

December 6, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 21-148**

The purpose of this letter is to provide updated information to County Welfare Departments (CWDs) regarding the transition of workers' compensation service providers from York Risk Services Group to Intercare Holdings Insurance Services, for the California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh Employment and Training (E&T) participants.



KIM JOHNSON  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



GAVIN NEWSOM  
GOVERNOR

December 6, 2021

ALL COUNTY LETTER NO. 21-148

TO: ALL COUNTY WELFARE DIRECTORS  
ALL WELFARE-TO-WORK COORDINATORS  
ALL CALFRESH PROGRAM COORDINATORS  
ALL CALWORKS PROGRAM COORDINATORS

SUBJECT: NEW THIRD PARTY WORKERS' COMPENSATION CLAIMS  
ADMINISTRATOR AND CLAIMS REPORTING PROCEDURES  
FOR CALIFORNIA WORK OPPORTUNITY AND  
RESPONSIBILITY TO KIDS CalWORKs AND CALFRESH  
EMPLOYMENT AND TRAINING PARTICIPANTS

REFERENCE: ALL COUNTY LETTERS [ACL 11-17](#), [ACL 13-56](#), [TITLE 7 CODE OF FEDERAL REGULATIONS \(CFR\) 273.7\(m\)\(6\)\(i\)\(E\)](#), [7 CFR 273.7\(e\)\(2\)\(iv\)\(B\)\(2\)](#)

The purpose of this All County Letter (ACL) is to provide County Welfare Departments (CWDs) with updated information regarding the transition of services from York Risk Services Group, Inc., (York) to Intercare Holdings Insurance Services (Intercare) for workers' compensation coverage for California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh Employment and Training (E&T) participants.

Effective December 1, 2021, Intercare will be the new administrator of workers' compensation benefits for those injured while participating in CalWORKs Welfare-to-Work, (WTW) and CalFresh E&T activities described below. The California Department of General Services, Office of Risk and Insurance Management (DGS-ORIM), will continue to manage the workers' compensation program for California Department of Social Services (CDSS) and is participating in the implementation of the services under the new agreement with Intercare.

### **CalWORKs Welfare-to-Work Program**

Workers' compensation is covered by the State of California through CDSS, for individuals injured while participating in CalWORKs WTW activities including, but not limited to, the following:

- Work Experience
- Community Service
- Subsidized Employment

**NOTE:** The CDSS' workers' compensation contract only covers subsidized employment when a CWD is the employer of record. If any other entity, including other government agencies (e.g., workforce investment board), is the employer of record, that employer must provide the workers' compensation coverage. More information regarding the employer of record is outlined in [ACL 12-15](#).

### **CalFresh Employment and Training Program**

The CalFresh E&T is California's employment and training program for Supplemental Nutrition Assistance Program (SNAP) recipients. CalFresh E&T participants receive CalFresh benefits each month, but do not receive a monthly cash grant, unlike applicants or recipients under the CalWORKs program. Workers' compensation is covered by the State of California through CDSS, when a CalFresh recipient is participating in one of the following CalFresh E&T components:

- Workfare
- Work Experience

**NOTE:** The CDSS' workers' compensation contract only covers Work Experience when a CWD is the employer of record. If any other entity, including other government agencies (e.g., workforce investment board), is the employer of record, that employer must provide the workers' compensation coverage as outlined in [Title 7 Code of Federal Regulations \(CFR\) 273.7\(e\)\(2\)\(iv\)\(B\)\(2\)](#).

### **County Contact Representative Information**

The CalWORKs WTW and CalFresh E&T Programs provided CWD contact information to Intercare in order to implement and coordinate the services under the new agreement with Intercare. The CDSS respectfully requests each CWD promptly notify Intercare of any changes to the primary contact person for workers' compensation claims reported on/or after December 1, 2021 for CalWORKs WTW and CalFresh E&T participants to ensure proper handling of participant(s) filed claim(s).

## **Intercare Reporting Requirements for The CalWORKs and CalFresh E&T Programs**

When the employer/worksite supervisor/county contact representative receives notification, from any source, that a CalWORKs or CalFresh E&T participant incurred an injury while participating in the program, the following procedures must be followed within one (1) working day:

1. Employer/worksite supervisor/county contact representative completes lines 9-17 of the Workers' Compensation Claim Form DWC 1 and gives the DWC-1 form to the employee.
2. Employer/worksite supervisor/county contact representative must have the employee sign and date the Acknowledge of Receipt of the Employee Workers' Compensation Claim form.
3. If the employee completes the DWC-1 form, they should be given a copy of the DWC-1 form and the employer/worksite supervisor/county contact representative should retain remaining copies.
4. The appropriate supervisor should complete the Supervisor's Report of Injury. The employer/worksite supervisor/county contact representative must complete the Employer's Report of Occupational Injury or Illness, Form 5020, which can be located on the [Intercare Website](#); usernames and passwords will be provided upon confirmation of the employer/worksite supervisor/county contact representative's information by CDSS. All information requested on the Form 5020 is essential for the proper handling of the potential claim. The information provided on the Form 5020 must be complete, accurate, and contain the worksite supervisor's signature and title. Please understand that the worksite supervisor's signature is not an admission of liability. Form 5020 can be filed on the [Intercare Website](#), by fax, and by mail.
5. The employer/worksite supervisor/county contact representative must send all of the above to Intercare along with any medical reports and bills, verification of employment assignment, (e.g.,) employment contract, and information regarding the client's grant/benefit amounts. The employer/worksite supervisor/county contact representative should retain a copy for their records.
6. Intercare held trainings via Webex webinar from Monday, November 8th through Friday, November 19th. Trainings were approximately 30 minutes, with multiple time slots available each day. Counties were provided with instructions for requesting access to the Intercare website. Additional trainings will be held on various dates throughout December 2021 and January 2022 for any counties that were unable to attend the November trainings or would like additional trainings by contacting Intercare at: [CA-DSS@Intercareins.com](mailto:CA-DSS@Intercareins.com).

7. Workers' Compensation 101 reporting packets will be provided to all locations.

If there are questions related to reporting requirements, completion of claims reporting forms or worker's compensation in general please contact:

Intercare Holdings Insurance Services  
P.O. Box 579  
Roseville, CA 95661  
Phone: 1-800-771-5454  
Fax: 916-677-2610  
[CA-DSS@Intercareins.com](mailto:CA-DSS@Intercareins.com)

### **Required Notices and Pamphlets**

All California employers are required to post the Notice to Employees-Injuries Caused by Work. The CWD must post this notice in a conspicuous location frequented by participants. The poster can be found on the [Department of Industrial Relations website](#), Intercare will provide an electronic version of the notice.

Employers must also distribute a Time of Hire Pamphlet, which notifies new participants about California workers' compensation rights and benefits at the time of hire. CWDs are responsible for distributing the pamphlet to all new participants and existing participants upon request. The pamphlet can be found on the [Department of Industrial Relations website](#), Intercare will provide an electronic version of the pamphlet.

### **Reporting a Serious Injury, Illness or Death of a CalWORKs/CalFresh E&T Participant**

Generally, a serious injury or illness is defined as any injury or illness occurring in a place of employment which requires inpatient hospitalization of an employee for a period in excess of 24 hours (for other than medical observation); results in a loss of any member of the body; or any serious degree of permanent disfigurement. If a fatality or serious injury or illness occurs to a participant of the CalWORKs WTW and CalFresh E&T while participating in the activities described above, the following procedures must be followed:

1. Report the incident immediately by telephone to the nearest office of the California Division of Occupational Safety and Health (DOSH). A list of DOSH offices can be found at the following link: [Dosh District Offices](#).

"Immediately" means as soon as practically possible but no later than eight (8) hours of when the employer knows or with diligent inquiry would have known of the death or a serious illness or injury per [California Code of Regulations, Title 8, Section 342](#). Immediate reporting also applies to injuries or illnesses initially determined to be non-serious, but later fall within the definition of a serious injury

or illness. Upon learning of a serious injury or illness, an employer must immediately report it to the California DOSH. Failure to make an immediate report is subject to a minimum \$5,000 fine.

2. The employer/worksite supervisor/county contact representative at the worksite must immediately contact Intercare at: 1-800-771-5454. If worksite is other than the county office, the worksite supervisor must contact the CWD immediately to report the incident.

### **Contract by Intercare Claims Examiners and Adjusters**

The Intercare examiner dedicated to the CalWORKs and CalFresh E&T programs will be contacting the CWD workers' compensation coordinators/county contact representatives for further information on individual cases. It is the responsibility of the coordinators/county contact representatives to provide all necessary information to the Intercare claims examiners or adjusters. Cooperating with the adjuster and providing requested information is not considered a violation of confidentiality since Intercare is under contract with CDSS to administer these benefits of the workers' compensation program and is acting on behalf of CDSS.

Intercare adjusters may ask questions in the following areas:

- Return to work dates
- Length of assignments
- Availability of alternative/modified work
- Background information
- Medical information
- Grant/Benefit information

If there are, questions that are non-claims related or regarding the administration of benefits by Intercare please contact:

Office of Risk and Insurance Management  
Department of General Services  
Phone: (916) 376-5296  
Fax: (916) 376-5275  
E-mail: [InsuranceServices@dgs.ca.gov](mailto:InsuranceServices@dgs.ca.gov).

If you have any questions or need additional guidance regarding the information in this letter, contact:

For CalWORKs, contact the Bureau/Branch by phone at (916) 654-2137, or by email at [CWEngagementPolicy@dss.ca.gov](mailto:CWEngagementPolicy@dss.ca.gov).

For the CalFresh Bureau/Branch, by phone at (916) 651-8047 or by email at [CalFreshEandT@dss.ca.gov](mailto:CalFreshEandT@dss.ca.gov).

Sincerely,

***Original Document Signed By***

JENNIFER HERNANDEZ  
Deputy Director  
Family Empowerment and Engagement Division