Assembly

MINUTES OF HEARING - HEALTH AND WELFARE COMMITTEE - 56TH ASSEMBLY SESSION 26 February 11, 1971

- PRESENT: Glaser, Wilson, Smalley, Swallow, Homer, White, Prince Poggione and Valentine.
- ABSENT: None
- GUESTS: George Miller, Administrator State Welfare Division; David Tomlinson, Chief Eligibility and Payments, State Welfare Divison; J. MacArthur Wright, Attorney for Washoe County Legal Aid Society; Mrs. Maya Miller, League of Women Voters of Nevada, representing Mrs. Jean Ford, President; and Bill La Badie, Deputy Administrator, State Welfare Division.

The Meeting was called to order by sub-committee chairman, Norman Glaser, at 2:30 P.M. in Room 131. He gave a brief welcome address to those in attendance at the hearing, and explained the agenda and manner in which the meeting would be conducted.

Mr. Wilson, committee chairman, spoke briefly and requested that an orderly hearing be held.

Mr. George Miller, Administrator of the State Welfare Division, gave a prepared statement (Attachment No. 1 to minutes)

Mr. Miller was questioned by Mr. Wilson regarding compliance with the Federal Guidelines. To Mr. Miller's knowledge, they were. Mr. Swallew asked if the recipients, who were cut off from the program, were aware of the reasons they were cut off. Mr. Miller responded that a letter was sent giving the reasons for termination.

Mr. Tomlinson, Chief Eligibility and Payments, State Welfare Division, was called to the podium to verify notification dates, time before benefits were cut off and the hearing process offered to those being taken from the welfare list. Mr. Wilson asked if these procedures were set down in the guidelines by the State. Mr. Tomlinson explained that these guidelines were followed - that people who were being terminated by them would be taken off the rolls unless they replied within seven days. If they wanted an attorney and a hearing this would be arranged or one of the staff would assist them in preparing an appeal.

Mr. Wilson stated that the newspapers had said that most persons appearing with an attorney were denied the opportunity to receive a fair hearing. Mr. Tomlinson said he was not aware of this fact and at the time they were approached by the Clark County Legal Aid Society, postponement was granted to them "en masse" and re-hearings were granted while the grants continued.

Mr. Wilson asked Mr. Tomlinson to describe to the committee the procedures used to secure the type of information which resulted in termination of these persons. Many types of information were used but one of the most important was the print-out from the State Employment Security Department. Assembly

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The Welfare Department supplied the names and the Employment Department gave them information on employment and benefits received. In ADC, they are required to report their earnings and major errors or discrepancies were found. The recipients were then called in to explain, since many cases were found where information given was incorrect or mis-represented.

Mr. Valentine brought up the matter of recent Supreme Court's rulings concerning welfare but was informed by Mr. Tomlinson that the State Actions were in accord with these rulings. Mr. Wilson asked further about the guidelines used in this area. Mr. Tomlinson explained the procedures used and told of some cases where benefits were restored, which was in just a minority of the cases.

Mr. Glaser asked for a breakdown of the total number of recipients that were cut off the list, but Mr. Tomlinson said the complete report and figures would not be available until the first of March. He also said that to date, with case by case follow-up as necessary, there are close to 800 cases that have been terminated and close to 1,200 that have received reduced grants. At the request of Mr. Glaser, Mr. Tomlinson explained the procedure used when a person obtains welfare grants from the original filing through the case workers follow-up. This has been changed somewhat since the survey was made - especially if the application seemed to indicate some conflicting information. It usually involves only a week's work before an eligible recipient is placed on the list.

Mr. Wilson asked if any specific guidelines are used in the conduct of case workers or what the procedure was that the case workers used when going into the home.

Mr. Tomlinson said "Home Visits" were preceded with a letter stating items that the worker will need to see. The worker then goes to the home and sees these or asks them to send in when available.

Mr. Wilson asked if they had had any complaints regarding conduct of the case workers in the area of search, pilfering the privacy of the home, going through the closets, the vanity, the dresser, and checking to see what the recipient had in his possession. Mr. Tomlinson said they have had no complaints from any of the recipients.

Mr. Bill LaBadie, Deputy Administrator, said that a few cases had been reported but when they were asked to give the name of the case worker involved, they could not supply this information. Mr. Wilson questioned him on any specific names but Mr. LaBadie said they did not have any.

Mr. Miller said they had asked the recipients to give them the names of case workers involved and that they never would give the name. He said as long as there was welfare, there would be this type of complaint. Neither would the department tolerate type of behavior from any of its employees. Some of the case workers had not been treated too well by the recipients, however, this would be no excuse to get into hassles. 24

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Mr. Wilson asked Mr. Miller if he had the name of any specific case worker brought to his attention and accused of this type of behavior. Mr. Miller said yes, he had had one specific name but did not find the employee guilty of this type of behavior. He said welfare applicants will say "so and so comes out and looks through our closets" but nothing else ever becomes of these complaints. Mr. Wilson reiterated - but you have received one complaint on a specific case.  $\mathcal{O}\mathcal{R}$ 

Mr. Glaser asked Mr. Miller, of those approximately 800 cases that were terminated, in what area were they affected. Mr. Miller said ADC cases were the only ones reviewed.

Mr. Wilson asked, in case a person has cheated and has a family of five or six involved and has no means of securing the necessities of life, what is the Welfare's attitude toward this? Mr. LaBadie stated that if they were not eligible from their program, they are referred to the County Welfare to get surplus commodities and other help available and they had not heard of anyone being cut off without any income at all.

Mr. MacArthur Wright then was introduced and delivered a prepared statement (<u>Attachment No. 2</u> to minutes). Upon further questioning by Mr. Glaser and Mr. Valentine, Mr. Wright definitely would make no further statements concerning his clients, their intentions or further action planned. He did indicate, however, that if the case mentioned in his statement was successful or not, he would still ask for a public hearing before the Legislative Welfare Committee.

Mrs. Maya Miller, representing the Nevada League of Women Voters, delivered a statement (Attachmend No. 3)

Mr. Swallow expressed his concern with the welfare people represented by Mr. Wright not having more than they had to say and taking the State Legislature's time.

Mr. Valentine also expressed disappointment. He felt that this action of Mr. Wright's concerning his clients, was disrespectful to the State Legislature.

A written statement received for today's hearing was introduced and read by the Secretary (<u>Attachment No. 4</u>) Telegrams were also received for the hearing (Attachament No. 5)

Closing statements were then given from the representatives of the State Welfare Department, with Mr. Miller stating that they were ready to present all information and answer all questions possible at this hearing. He hoped that they would not have to go through another of these hearings and get into a "game playing" action. Assembly Page 4 - Health and Welfare Committee - Minutes of Public Hearing February 11, 1971

Mr. Glaser expressed the committee's feelings - that they did not intend to put the Welfare Department on trial but merely give the citizens an opportunity to air their grievances and injustices. He said they had hoped to have an impartial hearing.

Mr. Wilson also expressed disappointment but thanked those who did participate for coming. He said the committee was not trying to indict anyone but merely to get the facts straight.

Mr. Swallow further stated that their concern , was to see that the rights of every individual in Nevada were protected and guaranteed.

With Mr. Poggione's remark that the next hearing should be conducted on the activities of the Legal Aid Society rather than the Welfare Department, the meeting was adjourned.

# ASSEMBLY

AGENDA FOR COMMITTEE ON HEALTH AND WELFARE

Date February 15 Time P.M. Recess Room 328

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# STATEMENT TO THE HEALTH AND WELFARE SUBCOMMITTEE BY GEORGE MILLER, DIRECTOR OF STATE WELFARE DIVISION. ADC REVIEW

ATTACHMENT I

The review was conducted after a random sample audit and it was obvious the simplified system of eligibility determination was not doing the job. Some clients were not reporting accurately at time of application and, though clearly instructed to do so, were not reporting changes in their circumstances.

As Administrator of the Welfare Division, I am charged with the responsibility of administering the program in compliance with state and federal laws, regulations and policies, and within the money amounts given by the state and federal government.

A review was done on eligibility factors of all ADC recipients. Again, these eligibility factors are imposed by federal and state laws and regulations. These include such areas as income, age of children, resources, school attendance, deprivation (death, desertion, etc.), pregnancy, child support, other benefits, relative contributions, personal or real property, and a budget review.

Any recipient who did not meet these eligibility requirements or under-reported any income or resource was either taken off the rolls or had his grant reduced. We did not to my knowledge eliminate from the welfare rolls anyone who met all eligibility requirements.

Anyone whose case was closed was given an opportunity to apply for a fair hearing. Statewide, we had some 115 hearing requests; approximately 50 withdrew the request, some did not even appear for the hearing. In view of the small number who requested hearings, I would assume the larger number cut from the rolls knew they were not, and had not been, eligible for welfare.

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STATEMENT TO THE HEALTH AND WELFARE SUBCOMMITTEE

BY J. MACARTHUR WRIGHT

We congratulate the Health and Welfare Committee of the Assembly in scheduling hearings before this subcommittee in this all-important matter concerning the welfare of a large number of children of this State.

On behalf of our clients we are grateful for the concern evidenced by these proceedings.

We are most desirous of cooperating and would like to contribute to the success of this fact finding endeavor. Unfortunately, in so far as this particular hearing is concerned, as has been fairly well publicized, our office, the Washoe County Legal Aid Society, together with the Qark County Legal Aid Society, is representing, as a class, all of those Aid to Dependent Children recipients in a court proceeding filed in the Federal District Court, sitting in Las Vegas.

Certain important hearings and other proceedings are scheduled in the very near future in that suit which make it impossible for us or our clients to actively participate in this hearing today.

Because of the importance of these hearings, however, we would earnestly and sincerely urge this subcommittee to reschedule additional hearings after the immediate court proceedings have been concluded, these new hearings to be held in Las Vegas, where the largest number of people affected by the action of the Welfare Division are residing and then another in Reno where a large number also reside.

We anticipate such hearings could be held within two to three weeks at which time the potential for a meaningful exposition of the true facts in this matter will, we feel, be much greater than at the present time.

I am advised that a letter from Mr. Mahlon Brown III. Director of the Clark County Legal Aid Soc**ie**ty to the same **a**ffect, has been mailed but possibly not received yet.

Thank you.

### ATTACHMENT III

## STATEMENT TO THE NEVADA ASSEMBLY COMMITTEE ON HEALTH & WELFARE

BY THE LEAGUE OF WOMEN VOTERS OF NEVADA February 11, 1971

Thank you for allowing us time to speak to you today. I am Mrs. Maya Miller of Washoe Valley, Nevada. I am past president of the League of Women Voters of Nevada, and before that of the Reno-Sparks-Carson local league, and now serve on the national board of the League as chairman of its Human Resources program. Today I am speaking for the Nevada State League at the request of its president, Mrs. Jean Ford.

We want to bring you our new national position on WELFARE REFORM, just announced two weeks ago, but arising out of our local leagues' seven years exf study of poverty in America. This position reflects a consensus of all our members' point of view. Our Nevada League agrees with it, and is eager to help cancel out the anachronism of poverty in the midst of America's and Nevada's obvious plenty.

We believe our position bears on a number of bills, budgets, and resolutions which are now in these weeks coming before you.

It is hard to find anyone today who does not agree that the welfere system needs drastic reform. For many reasons our members feel that the federal government now must shoulder the major responsibility to the poor, and the League will be working for national reform legislation. However, we know there is a "meantime," and people may remain for that meantime hungry and deprived of basic needs. Therefore, we believe the state of Nevada continues to be responsible for its citizens who are too old, too young, ill, disabled, untrained or otherwise unable to work, or who, in Spite of working, earn too little to meet basic needs for food, clothing, shelter, and medical attention.

The League further believes that eligibility should be determined by simplified procedures: a statement of need, backed up by periodic spotchecks, for instance, as we now use for income tax returns. We think it is unreasonable and demeaning to assume that one class of persons is any more subject to falsification than another. 33

League of Women Voters of Nevada WELFARE REFORM statement, 2/11/71 - p.2

Our members were especially insistent that all procedures reflect the basic right to human dignity, so central to American philosophy.

Our position on work requirement is an important one. By and large League members have a high regard for the importance of work in satisfying the human desire to be useful and in maintaining our national productivity. League members tend to be workers themselves. For seven years we have been following the effort of this country to bring all our citizens into the stream of full employment, and we are discouraged by our lack of success. So we have come to the conclusion that work cannot be the only answer. Work, we believe, should be encouraged with counseling, realistic training for actual jobs, and financial incentives. Achowever, cording to the Nevada State Welfare Division,/less than 4,000 recipients now are even potentially employable. Of the present state welfare recipients, 2,925 receive Old Age Assistance, 173 received Aid to the Blind, and, as of November 1970, 15,905 received Aid to Dependent Children. Approximately 75% of this last category are children.

Out of the 4,000, some ADC mothers are already working. But others are not trained, they have young children at home, or they simply cannot find work. Nevada seriously lacks day care centers, job training programs and enough jobs.

Nevada is the only state without a program to aid permanently and totally disabled persons. We are also one of 25 states that have not chosen to change our program of Aid to Dependent Children to Aid to Families of Dependent Children, that program whose objective was keeping poverty families together. Out of 50 states we rank 40th in our grant payments to Dependent Children. (We pay \$2,70 a day to keep a child in a foster home, far more than that to keep him in the Children's Home, and only \$1.07 to keep him in his <u>own</u> home. - And in Carson we pay \$2.25 to board a dog per day!)

The League feels that Nevada's poor have the right to a decent life. It is our hope that this Committee and this Legislature will secure them that right.

#### STATEMENT OF POSITION ON WELFARE REFORM

February 10, 1971

Members of the League of Women Voters of the United States believe the federal government bears a major responsibility for providing income assistance to meet the basic needs of all persons in the United States who are unable to work, whose earnings are inadequate, or for whom jobs are not available.

#### Criteria for Income Assistance

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The federal government bears the responsibility for financing basic programs of income assistance and for setting income and eligibility standards for these programs. Supervising the administration of assistance is the responsibility of the federal government, but administrative offices should be close to the people participating in the program.

> Eligibility of all low-income individuals for assistance should be based on need. Eligibility should be established through simplified procedures such as a declaration of need, spot-checked in a manner similar to that used in checking the validity of income tax returns.

Benefit levels should be sufficient to provide decent, adequate standards for food, clothing and shelter. Minimum income standards should be adjusted for regional differences in the cost of living, and should be revised periodically to take into account changes in the purchasing value of the dollar. There should be increasing emphasis on cash assistance, but inkind assistance (e.g., food stamps, housing subsidies, medical aid) should be continued to help assure that these needs are met. Until a federal welfare program achieves an adequate level of benefits, some states will need to supplement federal payments.

Participants should not receive lesser benefits under a revised program than they are now receiving.

<u>Privacy</u> of participants should be protected. All administrative procedures should be conducted with respect for the rights and dignity of the individuals.

<u>work</u> should be encouraged; participants' total income should increase as their earnings increase. Counseling, realistic training for actual jobs, and financial incentives--not a requirement to work--should be the links between job programs and income assistance.

#### Criteria for Supportive Services

Supportive services should be available--but not compulsory--for participants in income assitance programs. Most important among these are child care, counseling, family planning, health and legal services. Fees for supportive services should be based on ability to pay, free where necessary. Facilities and services for participants should be the same as for the general public. The federal government should exert leadership in setting standards for eligibility, for the quality of services, and for adequate funding. Participants in the programs should be included in program development and implementation, and the administration of social services programs should be responsive to the needs of the people being served. Wherever possible, these services should be conveniently located in the neighborhood.

October 1970

#### PUBLIC WELFARE - MYTHS and FACTS

We are reprinting the following article, which has previously appeared in the Arizona and Arkansas <u>Voters</u>. Public welfare and its recipients have become the victims of the general public's stereotypes, prejudices and antagonisms--a grotesque cartoon portrayal of a welfare state squandering the taxpayer's wealth upon the undeserving. Volumes of studies contradict commonly held beliefs about welfare, yet an increasingly large gap has developed between myth and reality. Here are some of the most prevalent myths...

- MYTH: Most people could earn their living if they had more initiative. FACT: The welfare caseload is composed of persons who do not work because they cannot, not because they will not. Of the 8 million persons receiving public assistance, nearly 3 million are over 65, blind or severely handicapped; nearly 4 million are children whose parents cannot support them; over 1 million are mothers who cannot support their children; less than 200,000 are fathers who cannot support their children. About 60,000 (less than 1% of the recipients) could be trained for selfsufficiency. Actually, 50% of this number return to employment and support their families after receiving assistance for an average of 9 months.
- MYTH: All those women on welfare could go to work.

FACT: A recent survey by the City University of New York revealed that nearly 70% of welfare mothers would prefer to work rather than stay home. But most welfare mothers have few or no job skills, and an average of an eighth grade education, many mental and physical disabilities, and { small children for whom day care is not available.

MYTH: Anybody who really wants to work can find a job.

- FACT: Welfare recipients, like others in poverty, have less education and fewer job skills. Department of Labor statistics indicate a steady decline in low-skill job opportunities. There is still an unmet demand for professional and skilled labor, but there are more unskilled job seekers than there are jobs for them. Added to these problems is the persistence of racial discrimination in jobs and housing and the growingnumbers of school dropouts and the chronically ill poor. Welfare is said to pick up the casualities of other inadequate programs.
- MYTH: A family can live comfortably on a welfare budget.
- FACT: Aid to Families with Dependent Children (AFDC), the largest relief category, pays recipients a nationwide average of about half the amount necessary to live on...well below the minimum for a humane level of existence. Monthly payments vary from a low of \$9.85 for a child in Mississippi to \$66.20 in New Jersey (in Nevada \$30.77). Most persons on public welfare suffer from deficient diets, insufficient clothing and sub-standard housing. In all states, public assistance levels are far below our government's own definition of poverty (\$3,335 for a family of four).
- MYTH: Many who receive public assistance have other sources of income and are guilty of fraud.
- FACT: If it were not so sad, it would be amusing to note that every study made to determine the extent of fraud in public assistance has cost more than the amount of fraud uncovered. A 1965 HEW nationwide survey found ( only 2.5% of AFDC families ineligible.

MYTH: We can't afford to pay adequate benefits to the poor.

FACT: This nation has reached a level of wealth that makes the elimination of poverty an achievable national goal. Many think it is a question of priorities.

#### ATTACHMENT 4

Feb 11,1971

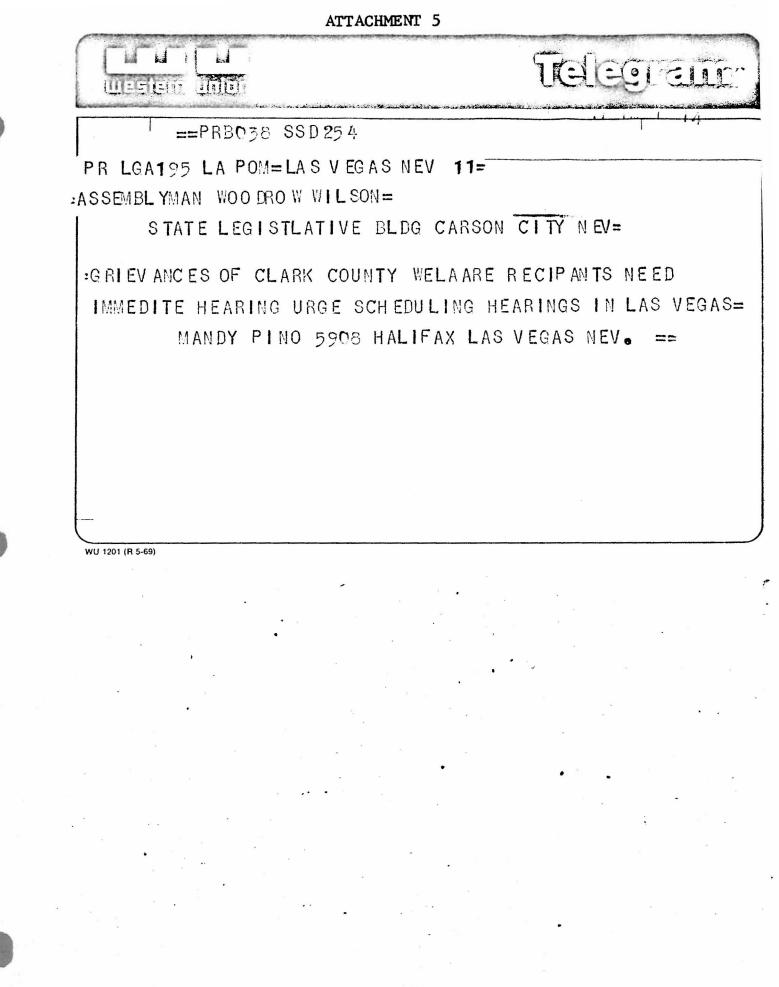
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Sponcer

Whereas a person appling for old age assistance or Welfare in a poverity familys, Should read, that in the two weeks grace period thats Allowed waiting before an applicant receives there first check, A more deligent inquiry and investigation should be made in that grace period and in due timeto find out whether or not the applicant has made a true statment, If not then and there diqualify such applicants. Instead of waiting six months and later using States overtime and money going around calling and causing applicants to become cheaters and frauds. This above bill could parametprevent all of the above .Costing the State thousands of dellars cases bringing Welfare to court and cheap publicity for the minister state and causing many hardships to needy familys.and old age people.

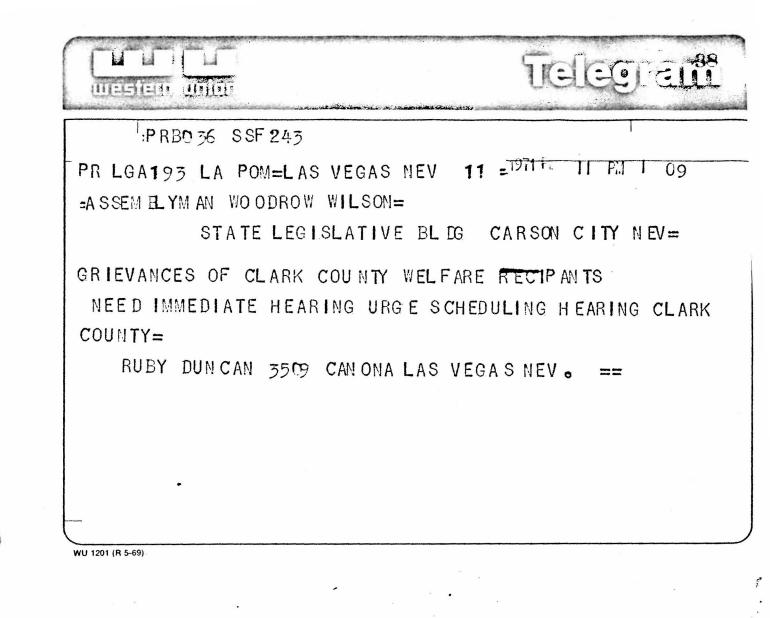
All of this can be done if the Welfare agency heads see to it that they preferm <sup>t</sup>here paid dutys employees do there job. such as case workers. District managers investigaters Ect. Instead of congregating in there offices and not even go out to check on there applicants drinking coffee all day long and smoking cigareetts and going on States time shopping for groceries and personal errands. all of this can be prevented. I strongly urge the Law makers pass the above amendment Welfare Hill.

Fermer Welfare R ecipicant George Pagliare 882- 2086 Siged



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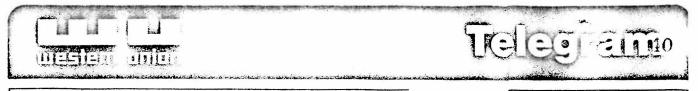
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AS CHAIRMAN OF AN ORGANIZATION CONCERMED WITH PROBLEMS OF WELFARE RECIPIENTS AND OTHER POOR PEOPLE IN THIS COUNT AND SINCE THE GREATEST PERCENTAGE OF CITIZENS RESIDE IN CLARK COUNTY WE RESPECTFULLY REQUEST THAT THE WELFARE COMMITTEE HEARINGS SCHEDULED FOR THURSDAY FEB 11 BE RE-SCHEDULED TO BE HELD IN LAS VEGASE

> DONALD CLARK CHAIRMAN CLARK COUNTY ECONOMIC OPPORTUNITY BOARD= (



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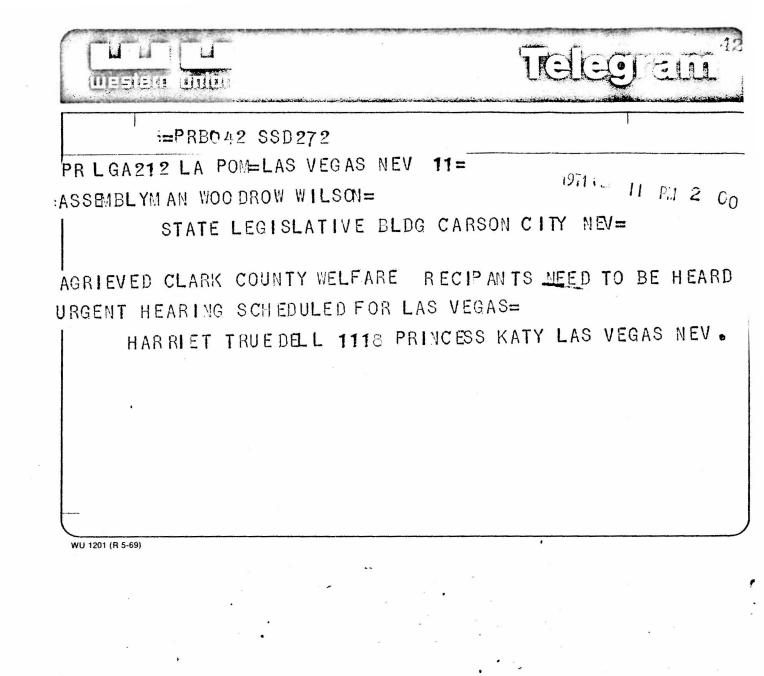
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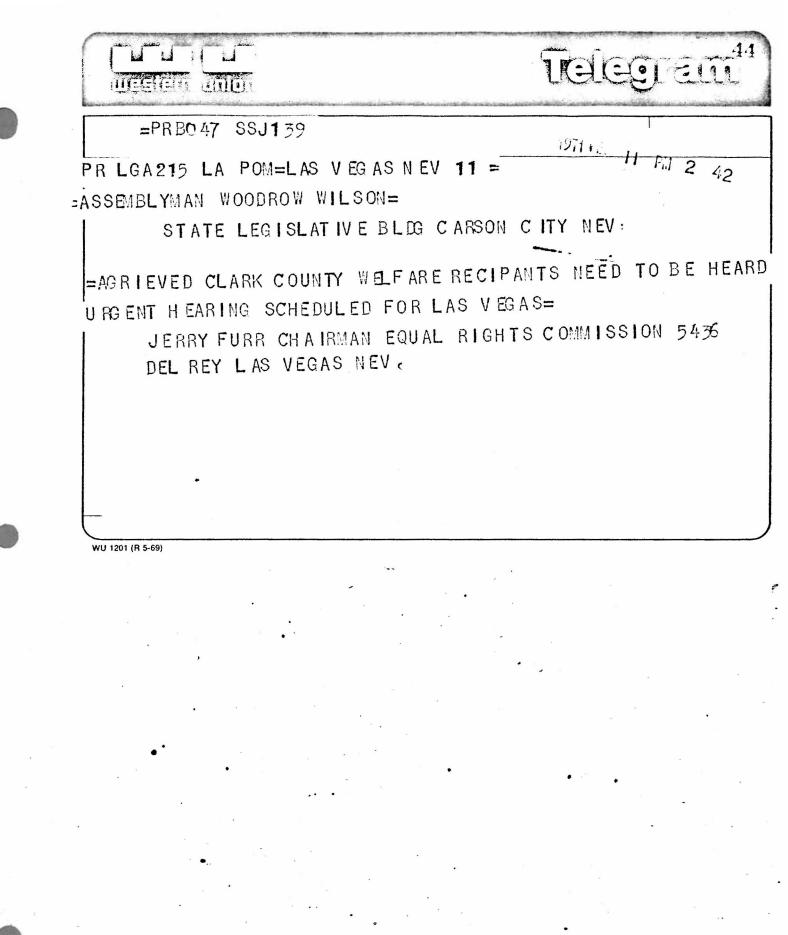
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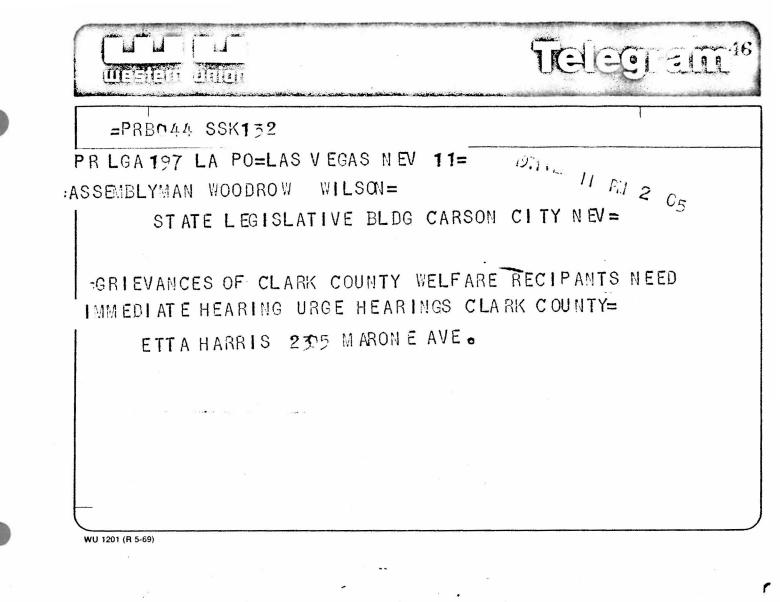


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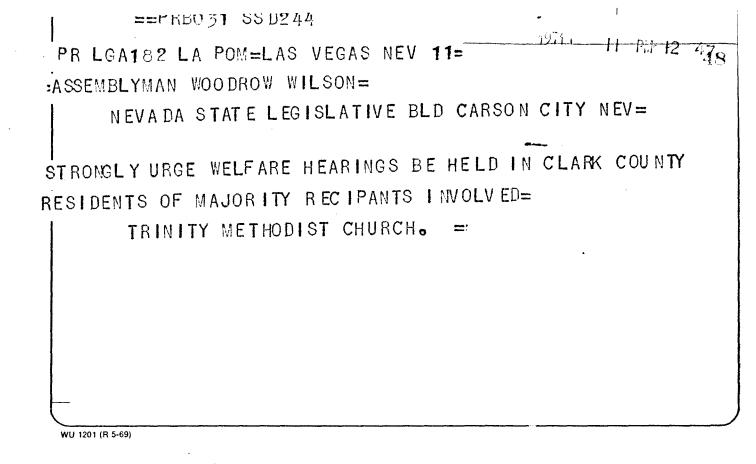


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