



Implementing Assembly Bill 607 (Gloria)

New Law to Prepare for Disaster Response for the Poorest Californians

Western Center on Law and Poverty (Western Center), the California Association of Food Banks (CAFB), and the Jacobs & Cushman San Diego Food Bank sponsored Assembly Bill 607 (Gloria) in 2017, which was signed by the Governor and has been implemented by the California Department of Social Services (DSS). With over a decade of experience and partnership in response to emergency food needs to prevent hunger and hardship following disaster in California, our organizations sponsored the legislation with the intent to codify some of the best practices employed by DSS which had been hard fought, while also hoping the department could push further in preparing for disaster.

Specifically, AB 607 achieved the following goals:

- Conforms amendments in this section so that it reflects current law and practice - that absence from the state for period of 2 months is not cause for terminating a case when the person is a victim of disaster or is subject to a mandatory evacuation;
- Codifies current practice that the California Department of Social Services (CDSS) coordinate with disaster response agencies to inform CalWORKs recipients and eligible populations about CalWORKs homeless assistance programs;
- Establishes that the CDSS establish a limited-time Disaster Planning Advisory Committee to advise on implementation of disaster related social services planning;
- Requires counties to submit a disaster CalFresh Plan annually;
- Requires CDSS to keep up-to-date the Disaster CalFresh public materials online;
- Requires DSS to maintain portable EBT issuing machines & equipment and to support counties in utilizing the portable stations - if requested; and,
- In the event that the Governor has declared major disaster with request for individual assistance, automatically appropriates \$300,000 to the Health and Human Services to be used to prepare for a federal disaster assistance so that they can maximize the amount and impact of federal aid.

CalWORKs Has Few Provisions to Recognize Increased Need During & After Disaster

There are 457, 000 California families who rely on CalWORKs to meet their basic needs. Unlike the CalFresh program, the CalWORKs program offers very little for victims of disaster beyond the existing services. These services, however, can be very helpful for a family recovering from disaster. AB 607 increases level of responsiveness for CalWORKs administering agencies by ensuring coordination between disaster agencies and CDSS following a disaster to ensure that current recipients and others within the eligible population are aware of the programs temporary housing assistance.

AB 607 Ensures CalFresh Can Provide Essential Anti-Hunger Benefits After Disaster

The Robert T. Stafford Disaster Relief and Emergency Assistance Act provides the Secretary of Agriculture with the authority to operate a D-SNAP when affected areas have received a Presidential major disaster declaration and when commercial channels of food distribution are available. The Food and Nutrition Act of 2008 provides the Secretary of Agriculture with the authority to establish temporary emergency standards of eligibility for households who are survivors of a disaster that disrupts commercial channels of food distribution after those channels have been restored. FNS has elected to approve the operation of D-SNAP under Stafford Act authority when affected areas have received a

Presidential disaster declaration for individual assistance. In California, this program is known as D-CalFresh (DCF).¹

With 13.5% of Californians already experiencing hunger or food insecurity,² the resiliency of our communities impacted by disaster is already compromised. This makes the work of ensuring the CalFresh disaster response and D-CalFresh³ program are swift acting and robust is even more important.⁴ While CalFresh's entitlement structure allows it to respond quickly and effectively to changes in need, whether those are caused by economic downturns or natural disasters, the D-CalFresh program is needed when the provisions offered through CalFresh are not quick enough or sufficient to address a disaster that meets the standards required to receive a declaration from the President of the United States to support individual assistance. AB 607 establishes procedures for initiating D-CalFresh.

D-CalFresh Should Be More Accessible Once Approved

Our experience suggests several important accommodations for disaster victims must be considered when designing a disaster CalFresh program. Disaster victims often have lost homes, cars, and telephone and internet access. In the wake of a disaster, use of public transportation and public roads may be restricted. For example, in the Northern California fires earlier this year, gas stations were closed and travel was restricted for weeks. We believe that ensuring multiple locations where victims can apply for D-CalFresh, complete their interview and secure their D-CalFresh EBT card for the entire period (including weekends and holidays) which the application period has been approved should be a priority in future CDSS and County disaster responses. While the federal draft regulations do not allow for a telephone interview, even when the entire county has been evacuated⁵ there may still be the ability to increase access by simply increasing locations where a person can complete all application paperwork, interviews and secure their D-CalFresh card all at once. AB 607 requires CDSS to maintain mobile EBT issuance stations and to make these stations available to the county upon their request.

California Should Ensure Prepared Food Availability in Our Disaster Response

The recent proposed D-SNAP rule required state D-SNAP Plans to reinforce the ability of prepared food waivers during a disaster. The prepared food waivers were essential in recent California fire disaster responses. This provision has been important for many disaster victims to obtain meals, often while they lack shelter or kitchen facilities to prepare food. Giving retailers timely and accurate information about D-SNAP operations, including information about any prepared food waivers, bolsters the effectiveness of the commercial infrastructure that underlies SNAP benefit redemptions. AB 607 requires that California's future D-SNAP applications include a request for a prepared food waiver.

AB 607 Helps Prepare for Disaster Recovery for Poorest Californians

Disasters come in many forms. In California, the disasters we have experienced in the last decade have been as a result of fire, freeze, drought, rain and earthquakes. With the passage of AB 607, California social services administrators are now required by law to participate in planning for disaster, adequately represent the needs for individual assistance in federal disaster requests, and implement federal disaster aid if granted. We know these efforts will prevent hunger and hardship, and contribute to restoring local economies following a disaster.

For more information about Western Center's Anti-Hunger work, please see our website at www.wclp.org, or contact: Jessica Bartholow at jbartholow@wclp.org or 916-282-5119.

¹ <http://www.calfresh.ca.gov/pg2903.htm>

² Food Research and Action Center State-by-State Food Insecurity Report: http://frac.org/pdf/2015_09_09_usda_food_insecurity_bystate_2012_2014.pdf.

³ https://www.fns.usda.gov/sites/default/files/D-SNAP_Disaster.pdf and https://www.fns.usda.gov/sites/default/files/D-SNAP_handbook_0.pdf.

⁴ According to the National Center for Disaster Response, Community resilience is generally defined as the ability to adapt to, withstand, or rapidly recover from a disaster or catastrophic event. Research suggests that communities have a greater capacity to withstand a disaster when its population is not suffering from deprivation of basic needs. More information on NCDR's description of the relationship: <http://ncdp.columbia.edu/research/recovery-resiliency/>

⁵ This is a flaw in the federal guidance. Western Center and the California Association of Food Banks submitted comments to the draft regulations calling for them to amend this provision of the regulations, but the rules have not been finalized.