

June 3, 2019

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 19-54

This letter is intended to assist counties and CAPI consortia with implementation of Assembly Bill No. 1957, which permits communication with CAPI applicants and recipients via computer-generated text message.



PAT LEARY
ACTING DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

June 3, 2019

ALL COUNTY LETTER (ACL) NO. 19-54

TO: ALL COUNTY WELFARE DIRECTORS
ALL CASH ASSISTANCE PROGRAM FOR IMMIGRANTS
PROGRAM MANAGERS

SUBJECT: CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI)
IMPLEMENTATION OF ASSEMBLY BILL NO. 1957

REFERENCE: [ASSEMBLY BILL NO. 1957 \(CHAPTER 384, STATUTES OF 2018\);](#)
[47 UNITED STATES CODE \(USC\) §227;](#)
[CALIFORNIA GOVERNMENT CODE §7290 et seq.](#)

The purpose of this All County Letter (ACL) is to provide counties and Cash Assistance Program for Immigrants (CAPI) consortia with guidance regarding implementation of Assembly Bill (AB) 1957 (Chapter 384, Statutes of 2018) within the CAPI program.

Background

[Assembly Bill 1957](#), which takes effect July 1, 2019, provides counties and CAPI consortia with the option of communicating with CalWORKs, CalFresh and CAPI applicants and recipients regarding their cases by means of computer-generated text messaging. Although the bill does not require counties to engage in this mode of communication with clients, those counties with the capacity to do so are encouraged to make this option available as a means of improving access to CAPI benefits.

An example of computer-generated text messaging within the CAPI program would be a county with an automated system that generates a text message to CAPI applicants the day prior to appointments with county staff reminding them of their appointment time.

Permissions

Assembly Bill 1957 requires that counties using computer-generated text messaging within the CAPI program comply with the requirements of federal law ([47 United States Code \(USC\) Section 227](#)) prohibiting many types of unsolicited automated calls or “robo-calls.”

Accordingly, counties or CAPI consortia wishing to communicate with applicants or recipients in this manner must obtain their permission to do so in advance. To simplify this process, the following question has been added to January 2019 revisions of the CAPI Statement of Facts for initial applications ([SOC 814](#)) and for continuing eligibility/redeterminations ([SOC 804](#)):

Do you give the county permission to contact you via text message in regard to your CAPI case? ☐ Yes ☐ No

If “yes,” please provide the phone number to which the county should text such messages.

Any CAPI applicant or recipient who has not indicated “yes” to the above question on their most recent SOC 814 or SOC 804 must not be contacted by the county via automated text message.

Please note that a claimant who previously granted a county permission to be contacted via automated text message regarding their CAPI case may withdraw that permission at any time by providing the county with a statement in writing to that effect. Please be aware that CAPI recipients who have not specifically contacted the county to request removal from an automated text messaging queue may withdraw permission to be contacted in this manner at annual redetermination simply by checking “No” in response to the above question listed on SOC 804.

CAPI applicants or recipients who consent to being contacted via text message by checking the “Yes” box are deemed to continue their consent, even if they change phone numbers, until such consent is specifically withdrawn or until such time as the recipient checks the “No” box on an SOC 804 CAPI redetermination form.

Data privacy considerations

To prevent identity theft and data privacy breaches, counties must take the following precautions when sending automated text messages to CAPI applicants or recipients:

Client name

Automated text messages sent to CAPI applicants or recipients by county computer systems may identify the client by first name only or by last name only. Such text messages should not include both the first and last names of a client.

Case identifying information

AB 1957 provides that computer-generated text messages sent to CAPI applicants and recipients by the counties must not include any type of case identifying information. Accordingly, counties may not include Social Security numbers, case numbers, etc. as part of such messages.

Client text-backs

There may be situations in which technical limitations or county policies prevent CAPI applicants or recipients from replying (“texting back”) to automated text messages generated by a county. In such cases, the county’s text message must include the wording “This is an automated text message. Please do not reply” or similar language indicating that text-backs will not be accepted.

Notices of action

Counties and CAPI consortia may not send the text of notices of action to clients via computer-generated text message. Instead, the county may text the client a link to a secure online portal where the client is able to log in using a password to access the text of the notice of action.

Language access

[California Government Code \(GC\) §7290 et seq.](#) provides that applicants for state benefits and recipients of such benefits must receive services in their primary languages when the state or local office serves a substantial number of non-English speakers as defined in [GC §7296.2](#). Accordingly, any computer-generated text message sent by a county to a CAPI applicant or recipient of a population with a substantial number of non-English speakers must, pursuant to GC §7296.2, be in his or her primary language. Where such translation is not feasible, or where the recipient’s primary language is printed in a non-Roman character set (e.g., Armenian or Chinese) that may not be accessible on the recipient’s mobile phone, the county shall use alternate communication methods (mail, telephone, etc.) rather than text messaging.

Should you have questions regarding the information contained in this notice, please contact Aron Smith or Steve Koehler at California Department of Social Services, Adult Programs Division, Benefit Programs Unit at aron.smith@dss.ca.gov (916-651-1174) or steven.koehler@dss.ca.gov (916-651-2774).

Sincerely,

Original Document Signed By:

DEBBI THOMSON
Deputy Director
Adult Programs Division