



Greater Hartford Legal Aid

Human Services Committee, January 29, 2015
Testimony submitted by Lucy Potter, Attorney
Greater Hartford Legal Aid

S.B. 280 AN ACT CONCERNING THE DEPARTMENT OF SOCIAL SERVICES. Support
H.B. 5431 AN ACT CONCERNING FRAUDULENT CLAIMS FOR STATE ASSISTANCE.
Redundant, already addressed by 53a-122 and 53a-123

I am an attorney at Greater Hartford Legal Aid and have represented many clients who seek cash and medical help from DSS. I am counsel in Briggs v. Bremby, a case that seeks timely processing of food stamps benefits. The Federal District Court granted a preliminary injunction in Briggs, finding that DSS was not complying with federal processing timeframes. That order is now on appeal to the Second Circuit.

DSS has shown improvement in its processing of food stamps, but is not meeting the benchmarks (97% timely) under the order. Based on the most recent report for December, 2014, 92% of the cases that should be processed in 30 days and 84% of the cases that should be processed in 7 days are processed timely. As you know, Food and Nutrition Services (FNS), the federal agency that oversees the Supplemental Nutritional Assistance Program (also known as SNAP or Food Stamps) is also scrutinizing DSS's SNAP program. DSS provides weekly reports to FNS that track processing of SNAP documents in the scanning system and document other processing backlogs in that system.

As I testified last year, Food stamp processing delay is only part of the larger picture of DSS delay and dysfunction. We are hearing from people all over the state about food stamp, medical and cash applications and renewals that are delayed or lost. Call Centers and offices are failing dramatically to serve the public in resolving these issues.

DSS's Dashboard, which documents Call Center performance, shows that for December callers waited an average of 64 minutes to speak with a DSS worker. Of the 94,337 who were transferred to speak to a worker, 61,423—65% gave up. People lack cell minutes, or feel the call center is an exercise in futility. Without this high abandon rate the wait times would be even longer. Those who cannot get through on the phone go to the regional offices. There are long lines as the offices open in the morning, especially in the bigger offices at the beginning and end of the month when people realize benefits are discontinuing. People wait because it is their only recourse to make sure they can keep their medical coverage or buy food. I see clients regularly who have sent in their renewals for a program but get cut off anyway because DSS did not get to their case.

DSS has been assuring us since 2008 that the fix is just a little further up the road. On February 15, 2008 Commissioner Starkowski told the Appropriations Committee:

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I don't think there's been a legislator in this building that hasn't called me at some point and said that they [or a constituent] couldn't get through to a regional office.

That was 2008. The document scanning system and Call Centers were offered as the solution, and were said to be two years away. Two years later, in a May 2010 powerpoint, the Call Centers were yet another two years down the road. In a Connecticut Mirror Article about the same time, Commissioner Starkowski explained that they had been able to address a backlog by hiring workers temporarily and believed that once ConneCt and the Call Center were in place backlogs would no longer develop.

Commissioner Bremby came in 2011 and, to his credit, got the ConneCT system up and running. But it has now been in place for eighteen months and we are told that we need the next fix—ImpaCT—the computer system that will integrate the old EMS system with ConneCT. We had been told that the deadline for ImpaCT was 2015, but a December CtMirror article stated that the new federal deadline will be 2018. So that takes us from 2008 to 2018. Over the last five to ten years many consultants, Maximus, First Data, Deloitte, CIA, Stanley Stewart and now Teracore have been brought in to try to understand and reconfigure DSS. And we are still waiting and the wait times for DSS callers are still over an hour.

Senate bill 280 calls for a study of DSS to determine its responsiveness to recipients, whether there are problems with programs and whether staff is well allocated. Such a study should begin with a review of the extensive reporting that DSS is already subject to in the Briggs and Shafer cases and the FNS reports. We should look back to periods when DSS began to get things under control and see what worked. That experience shows that when sufficient staff is focused on the problem, backlogs go down. And we can look to other states. It is a huge undertaking to run these programs. But there are states that manage, if not perfectly, with much better success than Connecticut.

Program recipients depend on DSS for essential benefits. People go hungry, lose their housing and cannot get medical treatment when DSS cannot timely process their applications and renewals. These needs really can't wait.

Briefly, I would also like to address **H.B. 5431** regarding fraudulent claims for state assistance. Conn. Gen. Stats 53a-122 and 123 already make "property obtained by defrauding a public community" which applies to any type of public assistance, a felony punishable by up to 10 years in jail if under \$2000 and up to 20 years in jail if over \$2000. This bill is not necessary.