2021 under Issue 1. While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.

Staff Recommendation: Hold open all DCSS issues, pending action at the May Revision hearings.

5180 DEPARTMENT OF SOCIAL SERVICES (DSS)

ISSUE 5: GOVERNOR’S BUDGET CHANGE PROPOSALS AND TRAILER BILL PROPOSALS FOR DSS

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BUDGET CHANGE PROPOSALS

Budget Change Proposal	Description	Questions, Requests, and Comments
Adult Residential Facilities: Closures and Resident Transfers – \$1.1 M GF on-going, no positions	The California Department of Social Services (DSS) requests funding to implement policy changes associated with Assembly Bill (AB) 2377 (Chapter 146, Statutes of 2020) which will provide management and operation responsibilities on behalf of Adult Residential Facilities (ARF) when a facility owner forfeits their license or intends to close their facility, until a new licensee is established.	The BCP indicates that the funding is intended to support ten contracts annually to do this work. For DSS, provide additional details on what these contracts entail and how you arrived at the annual cost calculation to yield the \$1.1 M request.
CalFresh Operations Support – \$554k TF (\$332k GF) for 3 new permanent positions, and authorizing 19 permanent positions (already funded in DSS) which were previously redirected	DSS requests resources to effectively manage current CalFresh workload and increasing responsibilities, meet federal compliance, and maintain implementation of the CalFresh Confirm tool. DSS requests \$554,000 (\$332,000 General Fund), and \$521,000 (\$313,000 General Fund) ongoing, to support two (2.0) Staff Services Managers II (SSM IIs) to provide leadership over the CalFresh program and one (1.0) Information Technology Specialist II (ITS II) to manage and maintain the CalFresh Confirm tool. Additionally, this proposal requests position authority for nineteen (19.0) existing positions. The existing positions include one (1.0) SSM II, three (3.0) SSM Is, one (1.0) SSM I Specialist, one (1.0) Office Technician (OT), and thirteen (13.0) Associate Government Program Analysts (AGPA).	The workload outlined in the BCP appears justified. For DSS, provide a simple explanation on the prior redirection and how the funding works for this transfer of the 19 positions.

Budget Change Proposal	Description	Questions, Requests, and Comments
<p>California Child and Family Services Review Quality Assurance Support – \$499k TF (\$281k GF) for 3 new permanent positions</p>	<p>DSS requests resources to permanently establish additional positions for the expansion of workload activities. DSS requests resources for the support of the California Child and Family Services Review (CFSR) Quality Assurance (QA) in the form of two (2.0) permanent Associate Governmental Program Analysts, and one (1.0) permanent Staff Services Manager I.</p>	<p>It is unclear from the BCP how many current positions currently work on outcomes regarding the CFSR and on what position base this request builds (it appears to be 15 currently authorized positions from the org chart included in the BCP). For DSS, provide more information on the context for the request and specify what new activities these staff will perform that are currently not addressed by the existing staff. Explain if the quality assurance feature is entirely new or has it been performed previously and how.</p>
<p>CalWORKs Homeless Assistance Program Resources – \$260k TF (\$38k GF) for 1.5 new permanent positions</p>	<p>DSS requests resources to effectively implement the policy changes associated with Senate Bill (SB) 1065 (Chapter 152, Statutes of 2020) which requires ongoing, high-quality technical assistance and oversight to counties through the Homeless Assistance Program. SB 1065 makes ten distinct changes to the HA program, which include to repeal the \$100 asset limit, redefine eligibility criteria, require same-day payments, and expand the availability of HA benefits for applicants that are fleeing domestic violence.</p>	<p>This issue is discussed in the Part I agenda for March 17, 2021 under Issue 3. A recommendation was made in that Issue for DSS to create a Housing and Homeless Data Bank to help answer questions like, “what proportion of families served are at risk of losing their housing, are facing eviction, or are homeless” so that we can manage and make changes that reduce rates of housing risk and homelessness more directly. Staff requests a follow up conversation on the Subcommittee request and how the BCP may relate. Additionally, please provide a resource history for context.</p>

Budget Change Proposal	Description	Questions, Requests, and Comments
<p>CalWORKs Housing Support Program Resources – \$350k TF (\$178k GF) for 2 new permanent positions</p>	<p>DSS requests one (1.0) Staff Services Manager I (SSM I) and one (1.0) Associate Governmental Program Analyst (AGPA) to support the ongoing policy implementation and intensive technical assistance for the CalWORKs Housing Support Program. DSS requests one AGPA position and one SSM I to support ongoing increases in technical assistance and policy development for the CalWORKs HSP. The requested AGPA will be involved in, but not limited to, drafting new regulations pertaining to the HSP, circulating for review by all levels of management, and drafting memorandums and other various documents related to regulations development while the SSM I will be assisting with county inquiries, reviewing legislation, coordinating department meetings, etc. This program has a \$95 million annual budget (ongoing) and 53 participating counties, an increase in 33 counties and \$75 million since the program was implemented. These HSP positions will support the larger county caseload, as well as the ongoing policy and program guidance needs, critical to support the strongest program possible to combat family homelessness, especially given the public health and economic challenges faced by families in poverty and served through the CalWORKs program. HSP state operations have remained stagnant over the past six years and this proposal requests resources to support the ongoing workload necessary to successfully administer HSP.</p>	<p>The resource history in this BCP shows that the 2 requested positions are being added to a current group of 5 staff who work on HSP (for administration, please confirm or correct if needed). A recommendation was made in that Issue for DSS to create a Housing and Homeless Data Bank to help answer questions like, “what proportion of families served are at risk of losing their housing, are facing eviction, or are homeless” so that we can manage and make changes that reduce rates of housing risk and homelessness more directly. Staff requests a follow up conversation on the Subcommittee request and how the BCP may relate.</p>
<p>Children’s Residential Facilities and Reducing Law Enforcement – \$399k TF (\$334k GF) to extend 3 current limited-term positions for an additional two years</p>	<p>DSS requests an extension of limited-term resources to continue reducing the use of law enforcement to manage the behavior of foster youth within care facilities. DSS requests the extension of three limited-term Licensing Program Analysts (LPA). The requested LPA resources are set to expire June 30, 2021.</p>	<p>For DSS, why not make these positions permanent? Provide the rationale for the limited-term extension.</p>
<p>Children’s Services Policy and Program Support – \$9.8 M TF (\$6.7 M GF) for 56 permanent positions (34 are current limited-term and 22 are new)</p>	<p>DSS requests resources to effectively manage current workload and increasing responsibilities, ensure state and federal compliance, and continued implementation of the Continuum of Care Reform and Part IV of the federal Families First Prevention Services Act. California Department of Social Services (CDSS) requests to permanently authorize and fund 34 existing limited-term positions and 22 new positions for a total of 56 positions. The requested positions will focus on strengthening child safety, addressing the quality of care, and supporting performance-informed decisions with the use of data.</p>	<p>The CWS/CCR/FFPSA issue is discussed in the Part I agenda for March 17, 2021 under Issue 1. A recommendation was made on page 76 for a Working Group this spring to continue to discuss these issues and develop the state’s response that will ultimately be included in the 2021 Budget. This BCP will be considered with that overarching discussion.</p>

Budget Change Proposal	Description	Questions, Requests, and Comments
Community Care Licensing Resources – \$2.3 M TF (\$1.9 M GF) for 17 new permanent positions	DSS requests permanent position authority to address the timeliness in processing of Adult and Senior Residential Care facility applications and to assist with complaint investigations for the Adult and Senior Care Program and the Children’s Residential Program. DSS requests to make permanent 13.0 Licensing Program Analysts (LPA) and 4.0 Associate Governmental Program Analysts (AGPA) to address ongoing complaint investigations workload and reduce license application processing time.	For DSS, provide a simple table showing where the new, proposed positions will reside and the context (or the current authorized and filled positions) for which this BCP is seeking to augment.
COVID-19 Direct Response Expenditures	DSS Component of larger BCP -- DSS requests to make permanent 13.0 Licensing Program Analysts (LPA) and 4.0 Associate Governmental Program Analysts (AGPA) to address ongoing complaint investigations workload and reduce license application processing time. The Administration proposes \$1.8 billion one-time General Fund in fiscal year 2021-22 for various departments related to estimated direct response expenditure costs to continue responding to and mitigating the impacts of the COVID-19 Pandemic. In addition, it is requested that budget bill language be added to address the remaining uncertainties as the state continues its response to the COVID-19 Pandemic.	This BCP is being heard in detail by Sub. 6 on March 18, 2021. Ultimate action on this BCP is likely to occur in Sub. 6 or in the full Budget Committee, and not in Sub. 1.
Electronic Visit Verification Continuation – \$1.2 M GF for the one-year extension of 7.5 positions	DSS requests an extension of limited-term resources needed for the ongoing support of Electronic Visit Verification implementation and support for the new direct deposit and/or pay card mandate for In-Home Supportive Services program providers. DSS requests one-year, limited-term funding to support one (1.0) Staff Services Manager (SSM) I, five (5.0) Associate Governmental Program Analysts (AGPAs), one (1.0) Attorney III, and one half (0.5) Legal Secretary, for the ongoing implementation of Electronic Visit Verification (EVV) and the new direct deposit and/or pay card mandate for In-Home Supportive Services (IHSS) providers. CDSS was previously granted two-year limited-term funding for the implementation of EVV, which is set to expire on July 1, 2021. This proposal is requesting to extend funding for one additional year, until June 30, 2022.	For DSS, provide an explanation of the rationale for the one-year nature of the proposal, and does this proposal change in accordance with the schedule shift that DSS recently announced for EVV.
Equal Employment Opportunity Office Resources – \$320k TF (\$139k GF) for 2 new permanent positions	DSS requests permanent resources to address increased workload in the Department’s Equal Employment Opportunity Office. DSS requests two (2.0) permanent Associate Governmental Program Analyst (AGPA) positions to address increased workload in the Department’s Equal Employment Opportunity (EEO) Office.	The resource history in this BCP shows that the 2 requested positions are being added to a current group of 8 staff who work on HSP (for administration, please correct if needed). Absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.

Budget Change Proposal	Description	Questions, Requests, and Comments
<p>Immigration Services Operations Support – \$316k GF for 2 new positions for a 3-year limited term</p>	<p>DSS requests resources to maintain critical services and support workload associated with the Immigrant Integration Branch. DSS requests three year limited-term funding equivalent to two (2.0) Associate Governmental Program Analyst (AGPA) positions to meet immigrants’ needs given the ongoing emergent situations such as COVID-19 and wildfires.</p>	<p>The resource history in this BCP shows that the 2 requested positions are being added to a current group of 15 authorized staff (for administration, please correct if needed). Absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>
<p>Monitoring and Oversight of Child Welfare Services Data Quality for CWS/CMS CARES – \$767k (\$441k GF) to make 5 current limited-term positions permanent</p>	<p>DSS requests permanent resources to perform field monitoring of county child welfare data quality to comply with federal regulations. DSS requests to make permanent five limited-term staff: one (1.0) Staff Services Manager I and four (4.0) Associate Governmental Program Analysts to provide oversight and monitor data required for child welfare reporting purposes.</p>	<p>For DSS, are these the only staff dedicated to this work currently? If not, please provide a resource history for context.</p>
<p>Office of Equity: Language Access Resources – \$920k (\$797k GF) for 4 new permanent positions</p>	<p>DSS requests ongoing resources to comply with language access requirements. DSS requests ongoing resources for one (1.0) Staff Services Manager I (SSM I) and three (3.0) Associate Governmental Program Analysts (AGPA) to comply with language access requirements through the implementation of a department-wide language access policy.</p>	<p>The BCP states that these new positions are being added to the current 7 in the Language Services Unit. For DSS, provide more information on how this investment is related to creating a department-wide language access policy. Can it effectively do so with this relatively small addition of staff given the workload attested to in the BCP?</p>
<p>Office of the Foster Care Ombudsperson – \$949k (\$765k GF) for 6 current limited-term positions to be made permanent</p>	<p>DSS requests permanent resources to support the increasing workload of the Office of the Foster Care Ombudsperson. DSS requests six (6.0) limited term resources be made permanent. The previously approved limited term resources included one (1.0) Staff Services Manager II (SSM II), one (1.0) Staff Services Manager I (SSM I), four (4.0) Associate Governmental Program Analysts (AGPAs).</p>	<p>The resource history in this BCP shows that the 6 requested positions are currently part of a total 10.3 authorized positions for the Office of Foster Care Ombudsman (for administration, please correct if needed). Absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>

Budget Change Proposal	Description	Questions, Requests, and Comments
Office of Tribal Affairs Support – \$450k (\$281k GF) for 3 permanent positions (unclear if this is an effective extension of current resources or if these are new positions)	DSS requests permanent resources for the Office of Tribal Affairs to address the workload associated with integrating tribal considerations throughout the Department. DSS requests three (3.0) permanent Associate Governmental Program Analysts (AGPA) to address the workload related with integrating tribal consideration throughout the Department.	Staff requests a discussion with DSS and representatives of the California Rural Indian Health Board to discuss the funding condition for the 36 CalWORKs Indian Health Clinic sites. They have made a request for a restoration of a 2008 cut for several years and how it and other funding issues like it that relate to this BCP and efforts at DSS to integrate tribal considerations into workload is relevant.
Child Care Transition – transfer of \$31.7 M (\$0.9 M GF) and 185.7 positions	This proposal requests to transfer resources associated with administering and overseeing multiple Child Care Programs from the California Department of Education (CDE) to the Department of Social Services.	This BCP and issue is being heard in Sub. 2 and the action for it will ultimately take place there.

TRAILER BILL LANGUAGE PROPOSALS

Title	Description	Questions, Requests, and Comments
In-Home Supportive Services Residual Program Eligibility Requirements	This trailer bill language proposes to expand the In-Home Supportive Services-Residual (IHSS-R) Program eligibility requirements to include individuals eligible for full-scope Medi-Cal, but who are not eligible for federal financial participation (FFP) due to their immigration status. With the passage of AB 79 (Committee on Budget, Chapter 11, Statutes of 2020) and SB 104 (Committee on Budget and Fiscal Review, Chapter 67, Statutes of 2019), undocumented adults, 19 to 25 years of age, who meet Medi-Cal eligibility but are ineligible due to their immigration status, are permitted to receive full-scope Medi-Cal services. IHSS is included in these Medi-Cal services, but since the individuals will not be eligible for FFP, the IHSS services are funded through the IHSS-R program. The 2021-22 Governor’s Budget includes \$27.5 million total funds for service costs and \$1.2 million total funds for administration costs in FY 2020-21, as well as \$44.1 million total funds for service costs and \$1.8 million total funds for administration costs in FY 2021-22 (all funds are 100 percent General Fund).	Related issues are discussed in the Part I agenda for March 17, 2021 under Issue 5. There will need to be on-going discussions about statute regarding the IHSS Residual program, to which this proposed TBL will conform.

Title	Description	Questions, Requests, and Comments
Statewide Restaurant Meals Program Extension	This trailer bill language proposes to provide DSS with authority to extend the September 1, 2020, implementation date of the statewide Restaurant Meals Program (RMP) to the proposed September 1, 2021, implementation date. The Access to Safe Food Choices and Food Security Act of 2019 requires the Department, to the extent permitted by federal law and in consultation with various stakeholders, to establish a statewide RMP and to implement these provisions on or before September 1, 2020. There is no BCP or Premise Item associated with this TBL. There is no additional local assistance fiscal impact. The RMP stakeholder engagement efforts would be handled at the state level by current staff, to the extent current workload allows.	While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.
Refugee Support Services Funding	This trailer bill language proposes to provide DSS with the authority and discretion to allocate (a) declined or returned Refugee Support Services (RSS) funding and (b) supplemental or targeted funding from the Office of Refugee Resettlement (ORR) to other service areas (i.e., refugee-impacted counties or qualified nonprofit organizations). There is no additional fiscal impact from this TBL. Per Welfare and Institutions Code (WIC) Section 13276, California allocates appropriated federal funds for refugee social services programs to each eligible county and, if the Department exercises its discretion, to a qualified nonprofit organization, based on the number of refugees receiving aid in the eligible county or the number of refugees that reside in the eligible county. If a county declines or returns funding, CDSS does not have the authority to use this funding for other counties with identified needs. WIC Section 13276 requires CDSS to distribute all RSS funding, including the annual appropriation from ORR and any declined or returned funds proportionally to all eight refugee-impacted counties. There are no applicable waivers or other authority that would allow deviation from the statute's proportional distribution system. Funding for Refugee Social Services is included in the 2020-21 Appropriation on line 142 of the Local Assistance Estimates Tables. The amount budgeted for this item is \$14.9 million in FY 2020-21.	While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.

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<p>CalFresh Overissuance Timeframe Adjustment</p>	<p>This trailer bill language provides DSS with the authority to implement new timeframes for establishing and calculating CalFresh over issuance (OI) claims. Currently, California counties are required to establish a claim for any household which had an OI which was discovered within 36 months of the OI occurrence. Counties are also required to look back 36 months from the date the OI was discovered to calculate the amount of the claim. The decision in <i>Brown and Espinosa-Tapia v. Lightbourne</i> mandates that 36 months is the maximum time for both establishment and calculation. This will result in a small amount of foregone revenue related to California Food Assistance Program (CFAP) collections which will not be established. CFAP issuances are approximately 0.7 percent of CalFresh issuances, and OIs are not reflected directly in the local assistance budget.</p>	<p>While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>
<p>Supplemental Nutrition Assistance Program (SNAP)/CalFresh Waiver Authority</p>	<p>This trailer bill language provides DSS with the authority to implement federally approved waivers under the Supplemental Nutrition Assistance (SNAP) Program via All County Letter (ACL), All County Information Notice (ACIN), and/or All County Welfare Directors Letter (ACWDL), with the intention to adopt regulations for long-term waivers lasting more than 18 months into the Manual of Policies and Procedures (MPP) and no requirement to adopt regulations for short-term waivers. SNAP is called CalFresh in California. The Department frequently requests federal waivers from the United States Department of Agriculture, Food and Nutrition Service to waive certain SNAP provisions. Federal waivers allow for flexibility in administering CalFresh, and result in a more effective and efficient administration of the program. There is no BCP or Premise Item associated with this TBL. There is no additional local assistance fiscal impact.</p>	<p>While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>
<p>Client Notification of Benefit Eligibility</p>	<p>Current law permits the release of a list of applicants for, or recipients of, public social services, or any other records, only when requested by a county welfare department or DSS, and used only for purposes directly connected with the administration of public social services. This proposal would additionally permit those lists and records to be used to notify a public social services recipient of their potential eligibility for other benefits and services not administered by DSS, including, but not limited to, education, and access to critical public health services and poverty-alleviating benefits, as determined by DSS.</p>	<p>While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>

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Licensing Administration Certification Program Fees	<p>This trailer bill language proposes to modify the fee structure for the Administrator Certification Program (ACP) to maintain solvency of the Certification Fund. The modification of ACP fees is necessary to address insolvency of the Certification Fund, projected to occur in Fiscal Year 2022-23. Fees for ACP have not changed since the inception of the program in 1991. Since 1991, sixteen laws have created ongoing unfunded workloads for ACS. For example, Assembly Bill 403 (Stone, Chapter 773, Statutes of 2015) implemented the Continuum of Care Reform initiative, which created Short Term Residential Treatment Programs (STRTP). This law created an unfunded workload for ACS to: (1) process vendor applications and course requests; (2) develop a new examination; and (3) process STRTP administrator certification applications. The proposed increase of application processing fees by 10 percent each year for a four-year period and adding new fees for administrator certification examinations, and vendor training courses will help to replenish the Certification Fund, aid in funding ACP operational costs and invest in the long-term growth in the program.</p>	<p>While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>
Approved Relative Caregiver Funding Program Eligibility: Out-of-State Relative Caregivers	<p>This trailer bill language proposed to allow children and nonminor dependents to participate in the Approved Relative Caregiver Funding Program if they are placed out of state. The Approved Relative Caregiver (ARC) Funding Program was designed to provide payments to caregivers of children and nonminor dependents, who are not eligible for AFDC-FC payments. ARC payments are comprised of the applicable CalWORKs payment and supplemental general funds to bring the payment amount up to what the child or youth would receive were they covered by Aid to Families with Dependent Children - Foster Care (AFDC- FC) funding. Welfare and Institutions Code Section 11461.3 established the ARC Funding Program and outlined the eligibility requirements for a child or nonminor dependent to receive payments. The current language excludes children and nonminor dependents who are placed with a relative outside of California, creating an inequity for these youth and their caregivers. The 2021-22 Governor's Budget includes \$34 million General Fund for ARC programs. The estimate has two components: an ARC estimate and a CalWORKs estimate. Because the TBL requires the child to be a CA resident, the CalWORKs payment will come from CDSS' budget. This is because the state of residency is responsible for the CalWORKs payment. For the ARC estimate, with 308 children per year residing outside of CA, the General Fund (GF) impact per year is \$1.87 million.</p>	<p>While there are no obvious concerns with the language at this time, the proposal is still pending consideration and the language will need to be carefully reviewed as part of the trailer bill process. With that said, absent Member questions or input from the public relating to this proposal in this hearing, staff recommends that this item be considered as part of a vote-only calendar whenever actions are taken.</p>

Title	Description	Questions, Requests, and Comments
Federal Family First Prevention Services Act Implementation	This trailer bill language proposes to begin implementation of Parts I and IV of the federal Family First Prevention Services Act (FFPSA). This is a very extensive and technical proposal, crossing many subjects such as prevention services, licensing requirements, emergency placements, court review, interagency placements, child probation services, and the definition and role of "Qualified Individual."	The CWS/CCR/FFPSA issue is discussed in the Part I agenda for March 17, 2021 under Issue 1. A recommendation was made on page 76 for a Working Group this spring to continue to discuss these issues and develop the state's response that will ultimately be included in the 2021 Budget. This language will be considered with that overarching discussion.
Transition of Child Care Programs	The administration recently released its draft of this proposed trailer bill.	Akin to the BCP on this issue, this trailer bill proposal is being heard in Sub. 2 and the action for it will ultimately take place there.

Staff Recommendation: Hold open all DSS issues, pending action at the May Revision hearings.

PUBLIC COMMENT

PUBLIC COMMENT WILL BE TAKEN ON ALL ITEMS (FOR PART I ISSUES AND FOR THIS AGENDA, PART II) AT THE CONCLUSION OF ALL PANELS AND SUBSEQUENT DISCUSSION WITH MEMBERS IN THE HEARING