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**Testimony Before the Council of the District of Columbia**

**Committee on Human Services**

**Performance Oversight Hearing  
Department of Human Services  
March 5, 2025**

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Good afternoon, Chairperson Frumin and Members of the Committee on Human Services. My name is Victoria Taplin, and I am a Managing Attorney for Policy & Advocacy with DC KinCare Alliance. Our mission is to support the legal, financial, and related service needs of relative caregivers who step up to raise children in their extended families in times of crisis when the children's parents are not able to care for them due to hospitalization, mental health and substance use disorders, incarceration, death, abuse and neglect, and/or deportation. In the 7 years since our founding, we have helped over 1,000 relative caregivers raising more than 1,000 DC children in more than 1,000 legal matters. DC KinCare Alliance is a member of the Fair Budget Coalition, and we support budget priorities and policies that alleviate poverty in the District of Columbia.

I am testifying today regarding the D.C. Department of Human Services ("DHS"). The relatives we serve are primarily Black women who live in Wards 5, 7 and 8. They often live at the economic margins of our society, even before they are called upon to raise a relative child. Many also report a significant disability. These relative caregivers need financial help and stable housing to raise the children. They fit squarely within the demographic that DHS is purposed to serve. However, the process of applying for benefits, and retaining them once they have them, is complicated and burdensome, leading many caregivers to give up.

Today you will hear directly from our clients about how they have been negatively impacted by long-standing, recurring administrative problems at DHS. Before you hear from them, I will give you an overview of the most frequent problems we encounter.

### **1. Current Obstacles**

First, there is an unacceptable incidence of errors when DHS processes applications and recertifications, caused by a combination of human error and technical glitches with DHS' public benefits software, such as District Direct, DCAS, and DIMS. Some of this

stems from how lengthy and confusing the online applications are, resulting in information being put in the wrong place. Recently we helped a client recertify for Medicaid on District Direct, and after answering pages and pages of information, we got an error message and all the information we had inputted was erased. We then filled out a paper form instead and it was much shorter and simpler and did not ask for much of the information that the online form required. If DHS is encouraging people to use District Direct, why does the online application have to be so much more burdensome than the paper form? It is also very difficult to get rid of outdated information, such as information about income and members of the household, resulting in errors in the calculation of benefits.

Second, if a constituent receives a notice from DHS about a problem with their application, and they go to an ESA service center or phone the Call Center, the wait times are extremely long, and the staff do not have access to District Direct to look up what the constituent has submitted online, nor do they have sufficient interface with DCAS, DIMS or other databases used by DHS so they can identify the source of the problem. Typically, after waiting for hours at a service center, the constituent is referred to a supervisor, and they have to wait several more hours. Call Center staff also usually refer matters to their supervisor, and the constituent never hears back with an explanation or resolution. Moreover, DHS has not implemented a method to provide receipts to persons submitting hard copy applications at the service centers, so if those are lost by the centers, applicants have no way to prove the date submitted. Further, District Direct and the service centers do not have coordinated record-keeping -- when a client applies or submits documentation at a service center, that information is not later available on District Direct. Correspondingly, when a client applies on District Direct, the service center does not seem to have access to their information nor does the Call Center.

Third, the wait time for a determination on applications, change of circumstances, and recertifications is frequently greater than the legally-required 45 days (30 days for SNAP), with messages of “pending” and “waiting for approval” on District Direct seemingly locked, despite requested verifications already uploaded to the portal. As of 2023, the District of Columbia was ranked 51 out of 53 states and territories in application processing timeliness for SNAP, underscoring the severity of the problem.<sup>1</sup>

## **2. No Effective Method To Resolve Obstacles**

Currently, there is no meaningful, easily accessible, or timely method for constituents to raise or obtain resolution of benefits issues. When problems are not resolved, or if an application, recertification or change of circumstance is not processed timely, the only viable course of action is to file a fair hearing request. From January to September, 2024, all of the benefits applications we assisted clients to submit on District Direct resulted in a fair hearing request. The sheer number of errors and no ready means to resolve them has resulted in an overburdened Office of Administrative Hearings, resulting in long waits for administrative review conferences and fair hearings.

More recently, DHS asked us and other legal services providers to bring problems to its DPO Escalations unit before filing for a fair hearing. While this method has been quite helpful in delivering timely resolutions to some matters, it is not available to constituents who do not have lawyers helping them, nor does the unit have capacity to handle all the problems and errors that occur for the entire population of public benefits recipients.

## **3. Consequences Of Administrative Malfunction On Constituents**

The consequences of the malfunctions in the current system for caregiver clients like ours are real and painful. An interruption in benefits that cannot be promptly remedied can

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<sup>1</sup>As ranked by the USDA. <https://www.fns.usda.gov/snap/qc/timeliness/fy23>.

cause them to use money for utilities to pay for food, which in turn causes them to get behind in their utility bills and receive a shut-off notice. Or they can no longer afford their rent, so their family descends into housing instability. Some residents who are eligible for benefits will never receive them, putting enormous stress on their households. This is the opposite result of what these public benefits were designed to achieve.

#### **4. Proposed Solution: Office Of Ombudsperson For Public Benefits**

To address this problem, DC KinCare Alliance proposes that the D.C. Council enact a law to establish an independent Office of Ombudsperson for Public Benefits (the “Office”), modeled after the law that established an independent Office of Ombudsperson for Children, D.C. Code §.4-671.01 *et seq.* Constituents could call, visit, or submit a complaint to the Office as soon as a problem arises. The Office staff would have access to District Direct, DCAS, DIMS, and any other locations where relevant records are kept, so that they could quickly ascertain the source of the problem and get it resolved. Office staff would also be on site at DHS to interface with operations staff and address concerns on the ground at ESA service centers.

By handling small technical errors as they arise, the Office would help DHS become more strategic and efficient by: (1) allowing the ESA service centers to concentrate on assisting residents with submitting applications, recertifications, and change of circumstances, rather than dealing with administrative errors; and (2) reducing the workload on the appeals process so that only the more complicated appeals would need to be addressed. The Office would also be charged with identifying and taking steps to correct pervasive DHS policies, systems, and practices that undermine the efficient delivery of benefits and services to District residents.

#### **5. Positive Impacts On Both Consumers Of Services And The District Government**

Establishing the Office would empower over 137,500 D.C. residents per year who apply for and/or receive DHS benefits and services through the Economic Services Administration and the Family Services Administration.<sup>2</sup> Problems would be resolved as they come up and, consequently, fewer District resources would be spent adjudicating appeals and on the social safety net. Moreover, the effective administration of DHS benefits would lay the groundwork for families to maintain their homes, obtain education and employment, and have the opportunity to build wealth and power. This, in turn, will result in fewer individuals needing these services in the future as they are lifted up out of poverty.

I am happy to answer any questions.

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<sup>2</sup> This is based on FY 2024 numbers, the most recent available data regarding D.C. SNAP participants (see [https://www.cbpp.org/sites/default/files/atoms/files/snap\\_factsheet\\_district\\_of\\_columbia.pdf](https://www.cbpp.org/sites/default/files/atoms/files/snap_factsheet_district_of_columbia.pdf)), which should also encompass most TANF recipients, many homeless service recipients, and some recipients of other DHS programs who represent a relatively small percentage of the total persons served by DHS. While we believe this number provides a reasonable estimate of persons that would be impacted by this recommendation, it is a conservative number because it does not include the entire universe of those served by DHS or those who attempted to be served but were wrongfully denied SNAP benefits.