

CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE
California Update

Volume 6

Issue 2

August 1, 2002

Bills and Resolutions Affecting Immigrants Make Their Ways through the California Legislature

A number of important bills affecting immigrant communities are making their ways through the legislature in Sacramento. They affect a wide range of areas, such as health and human services, workers' rights, and language access. As this issue of CALIFORNIA UPDATE went to press, many bills were in committee for review. For information on bills, see future updates from the California Immigrant Welfare Collaborative or go online at www.leginfo.ca.gov. The following is a review of bills important to immigrant communities statewide:

SB 987 (Escutia). This bill would ensure proper implementation and enforcement of the Dymally-Alatorre Bilingual Services Act. Since 1973, the act has required state and local agencies to offer their services in languages other than English when there is a significant need. The

bill has received support from the Senate and recently cleared its first Assembly hurdle, passing out of the Assembly Committee on Business and Professions by a 6 to 1 vote. The bill will next be heard before the Assembly Committee on Appropriations. CIWC is requesting endorsements on SB 987 from organizations statewide.

AB 60 (Cedillo). This bill would allow immigrants who are applying for a lawful immigration status to apply for a driver's license. The bill

Please see "Legislative Update," page 2, column 1

L.A. County Launches Plan to Provide Health Care to Uninsured Children, Regardless of Status

The Los Angeles County Children and Families First Commission has approved and funded a plan to provide health coverage to many uninsured L.A. County resident children. The program, called Healthy Kids, was approved on July 11, 2002. It will cover children in families with incomes below 300 percent of the federal poverty level who are not eligible for Medi-Cal or Healthy Families, regardless of their immigration status. Revenues from Proposition 10 will fund the program for children up to 5 years of age. While working on the program's implementation, commission staff are seeking other funding partners to extend coverage to children through age 18.

The new Los Angeles Healthy Kids is modeled after the successful Healthy Kids program in Santa Clara County. Like Santa Clara Healthy Kids, the L.A. County program will promote eligible children's enrollment in MediCal and Healthy Families by conducting combined outreach for the three programs. The program will also promote a message of universal health coverage for all county children. The importance of the L.A. County program is magnified by the county health system's funding crisis, which will reduce the availability of county-funded care for low-income uninsured persons.

Other California counties, including Riverside, San Mateo, and Orange, are exploring or planning local health coverage programs as a response to their communities' unmet health needs.

ELECTRONIC BENEFITS TRANSFER

State to Begin Implementing Electronic System for Benefits

California is gearing up to implement an electronic system for distributing food stamp benefits, under a provision in the 1996 welfare law that mandates all states to do away with paper-issued coupons. Among the last of states to set up its electronic benefits transfer (EBT) system, California is proceeding under a waiver from the federal government. The welfare law required all states to be using an EBT system by October 2002. The state will begin transitioning to the new system on Aug. 1, 2002, with pilot programs set to start in Alameda and Yolo Counties.

The EBT makes use of a plastic debit-like card that benefits recipients would use to access food stamp benefits and, in some cases, cash welfare. Food stamp recipients will access benefits through point-of-sale (POS) terminals at grocery stores, large retailers, and convenience stores. After each transaction, clients will receive a receipt that shows the remaining balance of their monthly benefit. Consumers in Alameda County will also be able to use the plastic EBT card to access cash benefits at automated teller machines. Some of these transactions will have surcharges attached. Clients will also have to pay an 85¢ "transaction fee" if they make more than four cash-only benefit withdrawals during any given month.

As with ATM cards, EBT users will choose a personal identification number (PIN) that will be entered at each transaction. If recipients cannot use the electronic card, they can authorize a family member or friend to use it for them. A small number of welfare clients will be

Please see "EBT System," page 2, column 1

THE CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE IS A JOINT PROJECT OF

Asian Pacific American Legal Center of Southern California • Coalition for Humane Immigrant Rights of Los Angeles
National Immigration Law Center • Services, Immigrant Rights, and Education Network

COLLABORATIVE SACRAMENTO OFFICE: 926 "J" Street, Suite 701, Sacramento, CA 95814 • 916.448.6762 • fax 916.448.6774

TO RECEIVE "CALIFORNIA UPDATE" AND OTHER COLLABORATIVE MATERIALS, REQUEST "CIWC SIGN-UP" FROM
National Immigration Law Center, 3435 Wilshire Blvd., Suite 2850, Los Angeles, CA 90010 • 213.639.3900 • fax 213.639.3911

Legislative Update *(continued from page 1)*

currently sits in the Assembly inactive file, pending further negotiations between its author, Assemblyperson Gil Cedillo, and Governor Gray Davis as well as representatives of law enforcement. The governor's office has proposed several restrictive amendments that are opposed by CIWC, including criminal background checks and unique licenses for immigrants only. CIWC will provide regular updates on this important legislation.

Health and Human Services Bills. In the area of health and human services, CIWC supports AB 1947 (Washington), which would exempt individuals enrolled in drug treatment programs from a lifetime ban on CalWORKs and food stamp eligibility; AB 2836 (Keeley), which extends the 18 to 24-month time limit for CalWORKs participants in education or training programs under specific circumstances; SB 59 (Escutia), which would fund projects for homeless and immigrant children; and SB 1654 (Burton), which would create a state Office of Homelessness. All these bills are scheduled to be heard before either the Assembly or Senate Appropriations committees when the legislature reconvenes.

Language Access Bills. In addition to SB 987, CIWC supports two other bills related to language access: AB 2739, which would codify and make more uniform the cultural and linguistic requirements for health plans that participate in Medi-Cal managed care and the Healthy Families program; and AB 3035, which, among its other provisions, clarifies that programs operated or funded

by state agencies are prohibited from discriminating on the basis of race or national origin.

Immigrants' and Workers' Rights. CIWC is urging support for several bills, including AB 2837 (Koretz), which would require CalOSHA to provide bilingual services during investigations, prepare materials in languages other than English, and impose more severe civil and criminal penalties for violations. (CalOSHA is the state agency charged with enforcing workplace safety laws.) CIWC is also supporting SB 1818 (Romero), which would mitigate the adverse impact of the Supreme Court's recent decision in *Hoffman Plastic Compounds, Inc. v NLRB* by assessing meaningful penalties against exploitative employers who violate the rights of immigrant workers, regardless of immigration status. Other bills that CIWC is supporting include AB 116 (Nakano), which would create a state Asian Pacific Islander American Advisory Commission, and SB 1736 (Burton), which would allow thousands of California farm workers to use binding arbitration to negotiate contracts with their employers. These bills are all set to be heard in committee later this summer.

In addition, CIWC is supporting two resolutions, AJR 57 (Firebaugh and Cedillo) and ACR 229 (Firebaugh and Diaz). AJR 57 formally expresses the legislature's concerns about the use of state and local law enforcement agencies to enforce immigration laws. ACR 229 urges cities and counties throughout California to accept the Mexican consular identification cards known as "matricula consular" as an official form of identification. These two resolutions will also be heard in committee.

EBT System *(continued from page 1)*

allowed to "opt out" of using the EBT for cash benefits only if they demonstrate their inability to use the system. In the case of food stamps, the only alternative is to designate an "authorized representative" because of the federal law's mandate regarding the use of the EBT.

Proponents of the system claim it reduces fraud, lessens paperwork, de-stigmatizes the use of welfare, and saves low-income people from paying fees to cash their welfare checks. However, immigrants' rights advocates and others have voiced a number of concerns about the transition to the EBT. Foremost among these worries is that EBT implementation will not account for the needs of clients who speak little or no English, who shop primarily at ethnic businesses, and who may have trouble finding ATMs in their communities. Accordingly, advocates are urging state and county officials to undertake broad outreach efforts to include ethnic businesses in the program. Nonetheless, advocates fear that even with comprehensive outreach and educational efforts, immigrants may still lose benefits in the transition and have difficulty getting help to correct any problems with the system.

To allay some of those concerns, state officials have stated that help to deactivate a stolen or lost card will be available to clients in 11 languages via a 24-hour automated 800 number. The 11 languages are English, Spanish, Cantonese, Vietnamese, Cambodian, Russian, Hmong, Lao, Farsi, Mandarin, and Eastern Armenian. Help from a live customer service representative will be much more limited. English, Spanish, Cantonese, Vietnamese, Cambodian, and Russian speakers will be able to speak with

customer service personnel, but others (e.g., speakers of Korean, Punjabi, and Bosnian) will have to find someone to translate for them or go to a county welfare office to get help with EBT-related problems.

Alameda County is distributing materials on the EBT prepared by the state and supplementing them with its own literature. The county is also setting up walk-in training centers. In Alameda County, new food stamp recipients are already being signed up to receive the benefits card, which they and other welfare recipients will use to access food stamps and CalWORKs or General Assistance benefits. Current clients have received six notices advising them of the transition to the EBT.

Advocates have also raised concerns about the confidentiality of information fed into the system. State officials have said that the EBT, which will be run by Citicorp, will be governed by the same privacy rules under which agencies that distribute welfare benefits operate. In addition, state officials have assured advocates that no additional information will be required to create an EBT account than what is already submitted to the benefits agencies when a welfare case is opened.

The program will be implemented in Santa Clara, Contra Costa, Solano, Sonoma, and Santa Cruz Counties in December 2002. San Francisco and San Mateo Counties are scheduled to start using the EBT in February 2003. Los Angeles will conduct an EBT pilot program early next year but has yet to determine a formal startup date. According to state officials, all of California's 58 counties will complete implementation of the EBT by April 2004. Approximately 1.8 million Californians receive food stamps throughout the state.