

INITIAL STATEMENT OF REASONS

a) Section 40-129.412

Specific Purpose:

This section is amended to expand the allowable types of interviews of applicants by removing the reference to the face-to-face interviews.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code (WIC) section 11052.5, as amended by Senate Bill (SB) 947, which expanded the interview requirement by adding the option of conducting the interview telephonically or by other electronic means. This amendment allows the County Welfare Departments (CWDs) to conduct the Immediate Need (IN) interviews in person, telephonically, or by other electronic means.

Section 40-129.534(k)(2)

Specific Purpose:

This section is amended to expand the interview requirement by removing the reference to face-to-face interviews.

Factual Basis:

This amendment is necessary to comply with WIC section 11052.5, as amended by SB 947, which allows CWDs the additional options of conducting IN interviews telephonically or by other electronic means. The proposed amendment removes the reference to the face-to-face interview because interviews may be conducted telephonically or by other electronic means.

Section 40-131.11

Specific Purpose:

This section is amended to include telephonic and electronic options for interviewing applicants.

Factual Basis:

This amendment is necessary to comply with WIC section 11052.5, as amended by SB 947, which expanded the interview requirement by providing CWDs the option of conducting the interview telephonically or by other electronic means, in addition to face-to-face.

Section 40-131.111

Specific Purpose/Factual Basis:

This section is adopted to define "face-to-face" and to differentiate it from other forms of interviews such as telephonic and electronic.

Section 40-131.112

Specific Purpose/Factual Basis:

This section is adopted to comply with WIC section 11052.5, as amended by SB 947, and provide clarity when the words "telephonic" and "electronic" are used in this regulation. For the purposes of the CalWORKs program, a telephonic interview shall be classified as a form of electronic interview. Electronic interviews shall be limited to audio or video conferencing where the CWDs are able to hear or see the person being interviewed.

Section 40-131.113

Specific Purpose:

This section is being adopted to clarify that the face-to-face interview remains an option for conducting the CalWORKs application interview when the CWDs deem it necessary. This allows a CWD that has chosen to conduct interviews telephonically or electronically to continue to conduct face-to-face interviews on a case-by-case basis if the CWD determines that it is best practice for working with and assisting families in receiving assistance quickly.

Factual Basis:

This revision is necessary to provide clarification that a face-to-face interview remains an option if the CWDs feel it is best practice for working with and assisting families in receiving assistance quickly. This section provides CWDs the latitude to assess which application interview method is suitable for the applicant such as, but not limited to, situations where language is a barrier and/or where the client would benefit from a face-to-face interview. CalWORKs application interview requirements must still be followed regardless of how the interview is conducted.

Section 40-131.114

Specific Purpose:

The section is adopted to require CWDs electing to conduct telephonic or electronic interviews to submit a set of procedures in its county plan that ensures applicants whose interviews are conducted telephonically or through other electronic means are provided the same information as applicants interviewed face-to-face.

Factual Basis:

This adoption is necessary to comply with WIC section 11052.5(b)(2), as amended by SB 947. WIC section 11052.5(b)(2) requires that a county electing to conduct the interview telephonically or through other electronic means shall include a set of procedures in its county plan that ensures face-to-face clients are provided with the same information regardless of how the interview is conducted.

Section 40-131.115

Specific Purpose:

This section is adopted to require CWDs to conduct the telephonic or electronic interviews within seven working days after the time of the application, unless there are extenuating circumstances.

Factual Basis:

This adoption is necessary to comply with WIC section 11052.5(d), as amended by SB 947. WIC section 11052.5(d) requires that the interview be conducted within seven days after the time of application unless there are extenuating circumstances. IN interviews must be conducted sooner than seven days after the time of application. If the applicant requests an IN payment and indicates that the family has an emergency, as defined in Section 40-129.13, the county must conduct an IN interview no later than the next working day following the date the IN request is received, pursuant to Section 40-129.41. This revision will allow CWDs to continue to conduct interviews timely.

Section 40-131.116

Specific Purpose:

This section is adopted to specify that CWDs shall conduct a face-to-face interview if requested by an applicant.

Factual Basis:

This adoption is necessary to comply with WIC section 11052.5(e), as amended by SB 947. WIC section 11052.5(e) requires that if a county elects to conduct the personal interview to determine eligibility telephonically or through other electronic means, the county shall conduct a face-to-face interview instead if requested by an applicant.

b) Identification of Documents Upon Which Department Is Relying

SB 947 (Chapter 798, Statutes of 2016) and WIC section 11052.5

c) Local Mandate Statement

These regulations do not impose a mandate upon local agencies or on school districts. There are no state-mandated local costs in this order that require reimbursement under the laws of California

d) Statement of Alternatives Considered

In developing the regulatory action, CDSS did not consider alternatives because the department is legally bound to implement the WIC section 11052.5, as required by SB 947 (Chapter 798, Statutes of 2016).

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

e) Statement of Significant Adverse Economic Impact on Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made because the proposed regulations only added a county option to conduct the CalWORKs application interview via telephone or other electronic means, which only affects individuals applying for the CalWORKs program.

f) Economic Impact Assessment

The proposed amendments are not expected to have a direct impact on the creation or elimination of jobs, nor result in the elimination or expansion of

existing businesses within the State of California. The proposed amendments only affect individuals applying for the CalWORKs program.

Creation or Elimination of Jobs Within the State of California

The adoption of the proposed regulations will neither create nor eliminate jobs in the State of California. The proposed regulations implement the above-mentioned statutes and only affect individuals applying for the CalWORKs program. SB 947 expanded the interview requirement to allow interviews to be conducted either face-to-face, telephonically, or by other electronic means.

Creation of New or Elimination of Existing Businesses Within the State of California

The adoption of the proposed regulations will neither result in the creation of new businesses nor elimination of existing businesses in the State of California. The justification for this statement is that the proposed regulations implement the above-mentioned statutes and only affect individuals applying for the CalWORKs program.

Expansion of Business Within the State of California

The adoption of the proposed regulations will not result in the expansion of businesses in the State of California. The proposed regulations only affect individuals applying for the CalWORKs program. SB 947 expanded the interview requirement to allow interviews to be conducted either face-to-face, telephonically, or by other electronic means.

Benefits of the Regulations

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows: the amended and adopted regulations will increase the likelihood of stable families moving towards self-sufficiency, resulting in a positive economic impact to the state. There are no additional benefits for worker safety or the state's environment, as the regulations only affect individuals applying for the CalWORKs program.

Documents Relied Upon

SB 947 (Chapter 798, Statutes of 2016) and WIC section 11052.5.

g) Benefits Anticipated from Regulatory Action

The amended and adopted regulations will improve client experience by expanding the methods by which interviews may be conducted. This will provide

more options for individuals who may have difficulty coming to county offices in person to interview face-to-face. This in turn will increase the number of individuals who are able to access necessary benefits, which may eventually lead to future self-sufficiency.

h) Statement of Specific Technology or Equipment

This regulatory action will not mandate the use of new, specific technologies or equipment; however, CWDs may elect to establish the use of Interactive Voice Response (IVR) technology. By using IVR and a unique identifier, CWDs add another layer of security and identity protection for the client.