

Date of Hearing: April 8, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 1074 (Patel) – As Amended March 27, 2025

**SUBJECT:** CalWORKs

**SUMMARY:** Makes updates to the CalWORKs Reunification Program, which allows CalWORKs families who have children placed into foster care to receive monthly cash assistance for up to six months while active reunification efforts are ongoing, by clarifying that families can receive aid as if the child or children are still living with their parents. Specifically, **this bill:**

- 1) Clarifies that not all children need to be removed to be eligible, and that parents are not required to be receiving aid independently from the family at the time of removal.
- 2) Requires that the sanction for failing to verify the immunization of a child, ends upon the removal of the child from the assistance unit and their placement in an out-of-home.
- 3) Rather than multiple plans, requires welfare-to-work activities and services to be included in a California Work Opportunity and Responsibility to Kids (CalWORKs) reunification plan and satisfy the requirement to have a welfare-to-work plan, or in a jointly developed child welfare services and CalWORKs welfare-to-work plan, which will serve as the CalWORKs reunification plan.
- 4) Defines CalWORKs reunification plan as the plan for individuals receiving CalWORKs benefits that sets forth all of the activities and services that will be provided through the welfare-to-work program and all of the reunification services that will be provided to the individual through the child welfare services case plan to assist the individual in reunifying with children who have been removed from the home and placed in out-of-home care.

**EXISTING LAW:**

- 1) Allows reunification parents who were receiving aid when the child was removed to also be eligible to receive cash aid and child care services if the county has determined that they are necessary for reunification. (Welfare and Institutions Code [WIC] § 11203)
- 2) Defines “Family preservative services” as services for children and families designed to help families, including adoptive and extended families, at risk or in crisis, including all of the following:
  - a) Services programs designed to help children return to families from which they have been removed, where safe and appropriate, or be placed for adoption or with a legal guardian, or, if adoption or legal guardianship is determined not to be safe and appropriate for the child, in some other planned, permanent living arrangement.
  - b) Preplacement preventive services programs, including, but not limited to, intensive family preservation programs designed to help children at risk of foster care placement remain safely with their families.

- c) Service programs designed to provide followup care to families to whom a child has been returned after a foster care placement.
  - d) Respite care of children to provide temporary relief for parents and other caregivers, including, but not limited to, foster parents.
  - e) Services designed to improve parenting skills by reinforcing parents' confidence in their strengths and helping them to identify where improvement is needed and to obtain assistance in improving those skills with respect to matters such as child development, family budgeting, coping with stress, health, and nutrition.
  - f) Infant safe haven programs that provide a way for a parent to safely relinquish a newborn infant at a safe haven designated pursuant to state law. (WIC § 16601)
- 3) Requires the court, at the dispositional hearing, to order a social worker to provide child welfare services to a child who has been removed from their parents' custody, and to the parents in order to support the goal of reunification, for a specified time period, except under certain circumstances. Provides that children and families in the child welfare services system should typically receive a full six months of reunification services if the child is under three years of age, and twelve months if the child is over three years of age, but that may be extended up to 18 or 24 months, as provided. (WIC § 361.5(a))
- 4) Provides that reunification services under 3) above, need not be provided if the court finds, by clear and convincing evidence, that specified conditions exist, including:
- a) The parent is suffering from a mental disability that renders the parent incapable of using the reunification services;
  - b) The parent has caused the death of another child through abuse or neglect;
  - c) The child or a sibling has been adjudicated a dependent as the result of physical or sexual abuse;
  - d) The parent has been convicted of a violent felony; or,
  - e) The parent has a history of drug or alcohol abuse and has failed to comply with treatment programs as provided. (WIC § 361.5(b))

**FISCAL EFFECT:** Unknown, this bill has not been analyzed by a fiscal committee.

**COMMENTS:**

**Background:** *California Work Opportunity and Responsibility to Kids*. CalWORKs, the state's largest anti-poverty program, provides temporary cash assistance aimed at moving children out of poverty and helping qualified low income families meet their basic needs, such as rent, clothing, utility bills, food and other items needed to ensure children are cared for at home and safely remain with their families. In addition to cash assistance, adult CalWORKs recipients are provided education, employment and training services designed to help remove barriers to work and promote self-sufficiency.

*Child Welfare Services (CWS).* California's CWS system plays a vital role in the state's safety net. Social workers across counties receive reports of abuse or neglect, investigate these concerns, and work to address them. Children who have been removed from their homes due to abuse or neglect fall under the jurisdiction of the county's juvenile dependency court. While the court maintains legal authority over the child, the CWS social worker is responsible for supporting the child's well-being.

The primary goal of the system is to ensure the safety and protection of children, while also striving to preserve and strengthen families through visitation and efforts at family reunification when possible. The CWS system allows for regular evaluations and reviews of the child's custody and placement, with decisions made in consultation with the child's social worker to ensure the best outcomes for the child. The state prioritizes the reunification of foster children with their biological families whenever feasible. When reunification isn't possible, the state aims to provide a permanent alternative placement, such as adoption or guardianship, with a secondary priority of placing the child with relatives or nonrelative extended family members.

*Using CalWORKs to Reunite Families in the CWS System.* Most counties report a significant number of children and families involved in both CalWORKs and the CWS system. Under such circumstances, parents or caretakers must navigate between the two systems, which often have conflicting requirements and timeframes.

AB 429 (Aronor), Chapter 111, Statutes of 2001, allowed for the continuation of CalWORKs services only for the parents of children who have been removed from the home and are receiving out-of-home care when a county welfare department or a court recommends Family Reunification services only.

Effective January 1, 2025, AB 135 (Committee on Budget), Chapter 85, Statutes of 2021, expanded upon on AB 429 and now allows for cash aid, child care, and reunification services to families participating in the CalWORKs Family Reunification program as part of their Reunification Plan for up to six full months, provided all other eligibility criteria are met.

The general premise of this program is to help families reunify rather than continue separation which is both harmful to the child and more costly to the state.

To be eligible, all participants who were members of the CalWORKs family when the CalWORKs-eligible child(ren) was removed from the home are eligible for the CalWORKs cash aid, child care, and/or reunification services for up to six full months when all of the following conditions apply:

- 1) All CalWORKs-eligible children were removed from the home and temporarily placed in out-of-home care by county welfare department or a court.
- 2) The family was receiving CalWORKs cash aid when all CalWORKs-eligible children were removed from the home.
- 3) The county welfare department or a court has determined that CalWORKs Reunification Program cash aid, child care, and/or services are necessary for reunification, and a reunification plan is in effect or being developed.

*This bill* would clarify that not all children in the home need to be taken away in order to be eligible and families did not need to be receiving aid prior to the removal of the child(ren).

**Author’s Statement:** According to the Author, “This bill is critically needed to ensure California prioritizes keeping vulnerable families together by removing bureaucratic hurdles that unintentionally undermine family reunification efforts. Currently, overly rigid CalWORKs requirements can force low-income parents into impossible situations, jeopardizing their ability to maintain stability and reunify successfully with their children. By eliminating these counterproductive rules, [this bill] ensures families have the necessary resources—like cash aid and child care support—to address underlying issues that initially led to separation. Additionally, failing to make these reforms comes at a significant cost to the state, as placing children into the foster care system is far more expensive than providing families with continued CalWORKs cash aid. Ultimately, [this bill] offers an economically sound and compassionate approach, aligning state policy with the goal of strengthening families rather than further burdening those who need support the most”

**Equity Implications:** Reducing cash aid to CalWORKs families while their children are in foster care can further destabilize the family and hinder their ability to successfully reunify. Family reunification is considered to be one of the ultimate goals of the CWS system, when reunification is considered a safe and appropriate outcome. *This bill* seeks to clarify the provisions CalWORKs Reunification Program to allow for maximum usage.

#### **RELATED AND PRIOR LEGISLATION:**

*AB 135 (Committee on Budget) Chapter 85, Statutes of 2021*, see comments above.

*AB 429 (Aronor), Chapter 111, Statutes of 2001*, see comments above.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

Western Center on Law & Poverty (Sponsor)  
 Advokids  
 Alliance for Children's Rights  
 California Community College CalWORKs Association  
 California Family Resource Association  
 Child Abuse Prevention Center and Its Affiliates Safe Kids California, Prevent Child Abuse  
 California and The California Family Resource Association  
 Coalition of California Welfare Rights Organizations  
 Dependency Advocacy Center  
 Neighborhood Legal Services of Los Angeles County  
 Public Counsel

##### **Opposition**

None on file.

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