

Introduced by Senator LenoFebruary 27, 2009

An act to amend Section 10830 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 718, as introduced, Leno. Public social services: CalWORKs and the Food Stamp Program.

Existing law requires the State Department of Social Services and the California Health and Human Services Agency Data Center to design, implement, and maintain a statewide fingerprint imaging system for use in connection with the determination of eligibility for benefits under the CalWORKs program, excluding the Aid to Families with Dependent Children-Foster Care program, and the Food Stamp Program. Existing law, with specified exceptions, requires applicants for, and recipients of, CalWORKs and Food Stamp Program benefits, as a condition of eligibility, to be fingerprint imaged, pursuant to the statewide fingerprint imaging system.

This bill would, instead, require the department and the Office of Systems Integration to design, implement, and maintain the system. The bill would require the fingerprint imaging system to apply to use under the Food Stamp Program only to the extent the applicants for, or recipients of, food stamps also apply for or receive designated nonhealth benefits associated with county aid and relief to indigents.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10830 of the Welfare and Institutions
2 Code, as amended by Section 241 of Chapter 179 of the Statutes
3 of 2008, is amended to read:

4 10830. (a) The department and the ~~Health and Welfare Data~~
5 ~~Center~~ *Office of Systems Integration* shall design, implement, and
6 maintain a statewide fingerprint imaging system for use in
7 connection with the determination of eligibility for benefits under
8 (1) the California Work Opportunity and Responsibility to Kids
9 Act (CalWORKs) program under Chapter 2 (commencing with
10 Section 11200) of Part 3, excluding Aid to Families with
11 Dependent Children-Foster Care (AFDC-FC), and (2) the Food
12 Stamp Program under Chapter 10 (commencing with Section
13 18900) of Part 6, *to the extent that applicants for, or recipients of,*
14 *food stamp benefits also apply for or receive nonhealth benefits*
15 *under Part 5 (commencing with Section 17000).*

16 (b) (1) Every applicant for, or recipient of, aid under Chapter
17 2 (commencing with Section 11200) of Part 3, excluding the
18 AFDC-FC program and *every applicant for or recipient of, aid*
19 *under Chapter 10 (commencing with Section 18900) of Part 6,*
20 *who is also an applicant for, or recipient of, nonhealth benefits*
21 *under Part 5 (commencing with Section 17000), other than*
22 *dependent children or persons who are physically unable to be*
23 *fingerprint imaged, shall, as a condition of eligibility for assistance,*
24 *be required to be fingerprint imaged.*

25 (2) A person subject to paragraph (1) shall not be eligible for
26 the CalWORKs program ~~or the Food Stamp Program~~ until
27 fingerprint images are provided, except as provided in subdivision
28 (e). Ineligibility may extend to an entire case of a person who
29 refuses to provide fingerprint images.

30 (c) The department may adopt emergency regulations to
31 implement this section specifying the statewide fingerprint imaging
32 requirements and exemptions to the requirements in accordance
33 with the Administrative Procedure Act (Chapter 3.5 (commencing
34 with Section 11340) of Part 1 of Division 3 of Title 2 of the
35 Government Code). The initial adoption of any emergency
36 regulations implementing this section, as added during the 1996
37 portion of the 1995–96 Regular Session, shall be deemed to be an
38 emergency and necessary for the immediate preservation of the

1 public peace, health and safety, or general welfare. Emergency
2 regulations adopted pursuant to this subdivision shall remain in
3 effect for no more than 180 days.

4 (d) Persons required to be fingerprint imaged pursuant to this
5 section shall be informed that fingerprint images obtained pursuant
6 to this section shall be used only for the purpose of verifying
7 eligibility and preventing multiple enrollments in the CalWORKs
8 program ~~or the Food Stamp Program~~. The department, county
9 welfare agencies, and all others shall not use or disclose the data
10 collected and maintained for any purpose other than the prevention
11 or prosecution of fraud. Fingerprint imaging information obtained
12 pursuant to this section shall be confidential under Section 10850.

13 (e) (1) Except as provided in paragraph (2), the fingerprint
14 imaging required under this chapter shall be scheduled only during
15 the application appointment or other regularly scheduled
16 appointments. No other special appointment shall be required. No
17 otherwise eligible individual shall be ineligible to receive benefits
18 under this chapter due to a technical problem occurring in the
19 fingerprint imaging system or as long as the person consents to
20 and is available for fingerprint imaging at a mutually agreed-upon
21 time, not later than 60 days from the initial attempt to complete
22 fingerprint imaging.

23 (2) During the first nine months following implementation,
24 recipients may be scheduled for separate appointments to complete
25 the fingerprint imaging required by this section. Notice shall be
26 mailed first class by the department to recipients at least 10 days
27 prior to the appointment, and shall include procedures for the
28 recipient to reschedule the scheduled appointment within 30 days.

29 (f) If the fingerprint image of an applicant or recipient of aid to
30 which this section applies matches another fingerprint image on
31 file, the county shall notify the applicant or recipient. In the event
32 that a match is appealed, the fingerprint image match shall be
33 verified by a trained individual and any matching case files
34 reviewed prior to the denial of benefits. Upon confirmation that
35 the applicant or recipient is receiving or attempting to receive
36 multiple CalWORKs program checks, a county fraud investigator
37 shall be notified.